
MEASURE SUBMITTED TO THE VOTERS

MUNICIPAL

**TOWN OF SAN ANSELMO
FRANCHISE AGREEMENT FOR REFUSE SERVICES
MEASURE C**

C Shall the motion of the San Anselmo Town Council awarding a five-year franchise agreement to Marin Sanitary Service for Solid Waste, Recycling, and Green Waste Services be adopted?

**TOWN OF SAN ANSELMO
FRANCHISE AGREEMENT FOR REFUSE SERVICES
IMPARTIAL ANALYSIS BY TOWN ATTORNEY
MEASURE C**

The Town Council of the Town of San Anselmo awarded a five-year contract to Marin Sanitary Service on August 27, 2002 to provide refuse, recycling and green waste services to the Town beginning November 30, 2002.

Under State law, when a referendum petition, such as the petition which qualified Measure C for this election, garners a sufficient number of valid signatures, the effective date of the referenced action is suspended. Marin Sanitary Service is presently providing refuse services to the Town on an interim basis only.

If Measure C is adopted by a majority vote, Marin Sanitary Service will provide refuse, recycling and green waste services to the Town of San Anselmo for the next five years. If a majority of the voters do not vote in favor of Measure C, the contract with Marin Sanitary Service will be ineffective and cannot again be adopted by the Town Council with Marin Sanitary Service for one year after the date of its disapproval by the voters.

Dated: August 13, 2004

HADDEN ROTH
SAN ANSELMO TOWN ATTORNEY

ARGUMENTS FOR AND AGAINST

THIS MEASURE

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ARGUMENT IN FAVOR OF MEASURE C

We urge a Yes vote on Measure C.

Last year the Town Council, assisted by professional solid waste consultants, completed an exhaustive one-year open bid process to select a new solid waste and recycling company for San Anselmo. Three finalists were chosen from the initial bidders. After months of additional analysis, interviews, and public meetings the Council unanimously chose Marin Sanitary Service.

The goal was to provide state-of-the-art services to our residents at lower rates. The new contract requires increased recycling, decreased material sent to landfill, retention of the current drivers, convenient weekly green waste collection, sideyard service for elderly and disabled, and two on-call home debris pickups annually. In only nine months, the new company has done all this and more, with increased customer satisfaction!

Unfortunately, after this scrupulously fair competitive process, the previous provider challenged the unanimous decision of the Town Council and placed the issue on the ballot. That's why you're voting on Measure C.

Measure C is an opportunity for San Anselmo residents to make your voices heard and demonstrate your confidence in the decision of the Town Council. The Council, assisted by Town staff and industry professionals, did their duty in many hours of hard work, impartial analysis, and public meetings. That's why you elected them.

- Show them they made the right choice by joining us in voting Yes on Measure C.
- Service is broader – satisfaction is 91% – rates are lower.
- Recycling is higher – from 38% to 68%.
- The same drivers still work in town.

Hundreds of community leaders, including the entire Town Council, School Board members, environmentalist, town commissioners, former elected officials, business owners and your friends and neighbors support this decision. We ask that you support it also.

We all urge a Yes on Measure C.

s/ Peter Kilkus
Mayor of San Anselmo

s/ Torri Chappell
Environmental Educator

s/ John Wright, Trustee
Tamalpais Union High School District

s/ Roberta Robinson, Board Chair
San Anselmo Chamber of Commerce

s/ Jonathan Braun, Chair
San Anselmo Open Space Committee

REBUTTAL TO ARGUMENT IN FAVOR OF MEASURE C

Vote NO on Measure C

The truth is that no matter how they spin it, the Council thumbed its nose at everyone.

The truth is over 15% of the voters signed a petition in opposition to a garbage contract awarded by the Town Council. Instead of heeding its citizens, the Council awarded the same disputed contract as an interim contract.

The truth is the Town Council told the voters and ratepayers to go pound sand. They completely disregarded the signatures of almost 1400 citizens who signed the petition.

