

RESOLUTION NO. 4124-2018

RESOLUTION OF THE FORT BRAGG CITY COUNCIL APPROVING WASTE MANAGEMENT PROPOSED RESIDENTIAL, COMMERCIAL AND MULTIFAMILY, AND ROLLOFF RATE CHANGES

WHEREAS, the Legislature of the State of California, by enactment of the California Integrated Waste Management Act of 1989, has declared that it is within the public interest to authorize and require local agencies to make adequate provisions for Solid Waste handling within their jurisdictions; and

WHEREAS, pursuant to California Public Resources Code Section 40059 (a) (2), the City Council of the City of Fort Bragg (City) determined that the public health, safety and well-being require that an exclusive franchise be awarded to a qualified Solid Waste enterprise for the collection and recovery of solid waste from certain residential, industrial and commercial areas in the City; and

WHEREAS, the City and USA Waste of California, Inc., DBA Empire Waste Management (Waste Management) executed a Franchise Agreement (Agreement) dated January 8, 2007; and

WHEREAS, the City's intention in executing the Agreement with Waste Management was to maintain reasonable rates for collection and transportation of solid waste, discarded recyclable materials and green waste within the area covered by the Agreement; and

WHEREAS, the Agreement provides for prior approval by the City Council and/or the City Manager of rates and charges by Waste Management; and

WHEREAS, the Agreement provides for rate adjustments annually as of June 1 based on the change in CPI-U, all items for the San Francisco-Oakland-San Jose CA and the most recently published California Index for #2 diesel fuel, along with pass-through adjustments and extraordinary rate adjustments; and

WHEREAS, a review of rate changes since January 1, 2013, revealed a number of miscalculations, errors and application of incorrect cost-of-living indexes for the Fuel Component of the cost-of-living adjustment; and

WHEREAS, Waste Management and City staff have performed a thorough review of all rate adjustments since January 1, 2013, confirmed the amounts and application of those adjustments, agree with the calculations, and recommend approval of rates set forth in Exhibit A; and

WHEREAS, based on all the evidence presented, the City Council finds as follows:

1. That the rate adjustments set forth in Exhibit A are consistent with the Franchise Agreement, including the cost-of-living formula set forth in Amendment No. 4.
2. That it is fair to the City of Fort Bragg Waste Management Customers that application of the updated adjustments is not applied retroactively to June 1, 2018 and that it is fair that customers will not be charged for any underpaid fees.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Fort Bragg does hereby approve the rate adjustments as set forth in Exhibit A for Residential, Commercial and Multifamily, and Rolloff services within the City limits, effective October 9, 2018.

The above and foregoing Resolution was introduced by Councilmember Norvell, seconded by Councilmember Turner, and passed and adopted at a regular meeting of the City Council of the City of Fort Bragg held on the 9th day of October, 2018, by the following vote:

AYES: Councilmembers Cimolino, Lee, Norvell, Turner and Mayor Peters.
NOES: None.
ABSENT: None.
ABSTAIN: None.
RECUSED: None.



LINDY PETERS
Mayor

ATTEST:



June Lemos, CMC
City Clerk

EXHIBIT A



City of Fort Bragg
Residential Service Rates
Effective Oct 9, 2018 thru May 31, 2019

Trash Rates - Single Family Dwelling			
Service - Weekly Service	Currently Monthly Rate	Rate Change	New Monthly Rate
20 gallons	\$20.89	\$0.46	\$21.35
32 gallons	\$33.30	\$0.73	\$34.03
64 gallons	\$66.55	\$1.51	\$68.06
96 gallons	\$99.87	\$2.24	\$102.11

Ancillary Residential (Ancillary rates do not include franchise fees)			
Service	Currently Monthly Rate	Rate Change	New Monthly Rate
Carry Out Charge - per month	\$8.66	\$0.02	\$8.68
Extra Material (must be bagged in approved bag size) on service day. Cannot exceed 20 lbs.	\$10.07	\$0.22	\$10.29
Cart Replacement - After One	\$93.48	\$0.06	\$93.54
Bad/Returned Check Not adjusted by CPI rate	\$25.00	N/A	\$25.00
Late/Finance Payment - Applied to unpaid balances 30 or more days from invoice date	2.5% of balance or \$5.00 min chg.	N/A	2.5% of balance or \$5.00 min chg.



