



EVA FVAG
2/14

Agenda Item 36

DATE: August 26, 2014

TO: Board of Supervisors

FROM: Alan Weaver, Director *Alan Weaver*
Department of Public Works and Planning

SUBJECT: American Avenue Retroactive Landfill Use Agreement with the City of Fresno

RECOMMENDED ACTIONS:

Approve and authorize the Chairman to execute a retroactive amendment No. 1 to Landfill Use Agreement No. A-93-474 with the City of Fresno.

Approval of the recommended retroactive amendment No. 1 will provide for the continued delivery of the City of Fresno (City) solid waste less amounts recovered for recycling composting on a month-to-month basis to the American Avenue Disposal Site (AADS).

ALTERNATIVE ACTION(s):

If the recommended action is not approved, the City may elect to deliver its solid waste to a landfill facility other than AADS.

RETROACTIVE AGREEMENT:

The previous Landfill Use Agreement expired on June 30, 2014. The retroactive amendment will be effective on June 30, 2014 and extend the agreement on a month to month term until such time as either party provides thirty (30) days prior written notice to the other party of its intention to terminate the agreement.

FISCAL IMPACT:

There is no net County cost associated with the recommended action. The operation of AADS is funded through the gate fees, which utilizes an enterprise fund to pay for operational and capital costs.

ADMINISTRATIVE OFFICE REVIEW _____ *Hilary* Page 1 of 3

BOARD ACTION: DATE August 26, 2014 APPROVED AS RECOMMENDED X OTHER _____



Official Action of Board of Supervisors
[Signature]
Deputy

UNANIMOUS X BORGEAS _____ CASE MCNAIRY _____ LARSON _____ PEREA _____ POOCHIGIAN _____

DISCUSSION:

AADS is an active disposal facility owned and operated since the early 1970s by the County of Fresno, Department of Public Works and Planning, Resources Division. The site is located in the western part of Fresno County, approximately 17 miles southwest of Fresno on American Avenue, between Highway 145 and Placer Avenue in Kerman, California (Exhibit 1).

On May 17, 1985 the Board adopted Conditional Use Permit (CUP) #2146 which allowed the expansion of AADS from a 30-acre site into a 440-acre regional facility. On April 23, 1991 the Board approved a Memorandum of Understanding #91-169 (MOU) with the City for the delivery of the City's municipal solid waste (MSW) to AADS. The solid waste delivery commitments were necessary for the County to secure bond financing for the expansion of AADS. The City committed to delivery of 300 tons of MSW per day starting September 1, 1993 and all of the City's MSW less amounts recovered for recycling and composting beginning October 1, 1994. The County of Fresno entered into a Landfill Use Agreement #A-93-474 with the City on August 24, 1993 as required by Condition 16 of CUP #2146. The Landfill Use Agreement required the City to deliver waste consistent with the MOU through June 30, 2014.

On April 29, 2014 the County contracted with HF&H to act as a third party negotiator between the City and County to work on the possible development of a new long term hauling agreement. At this Board meeting the Board directed the CAO to ask the City if they would be willing to extend the existing hauling agreement until such time the negotiations between the City and County are complete. The City has agreed to extend the agreement on a month to month basis and drafted the amendment addressed in this agenda item.

OTHER REVIEWING AGENCIES:

