



**SOLID WASTE
DEPARTMENT
COUNTY OF TULARE
AGENDA ITEM**

BOARD OF SUPERVISORS

ALLEN ISHIDA
District One
PETE VANDER POEL
District Two
PHILLIP A. COX
District Three
J. STEVEN WORTHLEY
District Four
MIKE ENNIS
District Five

AGENDA DATE: August 26, 2014

Public Hearing Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Scheduled Public Hearing w/Clerk	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Published Notice Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Advertised Published Notice	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Meet & Confer Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Electronic file(s) has been sent	Yes	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Budget Transfer (Aud 308) attached	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Personnel Resolution attached	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Agreements are attached and signature line for Chairman is marked with tab(s)/flag(s)	Yes	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
CONTACT PERSON: Bryce Howard PHONE: 624-7190				

SUBJECT: Peña's Disposal Waste Disposal Agreement

REQUEST(S):

That the Board of Supervisors:

1. Approve a Waste Disposal Agreement with Peña's Disposal retroactive to August 1, 2014 through July 31, 2019 to provide a more predictable Enterprise Fund revenue stream; and
2. Find that the Board had authority to enter into the proposed agreement as of August 1, 2014 and that it was in the County's best interest to enter into the agreement on that date; and
3. Authorize the Chairman of the Board to sign the Agreement.

SUMMARY:

Peña's Disposal has contractual solid waste disposal flow control of material originating from the cities of Dinuba, Porterville, Orange Cove, Reedley and a franchised unincorporated area within Fresno County. All solid waste collected and disposed of from these entities by Pena's Disposal goes to landfills outside of Tulare County. The annual solid waste volume originating from Dinuba and Porterville currently totals 35,000 tons. The annual solid waste volume originating from outside Tulare County is 20,000 tons. Peña's Disposal also collects annually 18,000 tons of solid waste from Tulare County hauler Area B.

Through the Waste Disposal Agreement Peña's Disposal will dispose of all solid waste originating from Dinuba, Porterville, Orange Cove, Reedley, a franchised unincorporated area within Fresno County, and Peña's Recycling and Transfer facility in County of Tulare Landfills. Peña's Disposal will be charge a rate of \$28 per ton for disposal of solid waste originating from Dinuba, Porterville, Tulare County

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Hauler Area B and Pena's Recycling and Transfer facility (in County) for approximately 35,000 tons. Peña's Disposal will be charged \$17 per ton for disposal of approximately 20,000 tons of solid waste originating from Orange Cove, Reedley and a franchised unincorporated area within Fresno County (out of County). The term of the agreement is 5 years with one 5 year mutually agreed upon extension. There is no price rate escalator or CPI as part of the agreement.

FISCAL IMPACT/FINANCING:

The annual revenue increase is projected to be \$1.3 million. The net income to the Enterprise Fund after fees and taxes is approximately \$1M annually. There is no increase in operational costs. There is no net County cost to the General Fund.

LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:

The requested action assists the County in its efforts to manage its natural resources in addition to providing for the health and safety of the general public through environmental protection.

ADMINISTRATIVE SIGN-OFF:

Bryce Howard, Solid Waste Department,
Solid Waste Director

Cc: Auditor-Controller
County Counsel
County Administrative Office (2)

Attachment(s) Agreement

**BEFORE THE BOARD OF SUPERVISORS
COUNTY OF TULARE, STATE OF CALIFORNIA**

IN THE MATTER OF PENA'S DISPOSAL)
WASTE DISPOSAL AGREEMENT) Resolution No. _____
) Agreement No. _____

UPON MOTION OF SUPERVISOR _____, SECONDED BY
SUPERVISOR _____, THE FOLLOWING WAS ADOPTED BY THE
BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD _____
_____, BY THE FOLLOWING VOTE:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST: JEAN M. ROUSSEAU
COUNTY ADMINISTRATIVE OFFICER/
CLERK, BOARD OF SUPERVISORS

BY: _____
Deputy Clerk

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2. Found that the Board had authority to enter into the proposed agreement as of August 1, 2014 and that it was in the County's best interest to enter into the agreement on that date; and
3. Authorized the Chairman of the Board to sign the Agreement