**City of Fort Bragg
Commercial Service Rates
Effective Oct 9, 2018 thru May 31, 2019**

Commercial & Multifamily (2+ Units) Bin Rates			
Per Bin Service Rate	Current Monthly Rate	Rate Change	New Monthly Rate
32 gallons	\$31.53	\$0.72	\$32.65
64 gallons	\$63.87	\$1.41	\$65.28
96 gallons	\$95.82	\$2.12	\$97.94
1 cubic yards - 1xWeek	\$192.31	\$4.26	\$196.57
1 cubic yards - 2xWeek	\$274.00	\$6.08	\$280.08
1 cubic yards - 3xWeek*	\$364.73	\$8.11	\$372.84
1.5 cubic yards - 1xWeek	\$257.90	\$5.72	\$263.62
1.5 cubic yards - 2xWeek	\$405.70	\$9.00	\$414.70
1.5 cubic yards - 3xWeek*	\$531.92	\$11.81	\$543.73
2 cubic yards - 1xWeek	\$332.78	\$7.39	\$340.17
2 cubic yards - 2xWeek	\$542.37	\$12.03	\$554.40
2 cubic yards - 3xWeek*	\$704.55	\$15.61	\$720.16
2 cubic yards - 5xWeek*	\$1,009.50	\$22.41	\$1,032.00
3 cubic yards - 1xWeek	\$390.52	\$8.67	\$399.19
3 cubic yards - 2xWeek	\$693.94	\$15.38	\$709.32
4 cubic yards - 1xWeek	\$608.51	\$13.49	\$622.00
4 cubic yards - 2xWeek	\$1,092.40	\$24.24	\$1,116.64
4 cubic yards - 3xWeek*	\$1,395.04	\$30.94	\$1,425.98

*3-5 days per week service option will be determined by WM Operations Department

Commercial and Multifamily (2+ Units) - Green Waste			
Container Size	Current Monthly Rate	Rate Change	New Monthly Rate
96 Gallon (1st Cart Included)	\$0.00	\$0.00	\$0.00
96 Gallons (add'l chargeable carts)		N/A	\$25.39

Commercial and Multifamily (2+ Units): Insta-Bin Rates - Not available in all Areas			
2 Yard - first service		N/A	\$538.56
2 Yard - each additional service		N/A	\$95.88
4 Yard - first service	\$191.76	-\$4.76	\$187.00
4 Yard - each additional service		N/A	\$112.97
Initial Delivery (included)	\$0.00	N/A	\$0.00
7 Day rental (included)	\$0.00	N/A	\$0.00
Per Day rental after 7 days at customer site		N/A	\$11.65

Commercial and Multifamily (2+ Units) Compactor			
Per Bin Service Rate	Current Monthly Rate	Rate Change	New Monthly Rate
2 cubic yards - 1x/Week		N/A	\$538.56
2 cubic yards - 2x/Week		N/A	\$930.25
3 cubic yards - 1x/Week		N/A	\$587.18
3 cubic yards - 2x/Week		N/A	\$979.55
4 cubic yards - 1x/Week		N/A	\$694.23
4 cubic yards - 2x/Week		N/A	\$1,318.10

*3-5 days per week service option will be determined by WM Operations Department availability.

Commercial and Multifamily (2+ Units) Ancillary Charges (Ancillary rates do not include franchise fees)			
Services	Current Monthly Rate	Rate Change	New Monthly Rate
Extra Service - Per Bin Size 1cy ¹	\$67.28	\$1.50	\$68.78
Extra Service - Per Bin Size 1.5cy ¹	\$112.93	\$2.52	\$115.45
Extra Service - Per Bin Size 2cy ¹	\$118.03	\$2.63	\$120.66
Extra Service - Per Bin Size 3cy ¹	\$143.68	\$3.19	\$146.87
Extra Service - Per Bin Size 4cy ¹	\$182.94	\$4.06	\$187.00
Replace lost or stolen bin - 1 cubic yard		N/A	\$593.34
Replace lost or stolen bin - 1.5 cubic yard		N/A	\$594.75
Replace lost or stolen bin - 2 cubic yard		N/A	\$727.82
Replace lost or stolen bin - 3 cubic yard		N/A	\$831.48
Replace lost or stolen bin - 4 cubic yard		N/A	\$974.96
Bad/Return Check ²	\$25.00	N/A	\$25.00
Late/Finance Payment - applied to unpaid balances 30 or more days from invoice date	2.5% of balance or \$5.00 min. chg.	N/A	2.5% of balance or \$5.00 min. chg.

1) WM may choose to decline the customer request

2) Not adjusted by CPI rate



City of Fort Bragg
 Rolloff Service Rates
 Effective Oct 9, 2018 thru May 31, 2019

Rolloff - Debris Box			
Service	Current Monthly Rate	Rate Change	New Monthly Rate
20 Yard Debris Box	\$547.81	\$4.03	\$551.84
30 Yard Debris Box	\$577.65	\$5.77	\$583.42
MSW Per ton rate ¹	\$94.04	N/A	\$94.04
Green Waste Per ton rate ¹	\$34.62	N/A	\$34.62

Rolloff - Compactors			
Service	Current Monthly Rate	Rate Change	New Monthly Rate
20 Yard Compactor	\$547.81	\$4.03	\$551.84
30 Yard Compactor	\$579.15	\$4.27	\$583.42
MSW Per ton rate ¹	\$94.04	N/A	\$94.04
Green Waste Per ton rate ¹	\$34.62	N/A	\$34.62

Rolloff Ancillary Rates ²			
Service	Current Monthly Rate	Rate Change	New Monthly Rate
Relocate Charge ³	\$43.30	(\$0.05)	\$43.25
Bad/Return Check ⁴	\$25.00	N/A	\$25.00
Late/Finance Payment ⁵	2.5% of balance or \$5.00 min	N/A	2.5% of balance or \$5.00 min

Notes:

- 1) Not adjusted by CPI. Actual disposal rate is charged, adjusted for City Fees
- 2) Ancillary rates do not include franchise fees
- 3) Customer requests the container be moved to a different location