

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

526



FROM: Community Health Agency/Department of Environmental Health

SUBMITTAL DATE:
December 2, 2003

SUBJECT: Thousand Palms Community; Adoption of Resolution No. 2004-008 Establishing Comprehensive Collection of Solid Waste

RECOMMENDED MOTION:

1. Introduce and set for public hearing on January 13, 2004 (Clerk to advertise) Resolution No. 2004-008 establishing comprehensive solid waste collection in the Thousand Palms Community.
2. At the close of the public hearing adopt Resolution No. 2004-008 and approve said amendment to the Franchise Collection Agreement for Franchise Area 12.
3. Direct the Clerk of the Board to give notice of the hearing pursuant to Government Code Section 6061.

BACKGROUND:

The community of Thousand Palms is located along Interstate 10 near the cities of Palm Desert and Rancho Mirage in Waste Collection Franchise Area 12. The Thousand Palms Community Council has recently requested the 4th District to initiate steps to establish comprehensive waste collection services for the residential and commercial properties located within their respective area.

(Continued)

Gary Root

Gary Root, Director

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 0	In Current Year Budget:	n/a
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	n/a
	Annual Net County Cost:	\$ 0	For Fiscal Year:	n/a

SOURCE OF FUNDS: n/a	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION:

APPROVE

County Executive Office Signature

Dan Marting

Dan Marting

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Wilson, seconded by Supervisor Tavaglione and duly carried by unanimous vote, IT WAS ORDERED that the above matter is set for public hearing on Tuesday, January 13, 2004 at 9:30 a.m.

Ayes: Buster, Tavaglione, Venable, Wilson and Ashley
Noes: None
Absent: None
Date: December 23, 2003
xc: CHA/Environ., Health, COB (2)

Nancy Romero
Clerk of the Board
By: *Nancy Romero*
Deputy

Prev. Agn. Ref.: | **District:** 4 | **Agenda Number:** 9.1

FORM APPROVED
COUNTY COUNSEL

Departmental Concurrence

DEC 09 2003

BY *[Signature]*
ASSISTANT COUNTY COUNSEL

Dept't Recomm.: Consent Policy
Per Exec. Ofc.: Consent Policy

COMPREHENSIVE COLLECTION

Many of the unincorporated areas of Riverside County are plagued by illegal dumping along the roads and on private property. Within the waste collection franchises executed in the last several years, most included provisions for the removal of roadside waste as a means of addressing some of the effects of such illegal disposal.

The lack of mandatory collection is frequently noted as at least a contributing factor to this ongoing problem. During the franchising process there was frequent discussion by the Board regarding the desirability of establishing mandatory collection areas. The Board's initial Franchise Agreement approval (Franchise Area 8: the mountain communities in 1997) included mandatory collection for commercial customers. Subsequently, comprehensive waste collection for residential and commercial properties has been established in a number of communities including Red Hawk, Silver Hawk, Sky Valley, Highgrove and most recently Mesa Verde and Ripley near Blythe. (Franchise Area 13). Resolution No. 2004-008 submitted (Exhibit A) today would establish Comprehensive (mandatory) collection for all residential, commercial and industrial units in the Thousand Palms community per the conditions established in Ordinance 745.

The duly authorized franchisee for Area 12 is Waste Management of the Desert. The standard service rate for combined waste, recyclable and green waste collection will be \$12.24. This represents a monthly savings to the customer of \$.99 over the rates for non-comprehensive service. Other rates for residential, industrial and commercial services are as currently provided in the Franchise Agreement for Franchise Area 12 and are subject to rate adjustments (extraordinary and annual CPI).

By this resolution, all residences, commercial and industrial facilities are required to subscribe to waste collection service from the franchise waste hauler. Rates for these services are currently provided in the Franchise Agreement for Franchise Area 12. All rates are subject to rate adjustments (extraordinary and annual CPI) as provided in the Franchise Agreement.

FINANCIAL

There will be no net costs to the County from the provision of these services. The County will in fact realize an increase in franchise fees paid by the Franchisee as affected residences and businesses currently without collection services initiate subscription.

RESOLUTION NO. 2004-008

**A RESOLUTION OF THE COUNTY OF RIVERSIDE ESTABLISHING COMPREHENSIVE
COLLECTION AND DISPOSAL OF SOLID WASTE FOR RESIDENTIAL AND
COMMERCIAL UNITS IN THE THOUSAND PALMS COMMUNITY**

The Board of Supervisors of the County of Riverside, State of California, Ordains as Follows:

SECTION 1. The Board of Supervisors of the County of Riverside hereby makes the following findings:

