

**MOORPARK CITY COUNCIL
AGENDA REPORT**

TO: Honorable City Council

FROM: Dave Klotzle, City Engineer/Public Works Director 
Prepared by: Shaun Kroes, Senior Management Analyst

DATE: December 19, 2014 (CC meeting of 01/07/15)

SUBJECT: Consider Setting a Public Hearing to Consider Establishing Construction and Demolition Management Plan Diversion Deposit Rates

BACKGROUND/DISCUSSION

On November 17, 2010, the City Council adopted Ordinance No. 394 amending and restating, in its entirety, Chapter 8.36, Solid Waste, of Title 8, Health and Safety, of the Moorpark Municipal Code (MMC). The Ordinance included new construction and demolition diversion requirements for certain projects, requiring a minimum 65% diversion of solid waste generated during demolition and/or construction of the project. Section 8.36.655 (attached) authorizes the City to accept Construction and Demolition Material Management Plan diversion security deposits (C&D Deposit), established by resolution of the City Council. The C&D Deposit creates a financial incentive for applicable projects to comply with the diversion requirements. Also on November 17, 2010, the City Council approved Resolution 2010-2972, which established the Construction and Demolition Material Management Plan review fee of \$145.00. Resolution 2010-2972 did not; however, establish the C&D Deposit rates.

California Government Code Section 66016 sets forth the notification and public hearing process required prior to levying new fees or service charges, or prior to increasing an existing fee or service charge. Staff recommends that a public hearing be set for January 21, 2015 for City Council to consider establishing C&D Deposit rates. Staff will present further information regarding the proposed C&D Deposit rates at the public hearing. Notice of the City Council public hearing will be mailed to interested parties and published in the Ventura County Star in accordance with the code requirements.

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FISCAL IMPACT

None.

STAFF RECOMMENDATION

Set a City Council Public Hearing for January 21, 2015, to consider establishing C&D Deposit rates.

Attachment: Moorpark Municipal Code Section 8.36.655

8.36.655 C&DMMP diversion security deposits.

Each applicant for a permit for a covered project, except the city, shall submit a construction and demolition diversion security deposit along with the C&DMMP. The amount of the diversion security deposit shall be established by resolution of the city council. The administrative authority may waive the diversion security deposit if the diversion security deposit required pursuant to this section would be fifty dollars (\$50.00) or less. (Ord. 394 § 1, 2010)