



**Contra
Costa
County**

To: Board of Supervisors
From: John Kopchik, Director, Conservation & Development Department
Date: January 16, 2018

Subject: Amend the East County area served by Garaventa Enterprises under the Franchise Agreement with the County

RECOMMENDATION(S):

1. APPROVE an alteration of the solid waste franchise area served by Garaventa Enterprises to exclude an approximately 598-acre area annexed by the City of Antioch, as depicted in Exhibit A, in accordance with the Franchise Agreement between the County and Garaventa Enterprises.

2. DIRECT the Conservation and Development Director to remove Exhibit A of the Franchise Agreement and replace it with Exhibit A attached hereto.

FISCAL IMPACT:

No impact to the General Fund. Reducing the County's franchise service area decreases the amount of franchise fee revenue collected and paid to the the Department of Conservation and Development (DCD) to help offset related costs. Amending the area served by Garaventa Enterprises as recommended is expected to result in a relatively minor overall decrease in proportion to overall customer base/fee revenue.

BACKGROUND:

The County entered into a Franchise Agreement with Garaventa Enterprises in 1995, which

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **01/16/2018** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I
Supervisor
Candace Andersen, District II
Supervisor
Diane Burgis, District III
Supervisor
Federal D. Glover, District V
Supervisor

ABSENT: Karen Mitchoff, District IV
Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: January 16, 2018

David Twa, County Administrator and Clerk of the Board of Supervisors

By: Stephanie Mello, Deputy

Contact: David Brockbank,
925-674-7794

cc:

governs the solid waste and recycling collection for the majority of unincorporated East County, including unincorporated areas around the City of Antioch. Under the Franchise Agreement, Garaventa Enterprises (contractor) agreed that public agency boundaries may be altered by virtue of actions taken by LAFCO. Section 33 of the Franchise Agreement states, "the County may make such alteration to the Franchise Area as the annexations necessitates".

BACKGROUND: (CONT'D)

The City of Antioch has requested that the County amend the Franchise Area boundaries to reflect the annexations by Antioch described as Northeast Antioch Area 2B (LAFCO No. 12-07) and Northeast Antioch Area 1 (LAFCO No. 07-17). The letter from the City of Antioch, including the LAFCO Certificates of Completion for the annexation is attached as Exhibit B.

Staff recommends the Board of Supervisors amend the the boundaries of the area served by Garaventa Enterprises to reflect the aforementioned annexation as shown in the revised franchise area map attached as Exhibit A. In accordance with the Franchise Agreement, staff will provide Garaventa Enterprises with written notice, on behalf of the County, identifying any Board of Supervisors' approved changes to the Franchise Area boundary.

CONSEQUENCE OF NEGATIVE ACTION:

If the Board does not approve amending Garaventa's Franchise Service Area within the unincorporated County, Garaventa Enterprises may assert a continued contractual right to provide solid waste collection services for customers located in the annexation area that is now within the City of Antioch, through the term of the current Franchise Agreement, which ends in 2025.

ATTACHMENTS

Exhibit A- Franchise Area Boundary Map

Exhibit B -City of Antioch letter and LAFCO annexation approval documentation