

## **RESOLUTION NO. 4184-2019**

### **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**, 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.
2. That the 1.52% portion of rate increase associated with the pass-through disposal adjustment is to be applied retroactively to March 1, 2019.
3. That the 3.20% portion of the rate adjustment based on the cost of living formula set forth in Amendment No. 4, is to be effective July 1, 2019 and should not be applied retroactively to June 1, 2019.

**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, with the pass-through disposal adjustment effective March 1, 2019 and the cost of living adjustment effective July 1, 2019.

The above and foregoing Resolution was introduced by Councilmember Norvell, seconded by Councilmember Morsell-Haye, and passed and adopted at a regular meeting of the City Council of the City of Fort Bragg held on the 8<sup>th</sup> day of July, 2019, by the following vote:

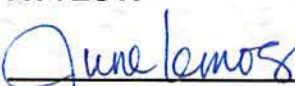
**AYES:** Councilmembers Albin-Smith, Morsell-Haye, Norvell, Peters and Mayor Lee.  
**NOES:** None.  
**ABSENT:** None.  
**ABSTAIN:** None.  
**RECUSED:** None.



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**WILLIAM V. LEE**  
Mayor

**ATTEST:**



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**June Lemos, CMC**  
City Clerk

# EXHIBIT A



**City of Fort Bragg  
Residential Service Rates  
Effective July 1, 2019**

<b>Annual Adj. Eff 7/1/19</b>
<b>4.72%</b>

Trash Rates - Single Family Dwelling			
Service - Weekly Service	Current Monthly Rate Eff 1/1/19	Annual Adj.	New Monthly Rate Eff 6/1/19
20 gallons	\$22.36	\$1.06	\$23.42
32 gallons	\$35.64	\$1.68	\$37.32
64 gallons	\$71.28	\$3.36	\$74.64
96 gallons	\$106.94	\$5.05	\$111.99

Ancillary Residential (Ancillary rates do not include franchise fees)			
Service	Current Monthly Rate Eff 1/1/19	Annual Adj.	New Monthly Rate Eff 6/1/19
Carry Out Charge - per month	\$9.09	\$0.43	\$9.52
Extra Material <sup>1</sup>	\$10.78	\$0.51	\$11.29
Cart Replacement - After One	\$98.00	\$4.63	\$102.63
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	Greater of 2.5% or \$5.00 min	N/A	Greater of 2.5% or \$5.00 min

**Notes**

1) Extra material must be bagged in approved bag size on service day. Cannot exceed 20 lbs



**City of Fort Bragg  
Commercial Service Rates  
Effective July 1, 2019**

<b>Annual Adj. Eff 7/1/19</b>
<b>4.72%</b>

<b>Commercial &amp; Multifamily (2+ Units) Bin Rates</b>			
<b>Service</b>	<b>Current Monthly Rate Eff 1/1/19</b>	<b>Annual Adj.</b>	<b>New Monthly Rate Eff 7/1/19</b>
32 gallons	\$34.20	\$1.61	\$35.81
64 gallons	\$68.36	\$3.23	\$71.59
96 gallons	\$102.57	\$4.84	\$107.41
1 cubic yards - 1xWeek	\$205.86	\$9.72	\$215.58
1 cubic yards - 2xWeek	\$293.32	\$13.84	\$307.16
1 cubic yards - 3xWeek*	\$390.46	\$18.43	\$408.89
1.5 cubic yards - 1xWeek	\$276.08	\$13.03	\$289.11
1.5 cubic yards - 2xWeek	\$434.30	\$20.50	\$454.80
1.5 cubic yards - 3xWeek*	\$569.44	\$26.88	\$596.32
2 cubic yards - 1xWeek	\$356.25	\$16.82	\$373.07
2 cubic yards - 2xWeek	\$580.60	\$27.40	\$608.00
2 cubic yards - 3xWeek*	\$754.22	\$35.60	\$789.82
2 cubic yards - 4xWeek*	\$978.42	\$46.18	\$1,024.60
2 cubic yards - 5xWeek*	\$1,080.79	\$51.01	\$1,131.80
3 cubic yards - 1xWeek	\$418.07	\$19.73	\$437.80
3 cubic yards - 2xWeek	\$742.86	\$35.06	\$777.92
3 cubic yards - 3xWeek	\$1,067.45	\$50.38	\$1,117.83
3 cubic yards - 4xWeek	\$1,392.19	\$65.71	\$1,457.90
3 cubic yards - 5xWeek	\$1,716.93	\$81.04	\$1,797.97
4 cubic yards - 1xWeek	\$651.40	\$30.75	\$682.15
4 cubic yards - 2xWeek	\$1,169.43	\$55.20	\$1,224.63
4 cubic yards - 3xWeek*	\$1,493.40	\$70.49	\$1,563.89
4 cubic yards - 4xWeek*	\$2,011.05	\$94.92	\$2,105.97
4 cubic yards - 5xWeek*	\$2,528.98	\$119.37	\$2,648.35

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

<b>Commercial and Multifamily (2+ Units) - Green Waste</b>			
<b>Service</b>	<b>Current Monthly Rate Eff 1/1/19</b>	<b>Annual Adj.</b>	<b>New Monthly Rate Eff 7/1/19</b>
96 Gallon (1st Cart Included)	\$0.00	\$0.00	\$0.00
96 Gallons (add'l chargeable carts)	\$26.20	\$1.24	\$25.46

