



A Tradition of Stewardship  
A Commitment to Service

Agenda Date: 10/22/2019

Agenda Placement: 60

## NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

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**TO:** Board of Supervisors

**FROM:** David Morrison - Director  
Planning, Building and Environmental Services

**REPORT BY:** Peter Ex, Solid Waste Program Manager - 253-4419

**SUBJECT:** Amendment No. 4 of the Franchise Agreement with Napa County Recycling and Waste Services (Garbage Zone One)

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### **RECOMMENDATION**

Director of Planning, Building and Environmental Services requests approval of and authorization for the Chair to sign Amendment No. 4 to Franchise Agreement No. 182015B (formerly 6431) with Napa County Recycling and Waste Services extending the base term from December 31, 2027 to December 31, 2032 for residential and commercial operations associated with the collection of solid waste, recyclables, green waste, and food waste in the Unincorporated Area of Garbage Zone One, Southern Napa County.

### **EXECUTIVE SUMMARY**

Since 2005, Napa County has contracted with Napa County Recycling and Waste Services (NCRWS) to provide all commercial and residential solid waste, recycling, and green waste collection services in Zone 1, which is generally located in the unincorporated area of southern Napa County. The current base term of the Agreement ends on December 31, 2027 and the contractor may be granted up to four (4) one-year extensions. The proposed Amendment No. 4 extends the base term to December 31, 2032, retains the ability for the contractor to be granted up to four (4) one-year extensions, and provides for additional amendments as summarized in the background of this report.

Director of Planning, Building and Environmental Services requests approval of and authorization for the Chair to sign Amendment No. 4 to Agreement No. 180215B with NCRWS.

### **FISCAL & STRATEGIC PLAN IMPACT**

Is there a Fiscal Impact?

No

County Strategic Plan pillar addressed: Healthy, Safe, and Welcoming Place to Live, Work, and Visit

### **ENVIRONMENTAL IMPACT**

These fees are not subject to the California Environmental Quality Act pursuant to Title 14 of the California Code of Regulations, Section 15273(a)(1) and (2).

### **BACKGROUND AND DISCUSSION**

Since 2005, Napa County has contracted with NCRWS to provide all commercial and residential solid waste, recycling, and green waste collection services as set forth in County Franchise Agreement No. 180215B. The Agreement was amended on or about October 18, 2005 and then again on July 21, 2015 to modify and clarify certain terms of the Agreement. On or about December 19, 2017, the Agreement was amended and restated (Amendment No. 3) with the current base term ending on December 31, 2027, and a provision to grant the contractor up to four (4) one-year extensions. The proposed Amendment No. 4 extends the base term to December 31, 2032 and retains the provision to provide the contractor up to four (4) one-year extensions.

In addition to extending the base term, staff has worked with NCRWS to minimize the impact of the rate increase approved on September 24, 2019 by revising the Agreement for the following key items:

- | Extending the completion of container replacement from December 31, 2020 to December 31, 2022 [from 3 to 5 years];
- | Extending the recovery of the cost of the vehicles from December 31, 2020 to December 31, 2022 [from 3 to 5 years];
- | Providing that extensions of the Agreement must be requested at least 180 days, versus 120, prior to the expiration of the base term and must be agreed to by both parties; and
- | Revising the requirements of the Lockbox Agreement, by clarifying the account is owned by NCRWS; however, the agreement retains the requirement that the activity within the account must be reported to the County.

Staff continues to work with NCRWS to ensure the continuation of the excellent service that has been provided, enhance recycling programs and encourage waste diversion, and to promote additional customer services.

### **SUPPORTING DOCUMENTS**

None

CEO Recommendation: Approve

Reviewed By: Leigh Sharp