

Central Services  
Joan Araujo, Director

Engineering Services  
James O'Tousa, Director

Roads & Transportation  
Anitha Balan, Director

Water & Sanitation  
Joseph Pope, Director

Watershed Protection  
Glenn Shephard, Director

November 7, 2023

Board of Supervisors  
County of Ventura  
800 South Victoria Avenue  
Ventura, CA 93009

**Subject: Approval of, and Authorization for, the Director of the Public Works Agency, or Designee, to Execute and Administer Seven (7) Commercial Solid Waste Collection Agreements for Unincorporated Ventura County; Authorization for the Director of the Public Works Agency, or Designee, to Make and Approve Minor, Non-Substantive Revisions to Foregoing Solid Waste Collection Agreements Subject to Approval by County Counsel; Adoption of Resolution Finding County's Approval of Foregoing Solid Waste Collection Agreements is Required for the Public Health, Safety and Well-Being of County Residents, and is Exempt from the California Environmental Quality Act; All Supervisorial Districts.**

**Recommendations:**

1. Approve and authorize the Director of the Public Works Agency, or his designee, to execute and administer seven (7) Commercial Solid Waste Collection Agreements ("SWCAs"), inclusive of any extensions that may be administratively granted pursuant to the terms therein, for the service area within unincorporated Ventura County, effective January 1, 2024 (Exhibits 1 and 7).
2. Authorize the Director of the Public Works Agency, or his designee, to make and approve minor, non-substantive revisions to foregoing SWCAs subject to approval by County Counsel.
3. Adopt attached Resolution finding that County's approval of the SWCAs is required for the public health, safety, and well-being of the residents of unincorporated Ventura County and is categorically exempt from the California Environmental Quality Act (CEQA).



**Fiscal/Mandates Impact:**

Mandatory: No  
Source of Funding: Waste Management Fee, Collector Fee, Countywide Integrated Waste Management Plan Fee  
Funding Match Required: None  
Impact on Other Department(s): No

**Org 4040:**

		<b><u>FY 2023-24</u></b>		<b><u>FY 2024-25</u></b>
Revenue:	\$	875,000	\$	1,750,000
Costs:				
Direct	\$	875,000	\$	1,750,000
Indirect – Agency/Dept.				
Indirect – County CAP				
Total Costs	\$	875,000	\$	1,750,000
Net Costs	\$	0	\$	0
Recovered Indirect Costs	\$	0	\$	0

**Current Fiscal Year Budget Projections:**

<b>Current FY 2023-24 Budget Projection for Integrated Waste Management Division – Unit 4040</b>				
	Recommended Budget	Adjusted Budget	Projected Budget	Estimated Savings/(Deficit)
Expenditures	\$4,013,142	\$4,184,422	\$4,184,422	\$ 0
Revenue	\$4,013,142	\$4,013,142	\$4,013,142	\$ 0
Operational Income/(Loss)	\$0	\$(171,280)	\$(171,280)	\$ 0

**Org 1070:**

		<b><u>FY 2023-24</u></b>		<b><u>FY 2024-25</u></b>
Revenue:	\$	255,000	\$	510,000
Costs:				
Direct	\$	0	\$	0
Indirect – Agency/Dept.	\$	0	\$	0
Indirect – County CAP	\$	0	\$	0



Total Costs	\$	0	\$	0
Net Costs	(\$	255,000)	(\$	510,000)
Recovered Indirect Costs	\$	0	\$	0

Current Fiscal Year Budget Projections:

<b>Current FY 2023-24 Budget Projection for General Purpose (Indirect) Revenue – Unit 1070</b>				
	Recommended Budget	Adjusted Budget	Projected Budget	Estimated Savings/(Deficit)
Expenditures	\$ 0	\$ 0	0	\$ 0
Revenue	\$ 523,644,169	\$ 523,644,169	\$ 523,644,169	\$ 0
Operational Income/(Loss)	\$ 523,644,169	\$ 523,644,169	\$ 523,644,169	\$ 0

