

RESOLUTION NO. 2015-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELMONT STATING ITS INTENTION TO ADJUST THE MAXIMUM RATE THAT MAY BE CHARGED FOR SOLID WASTE, RECYCLABLE MATERIALS, AND ORGANIC MATERIALS COLLECTION SERVICES EFFECTIVE JANUARY 1, 2016 AND SETTING A PUBLIC HEARING

WHEREAS, solid waste, recyclable materials and organic materials collection services are provided in the City of Belmont by Recology San Mateo County (Recology) pursuant to a franchise agreement with the City; and,

WHEREAS, the franchise agreement with Recology provides for an annual review of the maximum rates that Recology may charge Belmont residential and commercial customers; and,

WHEREAS, Recology provided the City a letter and detailed worksheet outlining their calculation of the maximum rates for 2016; and,

WHEREAS, the City is contractually obligated to pay Recology for these costs and desires to conduct a proceeding to adjust the schedule of charges as itemized in Exhibit A.

NOW, THEREFORE, the City Council of the City of Belmont resolves as follows:

SECTION 1. Proposes rate revisions and methodology generally described in Exhibits “A” and “B” to this Resolution, which are incorporated herein by reference.

SECTION 2. On November 24, 2015, at 7:00 PM or as soon thereafter as may be practicable in the City Council Chambers located at One Twin Pines Lane, Belmont, CA, the City Council will hold a public hearing pursuant to Article XIID of the California Constitution with respect to the proposed rates. At this hearing, all interested persons will be permitted to present oral and written testimony with respect to the proposed rates and methodology.

SECTION 3. Directs staff to give notice of the hearing in the manner required by law.

SECTION 4. The City will accept and tabulate protests against the proposed rate revision pursuant to the procedures set forth in Exhibit “B” to this Resolution, which is incorporated herein by reference.

* * *

ADOPTED September 22 2015, by the City of Belmont City Council by the following
vote:

Ayes:

Noes:

Absent:

Abstain:

ATTEST:

City Clerk

Mayor

APPROVED AS TO FORM:

City Attorney

Exhibit A

Maximum Rate Schedule

**Solid Waste, Recyclable Materials, and Organic Material Collection Services
Effective January 1, 2016**

**Attachment R
Maximum Rate Schedule**

Effective January 1, 2016 to December 31, 2016

Monthly Rate

RESIDENTIAL CARTS

	Cart Size (in Gallons)			
	20	32	64	96
1 Pickup Per Week	\$21.19	\$35.17	\$71.67	\$112.30

Residential customers are billed based on their Garbage Cart size.

The monthly rate above includes the following:

- One (1) Garbage Cart provided to customer
- Curbside Household Hazardous Waste Collection
- One (1) 64-Gallon Recycling Cart and (1) 96-Gallon Yard Waste Cart

**Attachment R
Maximum Rate Schedule**

Effective January 1, 2016 to December 31, 2016

Monthly Rate

COMMERCIAL CARTS

		Cart Size (in Gallons)			
		20	32	64	96
# of Pickups Per Week	1	\$37.63	\$41.79	\$80.81	\$116.78
	2	77.40	86.01	163.03	239.20
	3	115.23	128.03	247.35	363.01
	4	158.22	175.80	332.60	491.03
	5	200.19	222.42	422.78	620.80
	6	250.48	278.31	515.19	781.46
	7	305.13	339.02	603.12	911.69

The monthly rate above includes the following:

One (1) Garbage Cart

Recycling Cart

Multi-Family Customers are charged \$0.34 * Residential Units for Household Hazardous Waste Collection in addition to above

COMMERCIAL CARTS ORGANICS

		Cart Size (in Gallons)		
		32	64	96
# of Pickups Per Week	1	\$29.26	\$56.57	\$81.75
	2	60.21	114.12	167.43
	3	89.62	173.14	254.11
	4	123.07	232.82	343.72
	5	155.70	295.96	434.56
	6	194.82	360.62	547.02
	7	237.33	422.18	638.19

Note: Organics containers are charged at seventy percent (70%) of the similar Garbage commercial cart rate above container size and service levels for Garbage, representing a thirty percent (30%) discount

**Attachment R
Maximum Rate Schedule**

Effective January 1, 2016 to December 31, 2016

Monthly Rate

COMMERCIAL BINS

		Bin Size (in Cubic Yards)				
		1	2	3	4	6
# of Pickups Per Week	1	\$195.96	\$394.17	\$594.47	\$811.50	\$1,248.05
	2	398.95	794.80	1,196.12	1,637.03	2,531.21
	3	605.43	1,199.22	1,801.27	2,462.58	3,804.82
	4	814.30	1,606.58	2,408.25	3,297.51	5,067.61
	5	1,024.86	2,019.70	3,017.32	4,135.97	6,348.39
	6	1,279.08	2,384.38	3,662.89	5,009.22	7,674.64
	7	1,509.16	2,823.89	4,312.97	5,900.73	8,988.81

