

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



9-1

9:30 p.m. being the time set for public hearing on the recommendation from Environmental Health regarding a Public Hearing on Adoption of Resolution 2013-072, A Resolution of the County of Riverside Establishing Waste Hauler Fees for all Franchise Areas, the Chairman called the matter for hearing.

The chairman closed the public hearing.

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

Roll Call:

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

I hereby certify that the foregoing is a full true, and correct copy of an order made and entered on May 14, 2013 of Supervisors Minutes.

(seal)

WITNESS my hand and the seal of the Board of Supervisors
Dated: May 14, 2013
Kecia Harper-Ihem, Clerk of the Board of Supervisors, in
and for the County of Riverside, State of California.

By: *Kecia Harper-Ihem* Deputy

AGENDA NO.
9-1

xc: Environmental Health

2 **RESOLUTION NO. 2013-072**

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

4 **WASTE HAULER FEES FOR ALL FRANCHISE AREAS**

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

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

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

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

17 WHEREAS, the County of Riverside has entered into Waste Hauler Franchise Agreements with 4
18 waste haulers to cover Franchise Areas 1 through 13; and

19 WHEREAS, each Waste Collection Franchise Agreement covering Franchise Areas 1 through 13,
20 contains a provision for an annual adjustment of the rates customers are charged based on the consumer
21 price index ("CPI");

22 WHEREAS additional reasonable charges have been requested by the waste hauler for Franchise
23 Areas 1, 3 and 4 to cover costs. Specifically, to add a new Rural Rate in the amount of \$25.00 for those in
24 areas formally designated as Hard to Service but can still be serviced by a regular sized truck. Within
25 these Franchise Areas, there are existing customers who currently pay a rate that is less than the
26 authorized \$25.00 amount. For these customers, their rates will increase in three equal installments over
27 the course of three consecutive years, beginning in July 2013, at an amount necessary to ensure that the
28 customer is at \$25.00 at the end of the third increase.

1 WHEREAS additional reasonable charges have been requested by the waste hauler for Franchise
2 Areas 5, 6, 7, 9 and 13 to cover costs. Specifically, to allow for the charging of a \$70.00 Commercial
3 Recycle Bin contamination fee for instances when a commercial recyclable container contains excessive
4 solid waste; a Commercial Bin Overage fee in an amount of \$40.00 when a bin is overloaded;

5 WHEREAS additional reasonable charges have been requested by the waste hauler for Franchise
6 Area 12 to cover costs. Specifically, to allow a new fee of \$26.35 for the rental of a rolloff bin that is not
7 serviced weekly;

8 WHEREAS additional reasonable charges have been requested by the waste hauler for Franchise
9 Area 13 to cover costs. Specifically, to allow for the charging of a \$26.04 Residential/Commercial
10 Rolloff Set Up fee for new accounts, Re-delivery fee for Delinquent Residential Accounts in the amount
11 of \$50.00, Re-delivery fee for Delinquent Commercial Accounts in the amount of \$75.00;

12 WHEREAS, the Board of Supervisors acknowledges the need for the CPI increase of the hauler
fees to meet the needs of cost of living increase, and added costs of providing these new services;

13 BE IT RESOLVED AND ORDERED that the Board of Supervisors of the County of Riverside,
14 State of California, in regular session assembled on May 14, 2013, finds that the waste hauler fees in
15 Franchise Areas 1-13 shall receive an increase, based on the CPI of 1.9% to the service component of
16 their fees for fiscal year 2013-2014; and the additional revisions noted above;

17 BE IT FURTHER RESOLVED AND ORDERED that a copy of the increased waste rates
18 specifying the new rate for each service area pursuant to this Resolution be received and filed to the Clerk
19 of the Board of Supervisors no later than July 31, 2013.

