

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

927



FROM: Waste Management Department

SUBMITTAL DATE:
November 12, 2004

SUBJECT: Edom Hill Transfer Station Master Lease First Amendment

RECOMMENDED MOTION: That the Board of Supervisors:

1. Introduce and set for public hearing the First Amendment to the Edom Hill Transfer Station Master Lease;
2. Direct the Clerk of the Board to publish a notice of the public hearing date.

BACKGROUND: On July 1, 2004, the Department invoked a Board approved rate increase adjusting the County Landfill Gate Rate by the Consumer Price Index of 2003 (1.8%). This action resulted in an increase of \$0.41 per ton on the negotiated long term waste delivery rate of \$23.00 per ton. The competitively negotiated Edom Hill Transfer Station (EHTS) Gate Fee of \$34.10 is based on three elements, one of which is the Disposal element which, at the time the EHTS Master Lease was approved by the Board on November 5, 2002, was \$23.00. (continued)

Hans W. Kernkamp, General Manager-Chief Engineer

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

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

C.E.O. RECOMMENDATION: Approve

APPROVE

FORM APPROVED
COUNTY COUNSEL

NOV 16 2004

County Executive Office Signature

BY Lee A. Vinocour

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

Prev. Agn. Ref.: 12.2 (11/5/02) | District: 4 | Agenda Number:

**ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD**

12.1

Background (continued):

The current EHTS Master Lease stipulates that the Gate Fee shall be \$34.10 prior to July 1, 2005; however, since, the Disposal element is considered to be a pass-through cost, (i.e., the EHTS operator can not contractually apply the CPI to the Disposal Element), the Department recommends that the operator should not be required to absorb the County Landfill Gate Fee increase. The proposed adjusted Gate Fee for the Edom Hill Transfer Station will be \$34.51, commencing the day following Board approval of the First Amendment.

In addition, the Agreement for Disposal of Solid Waste identifies Designated County Landfills as the Badlands, Lamb Canyon and El Sobrante landfill. The EHTS Master Lease inadvertently does not include the El Sobrante landfill as a destination, potentially allowing for a re-determination of the Transport Element for waste delivered to the El Sobrante landfill. The first amendment to the EHTS Master Lease identifies El Sobrante as a Designated Disposal Facility to be consistent with the Agreement for Disposal of Solid Waste and establishes the Transport Element to be the same for all three Designated Facilities.

Attachment