

MINUTES OF THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



12.3

1:30 p.m. being the time set for public hearing on the recommendation from Waste Management Department regarding Approval of Requested Gate Fee Increase at the Edom Hill Transfer Station, the Vice Chairman called the matter for hearing.

Hans Kernkampf, Chief Engineer, presented the matter.

The Vice Chairman closed the public hearing.

On motion of Supervisor Stone, seconded by Supervisor Benoit and duly carried, IT WAS ORDERED that the above matter is approved as recommended.

Roll Call:

Ayes: Buster, Tavaglione, Stone and Benoit
Nays: None
Absent: Ashley

I hereby certify that the foregoing is a full true, and correct copy of an order made and entered on June 29, 2010 of Supervisors Minutes.

(seal) WITNESS my hand and the seal of the Board of Supervisors
Dated: June 29, 2010
Kecia Harper-Ihem, Clerk of the Board of Supervisors, in
and for the County of Riverside, State of California.

By: [Signature] Deputy

AGENDA NO.
12.3

xc: Waste

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

963



SUBMITTAL DATE:
May 18, 2010


FROM: Waste Management Department

SUBJECT: Introduction and Approval of Requested Gate Fee Increase at the Edom Hill Transfer Station

RECOMMENDED MOTION: That the Board of Supervisors:

1. Introduce the requested Gate Fee changes at the Edom Hill Transfer Station (EHTS) as proposed by Burrtec Recovery and Transfer, LLC (Burrtec), in accordance with the Master Lease Agreement (the Agreement) related to operations at the EHTS entered into on November 5, 2002 (and assigned to Burrtec as approved by the Board of Supervisors on May 23, 2006); and
2. Set a date of June 29, 2010, for public hearing regarding the gate fee rate increase for EHTS; and
3. Direct the Clerk of the Board to advertise the public hearing through public notice for a minimum of fourteen (14) days pursuant to Section 5(d)(1) of the Agreement; and
4. Approve the requested EHTS gate fee increase at the close of the June 29, 2010, public hearing to be effective July 1, 2010

BACKGROUND: On November 5, 2002, the County entered into an agreement with Waste Management of the Desert (WMOD) to develop, construct, and operate a transfer station at the Edom Hill landfill site once the landfill closed. The Edom Hill landfill closed in November 2004, and the transfer station began operation at that time. WMOD sold their rights in the agreement to Burrtec Recovery and Transfer, LLC (Burrtec) in 2006. (Continued)



 Hans W. Kernkamp, General Manager-Chief Engineer

FINANCIAL DATA	Current F.Y. Total Cost:	\$ N/A	In Current Year Budget:	N/A
	Current F.Y. Net County Cost:	\$ N/A	Budget Adjustment:	No
	Annual Net County Cost:	\$ N/A	For Fiscal Year:	2011

SOURCE OF FUNDS: Not applicable	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION:

APPROVE

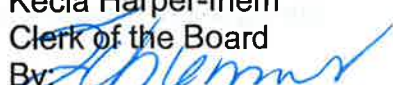
BY: 
Alex Gann

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor, seconded by Supervisor and duly carried, IT WAS ORDERED that the above matter is approved as recommended, setting for public hearing on Tuesday, June 29, 2010, at 1:30 p.m.

Ayes: Tavaglione, Stone, Benoit, and Ashley
 Nays: None
 Absent: Buster
 Date: June 8, 2010
 xc: Waste Mgmt., COB

Kecia Harper-Ihem
 Clerk of the Board
 By: 
 Deputy

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

12.3

FORM APPROVED COUNTY COUNSEL
 BY:  NEAL R. KIPNIS
 DATE: 5/24/10
 Departmental Concurrence

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

The Agreement between the County and Burrtec., as Lessee, states that gate fee adjustments are to be approved by the County Board of Supervisors following a public hearing. On May 14, 2010, Burrtec, contacted the Waste Management Department to communicate their intent to request a rate increase as outlined in the Agreement. Pursuant to Section 5(b) of the Agreement, the Waste Management Department, on behalf of Burrtec, is presenting the request to the Board of Supervisors for action.

The gate fee at Edom Hill Transfer Station is made up of four component parts. The recapture of the capital investment (i.e. the Facility Element) and the City Mitigation Fee are fixed by contract. The Disposal Fee element is based on the long term hauling contract that Burrtec, has with the County and can be increased by that contract's allowable Consumer Price Index (CPI) increase. The Waste Management Department has recommended that long term hauling contract rates remain at FY 2010 levels for the new fiscal year. The Operating & Transport Elements are the only components that can be increased for FY 2011.

The maximum increase allowable in any one year is equal to 80% of the percent change in the CPI for all Urban Consumers for the Los Angeles/Anaheim/Riverside Metropolitan Area as published by the United States Department of Labor, Bureau of Labor Statistics for the twelve month period ended December 31 of the year prior to the July 1 effective date. For July 1, 2010, the maximum percent increase in the gate fee based on 80% of the change in CPI on December 31, 2009 is 1.46%.