20 ROLL CALL:

21 Ayes: Jeffries, Tavaglione, Benoit and Ashley
22 Nays: None
23 Absent: Stone
24

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

27 KECIA HARPER-IHEM, Clerk of said Board

28 By: _____
Deputy

FORM APPROVED COUNTY COUNSEL
BY: [Signature]
DATE: 5/14/13
BY: [Signature]
DATE: _____

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

126



FROM: Department of Environmental Health

SUBMITTAL DATE:
April 11, 2013

SUBJECT: Annual Rate Adjustment to the Waste Collection Agreements for Riverside County

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Introduce and set for public hearing the adoption of Resolution No. 2013-072 Adjusting Waste Hauler Fees for All Franchise Areas;
- 2) Authorize the Clerk of the Board to place an advertisement for the public hearing in the appropriate local publications; and
- 3) Upon the close of the Public Hearing, adopt Resolution No. 2013-072 Adjusting Waste hauler Fees for All Franchise Areas.

BACKGROUND: Waste Collection Franchise Agreements covering all unincorporated portions of Riverside County were phased in between 1997 and 1998.

(continued)

SVS: JW

Steve Van Stockum
Steve Van Stockum, Director

FINANCIAL DATA

Current F.Y. Total Cost:	\$ 0	In Cnt Year Budget:	No
Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	No
Annual Net County Cost:	\$ 0	For Fiscal Year:	13/14

SOURCE OF FUNDS: Contract revenue and Department budget

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

C.E.O. RECOMMENDATION:

APPROVE

BY: *Steven C. Horn*
Steven C. Horn, MPA

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Ashley, seconded by Supervisor Tavaglione 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, May 14, 2013, at 9:30 a.m.

Ayes: Jeffries, Tavaglione, Stone, Benoit and Ashley
 Nays: None
 Absent: None
 Date: April 23, 2013
 xc: Environmental Health, Auditor, COB

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

Prev. Agn. Ref.: 3/27/12 3:9 District: All Agenda Number:

FISCAL PROCEDURES APPROVED
 PAUL ANGULO, CPA, AUDITOR-CONTROLLER
 BY: *Russell S. Dominiski*
 RUSSELL S. DOMINSKI 4-9-13
 Department of Finance
 FORM APPROVED BY COUNTY COUNSEL 4/9/13
 BY: ERIC STOPHER
 Policy Policy
 Consent Consent
 Dep't Recomm.:
 Per Exec. Ofc.:

BACKGROUND (continued):

In each of the existing twelve Franchise Agreements there is a provision for an adjustment of the rates the customers are charged for regular services, to be implemented annually in July.

This adjustment allows a "pass through" for any changes to landfills including the Alternative Daily Cover (ADC) surcharge or transfer station fees, and a cost of living increase, based on Consumer Price Index for All Urban Consumers (CPI), for the balance of the rate. There will also be the continued adjustment of fees charged in Desert Center due to the reduction of the County subsidy. All non-disposal costs are adjusted by the CPI for the Los Angeles/Anaheim/Riverside Metropolitan Area, as published by the United States Department of Labor, Bureau of Labor Statistics. The proposed rates implement the adjustment methodology using a CPI of 1.9% for the twelve (12) month period January 2012 through December 2012.

PROPOSED ADJUSTMENT DETAILS

The proposed rate adjustments are a 1.9% increase for all Franchise Areas (1-13), based on the CPI, as described above.

Some of the Franchise solid waste hauling companies have requested additional changes to their rate structure to cover the costs to provide services. These services were either provided at no charge in the past, were provided at a rate that did not cover the cost, or is a new service. The changes/additions are as follows:

Franchise Areas 1, 3, and 4 (within portions of Board of Supervisors Districts 1, 2, 3, & 5) serviced by Waste Management of the Inland Empire.

1. Rural Rate – This \$25.00 charge will provide a lower amount residents can pay who are located in a "Hard to Service" area as defined in the Waste Franchise Agreement and can still be serviced by a regular size collection truck. Other areas needing a smaller collection truck due to narrow roads would still be charged the existing "Hard to Service" rate. Within these Franchise Areas, there are existing customers who currently pay a rate that is less than the authorized \$25.00 amount. For these customers, their rates will increase in three equal installments over the course of three consecutive years, beginning in July 2013, at an amount necessary to ensure that the customer is at \$25.00 at the end of the third increase.

