

**MINUTES OF THE CITY COUNCIL
OF THE CITY OF LOS ALAMITOS**

SPECIAL MEETING – October 11, 2021

1. CALL TO ORDER

The City Council met in Special Session at 6:05 p.m., Monday, October 11, 2021, in the Council Chamber located at 3191 Katella Ave., Los Alamitos, CA 90720, Mayor Chirco presiding.

2. ROLL CALL

Present: Council Members: Bates, Doby, Nefulda, Mayor Pro Tem Hasselbrink, Mayor Chirco

Absent: Council Members:

Present: Staff: Chet Simmons, City Manager
Wayne Byerley, Police Captain
Michael Daudt, City Attorney
Craig Koehler, Finance Director
Michelle Muller, Management Analyst
Emeline Noda, Recreation and Community Services Director
Ron Noda, Acting Deputy City Manager
Eric R. Nunez, Police Chief
Windmera Quintanar, MMC, City Clerk
Chelsi Wilson, Executive Coordinator

3. SPECIAL ORDERS OF THE DAY

A. Launch of Los Al Bucks Program (Development Services)

City Council is presented with the economic development program, Los Al Bucks, which is intended to promote shopping local and creating community connectivity.

Mayor Chirco opened the item for public comment. There being no one there wishing to speak, Mayor Chirco closed the item for public comment.

Development Services Director Noda summarized the staff report.

City Council and Staff discussed the following:

- Exclusion of the “4th Corner” as those business are part of the County of Orange
- Possibility of including non-profits
- Emphasis that program is funded by American Rescue Plan Act (ARPA) and not the City’s general fund
- Confirmation that businesses need to sign up to participate and acknowledge the terms of the agreement

Motion/Second: Bates/Hasselbrink
Unanimously Carried: The City Council:

1. Discussed Los Al Bucks; and,
2. Authorized staff to launch the Los Al Bucks program.

B. Selection of a Firm for Integrated Waste Management Services (RFP 2021-07) (Development Services)

This report recommends selection of a firm to provide Integrated Waste Management Services (RFP 2021-07).

Mayor Chirco opened the item for public comment and, with Council consensus, extended the Public Comment time from three minutes to five minutes.

David Marquez, Teamsters Local 396 Union Steward, spoke in favor of Republic Services. He indicated he has been a driver in Los Alamitos for over 15.5 years and had experience servicing the City's residents, business, and apartment buildings. He stated Republic Services felt like a part of the community and requested the Council consider keeping Republic Services as the City's waste hauler.

Manuel Gouveia, Municipal Manager for Republic Services, spoke regarding his involvement in the City of Los Alamitos and requested the Council consider negotiating with Republic as well. He expressed concern the proposed vendor may not be able to meet employee demand, carts/bins supply, compliance with SB1383, and sustaining the proposed rates. He stated Republic Services was a community partner that knew the streets of Los Alamitos and has the proper equipment to continue service. He requested Council enter into negotiations with Republic Services as well to ensure healthy competition and the best service for the City.

Isabella Rios, Republic Services, provided her background working with waste franchise agreements for the County of Orange. She stated compliance with SB1383 will be challenging task for the entire industry with financial impacts and commended Staff on its out reach and education. She stated the median rate from all bidders in Orange County was \$24.32 and questioned the proposed bidder's rate of \$12.99.

Kori DeLeon spoke regarding financial solvency and the negative reviews Universal Waste Systems had online. She stated the importance of having a corporate partner to help businesses and residents navigate compliance issues. She stated support for Los Al Bucks. She spoke in favor of Republic Services as a corporate partner and the sponsorships provided to many City events. She spoke in favor of Republic Services customer service and

community involvement and asked Council to factor these assets into its decision.

Jackie Caplan Wiggins, Vice President of Freida's, spoke in favor of continuing service with Republic Services. She spoke in favor of Mr. Gouveia's service and responsiveness. She stated concern for the impact a change in waste hauler would have for her business including changing over bins and locks and time constraints. She stated support for continuing service with Republic Services.

Mark Blacdeburn, President of Universal Waste Systems, stated his company had worked hard to put together the proposal and introduced his sons and rout supervisors present that would be handling the Los Alamitos franchise if awarded. He advised the company had an excellent outreach team that would go through City to ensure the equipment and customers were ready for the transition. He stated the City would not be let down.

