

RESOLUTION NO. 2004-906

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALABASAS, CALIFORNIA, RESCINDING RESOLUTION 98-530 AND ESTABLISHING RATES, FEES, SURCHARGES, DIVERSION GOALS AND PERMIT EXTENSION PARAMETERS FOR THE COLLECTION, TRANSPORTATION AND DISPOSAL OF MUNICIPAL SOLID WASTE AND RECYCLABLE MATERIALS WITHIN THE CITY OF CALABASAS.

WHEREAS, the City Council on August 4, 2004, adopted Ordinance No. 2004-192 regulating the collection, transportation and disposal of municipal solid waste and collection of and recycling of specified recyclable materials within the City of Calabasas; and

WHEREAS, Ordinance No. 2004-192 provides for the establishment of maximum rates to be charged to residential owners and householders and commercial, industrial, and institutional business owners by Permittees who provide municipal solid waste, green waste and recyclable materials collection service; and

WHEREAS, Ordinance No. 2004-192 provides for the establishment of maximum rates to be charged by Permittees for collection of election waste and additional MSW collection; and

WHEREAS, Ordinance No. 2004-192 provides for the establishment of a City surcharge to cover the cost of implementing source reduction and recycling programs; and

WHEREAS, Ordinance No. 2004-192 allows for the establishment of a permit fee to be paid by each Permittee; and

WHEREAS, the City must set fees in relation to the type and amount of municipal solid waste and recyclables and those costs directly related to the preparation, adoption and implementation of solid waste and recycling programs; and

WHEREAS, the City desires such fees to be paid by Permittees be designed to financially encourage Permittees to provide additional recycling within the City; and

WHEREAS, such fees must be used to pay the actual costs incurred by the City in preparing, adopting and implementing solid waste and recycling programs; and

WHEREAS, Ordinance No. 2004-192 provides for the City to extend permits issued to Permittees who achieve specific recycling and operational goals; and

WHEREAS, the City has made available to the public through a public hearing noticed on September 23, 2004 and held on October 6, 2004, data indicating the

amount of cost or estimated cost, required to provide the service for which this fee is levied, at least 10 days prior to the public meeting at which the proposed fee was presented.

NOW THEREFORE, THE CITY COUNCIL DOES HEREBY RESOLVE AS FOLLOWS:

A. Residential Service – Four Units or Less

1. Pursuant to Section 8.16.500(A) of Ordinance No. 2004-192, each Permittee shall provide the following levels of residential service to single family homes, duplexes, triplexes, four-plexes and any other residential premises containing four or less dwelling units:

Service Level	Automated Solid Waste Cart (Gal.)	Automated Recycling Cart (Gal.)	Automated Green Waste Cart (Gal.)	Total Capacity (Gal.)
Super Recycler	32	68	95	195
Basic Service	68	68	95	231
Basic Plus	95	68	95	258
Double Basic	2 @ 68	68	95	299
Premium	2 @ 95	68	95	353

Note that individual cart sizes may vary no more than plus or minus four (4) gallons from the sizes specified above.

2. Pursuant to Sections 8.16.310(A) and 8.16.500(A) of Ordinance No. 2004-192, each Permittee may establish its own rate for the Basic Service level shown in the chart above. The rates to be charged by Permittees for the other service levels listed in the table above shall be as follows:

Service Level	Cost
Super Recycler	Basic service rate less \$7.50
Basic Service	Set by Permittees
Basic Plus	Basic service rate plus \$5.00
Double Basic	Basic service rate plus \$12.50
Premium	Basic service rate plus \$20.00

3. Pursuant to Section 8.16.300(A) of Ordinance No. 2004-192, Permittees shall provide an additional 68-gallon recycling cart to residents upon request for the cost of \$2.50 per month.
4. Pursuant to Section 8.16.300(A) of Ordinance No. 2004-192, Permittees

shall provide an additional 95-gallon green waste recycling cart to residents upon request for the cost of \$3.50 per month.

5. Pursuant to Section 8.16.310(A) of Ordinance No. 2004-192, the rates established by Permittees for Basic Service shall include standard curbside collection of municipal solid waste, recyclable materials and green waste. Permittees may establish additional charges for walk-in, back yard or side yard service to residential premises.

B. City Surcharge Fees

Pursuant to Section 8.16.310(C) of Ordinance No. 2004-192, the following surcharge fees shall be collected and remitted to the City.

