

RESOLUTION NO.

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF VENTURA APPROVING NON-EXCLUSIVE COMMERCIAL SOLID WASTE COLLECTION AGREEMENTS FOR THE UNINCORPORATED AREAS OF VENTURA COUNTY AND FINDING THE APPROVAL EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

WHEREAS, the California Integrated Waste Management Act of 1989 (the “Act”) has established a statewide solid waste management system and process which requires the County of Ventura (County), cities and other local jurisdictions to implement plans for source reduction, diversion, reuse and recycling as elements of an integrated solid waste management strategy; and

WHEREAS, Public Resources Code section 40059 provides that in administering the requirements of the Act, aspects of solid waste handling of local concern include, without limitation, frequency of collection, means of collection and transportation, level of services, charges and fees, and nature, location and extent of providing solid waste services, and whether the services are to be provided by means of nonexclusive, partially exclusive or wholly exclusive franchise, contract, license or otherwise which may be granted by local government under terms and conditions prescribed by the governing body of the local agency; and

WHEREAS, to make the collection of solid waste efficient, environmentally sound, including by minimizing vehicle miles traveled, and economically feasible in consideration of the population density, topography, and site constraints, the public health, safety, and well-being of the residents of unincorporated Ventura County require the County to enter into nonexclusive commercial solid waste collection agreements, without competitive bidding; and

WHEREAS, through a noncompetitive vetting process using objective evaluation criteria, the County selected the following commercial solid waste collection providers for unincorporated Ventura County commencing January 1, 2024: E.J. Harrison & Sons, Inc.; Arakelian Enterprises, Inc. (dba “Athens Services”); G.I. Industries (dba “Waste Management”); J&L Hauling & Disposal, Inc.; Marborg Industries, Inc.; Mountainside Disposal, Inc.; and Peach Hill Soils, Inc.

WHEREAS, the County negotiated final commercial solid waste collection agreements (SWCAs) with these selected providers; and

WHEREAS, given that the proposed SWCAs will provide for the continued collection of solid waste throughout the unincorporated areas of Ventura county in the same manner as currently exists under the County’s current commercial solid waste collection agreements, the County’s approval of the proposed SWCAs is exempt from California Environmental Quality Act (CEQA) review pursuant to CEQA Guidelines section 15301,

as the continuation of the County's existing commercial solid waste collection program using existing streets, highways and other facilities, involving negligible or no expansion of use. Additionally, approval of the proposed SWCAs is exempt from CEQA review under CEQA Guidelines section 15308, as the regulatory requirements within the SCWAs will assure the protection of the environment by, among other things: (i) providing for the efficient and orderly management, diversion and disposal of solid waste in unincorporated Ventura County and (ii) increasing the diversion of materials from landfills by requiring the separation and collection of organic waste and recyclable materials. Alternatively, the County's approval of the proposed SWCAs is exempt from CEQA review pursuant to CEQA Guidelines section 15061(b)(3), because it can be seen with certainty there is no possibility that the action may have a significant effect on the environment because, as explained above, the proposed SWCAs contain provisions that will assure the protection of the environment to an even greater extent than under the County's existing residential solid waste collection program;

NOW, THEREFORE, BE IT RESOLVED that the Board hereby finds, declares and determines as follows: (i) the public health, safety and well-being of the residents of unincorporated areas of Ventura County require that the County enter into each of the SWCAs as set forth above, and (ii) for the reasons stated above and the entirety of the record, approval of the SCWAs is categorically exempt from CEQA review pursuant to CEQA Guidelines sections 15301 and 15308 and that no significant impacts based on unusual circumstances or other exceptions set forth in CEQA Guidelines section 15300.2 precludes applicability of the Class 1 categorical exemption; or alternatively, for the reasons set forth above and the entirety of the record, that approval of the SCWAs is exempt from CEQA review pursuant to CEQA Guidelines section 15061(b)(3).

Upon motion of Supervisor _____,
seconded by Supervisor _____, and duly carried, the
Board hereby approves and adopts this resolution on this 7th day of November 2023.

By: _____
Chair, Board of Supervisors
County of Ventura

ATTEST:

Dr. SEVET JOHNSON
Clerk of the Board of
Supervisors County of
Ventura, State of California.

By: _____
Deputy Clerk of the Board