[Agreement Amendment - Treasure Island Refuse Collection]

Resolution approving an amendment to the refuse collection agreement between the Treasure Island Development Authority and Golden Gate Disposal and Recycling Company to extend the term and adjust the collection fee for refuse collection services at Treasure Island.

WHEREAS, Former Naval Station Treasure Island is a military base located on Treasure Island and Yerba Buena Island (together, the "Base"), which is currently owned by the United States of America (the "Navy"); and,

WHEREAS, The Base was selected for closure and disposition by the Base Realignment and Closure Commission in 1993, acting under Public Law 101-510, and its subsequent amendments; and,

WHEREAS, On May 2, 1997, the Board of Supervisors passed Resolution No. 380-97, authorizing the Mayor’s Treasure Island Project Office to establish a nonprofit public benefit corporation known as the Treasure Island Development Authority (the “Authority”) to act as a single entity focused on the planning, redevelopment, reconstruction, rehabilitation, reuse and conversion of the Base for the public interest, convenience, welfare and common benefit of the inhabitants of the City and County of San Francisco; and,

WHEREAS, The Board of Supervisors rescinded designation of the Authority as the redevelopment agency for Treasure Island under California Community Redevelopment Law in Resolution No. 11-12; and that such rescission does not affect Authority’s status as the Local Redevelopment Authority for Treasure Island or the tidelands trust trustee for the portions of Treasure Island subject to the tidelands trust, or any of the other powers or authority; and

Treasure Island Development Authority
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WHEREAS, Under the Act and the Authority's Articles of Incorporation and Bylaws, the Authority, acting by and through its Board of Directors (the "Board"), has the power, subject to applicable laws, to enter into agreements or contracts for the procurement of goods and services related to the activities and purposes of the Authority; and,

WHEREAS, Golden Gate Disposal and Recycling Company, a California corporation ("Golden Gate"), and the Authority have entered into that certain Refuse Collection Agreement (as amended from time to time, the “Agreement”) dated September 1, 2002; and,

WHEREAS, The Authority has approved extensions to the Agreement and the current term expires on the earlier of (i) the transfer of the Base to the Authority or (ii) July 31, 2012; and,

WHEREAS, Transfer of the Base from the Navy to the Authority should occur in the next 12 to 18 months; and,

WHEREAS, Upon transfer of the Base to the Authority, the City and County of San Francisco’s refuse collection routes likely will be expanded to include Treasure Island and Yerba Buena Island, whereupon, the City’s refuse collection permit holder will have the obligation to collect refuse on Treasure Island and Yerba Buena Island; and,

WHEREAS, Golden Gate and its sister company, Sunset Scavenger, both subsidiaries of Recology, Inc., are the current permit holder for refuse collection services in the City and County of San Francisco; and,

WHEREAS, The Collection Fee is one of the components in the formula for calculating the Billing Rate under Section 37 of the Agreement; and,

WHEREAS, Contractor has requested a rate adjustment in the Collection Fee in accordance with the change in the Consumer Price Index since the prior adjustment of the Collection Fee in May 2010; and,
WHEREAS, The Consumer Price Index increased 3.57% between May 2010 and May 2011, which, in accord with Section 37 of the Agreement, would result in an increase in the Collection Fee from $12.67 to $13.12 per yard ($8.75 per 32-gallon container), resulting in an increase in the billing rate to customers from $23.47 to $23.77 per 32-gallon container: and,

WHEREAS, The Authority’s contracts in excess of $1,000,000 or 10 years require San Francisco Board of Supervisors approval and this contract falls within that provision; now therefore, be it

RESOLVED, That the Board of Supervisors hereby approves the Amendment and authorizes the Director of Island Operations of the Authority or her designee to execute and enter into the Amendment in substantially the form of the Eleventh Amendment to Refuse Collection Agreement filed with the Clerk of the Board of Supervisors in File No. 120741 and any additions, amendments or other modifications to such Amendment (including, without limitation, its exhibits) that the Director of Island Operations of the Authority or her designee determines, in consultation with the City Attorney, are in the best interests of the Authority and do not otherwise materially increase the obligations or liabilities of the Authority, and are necessary or advisable to effectuate the purpose and intent of this resolution.
Resolution approving an amendment to the refuse collection agreement between the Treasure Island Development Authority and Golden Gate Disposal and Recycling Company to extend the term and adjust the collection fee for refuse collection services at Treasure Island.

July 25, 2012 Budget and Finance Sub-Committee - RECOMMENDED

July 31, 2012 Board of Supervisors - ADOPTED
Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

I hereby certify that the foregoing Resolution was ADOPTED on 7/31/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

Date Approved