

County of Monterey
Board of Supervisors

Resolution No. _____

Conducted a Public Hearing to:

a. Approve Amendment No. 9 to the Unified Franchise Agreement A-11631 (UFA) 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 to amend Exhibit 1 – “Approved Rates and Charges” of said UFA to adjust rates (effective retroactive to January 1, 2020) in accordance with the UFA Refuse Rate Index provisions.

b. Approve and authorize the Director of Health or Assistant Director of Health to execute Amendment No. 9 to the UFA 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.

WHEREAS, the Director of Health seeks authorization for the Director of Health, or Assistant Director of Health, to execute Amendment No. 9 to the Unified Franchise Agreement (UFA) (Agreement No. A-11631) between the County of Monterey and USA Waste of California, Inc., dba Carmel Marina Corporation (hereafter, “Waste Management”); and

WHEREAS, this matter was considered at the March 10, 2020 public hearing of the Board of Supervisors; and

WHEREAS, Amendment No. 9 would amend the UFA at Article 13, Section 13.13 “Adjustments to Services and Rates, Surcharges, and Fees” to replace the service rates, surcharges, and fees set forth in Exhibit 1 “Approved Rates and Charges,” previously approved and adopted pursuant to the UFA dated February 9, 2010 as amended pursuant to Amendment Nos. 1, 2, 3, 4, 5, 6, 7, and 8, with the new [Proposed] Exhibit 1 – “Approved Rates and Charges,” which is attached and incorporated into [Proposed] Amendment No. 9. to reflect a rate adjustment;

WHEREAS, in accordance with Article 13.13ff of the UFA, Waste Management has submitted a request for a rate adjustment that, based on calculations set forth in the UFA, justifies an across the board rate increase for solid waste and recyclables collection services for residential and commercial customers as set forth below:

- 6.82% increase for the residential customers within the jurisdiction of the Monterey Regional Waste Management District (MRWMD);
- 8.13% increase for the residential customers within the jurisdiction of the Salinas Valley Solid Waste Authority (SVSWA);
- 6.93% increase for the commercial customers within the jurisdiction of the Monterey Regional Waste Management District (MRWMD);
- 8.13% increase for the commercial customers within the jurisdiction of the Salinas Valley Solid Waste Authority (SVSWA)

WHEREAS, Environmental Health Bureau staff has evaluated the Waste Management’s request and believes it to be accurate and within compliance with the UFA;

WHEREAS, on February 2, 2010 said UFA was awarded to the Waste Management;

WHEREAS, Article 13 “Billing and Payment,” Subsection 13.13.2.1 provides that: on January 1, 2012, 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”;

WHEREAS, the current RRI computations take into consideration tipping fees approved by the MRWMD and SVSWA, which are a direct “pass through” to rate payers and which also account for increases in Waste Management’s operating expenses; and

WHEREAS, approval of said RRI increase is consistent with the terms of the UFA;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors hereby:

a. Approve Amendment No. 9 to the Unified Franchise Agreement A-11631 (UFA) 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 to amend Exhibit 1 – “Approved Rates and Charges” of said UFA to adjust rates (effective retroactive to January 1, 2020) in accordance with the UFA Refuse Rate Index provisions.

b. Approve and authorize the Director of Health or Assistant Director of Health to execute Amendment No. 9 to the UFA 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.

PASSED AND ADOPTED on this ____ day of _____, upon motion of Supervisor _____, seconded by Supervisor _____, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

I, Valerie Ralph, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book____, on _____, 2019.

Valerie Ralph, Clerk of the Board of Supervisors,
County of Monterey, State of California

Dated: _____

By: _____

, Deputy