The monthly rate above includes the following:

One (1) Garbage Bin

Recycling container at customer's requested size

COMMERCIAL BINS ORGANICS

		Bin Size (in Cubic Yards)				
		1	2	3	4	6
# of Pickups Per Week	1	\$137.17	\$275.92	\$416.13	\$568.05	\$873.64
	2	279.26	556.36	837.30	1,145.92	1,771.84
	3	423.79	839.46	1,260.90	1,723.80	2,663.37
	4	570.01	1,124.60	1,685.77	2,308.25	3,547.33
	5	717.41	1,413.78	2,112.12	2,895.17	4,443.88
	6	895.37	1,669.06	2,564.03	3,506.47	5,372.25
	7	1,056.42	1,976.72	3,019.08	4,130.51	6,292.16

Note: Organics containers are charged at seventy percent (70%) of the similar garbage container size above and service level for garbage, representing a thirty percent (30%) discount

**Attachment R
Maximum Rate Schedule**

Effective January 1, 2016 to December 31, 2016

Monthly Rate

GARBAGE COMPACTORS

Commercial Waste 3 Yard Compactor	\$1,427.48
Solid Waste Compactor Rate Per Yard	\$109.83
Household Hazardous Waste Fee Per Unit	<u>\$0.34</u>
Total Solid Waste Compactor Rate Per Yard	\$110.17

The monthly fee above includes the following:
Recycling container at customer's requested size

Attachment Q
Unscheduled Services

The following table specifies Maximum Allowable Rates for Unscheduled Services. These Maximum Rates shall be adjusted annually in accordance with Article 11.

Unscheduled Service Category	Reference	Cost	Description of Cost
Single-Family Dwelling Backyard Collection Service	Section 5.02.A	See Table Below	See Table Below
Distance Charge for MFD and Commercial Accounts More than 50 Feet From the Curb	Section 5.02.B and 5.02.C	A - 10% of Base monthly rate B - 25% of Base monthly Rate	A - 51 to 100 feet from Curbside B - 101 feet or more from Curbside
Extra Pick-up Cost for MFD and Commercial Customers	Section 5.02.B and 5.02.C	30% of base monthly Rate for the size of Container Collected once per week	Per Collection event
Single-Family Return Trip Cost (i.e. request to provide Collection service on other than the regularly scheduled Collection day)	Section 5.02.A	\$16.55	Per Collection event
Additional Targeted Recyclable Materials or Organic Materials Cart Rental	Sections 5.03.A and 5.04.A	A - \$1.10 B - \$3.31	A - Monthly rental fee for Targeted Recycling Cart (any size) B - Monthly rental fee for Organics/Yard Waste Cart (any size)
Additional E-Scrap Pickup Trip	Section 5.505.B4	Varies by number of items	\$27.59 for each trip (up to five items) \$11.03 per item for each additional item on the same trip \$93.80 per item for large console TV's

Attachment Q
Unscheduled Services (Continued)

Unscheduled Service Category	Reference	Cost	Description of Cost
Additional Confidential Document Destruction Service Event	Section 5.07	\$1,324.17	Per Event
Litter Abatement and Collection Service	Section 5.09B	\$75.04 per hour with an eight (8) hour minimum per service person (includes truck)	Per Event
Additional Compost Material Delivery	Section 5.11	A - \$137.93 B - \$275.87	A - one way delivery (compost left on site) B - two way delivery (Drop box left on site)
Fee for Service On-Call Bulky Item Collection Service	Section 5.12	\$89.99	Per Event
Additional Community Drop-Off Events	Section 5.13	\$22,510.87 Additional \$1.10 per household for post card announcement if requested by Agency	Per event targeting approximately 6,000 households. Does not include disposal.
Collection for Additional Agency-Sponsored and Non-Agency sponsored Large Events (other than the number of events specified in Attachment C)	Section 5.08	A - \$3,310.42 B - \$5,517.37 C - \$8,276.05	A - one-day events with a projected 2,500 or fewer attendees B - one (1) or two (2) day events less than 7,500 attendees per day, that does not qualify for Category A above C - one (1) or two (2) day events with a projected 7,501 to 10,000 attendees per day
Emergency Services	Section 7.08	\$137.93/hour	Cost includes refuse collection vehicle and driver

