

**SPECIAL JOINT MEETING
MINUTES**

**PARADISE TOWN COUNCIL
BUTTE COUNTY BOARD OF SUPERVISORS**

The Special Joint Meeting of the Town Council of the Town of Paradise and the Butte County Board of Supervisors was called to order by Mayor Steve “Woody” Culleton and Butte County Board of Supervisors Chair Jane Dolan at 3:35 p.m. at the Paradise Performing Arts Center located at 777 Nunneley Road, Paradise, California.

COUNCIL MEMBERS PRESENT: Robin Huffman, Scott Lotter, Frankie Rutledge, Alan White and Steve “Woody” Culleton, Mayor.

COUNCIL MEMBERS ABSENT: None.

BUTTE COUNTY BOARD MEMBERS PRESENT: Bill Connelly, District 1; Maureen Kirk, District 3; Curt Josiassen, District 4; Kim Yamaguchi, District 5; and, Jane Dolan, Chair, District 2.

BUTTE COUNTY BOARD MEMBERS ABSENT: None.

TOWN STAFF PRESENT: Town Manager Charles L. Rough, Jr.; Town Clerk Joanna Gutierrez; Town Attorney Dwight L. Moore; Assistant Manager Dennis Ivey; Assistant to the Town Manager/Business and Housing Services Director Lauren Gill; Human Resources/Risk Management Manager Denise Farrell; Community Development Director Albert “Al” McGreehan; Public Works Director/Town Engineer Dennis Schmidt; and Police Chief Gerald Carrigan.

BUTTE COUNTY STAFF PRESENT: Paul McIntosh, Chief Administrative Officer/ Clerk of the Board; Kathleen Moghannam, Associate Clerk of the Board; Bill Mannel, Manager, Solid Waste Division; Mike Crump, Public Works Director; and Bruce Alpert, County Counsel.

2. PRESENTATIONS

Town Manager Rough presented a power point slide show concerning the recommendation to award the franchise for refuse collection, recycling and waste diversion services for an area that would include the Town of Paradise and certain areas of the County contiguous to the Town of Paradise, which is referred to as the Paradise Urban Area.

Manager Rough explained how the State of California mandate known as AB 939 that requires waste diversion from the landfill, coupled with the fact that neither the Town of Paradise nor the County Butte were meeting those diversion requirements, brought about the Town/County joint process of exploring a joint refuse/recycling/waste diversion franchise potentially for the Paradise Urban area. The County of Butte currently does not have franchised solid waste

collection services. Manager Rough stated that the Town/County formed a subcommittee of the Butte Regional Waste Management Authority to work jointly on the process. Both the Town Council and the Board of Supervisors approved the retention of consultants Hilton, Farnkopf & Hobson, LLC, to provide assistance in establishing a competitive franchising process for this area which resulted in a request for proposal process (as opposed to a straight bid process) that they felt would allow the Town and the County the opportunity to negotiate the best comprehensive franchise package. He further explained the details of the issuance of the Request For Proposals; the initial responses from the haulers; the approval of a joint powers authority by the Town; the subsequent inclusion of additional haulers in the negotiation process; the deferring of action on the joint powers authority by the County until the negotiation process was concluded; and, summarized the franchise negotiation objectives and proposal comparisons.

Manager Rough recommended that the franchise be awarded to Northern Recycling & Waste Services for the following reasons: (1) More extensive experience in residential collection and customer education for residential waste generators; (2) More extensive and well established recycling and waste diversion systems; and, (3) Better household hazardous waste programs.

Bill Mannel, Manager of the Butte County Solid Waste Division, discussed the proposed Joint Powers Authority between the Town of Paradise and Butte County, highlighting the main points of the agreement and explaining how it would provide for the administration of the proposed solid waste collection, recycling and waste diversion franchise in the Paradise Urban Area. He also explained the proposed Butte County Code Chapter 31 Amendment that would be necessary to for the Board to adopt if the JPA is approved in order to address the rights of current solid waste collectors to continue collection of trash within the franchise area.

3. PUBLIC COMMUNICATION

1. ROCKY DAVIS, Paradise, stated that she is from the Stone Ridge Town Houses, and that she is concerned about any rate increases to the \$8.39 per unit which is the mobile home park rate, and is also concerned about what the rate for the dumpster will be.

2. RON WHITE, Magalia, questioned the size of the barrels to be provided, stated that he has very little garbage or recyclables, and asked where the recycling money goes.

Bill Mannel, Manager, Butte County Solid Waste Division, stated that the money collected from recycling offsets the costs of the solid waste collection services.

3. A. J. MATEOFSKY, Paradise, stated that he would like to see two franchises to allow for competition and a choice if he was unhappy with the service.

4. FRANK AIKENS, Magalia, stated that he would like Magalia/Paradise Pines to be left out of the franchise agreement as he does not have enough trash to fill one barrel and that there will be no advantage to him to have additional services at an additional cost.

5. SAM DRESSER, Paradise, stated that he would like people to think of this as an “us” process that involves everyone throughout the region, and not a “me” process.

