

**MOORPARK CITY COUNCIL  
AGENDA REPORT**

**TO:** The Honorable City Council

**FROM:** Jennifer Mellon, Administrative Services Manager 

**DATE:** November 1, 2010 (CC meeting of December 1, 2010)

**SUBJECT:** Consider Resolution Adjusting Solid Waste Collection Fees, Consider Resolutions Amending the City of Moorpark Franchise Agreements with G.I. Industries and Moorpark Rubbish, and Authorize the City Manager to Execute the Amendments to the Agreements

**BACKGROUND**

The City of Moorpark reviews and updates solid waste collection fees on an annual basis with approved rate adjustments effective January 1. If approved, adjustments will be made to solid waste collection fees as specified in the Franchise Agreements between the City and the waste haulers. This January the City of Moorpark would like to look at the standard solid waste rate adjustment as well as request Council to consider an amendment with the Franchise Haulers to extend the term of their agreements for six months, to June 30, 2011.

Two components are used when considering the annual solid waste rate adjustment: the Consumer Price Index (CPI) and the Simi Valley Landfill tipping fees. Per the City's Franchise Agreements, the CPI factor used in the City's annual solid waste fee calculation is based on 86% of the CPI increase for all consumers in the Los Angeles Urbanized Area during the period September-September, less housing. The adjusted CPI factor for 2011 is 0.83%. The second component is the landfill tipping fee. The County approved a landfill rate increase effective January 1, 2011 with the disposal fee for discards increasing \$2.00 per ton making the per ton cost \$51.95; yard trimming discards fees are increasing \$1.50 per ton making the per ton cost \$37.50.

**DISCUSSION**

Based on the CPI and landfill rate, the City's single-family residential solid waste collection rate will increase by \$0.41 per month, to \$26.36, representing a 1.58% increase (the 2010 adjustment was an increase of only \$0.05 over the 2009 rate). Attachment "B" shows the calculation in detail. The senior citizen and super recycler rates would increase by \$0.26 per month as well to \$19.45 per month, a 1.35% increase.

In addition, the "solid waste management fee" which is currently \$24.40 and charged to those residents who request an exemption from annual solid waste service is proposed to be adjusted. The solid waste management fee is charged for Solid Waste disposal services offered to those residents of Moorpark who have exemptions. These services include monthly Household Hazardous Waste events, Electronic Waste Events, Free Landfill Day, Pharmaceutical Disposal, etc. Due to the amendments to the Moorpark Municipal Code, this "solid waste management fee" becomes the "solid waste exemption permit fee" and additional staff time will be required to implement the new requirements of the code. Residents who pay for a self-haul exemption permit will be required to report how they dispose of their solid waste, recyclable material, and green waste. Staff will periodically audit those who have self-haul exemption permits to make certain they are complying with proper disposal and recycling requirements. These residents will still qualify for and receive the other disposal services mentioned above as well. Staff is proposing a charge of \$60.00 for the initial application for a self-haul exemption permit and \$30.00 for annual renewals thereafter. The senior rate would be \$50.00 for an initial application, and \$25.00 for annual renewals. Residents that have an active solid waste exemption and apply for a self-haul exemption permit, and are approved, will pay the renewal rate.

Commercial accounts will see a slight increase in rate. With schedules varying between 1 and 6 pick ups of discards per week, of both solid waste and recyclables, most commercial accounts are predicted see increases ranging between 2.25% and 3.25%.

The residential and commercial rate adjustments are calculated in accordance with the Franchise Agreements. The new rates will become effective January 1, 2011. Attachment "A" is the rate resolution and proposed rate sheet.

Council is also being asked to consider amendments to the Franchise Agreements, which expire December 31, 2010. Staff is requesting that Council approve resolutions amending the Agreements to extend the term for six months through June 30, 2011. Staff will continue to negotiate new Franchise Agreements with the Franchise Solid Waste Haulers to discuss options for future adjustments fees, adding street sweeping scope of work, and additional service enhancements. As Council may recall, staff has previously discussed the possibility of adding street sweeping to the scope of work performed by the franchise haulers and will include this topic in the negotiation discussions with the haulers.

