

TO: FAIRFAX TOWN COUNCIL
FROM: Zero Waste Subcommittee
DATE: April 14, 2011
SUBJ: Solid Waste Hauling Agreement

The Fairfax Solid Waste Hauling Agreement is an important franchise agreement. Typically ten years in length, the potential total value of the Fairfax agreement will approach \$20 million dollars over the course of its term.

The solid waste hauling and disposal industries are a rapidly evolving part of our economy. Most jurisdictions in Northern California are rethinking these agreements as our understanding of the environmental impact of "garbage" increases. We know that we can no longer pretend that refuse simply disappears when it is hauled away. Scientific evidence and our own County's experience has established that unless properly handled, traditional landfill treatment of garbage causes water pollution and produces methane a potent greenhouse gas that has several times the impact of CO2. Sustainable principles have taught us to understand that much of what was previously disposed of as garbage is actually a valuable resource when handled properly.

Most of us know that certain materials such as glass and aluminum generate redemption fees and can be sold for recycling for future use. We are also now recognizing that much of our "green waste" which was previously used as "alternative daily cover" at the landfill can be composted into valuable mulch to reinvigorate our farms and gardens. Thus, these items are actually resources and not waste.

About four years ago, Fairfax passed a Zero Waste Resolution which pledged an 80% reduction in our town's solid waste tonnage in the next ten years. Unfortunately, our existing agreement with Marin Sanitary will not get us to those goals nor will the last draft of the agreement that was considered by the former "Solid Waste Subcommittee". A copy of that agreement is attached hereto.

Fortunately, new examples of more modern agreements have become available in the last few months which will help us move forward towards an agreement that will change the paradigm and be financially viable for all stakeholders. The City of Novato recently entered into an agreement which incorporates some of these changes. More importantly, the County of Marin Zero Waste Committee recently published its model franchise agreement which may provide an even better template for a new Fairfax agreement. Copies of the Novato and model franchise agreement are attached hereto.

At our March 16, 2011 special meeting, the council indicated its desire to see Fairfax expeditiously negotiate a new solid waste hauling agreement. As you can see, these are complex agreements and Fairfax would benefit by hiring a consultant to provide expert guidance during negotiations with Marin Sanitary Service. A consultant would also help even the playing field in a complex negotiation and streamline that process by providing best practice deal points. The cost of a consultant could probably be recovered as a cost under the franchise and would be a good investment for the Town.

Respectfully submitted,
Larry Bragman