Attachment Q
Unscheduled Services (Continued)

Unscheduled Service Category	Reference	Cost	Description of Cost
Fee to Collect Contaminated Targeted Recyclable Materials or Organic Materials Container	Section 6.03.A and 8.02.F	25% of the base monthly Rate for the size of Container Collected once per week plus: \$16.55	Per Collection Event
Key Service	Section 8.02.B	A - \$9.38 B - \$10.48	Monthly cost: A - Residential Customers B - Commercial Customers
Lock purchase fee (replacement at no additional cost)	Section 8.02.B	\$18.76	One-time per Account cost.
Overage Fee (Unless Overage Bags purchased)	Section 8.02.G	100% of the base monthly Rate	Per Collection event
Overage Bags Cost (includes Collection)	Section 8.02.G	\$8.83	Per bag
Container Cleaning Fee	Section 8.05.D	A - \$55.17 B - \$93.80	A - per Cart B - per Bin or Drop-Box
Dirty Cart Replacement Cost	Section 8.05.D	A - \$71.73 B - \$82.76 C - \$93.80	A - per 32 gallon Cart B - per 64 gallon Cart C - per 96 gallon Cart

Attachment Q
Unscheduled Services (Continued)

Backyard Collection Service Distance Costs for Single Family Dwellings (Section 5.02.A)				
Distance from Curbside	One (1) Solid Waste Cart	Two (2) Solid Waste Carts	Three (3) Solid Waste Carts	Four (4) Solid Waste Carts
0 - 50 feet	\$19.86	\$31.69	\$63.38	\$95.08
51 - 100 feet	23.17	35.00	66.69	98.39
101 - 150 feet	26.48	38.31	70.00	101.70
151 - 200 feet	29.79	41.62	73.31	105.01
201 - 250 feet	33.10	44.93	76.63	108.32
251 - 300 feet	36.41	48.24	79.94	111.63
301 feet or more	39.73	51.55	83.25	114.94

EXHIBIT B

GUIDELINES FOR THE SUBMISSION AND TABULATION OF PROTESTS SOLID WASTE FEES

Submission of Protests

1. Any property owner or solid waste customer may submit a written protest to the City Clerk, either by delivery to the office of the City Clerk or by submitting the protest at the public hearing. Protests must be received by the end of the public hearing. No postmarks will be accepted.
2. Each protest must identify the affected property (by assessor's parcel number or street address) and include the signature of the record property owner or solid waste customer. Email protests cannot be accepted. Although oral comments at the public hearing will not qualify as a formal protest unless accompanied by a writing, the City Council welcomes input from the community during the public hearing on the proposed fees.
3. If a parcel served by the City is owned by more than a single record owner or customer, each owner or customer may submit a protest, but only one protest will be counted per parcel and any one protest submitted in accordance with these rules will be sufficient to count as a protest for that property.
4. In order to be valid a protest must bear the original signature of the record owner or customer with respect to the property identified on the protest. Protests not bearing the original signature of a record owner or customer shall not be counted.
5. Any person who submits a protest may withdraw it by submitting to the City Clerk a writing request that the protest be withdrawn. The withdrawal of a protest shall contain sufficient information to identify the affected parcel and the name of the record owner or record customer who submitted both the protest and the request that it be withdrawn.
6. A fee protest proceeding is not an election.
7. To ensure transparency and accountability in the fee protest tabulation, protests shall constitute disclosable public records from and after the time they are received.

Tabulation of Protests.

1. The City Clerk shall determine the validity of all protests. The City Clerk shall not accept as valid any protest if the City Clerk determines that any of the following conditions exist:

- a. The protest does not identify a property served by the City.
 - b. The protest does not bear an original signature of a record owner of the parcel identified on the protest or of the customer on the parcel.
 - c. The protest does not state its opposition to the proposed fees.
 - d. The protest was not received by the City Clerk before the close of the public hearing on the proposed fees.
 - e. A request to withdraw the protest is received prior to the close of the public hearing on the proposed fees.
3. The City Clerk's decision that a protest is not valid or does not apply to a specific fee shall constitute a final action of the City and shall not be subject to any internal appeal.
 4. A majority protest exists if written protests are timely submitted and not withdrawn by the record owners of a majority of the properties subject to the proposed fee.
 5. At the conclusion of the public hearing, the City Clerk shall complete the tabulation of all protests received, including those received during the public hearing and shall report the results of the tabulation to the City Council upon completion. If review of the protests received demonstrates that the number received is manifestly less than one-half of the parcels served by the City with respect to the fee which is the subject of the protest, then the Clerk may advise the City Council of the absence of a majority protest without determining the validity of all protests.