



Agenda Date: 8/15/2016

Agenda Placement: 6B

Upper Valley Waste Management Agency Board Agenda Letter

TO: Board of Directors

FROM: Steven Lederer - Manager
Upper Valley Waste Management Agency

REPORT BY: Alice Ramirez, Senior Office Assistant - 259-6716

SUBJECT: Public Hearing: Eighth Amendment to UVDS Franchise

RECOMMENDATION

PUBLIC HEARING: EIGHTH AMENDMENT TO UVDS FRANCHISE AGREEMENT

DISCUSSION AND POSSIBLE ACTION: Staff recommends Board grant approval and authorization for the Chair to sign the Eighth Amendment to Agency Agreement #95-09 (Upper Valley Disposal Service) to make changes to:

1. Implement either:
 - a. An extension of the contract by one year (to 2016) and a rolling one year extension at the discretion of the Board thereafter;
 - b. A six year extension of the contract, with a rolling one year extension at the discretion of the Board thereafter, and
2. Include the provision of an additional \$5,000/year of Solid Waste Handling Services (e.g. free services) to be provided to each member agency for each year of extension granted, adjusted annually by the same percentage as UVDS rates are modified.

EXECUTIVE SUMMARY

This amendment to the UVDS Franchise Agreement addresses two issues.

At the May meeting, the Board and the Company explored the problem of financing and depreciating new programs and equipment in the late years of a sun setting contract. A term under ten years does not allow advantageous financing rates, or in some cases allow financing at all. As such, the Board requested staff prepare an amendment to the UVDS agreement to allow for a one year extension of the current agreement, to 2026, to facilitate that financing, with the ability to continue to extend at one year intervals in the future. This will allow the Board to make year by year decisions, without committing to a long term contract that the Board is not yet ready to consider.

At the June meeting, the Board requested a modified amendment be prepared for consideration, this one allowing for a 6 year extension (to 2031), with the rolling one year extensions following each year. The Board indicated that

having 15 years left on the contract would be even more advantageous to financing and long term planning.

Secondly, the company and staff have agreed to add an additional \$5,000/year of "free" services to each member agency for each year the contract is extended. The \$5,000 base amount will be adjusted annually based on the same percentage that UVDS rates are adjusted (i.e. if UVDS rates are raised 5%, the \$5000 added for that year would also be increased by 5%.

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

BACKGROUND AND DISCUSSION

No additional information beyond the Executive Summary.

SUPPORTING DOCUMENTS

A . Proposed 8th Amendment to UVDS Agreement (15 year)

Recommendation: Approve
Reviewed By: Steven Lederer