



# MARIPOSA COUNTY

Public Works • 209 966 5356



## **RESOLUTION - ACTION REQUESTED 2019-622**

MEETING: October 22, 2019  
TO: The Board of Supervisors  
FROM: Mike Healy, Public Works Director  
RE: Approve a Third Amendment with Recology Formally Total Waste Systems

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### **RECOMMENDATION AND JUSTIFICATION:**

Approve a Third Amendment to Agreement with Recology, Formally Total Waste Systems (TWS), to Set Maximum Rates that Can be Charged to Franchise Customers with an Effective Date of November 1, 2019 and April 1, 2020; and Extend the Term of the Agreement to December 31, 2024; and Authorize the Board of Supervisors Chair to Sign the Amendment.

Section 11-Rates for Service, in the Solid Waste Hauling Agreement dated June 9, 2009, states that "Any change in rates shall be approved by the Mariposa County Director of Public Works."

On June 6, 2019 Recology sent a letter to Public Works requesting an increase of 22.5%. Upon receipt of the letter from Recology Public Works entered into negotiations with the vendor that resulted in fruitful negotiations the results of which is an 8% annual increase for two (2) years and an extension of the term of the agreement adding three additional years. The last increase in rates associated with this agreement went into effect on April 1, 2013.

### **BACKGROUND AND HISTORY OF BOARD ACTIONS:**

On September 26, 2017 Resolution 2017-651 the Board approved the reassignment of the contract from Total Waste Systems to Recology.

On February 12, 2013 Resolution 2013-45 The Board approved a Second Amendment to set the maximum rates that could be charged to franchise customers effective April 1, 2013.

On January 17, 2012, per Resolution No. 12-34, the Board approved a First Amendment to the Agreement to set the maximum rates that could be charged to franchise customers effective April 1, 2012.

On June 9, 2009, the Board of Supervisors approved Public Works to enter into an

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Agreement with Total Waste Systems for solid waste hauling.

### **ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:**

Do not approve; the rate increase will not go into effect and the ability to retain this agreement in place will be compromised.

### **FINANCIAL IMPACT:**

**There is no impact to the County other than where sites may have Recology Disposal Services in place.**

### **ATTACHMENTS:**

**Recology 3rd amd (PDF)**

**2nd Amendment w TWS (PDF)**

**First Amendment with Total Waste Systems (PDF)**

**TWS Reassignment to Recology (PDF)**

**Rate Increase Request letter from Recology (PDF)**

**Total Waste Systems Agreement (PDF)**

**RESULT: ADOPTED [UNANIMOUS]**

**MOVER:** Merlin Jones, District II Supervisor

**SECONDER:** Kevin Cann, District IV Supervisor

**AYES:** Merlin Jones, Marshall Long, Kevin Cann, Miles Menetrey