



Monterey County

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Board Report

Legistar File Number: 14-1200

November 04, 2014

Introduced: 10/20/2014

Current Status: Agenda Ready

Version: 1

Matter Type: General Agenda Item

- a. Set a Public Hearing for December 9, 2014, at 1:30 p.m. regarding proposed rates for new services and adjustments to current rates for the Unified Franchise Agreement A-11631 between the County of Monterey and USA Waste of California, Inc., dba Carmel Marina Corporation, for the Exclusive Collection of Solid Waste and Recyclables in Unincorporated Monterey County; and
- b. Direct the Clerk of the Board to publish Notice of Public Hearing in newspapers of general circulation to provide for County-wide Notice of Public Hearing on or before November 28, 2014.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Set a Public Hearing for December 9, 2014, at 1:30 p.m. regarding proposed rates for new services and adjustments to current rates for the Unified Franchise Agreement A-11631 between the County of Monterey and USA Waste of California, Inc., dba Carmel Marina Corporation, for the Exclusive Collection of Solid Waste and Recyclables in Unincorporated Monterey County; and
- b. Direct the Clerk of the Board to publish Notice of Public Hearing in newspapers of general circulation to provide for County-wide Notice of Public Hearing on or before November 28, 2014.

SUMMARY:

Government Code Section 66016 provides as follows:

- (a) Prior to approving an increase in an existing fee or service charge, a local agency shall hold at least one open and public meeting, at which oral or written presentations can be made, as part of a regularly scheduled meeting.
- (b) Any action by a local agency to levy a new fee or service or to approve an increase in an existing fee or service charge shall be taken only by ordinance or resolution. The legislative body of a local agency shall not delegate the authority to adopt a new fee or service charge, or to increase a fee or service charge.
- (d) This section shall apply only to fees and charges as described in Sections 51287, 56383, 65104, 65456, 65584.1, 65863.7, 65909.5, 66013, 66014, and 66451.2 of this code, Sections 17951, 19132.3, and 19852 of the Health and Safety Code, Section 41901 of the Public Resources Code, and Section 21671.5 of the Public Utilities Code.

DISCUSSION:

The Director of Health seeks authorization to execute Amendment No. 4 to the Unified Franchise Agreement A-11631 (UFA) between the County of Monterey and USA Waste of California, Inc., dba Carmel Marina Corporation (Waste Management). Amendment No. 4 would amend *Article 13.13ff* of the UFA to add collection rates for new services and change current rates. The

proposed new rates and rate adjustments will be finalized before November 28, 2014, and provided to the Clerk of the Board to make the Board Report for the Public Hearing available to the public for review. Also before November 28, 2014, Exhibit 1 of the Notice of Hearing (Attachment A) will be made available to the Clerk of the Board to be published with the Notice of Hearing as directed by the Board.

While this work is not directly in support of a Monterey County Health Department 2011-2015 strategic initiative, it is in support of two of the ten essential public health services, specifically, 6) Enforce laws and regulations that protect health and ensure safety; and 8) Assure competent public and personal health care workforce.

OTHER AGENCY INVOLVEMENT:

The Office of the County Counsel has reviewed the Board Report and associated documents. Staff of Environmental Health continues to work closely with Waste Management to develop proposed rate changes.

FINANCING:

There will be no additional cost to the County General Fund associated with this recommendation.

Prepared by: Teresa Rios, Management Analyst III, 8979

Approved by: Ray Bullick, Director of Health, 4526

Attachments:

Attachment A - Notice of Public Hearing without Exhibit 1; on file with the Clerk of the Board