

Assessor's Parcel Number: N/A

Date: DECEMBER 6, 2016

Recording Requested By:

Name: NIKKI SCHMIDT, PUBLIC WORKS
(CR)

Address: _____

City/State/Zip: _____

Real Property Transfer Tax: \$ N/A



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KAREN ELLISON, RECORDER

RESOLUTION - BEAR BOX LOAN PROGRAM

#2016.267

(Title of Document)

FILED

NO. 2016-267

2016 DEC -6 PM 12: 3

RESOLUTION OF THE
SOUTH LAKE TAHOE BASIN WASTE MANAGEMENT AUTHORITY
APPROVING A BEAR BOX LOAN PROGRAM

DOUGLAS COUNTY

CLERK

Whereas, South Tahoe Refuse Co. ("STR"), the franchised hauler for the South Lake Tahoe Basin Waste Management Authority (the "Authority") and Clean Tahoe have advised the Authority that in the Authority's boundaries there is a continuing problem caused by bears, dogs and other animals getting into, overturning and/or spreading garbage placed in garbage containers that are set out for weekly garbage collection service; and

Whereas, many residential customers of STR lack garbage collection containers that are secured against access by bears and other animals, making it easy for bears and other animals to get into these containers in search of food; and

Whereas, many customers of STR are also unable to comply with the requirement that they only place their garbage containers out for collection by STR on the morning of their regular collection service day, exposing these containers to bears and other nocturnal animals who may seek food in garbage containers at night; and

Whereas, the Board has determined that the greater utilization of permanently placed Bear Boxes will help reduce the potential for public nuisance and potential health risks posed by bear and animal access to garbage containers, and will also enhance public safety by helping to reduce the potential interaction between humans and bears coming into developed areas to feed on garbage; and

Whereas, the Authority has determined that it is in the public interest, and will serve to enhance public health and safety, to implement a low cost loan program to provide loans to single family residential property owners who may not otherwise be able to afford to install a Bear Box, and also to serve as an inducement for other homeowners to take advantage of low cost financing to install Bear Boxes on their premises.

NOW THEREFORE, the Authority resolves to implement the following Bear Box Loan Program on a pilot basis for the period commencing with the adoption of this resolution and ending June 30, 2017. The Authority may extend this program depending on the success of the loan program during this pilot period. The program shall include the following elements:

- 1) Authority Cost Per Loan. The Authority will fund the loan program with loans made to the owner or owners of a single family residence ("Homeowner") of up to \$1,200 to cover the cost of a Bear Box (as used herein, "Bear Box" means a secured enclosure made of metal or equivalent, with a secured door or doors in front of the enclosure, or equivalent, whose design has been determined to be sturdy, weather resistant, and making the contents of the garbage can enclosure inaccessible to bears), including installation. STR will advance the loan money as described in this Resolution, and the Authority will reimburse STR on a quarterly basis for the loan money advanced by STR.
- 2) Loan Application and Administrative Fee. To apply for a Bear Box loan, a Homeowner shall

pay a fee of \$50 to STR for processing the loan application. A Homeowner owning multiple properties may only apply for one Bear Box loan under this program. If a Homeowner's application is approved and the Homeowner proceeds with obtaining the loan, the Homeowner shall pay an additional administrative fee to STR of \$100 or, at the Homeowner's option, this \$100 administrative fee may be amortized in equal installments to be paid by Homeowner over the life of the loan.

- 3) Loan Eligibility. Only Homeowners whose residences are within the Authority's boundaries will be eligible for loans. Homeowners must be current in their bills from STR and shall not be delinquent in payment of their real property taxes.
- 4) STR's Duties in Processing and Collecting Loans. In processing each loan, STR will perform the following steps:
 - a) The Homeowner shall contact STR to apply for a loan, and provide proof of home ownership.
 - b) STR shall verify the Homeowner's ownership of the property based on the property tax bill.
 - c) STR then will send the Loan Program letter and loan application to the Homeowner.
 - d) The Homeowner will choose a Bear Box Company from the Authority's approved Bear Box Company list.
 - e) The chosen Bear Box Company will then sign a copy of the Bear Box Loan Program Summary & Installer Responsibilities form.
 - f) The Homeowner in consultation with STR selects the desired location for the Bear Box. The Bear Box must be installed on the Homeowner's property and, unless otherwise approved by STR, with ten feet of the street or public right of way.
 - g) STR will provide on-site review to approve the Bear Box placement, distance from street or right of way, and to ensure unobstructed access to the Bear Box.
 - h) The Homeowner will sign the promissory note and Bear Box Loan Program Summary & Installer Responsibilities form.
 - i) STR will then provide an electronic copy of the documents signed by the Homeowner to the Authority. STR shall retain the original signed promissory note and other documents signed by the Homeowner.
 - j) Upon notice of approval from STR, the Bear Box Company performs the STR-approved installation.