1. A City surcharge fee of \$0.55 per household per month, for single family residences up to four units to be paid on a quarterly basis.
2. A City surcharge fee of \$0.55 per unit per month for multi-family residences over four units serviced using individual automated carts per unit to be paid on a quarterly basis.
3. A variable per ton City surcharge fee for all municipal solid waste disposed by Permittee for commercial, industrial and institutional premises. This fee shall be determined using Figure 1 and is based upon the individual Permittees overall diversion rate as reported on a quarterly basis. This fee shall be paid on a quarterly basis and is due with the Permittee's quarterly report.

Figure 1. Variable Per Ton Diversion Incentive Fee

Permittee's Overall Diversion Rate	Surcharge Fee Per Ton of MSW
60%	\$9.50
59%	\$9.53
58%	\$9.55
57%	\$9.58
56%	\$9.60
55%	\$9.63
54%	\$9.65
53%	\$9.68
52%	\$9.70
51%	\$9.73
50%	\$9.75
49%	\$9.80
48%	\$9.85
47%	\$9.90

46%	\$9.95
45%	\$10.00
44%	\$10.05
43%	\$10.10
42%	\$10.15
41%	\$10.20
40%	\$10.25
39%	\$10.35
38%	\$10.45
37%	\$10.55
36%	\$10.65
35%	\$10.75
34%	\$10.85
33%	\$10.95
32%	\$11.05
31%	\$11.15
30%	\$11.25

Permittees shall not pay a surcharge fee for commercial, industrial and institutional premises less than \$9.50 or greater than \$11.25 per ton of municipal solid waste. Any Permittee with an overall diversion rate less than 30% for one quarter shall be placed on notice of non-compliance. If the Permittee achieves an overall diversion rate less than 30% for the immediately following quarter, the Permittee will be subject to permit revocation. Permittee may reapply for a permit after twelve months after permit is revoked.

C. Recycling Rate

1. Pursuant to Section 8.16.310(A) of Ordinance No. 2004-192, a maximum of \$2.25 per household, per month, may be assessed to each single family residence up to four units, for curbside recycling.

D. Annual Permit Fee

1. Pursuant to Section 8.16.060 of Ordinance No. 2004-192, Permittees shall pay an annual permit fee of \$1,500.00 due on or before January 30 of each year.

E. Permit Application Fees

1. All haulers applying for permit(s) to collect municipal solid waste, recyclables and green waste within the City shall pay the following permit fees when submitting an initial permit application:

Type of Permit Application	Initial Permit Application Fee
Residential	\$1,000.00
Commercial	\$750.00
Roll Off	\$500.00

2. Permit renewals will be for a period of three (3) years. All Permittees who do not qualify for a permit extension and must renew their permit to collect municipal solid waste, recyclables and green waste within the City shall pay the following permit fees when submitting a renewal permit application:

Type of Permit Application	Renewal Permit Application Fee
Residential	\$10,000.00
Commercial	\$7,500.00
Roll Off	\$5,000.00

F. Permit Extension

1. Between sixty (60) and ninety (90) days prior to expiration of permits, City staff will determine which Permittees qualify for a Permit Extension based on requirements of Section E.2
2. Pursuant to Section 8.16.075 of Ordinance No. 2004-192, Permittees achieving the following diversion rate goals for each type of service they provide, will be considered for a one year extension on their permit.
 - a. Residential single-family home diversion rate of 60% for most recent four consecutive quarters of permit.
 - b. Multi-family and commercial diversion rates as outlined below during most recent four consecutive quarters of permit:

Year	Commercial Diversion Rate Required for Extension
2006	40%
2007	45%
2008 and every year after	50%

- c. Roll off diversion rate of 65% for most recent four consecutive quarters of permit.

