



Agenda Date: 10/18/2005
Agenda Placement: 6I

NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

TO: Board of Supervisors
FROM: Britt Ferguson for Nancy Watt - County Executive Officer
County Executive Office
REPORT BY: Andrew Carey, Management Analyst, 253-4477
SUBJECT: Amendment No. 1 to Franchise Agreement No. 6431 for the collection of solid waste, recyclables, and green waste in Garbage Zone One

RECOMMENDATION

County Executive Officer requests approval of and authorization for the Chair to sign Amendment No. 1 to Agreement No. 6431 with Napa County Recycling and Waste Services, LLC. (NCRWS) amending two provisions of the agreement to modify the schedule for NCRWS to submit audited financial statements and to modify the provision for charging residential customers who request more than four curbside green waste containers for collection of solid waste, recyclables, and green waste in Garbage Zone One.

EXECUTIVE SUMMARY

On May 3, 2005, the Board authorized the the Chair to sign franchise agreement number 6431 with Napa County Recycling and Waste Services (NCRWS). Approval of the recommended action will implement minor technical amendments to the franchise agreement.

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

On May 3, 2005, the Board of Supervisors approved and authorized the chair to sign franchise agreement number 6431 with Napa County Recycling and Waste Service (NCRWS) to provide solid waste and recyclable collection services in the Garbage Zone One, located generally in the unincorporated areas of Napa County in the vicinity of the Cities of Napa and American Canyon. The franchise agreement authorizes NCRWS to collect solid waste, recyclables, and green waste in Garbage Zone One. The term of the franchise agreement is from October 1, 2005 through November 30, 2015, with an option for up to (4) one year extensions, by mutual written consent of both parties to the agreement.

AMENDMENTS TO THE FRANCHISE AGREEMENT

The proposed amendments to the franchise agreement incorporate changes to paragraph 8.2 (B.) (6.) and Exhibit A, Section 1.0 (C.). The impact of these changes is outlined below:

Paragraph 8.2 (B.) - Annual Audit

- | The requirement that an annual audit be provided within 60 days has been changed to 90 days. This allows for the requirement to be consistent with paragraph 8.2 (A.).
- | The first audit will be for the fifteen months ending December 31, 2006, as opposed to the usual twelve-month audit period. This allows for increased efficiency for the Contractor and the County. After the initial fifteen-month audit period, subsequent annual audit periods will be twelve-month periods.
- | In order to accommodate the revised audit period for the first 15 months of operations, the first audit must be submitted by March 31, 2007.
- | All subsequent audits will be for the calendar year and will be submitted annually by March 31.

Exhibit A, Section 1.0 (C.) - Residential Collection of Green Waste

- | The change impacts green waste collected weekly in excess of four (4) 96-gallon carts.
- | The language currently reads "Service beyond four (4) 96-gallon Green Waste carts will be provided with each additional cart having a charge of fifty percent (50%) of Solid Waste fee."
- | The Contractor has requested that the language be changed to read "...charge up to fifty percent (50%) of Solid Waste fee."
- | This change is expected to encourage additional recycling of green waste material.
- | This change does not require an increase in fees, but could result in lower fees being passed onto the ratepayers; thus, no public hearing is required for this action.

SUPPORTING DOCUMENTS

None

CEO Recommendation: Policy Issue

Reviewed By: Britt Ferguson