

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



12.1

1:30 p.m. being the time set for public hearing on the recommendation from Community Health Agency/Environmental Health And Waste Management regarding a Public Hearing on the Approval of the Second Amended Exclusive Waste Delivery Agreement for Franchise Area 13 between CR&R and the Waste Management Department; and Adoption of Resolution 2012-110 Adjusting Waste Hauler Fees for the Desert Center Community of Franchise Area 13, 4th/4th District, the Chairman called the matter for hearing.

Hans Kernkamp presented the matter.

The chairman closed the public hearing.

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

Roll Call:

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

I hereby certify that the foregoing is a full true, and correct copy of an order made and entered on June 5, 2012 of Supervisors Minutes.

WITNESS my hand and the seal of the Board of Supervisors
Dated: June 5, 2012
Kecia Harper-Ihem, Clerk of the Board of Supervisors, in
and for the County of Riverside, State of California.

(seal)

By: [Signature] Deputy

AGENDA NO.
12.1

xc: CHA, Waste

1 Board of Supervisors

County of Riverside

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**

5
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

25 BE IT RESOLVED AND ORDERED that the Board of Supervisors of the County of Riverside,
26 State of California, in regular session assembled on June 5, 2012 , finds that the residential waste
27 hauler fees in the community of Desert Center in Franchise Area 13 shall receive an increase of 4.85% to
28 the service component of their fees beginning fiscal year 2012-2013 and for the next seven fiscal years;

06/05/12

12.1

FORM APPROVED COUNTY COUNSEL
BY: ERIC STASHEK
7/12/12
DATE

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.

4 ROLL CALL:

5 Ayes: Buster, Tavaglione and Stone
6 Nays: None
7 Absent: Benoît and Ashley

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

10 KECIA HARPER-IHEM, Clerk of said Board

11 By: _____
12 Deputy

**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

Hans Kernkamp

Steve Van Stockum, Director
Environmental Health Department

Hans Kernkamp, General Manager-Chief Engineer
Waste Management Department

FINANCIAL DATA	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

SOURCE OF FUNDS:

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

C.E.O. RECOMMENDATION: APPROVE

County Executive Office Signature

BY: *Debra Cournoyer*
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: *[Signature]*
Deputy

Prev. Agn. Ref.: 10.2 (4/10/01);
12.1 (6/28/11); 2.10 (11/1/11)

District: 4/4

Agenda Number:

ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD

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

Dept's Recomm.: Consent
Per Exec. Ofc.: Consent
 Policy
 Policy

- 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.



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: (909) 955-1060
FAX: (909) 955-1071

KECIA HARPER-IHEM
Clerk of the Board of Supervisors

KIMBERLY A. RECTOR
Assistant Clerk of the Board

May 17, 2012

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: RESOLUTION 2012-110 ADJUSTING WASTE
HAULER FEES FOR THE DESERT CENTER COMMUNITY FRANCHISE AREA 13

To Whom It May Concern:

Attached is a copy for publication in your newspaper for **ONE (1) TIME on Sunday, May 20, 2012.**

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, May 17, 2012 8:48 AM
To: Gil, Cecilia
Subject: RE: FOR PUBLICATION: RES. 2012-110 WASTE HAULER FEES

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

Charlene Moeller | Media Sales Legal Notice Coordinator

The Desert Sun Media Group
750 N. Gene Autry Trail, Palm Springs, CA 92262
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legals@thedesertsun.com / dpwlegals@thedesertsun.com

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This email and any files transmitted with it are confidential and intended for the individual to whom they are addressed. If you have received this email in error, please notify the sender and delete the message from your system

From: Gil, Cecilia [<mailto:CCGIL@rcbos.org>]
Sent: Thursday, May 17, 2012 7:27 AM
To: tds-legals
Subject: FOR PUBLICATION: RES. 2012-110 WASTE HAULER FEES

Good morning! Attached is a Notice of Public Hearing, for publication on Sunday, May 20, 2012. 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 5, 2012, at 1:30 p.m.** to consider the following:

RESOLUTION NO. 2012-110

**A RESOLUTION OF THE COUNTY OF RIVERSIDE ADJUSTING
WASTE HAULER FEES FOR THE COMMUNITY OF DESERT CENTER IN FRANCHISE AREA 13**

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

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

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

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

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

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

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

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;

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

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 Annual Rate Adjustment.

Please send all written correspondence to:

Clerk of the Board
4080 Lemon Street, 1st Floor
Post Office Box 1147
Riverside, CA 92502-1147

Dated: May 17, 2012

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