

Meeting Date: 07 / 25 / 2006

ACTION	TYPE OF ITEM
<input type="checkbox"/> Approved Recommendation	<input type="checkbox"/> Info/Consent
<input type="checkbox"/> Ord. No(s). _____	<input type="checkbox"/> Report
<input type="checkbox"/> Res. No(s). _____	<input checked="" type="checkbox"/> Public Hearing
<input type="checkbox"/> Other	<input type="checkbox"/> Other Study Session

Prepared By: Grant Dunne, Management Analyst III *Grant Dunne* Agency Item No. L-3
 Reviewed By: City Manager *YRB* City Attorney *JA* Finance *UAC* Other Public Works
 Mark Norris Don Smith

DATE: July 5, 2006

TO: City Council

FROM: Ken Ortega, Public Works Director *Ken Ortega*
 Public Works Department – Environmental Resources Division

SUBJECT: Ordinance to Continue and Establish Solid Waste System User Fees and Charges

RECOMMENDATION

That City Council:

- 1) Hold a public hearing to receive public comments concerning adoption of an ordinance continuing and establishing certain solid waste system user fees and charges.
- 2) Approve the first reading by title only and subsequent adoption of an ordinance continuing and establishing solid waste system user fees and charges.

DISCUSSION

Solid Waste System User Fees and Charges

The Environmental Resources Division provides effective and uninterrupted weekly refuse, recycling and green waste collection to approximately 30,000 households and 8,000 businesses for an affordable price. The Environmental Resources Division operates as a self-supporting enterprise that depends upon revenues derived from user fees and charges for the cost of collection, processing, and disposal of solid waste.

Rate increases for standard service collection were last established in July 2003 by Ordinance No. 2631. Since then, operating costs have risen for collection processing and disposal. Fuel expense for operating the Division's truck fleet has increased from \$1.63 to \$3.20 or 96% per gallon since July 2003. Other operational cost increases include labor, supplies, equipment maintenance and replacement, processing and disposal, and fixed internal charges. Revenues derived from user fees and charges are also needed for maintaining reserves as specified in Council Resolution No. 12,915 adopted from the biennial budget FY 2005-07 that establishes financial management policies.

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**SUBJECT: Ordinance to Continue and Establish Solid Waste System User Fees and Charges
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Oxnard's monthly residential rate for standard service of \$23.01 is the second lowest rate among all municipalities in Ventura County. Along with standard collection service, this rate offers unique services to our customers including weekly collection of refuse, recycling and green waste, neighborhood cleanups, street sweeping, field maintenance of carts, and clean sweeps of downtown and alleyways in partnership with the Police Department.

Subject to Council approval, staff recommends a two-step rate increase at 5% retroactive from July 1, 2006 and 5% effective July 1, 2007 for standard collection service. On May 16, 2006, staff presented a budget study session to City Council establishing the basis for the recommended rate increases. Subsequent to the study session, a public notice was mailed to all property owners stating the date of this public hearing and explaining the basis for the recommended rates. Staff recommends the adoption of the attached ordinance continuing and establishing solid waste system user fees and charges to recover cost of operations in order that solid waste collection services remain a self-supporting enterprise (Attachment No. 1).

FINANCIAL IMPACT

Adoption of the ordinance continuing and establishing solid waste system user fees and charges is sufficient to recover the cost of operation and allow the Solid Waste Fund to continue as a self-supporting enterprise. These user fees and charges are included in the FY 2006-2007 budget

Attachment #1- Ordinance Continuing and Establishing Solid Waste System User Fees and Charges

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CITY COUNCIL OF THE CITY OF OXNARD

ORDINANCE NO. _____

(UNCODIFIED)

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OXNARD
CONTINUING AND ESTABLISHING SOLID WASTE SYSTEM USER FEES
AND CHARGES

WHEREAS, the City Council has adopted Chapter 19 of the Code of the City of Oxnard to regulate solid waste collection and disposal of the City's solid waste; and

WHEREAS, the Solid Waste Fund (Environmental Resources Division) is a self-supporting enterprise fund that depends on the revenues derived from services rendered for solid waste collection, processing, disposal and street sweeping; and