- A. The Thousand Palms Community Council has recently requested the 4th District to initiate steps to establish comprehensive waste collection services for the residential and commercial properties located within their respective areas, Exhibit B;
- B. A considerable volume and variety of solid wastes will continue to be generated by households and businesses in the Thousand Palms community;
- C. Such wastes will create conditions which threaten the public health, safety, and well-being by potentially contributing to air, water, land pollution, and the general deterioration of the environment;
- D. The foregoing conditions arise from the interaction of a number of factors, including rapid population increase, decentralized urban growth, industrial expansion, agricultural changes, transportation improvements, reduction in the number of landfills, and technological developments in the manufacturing, packaging, and marketing of consumer products;
- E. It is becoming increasingly necessary for the protection of the health, safety and welfare of the residents in the unincorporated areas of Riverside County that solid waste generated in such areas be promptly and safely collected and disposed of in an orderly and efficient manner;
- F. It is also necessary to carefully control the collection and disposal of solid waste so that the reductions required to be made by the Statutes for 1989, Chapter 1095 (AB 939) can be planned for and accurately measured;

1 G. Ordinance No. 745, adopted on November 29, 1994, established the authority of the board of
2 Supervisors to designate areas of the county as comprehensive collection areas in which waste
3 collection services are compulsory;

4 In light of the findings above made, it is the intent and desire of the Board of Supervisors of this County
5 to establish a Program of Comprehensive Collection for residential, commercial and industrial land uses
6 within the Thousand Palms community Exhibit "C" attached hereto.

7 **SECTION 2.** DEFINITIONS. Unless the context otherwise specifies or requires, the terms used in
8 this resolution shall be as defined in Ordinances No. 657 and 745 unless otherwise defined in this
9 section to have the meanings herein specified. The definitions shall be equally applicable to both the
10 singular and plural forms of any of the terms herein defined:

11 A. Commercial Unit shall mean all commercial, industrial, institutional, Multi-Residential Units
12 or other facilities, except residential.

13 B. Director shall mean the Director of Environmental Health for the County of Riverside

14 C. Multi-Residential Units. Shall mean permanent buildings containing three or more
15 Residential Units including, but not limited to, condominiums, apartment houses, motels, hotels,
16 mobilehome parks where mobilehome lots are not individually owned, travel trailer parks, and
17 recreational vehicle parks.

18 D. Residential Unit. Shall mean an occupied dwelling within the unincorporated area of the
19 County occupied by a Person or group of Persons. A Residential Unit shall be deemed occupied
20 when either water or domestic light and power services are being supplied thereto. This
21 definition shall apply also to mobilehome subdivisions where the mobilehome lot is individually
22 owned. A duplex is considered to be two (2) attached Residential Units.

23 E. Small Quantity generator shall mean a Commercial Unit that generates no more than 2 cubic
24 yards of waste per week.

1 **SECTION 3. INCORPORATION OF CONDITIONS AS ESTABLISHED THROUGH**
2 **ORDINANCE NO. 745.**

3 All applicable sections and requirements of Ordinance No. 745 as amended are hereby incorporated for
4 use within this Comprehensive Collection Area.

5 **SECTION 4. REQUIRED SERVICE LEVELS**

6 A. All Residential units shall secure waste removal services from the duly franchised waste
7 hauler to remove all waste generated not less often than once per week,

8 B. All commercial and industrial units shall secure waste removal services from the duly
9 franchised waste hauler to remove all waste deposited in Solid Waste Bins not less often than
10 once per week, and more frequently if required to handle the waste stream of the premises where
11 the Bins are located.

12 C. All commercial and industrial units generating putrescible waste, including, but not limited to
13 food preparation facilities, shall secure waste removal services from the duly franchised waste
14 hauler to remove all waste deposited in Solid Waste Bins not less often than twice per week, and
15 more frequently if required to handle the waste stream.

16 D. Small Quantity generators may, upon approval of the franchisee, share waste collection bins
17 with other small quantity generators subject to the criteria noted in sections "A" and "B" above.

18 Non-approval by the franchisee is subject to review by the Director.

19 **SECTION 5. REQUIREMENT FOR COMPLIANCE**

20 Non-compliance with this Resolution shall be deemed a violation of Ordinance 745.

21 **SECTION 6. APPLICABILITY**

22 The obligation to sign up for mandatory collection as imposed herein shall apply to residences
23 and commercial businesses.

24 **EFFECTIVE DATE**

25 This Resolution shall take effect on:
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BOARD OF SUPERVISORS OF THE COUNTY
OF RIVERSIDE, STATE OF CALIFORNIA

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BY _____

Chairman

ATTEST:

Nancy Romero

Clerk of the Board

By _____

Deputy

(SEAL)

JR:ASM

\\LEA\franchise\WMOD Area 12

AUG 04 2003

THOUSAND PALMS COMMUNITY COUNCIL
P.O. BOX 306
Thousand Palms, CA 92276

August 1, 2003

Roy Wilson, Supervisor
Larson Justice Center
46-200 Oasis St.
Suite 318
Indio, CA 92201-5933

Dear Roy:

I'm pleased to inform you that at our regularly scheduled meeting on 7-31-03, the Council with unanimous support of all present recommend mandatory trash service.

We appreciate you and your staffs efforts to improve our Community. Looks like the "grass roots" approach to Government still works.

Thanks to you and your staff for your immediate attention to our Community concerns. If we can help in any way to expedite this matter let us know.

Cordially,



Robert S. Alcumbrac, Vice Chair

Distribution by County to applicable agencies.