### **FISCAL IMPACT**

The Solid Waste collection fee increase will have a minimal, positive impact on the General Fund. By increasing the monthly rates the City will see a very slight increase in the franchise fee paid by the franchise waste haulers to the City.

**STAFF RECOMMENDATION** (ROLL CALL VOTE)

1. Adopt Resolution No. 2010- \_\_\_\_\_, updating the Solid Waste Collection Service Fee Schedule of Rates effective January 1, 2011, and rescinding Resolution No. 2009-2873
2. Adopt Resolution No. 2010- \_\_\_\_\_ Amendment to City of Moorpark Solid Waste Residential Franchise Agreement with G.I. Industries
3. Adopt Resolution No. 2010- \_\_\_\_\_ Amendment to City of Moorpark Solid Waste Residential Franchise Agreement with Moorpark Rubbish Disposal
4. Adopt Resolution No. 2010- \_\_\_\_\_ Amendment to City of Moorpark Solid Waste Commercial Franchise Agreement with G.I. Industries
5. Adopt Resolution No. 2010- \_\_\_\_\_ Amendment to City of Moorpark Solid Waste Commercial Franchise Agreement with Moorpark Rubbish Disposal
6. Authorize the City Manager to execute the amendments to the Agreements subject to final language approval of the City Manager and City Attorney

Attachment "A" – Resolution Updating Solid Waste Collection Service Fee and Schedule of Rates to take effect January 1, 2011

Attachment "B" – Solid Waste Fee Adjustment Worksheet

Attachment "C" – Resolution Amending the G.I. Industries Residential Solid Waste Franchise Agreement

Attachment "D" – Resolution Amending the Moorpark Rubbish Disposal Residential Solid Waste Franchise Agreement

Attachment "E" – Resolution Amending the G.I. Industries Commercial Solid Waste Franchise Agreement

Attachment "F" – Resolution Amending the Moorpark Rubbish Disposal Commercial Solid Waste Franchise Agreement

RESOLUTION NO. 2010-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOORPARK, CALIFORNIA, UPDATING THE SOLID WASTE COLLECTION SERVICE FEE SCHEDULE AND RESCINDING RESOLUTION NO. 2009-2873

WHEREAS, the City provides residential and commercial solid waste and recycling collection services; and

WHEREAS, on September 18, 2002, the City Council granted exclusive franchise agreements with G.I. Industries and Moorpark Rubbish Disposal for the collection, transportation, recycling, and disposal of solid waste in residential and commercial – industrial areas within City limits; and

WHEREAS, the Franchise Agreements provide for annual adjustments to the service fee schedule pursuant to a specified formula; and

WHEREAS, the City Council declares its intention of maintaining reasonable rates for collection, management, and disposal of solid waste and recyclables within the City limits.

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

SECTION 1. Effective January 1, 2011, the monthly residential solid waste, recycling, and green waste collection rates shall be as shown in Exhibit "1".

SECTION 2. Effective January 1, 2011, the commercial, industrial, and multi-family solid waste, recycling, and composting bin collection rates shall be as shown in Exhibit "1".

SECTION 3. Effective January 1, 2011, the temporary bins and roll-off/drop box rates for solid waste, recycling, and composting bin services shall be as shown in Exhibit "1".

SECTION 4. Effective January 1, 2011, the annual Self-haul Exemption Permit Fee shall be \$60.00 for the initial application for an annual self-haul exemption permit and \$30.00 for an annual self-haul exemption permit renewal. Residents who qualify as seniors, age sixty-two (62) or older, receive a twenty percent (20%) discount on both the initial application for an annual self-haul exemption permit and the renewal fees. The senior rate shall be \$50.00 for the initial application for an annual self-haul exemption permit and \$25.00 for an annual self-haul exemption permit renewal. Residents who have valid City of Moorpark Solid Waste Exemptions for calendar year 2010 will be charged the renewal rate for 2011.

