



## **RESOLUTION No. \_\_\_\_\_**

### **OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA**

#### **RESOLUTION APPROVING AN AMENDED AND RESTATED AGREEMENT BETWEEN THE COUNTY OF NEVADA AND USA WASTE OF CALIFORNIA, INC., DBA WASTE MANAGEMENT OF NEVADA COUNTY, FOR DISPOSAL OF SOLID WASTE AND OPERATION OF THE MCCOURTNEY ROAD TRANSFER STATION IN WESTERN NEVADA COUNTY AND AUTHORIZING THE CHAIR OF THE BOARD OF SUPERVISORS TO EXECUTE THE AGREEMENT**

WHEREAS, on January 24, 2012, the Nevada County Board of Supervisors, by Resolution 12-052, entered into a Franchise Agreement with USA Waste of California, dba Waste Management of Nevada County (“Waste Management”), to provide collection, transport, processing and disposal of solid waste, recyclables, green waste, construction and demolition debris, and household hazardous waste, and operation of the transfer stations for Western Nevada County (“Agreement”); and

WHEREAS, on April 23, 2013, Amendment No. 1 to the Agreement was approved by Resolution 13-141 to provide a time extension for completion of tasks related to the McCourtney Road Transfer Station improvement project; and

WHEREAS, on October 13, 2015, Amendment No. 2 to the Agreement was approved by Resolution 15-483 to provide for a new schedule of ancillary fees; and

WHEREAS, Resolution 17-550 authorized the County to hire R3 Consulting Group, Inc. to assist in negotiating a focused amendment to the existing franchise agreement; and

WHEREAS, staff provided regular updates to the Solid and Hazardous Waste Commission on April 12, 2018, October 11, 2018, and April 11, 2019; and

WHEREAS, staff briefed the Capital Facilities Subcommittee on March 6, 2018; and

WHEREAS, staff met with the special committee appointed by the Chair of the Board of Supervisors on May 2, 2018 and March 12, 2019; and

WHEREAS, an amendment to the Agreement has been negotiated to address the following three primary issues: 1) proposed phased improvements to the McCourtney Road Transfer Station, 2) creation of new programs in response to new state regulations including Senate Bill 1383 and Assembly Bill 1826, and 3) a comprehensive review and update to the service rate sheets; and

WHEREAS, the revised terms and conditions have been incorporated into and are now reflected in the proposed Amended and Restated Agreement between the parties.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Nevada County Board of Supervisors:

1. That the foregoing recitals are true and correct.
2. That the Amended and Restated Agreement between the County of Nevada and USA Waste of California, Inc., dba Waste Management of Nevada County for Collection, Transport, Processing and Disposal of Solid Waste, Recyclables, Green Waste, Construction and Demolition Debris, and Household Hazardous Waste, and Operation of Transfer Station for Western Nevada County is hereby approved, in substantially the form attached hereto.
3. That the Chair of the Board of Supervisors is hereby authorized to execute the Amended and Restated Agreement.