

CITY OF MOAB RESOLUTION NO. 10-2021

A RESOLUTION CONSENTING TO THE ASSIGNMENT AND DELEGATION OF THE FRANCHISE AGREEMENT BETWEEN THE CITY OF MOAB AND MONUMENT WASTE SERVICES, LLC FOR RESIDENTIAL, MUNICIPAL AND COMMERCIAL SOLID WASTE AND RECYCLING COLLECTION AND DISPOSAL TO THE SOLID WASTE SPECIAL SERVICE DISTRICT #1

WHEREAS, Monument Waste Services, LLC (“Monument Waste”) currently provides the City of Moab with solid waste, recycling collection and disposal services pursuant to the Franchise Agreement for Residential, Municipal and Commercial Solid Waste and Recycling Collection and Disposal (“Franchise Agreement”) dated March 14, 2019;

WHEREAS, pursuant to Moab Municipal Code §8.04.020, solid waste shall only be collected within the City limits by an approved contractor pursuant to the terms of a solid waste collection franchise agreement with the City;

WHEREAS, on April 30, 2021, the Solid Waste Special Service District #1 (“District”) will acquire certain assets of Monument Waste including its solid waste and recycling collection services as well as its transfer station operations in Grand County and Moab, Utah;

WHEREAS, effective May 1, 2021, the District will begin providing route collection services and assume the operations of the solid waste transfer station located at 2295 South Highway 191, Moab, Utah 84532;

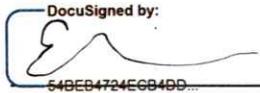
WHEREAS, the Franchise Agreement between the City of Moab and Monument Waste allows for assignment and delegation of the Agreement with the prior written consent of the City. Specifically, the Agreement at paragraph 10 states: “This Agreement is a contract for personal services. Accordingly, the Service Provider shall neither assign any responsibilities nor delegate any duties arising under the Agreement without the prior written consent of the City;”

NOW, THEREFORE, the City of Moab City Council hereby provides this prior written consent to the assignment and delegation of the Franchise Agreement Between the City of Moab and Monument Waste Services, LLC. for Residential, Municipal and

Commercial Solid Waste and Recycling Collection and Disposal to the Solid Waste Special Service District #1.

PASSED AND APPROVED by a majority of the City of Moab City Council. This Resolution shall take effect immediately upon passage.

SIGNED:

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4/13/2021

Emily S. Niehaus, Mayor

Date

ATTEST:


Sommar Johnson, Recorder