WHEREAS, the Public Works Department prepared an Environmental Resources Budget Study dated May 16, 2006, on file with the City Clerk, which establishes the basis for new and increased fees and charges set forth herein in Parts 1 through 3; and

WHEREAS, on August 2, 2005, the City Council approved Ordinance No. 2696, establishing solid waste system user fees and charges; and

WHEREAS, this ordinance makes no changes to the fees set forth in Parts 4A, 4B, 4C and 4D of Ordinance No. 2696, which fees are continued in Parts 4A, 4B, 4C and 4D of this ordinance; and

WHEREAS, the adoption of the fees contained in Parts 1 through 3 of this ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to section 15273(a) of the State CEQA Guidelines because such fees are for the purpose of meeting operating expenses, including employee wage rates and fringe benefits, and do not exceed costs incurred in providing the services in question, and the basis for this exemption is the cost recovery calculations contained in the Environmental Resources Budget Study on file with the City Clerk, referred to above.

NOW, THEREFORE, the City Council of the City of Oxnard does ordain as follows:

Part 1. Monthly Rates

The fees, charges and rates set forth below shall be charged and collected for the use of services relating to the Solid Waste System of the City of Oxnard.

A. Residential dwellings

Weekly residential service in dwellings not using mechanical front-end loaded containers:

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1. Individually billed single and multiple unit dwellings (65 or 95-gallon refuse container, 95-gallon recycle container and 95-gallon green waste container) \$24.16
Individually billed single and multiple unit dwellings that generate lesser amounts of waste, recyclables and green waste or have medical disability that limit ability to maneuver larger containers (65-gallon refuse container, 65-gallon recycle container and 65-gallon green waste container) \$20.07
2. Jointly billed multiple unit dwellings (such as apartments, duplexes, triplexes, boarding houses, mobile home parks, hotels or motels):

First Unit.....	\$24.16
Second Unit.....	\$22.86
Third Unit	\$21.20
Each Unit in excess of three	\$20.02

B. Commercial and Industrial Users; Multiple Unit Dwellings Using Mechanical Front-End Loaded Containers

1. Weekly collection service for commercial and industrial businesses not using mechanical front-end loaded containers:

One 95-gallon refuse container	\$30.88
Two 95-gallon refuse container	\$51.22

2. Weekly recyclables and green waste collection service for commercial and industrial businesses not using mechanical front-end loaded containers:

One 95-gallon recycle container	\$15.45
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3. Weekly and daily refuse collection service for multiple unit dwellings and commercial and industrial businesses using mechanical front-end loaded containers:

Container Size	Collections Per Week					
	1	2	3	4	5	6
2-yard	\$102.19	\$179.66	\$232.21	\$284.78	\$337.35	\$389.93
2-yard shared	\$51.91	\$90.66	\$116.93	\$143.22	\$169.51	\$195.79
2-yard compactor	\$510.36	\$804.44	\$1,004.68	\$1,205.04	\$1,405.20	\$1,605.56
4-yard	\$179.27	\$284.42	\$377.58	\$470.61	\$568.51	\$657.89
4-yard shared	\$90.46	\$143.04	\$189.62	\$236.13	\$285.09	\$329.77
4-yard compactor	\$1,046.28	\$1,664.04	\$2,209.44	\$2,755.68	\$3,325.76	\$3,848.52

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4. Extra Refuse Commercial Collection Service

Each mechanical loading refuse collection in excess of the regular service level on an established account shall be made at the following rates:

<u>Container Size</u>	<u>Rate Per Collection</u>
2-cubic yard	\$45.58
4-cubic yard	\$84.15

5. Weekly and daily recyclables and green waste collection service for multiple unit dwellings and commercial and industrial businesses using mechanical front-end loaded containers:

<u>Container Size</u>	<u>Collections Per Week</u>					
	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>
2-yard	\$51.09	\$89.83	\$116.11	\$142.39	\$168.67	\$194.96
2-yard shared	\$26.38	\$45.74	\$58.88	\$72.03	\$85.17	\$98.31
2-yard compactor	\$127.58	\$201.10	\$251.18	\$301.26	\$351.30	\$401.40
4-yard	\$89.64	\$142.21	\$188.79	\$235.31	\$284.26	\$328.94
4-yard shared	\$45.64	\$71.94	\$95.22	\$118.48	\$142.95	\$165.30
4-yard compactor	\$261.56	\$416.02	\$552.36	\$688.92	\$831.44	\$962.12

