

RESOLUTION NO. 20-104

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS APPROVING AMENDMENT NUMBER 14 TO BOARD OF SUPERVISORS AGREEMENT NUMBER 04-049, FRANCHISE AGREEMENT BETWEEN THE COUNTY OF MENDOCINO AND USA WASTE OF CALIFORNIA, INC., DBA EMPIRE WASTE MANAGEMENT FOR SOLID WASTE COLLECTION AREA NUMBER TWO (FORT BRAGG AND UKIAH AREAS)

WHEREAS, County of Mendocino ("County") and USA Waste of California, Inc., dba Empire Waste Management ("Grantee") entered into Board of Supervisors (BOS) Agreement Number (No.) 04-049, a Solid Waste Collection Franchise Agreement ("Agreement"), for the collection, transportation, and disposal of solid waste in Solid Waste Refuse Collection Area No. Two; and said Agreement was approved by the BOS on May 11, 2004, with an expiration date of June 30, 2011, later amended to be June 30, 2021; and

WHEREAS, Grantee and County have amended the Agreement from time to time to adapt to changing conditions and new information and to make rate adjustments per the terms of the Agreement; and

WHEREAS, solid waste generators in Collection Area No. Two have requested to extend the period between pickups of debris boxes and compactors to longer than the current seven (7) days; and

WHEREAS, the Grantee has agreed to amend the Agreement to extend the period between debris box and compactor pickups from seven (7) days to fourteen (14) days, upon request by the solid waste generator; and

WHEREAS, additionally, the Grantee has requested an amendment to the Agreement to implement an inactivity fee of \$13.00 per day which could be charged to a solid waste generator if that generator requests to keep a debris box or compactor longer than fourteen calendar (14) days without a pickup; and

WHEREAS, the Department of Transportation and its solid waste consultant, HDR Engineering, Inc., have reviewed the request and found it to be acceptable and within industry standard practices; and

WHEREAS, Section 14(B)(5) of the Agreement requires that all charges or fees for a service by Grantee shall be fixed and approved by the Board of Supervisors; and

WHEREAS, an amendment is necessary to extend the allowable debris box and compactor collection period from seven (7) days to fourteen (14) days and authorize Grantee to implement the requested inactivity fee.

NOW, THEREFORE, BE IT RESOLVED that the Mendocino County Board of Supervisors hereby:

1. Approves Amendment No. 14 to BOS Agreement No. 04-049, extending the period between debris box and compactor pickups from seven (7) to fourteen (14) days and implementing an inactivity fee of \$13.00 per day; and

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2. Authorizes and directs the Chair of the Board of Supervisors to execute said Amendment.

The foregoing Resolution introduced by Supervisor Brown, seconded by Supervisor Williams, and carried this 18th day of August, 2020, by the following vote:

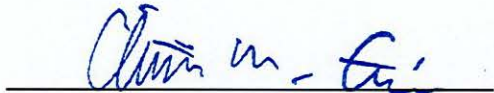
AYES: Supervisors Brown, McCowen, Haschak, Gjerde, and Williams
NOES: None.
ABSENT: None.

WHEREUPON, the Chair declared said Resolution adopted and SO ORDERED.

ATTEST: CARMEL J. ANGELO
Clerk of the Board


Deputy

APPROVED AS TO FORM:
CHRISTIAN M. CURTIS
County Counsel

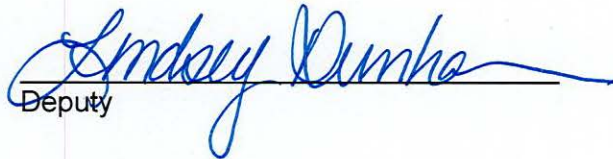




JOHN HASCHAK, Chair
Mendocino County Board of Supervisors

I hereby certify that according to the provisions of Government Code Section 25103, delivery of this document has been made.

BY: CARMEL J. ANGELO
Clerk of the Board



Deputy