3. City staff will evaluate each Permittee achieving the diversion rate goals for each type of service they provide as outlined in E.1 according to the following performance ranking matrix:

Factor	Notes	Metric	Possible Score
Customer Satisfaction	Customer Service surveys - conducted by the City. Score shall be determined by number of 'good' and 'excellent' ratings as a percentage of total responses. This survey will include specific questions on the issues of Missed Pickups and Spills, notification of customers prior to service and rate changes, number of residential and commercial complaints, and telephone hold time when calling Permittee.	Each percent 'good or excellent' rating equals .33 of a Performance point.	30 points
Timely and Accurate Reporting	Number of Diversion and Disposal reports submitted late or returned for lack of accurate and complete information.	Each accurate and complete report submitted on time is worth 7.5 points.	30 points
Public Education Service	Evidence of participation in school and community events and programs, as well as mailers, flyers, door hangers, construction recycling and other outreach material developed for the City of Calabasas which promote recycling.	Measurement metric to be developed or at discretion of Public Works Director.	20 points
Coordination with Street Sweeping	Cooperation and coordination with Street Sweeping services as judged by the discretion of the Public Works Director.	At discretion of Public Works Director.	10 points
Clean Air Vehicle Use	Use of Clean Air Vehicles or good faith effort to develop Clean Air Vehicle use in Calabasas as judged by the discretion of the Public Works Director.	At discretion of Public Works Director.	10 points
Total Possible Points			100 points

4. Permittees who achieve an overall score of at least 80 points will receive a one year extension of their permit. Within twenty (20) days prior to a

Permittee's permit expiration, City staff shall complete the permit extension evaluation and notify in writing, Permittees who receive an extension. Permittees may continue to receive one year extensions so long as they meet the requirements of F.1, F.2, F.3 and F.4.

G. Electronic Waste Recycling Fee

1. Pursuant to Section 8.16.310(A) of Ordinance No. 2004-192, a maximum of \$25 per item for computer monitors, laptops or televisions, may be assessed to residents and businesses, per each collection occurrence for curbside electronic waste recycling. An annual review of this fee will occur for the City to take into consideration any changes in state or federal legislation that would impact this fee.

H. Additional Residential Municipal Solid Waste Pick Up Fee

1. Pursuant to Section 8.16.620 of Ordinance No. 2004-192, Permittees may charge per collection occurrence of additional residential municipal solid waste as follows:

Number of Items Per Collection	Maximum Fee Per Collection
1 to 4 items/bags/barrels	\$25.00
5 to 8 items/bags/barrels	\$15.00 in addition to 1 to 4 items fee

I. Effective Date

1. Permit fee shall become effective immediately.
2. All other rates, fees and surcharges shall become effective January 1, 2005, and shall be collected and remit to the City accordingly by each permitted solid waste collector as required by Ordinance No. 2004-192.

J. Fee Summary Table

Fees described in this document are summarized below:

Resolution Section	Type of Fee	Cost
A.2	Super Recycler Service Level	Basic service rate less \$7.50 per month
A.2	Basic Service Level	Set by Permittees
A.2	Basic Plus Service Level	Basic service rate plus \$5.00 per month
A.2	Double Basic Service Level	Basic service rate plus \$12.50 per month
A.2	Premium Service Level	Basic service rate plus \$20.00 per month
A.3	Additional 68-gallon Recycling Cart	\$2.50 per month
A.4	Additional 95-gallon Green Waste Cart	\$3.50 per month
B.1	City Surcharge – Single Family	\$0.55 per month
B.2	City Surcharge – Multi-Family	\$0.55 per month
B.2	City Surcharge – Commercial, Industrial and Institutional	See Figure 1
C.1	Recycling Rate	\$2.25 per month
D.1	Annual Permit Fee	\$1,500.00 per year
E.1	Residential Initial Permit Application Fee	\$1,000.00 per application
E.1	Commercial Initial Permit Application Fee	\$750.00 per application
E.1	Roll Off Permit Initial Application Fee	\$500.00 per application
E.2	Residential Renewal Permit Application Fee	\$10,000.00 per application
E.2	Commercial Renewal Permit Application Fee	\$7,500.00 per application
E.2	Roll Off Renewal Permit Application Fee	\$5,000.00 per application
G.1	Electronic Waste Recycling	\$25 per item per

	Fee	collection occurrence
H.1	Additional Residential Municipal Solid Waste Pick Up Fee (1 to 4 items)	\$25 total per collection occurrence
H.1	Additional Residential Municipal Solid Waste Pick Up Fee (5 to 8 items)	\$15 in addition to 1-4 items fee per collection occurrence

J. Certification

The City Clerk shall certify to the adoption of this resolution and shall cause the same to be process in the manner required by law.

PASSED, APPROVED AND ADOPTED on this _____ day of October 2004.

Michael Harrison, Mayor

ATTEST:

Mark Jomsky, Assistant City Clerk

APPROVED AS TO FORM:

Michael G. Colantuono, City Attorney