



County of Monterey

Item No.21

Board Report

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

Legistar File Number: RES 25-162

December 10, 2025

Introduced: 11/5/2025

Current Status: Agenda Ready

Version: 1

Matter Type: BoS Resolution

Adopt a Resolution to:

- a. Approve Amendment No. 1 with [Proposed] Exhibit 1 “Approved Rates and Charges” to adjust the current rates to a 5.03% increase for residential and commercial customers within the Monterey Regional Waste Management District and 6.05% increase for residential and commercial customers within the Salinas Valley Solis Waste Authority in the Unified Franchise Agreement (UFA) A-17164 between the County of Monterey (County) and USA Waste of California, Inc., dba Carmel Marina Corporation, for the Exclusive Collection of Solid Waste and Recyclables in the Unincorporated area of the County of Monterey, effective January 1, 2026; and
- b. Approve and authorize the Director of Health Services or designee to execute Amendment No. 1 to the UFA between the County and USA Waste of California dba Carmel Marina Corporation, for the Exclusive Collection of Solid Waste and Recyclables in the Unincorporated area of the County of Monterey.

RECOMMENDATION:

It is recommended that the Board of Supervisors Adopt a Resolution to:

- a. Approve Amendment No. 1 with [Proposed] Exhibit 1 “Approved Rates and Charges” to adjust the current rates to a 5.03% increase for residential and commercial customers within the Monterey Regional Waste Management District and 6.05% increase for residential and commercial customers within the Salinas Valley Solis Waste Authority in the Unified Franchise Agreement (UFA) A-17164 between the County of Monterey (County) and USA Waste of California, Inc., dba Carmel Marina Corporation, for the Exclusive Collection of Solid Waste and Recyclables in the Unincorporated area of the County of Monterey, effective January 1, 2026; and
- b. Approve and authorize the Director of Health Services or designee to execute Amendment No. 1 to the UFA between the County and USA Waste of California dba Carmel Marina Corporation, for the Exclusive Collection of Solid Waste and Recyclables in the Unincorporated area of the County of Monterey.

SUMMARY:

On November 18, 2025, the Board set a public hearing to consider and adopt a Resolution to approve Amendment No. 1 with [Proposed] Exhibit 1 “Approved Rates and Charges” regarding proposed rates for services and adjustments to current rates for the Unified Franchise Agreement (hereafter, “UFA” or “Agreement”) between the County and USA Waste of California dba Carmel Marina Corporation, for the Exclusive Collection of Solid Waste and Recyclables in the Unincorporated area of the County of Monterey.

Pursuant to the terms of the UFA, the Director of Health will seek authorization to execute

Amendment No. 1 to said UFA.

DISCUSSION:

[Proposed] Amendment No. 1 adjusts the rates of the UFA between USA Waste of California dba Carmel Marina Corporation and the County as reflected in [Proposed] Exhibit 1 “Approved Rates and Charges” effective January 1, 2026.

[Proposed] Amendment No. 1 was published with the Board Report for the November 18, 2025, Consent Agenda (Set Hearing) item. Notice of Public Hearing was also published in newspapers of general circulation on or before November 27, 2025, by the County Health Department, Environmental Health Bureau (EHB). In addition to the County EHB’s publication of [Proposed] Amendment No. 1 on the November 18, 2025 Consent Agenda, and publication of the Notice of Public Hearing in newspapers of general circulation, this Board Report, which includes the basis for the [Proposed] Exhibit 1 “Approved Rates and Charges”, was published on the County Health Department EHB website which meets the minimum ten (10) day publication requirement in advance of the Public Hearing on proposed Amendment No. 1.

The Director of Health Services seeks authorization to execute Amendment No. 1 to the UFA between the County and USA Waste of California dba Carmel Marina Corporation.

