



**COUNTY OF NEVADA**  
**COMMUNITY DEVELOPMENT AGENCY**  
**DEPARTMENT OF PUBLIC WORKS**  
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September 23, 2015

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THE HONORABLE BOARD  
OF SUPERVISORS  
COUNTY OF NEVADA  
950 MAIDU AVENUE  
NEVADA CITY, CA 95959

**DATE OF MEETING:** October 13, 2015

**SUBJECT:** Resolution Authorizing Approval of Amendment No. 2 to the Contract between County of Nevada and USA Waste of California, Inc., dba Waste Management for Disposal of Solid Waste and Operation of Transfer Station for Western Nevada County

**RECOMMENDATION:** Approve the attached Resolution.

**FUNDING:** This amendment will affect rates charged by Waste Management directly to Western Nevada County Solid Waste customers. There is no impact to the County's Solid Waste Division budget and no impact to the General Fund.

**BACKGROUND:**

The franchise agreement with Waste Management was approved in 2012 and included rates for all services provided in association with trash pickup or transfer station operations. A number of ancillary fees were included in the contract, but specific rates were not established. The franchise agreement indicates that Waste Management "may establish service rates ... that are not specified ... subject to approval of the Board of Supervisors, which approval will not be unreasonably withheld".

The table below describes the proposed ancillary rates.

Fee	Current Franchise Agreement Language	Amount
Late Fee	VI.B.1 - Single-Family Residence and Multiple-Family Dwelling Customers may be billed for up to two (2) months in advance or based on arrears/advanced billing combinations implemented at the discretion of the Company. Payment shall be due within 30-days of the billing date. If not paid when due, the bill may thereafter bear a late charge to be determined by Company (subject to County approval) which shall be collectible along with the charge for service.	2.5% or \$5, whichever is greater

Cart Replacement Fee	IV.B.8 - The Company, without expense to the County or resident, and within seventy-two hours after notice, shall provide <i>one free replacement every four years</i> of Solid Waste Carts that are lost, stolen or damaged (regardless of cause). <u>The Company may charge for additional replacement Solid Waste Carts based on the actual cost of the Carts and their delivery.</u> In addition, the Company will replace Solid Waste Carts damaged due to normal wear and tear and provide <i>one free replacement per year</i> for graffiti on Solid Waste Carts without charge within 14 days. Residents will be able to <i>make a change in Cart size or number of Carts once every twelve months</i> at no additional cost.	\$83.91 (one free every 4 years)
Bad/Return Check Fee	California Civil Code 1719 (a) (1) indicates "any person who passes a check on insufficient funds shall be liable to the payee for the amount of the check and a service charge ... not to exceed twenty-five dollars (\$25.00).	\$25.00 per occurrence
Bin/Cart Exchange Fee	IV.B.8 - The Company, without expense to the County or resident, and within seventy-two hours after notice, shall provide <i>one free replacement every four years</i> of Solid Waste Carts that are lost, stolen or damaged (regardless of cause). <u>The Company may charge for additional replacement Solid Waste Carts based on the actual cost of the Carts and their delivery.</u> In addition, the Company will replace Solid Waste Carts damaged due to normal wear and tear and provide <i>one free replacement per year</i> for graffiti on Solid Waste Carts without charge within 14 days. Residents will be able to <i>make a change in Cart size or number of Carts once every twelve months</i> at no additional cost.	\$45/\$75 per occurrence (can change at no cost every 12 months)

These proposed fee revisions were reviewed and approved by the Solid and Hazardous Waste Commission at their meeting on April 9<sup>th</sup>.

Please contact me if additional information is required.

Respectfully submitted,



STEVE CASTLEBERRY, DIRECTOR

SC:BE:cn