Franchise Areas 5,6,7,9, & 13 (within portions of Board of Supervisors Districts 3, 4, & 5) serviced by CR&R.

1. Commercial Recycle Bin Contamination Fee – As commercial recycling services are increased due to implementation of AB 341, the need has arisen to address contamination by non-recyclable materials being introduced into the bin. This charge will be assessed if an excessive

amount of solid waste has been placed in the recycling container, thereby rendering it useless for recycling and requiring a separate solid waste truck to be dispatched to pick up the waste. The amount of the charge would be \$70.00 per violation/occurrence.

2. Commercial Bin Overage Fee – Commercial bins need to be sized properly for the waste generated on site. By accommodating their service levels to their demand, they avoid overloading the bin. This charge is incurred only if a customer overloads the bin more than once in a twelve month period and may be waived if the customer adjusts their service level in order to mitigate a future re-occurrence. The charge would be \$40.00 per violation/occurrence.

Franchise Area 12 (within portions of Board of Supervisors District 4) serviced by Burrtec.

1. Rolloff Rental Charge – Typically rolloff containers are emptied by the waste hauler on a weekly basis. This charge would be assessed when the rolloff container is not receiving weekly service to encourage its use and to minimize hauler assets staying at the site unnecessarily. The fee would be the same as Burrtec's Franchise Area 2, \$26.35.

Franchise Area 13 (within portions of Board of Supervisors District 4) serviced by CR&R.

1. Residential/Commercial/Rolloff Set Up Charge - This will establish a charge of \$26.04 to cover the costs associated with the set up for new accounts. It considers the initial administrative time to set up the customer in the billing system, answer customer questions and initiate invoicing.
2. Re-delivery fee for Delinquent Residential Accounts - This will establish a charge of \$50.00 for delinquent accounts. It considers the cost associated with re-establishing the account in the billing system and redelivering the containers to the resident.
3. Re-delivery fee for Delinquent Commercial Accounts- This will establish a charge of \$75.00 for delinquent accounts. It considers the cost associated with re-establishing the account in the billing system and redelivering the containers to the business.

SUMMARY

The approval of the proposed 1.9% increase would raise the typical residential rate in the Franchise Areas approximately \$0.30 to \$0.35 per month. The detailed rate sheets will be provided to the Clerk of the Board upon completion of the final calculations no later than July 31, 2013.

FISCAL

The approval of this change will result in no cost to the County; implementation expenses are borne by the franchisee.



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

April 25, 2013

PRESS ENTERPRISE
ATTN: LEGALS
P.O. BOX 792
RIVERSIDE, CA 92501

E-MAIL: legals@pe.com
FAX: (951) 368-9018

RE: NOTICE OF PUBLIC HEARING: Annual Rate Adjustment to the Waste
Collection Agreements for Riverside County

To Whom It May Concern:

Attached is a copy for publication in your newspaper for **ONE (1) TIME on Sunday, April 28, 2013.**

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,

Cecilia Gil

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

Gil, Cecilia

From: mtinajero@pe.com on behalf of Master, PEC Legals <legalsmaster@pe.com>
Sent: Thursday, April 25, 2013 8:13 AM
To: Gil, Cecilia
Subject: Re: [Legals] FOR PUBLICATION: Annual Rate Adjust. to Waste Collection Res. 2013-072

Received for publication on April 28. Proofs with cost to follow.

Thank You!



Publisher of The Press-Enterprise
Inland Southern California's News Leader

Legal Advertising

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Fax: 951.368.9018

E-mail: legals@pe.com

Please Note: Deadline is 10:30 AM two (2) business days prior to the date you would like to publish.
Additional days required for larger ad sizes

On Wed, Apr 24, 2013 at 5:19 PM, Gil, Cecilia <CCGIL@rcbos.org> wrote:

Hello. Attached is a Notice of public hearing, for publication on Sunday, April 28, 2013. Please confirm. THANK YOU!

