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5 **A RESOLUTION REGARDING CITIZEN RATEPAYERS**
6 **OF THE CITY OF FORT WAYNE AND FEES**
7 **FOR RED RIVER WASTE SOLUTIONS**
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10 WHEREAS, the City of Fort Wayne ("City") began utilizing Red River Waste
11 Solutions ("Red River") for its waste service needs on January 1, 2018;

12 WHEREAS, Fort Wayne Common Council ("City Council") asserts and has
13 demonstrated that a great number of residents of Fort Wayne have had their trash and
14 recycling services missed since the city of Fort Wayne switched to Red River;

15 WHEREAS, the City, City Council, and other involved parties, including Red River,
16 have met on numerous occasions to discuss the service failures of Red River;

17 WHEREAS, the City, as permitted in its contract with Red River, has collected fines
18 from Red River for missed collections and other service-related failures and placed those
19 fines in the Solid Waste Fund;

20 WHEREAS, the City graciously did not fine Red River for several months despite
21 widely missed pickups;

22 WHEREAS, the fines collected from Red River by the City total several hundred
23 thousand dollars and are still accruing fines and are held in the Solid Waste fund;

24 WHEREAS, City Council believes that citizen ratepayers that rely on Red River
25 services and pay fees for Red River's service ("Citizen Ratepayers") should be provided
26 with some form of reimbursement due to the service failures and inconvenience of Red
27 River and the subsequent negative impacts of those service failures;

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

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

SECTION 1. That Fort Wayne Common Council believes the City can avail itself and provide relief to Citizen Ratepayers by exercising one of two options:

- 1) Waive the solid Waste fee paid by all Citizen Ratepayers for one month; or
- 2) Use the fines levied against Red River and collected by City Utilities that are currently held in the Solid Waste Fund to issue refunds to Citizen Ratepayers.

If the Solid Waste Department, the Public Works Division, and the Administration assesses there is not a sufficient balance in the Solid Waste Fund to provide a full month bill credit to all current rate payers, a letter should be sent by the City through the Public Works Division to Red River requesting the necessary funds be provided to the City of Fort Wayne, via the Solid Waste Fund, through a bill credit to the Solid Waste Fund.

SECTION 2. It is the belief of the members of Common Council that the City should exercise one of the two options, and, if applicable, send the letter, identified in Section 1 as soon as possible.

Russell Jehl
Common Council Member

APPROVED AS TO FORM AND LEGALITY

Joseph G. Bonahoom, City Council Attorney