

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

319



SUBMITTAL DATE:
March 31, 2009

FROM: Waste Management Department

SUBJECT: Introduction of Ordinance No. 779.11, Amending Ordinance No. 779, Relating to County Solid Waste Facilities and Establishing Fees

RECOMMENDED MOTION: That the Board of Supervisors:

1. Introduce and set for public hearing those changes set forth below and in Appendices A and C of Ordinance No. 779; and
2. Direct the Clerk of the Board to publish a notice of the public hearing date of May 12 2009 and the proposed Waste Management Department charges, as provided in Government Code Section 6066; and
3. Adopt Ordinance No. 779.11 at the close of public hearing on May 12 2009 with the changes to the appendices to be effective July 1, 2009.

BACKGROUND: Ordinance No. 779 outlines the General Manager-Chief Engineer's (GM-CE) authority to operate the County disposal sites and transfer stations. In addition to establishing fees and penalties, this ordinance includes the basis for operation regulations including waste inspection, salvaging, and safety. (Continued)

Hans W. Kernkamp, General Manager-Chief Engineer

FINANCIAL DATA	Current F.Y. Total Cost:	\$ N/A	In Current Year Budget:	No
	Current F.Y. Net County Cost:	\$ N/A	Budget Adjustment:	No
	Annual Net County Cost:	\$ N/A	For Fiscal Year:	FY 09/10

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

C.E.O. RECOMMENDATION:

APPROVE

BY:
Alex Gann

County Executive Office Signature

Policy

Consent

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

Prev. Agn. Ref.:	District: All
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Agenda Number: 12.2

12.2

FISCAL PROCEDURES APPROVED
ROBERT E. BYRD, Auditor-Controller
BY: 3/31/09

FORM APPROVED COUNTY COUNSEL
BY: DATE: 3/31/09
NEAL R. KIPNIS
Departmental Concurrence

It is recommended that the Ordinance be amended to allow for fee increases. The Waste Management Department (Department) is limited to annual Consumer Price Index (CPI) increases for all its long-term, contracted transfer station haulers and the contract franchise area direct haulers. These haulers represent approximately 87% of the tonnage accepted at County landfills. The Department is recommending the same CPI increase for direct haul tonnage received at the gated and scaled landfills. The CPI increase based on the 12-month period ending December 31, 2008 is 0.11% or \$0.03 and \$0.04 per ton for long-term, contracted transfer station haulers and direct haulers, respectively. The rates would then become \$26.35 for transfer trucks (\$26.94 for Area 8 transfer trucks) and \$34.37 for direct haul vehicles. Charges for vehicles hauling loads of more than 9 tires and hard-to-handle disposals are calculated separately and are recommended to be increased by the same CPI.

Since the 1990's, Riverside County has been accepting Alternative Daily Cover (ADC) material at no cost due to the demand from the greenwaste recycling industry in the County to find an alternative outlet for the processed material. This practice has resulted in a loss of airspace capacity in the landfill system that is not funded. On July 29, 2008 the Board of Supervisors approved a \$10 per ton charge for haulers and greenwaste processors who deliver greenwaste to the landfills that may be used as ADC to be implemented on July 1, 2009. This fee will contribute to long-term rate stabilization.

The Department constantly strives to curtail illegal dumping and, to that end, recommends that there be no change in the minimum load fees for routine miscellaneous refuse and that the County continue its policy of allowing for the disposal of no more than two cathode ray tube (CRT) appliances (e.g. televisions or computer monitors) per customer per day at no charge. In addition, the Department recommends that those residents in exempt collection service areas and charged under Appendix B of the Ordinance have no increase in their disposal rate and no changes in the discount schedule.

The fees for commercial haulers within the rural areas (Appendix C) are recommended to be adjusted to reflect the CPI increase that is recommended for all non-contract haulers with waste loads in excess of .4 ton. The Commercial Card is used in ½ ton increments for 24 times without expiration. The recommended fee for this card is \$412.44 (or \$34.37 per ton for 12 tons).

Attachment 1 has been provided to outline the recommended changes to the WMD fee structure.