Based upon current solid waste generation within the unincorporated area (UA) of Ventura County, projected fee-derived revenue to the County over the initial ten (10) year term of the subject commercial collection agreements is \$22.6 million. Approximately \$17.5 million of the anticipated fees will reimburse the County for the costs of entering and administering the agreements and the County's solid waste collection program. The remaining balance of approximately \$5.1 million will compensate the County for the privilege of being an authorized commercial contractor and for the use of its property and for the special impacts which result from using heavy vehicles on a weekly basis on County roads, including the associated wear and tear, incidental debris spillage, traffic, noise impacts, and parking impacts from the use of the curtilage.

**Discussion:**

The County of Ventura currently administers nine (9) non-exclusive commercial solid waste collection agreements (SWCAs) for unincorporated Ventura County. These SWCAs were amended in 2022 to include programs and services necessary for the County's compliance with a new state law, Senate Bill 1383 (SB 1383), which imposed numerous new requirements, focusing primarily on organic waste diversion. The current SWCAs expire December 31, 2023; consequently, the County must arrange for new SWCAs to become effective January 1, 2024. The new SWCAs will meet all current standards for performance and regulatory compliance.



Due to the remoteness of the residents and businesses in the unique service area labeled on Exhibit 2 as Remote Residential/Community Hybrid, this community will continue to be serviced as commercial. After consolidating multiple waste collection agreements with the same corporation into a single agreement, replacing the hybrid agreement with a uniform commercial agreement and adding one new additional waste collection company already serving other cities in Ventura County, today seven (7) new non-exclusive commercial SWCAs are presented for Board approval, see Exhibits 1-7.

Commercial solid waste collection companies maintaining a non-exclusive agreement with the County may offer service to any business within unincorporated Ventura County. This differs from the County's exclusive, residential SWCAs, through which waste collection companies have been awarded an exclusive, defined area in which to provide service. Residential areas are often closer in proximity and through economy of scales, residents not only see a lower rate, but this exclusivity allows for fewer trucks traveling the same road, reducing environmental impacts. By contrast, commercial businesses are more geographically spread out. Non-exclusive commercial agreements promote competition, often leading to better rates for our local businesses.

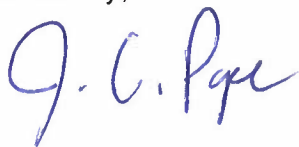
In addition to improvements such as increased, on-board technology and cleaner-burning collection vehicles, additional education and outreach, and more robust reporting to stay in compliance with state regulations, the proposed SWCAs provide the following key terms and new benefits to businesses of the UA:

- Ten (10) year agreements with two (2) optional five (5) year term extensions
- Annual rate adjustments capped at 4%
- Carts and bins to be standardized with new SB 1383 compliant colors, including bilingual labels with acceptable/unacceptable materials

This item has been reviewed by the County Executive Office, the Auditor-Controller's Office, and County Counsel.

If you have any questions concerning this item, please contact the undersigned at (805) 654-2075.

Sincerely,



Joseph Pope, P.E.  
Director  
Water and Sanitation



Attachments:

Resolution

- Exhibit 1 – Commercial Solid Waste Collection Agreement – E.J. Harrison & Sons, Inc.
- Exhibit 2 – Commercial Solid Waste Collection Agreement – Arakelian Enterprises, Inc.
- Exhibit 3 – Commercial Solid Waste Collection Agreement – G.I. Industries
- Exhibit 4 – Commercial Solid Waste Collection Agreement – Marborg Industries, Inc.
- Exhibit 5 – Commercial Solid Waste Collection Agreement – J & L Hauling & Disposal, Inc.
- Exhibit 6 – Commercial Solid Waste Collection Agreement – Peach Hill Soils, Inc.
- Exhibit 7 – Commercial Solid Waste Collection Agreement – Mountainside Disposal, Inc.

