

FORM APPROVED COUNTY COUNSEL
 BY: GREGORY P. PRIAMOS DATE 9/23/15

Departmental Concurrence

SUBMITTAL TO THE BOARD OF SUPERVISORS 320
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



FROM: Department of Environmental Health

SUBMITTAL DATE:
 September 23, 2015

SUBJECT: Waste Collection Franchise Area 8 Ownership Transfer [3rd District, \$0]

RECOMMENDED MOTION:

1. That the Board approve Resolution No. 2015-215 (Exhibit A) Recognizing the Transfer of Waste Collection Franchise Area 8 to CR&R Incorporated.
2. Direct the Director of the Department of Environmental Health or designee to review and complete any necessary transfer documents.

BACKGROUND: An exclusive Waste Collection Franchise was awarded to Waste Management of the Inland Valley (WMI) for Franchise Area 8 on June 24, 1997. This area includes Idyllwild, Anza and Pinyon. The Department of Environmental Health received notice from CR&R Incorporated (CR&R) announcing the pending sale and transfer of Franchise Area 8 to CR&R.

(continued)

SVS:JW

Steve Van Stockum
 Director

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ 0	\$ 0	\$ 0	\$ 0	Consent <input type="checkbox"/> Policy <input checked="" type="checkbox"/>
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0	

SOURCE OF FUNDS: n/a	Budget Adjustment: No
	For Fiscal Year: 15/16

C.E.O. RECOMMENDATION: APPROVE

BY:
 Debra Cournoyer

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

- A-30
- 4/5 Vote
- Positions Added
- Change Order

Prev. Agn. Ref.: | District: 3rd | Agenda Number:

3-27

**SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FORM 11: Waste Collection Franchise Area 8 Ownership Transfer**

DATE: September 23, 2015

PAGE: Page 2 of 2

BACKGROUND:

Summary (continued)

Each Franchise Agreement sets out the terms and conditions necessary for a Franchise Agreement to be transferred to a new Franchisee. Department of Environmental Health staff followed the guidelines outlined in Section 12 (Franchise Transferability) of the Franchise Area 8 Agreement and reviewed the required documents and operational information for CR&R. The Department of Environmental Health is satisfied that CR&R has met and continues to meet its contractual obligations under all of its other waste collection Franchise Agreements with Riverside County.

We recommend approval of this transfer based on the following items:

- CR&R has provided access to audited financial statements indicating appropriate operating capital and the ability to operate Franchise Area 8.
- CR&R, as an existing franchisee which serves five other franchise areas, has over five years' experience of solid waste management on a scale greater than Franchise Area 8. CR&R has remained in good standing with those Agreements.
- CR&R has indicated they have not suffered any citations or other censure from any Federal, State or local agency having jurisdiction that would negatively impact Area 8.
- CR&R has appeared to operate their existing franchise areas in an environmentally safe and conscientious fashion.
- CR&R has assured the Department they will continue to operate the franchises in full compliance with all Federal, State and Local laws regulating the collection and disposal of waste; has comparable financial strength; and that they will secure all of the required insurance and bonds required to operate in Area 8 once the transfer is approved. CR&R will also complete any agreements necessary to operate the transfer stations and obtain a solid waste facility permit through the Department of Environmental Health before the franchise area transfer is finalized.

Impact on Citizens and Businesses

The approval of this transfer would enable a strong, existing waste collection company to assume operations in a franchise area that adjoins others that they currently operate. There is no expectation of increased costs to the residents or businesses. CR&R has agreed to waive the current Electronic Waste disposal fee at the transfer stations and find ways to reduce the current fee for residential amounts of construction and demolition debris.

Financial Data:

As stated in the Franchise Agreement, CR&R or WMI will pay all the Department of Environmental Health costs associated with this transfer.

RESOLUTION NO. 2015-215

A RESOLUTION OF THE COUNTY OF RIVERSIDE TRANSFERING FRANCHISE AREA 8
AND GRANTING AUTHORITY TO CR&R, INC. TO SERVICE COLLECTION AND
HAULING CONTRACTS IN FRANCHISE AREA 8 CURRENTLY SERVED BY WASTE
MANAGEMENT OF THE INLAND VALLEY

Whereas CR&R is a solid waste hauling company currently holding franchises issued by Riverside County authorizing it to collect solid waste in Franchise Areas 5,6,7,9, and 13 of the County under County Ordinance No. 657, and;

Whereas Waste Management of the Inland Valley is a solid waste hauling company currently holding a franchise issued by Riverside County on June 24, 1997 authorizing it to collect solid waste in Franchise Area 8 of the County under County Ordinance No. 657, and;

Whereas Franchise Area 8 is located in the mountain areas of Idyllwild, Anza, and Pinyon, of the County and;

Whereas Waste Management of the Inland Valley and CR&R Incorporated notified the Department of Environmental Health, as the County Administrator of all solid waste collection franchises currently in effect in the County, that they have chosen to transfer Waste Collection Franchise Area 8 and that CR&R Incorporated has the intention to assume responsibility within Franchise Area 8 as soon as documents and agreements are finalized and;

Whereas the Department has found CR&R, Incorporated to be in current good standing under its current Franchise Agreements issued for Area 5,6,7,9, and 13; now therefore

FORM APPROVED COUNTY COUNSEL
DATE: 9/18/15
BY: ESIC STOPPER

1 BE IT RESOLVED, by the Board of Supervisors in Regular session assembled on _____ that
2 this Board now grants its approval to CR&R Incorporated to assume responsibilities in Area 8 under the
3 franchise agreement currently held by Waste Management of the Inland Valley for the remainder of the
4 term of that franchise agreement, directs the Department to make the necessary name changes in the
5 Franchise Agreement for Area 8.

6 **EFFECTIVE DATE**

7 This Resolution shall take effect this date.

8
9 BOARD OF SUPERVISORS OF THE COUNTY
10 OF RIVERSIDE, STATE OF CALIFORNIA
11

12
13
14 BY _____
15 Chairman

16 ATTEST:

17
18 Clerk of the Board
19

20
21
22 By _____
23 Deputy

24
25 (SEAL)
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