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WATER & RESOURCE RECOVERY FACILITY

MEMORANDUM

To: Greg Jenkins, Interim City Administrator

CC: Nancy Lueck, Finance Director
Cinda Hilger, Secretary

From: Jon Koch, WRRF Director

Date: February 6, 2020

Re: Non-Disclosure/Non-Compete Agreement

INTRODUCTION: Chamness Technology, Inc., an Iowa corporation doing business as Green RU, LLC. (Green RU), has submitted a Mutual Non-Disclosure/Non-Compete Agreement to the City for the purpose of protecting proprietary information from potential clients of the new Muscatine Organics Recycling Center (MORC). The agreement has been vetted and approved by the City's attorney for approval.

BACKGROUND: Green RU operates an organics hauling business that takes mixed organic waste from multiple generators including grocery stores, businesses and food production industries. Many of these generators consider the waste they generate to be proprietary information that they do not want disclosed. As a public entity the City would be required to disclose any information gathered under the Open Records laws. This agreement limits the information gathered by the City from GreenRU to combined totals of waste received per load but not individual totals from specific generators. Individual generators will still be inspected and approved by the City independently of any hauler before any deliveries are allowed to be brought to the MORC to ensure the integrity of the material.

The Non-Compete aspect is directed at the pick-up and hauling of the organics from the generators to the MORC. All material will be hauled by private haulers with a provision for the City to haul from free drop-off locations around town should that program advance as planned.

RECOMMENDATION/RATIONALE: City staff recommends approval of the Mutual Non-Disclosure/Non-Compete Agreement between the City of Muscatine and Chamness Technology, Inc. doing business as Green RU, LLC. for a period of five (5) years from Council approval.

BACKGROUND: NDA/NCC Agreement

**"I remember Muscatine for its sunsets. I have never seen any
on either side of the ocean that equaled them" — Mark Twain**