

August 7, 2007

Marin County Board of Supervisors
3501 Civic Center Drive
San Rafael, CA 94903

SUBJECT: Review of Proposed Assignment of West Marin Franchise Area Agreement

Dear Board Members:

RECOMMENDATION: 1) Approve the attached contract in the amount of \$49,595 with HF & H Consultants, LLC. (Attachment 1)., 2) Approve and authorize your President to sign the attached Agreement regarding Process to Consider Proposed Assignment (Attachment 2)., 3) Authorize your Public Works Director, or his designee, to execute any secondary documents necessary to proceed with analysis of proposed assignment of the West Marin Franchise Area Agreement under the terms of Section 23 of the previously executed Franchise Agreement.

SUMMARY: The Franchisee for the West Marin Franchise Area 1, USA Waste of California d.b.a. Shoreline Disposal Service, recently submitted notice requesting the County consider a proposed assignment of the Agreement to North Bay Corporation.

Pursuant to Section 23 of the Franchise Agreement, with your Board's authorization, Public Works will begin working with HF & H Consultants, LLC. to review the records of the Franchisor and investigate the suitability of the proposed Assignee. As required in the Franchise Agreement, all costs for investigation of the proposed assignment in the County's Franchise Area will be paid by USA Waste.

To avoid any potential dispute over the funding of HF & H Consultants' proposal, an agreement has been prepared to memorialize the terms of the Franchise Agreement governing the Company's responsibility to pay for necessary costs associated with review of proposed assignments (Attachment 2).

Additionally, it is requested the Director of Public Works, or his designee, be authorized to execute any logistic agreements needed to implement the terms of the Franchise Agreement. Once HF & H Consultants, LLC. have completed their review, staff will report back to your Board with the findings and recommended next steps.

FISCAL IMPACT: The Franchise Agreement requires the Company (USA Waste) to pay for all assignment investigation costs. Therefore, there are no fiscal impacts to the County.

REVIEWED BY:	<input type="checkbox"/>	Auditor-Controller	<input checked="" type="checkbox"/>	N/A
	<input checked="" type="checkbox"/>	County Counsel	<input type="checkbox"/>	
	<input type="checkbox"/>	Human Resources	<input checked="" type="checkbox"/>	N/A

Respectfully submitted,

Jeff Rawles
Deputy Director

Attachments

c: Bob Hilton, HF & H Consultants, LLC., James Devlin, USA Waste, Tom Ridder, USA Waste,
Joe Cassin, USA Waste