SECTION 5. The City's Residential Franchise Agreements Service Fee Schedules (Exhibit "F" of Residential Franchise Agreements) are hereby replaced with the attached Service Fee Schedule upon the effective date of this resolution.

SECTION 6. The City's Commercial Franchise Agreements Service Fee Schedules (Exhibit "F" of the Commercial Franchise Agreements) are hereby replaced with the attached Service Fee Schedule upon the effective date of this resolution.

SECTION 7. This resolution shall be effective January 1, 2011.

SECTION 8. This Resolution hereby rescinds Resolution 2009-2873 in its entirety upon the effective date of this resolution.

SECTION 9. The City Clerk shall certify to the adoption of the resolution and shall cause a certified resolution to be filed in the book of original resolutions.

PASSED AND ADOPTED this 1st day of December, 2010.

\_\_\_\_\_  
Janice S. Parvin, Mayor

ATTEST:

\_\_\_\_\_  
Maureen Benson, City Clerk

Exhibit 1 – Schedule of Rates



**ATTACHMENT "A"**  
**Exhibit 1**

**MOORPARK SOLID WASTE SERVICE FEE**  
**Schedule of Rates - Continued**  
**January 1, 2011**

**COMMERCIAL (Dumpster Bin Service)**

**2. Discard Bin Rates**

A. Monthly Rates for one (1) 1.5 cubic yard bin with following pickups per week:

1 time a week	\$122.08		
2 times a week	\$213.62		
3 times a week	\$305.21		
Non contracted 1.5 cubic yard pickup:	\$46.48		
Compacted 1.5 cubic yard pickup:		2 X weekly pickup rate	

B. Monthly Rates for one (1) 3.0 cubic yard bin with following pickups per week:

1 time a week	\$142.02	4 times a week	\$476.57
2 times a week	\$253.54	5 times a week	\$588.06
3 times a week	\$365.06	6 times a week	\$699.56
Non contracted 3 cubic yard pickup:	\$54.98		
Compacted 3 cubic yard pickup:		2 X weekly pickup rate	

C. Monthly Rates for one (1) 4.0 cubic yard bin with following pickups per week:

1 time a week	\$160.10	4 times a week	\$548.86
2 times a week	\$289.67	5 times a week	\$678.40
3 times a week	\$419.25	6 times a week	\$807.96
Non contracted 4 cubic yard pickup:	\$63.56		
Compacted 4 cubic yard pickup:		2 X weekly pickup rate	

**3. Recycling / Composting Bin Rates**

A. Monthly Rates for one (1) 1.5 cubic yard bin with following pickups per week:

1 time a week	\$58.64	4 times a week	\$234.63
2 times a week	\$117.33	5 times a week	\$293.31
3 times a week	\$175.96	6 times a week	\$351.94
Non contracted 1.5 cubic yard pickup:	\$19.20		

**ATTACHMENT "A"**  
**Exhibit 1**

**MOORPARK SOLID WASTE SERVICE FEE**

**Schedule of Rates - Continued**

**January 1, 2011**

B. Monthly Rates for one (1) 3.0 cubic yard bin with following pickups per week:

1 time a week	\$74.31	4 times a week	\$297.38
2 times a week	\$148.71	5 times a week	\$371.69
3 times a week	\$223.01	6 times a week	\$446.07
Non contracted 3 cubic yard pickup:			\$24.26

C. Monthly Rates for one (1) 4.0 cubic yard bin with following pickups per week:

1 time a week	\$90.90	4 times a week	\$358.26
2 times a week	\$179.13	5 times a week	\$447.89
3 times a week	\$268.69	6 times a week	\$537.43
Non contracted 4 cubic yard pickup:			\$29.64

