



Cover Memorandum/Staff Report

File #: 24-959

Agenda Date: 8/5/2024

Item #: 6.G.

TO: Mayor and Commissioners
FROM: Sammie L. Walthour, Neighborhood and Community Services Director
THROUGH: Terrence R. Moore, ICMA-CM, City Manager
DATE: August 5, 2024

APPROVAL OF AMENDMENT NO. 2 TO THE EXCLUSIVE FRANCHISE AGREEMENT BETWEEN THE CITY OF DELRAY BEACH AND WASTE MANAGEMENT INC. OF FLORIDA FOR THE COLLECTION OF SOLID WASTE AND RECYCLABLE MATERIALS.

Recommended Action:

Motion to Approve Amendment No. 2 to the Exclusive Franchise Solid Waste and Recycling Collection Agreement dated February 27, 2023 between the City of Delray Beach and Waste Management Inc. of Florida.

Background:

On February 27, 2023, the City of Delray Beach (the "City") entered into an Exclusive Franchise Agreement with Waste Management Inc. of Florida ("Waste Management" and/or "Contractor") for a term that commenced as of October 1, 2023 (the "Agreement").

The Agreement provides in Section 8.11 that Contractor shall "provide financial contributions and in-kind services to support City-sponsored events, local educational institutions, and non-profit organizations in their efforts to improve the local community." The City has asked the Contractor to update the method in which these funds are distributed, thus agreeing to new language in Section 8.11 and creating Exhibit 21 to detail the changes and the Contractor has agreed.

Additionally, the Parties mutually agree to update Exhibit 16 to accurately reflect the locations of Big Belly units present on City property, Exhibit 17 to identify trash and recycling collection services for City properties, and Exhibit 20 to identify locations of public drop-off facilities for recyclable materials on City property.

City Attorney Review:

Approved as to legal form and legal sufficiency.

Funding Source/Financial Impact:

Sanitation Fund

Timing of Request:

Timely approval will permit the necessary preparation for updates to become effective October 1, 2024.