



It's real.

Memorandum

To: Mayor and City Council Members
Douglas Faseler, City Manager

From: Andrew Quittner, City Attorney

Subject: Commercial Solid Waste Franchises

Date: July 5, 2016

The City of Seguin currently has franchise agreements with Progressive Waste Solutions of TX, Republic Services, and Apache Disposal. The terms of these franchise agreements expire December 31, 2016, and are subject to renewal. Note also that the residential franchise expires September 30, 2018.

In accordance with Council's resolution requiring that, in the future, solid waste companies serving the City refrain from disposing waste over an aquifer city staff recommends that the following changes be included in the Franchise renewal:

A new definition:

Major water aquifer – an underground ground-water system that serves as a major water source for one or more municipalities in Texas.

And an addition to Section 14, Disposal:

The Contractor shall not dispose of any solid waste in a landfill located over a Major Water Aquifer or its contributing recharge zone. Use of a landfill located over a Major Water Aquifer, or its contributing recharge zone shall be considered a major breach of this Franchise, subjecting Contractor to immediate termination.

Subject to these additional terms, staff recommends that the Franchises renew for another three year term.