**4. Temporary Bins / Roll-Off Drop Boxes**

A. Temporary 3 Cubic Yard Bin Rate:	\$100.27	
B. Redelivery and Reinstatement Rate:	\$30.40	
C. Roll-Off Disposal Rate:	\$191.95	+ Landfill/Recycling Fee
D. Roll-Off Recycling Rate:	\$191.95	market value negotiable
E. Roll-Off Compactor Rate:	\$383.90	+ Landfill/Recycling Fee
F. Roll-Off Recycling Compactor Rate:	\$383.90	market value negotiable

**5. Miscellaneous**

A. "Hard to Service" Vehicle Usage Rate:	No Charge
B. "Hard to Service" Bin Moving Rate:	No Charge
C. Special Bin Lids (Locking/CBL) Rate:	\$30.00 (One-Time Fee)
D. Deodorizing/Replacing Bin Rate:	No Charge Once Per Year
E. Additional Deodorize/Replace Bins:	\$30.00
F. Charge For Returned Checks:	\$15.00
G. Charge For Delinquent Payments:	\$5.00
H. Franchise Transfer Fee	\$57,385.98
I. Credit Card Payment Convenience Fee (by phone):	\$5.00
J. Extra Pick up:	\$3.00/bag or, \$5.00/cart
K. Extra Collection on Non-Scheduled Pick Up Day:	\$25.00
L. Residential Cart Re-delivery Fee:	\$15.00
M. Temporary Roll-off Extra Day Fee (post 7 days, trash only):	\$10.00/day
N. Temporary 3 Cubic Yard Bin Rate (post 7 days, trash only):	\$5.00/day
O. Permanent Customer Roll-off Extra Day Fee (post 30 days, trash only):	\$10.00/day
P. Solid Waste Bin Locking/Unlocking Fee:	\$20.00/month

# ATTACHMENT B

## SOLID WASTE SERVICE FEE ADJUSTMENT WORKSHEET

DATED January 1, 2011

Automated Service Residential Rate Calculation	2010 Total Rate	2010 Franchise Fee	2010 AB 939 Fee	2010 Hauler Rate	2011 CPI Increase	2011 Landfill Increase		2011 Hauler Rate	2011 Franchise Fee	2011 AB 939	2011 Total Rate	Change	
						Yard Waste	Discards					\$	%
A. Single Family Service	\$25.95	\$1.49	\$1.20	\$23.26	\$0.17	\$0.08	\$0.16	\$23.67	\$1.49	\$1.20	\$26.36	\$0.41	1.58%
B. Senior Citizen Rate	\$19.19	\$1.08	\$1.14	\$16.97	\$0.12	\$0.05	\$0.08	\$17.22	\$1.09	\$1.14	\$19.45	\$0.26	1.35%
C. Super Recycler Rate	\$19.19	\$1.08	\$1.14	\$16.97	\$0.12	\$0.05	\$0.08	\$17.22	\$1.09	\$1.14	\$19.45	\$0.26	1.35%
D. Limited Service (w/o yard) approval required	\$18.08	\$1.02	\$1.14	\$15.92	\$0.11		\$0.08	\$16.11	\$1.02	\$1.14	\$18.27	\$0.19	1.05%

### Commercial Discards

B. One (1) 3.0 cubic yard bin with following pickups per week:

	2010 Total Rate	FF (16%)	2010 Hauler Rate	2011 CPI Increase	LF	2011 Hauler Rate	Franchise Fee (16%)	2011 Total Rate	\$	%
1 x week	\$139.48	\$22.32	\$117.16	\$0.84	\$1.30	\$119.30	\$22.72	\$142.02	\$2.54	1.82%
2 x week	\$248.67	\$39.79	\$208.88	\$1.49	\$2.60	\$212.97	\$40.57	\$253.54	\$4.87	1.96%
3 x week	\$357.86	\$57.26	\$300.60	\$2.15	\$3.90	\$306.65	\$58.41	\$365.06	\$7.20	2.01%
4 x week	\$467.05	\$74.73	\$392.32	\$2.80	\$5.20	\$400.32	\$76.25	\$476.57	\$9.52	2.04%
5 x week	\$576.21	\$92.19	\$484.02	\$3.45	\$6.50	\$493.97	\$94.09	\$588.06	\$11.85	2.06%
6 x week	\$685.39	\$109.66	\$575.73	\$4.11	\$7.79	\$587.63	\$111.93	\$699.56	\$14.17	2.07%

