



MENDOCINO COUNTY - COUNTY COUNSEL

NEWS RELEASE

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TO: MENDOCINO COUNTY NEWS MEDIA
FR: MENDOCINO COUNTY – COUNTY COUNSEL

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**COUNTY OF MENDOCINO ANNOUNCES
COUNTY SUES UKIAH TRANSFER STATION OPERATOR
FOR ROLL-BACK OF GATE FEE**

The County of Mendocino has filed suit in Superior Court against the operator of the Ukiah Transfer Station (County of Mendocino v. Solid Wastes Systems, Civil Action No. 59459.) alleging that increases in the gate fee in 2010 and 2011 exceeded the amount allowed under a 2003 contract. The County asks that Solid Wastes Systems be ordered to refund more than \$253,000 in “excessive and unauthorized gate fees from unincorporated County users” since 2010.

Since October 1, 2010 the gate fees at the transfer station have gone up 57% for self-haul customers and 31% for Ukiah area franchise solid waste collectors who then passed the increase through to commercial and curbside customers in the greater Ukiah area.

“This lawsuit is necessary to protect the public from arbitrary rate increases,” said County Supervisor Dan Hamburg. Hamburg also stated “The County can’t accept such large increases without strong evidence that they are justified by the actual cost of providing the service.”

The County contends the right of the operator to impose increases is limited by rate adjustment guarantees included in a 2003 Site Use Agreement between the County and the transfer station operator. The transfer station was built in 2001 under a contract with the City of Ukiah, but because 55% of the solid waste comes from outside the City limits, the County signed a separate Site Use Agreement with the transfer station operator in 2003 that protects County rate payers by imposing a limit on rate increases.

“The company has done a good job of operating the transfer station, but they can’t be allowed to ignore the 2003 contract that was intended to protect the ratepayers,” according to County Supervisor John McCowen.

Solid Wastes Systems, which is under the same ownership as Ukiah’s franchised trash collector, got approval for the increases in 2010 and 2011 from the City of Ukiah by claiming that it was losing money. The County acknowledges that larger rate increases may be necessary but insists that they must be justified based on an independent financial audit by an auditor approved by the County.

Released by:

A handwritten signature in blue ink that reads "Carmel J. Angelo".

Carmel J. Angelo, Chief Executive Officer