- k) The Bear Box Company bills STR for the cost of installation, not to exceed \$1,200. If the installation costs more than \$1,200, the Homeowner shall pay the Bear Box Company for any additional cost.
- l) STR shall verify the installation has occurred as approved by STR, and then pays the Bear Box Company the cost of the box and installation up to \$1,200. The Homeowner is ultimately responsible for determining that the Bear Box location will satisfy all local codes and ordinances.
- m) STR will take a picture of the box after installation to confirm the installation has taken place.
- n) STR will submit a quarterly reimbursement request to the Authority for loan disbursements and any deferred administrative fees-- where the Homeowner has elected to defer the \$100 administrative fee. The total administrative fee for each loan is \$150, of which \$50 shall be paid by the Homeowner to STR as part of the loan application fee. STR shall retain the administrative fee to defer its cost of participating in the loan program.
- o) The Authority shall remit the disbursements made by STR in accordance with this pilot program plus the total amount of any administrative fees Homeowners have elected to defer and amortize over the life of the loan.
- p) STR shall act as the Authority's agent for purposes of collecting loan repayments and deferred administrative fees. Each Homeowner who has received a Bear Box loan shall repay the loan and any deferred administrative fees by paying STR for the loan and fees in STR's quarterly invoices for garbage service.
- q) STR shall bill each Homeowner who has received a Bear Box loan quarterly installments, each of which shall be equal to one twentieth of the total amount of the Bear Box loan made to the Homeowner plus any deferred administrative fee. Thus, the loan will be repaid over a five year period. For example, if a Homeowner receives a \$1200 Bear Box loan and elects to defer the administrative fee of \$100, the total loan amount will be \$1300. One twentieth of this amount is \$65.00, which will be the quarterly loan repayment amount that STR will bill the Homeowner and the Homeowner shall pay.
- r) Each Homeowner shall repay the loan via STR's quarterly bill. If a Homeowner ceases to receive garbage collection service from STR for any reason, the loan shall accelerate and the remaining loan balance shall become immediately due and payable, unless the Homeowner sells the residence and the new Homeowner agrees in writing to assume the remaining balance on the loan.


5) Sale of Home.

- a) For California Homeowners, local title companies will call STR for Homeowner's account balance as part of a property sale. The loan agreement to be signed by the Homeowner will authorize Escrow Company to collect the unpaid balance of loan through the escrow.
 - b) For Douglas County Homeowners, the Homeowner shall notify STR of a property sale or transfer. STR will request that Homeowner authorize Escrow Company to collect unpaid loan balance.
- 6) Collection of Loan Payments. The Authority shall be responsible for any needed collection efforts. The amount of delinquent accounts and any accrued default interest may be placed on the Homeowner's property tax bill in jurisdictions where this is allowed. Alternatively, the Authority can retain a collection agency or file suit on its own account. Bear Box Loans will provide for ten percent (10%) interest to accrue on delinquent loans, once they become delinquent.
 - 7) Delinquent Loans. STR will promptly notify the Authority of any delinquent loans, so the Authority can notify the Homeowner of the default, accelerate the unpaid balance on the loan if still unpaid, and commence tax liens and/or collection efforts.
 - 8) Duration of Pilot Program. By this Resolution, the Authority authorizes Authority staff to implement the Bear Box Loan program on a pilot basis for the period ending June 30, 2017. This authorization is for a maximum loan disbursement amount for this period of \$75,000. The Authority may from time to time, and by a majority vote of the Authority Board, extend the Bear Box loan program and allocate additional funds to the program.
 - 9) Other Details. The Authority Board hereby authorizes Authority staff to make such other decisions and take such further actions consistent with the outlines of the Bear Box program described in this Resolution, as necessary to implement this program.


PASSED AND ADOPTED by the Board of Directors of the South Lake Tahoe Basin Waste Management Authority this 4th day of November 2016 by the following vote:

AYES: BOARD MEMBERS: McDermid, Novasel and David.

NOES: BOARD MEMBERS: None.


Nancy McDermid, President

ATTEST:


Krista Eissinger
Clerk of the Board

Douglas County

State of Nevada

CERTIFIED COPY

I certify that the document to which this certificate is attached is a full and correct copy of the original record on file in the Clerk-Treasurer's Office on this

 day of November, 2016

By  Deputy