Residential Trash Rates 1994-2011			
Moorpark	Rate	Difference	
		%	\$
1994	\$ 17.22		
1995	\$ 17.40	1.0%	\$ 0.18
1996*	\$ 16.30	-6.3%	\$ (1.10)
1997	\$ 17.12	5.0%	\$ 0.82
1998	\$ 17.33	1.2%	\$ 0.21
1999	\$ 17.51	1.0%	\$ 0.18
2000	\$ 17.87	2.1%	\$ 0.36
2001	\$ 18.49	3.5%	\$ 0.62
2002	\$ 19.06	3.1%	\$ 0.57
2003**	\$ 21.05	10.4%	\$ 1.99
2003	\$ 21.41	1.7%	\$ 0.36
2004	\$ 21.84	2.0%	\$ 0.79
2005	\$ 22.47	2.9%	\$ 1.06
2006	\$ 23.66	5.3%	\$ 1.19
2007	\$ 24.23	2.4%	\$ 0.57
2008	\$ 24.49	1.1%	\$ 0.26
2009	\$ 25.84	5.5%	\$ 1.35
2010**	\$ 25.95	0.4%	\$ 0.11
2011	\$ 26.36	1.6%	\$ 0.41

\* franchise agreement adjustment

\*\* automated service implementation

\*\*\*residential franchise fee increase from 5% to 6%

**ATTACHMENT C**

RESOLUTION NO. 2010-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOORPARK, CALIFORNIA, AMENDING THE FRANCHISE AGREEMENT BETWEEN THE CITY OF MOORPARK AND G.I. INDUSTRIES FOR PROVIDING RESIDENTIAL SOLID WASTE SERVICES

WHEREAS, the City provides residential solid waste and recycling collection services; and

WHEREAS, on September 18, 2002, the City Council granted exclusive franchise agreements with G.I. Industries and Moorpark Rubbish Disposal for the collection, transportation, recycling, and disposal of solid waste in residential and commercial – industrial areas within City limits; and

WHEREAS, the Franchise Agreements expire on December 31, 2010 with an option to extend the term for up to an additional two (2) years; and

WHEREAS, the City Council declares its intention to extend the term of the Franchise Agreement.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MOORPARK, DOES HEREBY RESOLVE TO AMEND THE AGREEMENT AS FOLLOWS:

SECTION 2. TERM. A. Term. This paragraph shall be amended in its entirety, replacing the current language with the following language: "The collection services to be provided pursuant to this Agreement shall begin on October 1, 2002, and end on June 30, 2011, unless sooner terminated. Grantee's duty to provide indemnification shall survive the end of the period during which collection services are to be provided."

With the exception of the change to the above noted document, all other provisions contained in the Franchise Agreement for Residential Solid Waste Services shall remain in full force and effect.

PASSED AND ADOPTED this 1st day of December, 2010.

\_\_\_\_\_  
Janice S. Parvin, Mayor

ATTEST:

\_\_\_\_\_  
Maureen Benson, City Clerk

## ATTACHMENT D

### RESOLUTION NO. 2010-

#### A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOORPARK, CALIFORNIA, AMENDING THE FRANCHISE AGREEMENT BETWEEN THE CITY OF MOORPARK AND MOORPARK RUBBISH DISPOSAL FOR PROVIDING RESIDENTIAL SOLID WASTE SERVICES

WHEREAS, the City provides residential solid waste and recycling collection services; and

WHEREAS, on September 18, 2002, the City Council granted exclusive franchise agreements with G.I. Industries and Moorpark Rubbish Disposal for the collection, transportation, recycling, and disposal of solid waste in residential and commercial – industrial areas within City limits; and

WHEREAS, the Franchise Agreements expire on December 31, 2010 with an option to extend the term for up to an additional two (2) years; and

WHEREAS, the City Council declares its intention to extend the term of the Franchise Agreement.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MOORPARK, DOES HEREBY RESOLVE TO AMEND THE AGREEMENT AS FOLLOWS:

SECTION 2. TERM. A. Term. This paragraph shall be amended in its entirety, replacing the current language with the following language: "The collection services to be provided pursuant to this Agreement shall begin on October 1, 2002, and end on June 30, 2011, unless sooner terminated. Grantee's duty to provide indemnification shall survive the end of the period during which collection services are to be provided."

