

FORM APPROVED COUNTY COUNSEL  
 BY BRUCE G. FORDON  
 DATE 10/29/11

634

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



**FROM:** Community Health Agency/Department of Environmental Health

**SUBMITTAL DATE:**  
 October 11, 2011

**SUBJECT:** Riverside County Board of Supervisors Resolution No 2011 -264 Recognizing the Sale of Palo Verde Disposal Service to CR & R Incorporated.

**RECOMMENDED MOTION:** That the Board approve Resolution No. 2011-264 (Exhibit A) Recognizing the Sale of Palo Verde Disposal Service to CR & R Incorporated to Service the Collection and Hauling Contract in Franchise Area 13 in the Blythe and Desert Center Area

**BACKGROUND:** An exclusive Waste Collection Franchise was awarded to Palo Verde Disposal Service for Franchise Area 13 effective October 14, 1997. On October 3, 2011 the Department of Environmental Health received a letter from CR & R Incorporated announcing the pending sale and transfer of the company's assets from Palo Verde Disposal Service.

(continued)

*Steve Van Stockum*  
 Steve Van Stockum, Director

SVS:JSW

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

**C.E.O. RECOMMENDATION:** APPROVE  
 BY: *Debra Cournoyer*  
 Debra Cournoyer  
**County Executive Office Signature**

- Policy
- Policy
- Consent
- Consent

**MINUTES OF THE BOARD OF SUPERVISORS**

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

Ayes: Buster, Tavaglione, Stone and Ashley  
 Nays: None  
 Absent: Benoit  
 Date: November 1, 2011  
 xc: CHA-Environmental Health

Kecia Harper-Ihem  
 Clerk of the Board  
 By: *Kecia Harper-Ihem*  
 Deputy

Dept's Recomm.: \_\_\_\_\_ Per Exec. Ofc.: \_\_\_\_\_

Prev. Agn. Ref.: \_\_\_\_\_ District: 4 Agenda Number: 2.10

2.10

**Approval to Recognize Sale:**

The requirements for the transfer of a franchise are identified in Section 12 of each Franchise Agreement. Staff has requested and reviewed the information identified in that section that is relevant in view of CR & R's status as an existing franchisee in the County. Staff is satisfied that CR &R has met and continues to meet its contractual obligations under the Franchise Agreement with Riverside County.

We recommend approval of this transfer based on the following items as specified in the Franchise Agreement:

- CR & R has provided access to audited financial statements indicating appropriate operating capital and the ability to operate Franchise Area 13.
- CR & R as an existing franchisee has over five years experience of solid waste management on a scale greater than Franchise Area 13.
- CR & R has indicated they have not suffered any citations or other censure from any Federal, State or local agency having jurisdiction.
- 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 all of the required insurance and bonds.

**Financial Data:**

As stated in the Franchise Agreement, CR & R has agreed to pay the reasonable costs associated with this transfer including Environmental Health staff time.

**RESOLUTION NO. 2011-264**

**A RESOLUTION OF THE COUNTY OF RIVERSIDE RECOGNIZING THE SALE OF PALO VERDE DISPOSAL SERVICE TO CR & R INC. AND GRANTING AUTHORITY TO CR & R, INC. TO SERVICE COLLECTION AND HAULING CONTRACTS IN FRANCHISE AREA 13 CURRENTLY PALO VERDE DISPOSAL SERVICE**

Whereas CR & R is a solid waste hauling company currently holding a franchise issued by Riverside County on May 19, 1998 authorizing it to collect solid waste in Franchise Area 5 of the County under County Ordinance No. 657, and;

Whereas Palo Verde Disposal Service is a solid waste hauling company currently holding a franchise issued by Riverside County on October 14, 1997 authorizing it to collect solid waste in Franchise Area 13 of the County under County Ordinance No. 657, and;

Whereas Franchise Area 13 is located in the eastern portion of the County near Blythe and;

Whereas CR & R Inc in a letter to the Department of Environmental Health (Department) dated October 3, 2011, has notified the Department, as the County Administrator of all solid waste collection franchises currently in effect in the County, that it has chosen to purchase Palo Verde Disposal Service and has the intention to assume performance responsibility within Palo Verde Disposal Service's Franchise Area 13.

Whereas the Department has found CR &R, Inc to be in current good standing under its franchise issued for Area 5; now therefore

BE IT RESOLVED, by the Board of Supervisors in Regular session assembled on 11/01/11 that this Board now grants its approval to CR &R inc. to assume performance responsibilities in Area 13

1 under the franchise currently held by Palo Verde Disposal Service for the remainder of the term of that  
2 franchise, direct the Department to make the necessary name changes in the Franchise Agreement for  
3 Area 13 and hereby authorizes CR &R Inc. to carry out collection and hauling responsibilities in Area  
4 13 under that franchise.

5 **EFFECTIVE DATE**

6 This Resolution shall take effect this date.

7 ROLL CALL:

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

11 The foregoing is certified to be a true copy of a resolution duly  
12 adopted by said Board of Supervisors on the date therein set forth.

13 KECIA HARPER-IHEM, Clerk of said Board

14 By: \_\_\_\_\_  
15 Deputy

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20 FORM APPROVED COUNTY COUNSEL  
21 BY Bruce G. Fordon 10/20/11  
22 BRUCE G. FORDON DATE