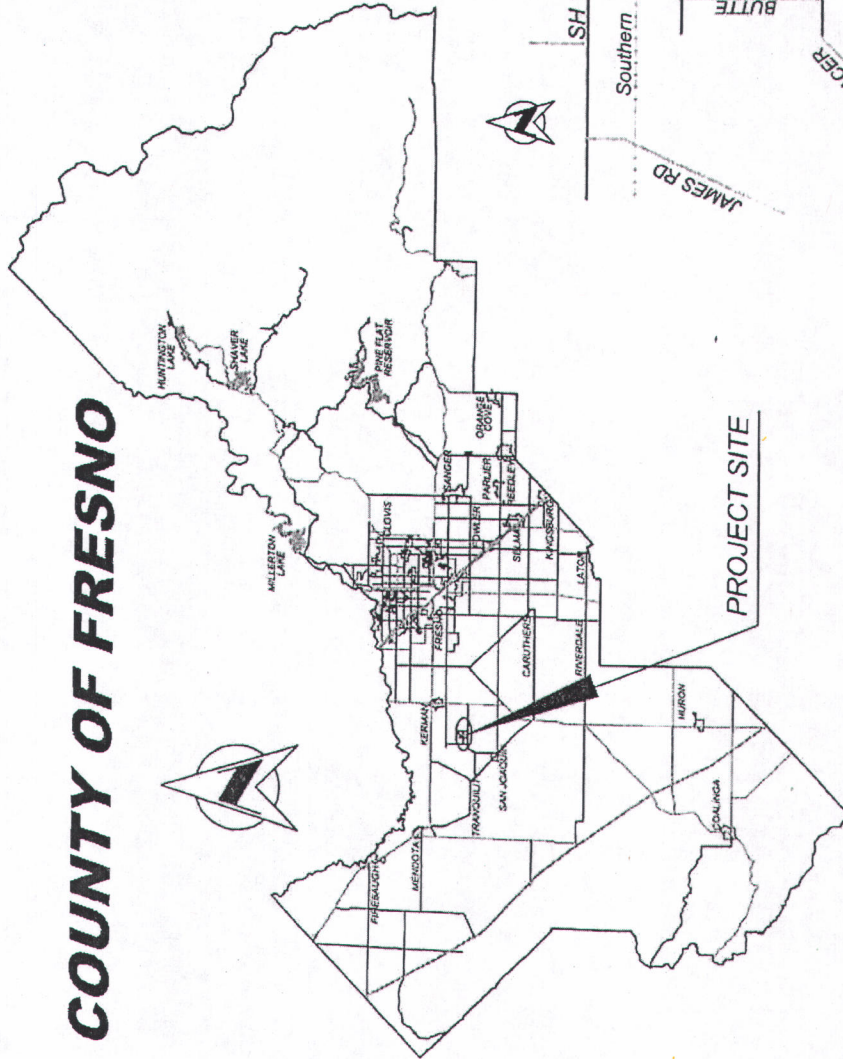
City of Fresno

REFERENCE MATERIAL:

BAI #32, April 29, 2014, Agt. 14-243 and Agt. 14-244
BAI #39B, August 24, 1993, Agt. A-93-474

EXHIBIT 1

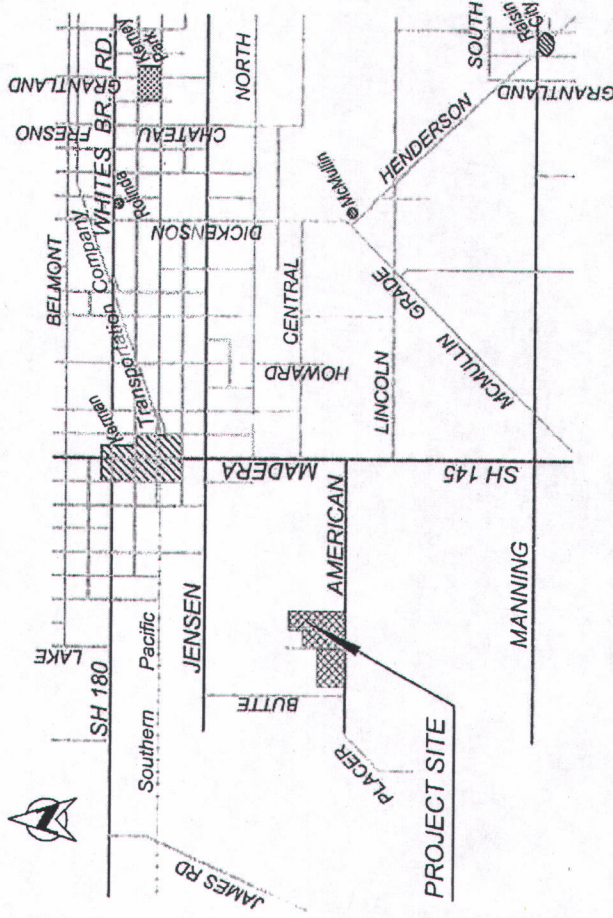
COUNTY OF FRESNO



LOCATION MAP

MAP LEGEND

-  CITIES
-  PARKS
-  PROJECT SITE



DESIGNED OS 10/21
 DRAWN OS 10/21
 CHECKED OS 10/21

SCALE NONE
 DRAWING NO. 1



DEPARTMENT OF PUBLIC WORKS AND PLANNING

AMERICAN AVENUE DISPOSAL SITE

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