



# Mendocino County

## Legislation Details (With Text)

**File #:** 21-0367 **Version:** 1 **Name:**  
**Type:** Resolution-Agreement **Status:** Consent Agenda  
**File created:** 3/16/2021 **In control:** Transportation  
**On agenda:** 4/20/2021 **Final action:**  
**Title:** Adoption of Resolution Approving Amendment Number 15 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) Extending the Term of this Agreement to June 30, 2022

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Agreement 04-049-A15, 2. Resolution 21-055, 3. Resolution

Date	Ver.	Action By	Action	Result
4/20/2021	1	Board of Supervisors		

**To: Board of Supervisors**

**From:** Transportation

**Meeting Date:** April 20, 2021

**Department Contact:** Howard N. Dashiell

**Phone:** 463-4363

**Item Type:** Consent Agenda

**Time Allocated for Item:** N/A

### **Agenda Title:**

Adoption of Resolution Approving Amendment Number 15 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) Extending the Term of this Agreement to June 30, 2022

### **Recommended Action/Motion:**

Adopt Resolution approving Amendment Number 15 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) extending the term of this Agreement to June 30, 2022; and authorize Chair to sign same.

### **Previous Board/Board Committee Actions:**

By Resolution Number (No.) 04-074 (May 11, 2004) the Board approved Board of Supervisors (BOS) Agreement 04-049, Franchise Agreement between the County of Mendocino and USA Waste of California, Inc., dba Empire Waste Management (EWM) for Solid Waste Collection Area Number Two. From time to time, the Board of Supervisors has authorized amendments to the Agreement to adapt to changing conditions and new information and to make rate adjustments per the terms of the Agreement. On August 23, 2011, the

Board approved Amendment No. 11 to BOS Agreement No. 04-049, extending the expiration date from June 30, 2011 to June 30, 2021. On March 9, 2021, the Board gave direction to staff to negotiate a one-year extension to the Franchise Agreement with EWM and, if successful, to cancel the ongoing Request for Proposals (RFP).

**Summary of Request:**

The Franchise Agreement with EWM for Solid Waste Collection Area No. 2 will expire on June 30, 2021. Up until December 8, 2020, the Department of Transportation (MCDOT), was working in collaboration with the City of Fort Bragg (City), whose Agreement with EWM also expires on June 30, 2021, in recommending the Board extend the current Franchise Agreement with EWM for a period of five years. At that time, EWM was only willing to direct negotiate new agreements with both the County and the City with minimum terms of five years. On December 8, 2020, the Board directed staff to initiate a RFP for solid waste collection services beginning July 1, 2021. MCDOT was informed on February 3, 2021, that EWM was now offering a one-year extension to the City. On March 9, 2021, the Board gave direction to staff to negotiate a one-year extension to the Franchise Agreement with EWM and, if successful, to cancel the ongoing RFP. Therefore, MCDOT recommends approval of Amendment No. 15 to the Franchise Agreement, which extends the termination date of the Agreement from June 30, 2021 to June 30, 2022.

**Alternative Action/Motion:**

Decline to approve Amendment.

**Supervisory District:** Districts 1,2,4 & 5

**vote requirement:** Majority

**Supplemental Information Available Online At:** N/A

**Fiscal Details:**

**source of funding:** N/A

**current f/y cost:** N/A

**annual recurring cost:** N/A

**budget clarification:** N/A

**budgeted in current f/y:** N/A

**if no, please describe:**

**revenue agreement:** N/A

**Agreement/Resolution/Ordinance Approved by County Counsel:** Yes

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**CEO Liaison:** Steve Dunncliff, Deputy CEO

**CEO Review:** Yes

**CEO Comments:**

**FOR COB USE ONLY**

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**Executed By:** Atlas Pearson, Deputy Clerk I

**Date:** April 21, 2021

**Note to Department** Number of Original Agreements  
Returned to Dept: 0 Original Agreement Delivered to  
Auditor? No

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**Final Status:** **Adopted**

**Executed Item Type:** **Resolution** Number: 21-055  
**Executed Item Type:** Agreement Number: 04-049-A15