California Environmental Quality Act (CEQA) Findings

Pursuant to CEQA Guidelines Section 15273, the proposed changes to County Ordinance No. 779, Relating to County Solid Waste Facilities and Establishing Fees, are found to be statutorily exempt from CEQA, because the proposed changes are for the purpose of:

- Meeting operating expenses, including employee wage rates and fringe benefits,
- Purchasing or leasing supplies, equipment, or materials,
- Meeting financial reserve needs and requirements, and
- Obtaining funds for existing capital projects, necessary to maintain service within existing service areas.

A Notice of Exemption to this effect will be filed with the County Clerk upon adoption of Ordinance 779.11.

ATTACHMENT 1

Summary of Changes to Disposal Rates

Effective July 1, 2009

Appendix A:

CPI Increases of 0.11%

	<u>Fiscal Year 09</u>	<u>Fiscal Year 10</u>
• Routine Refuse	\$34.33/ton	\$34.37/ton
• Hard-to-Handle Refuse	\$45.78/ton	\$45.83/ton
• Loads of more than 9 tires	\$96.74/ton	\$96.85/ton

Other Changes to Fee Schedule

• Greenwaste used for Alternative Daily Cover (ADC)	no charge	\$10.00/ton (approved by Board 7/29/08)
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Appendix C:

• Commercial Card for 24 punches (1/2 ton each punch)	\$411.96 (\$34.33/ton)	\$412.44 (\$34.37/ton)
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1 ORDINANCE NO. 779.11

2
3 AN ORDINANCE OF THE COUNTY OF RIVERSIDE
4 AMENDING ORDINANCE NO. 779 RELATING TO
5 COUNTY SOLID WASTE FACILITIES
6 AND ESTABLISHING FEES

7
8 The Board of Supervisors of the County of Riverside ordains as follows:

9
10 Section 1: Appendices A and C to Ordinance 779.10 are replaced in their entirety with the
11 attached Appendices A and C.

12
13 Section 2: EFFECTIVE DATE. This ordinance shall take effect thirty (30) days after its
14 adoption.

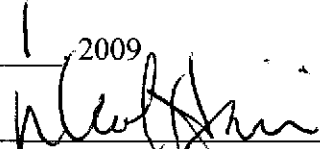
15 BOARD OF SUPERVISORS OF THE COUNTY
16 OF RIVERSIDE, STATE OF CALIFORNIA

17 By: _____
18 Chairman, Board of Supervisors

18 ATTEST:
19 CLERK OF THE BOARD

20 By: _____
21 Deputy

22
23
24 APPROVED AS TO FORM

25 April 1, 2009
26 By: 
27 NEAL R. KIPNIS
28 Deputy County Counsel

APPENDIX A TO RIVERSIDE COUNTY ORDINANCE NO. 779.11
SCHEDULE OF WASTE DISPOSAL FEES
FOR RIVERSIDE COUNTY WASTE MANAGEMENT DEPARTMENT
EFFECTIVE JULY 1, 2009

