

2 **RESOLUTION NO. 2012-110**

3 **A RESOLUTION OF THE COUNTY OF RIVERSIDE ADJUSTING**

4 **WASTE HAULER FEES FOR THE COMMUNITY OF DESERT CENTER IN FRANCHISE AREA 13**

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6 WHEREAS, California Government Code section 25827 authorizes the Board of Supervisors to  
7 prescribe terms and conditions for the collection of solid waste in the unincorporated areas of Riverside  
8 County; and

9 WHEREAS, California Public Resources Code section 40059 authorizes the County of Riverside  
10 to determine all aspects of solid waste handling which are of local concern, including whether the services  
11 are to be provided by nonexclusive franchise, and the charges and fees for such service; and

12 WHEREAS, Riverside County Ordinance 745 has established that a solid waste hauler, duly  
13 permitted or franchised by the County of Riverside pursuant to the provisions of Riverside County  
14 Ordinance No. 657, shall be entitled to payment for services rendered in the amounts as specified in a  
15 Resolution adopted by the Board of Supervisors; and

16 WHEREAS, the Board of Supervisors recognizes the benefits of entering into Waste Hauler  
17 Franchise Agreements for the efficiency of solid waste management; and

18 WHEREAS, the County of Riverside has entered into Waste Hauler Franchise Agreements with  
19 the waste haulers that covers the Desert Center community of Franchise Areas 13; and

20 WHEREAS, the County subsidy to provide low cost waste collection service in the Desert Center  
community shall end;

21 WHEREAS, the Board of Supervisors acknowledges the need for the increase of 4.85% of the  
22 residential rate for the next seven years in addition to the usual annual Consumer Price Index (CPI)  
23 increase to lessen the effect of the end of the subsidy on the residents;

24 BE IT RESOLVED AND ORDERED that the Board of Supervisors of the County of Riverside,  
State of California, in regular session assembled on \_\_\_\_\_, finds that the residential waste  
hauler fees in the community of Desert Center in Franchise Area 13 shall receive an increase of 4.85% to  
the service component of their fees beginning fiscal year 2012-2013 and for the next seven fiscal years;

FORM APPROVED COUNTY COUNSEL  
BY:  ERIC STOPHER  
DATE: 4/12/12

1 BE IT FURTHER RESOLVED AND ORDERED that a copy of the increased waste rates  
2 specifying the new rate for each service area pursuant to this Resolution be received and filed to the Clerk  
3 of the Board of Supervisors no later than July 31, 2012.

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

527



**FROM:** Community Health Agency/Environmental Health Department  
and Waste Management Department

**SUBMITTAL DATE:**  
April 11, 2012

**SUBJECT:** Desert Center Area Collection and Disposal

**RECOMMENDED MOTION:** That the Board:

1. Approve the attached Second Amended Exclusive Waste Delivery Agreement for Franchise Area 13 between CR&R and the Waste Management Department; and
2. Authorize the Chairman to execute the attached Second Amended Exclusive Waste Delivery Agreement for Franchise Area 13 on behalf of the Waste Management Department; and
3. Introduce and set for public hearing the adoption of Resolution No. 2012-110 Adjusting Waste Hauler Fees for the Desert Center community of Franchise Area 13; and (continued)

 _____ Steve Van Stockum, Director Environmental Health Department	 _____ Hans Kernkamp, General Manager-Chief Engineer Waste Management Department
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<b>FINANCIAL DATA</b>	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:	11/12

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

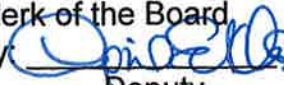
**C.E.O. RECOMMENDATION:** APPROVE

BY:   
Debra Cournoyer

**MINUTES OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Stone, seconded by Supervisor Buster and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended, and is set for public hearing on Tuesday, June 5, 2012, at 1:30 p.m.