The truth is the Council chose the company with the highest rate. In so doing, it turned its back on the school districts that could have received free trash removal and recycling from the company with the lowest bid. Their decision cost our schools approximately \$300,000.00 over the life of the contract.

The truth is the Council prevented the Town of San Anselmo from receiving its share of state rebates for recycling plastics 1-7. We will not receive approximately \$45,000.00 each year because Marin Sanitary Service does not recycle plastics 1-7.

The truth is you are telling the Council we want lower rates. With a NO vote, you can ensure that our schools get the financial help they so desperately need. With a NO vote, WE can force the Town Council to listen to the will of the people, the voters of San Anselmo.

The truth is with a NO vote we put voters back in charge.

Vote NO on Measure C.

s/ Herman Mehling

s/ Andrew O. McEachern

s/ Suzanne N. Lindelli



ARGUMENT AGAINST MEASURE C

Vote NO on Measure C

Last year, more than 15% of voters signed a petition in strong opposition to a garbage contract awarded by the San Anselmo Town Council. The petition asked that a special election be held immediately to allow voters to voice their opinion about which garbage company voters wanted and what ratepayers were willing to pay.

The intent of the voters and the law was to enable the ratepayers to override a badly flawed Town Council decision. The Council thumbed its nose at all ratepayers. Instead of heeding its citizens, the Council awarded the same disputed contract as an interim contract.

Basically, the San Anselmo Town Council told the voters and ratepayers to go pound sand. The Council completely disregarded the signatures of almost 1400 citizens who signed the petition, and twisted the law to serve a political agenda.

The Council chose the company with the highest rate. In so doing, it turned its back on the school districts that could have received free trash removal and recycling from the company with the lowest bid. Their decision will cost our schools approximately \$300,000.00 over the life of the contract.

The Council prevented the Town of San Anselmo from receiving its share of state rebates for recycling plastics 1-7. We will not receive approximately \$45,000.00 per year because Marin Sanitary Service, the selected hauler, does not recycle plastics 1-7.

With a NO vote, you are telling the Council we want lower rates. With a NO vote, you can ensure that our schools get the financial help they so desperately need. With a NO vote, WE can force the Town Council to listen to the will of the people, the ratepayers.

With a NO vote we put voters back in charge.

Vote NO on Measure C.

s/ Herman Mehling

s/ Andrew O. McEachern

s/ Suzanne N. Lindelli

REBUTTAL TO ARGUMENT AGAINST MEASURE C

Why vote Yes on Measure C? Here are the facts:

We have higher recycling than before.
We have lower rates than charged before.
We have better service than before.
We have the same drivers as before.
We have a better managed company than before.

The Town's choice for a new refuse and recycling company was made after a fair, impartial, competitive, thorough and honest bidding process.

Unhappy with the decision, the previous company paid to place the decision on the ballot. Opponents' various accusations are inaccurate, untrue and deliberately misleading.

Despite opponents' claims, Town Council complied with the referendum and placed the matter on the "next available Municipal election" – this November. The Council was not required, nor did it want to spend \$25,000 of taxpayer funds, on a special election.

No matter what opponents say, the Council chose the best "overall" bidder. The company chosen is better on recycling, service, commitment to quality, integrity and their rates are lower than were being charged previously.

Town Council has NEVER turned its back on our schools. It supports everything from bond issues to Safe and Sober Grad night. However, it has neither the authority nor legal right to negotiate garbage rates for school districts.

Opponents' claims about plastic recycling are outright untrue. All plastics are being collected and sent to recyclers. NO STATE MONEY HAS BEEN LOST!

A year ago Town Council did the right thing.

Join them and us now in supporting that decision — Vote Yes on C.

s/ Paul C. Chignell, Vice-Mayor
Town of San Anselmo

s/ Ellin A. Purdom, Board Member
San Anselmo Volunteer Effort

s/ Barbara Thornton, San Anselmo Councilwoman
Past Chair Solid Waste and Recycling Advisory
Committee

s/ Donna Bjorn
San Anselmo Resident Since 1943

s/ Richard P. Fernandez
San Anselmo Planning Commissioner

END OF MEASURE C

