



Mendocino County

Legislation Text

File #: 20-0668, **Version:** 1

To: Board of Supervisors

From: Transportation

Meeting Date: August 18, 2020

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 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)

Recommended Action/Motion:

Adopt Resolution 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); 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 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.

Summary of Request:

Currently, in Solid Waste Collection Area No. Two, the Franchise Agreement with USA Waste of California, Inc., dba Empire Waste Management (Grantee) requires solid waste generators using debris boxes or compactors to have them picked up at least every seven days. The Mendocino County Department of Transportation (DOT) has received requests from solid waste generators to extend this time period. The Grantee has agreed to amend the Agreement to extend the period between debris box and compactor pickups from seven days to fourteen days, upon request by the solid waste generator. Additionally, the Grantee has requested an amendment to the Agreement to implement an inactivity fee of \$13.00 per day, which may be charged to a solid waste generator if that generator requests to keep the debris box longer than fourteen calendar days without a pickup. DOT and its solid waste consultant, HDR Engineering, Inc., have reviewed the request and found it to be acceptable and within industry standard practices. Therefore, DOT recommends approval of Amendment No. 14 to the Franchise Agreement which would amend Section 5.b.3 to allow up to fourteen days between pickup of debris boxes and compactors and add an "inactivity fee" of \$13.00 per day

which may be charged if a solid waste generator requests to keep a Debris Box or Compactor longer than fourteen calendar days without a pickup. Additionally, since Waste Management has not submitted rates adjustment requests since 2018, the Amendment specifies that the 2018 rate schedule will remain in effect until adjusted per Section 15 of the Agreement or by subsequent amendment.

Alternative Action/Motion:

Decline to approve Amendment.

Supervisory District: 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

CEO Liaison: Steve Dunncliff, Deputy CEO

CEO Review: Choose an item.

CEO Comments:

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Executed By: Atlas Pearson, Deputy Clerk I

Date: AUGUST 20, 2020

Final Status: Adopted

Executed Item Type: Resolution **Number:** 20-104 and Executed Item Type: Agreement
Number: 04-049-A14

Note to Department Number of Original Agreements
Returned to Dept: 3 Original Agreement Delivered to Auditor?
Yes

