

**SANTA BARBARA COUNTY
BOARD AGENDA LETTER**



Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Agenda Number:
Prepared on: 7/6/05
Department Name: Public Works
Department No.: 054
Agenda Date: 7/26/05
Placement: Administrative
Estimate Time:
Continued Item: NO
If Yes, date from:

TO: Board of Supervisors

FROM: Phillip M. Demery, Director
Public Works Department

STAFF CONTACT: Mark Schleich, Deputy Director, ext 3603
Leslie Wells, Program Manager, ext 3611

SUBJECT: Approval of new and amended solid waste management agreements related to the City of Goleta

Recommendation(s):

That the Board of Supervisors:

- 1) Approve the amendments of the following existing exclusive franchise agreements, attached as Exhibits A and B, to redefine the areas serviced:
 - a. Second Amended and Restated Agreement Between the County of Santa Barbara and BFI Waste Systems of North America, Inc. for Exclusive Solid Waste, Recyclables and Organics Collection and Transportation to Disposal and Processing Facilities and Organics Sites for Zone Two, and
 - b. Second Amended and Restated Agreement Between the County of Santa Barbara and MarBorg Industries, Inc. for Exclusive Solid Waste, Recyclables and Organics Collection and Transportation to Disposal and Processing Facilities and Organics Sites for Zone Three; and
- 2) Approve the amended Joint Exercise of Powers Agreement establishing the Santa Barbara County Regional Integrated Waste Management Reporting Authority, attached as Exhibit C, to allow the City of Goleta to establish their own refuse and recycling franchise agreements; and
- 3) Approve an Agreement, attached as Exhibit D, for the County of Santa Barbara to provide Solid Waste Community Programs and Household Hazardous Waste Drop-Off Services to the City of Goleta.

Alignment with Board Strategic Plan:

The recommendation(s) are primarily aligned with Goal No. 2. A Safe and Healthy Community in Which to Live, Work, and Visit.

Executive Summary and Discussion:

When the City of Goleta incorporated in February of 2002, the County of Santa Barbara continued to provide for the collection of trash, recyclables, and greenwaste to residential and commercial customers within the City of Goleta through the County's exclusive franchise agreements. The City of Goleta expressed an interest in adopting their own franchise agreements for solid waste services provided to City residents when time allowed. Goleta's City Council approved solid waste collection franchise agreements for Goleta on July 5, 2005 with an effective date of August 1, 2005. The City of Goleta essentially mirrored the County's existing agreements and maintained the existing service providers. **With the approval of Goleta's own franchise agreements, three actions need to be taken.**

First, the County's current franchise agreements for solid waste collection must be amended to redefine the service areas contained in the County franchise agreements to carve out the City of Goleta. Exhibits A and B attached contain the proposed amended service area definitions for Zones 2 and 3.

Secondly, in November 2003, your Board approved a Joint Exercise of Powers Agreement between the City of Goleta and the County of Santa Barbara establishing the Santa Barbara County Regional Integrated Waste Management Reporting Authority. When the City of Goleta incorporated, it was required to either track solid waste disposal and diversion as its own jurisdiction or enter into a Joint Exercise of Powers Agreement with the County and continue to be part of the County's reporting area. The benefit to Goleta by entering into the arrangement was that the County's solid waste diversion rate was 62% far surpassing the state's requirement of 50% and there was the possibility that Goleta on its own may not meet the 50% diversion level. The benefit to the County was that it would not have to rewrite the state-mandated solid waste planning documents to remove information related to Goleta. Due to these benefits, the City and County formed a regional Reporting Authority. The maintenance of the Reporting Authority was contingent upon the County continuing to provide solid waste management services to Goleta. With the approval of Goleta's own solid waste collection franchise agreements, the Joint Exercise of Powers Agreement must be amended. This prior Joint Powers Agreement will be amended by approving the attached Joint Exercise of Powers Agreement, Exhibit C, that has already been approved by the City of Goleta. The continuation of the Reporting Authority is still contingent upon Goleta's continued use of the Tajiguas Landfill for waste disposal and County facilities for the processing of recyclables and greenwaste.

Thirdly, the County has historically provided a large number of recycling and hazardous waste programs in various portions of the County. The area that is now the City of Goleta benefited from these services. When the City of Goleta incorporated, the County continued to provide these services to City residents and was paid through a program fee on solid waste collection bills. Now that the City has adopted their own solid waste collection franchise agreements, the City must enter into an agreement with the County to continue to receive these programs. Exhibit D is a Solid Waste Community Programs and Household Hazardous Waste Drop-Off Agreement between the City of Goleta and the County of Santa Barbara. Under the agreement, the County will continue to provide services to Goleta residents and Goleta will pay the County \$240,000 for FY 05/06. The Agreement will continue until cancelled by either party with a required cancellation notice of 18 months. Annual costs will be based on actual costs from the previous fiscal year and a formula accepted by all parties participating in the regional programs.

Mandates and Service Levels:

The three recommendations proposed in this Board Letter are required because the City of Goleta has recently approved their own solid waste collection franchise agreements.

The California Integrated Waste Management Act of 1989 mandates that cities and counties prepare and implement plans for the diversion of solid waste from disposal. The Act allows jurisdictions to comply with portions or all of the Act on a regional basis. The amendment to the Joint Exercise of Powers Agreement between the City of Goleta and the County of Santa Barbara establishing the Santa Barbara County Regional Integrated Waste Management Reporting Authority will allow the County and the City of Goleta to continue to report disposal and diversion data to the California Integrated Waste Management Board on a regional basis. The approval of the Community Programs and Hazardous Waste Agreement will allow the County to continue to provide recycling and hazardous waste services to the Goleta area. There will be no changes in service levels as a result of the three recommendations proposed.

Fiscal and Facilities Impacts:

The approval of the Community Programs and Hazardous Waste Agreement will ensure that the County receives \$240,000 from the City of Goleta for services rendered by the County of Santa Barbara to City residents.

Special Instructions:

Please provide copies of the Minute Order, and one copy and one original Agreement to the Resource Recovery and Waste Management Division, attention Georgia Navarro and Leslie Wells.

Concurrence:

County Counsel
Auditor-Controller
Risk Management