The following gate fees will be applicable at El Sobrante, Badlands, Lamb Canyon, and Blythe Landfills	
WASTE GROUP DESCRIPTIONS	RATE
1. Any vehicle hauling: (a) 2 or less large trash bags, or (b) up to 2 cathode ray tube (CRT) devices (e.g. tvs or computer monitors) per day	No Charge
2. Vans, pickup trucks or any vehicle pulling a two-wheel trailer or any other vehicle: (a) hauling miscellaneous waste not exceeding .4 ton (b) hauling 50% or more wood or yard waste not exceeding .4 ton (c) hauling Hard to Handle refuse waste not exceeding .25 ton (d) hauling miscellaneous waste exceeding .4 ton	\$ 8.00 /load \$ 11.00 /load \$ 11.00 /load \$ 34.37 /ton*
3. Transfer Trucks	See Note #1
4. Any vehicle hauling clean concrete/asphalt material which has been pre-approved by the General Manager-Chief Engineer or designee as needed for beneficial use in landfill roads & other related landfill operations	No Charge
5. Added to the charges listed herein will be a charge of: (a) \$1.00 per tire up to 9 tires (Individual tires cannot exceed 4 feet in diameter.) (b) \$10.00 per uncovered load of refuse which has exposed material which in the opinion of the General Manager-Chief Engineer may litter access routes to the landfill (c) \$10.00 per ton for loads which are judged to be 50% or more wood waste/yard waste by volume (d) \$5.00 per ton for out of county incidental amounts of refuse	
6. Vehicles hauling loads of more than 9 tires (Tires cannot exceed 4 feet in diameter or weigh more than 200 pounds each.)	\$ 96.85 /ton**
7. All other vehicles carrying wastes requiring special handling or immediate burial and all end dump type vehicles	\$ 45.83 /ton*
8. All vehicles not described in any other provision of this fee schedule	\$ 34.37 /ton*
9. Emergency towing services: (a) 10 minutes or less (b) over 10 minutes	\$ 20.00 \$ 35.00
10. For customers unloading: (a) 16 to 30 minutes past closing (b) 31 minutes or more past closing	\$ 60.00 \$120.00
11. Bottom ash from an approved biomass facility	\$ 19.50 /ton
12. Any vehicle hauling greenwaste material which has been recognized by the General Manager-Chief Engineer or designee as Alternative Daily Cover	\$ 10.00 /ton

Notes:

- 1) Rate for Transfer Trucks to be determined by individual contracts.
- 2) Loads of dead sheep or small calves from the Blythe service area separated from other waste will be received at no charge at the Blythe Landfill (daily from 8am to 9am) due to health and safety risk in the vast open canal system in the area.
- 3) Certified loads of illegally dumped nonhazardous municipal solid waste retrieved along open flowing irrigation canals which are delivered by the agency responsible for maintaining the canals shall be received at no charge at the Blythe Landfill.
- 4) The General Manager-Chief Engineer is authorized to recoup costs associated with the segregation of unauthorized waste commingled with routine refuse.

* Cash customers prorated to the nearest \$.25

** Cash customers prorated to the nearest \$.25 with a minimum charge of \$20.00 per vehicle

**APPENDIX C TO ORDINANCE NO. 779.11
RURAL SITE ACCESS -- COMMERCIAL PERMIT CARDS
FOR RIVERSIDE COUNTY WASTE MANAGEMENT DEPARTMENT
EFFECTIVE JULY 1, 2009**

The Rural Site Access Card shall be necessary for admittance to the following rural landfills:

Mecca II Landfill

Oasis Landfill

COMMERCIAL CARD REGULATIONS:

A Commercial Waste Hauling Business Card (not authorized for use by permitted waste haulers) is available which provides for disposal of commercial waste generated within the remote service areas.

- 1) **Number of Uses** – The Commercial Card will have twenty-four (24) ½ ton available uses.
- 2) **Expiration Date** - There is no expiration date for the Commercial Card.
- 3) **No Refunds** – If a commercial operator goes out of business there shall be no refund for the unused card punches.
- 4) **Cost** – The Commercial Card will be priced at four-hundred twelve dollars and forty-four cents (\$412.44).
- 5) **Payment for Card** – The card shall be purchased in advance of usage and paid for by check. Cards may be purchased at any time of the year.
- 6) **Lost Cards** – Lost cards are to be reported immediately. The customer will not be responsible for unauthorized use of a card after it is reported lost to the Waste Management business office located at 14310 Frederick St., Moreno Valley, CA. The phone number is (951) 486-3200.
- 7) **Maximum Load** - Mecca Landfill will not accept loads greater than 1 ton.
- 8) **Restrictions on Use of Card** – Hazardous waste, loads with more than 4 tires, or other hard-to-handle waste will **not** be accepted at these rural sites.
- 9) **Alternative County Gate Fee Site Usage** – In the event that the Gate Services Assistant determines that the waste cannot be received at the Rural Site for whatever reason that day, and therefore directs the customer to take the waste to a scaled County disposal site, the Commercial Card may be used for access at the scaled site.