

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

825



FROM: Department of Environmental Health

SUBMITTAL DATE:
April 29, 2015

SUBJECT: Annual Rate Adjustment for Waste Management Inc. in Riverside County

RECOMMENDED MOTION: That the Board of Supervisors:

1. Conduct a public hearing on the Annual Rate Adjustment to the Waste Collection Agreement affecting Waste Management Inc.; and
2. Upon the close of the Public Hearing, adopt Resolution No. 2015-121 Adjusting Waste Hauler Fees for Waste Management Inc.

BACKGROUND:

Summary

Waste Collection Franchise Agreements covering most unincorporated portions of Riverside County were phased-in between 1997 and 1998.

Steve Van Stockum
Director

SVS:JW

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:
Steven C. Horn

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes: Jeffries, Washington, Benoit and Ashley
 Nays: None
 Absent: Tavaglione
 Date: June 2, 2015
 xc: Environmental Health

Kecia Harper-Ihem
Clerk of the Board

By:
Deputy

Prev. Agn. Ref.: 4/28/15, 9.2

District: 1 & 3

Agenda Number:

9-3

FORM APPROVED COUNTY COUNSEL 5/1/15 DATE
BY: GREGORY P. PRIAMOS

Departmental Concurrence

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

**SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FORM 11: Adjusting Waste Hauler Fees for Waste Management Inc. Franchise Areas**

DATE: April 29, 2015

PAGE: 2 of 2

BACKGROUND:

Summary (continued)

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

This adjustment occurs in two separate areas. First, there is a "pass through" for any changes to landfill rates or charges including the Alternative Daily Cover (ADC) surcharge or transfer station fees. Second, there is a cost of living increase, based on Consumer Price Index for All Urban Consumers (CPI), for the remainder of the franchise rates. 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/Orange County, California, as published by the United States Department of Labor, Bureau of Labor Statistics. The proposed rates were adjusted as delineated in the franchise agreement using a CPI of 0.7% for the twelve (12) month period January 2014 through December 2014.

The proposed rate adjustments are a 0.7% increase for Franchise Areas (1,3,4 and 8), based on the CPI, as described above. The detailed rate sheets will be provided to the Clerk of the Board upon completion of the final calculations no later than July 31, 2015.

On April 28, 2015, the Board of Supervisors deferred approving the CPI for all franchise areas serviced by Waste Management Inc. until certain customer services issues were remedied. Waste Management Inc. has assured the Department of Environmental Health that the billing inconsistencies have been properly addressed for "hard to service" waste collection areas. Waste Management Inc. stated that they will provide a revised map showing actual "hard to service" waste collection areas as well as other written proof that the problems have been appropriately remedied, at the public hearing.

Impact on Residents and Businesses

The approval of the proposed 0.7% increase would raise the typical residential rate in the Waste Management Inc franchise areas approximately \$0.20 per month.

SUPPLEMENTAL:

Additional Fiscal Information

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

2 **RESOLUTION NO. 2015-121**

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

4 **WASTE HAULER FEES FOR FRANCHISE AREAS 1,3,4 AND 8**

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 1
18 waste hauler to cover Franchise Areas 1, 3, 4 and 8; and

19 WHEREAS, each Waste Collection Franchise Agreement serviced by Waste Management Inc.,
20 covering Franchise Areas 1,3,4 and 8, contains a provision for an annual adjustment of the rates
21 customers are charged based on the consumer price index ("CPI");

22 WHEREAS, the Board of Supervisors acknowledges the need for the CPI increase of the hauler
23 fees to meet the needs of cost of living increase;

24 BE IT RESOLVED AND ORDERED that the Board of Supervisors of the County of Riverside,
25 State of California, in regular session assembled on June 2, 2015 , finds that the waste hauler fees in
26 Franchise Areas 1,3,4 and 8 shall receive an increase, based on the CPI of 0.7% to the service component
27 of their fees for fiscal year 2015-2016;

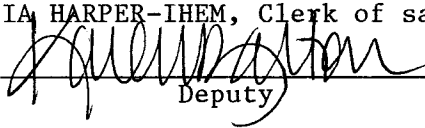
FORM APPROVED BY COUNTY COUNSEL
BY: *[Signature]* EEB
DATE: 5/11/15

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, 2015.

4
5
6 ROLL CALL:

7 Ayes: Jeffries, Washington, Benoit and Ashley
8 Nays: None
9 Absent: Tavaglione

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

12 KECIA HARPER-IHEM, Clerk of said Board
13 By  Deputy

BOYDD, April

From: Harper-Ihem, Kecia
Sent: Wednesday, May 06, 2015 4:29 PM
To: Watkins, John
Subject: RE: S556 Minolt15050411150.pdf

Importance: High

Will do. Please note that it will still be listed on the agenda for May 12, 2015 with the notation that the item is to be continued to June 2, 2015.