In accordance with Article 11.12, Adjustments to Service Rates, Surcharges and Fees of said UFA, the Director of Health requests adoption of a resolution to approve Amendment No. 1 to amend said UFA. Proposed Amendment No. 1 would amend the UFA to incorporate the proposed rates for services and adjustments to current rates as reflected in [Proposed] Exhibit 1 “Approved Rates and Charges” effective January 1, 2026.

Article 11 Billing and Payment, Subsection 11.13.1.1 of the UFA provides:

On January 1, 2026, and annually thereafter, the service rates, fees and surcharges set forth in Exhibit 1 shall be adjusted by multiplying them by the Refuse Rate Index (RRI) percentage adjustment.

Current RRI computations take into consideration tipping fees approved by the MRWMD and SVSWA which are a direct pass through to rate payers. RRI computations also account for increases in the Contractor’s operating expenses. Approval of said RRI increase is consistent with the terms of the UFA.

Proposed rate increases, effective January 1, 2026, are as follows:

- 5.03% increase for residential customers within the jurisdiction of the Monterey Regional Waste Management District (MRWMD);
- 6.05% increase for residential customers within the jurisdiction of the Salinas Valley Solid Waste Authority (SVSWA);
- 5.03% increase for commercial customers within the jurisdiction of the Monterey Regional Waste Management District (MRWMD);
- 6.05% increase for commercial customers within the jurisdiction of the Salinas Valley Solid Waste Authority (SVSWA).

This Amendment No.1 affecting rates is being presented at this Public Hearing as required by Government Code Section 66016 which 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.
- (c) 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.

Consistent with essential public health service item 6) and pursuant to Title 10 - Health and Safety, Chapter 10.41 - Solid Waste Collection and Disposal, MCC Section 10.41.030 - Mandatory collection. Subsection A. provides that, "...All solid waste shall be collected from every occupied residence, apartment, or business...at least once a week."

Further, MCC Section 10.41.030. Subsection B. Payment. provides that collection rates shall be established by the Board, as follows:

Residents... and owners of commercial and industrial businesses or the property owners of the property within the designated residential areas or the property on which such businesses are located shall pay the rates established by the Board.

While this work is not directly in support of a Health Department strategic goal, it is in support of one or more of the ten essential public health services, specifically: 6) Enforce laws and regulations that protect health and ensure safety.

OTHER AGENCY INVOLVEMENT/COMMITTEE ACTIONS:

The Office of the County Counsel-Risk Management has reviewed and approved this Amendment No. 1 as to form.

FINANCING:

There is no General Fund Contribution resulting from this Board action. USA Waste of California dba Carmel Marina Corporation will continue to remit franchise fees, calculated at ten percent (10%) of collected revenue, to the General Fund.

BOARD OF SUPERVISORS STRATEGIC PLAN GOALS:

This recommendation supports the Board of Supervisors' Strategic Plan Goals by advancing the goal of Safe and Resilient Communities through the continued implementation of essential public health and sanitation services. By adjusting service rates in accordance with the UFA and ensuring compliance with MCC Section 10.41.030, the County maintains stable, mandatory solid waste collection services that protect public health, prevent illegal dumping, and support

environmental stewardship. The action aligns with Key Objectives to deliver reliable infrastructure and enhance the long-term sustainability of essential services.

Reference: Monterey County Code Title 10 - Health and Safety, Chapter 10.41 - Solid Waste Collection and Disposal, Sections 10.41.030(A) and (B); Unified Franchise Agreement, Article 11.12 (Adjustments to Service Rates.

Mark a check to the related Board of Supervisors Strategic Plan Goals:

- ☐ Well-Being and Quality of Life
- ☐ Sustainable Infrastructure for the Present and Future
- ☒ Safe and Resilient Communities
- ☐ Diverse and Thriving Economy

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Approved by: Elsa Mendoza Jimenez, Director of Health Services, 755-4526

Attachments:

Board Report

Resolution

[Proposed] Amendment No. 1 and Exhibit 1

Unified Franchise Agreement