The requested per ton Gate Fee change is as follows:

Gate Fee Components	Gate Fee per Lease Agreement July 1, 2009	Increase based on allowable 2009 CPI *	Total Proposed Gate Fee effective July 1, 2010
Facility Element	\$.89	Not applicable	\$.89
Operating & Transport Elements:	\$10.64	\$.16	\$10.80
Disposal Fee **	\$26.35	Not applicable	\$26.35
City Mitigation Fee	\$ 1.00	Not applicable	\$ 1.00
Total:	\$38.88		\$39.04

* CPI increase for 2009=

$$(219.620 - 223.643) / 219.620 = 0.0183$$

Percent change = 1.83% Maximum allowable (80%) = 1.46%

** As presented to the Board of Supervisors on May 18, 2010, the Riverside County Waste Management Department anticipates landfill disposal fees to remain at FY 2010 levels.



OFFICE OF
CLERK OF THE BOARD OF SUPERVISORS
1st FLOOR, COUNTY ADMINISTRATIVE CENTER
P.O. BOX 1147, 4080 LEMON STREET
RIVERSIDE, CA 92502-1147
PHONE: (951) 955-1060
FAX: (951) 955-1071

KECIA HARPER-IHEM
Clerk of the Board of Supervisors

KIMBERLY A. RECTOR
Assistant Clerk of the Board

June 10, 2010

THE DESERT SUN
ATTN: LEGALS
P.O. BOX 2734
PALM SPRINGS, CA 92263

E-MAIL: legals@thedesertsun.com
FAX: (760) 778-4731

RE: NOTICE OF PUBLIC HEARING: Gate Fee Increase at Edom Hill Transfer
Station (EHTS)

To Whom It May Concern:

Attached is a copy for publication in your newspaper for **ONE (1) TIME on Sunday, June 13, 2010.**

We require your affidavit of publication immediately upon completion of the last publication.

Your invoice must be submitted to this office in duplicate, WITH TWO CLIPPINGS OF THE PUBLICATION.

NOTE: PLEASE COMPOSE THIS PUBLICATION INTO A SINGLE COLUMN FORMAT.

Thank you in advance for your assistance and expertise.

Sincerely,

Mcgil

Cecilia Gil, Board Assistant to
KECIA HARPER-IHEM, CLERK OF THE BOARD

Gil, Cecilia

From: Moeller, Charlene [CMOELLER@palmspri.gannett.com]
Sent: Thursday, June 10, 2010 1:34 PM
To: Gil, Cecilia
Subject: RE: FOR PUBLICATION: GATE FEE INCREASE

this will have to be a display ad because of the graphic line up.

Ad received and will publish on date(s) requested.

Charlene Moeller
Public Notice Customer Service Rep.
The Desert Sun Newspaper
750 N. Gene Autry Trail, Palm Springs, CA 92262
(760) 778-4578, Fax (760) 778-4731
Desert Sun legals@thedesertsun.com
& Desert Post Weekly dpwlegals@thedesertsun.com
The Coachella Valley's #1 Source in News & Advertising! Visit us at mydesert.com

NOTE: Starting on March 29th, there will be a \$10 affidavit processing fee added to the cost of each Public Notice

From: Gil, Cecilia [mailto:CCGIL@rcbos.org]
Sent: Thursday, June 10, 2010 12:54 PM
To: tds-legals
Subject: FOR PUBLICATION: GATE FEE INCREASE

Hello Charlene!

Can you please publish this attached Notice of Public Hearing, for publication on Sunday, June 13, 2010? Please confirm.
THANK YOU!

Cecilia Gil
Board Assistant to the
Clerk of the Board of Supervisors
951-955-8464

THE COUNTY ADMINISTRATIVE CENTER IS CLOSED EVERY FRIDAY UNTIL FURTHER NOTICE.
PLEASE CONSIDER THE ENVIRONMENT BEFORE PRINTING.

NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY

NOTICE IS HEREBY GIVEN that a public hearing at which all interested persons will be heard, will be held before the Board of Supervisors of Riverside County, California, on the 1st Floor Board Chambers, County Administrative Center, 4080 Lemon Street, Riverside, on **Tuesday, June 29, 2010, at 1:30 P.M.** regarding the Requested Gate Fee Increase at Edom Hill Transfer Station (EHTS) as proposed by the Waste Management of the Desert (WMOD) in accordance with the Master Lease Agreement related to operations at the EHTS and entered into on November 5, 2002.

The requested per ton Gate Fee change is as follows:

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**As presented to the Board of Supervisors on May 18, 2010, the Riverside County Waste Management Department anticipates landfill disposal fees to remain at FY 2010 levels.

Any person wishing to testify in support of or in opposition may do so in writing between the date of this notice and the public hearing, or may appear and be heard at the time and place noted above. All written comments received prior to the public hearing will be submitted to the Board of Supervisors and the Board of Supervisors will consider such comments, in addition to any oral testimony, before making a decision on the proposed Gate Fee Increase.

