

BEFORE THE BOARD OF SUPERVISORS
OF THE COUNTY OF YUBA

IN RE:

RESOLUTION ADOPTING AN AMENDMENT)	Resolution No. <u>2022-202</u>
TO THE RECOLOGY YUBA-SUTTER COLLECTION)	
SERVICE AGREEMENT APPROVING RATES)	
PERTAINING TO PONDERSOA LANDFILL)	
CLOSURE AND TRANSFER STATION SERVICES)	

WHEREAS, Yuba County is part of a six member Joint Powers Authority agency formed in 1990 and is now known as the Regional Waste Management Authority (RWMA). The RWMA members are Yuba County, Sutter County and the cities of Live Oak, Marysville, Wheatland and Yuba City; and

WHEREAS, since 1990, Yuba County has had an agreement with a private entity, Recology Yuba-Sutter (“Recology”), to provide waste collection and disposal to its residents and businesses. Recology currently provides exclusive refuse collection, recycling, and transfer station operations to the RWMA members per separate Collection Service Agreements; and

WHEREAS, five participating member agencies (PMAs), the cities of Live Oak, Marysville and Wheatland and Sutter and Yuba counties began new Collection Service Agreements on October 1, 2018. A new Collection Service Agreement between Recology and Yuba County was approved on September 11, 2018 with an effective date of October 1, 2018; and

WHEREAS, the Ponderosa Transfer Station operations of post closure landfill maintenance is unique to Yuba County and a distinct operation and site from the other participating member agencies; and

WHEREAS, Recology Yuba-Sutter has engaged with the County’s consultant, Aurora Environmental, Inc. to review all revenue and expenses associated with operating the Ponderosa Transfer Station and post closure activity; and

WHEREAS, the County, working with our consultant, Aurora Environmental, Inc, has concurred with the collection service agreement amendments and rates and deem them necessary to cover the current and projected operating expenses; and

WHEREAS, the County in prior fiscal years committed funds to cover the projected shortfall of revenue for Ponderosa Transfer Station and is proposing a rate increase to avoid this necessary allocation annually and the goal of the contract and fees is to generate sufficient revenue cover operations and landfill maintenance expenses; and

WHEREAS, Exhibit G of the Collection Service Agreement the Ponderosa Transfer Station Element of Maximum Service Rate applied in the Base Service Rate Element, Section 3, Contractors Compensation is revised from 1.8208% to 5.7500% which reflects an increase of 3.9300% percentage points; and

WHEREAS, Exhibit A of the Collection Service Agreement, Maximum Service Rates applies the Ponderosa Transfer Station Element of Maximum Service Rate to each service rate; and

WHEREAS, the Yuba County Board of Supervisors may amend the Collection Service Agreements with Recology Yuba-Sutter and adjust rates accordingly; and

WHEREAS, On August 9, 2022, at the properly noticed public hearing, the Board of Supervisors received comments from the public and any other interested parties regarding the proposed rates pertaining to Ponderosa Landfill Closure and Transfer Station of the Collection Service Agreement; and

WHEREAS, the County desires to adopt the amendments and established rates; and

WHEREAS, based on the foregoing, good cause has been shown to justify the amendments and rate structure.

NOW, THEREFORE, BE IT RESOLVED, that the specific rate set forth in this amendment and the stated amendments to the Collection Service Agreement are to be effective October 1, 2022.

BE IT FURTHER RESOLVED, that Exhibit A of the Collection Service Agreement is rescinded and Exhibit A: Amended Maximum Service Rates effective 10/1/22 is adopted.

BE IT FURTHER RESOLVED, that Exhibit G of the Collection Service Agreement the Ponderosa Transfer Station Element of Maximum Service Rate applied in the Base Service Rate Element, section 3, Contractor's Compensation is revised from 1.8208% to 5.7500% which reflects an increase of 3.9300 percentage points.

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PASSED AND ADOPTED at a regular meeting of the Board of Supervisors of the County of Yuba, State of California, on the 9th day of August, 2022, by the following vote:

AYES: Supervisors Vasquez, Blaser, Fuhrer, Bradford, Fletcher

NOES: None

ABSENT: None

ABSTAIN: None

By: 

Chair

ATTEST: Mary Pasillas
Clerk of the Board of Supervisors

APPROVED AS TO FORM:
County Counsel

By: 

Board Clerk, Angela Dayberry

By: 