

BILL NO. R-18-08-23

RESOLUTION NO. R-_____

A RESOLUTION REGARDING THE SERVICE PROVIDED BY RED RIVER WASTE SOLUTIONS TO THE CITY OF FORT WAYNE

WHEREAS, the city of Fort Wayne began utilizing Red River Waste Solutions for its waste service needs on January 1, 2018;

WHEREAS, Fort Wayne Common Council asserts that a great number of residents of Fort Wayne have had their trash and recycling services missed since the city of Fort Wayne switched to Red River;

WHEREAS, The misses in service are continual and Red River has not made significant and promised improvement since the inception of this contract;

WHEREAS, The contract between Red River sets forth parameters for service, many of which have not been met, including, but not limited to: Red River must collect all qualifying units eligible to receive City service one time per week, the refuse is to be collected on the date scheduled, the collections must be done using some form of automation and may not be done by hand, all carts must be placed back where the resident set them out for collection, the carts shall not be left in the middle of driveways, the collection of bulk units must take place within one day of the regularly scheduled day, the collections must include the removal of yard waste in yard bags or refuse containers, and the collections must also include the removal of public litter barrels and certain event public litter barrels;

WHEREAS, The parameters for Red River collections are: collections shall be completed from 6am-6pm, Monday-Friday, previous day missed collections that are

1 reported to 311 must be completed by 5pm the following day, and fines begin accruing
2 at one miss per 1,000 households;

3 WHEREAS, Six months into the contract, verified missed collections of garbage and
4 recycling for Red River total over 3,000 for the month of June, over 2,500 for the month
5 of July, and appear to remain unacceptably high in August;

6 WHEREAS, In addition to the verified missed collections there have been verified
7 reports of service errors, including, but not limited to: carts being placed in the street,
8 carts blocking driveways and sidewalks, carts being left overturned, and carts being left
9 open;

10 WHEREAS, Trash left uncollected soon becomes a health hazard and a breeding
11 ground for disease, attracting rodents, vermin, and bugs;

12 WHEREAS, A modern, healthy, viable city, must, at the very least, have reliable
13 sanitation services and refuse disposal options. This is a basic city service that must be
14 successfully offered, supplied, and performed;

15 WHEREAS, Fort Wayne City Council has had numerous meetings and
16 interactions with Red River Waste Solutions, including a public meeting in June at which
17 Red River brought new management to the Council table to discuss a new
18 communication strategy and plans for continued improvements, neither of which have
19 happened;

20 WHEREAS, Requests made by Council at this June meeting have not been
21 accommodated and service has not improved since that time. These Council requests
22 include, but are not limited to: providing additional communication options and refunding

1 fees to customers who do not receive proper service, independent of fines levied
2 against Red River;

3 WHEREAS, The primary penalty for Red River's poor service and failure to
4 uphold its contractual obligations is fines levied against Red River, but to date the fines
5 have not changed the level of service being provided, evidencing that the levied fines
6 are not achieving their desired effect;

7 WHEREAS, The contract between the City of Fort Wayne and Red River Waste
8 Solutions has now completed its seventh month and the services are neither at a level
9 required to satisfy the sanitation services and refuse disposal needs of the City of Fort
10 Wayne nor are the services within the parameters required by the contract;

11 WHEREAS, This is a non-binding resolution and, therefore, reflects the opinion and
12 beliefs of only the elected officials who sign the document.

13 **NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY**
14 **OF FORT WAYNE, INDIANA,**

15 **SECTION 1.** That those members of Fort Wayne Common Council who sign this
16 document believe that Red River Waste Solutions is in substantial breach and/or
17 material default of its contract with the City of Fort Wayne.

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19 _____
20 Russell Jehl
21 Common Council Member
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25 Michael Barranda
26 Common Council Member
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APPROVED AS TO FORM AND LEGALITY

Joseph G. Bonahoom, City Council Attorney