

ORDINANCE NO. 604
CITY OF DAYTON, OREGON

An Ordinance Amending a Previous Approval of Assignment from Western Oregon Waste to Recology Oregon , Inc of the City's Solid Waste Collection Franchise and Approving a Stock Purchase Transaction between K.E. Enterprises, Inc. dba Western Oregon Waste ("WOW") to Recology Oregon, Inc ("Recology Oregon").

WHEREAS, Ordinance Nos. 595 and 598 approved and amended respectively a City franchise for WOW to provide solid waste collection services within the City; and

WHEREAS, the City previously consented to the assignment of the franchise from WOW to Recology Oregon, Inc. through Ordinance No. 601; and

WHEREAS, WOW and Recology Oregon have requested the City approve the assignment as a stock purchase transaction instead whereby Robert J. Emrick, current majority owner of WOW, will sell his stock to Recology Oregon ("Transaction"), which is the wholly owned subsidiary of Recology, Inc., a California corporation ("Recology"). As a result of the Transaction, Recology Oregon will be the sole shareholder of WOW and Recology will own WOW through its wholly owned subsidiary, Recology Oregon; and

WHEREAS, the parties have represented to the City that WOW through Recology Oregon and Recology will retain sufficient knowledge, experience, and financial resources to meet its obligations of the franchise.

The City of Dayton ordains as follows:

Section 1: The City of Dayton hereby approves the proposed stock purchase transaction. Western Oregon Waste will continue to hold the franchise for the City's solid waste collection services following the Transaction, and will operate as a wholly-owned subsidiary of Recology Oregon, Inc.

Section 2: Ordinance 601 is repealed and replaced in its entirety with this Ordinance.

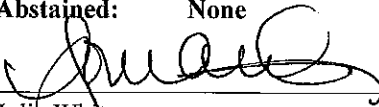
Section 3: This ordinance will be effective thirty (30) days after adoption by the City Council.

Date of first reading: December 6th 2010 In full _____ or by title only X

Date of second reading: January 3rd, 2011 In full _____ or by title only X

ADOPTED this 3rd day of January , 2011.

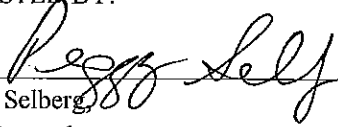
In Favor: Blackburn, Evers, Frank, Hensley, Utt, White and Wytoski
Opposed: None
Absent: None
Abstained: None



Jolie White
Mayor

1/18/2011

Date of Signing

ATTESTED BY:


Peggy Selberg
City Recorder

1/13/2011

Date of Enactment