<b>Commercial and Multifamily (2+ Units): Insta-Bin Rates - Not available in all Areas</b>			
<b>Service</b>	<b>Current Monthly Rate Eff 1/1/19</b>	<b>Annual Adj.</b>	<b>New Monthly Rate Eff 7/1/19</b>
2 Yard - first service	\$182.95	\$8.64	\$191.59
2 Yard - each additional service	\$100.42	\$4.74	\$105.16
4 Yard - first service	\$195.83	\$9.24	\$205.07
4 Yard - each additional service	\$118.31	\$5.58	\$123.89
Initial Delivery (included)	\$0.00	\$0.00	\$0.00
7 Day rental (included)	\$0.00	\$0.00	\$0.00
Per Day rental after 7 days at customer site	\$12.20	\$0.58	\$12.78



Commercial and Multifamily (2+ Units) Compactor			
Service	Current Monthly Rate Eff 1/1/19	Annual Adj.	New Monthly Rate Eff 7/1/19
	2 cubic yards - 1xWeek	\$564.02	\$26.62
2 cubic yards - 2xWeek	\$974.23	\$45.98	\$1,020.21
3 cubic yards - 1xWeek	\$614.94	\$29.03	\$643.97
3 cubic yards - 2xWeek	\$1,025.86	\$48.42	\$1,074.28
4 cubic yards - 1xWeek	\$727.05	\$34.32	\$761.37
4 cubic yards - 2xWeek	\$1,380.41	\$65.16	\$1,445.57

\*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)			
Service	Current Monthly Rate Eff 1/1/19	Annual Adj.	New Monthly Rate Eff 7/1/19
	Extra Service - Per Bin Size 1cy <sup>1</sup>	\$72.03	\$3.40
Extra Service - Per Bin Size 1.5cy <sup>1</sup>	\$120.90	\$5.71	\$126.61
Extra Service - Per Bin Size 2cy <sup>1</sup>	\$126.36	\$5.96	\$132.32
Extra Service - Per Bin Size 3cy <sup>1</sup>	\$153.82	\$7.26	\$161.08
Extra Service - Per Bin Size 4cy <sup>1</sup>	\$195.83	\$9.24	\$205.07
Replace lost or stolen bin - 1 cubic yard	\$621.40	\$29.33	\$650.73
Replace lost or stolen bin - 1.5 cubic yard	\$622.87	\$29.40	\$652.27
Replace lost or stolen bin - 2 cubic yard	\$762.24	\$35.98	\$798.22
Replace lost or stolen bin - 3 cubic yard	\$870.79	\$41.10	\$911.89
Replace lost or stolen bin - 4 cubic yard	\$1,021.06	\$48.19	\$1,069.25
Bad/Return Check <sup>2</sup>	\$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 July 1, 2019

<b>Annual Adj.</b> <b>Eff 7/1/19</b>
<b>4.72%</b>

Rolloff - Debris Box			
Service	Current Rate Eff	Annual Adj	New Rate Eff
	1/1/19		7/1/19
20 Yard Debris Box	\$577.94	\$27.28	\$605.22
30 Yard Debris Box	\$611.00	\$28.84	\$639.84
MSW Per ton rate <sup>1</sup>	\$97.12	N/A	\$97.12
Recycle Per ton rate <sup>2</sup>	\$75.91	N/A	\$75.91
Green Waste Per ton rate <sup>1</sup>	\$34.62	N/A	\$34.62

Rolloff - Compactors			
Service	Current Rate Eff	Annual Adj	New Rate Eff
	1/1/19		7/1/19
20 Yard Compactor	\$577.94	\$27.28	\$605.22
30 Yard Compactor	\$611.00	\$28.84	\$639.84
MSW Per ton rate <sup>1</sup>	\$97.12	N/A	\$97.12
Recycle Per ton rate <sup>2</sup>	\$75.91	N/A	\$75.91
Green Waste Per ton rate <sup>1</sup>	\$34.62	N/A	\$34.62

Rolloff Ancillary Rates <sup>2</sup>			
Service	Current Rate Eff	Annual Adj	New Rate Eff
	1/1/19		7/1/19
Relocate Charge <sup>3</sup>	\$45.29	\$2.14	\$47.43
Bad/Return Check <sup>4</sup>	\$25.00	N/A	\$0.00
Late/Finance Payment <sup>5</sup>	2.5% of balance or \$5.00 min	N/A	\$0.00

**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

Customer Charge - Rate per ton		
<b>MSW Solid Waste of Willits TS Rate Change</b>		
Eff. 1/1/19	\$76.76	Per ton
	20.96%	Franchise Fee Percent
	<u>\$97.12</u>	Customer Per Ton Rate
<b>Recycle - Solid Waste of Willits TS Rate Change</b>		
Eff. 1/1/19	\$60.00	Per ton
	20.96%	Franchise Fee Percent
	<u>\$75.91</u>	Customer Per Ton Rate
<b>Green Waste - Cold Creek Compost</b>		
Eff. 3/1/19	\$36.00	Per ton
	20.96%	Franchise Fee Percent
	<u>\$45.55</u>	Customer Per Ton Rate