Ayes: Buster, Tavaglione, Stone, Benoit and Ashley  
 Nays: None  
 Absent: None  
 Date: April 24, 2012  
 xc: CHA-Environ. Health, Waste, COB

Kecia Harper-Ihem  
 Clerk of the Board  
 By:   
 Deputy

Prev. Agn. Ref.: 10.2 (4/10/01); 12.1 (6/28/11); 2.10 (11/1/11)	District: 4/4	Agenda Number:
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ATTACHMENTS FILED  
WITH THE CLERK OF THE BOARD

FORM APPROVED COUNTY COUNSEL 12/12  
BY: NEAL R. KIPNIS DATE Departmental Concurrence

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

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**RECOMMENDED MOTION (Cont):**

4. Authorize the Clerk of the Board to place an advertisement for the public hearing date of June 5, 2012, in the appropriate local publications; and
5. Upon the close of the public hearing on June 5, 2012, adopt Resolution No. 2012-110 Adjusting Waste Hauler fee for the Desert Center community of Franchise Area 13.

**BACKGROUND:** On April 10, 2001, the County entered into a Collection and Disposal Agreement for the Desert Center area with Palo Verde Valley Disposal Service for the purpose of providing consideration caused by the reduced operational schedule at the Desert Center Landfill. Consideration included a monthly subsidy and free disposal for Desert Center area waste at the Blythe Landfill in exchange for providing a residential collection rate just slightly below the CSA #51 collection rates in effect at that time. The agreement term was set to expire on July 1, 2011, and Waste Management Department and Environmental Health staff have been in discussions with the hauler regarding future Waste Management Department subsidies and residential collection rates. An extension of six months was requested, and granted by the Board on June 28, 2011, in order to finalize discussions and provide adequate notification to Desert Center residents in regard to changes in collection rates.

During the extended period, staff learned that Palo Verde Valley Disposal Service has been sold to CR&R, Incorporated. An extension of three additional months was requested, and granted by the Board on December 6, 2011, to finalize discussions and provide adequate notification to Desert Center residents.

The Collection and Disposal Agreement for the Desert Center Area has expired and the parties have been operating month to month under its provisions until a replacement program can take effect on July 1, 2012.

**SUMMARY:** The parties have reached an agreement for the Board's consideration in moving forward, starting July 1, 2012:

- 1) The two County subsidies to the refuse hauler will end. There will no longer be free disposal of Desert Center trash at the Blythe landfill and the monthly subsidy of \$2,300 will end. Desert Center self haulers will no longer be allowed free disposal at the Blythe and Mecca Landfills. Self haulers will come under the County landfill fee system.
- 2) The current monthly rate for the collection of residential refuse in the Desert Center area (\$18.71) is to be increased annually by 4.85% in each of the first seven years in order to draw closer to the Hard to Service residential rate for Franchise Area 13 (\$34.95 regular and \$32.19 for senior), as noted in Resolution No. 2012-110. The rate will also be increased by the Consumer Price Index (CPI) as determined by the Board of Supervisors on an annual basis.

- 3) The commercial monthly rates for non state agencies will not change. However, these rates are still subject to annual adjustment based on the the CPI each year (including July 1, 2012) as determined by the Board of Supervisors in regard to the County Franchise Agreements.
- 4) The commercial monthly rates for state agencies will remain unchanged and will not be subject to adjustment by the CPI until such time as the non-state agency commercial rates reach the same rate as the state agency commercial rates.
- 5) Notwithstanding the changes listed above, all residential and commercial rates (whether state agency or non-state agency) are subject to be increased based on an increase in the landfill disposal fee charged by the Department of Waste Management as determined by the Board of Supervisors (such an increase is planned to occur on July 1, 2012).

County staff attended the Riverside County Service Area (CSA) 51 Advisory Committee meeting on March 15, 2012, and discussed the proposed change to the Desert Center Area trash service.

Related Changes to the Exclusive Waste Delivery Agreement for Franchise Area 13 are minor and have been made on the attached Second Amended Exclusive Waste Delivery Agreement.

Pursuant to CEQA Guidelines Section 15273 (Rates, Tolls, Fares, and Charges), the proposed amendment to the Waste Delivery Agreement is found to be statutorily exempt from CEQA. A Notice of Exemption to this effect will be filed with the County Clerk upon Board of Supervisors approval.