



Mendocino County

Legislation Text

File #: 21-0367, **Version:** 1

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

CEO Liaison: Steve Dunncliff, Deputy CEO

CEO Review: Yes

CEO Comments:

FOR COB USE ONLY

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

Final Status: **Adopted**

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

