

RESOLUTION NO. 2018 - 35

A RESOLUTION OF THE CITY OF SAN JUAN BAUTISTA APPROVING A NEW FRANCHISE AGREEMENT WITH RECOLOGY SAN BENITO COUNTY FOR COLLECTION OF RECYCLABLES, ORGANICS, AND SOLID WASTE AND APPROVE ISSUANCE OF A PROPOSITION 218 NOTICE FOR PROPOSED MAXIMUM ALLOWABLE RATES

WHEREAS, the San Benito County Integrated Waste Management Regional Agency ("Regional Agency") is comprised of the City of Hollister, City of San Juan Bautista and the County of San Benito and is a joint powers authority established in 1995 to cost effectively coordinate all integrated waste management programs within the guidelines imposed by the California Integrated Waste Management Board (CalRecycle); and

WHEREAS, the RA Members have a joint Franchise Agreement with Recology which resulted from an 18-month joint competitive procurement process conducted in 2006/2007 between the County, Hollister and San Juan Bautista which agreed to have one joint Franchise Agreement with a one contractor. and

WHEREAS, as noted in the recitals to the current Franchise Agreement, "the RA Members determined to offer proposers this exclusive agreement with respect to each of their jurisdictions to offer the Contractor economies of scale and increase contract administration efficiency and reduced contract administrative cost"; and

WHEREAS, in 2007, the Regional Agency Members approved the current joint Franchise Agreement with Recology for an eight-year term (November 20, 2007 to June 30, 2015); and

WHEREAS, the Franchise Agreement had an option for a three-year term extension (June 30, 2015 to June 30, 2018) and that extension was approved in September 2014. Therefore, the current Agreement expires June 30, 2018; and

WHEREAS, the Regional Agency completed a review of the current joint Franchise Agreement between the City of San Juan Bautista, City of Hollister and San Benito County and Recology San Benito County through a Franchise Agreement Ad Hoc Committee with representation from all three RA Members at meetings held on March 9th, May 14th and June 28th; and

WHEREAS, each RA Member adopted a similar resolution in August 2017 approving the final RFP documents, including a new Franchise Agreement, and authorized RA staff to release such documents to initiate the contractor selection process for a new Franchise Agreement; and

WHEREAS, the On August 29, 2017 the RA released the Collection Services RFP. By the November 14, 2017 deadline, the RA received three (3) responsive proposals from companies capable and qualified to provide the collection services described in the RFP.

The proposers are GreenWaste Recovery, Recology San Benito County, and RJR Resource Recovery; and

WHEREAS, the approved RFP Evaluation Committee completed from mid-November 2017 to January 2018 a multi-step evaluation process to review the three proposals; and

WHEREAS, the RFP Evaluation Committee prepared a Report detailing its evaluation findings and proposal scoring and presented the Report to the Franchise Agreement Selection Committee on February 13, 2018; and

WHEREAS, the RFP Evaluation Committee prepared a Report detailing its evaluation findings and proposal scoring and presented the Report to the Franchise Agreement Selection Committee on February 13, 2018 and the Selection Committee recommended that the Report be presented to the Franchise Agreement Ad Hoc Committee; and

WHEREAS, the Franchise Agreement Ad Hoc Committee with elected officials from all three RA Members convened on March 8, 2018 to hear a presentation on the Evaluation Committee Report and receive public comment; and

WHEREAS, a joint meeting of the RA Members with elected officials from all three RA Members was held on March 22, 2018 to hear a presentation on the Evaluation Committee Report findings, receive public comment including brief presentations from the three proposers and discuss next steps in the Franchise Agreement contractor selection process; and

WHEREAS, on March 28, 2018 representatives from the RFP Evaluation Committee and Selection Committee met and the Selection Committee formulated its recommendation; and

WHEREAS, on April 17, 2018 the City Council approved the Franchise Agreement Selection Committee recommendation to enter into exclusive negotiations with Recology San Benito County for a new Franchise Agreement for Collection of Recyclables, Organics, and Solid Waste subject to specified conditions.

WHEREAS, Regional Agency staff through negotiations with Recology have addressed all conditions of approval included in Council Resolution 2018-98.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of San Juan Bautista hereby approves the new Franchise Agreement with Recology San Benito County for collection of recyclables, organics, and solid waste commencing November 1, 2018.

BE IT FURTHER RESOLVED, that the City Council of the City of San Juan Bautista hereby approves issuance of a notice of the proposed rate increases that will be effective November 1, 2018 and then hold a hearing for the proposed rate increase 45 days or more after this notice is received by the affected rate payers.


PASSED AND ADOPTED, by the City Council of the City of San Juan Bautista at a regular meeting held on the 19th day of June 2018, by the following vote:

AYES: West, Boch, Martorana, Freeman
NOES: None
ABSTAIN: None
ABSENT: DeVries




Jim West, Mayor

ATTEST:



Mackenzie Quaid, Acting City
Clerk

APPROVED AS TO FORM:



Deborah Mall, City Attorney