

**TOWN OF FAIRFAX  
STAFF REPORT**

**To: Mayor, Members of the Town Council**  
**From: Michael Rock, Town Manager**   
**Date: October 5, 2011**  
**Subject: Discussion of newly negotiated Franchise Agreement with Marin Sanitary Service for solid waste, recycling and other resource recovery**

**DISCUSSION**

The draft Agreement attached is in draft form for discussion. This draft Agreement has not had legal review by the Town Attorney or MSS legal staff. The Zero Waste Committee is seeking the Council's and the public's comments and the final Agreement will be brought back for Town Council approval on November 2, 2011.

The current Solid Waste, Recycling and Resource Recovery Agreement was written and approved on April 19, 1993 and was with a different garbage hauler. MSS took over this Agreement without any changes. Much has changed in the solid waste, recycling and resource recovery world since 1993 and the Town Council and MSS felt it was time to create an Agreement that better reflects the services that are being provided and can be provided today that were not possible in 1993 such as the pilot food waste recycling program started in Fairfax last year.

This draft Agreement is the work of the Zero Waste Committee and Solid Waste Consultant Tom Vence, whom the Council hired in April 2011. Tom Vence has more than thirty years of experience negotiating solid waste agreements and was able to provide valuable technical assistance in crafting this draft Agreement.

**FISCAL IMPACT**

There is no direct fiscal impact from the Agreement. The Agreement calls for new programs and will require a rate increase to implement new programs and to have current rates reflective of the consumer price index and other increases in the cost of providing the service by MSS. The consideration of changing rates for solid waste, recycling and resource recovery will be before the Town Council on December 1, 2011.