



## Legislation Text

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**File #:** 13-0572, **Version:** 3

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HEARING - Community Development Agency, Environmental Management Division, requesting the Board adopt and authorize the Chair to sign Resolution **098-2015** adjusting the comprehensive solid waste collection rates for the Tahoe Truckee Sierra Disposal Franchise Area by one and 52/100 percent (1.52%) to become effective July 1, 2015, pursuant to the April 4, 1995 Collection Franchise Agreement, as amended. (Est. Time: 15 Min.)

**FUNDING:** Garbage Franchise Fees. (No Federal Funds)

### **DEPARTMENT RECOMMENDATION**

Based upon the completed analysis, the Community Development Agency, Environmental Management Division (EMD) finds a rate increase of 1.52% to the existing rate schedule to be appropriate and in compliance with the current terms of the amended Franchise Agreement.

### **DISCUSSION / BACKGROUND**

The County of El Dorado entered into a Collection Franchise Agreement (Agreement) with Tahoe Truckee Sierra Disposal, Inc. (TTSD) on April 4, 1995, for the collection, transportation, processing and disposal of solid waste from certain residential, industrial, and commercial areas in El Dorado County. The TTSD franchise area generally encompasses the North West shoreline area of South Lake Tahoe and includes the communities of Meeks Bay, Rubicon, and Tahoma. The total number of year-round TTSD customers is approximately 800.

The Board approved the First Amendment to the Agreement on November 10, 2009 (Item No. 8) extending the term five (5) years to December 31, 2014, and allowing for two (2) additional term extensions of two (2) years each upon written request by either party. On October 28, 2014 the Board approved the first two (2) year extension of the Agreement thereby extending the term to December 31, 2016 (Item No 12).

In accordance with the amended Agreement with TTSD, Section 19.B. - Compensation, the Board of Supervisors shall set the rates to be charged by Grantee annually, effective July 1, provided Grantee requests such an increase in writing and is timely delivered to the Director of EMD. The Agreement also states that on the condition that Grantee is in compliance with the terms of the Agreement, an annual rate increase, if requested, shall be set at five percent (5%). In addition, failure of the Grantee to timely request a rate increase, no later than March 15<sup>th</sup> of a given year, shall result in a waiver of the rate increase for the year in question.

While TTSD has been entitled to an annual increase of 5%, based upon TTSD's annual financial analysis and the County's review, TTSD has requested and the Board has previously granted a one percent (1%) rate increase effective July 1, 2012, a one percent (1%) increase effective July 1, 2013, and a 1.64% increase effective July 1, 2014.

On March 1, 2015, TTSD submitted a letter to EMD requesting a rate increase adjustment of 1.52%

as contractually agreed upon in the Agreement in the event that a new agreement was not executed on or before July 1, 2015 (Attachment B).

**Item for Consideration**

The Board of Supervisors' consideration is requested for a rate increase of 1.52% effective July 1, 2015, as contractually agreed upon in the current amended Agreement. EMD finds that a 1.52% rate increase is appropriate, with an implementation date of July 1, 2015.

The following is a sample\* of the proposed rates in accordance with TTSD's rate increase request.

<u>Current Rate</u>		<u>Rate with 1.52% Rate Increase</u>	
<b>Residential</b>		<b>Residential</b>	
1 32g Can	\$25.35	1 32g Can	\$25.74
2 32g Cans	\$33.47	2 32g Cans	\$33.98
Senior Citizen	\$20.69	Senior Citizen	\$21.00
<b>Commercial</b>		<b>Commercial</b>	
Commercial can	\$5.84	Commercial Can	\$5.93
3 yd. 1 x week	\$318.20	3 yd. 1 x week	\$323.04
4 yd. 1 x week	\$397.76	4 yd. 1 x week	\$403.81

*\*(Resolution lists all rates)*

EMD has approved TTSD's written notification to each ratepayer as described in Section 19 of the Agreement.

The hearing to adopt the proposed collection rate adjustments has been duly noticed in accordance with Section 66016 of the California Government Code (Attachment C).

Per Board direction on May 8, 2012 (Item No. 11), EMD and TTSD have been negotiating a new Solid Waste Services Agreement (Agreement) between the County of El Dorado and Tahoe Truckee Sierra Disposal Co., Inc. The new Agreement will incorporate a new Solid Waste Rate Setting Policies and Procedures Manual and strategies identified in the El Dorado County Solid Waste Management Plan. EMD will be bringing the new Agreement to the Board in July for the Board's consideration. There will not be an additional rate increase in the first year of the new Agreement.

**ALTERNATIVES**

N/A

**OTHER DEPARTMENT / AGENCY INVOLVEMENT**

N/A

**CAO RECOMMENDATION**

CAO recommending the Board hold a hearing to register public protest and comments and subsequently adjust the Tahoe Truckee Sierra Disposal rate upward by 1.52%.

**FINANCIAL IMPACT**

The County Franchise Fee remains at 5%. However, as rates are incrementally increased, the County will see a slight increase in Franchise Fee revenue.

**CLERK OF THE BOARD FOLLOW UP ACTIONS**

The Board Clerk will forward the executed Resolution to the Community Development Agency, Environmental Management Division.

**STRATEGIC PLAN COMPONENT**

Effective Services

**CONTACT**

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