6. Extra Recyclables or Green Waste Commercial Collection Service

Each mechanical loading recyclables or green waste collection in excess of the regular service level on an established account shall be made at the following rates:

<u>Container Size</u>	<u>Rate Per Collection</u>
2-cubic yard	\$22.79
4-cubic yard	\$42.07

7. Per pickup charge for businesses regularly using roll-off containers:

<u>Container Size</u>	<u>Charge per Refuse Pickup</u>	<u>Charge per Recyclables or Green Waste Pickup</u>
10-yard	\$106.10	\$92.79
13.4-yard	\$106.10	\$92.79
30-yard	\$143.94	\$106.10
30-yard (closed)	\$165.19	\$106.10
40-yard	\$179.93	\$132.63
(2) 30-yard	\$293.02	\$212.20

In addition, the user shall pay all disposal fees. Minimum pickup is twice per month. If less, user shall pay a container rental fee of \$12.00 per day.

8. Per pickup charge for businesses regularly using walking floor transfer-trailer is \$293.02. In addition, user shall pay all disposal fees.

Part 2. Special Collection Services and Fees

Special collection services are available for each class of user upon request to the Environmental Resources Division and dependent upon the availability of containers for service.

A. Special Collection Services

The minimum charge for special collection is \$30.00. If the special collection service requires more than fifteen minutes for the operation crew to clean up debris, the user will be charged a fee of \$2.00 per minute. For example, the fee for a special collection taking 20 minutes would be \$40.00. Special collection debris includes refrigerators, sofas, washing machines, water heaters, furniture, accumulated materials, and other bulky items except for large commercial-type items.

B. Mechanical Loading Special Services

1. Commercial Size Special Service (2 and 4 cubic yards)

Commercial containers are available for special collection service. A delivery fee of \$12.00 shall be charged per container. Commercial container special services shall be provided at the following rates, not including the disposal fee, for a maximum of fourteen days, for an established account:

<u>Container Size</u>	<u>Charge Per Refuse Pickup</u>
2-cubic yard	\$36.22
4-cubic yard	\$58.43

2. Industrial Size Special Service (10 - 40 Yards)

Industrial-type containers are available for special collection service. A delivery fee of \$12.00 shall be charged per container. Industrial container special services shall be provided at the following rates, not including the disposal fee, for a maximum of seven days, for an established account:

<u>Container Size</u>	<u>Per Pickup Charge</u>
10-yard	\$92.79
13.4-yard	\$92.79
30-yard	\$125.06
40-yard	\$156.33
(2) 30-yard	\$250.12

In addition, the user shall pay all disposal fees.

C. Freon Extraction Fee	Per Unit
Residential Type Size (Refrigerators and Air Conditioners)	\$20.00
Commercial Type Large Size	\$35.00
D. Lost or Damage (Burned) Container	Per Container Charge
Residential 95-Gallon Container	\$49.53
Residential 65-Gallon Container	\$45.74
Commercial 2-cubic yard	\$430.07
Commercial 4-cubic yard	\$524.45
Industrial 10-cubic yard	\$585.00
Industrial 13.4-cubic yard	\$635.00
Industrial 30-cubic yard	\$700.00
Industrial 40-cubic yard	\$750.00
E. Tire Collection - Size	Per Tire Charge
36 inches and under	\$5.00
36 inches to 60 inches	\$30.00
60 inches and over	\$200.00

F. Commercial Container Cleaning

At the user's request, the City will steam clean commercial containers of 2-cubic yard and 4-cubic yard sizes. The City will also steam clean commercial compactors. The City will pick up the container or compactor, steam clean the container or compactor at the City Yard, and return the container or compactor to the user location. The charge shall be:

Container Type & Size	Charge Per Container
Commercial 2-cubic yard	\$35.00
Commercial 4-cubic yard	\$45.00
Commercial Compactor	\$100.00

G. Commercial Container Security-Locking Device

At the user's request, the City will provide a security locking device for 2-cubic yard and 4-cubic yard containers. The fee shall be \$55.00 for each locking device per container, covering materials and installation.

