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|--|---------------------------------|---------------------------------|---|---------------------------------|
| <h1 style="margin: 0;">County Of Sonoma</h1> <h2 style="margin: 0;">Agenda Item</h2> <h3 style="margin: 0;">Summary Report</h3>  |                                 |                                 | <b>Clerk of the Board Use Only</b>                    |                                 |
|  |                                 |                                 | <b>Meeting Date</b><br>/ /                            | <b>Held Until</b><br>/ /        |
|  |                                 |                                 | <b>Agenda Item No:</b><br>_____                       | <b>Agenda Item No:</b><br>_____ |
| <b>Department:</b> Transportation and Public Works   |                                 |                                 | <input type="checkbox"/> <b>4/5 Vote Not Required</b> |                                 |
| <b>Contact:</b><br>Susan Klassen   | <b>Phone:</b><br>(707) 565-2231 | <b>Board Date:</b><br>9/15/2009 | <b>Deadline for Board Action:</b>                     |                                 |
| <b>AGENDA SHORT TITLE:</b> Refuse Collection Franchises  |                                 |                                 |   |                                 |
| <p><b>REQUESTED BOARD ACTION:</b> Adopt an Ordinance of the County of Sonoma amending Section 22-9 of Chapter 22 of the Sonoma County Code to allow for the issuance of franchise agreements on such terms and conditions as approved by the Board of Supervisors</p>  |                                 |                                 |   |                                 |
| <b>CURRENT FISCAL YEAR FINANCIAL IMPACT - None.</b>  |                                 |                                 |   |                                 |
| <b>Explanation (if required):</b> None.  |                                 |                                 |   |                                 |
| <b>Prior Board Action:</b> 7/21/09 – The Board provided direction to staff on key contract terms to address in development of a new refuse franchise agreements. Directed staff to enter into negotiations with the three current licensed refuse collector(s) and return to the Board with a recommendation to either approve negotiated franchise agreement(s) or, if negotiations are unsuccessful, to advertise franchise agreement(s) for bids. |                                 |                                 |   |                                 |
| <b>Alternatives – Results of Non-Approval:</b> If the Board does not amend Chapter 22 of the County Code to allow franchise agreements, the Board will be unable to enter into modern day franchise agreements and will have to continue the existing licensing system.  |                                 |                                 |   |                                 |

**Background:** The Board of Supervisors (Board) relinquished all existing garbage collection licenses in the unincorporated areas in 2001 and issued new 10-year licenses which expire April 23, 2011. These new 10-year licenses were granted in exchange for implementation of single stream recycling needed to reach AB 939 goals. Licenses are currently held by Sonoma Garbage Collectors for the Sonoma Valley unincorporated areas, Industrial Carting for the Lake Sonoma and Tubbs Island Areas and North Bay Corporation for all other unincorporated areas.

On May 10, 2007, the County hired R3 Consulting Group to perform an analysis of exclusive franchise agreement issues. The goal was transition either through bidding or negotiation the County to modern day refuse collection services franchise contracts, which include franchise fees and greater operational and rate control.

On June 4, 2009, North Bay Corporation submitted a letter proposal to extend their licenses for 15 years to 2026. Prior to entering into any discussions with current haulers, staff required direction from the Board on the key terms that a new Collection Services Agreement should contain.

On July 21, 2009, the Board provided direction to staff on key contract terms to address in development of new modern day refuse collection services franchise agreements. Further the Board directed staff to enter into negotiations with all three of the current licensed refuse collector(s) and return to the Board with a recommendation to either approve negotiated franchise agreement(s) or, if negotiations are unsuccessful, to advertise for bids.

Currently, Chapter 22 of the County Code only recognizes the Boards ability to enter into refuse licenses for collection services. For the Board to approve modern day franchise agreement(s) Section 22-9 of the County Code must be amended to allow the Board of Supervisors the flexibility to either issues licenses for collection or execute franchise agreements. The proposed Ordinance if approved will allow the Board the ability to execute franchise agreements for refuse collection in the unincorporated County.

**Staff Recommendation:**

Adopt an Ordinance of the County of Sonoma amending Section 22-9 of Chapter 22 of the Sonoma County Code to allow for the issuance of franchise agreements on such terms and conditions as approved by the Board of Supervisors

**Attachments:** Proposed Ordinance

**On File With Clerk:** None.

**CLERK OF THE BOARD USE ONLY**

**Board Action (If other than "Requested")**

**Vote:**