



Legislation Details (With Text)

File #: 20-965 **Version:** 1 **Name:**

Type: Council Letter **Status:** Filed

File created: 12/18/2020 **In control:** Special City Council

On agenda: 12/22/2020 **Final action:** 12/22/2020

Title: Approve a Revised Letter of Intent to Negotiate in Good Faith with Waste Management for a New Franchise Agreement

Sponsors:

Indexes: Shared - General Fund

Code sections:

Attachments: 1. 12222020 WM Good Faith Negotiations Revised, 2. Redline Revised Good Faith Negotiation WM Letter

Date	Ver.	Action By	Action	Result
12/22/2020	1	Special City Council	approved	Pass

Approve a Revised Letter of Intent to Negotiate in Good Faith with Waste Management for a New Franchise Agreement

On December 14, 2020, the City Council approved a Letter of intent to negotiate in good faith with USA Waste of California, Inc., dba Empire Waste Management. The approved letter did not state that the negotiations would be exclusive but the City would like to make it clear that good faith negotiations with Waste Management does not mean exclusive negotiations. The revised letter makes the City's intent clear.

At the time the letter and staff report were written, the understanding and intention of the City of Fort Bragg was to negotiate with Mendocino County for a renewal of both jurisdictions' Waste Management Franchise Agreements. On December 8, 2020, the Mendocino Board of Supervisors voted 5-0 to bid out the Area 2 Franchise Agreement that expires on June 30, 2021. Mendocino County Area 2 covers the coastal area surrounding Fort Bragg and the Village of Mendocino, in addition to area in the greater Ukiah Valley. Area 2 does not include incorporated area within Fort Bragg, Willits or Ukiah.

Mendocino County and the City of Fort Bragg jointly own the Caspar Transfer Station and have worked together for many years to replace or expand that facility in order to operate more efficiently. Recently, the City/County's consultant evaluating the best solution for a coastal transfer station recommended that the two jurisdictions jointly bid out the construction and operation a transfer station as part of the solid waste hauling franchise agreements. This had been part of the considerations when the City and County synced up the expiration dates for each of their WM agreement so both expired on June 30, 2021. Continuing to work together and sharing resources may be in the best interest of both jurisdictions, that could include sharing a solid waste hauling provider.