Please send all written correspondence to: Clerk of the Board
 4080 Lemon Street, 1st Floor
 Post Office Box 1147
 Riverside, CA 92502-1147

Dated: June 10, 2010

Kecia Harper-Ihem
 Clerk of the Board
 By: Cecilia Gil, Board Assistant

The Desert Sun

mydesert.com

750 N. Gene Autry Trail
 Palm Springs, CA 92262
 Billing Inquiries: (866) 875-0854
 Main Office: (760) 322-8889

ADVERTISING INVOICE/STATEMENT

Make Checks payable to DESERT SUN PUBLISHING CO.
 P.O. Box 677368 Dallas, TX 75267-7368
 A finance charge of 1.5% per month(18% Annually) will be
 added to balances not paid by the 20th.

135

RIV0690000037835320173470910829

RIVERSIDE COUNTY-BOARD OF SUP.
 PO BOX 1147
 RIVERSIDE CA 92502-1147

Customer No.	Invoice No.
RIV069	0003783532
For the Period	Thru
05/31/10	06/27/10
Due Date	Amount Due
07/12/10	17,347.09
AMOUNT PAID	

PLEASE RETURN THIS TOP SECTION WITH PAYMENT IN THE
 ENCLOSED ENVELOPE AND INCLUDE YOUR CUSTOMER NUMBER
 ON REMITTANCE.

Date	EDT	Class	Description	Times Run	Col	Depth	Total Size	Rate	Amount
0531			BALANCE FORWARD						12,350.83
0529	CLS	0001	CECILIA NO 2330 NOTICE I	4	2	110.00	880.00		381.20
0530	CLS	0001	CECILIA NO 2339 / RES 20	2	4	10.00	80.00		939.60
0604	CLS	0001	SANDI NO 2420 BOARD OF	2	2	337.00	1348.00		575.42
0605	CLS	0001	SANDI NO 2446 NOTICE O	2	2	91.00	364.00		167.06
0609	CLS	0001	KIMBERLY NO 2507 BOARD OF	2	2	443.00	1772.00		751.38
0609	CLS	0001	KIMBERLY/CECNO 2508 NOTICE I	9	2	78.00	1404.00		274.96
0613	CLS	0001	CECILIA NO 2586 / GATE F	1	4	7.00	28.00		335.36
0616	CLS	0001	CECILIA NO 2668 BOARD OF	2	2	126.00	504.00		225.16
0620	CLS	0001	CECILIA NO 2738 BOARD OF	2	2	65.00	260.00		123.90
0620	CLS	0001	CECILIA NO 2739 CORRECTE	2	2	451.00	1804.00		764.66
0627	CLS	0001	CECILIA NO 2856 NOTICE O	2	2	266.00	1064.00		457.56
Current		Over 30 Days	Over 60 Days	Over 90 Days	Over 120 Days	Total Due			
4,996.26		5,428.42	6,732.91	.00	189.50	17,347.09			
Contract Type	Contract Qnty.	Expiration Date	Current Usage	Total Used	Quantity Remaining	Salesperson			
						MOELLER			

12.2 of 06/08/10 (County)

The Advertiser shall make payment within 15 days of the billing date indicated on Company's statement, and, in the event that it fails to make payment within such time, Company may reject advertising copy and / or immediately cancel this contract and Advertiser agrees to indemnify Company for all expenses incurred in connection with the collection of amounts payable under this contract, including but not limited to collection fees, attorney's fees and court costs. If this agreement is cancelled due to Advertiser's failure to make timely payment, Company may rebill the Advertiser for the outstanding balance due at the open or earned contract rate, whichever is applicable.

TO ENSURE PROPER CREDIT, PLEASE RETURN THE TOP SECTION AND INCLUDE YOUR CUSTOMER NUMBER ON REMITTANCE.

Customer Number	Name	Invoice Number	Amount Paid
RIV069	RIVERSIDE COUNTY-BOARD OF SUP.	0003783532	

THE DESERT SUN PUBLISHING CO.
 ADVERTISING INVOICE/STATEMENT

The Desert Sun
750 N Gene Autry Trail
Palm Springs, CA 92262
760-778-4578 / Fax 760-778-4731

Certificate of Publication

2580

State Of California ss:
County of Riverside

Advertiser:

RIVERSIDE COUNTY-BOARD OF SUP.
4080 LEMON ST
RIVERSIDE CA 925013

2000210238

I am over the age of 18 years old, a citizen of the United States and not a party to, or have interest in this matter. I hereby certify that the attached advertisement appeared in said newspaper (set in type not smaller than non pariel) in each and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

Newspaper: The Desert Sun

6/13/2010

I acknowledge that I am a principal clerk of the printer of The Desert Sun, printed and published weekly in the City of Palm Springs, County of Riverside, State of California. The Desert Sun was adjudicated a newspaper of general circulation on March 24, 1988 by the Superior Court of the County of Riverside, State of California Case No. 191236.

I declare under penalty of perjury that the foregoing is true and correct. Executed on this 13th day of June, 2010 in Palm Springs, California.


Declarant

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4080 Lemon Street, 1st Floor
Post Office Box 1147
Riverside, CA 92502-1147
Dated: June 10, 2010
Kecia Harper-Ihem
Clerk of the Board
By: Cecilia Gil, Board Assistant

RECEIVED RIVERSIDE COUNTY
CLERK / BOARD OF SUPERVISORS
2010 JUN 17 PM 12: 22