6. TERRY WILD, Magalia, stated concerns about the green waste pickup especially if outdoor burning is banned.

7. WARD HABRIEL, stated that he is a retired environment educator, that there has been 16 years of non-compliance in our county to reduce the waste stream to the land fill and that he feels it is time to change haulers to meet that 50% reduction mandated by the State.

8. WELDON HELMUS, Paradise, stated that he is in favor of the process and the results and asked if there are considerations given for a citizen who demonstrates that they are recycling and composting.

9. ROB HARMON, Paradise, stated that he has been a driver for Waste Management for 14 years, that he is speaking on behalf of all the drivers, that they are committed to and appreciate what Waste management has done for them in the way of employee benefits and listed the benefits that they receive, and that they wanted to know exactly what equivalent benefits from another company would mean to them.

10. SUSIE PRATER, Paradise, stated that she oversees a mobile home park and an RV park, that she is concerned about lack of competition and loss of choice, and that the Town is going out of the area for what has been done successfully by local companies.

11. JOE MATZ, General Manager of Norcal Waste Systems, stated that Norcal did not float any other bid, that he feels there has been a bias against Norcal from the beginning, discussed the RFP process, the allowing of Waste Management to resubmit a bid and why he feels it took away Norcal’s advantages with regard to rates and costs, and objected to being held to the three minute time limit as Norcal has a lot invested in this process.

12. DOUG SPEICHER, Waste Management, Paradise, stated that Waste Management has contributed to waste diversion on the ridge, that Waste Management plans to continue to service local areas even if they are not awarded the franchise by operating from the Chico office, and that he realizes the position they are in by choosing not to participate in a process which they felt was flawed.

JOE MATZ, in response to a question, stated that Norcal would continue operations in the areas outside of the franchised area, and briefly discussed the issue of “migration” and gave the Council and the Board of Supervisors a one-page handout, a copy of which is part of the public record.

Mayor Culleton called a recess at 5:55 p.m. and reconvened the meeting at 6:05 p.m.

13. TIM DEWEY-MATTIA, Northern Recycling and Waste Services, discussed the public education that is provided by their company and their diversion accomplishments in other areas.

14. DAVE SIKICH, President of Atlas Disposal, feels the process has been fair and equitable, that he feels Atlas is the best company for the franchise, and discussed their customer service, recycling incentives, service to areas outside of the franchise and their household hazardous waste program.

15. CHUCK LEHMAN, Paradise, stated that he is happy with Waste Management, that he does his own recycling and does not need an additional container, asked questions regarding green waste diversion and why the vegetative waste yard will have to go away.

16. KATHRYN ALVES, Cape Code Mobile Estates, stated that she is very pleased with Waste Management and is concerned about the ten-year length of the franchise agreement.

17. LEE LANEY, Development Director at the Work Training Center, stated that he is standing in for Carl Ochsner, and stated that Atlas had taken the initiative to approach them regarding providing crews to handle recycling materials on the ridge and wanted Council to know that this opportunity had been offered.

18. WALT NEWMAN, stated that he is the president of the Paradise Sports Boosters asked Council to consider what contribution the company they choose would be willing to bring to the community and listed some of the actual and intangible benefits provided by Waste Management, including yards of compost for the fields, cost free trash service for non-profit events, a freezer for the snack bar at the high school, and volunteer efforts provided by employees of the company.

4. COUNCIL/BOARD CONSIDERATION

Agenda Item 4(a): The **MOTION** by Connelly, seconded by Josiassen, to deny the Joint Powers Agreement (for solid waste collection and recycling services in the Paradise Urban Area) with the amendment by Kirk to revisit after the chosen company has been working with Paradise for one year, carried with a 3 – 2 vote as follows: Ayes of Connelly, Kirk, Josiassen, and noes of Yamaguchi and Chairman Dolan.

The Butte County Board of Supervisors concurred to adjourn from the joint meeting at 6:50 p.m. and exited the stage.

Agenda Item 4(b): No action.

Agenda Item 4(c): The **MOTION** by Lotter to approve the award of franchise to Northern Recycling and Waste Services, and to direct staff to prepare a resolution authorizing the execution of a franchise agreement relating to such franchise for adoption at future meeting was immediately followed by a **MOTION from White** to approve the award of franchise to Atlas Disposal Industries and to direct staff to

prepare a resolution authorizing the execution of a franchise agreement relating to such franchise for adoption at future meeting.

Huffman seconded the MOTION by Lotter to approve the award of franchise to Northern Recycling and Waste Services and to direct staff to prepare a resolution authorizing the execution of a franchise agreement relating to such franchise for adoption at future meeting.

MOTION by White, seconded by Rutledge, called for the question. Council vote was unanimous.

The roll call vote to approve the award of franchise to Northern Recycling and Waste Services and to direct staff to prepare a resolution authorizing the execution of a franchise agreement relating to such franchise for adoption at future meeting was unanimous.

5. ADJOURNMENT

MOTION by White, seconded by Lotter, adjourned the Special Joint Meeting at 7:15 p.m. Council vote was unanimous.

APPROVED: January 23, 2007

STEVE "WOODY" CULLETON, Mayor
Town of Paradise

JOANNA GUTIERREZ, Town Clerk
Town of Paradise