

**City of Fayetteville Staff Review Form**

**2021-0357**

**Legistar File ID**

**5/18/2021**

City Council Meeting Date - Agenda Item Only  
N/A for Non-Agenda Item

Peter Nierengarten

4/30/2021

RECYCLING/TRASH COLLECTION (750)

**Submitted By**

**Submitted Date**

**Division / Department**

**Action Recommendation:**

Approve a Memorandum of Understanding with Boston Mountain Solid Waste District for locating a Household Hazardous Waste Drop Off facility in Fayetteville.

**Budget Impact:**

5500.750.5060-5342.00

Promotional Activities

Account Number

Fund

Project Number

Project Title

**Budgeted Item?** Yes

Current Budget \$ 139,578.00

Funds Obligated \$ 46,018.00

Current Balance **\$ 93,560.00**

**Does item have a cost?** Yes

Item Cost \$ 15,000.00

**Budget Adjustment Attached?** No

Budget Adjustment

Remaining Budget **\$ 78,560.00**

V20180321

**Purchase Order Number:** \_\_\_\_\_

**Previous Ordinance or Resolution #** \_\_\_\_\_

**Change Order Number:** \_\_\_\_\_

**Approval Date:** \_\_\_\_\_

**Original Contract Number:** \_\_\_\_\_

**Comments:**



**MEETING OF MAY 18, 2021**

**TO:** Lioneld Jordan, Mayor  
**THRU:** Susan Norton, Chief of Staff  
**FROM:** Peter Nierengarten, Environmental Director  
**DATE:** April 30, 2021  
**SUBJECT: Household Hazardous Waste Drop Off**

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**RECOMMENDATION:**

Approve a Memorandum of Understanding with Boston Mountain Solid Waste District for locating a Household Hazardous Waste Drop Off facility in Fayetteville.

**BACKGROUND:**

In March of 2020, Washington County ended an agreement with the Boston Mountain Solid Waste District (BMSWD) to operate Household Hazardous Waste (HHW) Collection at their facility in South Fayetteville. Since that time Fayetteville residents' closest options for household hazardous waste drop off are in Springdale and Prairie Grove.

**DISCUSSION:**

This Memorandum of Understanding (MOU) specifies terms for providing a HHW drop off facility in Fayetteville; those terms include:

- City of Fayetteville will provide space for the HHW collections trailer at the corner of Happy Hollow Rd & 15<sup>th</sup> Street.
- The City Recycling & Trash Collections Division will provide staff to operate the HHW collections trailer.
- The City will provide space for and inspection of battery and aerosol can recycling at our two recycling drop off facilities.
- The BMSWD will provide the HHW collection trailer, and the battery and aerosol can recycling receptacles.
- BMSWD will be responsible for disposal of all HHW.
- There will be no charge to Fayetteville residents to use the HHW drop off facilities.

**BUDGET/STAFF IMPACT:**

The cost for this agreement is \$15,000 for the remainder of 2021 – that fee is necessary to cover the disposal cost of the hazardous materials. The HHW drop off will be staffed by the existing personnel at the Happy Hollow Recycling Drop off center which is located across the parking lot from the proposed HHW collection location.

**Attachments:** Memorandum of Understanding (MOU)

# MEMORANDUM OF UNDERSTANDING

FOR Household Hazardous Waste Drop Off

Between the City of Fayetteville, Arkansas, and the Boston Mountain Solid Waste District

**THIS MEMORANDUM OF UNDERSTANDING** is made by and between the City of Fayetteville, Arkansas (“City”) and the Boston Mountain Solid Waste District (“BMSWD”), and the parties agree as follows:

1. **Term.** The term of this Agreement shall begin June 1, 2021, and, with the exception of ongoing maintenance responsibilities, shall end December 31, 2021.
2. **Purpose & Scope.** The purpose of this Memorandum of Understand (MOU) is to clearly identify the roles and responsibilities of each party as they relate to the implementation of a Household Hazardous Waste Drop Off Collection. Both the City and BMSWD should ensure that program activities are conducted in compliance with all applicable Federal, State laws, rules and regulations. In particular this MOU is intended to:
  - Enhance public access opportunities to properly dispose/recycle household hazardous waste,
  - Prevent hazardous waste from being disposed of improperly,
  - Establish education and outreach programs to make the public aware of the need for property disposal of household hazardous waste.

The City and BMSWD desire to work together jointly to establish, operate and maintain a Household Hazardous Waste Drop Off Collection Trailer and battery recycling and aerosol can recycling at the City’s recycling drop off facilities. The days and hours of operation of Collection Trailer will be Thursday, 8:00am - 3:00pm except for holidays. The days and hours of operation for the battery recycling and aerosol can recycling shall be the same as the normal operating hours for the Marion Orton and Happy Hollow recycling drop off facilities. The hours of operation may be revised by mutual agreement between the City and BMSWD. This MOU will describe and define the household hazardous waste program and establish the duties and responsibilities of the City and BMSWD.

3. **City of Fayetteville’s Responsibilities.**
  - a. The City will provide space to operate the household hazardous waste collection trailer at 1415 S. Happy Hollow Rd in Fayetteville, Arkansas on property owned by the City.
  - b. The City will provide personnel to operate the household hazardous waste collection trailer.
  - c. The City will provide space for battery recycling and aerosol can recycling containers at the Marion Orton and Happy Hollow recycling drop off facilities.
  - d. The City will provide personnel to manage, inspect and police the battery recycling and aerosol can recycling containers at the Marion Orton and Happy Hollow recycling drop off facilities.

4. **Boston Mountain Solid Waste District Responsibilities.**

- a. The BMSWD will provide the household hazardous waste collection trailer.
- b. The BMSWD will provide battery collection and aerosol can collection containers and signage for the City’s Marion Orton and Happy Hollow recycling drop off facilities.
- c. The BMSWD will drop off and pick up the household hazardous waste collection trailer at 1415 S. Happy Hollow Rd on the designated collection days.
- d. The BMSWD shall be responsible for collection and disposal of all household hazardous waste materials collected in the household hazardous waste trailer and at the City’s Marion Orton and Happy Hollow recycling drop off facilities.

5. **Cost.** The City agrees to pay BMSWD \$15,000 for this service. BMSWD will track disposal cost during this period to inform an agreement extension for 2022. There will be no charge for Fayetteville residents to use the facilities.

6. **Advertising and Educational Outreach.** The City and the BMSWD will work together to provide advertising for the collection program and will cooperate in efforts at educational outreach for proper disposal of household hazardous waste.

7. **It Is Mutually Understood and Agreed by and between the Parties that:**

- a. This MOU may be modified at any time by mutual agreement of the City and the BMSWD as required to enhance and refine the operation of the Household Hazardous Waste Drop Off Collection Trailer.
- b. The City or the BMSWD may terminate this MOU for any reason at any time by 30 days written notification.

**IN WITNESS WHEREOF**, the parties hereto have caused their signatures to be set by their authorized representative effective the date set forth below.

**BOSTON MOUNTAIN SOLID  
WASTE DISTRICT**

**CITY OF FAYETTEVILLE,  
ARKANSAS**

\_\_\_\_\_  
**Robyn Reed, Director**

\_\_\_\_\_  
**Lionel Jordan, Mayor**

**Date:** \_\_\_\_\_

**Date:** \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
**Kara Paxton, City Clerk-Treasurer**