Cecilia Gil

Board Assistant to the
Clerk of the Board of Supervisors
[951-955-8464](tel:951-955-8464)

THE COUNTY ADMINISTRATIVE CENTER IS CLOSED EVERY FRIDAY UNTIL FURTHER NOTICE.

PLEASE CONSIDER THE ENVIRONMENT BEFORE PRINTING.



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

April 25, 2013

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: Annual Rate Adjustment to the Waste
Collection Agreements for Riverside County

To Whom It May Concern:

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Thank you in advance for your assistance and expertise.

Sincerely,

Cecilia Gil

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

Gil, Cecilia

From: Moeller, Charlene <CMOELLER@palmspri.gannett.com>
Sent: Thursday, April 25, 2013 8:46 AM
To: Gil, Cecilia
Subject: RE: FOR PUBLICATION: Annual Rate Adjust. to Waste Collection 2013-072

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
t 760.778.4578 | f 760.778.4731
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: Wednesday, April 24, 2013 5:20 PM
To: tds-legals
Subject: FOR PUBLICATION: Annual Rate Adjust. to Waste Collection 2013-072

Hello. Attached is a Notice of Public Hearing, for publication on Sunday, April 28, 2013. 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, May 14, 2013, at 9:30 a.m.** to consider the following Annual Rate Adjustment to the Waste Collection Agreements for Riverside County:

RESOLUTION NO. 2013-072

**A RESOLUTION OF THE COUNTY OF RIVERSIDE ESTABLISHING
WASTE HAULER FEES FOR ALL FRANCHISE AREAS**

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 4 waste haulers to cover Franchise Areas 1 through 13; and

WHEREAS, each Waste Collection Franchise Agreement covering Franchise Areas 1 through 13, contains a provision for an annual adjustment of the rates customers are charged based on the consumer price index ("CPI");

WHEREAS additional reasonable charges have been requested by the waste hauler for Franchise Areas 1, 3 and 4 to cover costs. Specifically, to add a new Rural Rate in the amount of \$25.00 for those in areas formally designated as Hard to Service but can still be serviced by a regular sized truck. Within these Franchise Areas, there are existing customers who currently pay a rate that is less than the authorized \$25.00 amount. For these customers, their rates will increase in three equal installments over the course of three consecutive years, beginning in July 2013, at an amount necessary to ensure that the customer is at \$25.00 at the end of the third increase.

WHEREAS additional reasonable charges have been requested by the waste hauler for Franchise Areas 5, 6, 7, 9 and 13 to cover costs. Specifically, to allow for the charging of a \$70.00 Commercial Recycle Bin contamination fee for instances when a commercial recyclable container contains excessive solid waste; a Commercial Bin Overage fee in an amount of \$40.00 when a bin is overloaded;

WHEREAS additional reasonable charges have been requested by the waste hauler for Franchise Area 12 to cover costs. Specifically, to allow a new fee of \$26.35 for the rental of a rolloff bin that is not serviced weekly;

WHEREAS additional reasonable charges have been requested by the waste hauler for Franchise Area 13 to cover costs. Specifically, to allow for the charging of a \$26.04 Residential/Commercial Rolloff Set Up fee for new accounts, Re-delivery fee for Delinquent Residential Accounts in the amount of \$50.00, Re-delivery fee for Delinquent Commercial Accounts in the amount of \$75.00;

WHEREAS, the Board of Supervisors acknowledges the need for the CPI increase of the hauler fees to meet the needs of cost of living increase, and added costs of providing these new services;

BE IT RESOLVED AND ORDERED that the Board of Supervisors of the County of Riverside, State of California, in regular session assembled on May 14, 2013 , finds that the waste hauler fees in Franchise Areas 1-13 shall receive an increase, based on the CPI of 1.9% to the service component of their fees for fiscal year 2013-2014; and the additional revisions noted above;

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, 2013.

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: April 25, 2013

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