

**RESOLUTION NO. 2019-46**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS  
AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN  
AMENDMENT TO THE EXISTING AGREEMENT THROUGH SEPTEMBER  
30, 2030 WITH MISSION TRAIL WASTE SYSTEMS**

**WHEREAS**, in 2010, Council approved a franchise agreement with Mission Trail Waste Systems (MTWS) to provide solid waste, recycling, and organics collection services in the City; and

**WHEREAS**, the original term of the agreement was for ten years and fifteen days with a termination date of September 30, 2020; and

**WHEREAS**, MTWS was selected after a competitive selection process, in which the City received three proposals to provide collection services; and

**WHEREAS**, starting in late 2017, City staff completed a performance review and resident survey to evaluate the quality of services provided by MTWS; and

**WHEREAS**, the performance review found that MTWS complied with the vast majority of its contractual obligations and was providing safe and effective solid waste collection services; and

**WHEREAS**, the resident satisfaction survey, which evaluated numerous City services, found that the solid waste collection and recycling program scored very high in customer satisfaction with 96.2% of respondents either being “very satisfied” or “somewhat satisfied” with the service, with only fire service scoring higher in customer satisfaction; and

**WHEREAS**, on April 24, 2018, as a result of the performance review and resident survey findings, Council authorized the City Manager to enter into negotiations with MTWS for a ten-year franchise agreement extension; and

**WHEREAS**, in preparation for contract negotiations, the staff conducted a series of stakeholder outreach events in winter of 2018 and spring of 2019 to educate stakeholders and to gather input and feedback; and

**WHEREAS**, City staff compiled and evaluated the feedback from the outreach events and identified the following priorities and agreement modifications, 1) Maintain and improve the City’s high diversion rate, 2) Achieve compliance with new state recycling and organics mandates, 3) Secure City-wide roll out of recycling and organics to businesses and multi-family dwellings, 4) Keep rate increases as low as possible, 5) Secure a new, clean-air collection fleet, 6) Maintain the City’s wide selection of recycling programs, 7) Improve the recycling and organics public education and outreach program, 8) Improve timeliness of the bulky waste collection program; and

**WHEREAS**, a twelve-year extension to the existing agreement allows the City to provide continuity and stability in a critical service by a provider that has demonstrated high levels of

customer satisfaction with a reasonable rate increase schedule in line with other Bay Area agencies; and

**WHEREAS**, Public Resources Code section 40059 authorizes the City to award a solid waste franchise with or without competitive bidding; and

**WHEREAS**, City staff finds that a ten-year term maximizes rate savings without adversely affecting contractor performance of required services or City finances.

**NOW THEREFORE, BE IT RESOLVED**, that the City Council of the City of Los Altos hereby directs the City Manager to complete negotiations with MTWS and prepare and execute an amendment to the existing agreement for a ten-year extension through September 30, 2030 with the combination of options selected by Council.

**I HEREBY CERTIFY** that the foregoing is a true and correct copy of a Resolution passed and adopted by the City Council of the City of Los Altos at a meeting thereof on the 22<sup>nd</sup> day of October, 2019 by the following vote:

AYES: BRUINS, ENANDER, FLIGOR, LEE ENG, PEPPER  
NOES: NONE  
ABSENT: NONE  
ABSTAIN: NONE

  
Lynette Lee Eng, MAYOR

Attest:

  
Dennis Hawkins, CMC, CITY CLERK