

RESOLUTION NO. 122

A RESOLUTION OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, AUTHORIZING THE CITY MANAGER TO PROCEED WITH A SPECIAL REFUSE RATES HEARING BEFORE A SPECIAL HEARINGS EXAMINER AT THE REQUEST OF UNIVERSITY PLACE REFUSE.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, AS FOLLOWS:

Section 1. Authorization. City Manager, or his designee, is authorized and directed to proceed with a special refuse rates hearing to be conducted by a hearings examiner.

Section 2. Selection of Hearings Examiner. The City and University Place Refuse must agree upon a neutral third-party to act as the hearings examiner. If the City and University Place Refuse cannot agree on one person, then the City and University Place Refuse will each name a hearings examiner. The two hearings examiners will then jointly agree upon a third, independent, hearings examiner.

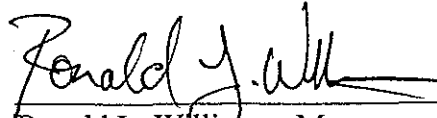
Section 3. Hearing Costs to Be Shared. The City and University Place Refuse agree to each pay fifty percent (50%) of the cost incurred in hiring a hearings examiner(s). The City and University Place Refuse, however, will each be solely responsible for its own costs in preparing and responding to any requests for information that the hearing examiner(s) might make.

Section 4. Purpose of Special Hearing. University Place Refuse is asking for an adjustment to its base rates. The Company states that its rates are below market average and that its costs have risen steeply. The Company believes that it can adhere to its 10 year contract with the City, signed in October of 1995, if an adjustment to its base rates is permitted. The hearing examiner(s) will be responsible for determining if a rate increase is justified, and if so, how much.

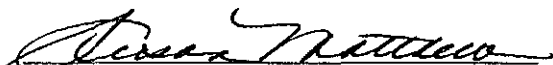
Section 5. Hearing Examiner's Findings. The hearing examiner(s) will review information presented by the Company and the City, take public testimony, and prepare findings and recommendations for the City Council by December 31, 1996.

Section 6. Effective Date. This resolution shall take effect immediately upon signing.

ADOPTED BY THE CITY COUNCIL ON OCTOBER 21, 1996.


Ronald L. Williams, Mayor

ATTEST:


Susan Matthew, City Clerk