



# Monterey County

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## Board Report

Legistar File Number: A 17-057

March 28, 2017

**Introduced:** 3/3/2017

**Version:** 1

**Current Status:** Agenda Ready

**Matter Type:** BoS Agreement

Conduct a public hearing to:

- a. Approve Amendment No. 6 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 add rates for expanded food waste collection services to be provided.
- b. Approve and authorize the Director of Health to execute Amendment No. 6 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.

### RECOMMENDATION:

It is recommended that the Board of Supervisors conduct a public hearing to:

- a. Approve Amendment No. 6 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 in order to amend Exhibit 1 - "Approved Rates and Charges" of said UFA to add rates for expanded food waste collection services to be provided, and to add and amend Sections to said UFA to incorporate the new food waste collection services to be provided; and
- b. Approve and authorize the Director of Health to execute Amendment No. 6 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.

### SUMMARY:

The Director of Health seeks authorization to execute Amendment No. 6 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) (Attachment A). Proposed Amendment No. 6 sets rates for expanded food waste collection services to be provided by Waste Management, and adds and amends Sections of said UFA as specified below to incorporate the new food waste collection services to be provided in 2017.

### DISCUSSION:

On February 2, 2010, the Board of Supervisors awarded said UFA to USA Waste of California, Inc., dba Carmel Marina Corporation (Contractor). Article 13.13, *Adjustments to Service Rates, Surcharges and Fees* states provide for "each Collection Service rate, fee or surcharge . . . set forth in Exhibit 1".

Amendment No. 6 includes the addition of food waste collection services expanded from Amendment No. 5. In 2014, the State enacted AB1826, which will require businesses that produce eight (8) cubic yards of volume of organic material to implement an organics program by 2016. AB1826 also requires local jurisdictions to implement an organic waste recycling program to divert organic material (food waste, green waste, landscape and pruning waste, nonhazardous wood waste, and food-soiled paper waste that is mixed in with food waste). AB1826 is the State's effort to set the stage for the achievement of the State's goal to increase diversion requirements from the current 50% to 75% by 2020. Monterey County is currently in compliance with the State's 50% diversion rate and already offers green waste collection services which are a part of the organic waste recycling programs that should be offered to comply with AB1826. Increasing diversion through the implementation of a food waste collection program is imperative to ensure that Monterey County will keep pace with the State's goal to increase diversion requirements. It is also a critical component for the County to ensure AB1826 is fully implemented.

This work supports the Monterey County Health Department 2011-2015 strategic plan initiatives: 1) Empower the community to improve health through programs, policies, and activities. It also supports one of the ten essential public health services, specifically: 6) Enforce laws and regulations that protect health and ensure safety.

OTHER AGENCY INVOLVEMENT:

The Office of the County Counsel has reviewed proposed Amendment No. 6 as to form and legality.

FINANCING:

There is no General Fund Contribution resulting from this Board action. Waste Management, Inc. will continue to remit franchise fees, calculated at 10% of collected revenue, to the General Fund.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

Check the related Board of Supervisors Strategic Initiatives:

☐ Economic Development:

- Through collaboration, strengthen economic development to ensure a diversified and healthy economy.

☐ Administration:

- Promote an organization that practices efficient and effective resource management and is recognized for responsiveness, strong customer orientation, accountability and transparency.

☒ Health & Human Services:

- Improve health and quality of life through County supported policies, programs, and services; promoting access to equitable opportunities for healthy choices and healthy environments in collaboration with communities.

☐ Infrastructure:

- Plan and develop a sustainable, physical infrastructure that improves the quality of life for County residents and supports economic development results.

☐ Public Safety:

- Create a safe environment for people to achieve their potential, leading businesses and communities to thrive and grow by reducing violent crimes as well as crimes in general.

Prepared by: Rob Durham, MA II, 8979

Approved by: Elsa Jimenez, Director of Health, 4526

Attachments:

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

Attachment B - Proposed Amendment No. 6 on file with the  
Clerk of the Board

Attachment C - Amendment No. 5 on file with the Clerk of the Board

Attachment D - Amendment No. 4 on file with the Clerk of the Board

Attachment E - Amendment No. 3 on file with the Clerk of the Board

Attachment F - Amendment No. 2 on file with the Clerk of the Board

Attachment G - Amendment No. 1 on file with the Clerk of the Board

Attachment H - Waste Management, Inc. Uniform Franchise Agreement on file with the  
Clerk of the Board