



# County of El Dorado

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## Legislation Details (With Text)

**File #:** 11-0633 **Version:** 1  
**Type:** Agenda Item **Status:** Adopted  
**File created:** 6/1/2011 **In control:** Board of Supervisors  
**On agenda:** 6/21/2011 **Final action:** 6/21/2011  
**Title:** HEARING - Per the request of Tahoe Truckee Sierra Disposal, Inc. and as outlined in the amended April 4, 1995 Franchise Agreement, consider their request to conduct a public hearing and adopt a Resolution increasing the solid waste collection rates by 5% in accordance with the current agreement, effective July 1, 2011. (Est. Time: 5 Min.)  
Resolution 093-2011

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. A - TTSD Public Notice, 2. B - TTSD Resolution 5%.pdf, 3. C - 5.18.11 from TTSD, 4. D - Fully executed Resolution 093-2011

Date	Ver.	Action By	Action	Result
6/21/2011	1	Board of Supervisors	Adopted	Pass

HEARING - Per the request of Tahoe Truckee Sierra Disposal, Inc. and as outlined in the amended April 4, 1995 Franchise Agreement, consider their request to conduct a public hearing and adopt a Resolution increasing the solid waste collection rates by 5% in accordance with the current agreement, effective July 1, 2011. (Est. Time: 5 Min.)

### Resolution 093-2011

Fiscal Impact/Change to Net County Cost: There is no change in Net County Cost. The attached Resolution indicates proposed solid waste rate levels.

### Background:

In accordance with the amended Solid Waste Services Franchise Agreement with Tahoe Truckee Sierra Disposal (TTSD) Section 19B - Compensation, The Board of Supervisors shall set the rates to be charged by Grantee annually, provided Grantee requests such an increase in writing and is timely delivered to the Director of the County Environmental Management Department.

The Agreement also states that on the condition that Grantee is in compliance with the terms of the Franchise Agreement, an annual rate increase, if requested, shall be set at 5% starting July 1, 2010 and ending December 31, 2014. In addition, the Grantees failure to timely request a rate increase shall result in a waiver of the rate increase for the year in question.

Grantee shall submit to the County no later than March 15th of a given year their desire to exercise and receive the annual 5% rate increase to be effective July 1.

Recent Board Action: The Board granted TTSD a 4% rate increase (Legistar item 10-0463) on 5/18/10 for the 2010/11 Fiscal Year as requested by the Grantee.

### Reason for Recommendation:

On March 11, 2011, the Environmental Management Department (EMD) received a letter from TTSD requesting an optional rate increase adjustment with the following options:

Option 1: A 2.5% increase in exchange for an extension of the contract term by one year with an associated increase, provided that it does not set precedent or in any way compromise their contractual rights for annual increases of 5% in the subsequent remaining years of the current contract term. As regards the proposed additional year, a rate adjustment would be subject to some to-be-determined industry-relevant index, but in no case less than 2.5%.

Option 2: A 5% increase per the current agreement.

After discussions with the Grantee, the EMD received a follow-up letter on May 18, 2011, requesting a 5% rate increase per the current agreement. (Attachment C) As a result, the Board has one item for consideration.

**Item for Consideration:**

Grant TTSD a 5% rate increase effective July 1, 2011 as contractually agreed upon in the current amended Franchise Agreement.

Please note the following proposed residential rates are based on a 5% increase:

**Residential**

Current Rate	
1 32g Can	\$23.28
2 32g Can	\$30.75
Senior Citizen	\$19.00

**Residential**

With 5% Rate Increase	
1 32g Can	\$24.44
1 64g Can	\$32.29
1 96g Can	\$19.95

The Environmental Management Department has approved TTSDs written notification to each ratepayer as described in Section 19 of the Solid Waste Franchise Agreement.

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

Action to be taken following Board approval: Forward executed resolution to Environmental Management Department for implementation.

Contact: Gerri Silva, MS, REHS, Environmental Management Director