George Briggeman, Valley Vista Service, gave a brief background on his involvement with Los Alamitos. He questioned the low rates and stated concern the rates would be inflated after franchise award and advised he would lock in his rate for five years. He indicated the proposed rate was not sustainable when taken into account street sweetening and administrative fees and cautioned the commercial businesses would be subsidizing the rate. He advised Council to lock in the proposed rate and to forge the CPI. He advised his rate was sustainable.

Mayor Chirco closed the item for public comment.

Development Services Director Noda summarized the Staff report and answered questions from the City Council. He advised consultant Mike Balliet and Management Analyst Michelle Muller were available for questions as well.

Council Member Bates advised he had served on the Waste Hauler Selection Committee. He stated he believed Universal Waste could do the job and offered low competitive rates. He stated the operation was large enough to get the job done and believed it was a positive indication that the President and Vice President of the company were present. He stated Universal had a great safety record, experience in transitioning, the rate would be a finical benefit for Los Alamitos, and an excellent track record from references checked. He believed this was the best choice for Los Alamitos and felt the City would benefit from the competitive proposal.

City Council, Staff, and Mike Balliet discussed the following:

- Council Member Bates had not scored the proposers no avoid the perception of a conflict of interest as he would be voting on the item

- before Council and did not want to prejudice his vote
- Concern regarding the low rate
- Potential to negotiate with top proposers and interview with Council
- Support for the process and the Committee that had already reviewed the RFPs
- Clarification Ware Disposal was the lowest bidder and there were concerns regarding sustainability of their rates
- Process to review the rates included a matrix that incorporated services levels and new programs
- 88% of the Franchise Agreement is commercial customers with a very small residential aspect
- Universal Waste proposed an aggressive rate for the City possibly to obtain a franchise in Orange County
- Universal Waste provided a low competitive rate, but not so low that the work could not be performed
- Universal Waste owns its own facilities and has brand new mac trucks in its inventory
- Poor service levels with Republic Service prior to Mr. Gouveia's management of the franchise agreement
- Republic Services proposal would cost \$1.7million more per year
- Reassurance that the Committee had done a lot of research and asked a lot of question to provide this package and pricing to the Council tonight
- Clarification regarding exclusive and non-exclusive agreements
- Commercial rate is competitive allowing for a lower residential rate
- Support for locking in the rates during negotiations
- Universal has inventory of trucks and bins at their facilities that would allow for a timely transition
- Online reviews for Republic also had one star and were not an accurate factor
- Reference were contacted for Universal including City contacts, multifamily properties, and members in the construction trade and as a whole rated amount the highest
- Confident that the Universal could meet SB1382 compliance and brief explanation on the ORX equipment
- Support for ensuring compliance of RFP requirements (i.e. timely delivery of bins, mandate requirements) are integrated in the franchise agreement
- Clarification that review of the proposals was done in line with RFP requirements which did not include a factor for contract managers
- Support for Mr. Gouveia and the service he has provided
- Rate increases are built into the franchise agreement and usually based off of Consumer Price Index (CPI)

Mr. Baldeburn spoke regarding the guaranteed delivery he had received for the manufacturing of bins to ensure a timely transition and advised of reconditioned bin backup if needed. He spoke to the company's outreach

team and advised every customer would be visited to ensure service levels were met. He advised the proposed rate took into account the City as a whole and he'd be willing to guarantee the rate for two years. He stated he had provided a competitive sustainable rate and the company did not raise rates if it wasn't necessary. Universal Waste was looking to partner with the City long term and looked forward to being a part of the community. He believed the location of Universal's facilities would benefit the City and was confident he would meet diversion compliance required by SB 1383.

Motion: Hasselbrink

Motion died for lack of a Second: To negotiate with the recommended vendor, Universal Waste, and the incumbent, Republic Services.

Motion/Second: Bates/Nefulda

Motion Carried 4/1 (Hasselbrink voted no): The City Council:

1. Selected Universal Waste Systems to provide the City's Integrated Waste Management Services; and,
2. Authorized Staff to negotiate the terms of the agreement with Universal Waste Systems for the City Council's future consideration.

4. ADJOURNMENT

The City Council adjourned at 6:38 p.m.

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Mark Chirco

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Mark Chirco, Mayor

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Windmera Quintanar

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Windmera Quintanar, MMC, City Clerk