

# Mayor and Council Communication

**DATE:** 11/28/23

**M&C FILE NUMBER:** M&C 23-0994

**LOG NAME:** 22GRANT OF PRIVILEGE COMMUNITY WASTE DISPOSAL L.P.

**SUBJECT**

(ALL) Authorize Execution of an Agreement Granting a Non-Exclusive Privilege to Community Waste Disposal L.P. Pursuant to Chapter 12.5, Article VIII "Solid Waste and Recycling," Division 5 "Private Collectors" of the City Code, to Collect and Transport Municipal Solid Waste

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**RECOMMENDATION:**

It is recommended that the City Council authorize the execution of an agreement granting a non-exclusive privilege to Community Waste Disposal L.P. , pursuant to Chapter 12.5, Article VIII "Solid Waste and Recycling," Division 5 "Private Collectors" of the City Code, to use public streets, alleys and thoroughfares within the City for the business of collecting municipal solid waste.

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**DISCUSSION:**

Community Waste Disposal L.P. has submitted an application for a Non-Exclusive Privilege Agreement (Agreement) to collect and transport municipal solid waste generated by businesses, industries and apartment complexes in Fort Worth. The term of the Agreement is for a period of five years and will automatically renew each five year period unless notice of termination is provided by one party to the other at least 30 days prior to the date of the renewal. The Director of Environmental Services has determined the applicant meets the requirements of the law and the City Code and recommends that the City Council authorize the Privilege Agreement which must be passed by a two-thirds vote.

In accordance with the terms of the Agreement, Community Waste Disposal L.P. shall pay to the City a fee of ten percent of gross revenues derived from its commercial collection and transporting operations within the City. Such fee shall be paid on a quarterly basis due on April 30th, July 31st, October 31st and January 31st for the preceding quarter. Community Waste Disposal L.P. also agrees to comply with all other terms such as the condition of the solid waste container used, assumption of liability for damage caused, collection times and the submission of quarterly reports.

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**FISCAL INFORMATION / CERTIFICATION:**

The Director of Finance certifies that upon approval of the above recommendation and execution of the agreement, funds will be deposited into the Solid Waste Fund. The Environmental Services Department (and Financial Management Services) is responsible for the collection and deposit of funds due to the City.

**Submitted for City Manager's Office by:** Valerie Washington 6199

**Originating Business Unit Head:** Cody Whittenburg 5455

**Additional Information Contact:** Christian Harper 2488