Kecia

Kecia Harper-Ihem
Clerk of the Board
4080 Lemon Street, 1st Floor
Riverside County, CA 92501
ph. 951.955.1061 fax 951.955.1071 kharpier-ihem@rcbos.org www.rivcocob.com

"The footprints you leave today can help others find their path tomorrow."
-Anonymous

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-----Original Message-----

From: Watkins, John [<mailto:JWatkins@rivcocha.org>]
Sent: Wednesday, May 06, 2015 4:23 PM
To: Harper-Ihem, Kecia; Horn, Steven
Subject: S556 Minolt15050411150.pdf

After additional discussion with the Board Office and the hauler. The Department requests continuance of this item to June 2, 2015

This email is confidential and intended solely for the use of the individual(s) to whom it is addressed. The information contained in this message may be privileged and confidential and protected from disclosure.

**Riverside County Board of Supervisors
Request to Speak**

Submit request to Clerk of Board (right of podium),
Speakers are entitled to three (3) minutes, subject
to Board Rules listed on the reverse side of this form.

SPEAKER'S NAME: Debbie WALSH

Address: MEAD VALLEY
(only if follow-up mail response requested)

City: _____ **Zip:** _____

Phone #: _____

Date: 6/2/2015 **Agenda #** 9-3

PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:

_____ **Support** _____ **Oppose** X **Neutral**

Note: If you are here for an agenda item that is filed
for "Appeal", please state separately your position on
the appeal below:

_____ **Support** _____ **Oppose** _____ **Neutral**

I give my 3 minutes to: _____

BOARD RULES

Requests to Address Board on "Agenda" Items:

You may request to be heard on a published agenda item. Requests to be heard must be submitted to the Clerk of the Board before the scheduled meeting time.

Requests to Address Board on items that are "NOT" on the Agenda:

Notwithstanding any other provisions of these rules, member of the public shall have the right to address the Board during the mid-morning "Oral Communications" segment of the published agenda. Said purpose for address must pertain to issues which are under the direct jurisdiction of the Board of Supervisors. YOUR TIME WILL BE LIMITED TO THREE (3) MINUTES.

Power Point Presentations/Printed Material:

Speakers who intend to conduct a formalized Power Point presentation or provide printed material must notify the Clerk of the Board's Office by 12 noon on the Monday preceding the Tuesday Board meeting, insuring that the Clerk's Office has sufficient copies of all printed materials and at least one (1) copy of the Power Point CD. Copies of printed material given to the Clerk (by Monday noon deadline) will be provided to each Supervisor. If you have the need to use the overhead "Elmo" projector at the Board meeting, please insure your material is clear and with proper contrast, notifying the Clerk well ahead of the meeting, of your intent to use the Elmo.

Individual Speaker Limits:

Individual speakers are limited to a maximum of three (3) minutes. Please step up to the podium when the Chairman calls your name and begin speaking immediately. Pull the microphone to your mouth so that the Board, audience, and audio recording system hear you clearly. Once you start speaking, the "green" podium light will light. The "yellow" light will come on when you have one (1) minute remaining. When you have 30 seconds remaining, the "yellow" light will begin flash, indicating you must quickly wrap up your comments. Your time is up when the "red" light flashes. The Chairman adheres to a strict three (3) minutes per speaker. **Note: If you intend to give your time to a "Group/Organized Presentation", please state so clearly at the very bottom of the reverse side of this form.**

Group/Organized Presentations:

Group/organized presentations with more than one (1) speaker will be limited to nine (9) minutes at the Chairman's discretion. The organizer of the presentation will automatically receive the first three (3) minutes, with the remaining six (6) minutes relinquished by other speakers, as requested by them on a completed "Request to Speak" form, and clearly indicated at the front bottom of the form.

Addressing the Board & Acknowledgement by Chairman:

The Chairman will determine what order the speakers will address the Board, and will call on all speakers in pairs. The first speaker should immediately step to the podium and begin addressing the Board. The second speaker should take up a position in one of the chamber aisles in order to quickly step up to the podium after the preceding speaker. This is to afford an efficient and timely Board meeting, giving all attendees the opportunity to make their case. Speakers are prohibited from making personal attacks, and/or using coarse, crude, profane or vulgar language while speaking to the Board members, staff, the general public and/or meeting participants. Such behavior, at the discretion of the Board Chairman may result in removal from the Board Chambers by Sheriff Deputies.