With the exception of the change to the above noted document, all other provisions contained in the Franchise Agreement for Residential Solid Waste Services shall remain in full force and effect.

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Janice S. Parvin, Mayor

ATTEST:

\_\_\_\_\_  
Maureen Benson, City Clerk

**ATTACHMENT E**

RESOLUTION NO. 2010-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOORPARK, CALIFORNIA, AMENDING THE FRANCHISE AGREEMENT BETWEEN THE CITY OF MOORPARK AND G.I. INDUSTRIES FOR PROVIDING COMMERCIAL SOLID WASTE SERVICES

WHEREAS, the City provides residential solid waste and recycling collection services; and

WHEREAS, on September 18, 2002, the City Council granted exclusive franchise agreements with G.I. Industries and Moorpark Rubbish Disposal for the collection, transportation, recycling, and disposal of solid waste in residential and commercial – industrial areas within City limits; and

WHEREAS, the Franchise Agreements expire on December 31, 2010 with an option to extend the term for up to an additional two (2) years; and

WHEREAS, the City Council declares its intention to extend the term of the Franchise Agreement.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MOORPARK, DOES HEREBY RESOLVE TO AMEND THE AGREEMENT AS FOLLOWS:

SECTION 2. TERM. A. Term. This paragraph shall be amended in its entirety, replacing the current language with the following language: "The collection services to be provided pursuant to this Agreement shall begin on October 1, 2002, and end on June 30, 2011, unless sooner terminated. Grantee's duty to provide indemnification shall survive the end of the period during which collection services are to be provided."

With the exception of the change to the above noted document, all other provisions contained in the Franchise Agreement for Residential Solid Waste Services shall remain in full force and effect.

PASSED AND ADOPTED this 1st day of December, 2010.

\_\_\_\_\_  
Janice S. Parvin, Mayor

ATTEST:

\_\_\_\_\_  
Maureen Benson, City Clerk

**ATTACHMENT F**

RESOLUTION NO. 2010-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOORPARK, CALIFORNIA, AMENDING THE FRANCHISE AGREEMENT BETWEEN THE CITY OF MOORPARK AND MOORPARK RUBBISH DISPOSAL FOR PROVIDING COMMERCIAL SOLID WASTE SERVICES

WHEREAS, the City provides residential solid waste and recycling collection services; and

WHEREAS, on September 18, 2002, the City Council granted exclusive franchise agreements with G.I. Industries and Moorpark Rubbish Disposal for the collection, transportation, recycling, and disposal of solid waste in residential and commercial – industrial areas within City limits; and

WHEREAS, the Franchise Agreements expire on December 31, 2010 with an option to extend the term for up to an additional two (2) years; and

WHEREAS, the City Council declares its intention to extend the term of the Franchise Agreement.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MOORPARK, DOES HEREBY RESOLVE TO AMEND THE AGREEMENT AS FOLLOWS:

SECTION 2. TERM. A. Term. This paragraph shall be amended in its entirety, replacing the current language with the following language: "The collection services to be provided pursuant to this Agreement shall begin on October 1, 2002, and end on June 30, 2011, unless sooner terminated. Grantee's duty to provide indemnification shall survive the end of the period during which collection services are to be provided."

With the exception of the change to the above noted document, all other provisions contained in the Franchise Agreement for Residential Solid Waste Services shall remain in full force and effect.

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Janice S. Parvin, Mayor

ATTEST:

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Maureen Benson, City Clerk