H. Commercial Container Casters

A fee of \$18 per caster shall be charged to the user for a damaged caster on a 2-cubic yard container or a 4-cubic yard container.

I. Industrial Container Casters

A fee of \$27.25 per caster shall be charged to the user for a damaged caster on a 13.4-cubic yard container or a 30-cubic yard container.

Part 3. Service Levels for Residential Automated Collections

A. Basic Levels

Single-family dwelling units with individual curbside refuse pickup shall each receive a 95-gallon automated refuse, a 95-gallon automated recycle container and a 95-gallon automated green waste container that will be serviced weekly.

B. Service Above Basic Levels

1. Single-family and multifamily dwelling units with weekly individual curbside service may obtain and use an additional 95-gallon automated container at a cost of \$10.00 per month, in addition to the basic service charge.
2. A special service collection fee of \$10.00 shall be charged for collection when requested by a resident for reasons not the fault of the collection personnel, including but not limited to: late set-out of container, overfilling of container, refuse in recycle container, refuse or recycle in green waste container, or green waste in recycle container

Part 4A. DNRRTS Charges for Regular Materials

Except as otherwise provided by the City Council, the fees set forth below shall be charged and collected for the use of and for the privileges and services relating to use of the Del Norte Regional Recycling and Transfer Station (DNRRTS) to process regular materials.

A. By Weight

Refuse	\$42.00 to \$50.00/ton
Greenwaste	\$42.00 to \$50.00/ton
Mixed Recyclables	\$ 0.00 to \$30.00/ton
Construction and Demolition Debris	\$49.00 to \$57.00/ton

B. By Load—Self-Haul Vehicle

Refuse	\$22.00 to \$25.00/up to one-half ton Percentage of \$42.00 to \$50.00/one-half ton or more
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Part 4B. DNRRTS Charges for Special Materials

Except as otherwise provided by the City Council, the fees set forth below shall be charged and collected for the use of and for the privileges and services relating to use of the DNRRTS to process special materials.

Hard to handle	\$100.00/ton
Special pull-offs	\$ 75.00 each
Tires:	

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Less than 36 inches	\$ 5.00 each or \$100.00/ton
36 inches to 60 inches	\$ 30.00 each
Over 60 inches	\$200.00 each

Freon extraction (Refrigerators or Air Conditioners)	\$ 20.00 each, plus disposal fee
Appliances	\$ 5.00 each

Part 4C. DNRRTS Charges for Other Special Materials

The actual cost shall be charged and collected for the use of and for the privileges and services relating to the use of the DNRRTS to process other special materials not listed in Part 4B. Except as otherwise provided by the City Council, such actual cost shall be based on the rate of \$60.00 per hour.

Part 4D. In addition to charges for regular materials in subsection A and B of Part 4A, DNRRTS shall charge a host fee of \$2.00 per ton of solid waste collected outside Oxnard city limits and delivered to DNRRTS.

Part 4E. Administration Regulations

The City Manager or designee may adopt administrative regulations to implement this ordinance.

Part 5. Billing Procedure for Monthly Service Charge for Use of City Solid Waste System.

Bills shall be computed according to the rates then in effect and the number of days in the service period at each rate.

Part 6. The provisions of this ordinance shall be applicable to all services provided or charges incurred on and after July 1, 2006. Ordinance No. 2696 is repealed by this ordinance.

Part 7. If any term, condition or provision of this ordinance is held to be invalid, void or unenforceable, the remainder of the provisions hereof shall remain in full force and effect and shall in no way be affected, impaired or invalidated thereby.

Part 8. If for any reason this ordinance is held invalid or unable to be implemented according to its terms, the City Council intends that Ordinance No. 2696, which would have been repealed by this ordinance, shall remain in effect as if this ordinance had not been adopted.

Part 9. This ordinance shall be uncodified.

Part 10. Within fifteen days after passage, the City Clerk shall cause this ordinance to be published one time in a newspaper of general circulation, published and circulated within the city. Ordinance No. _____ was first read on July 25, 2006, and finally adopted on August 1, 2006, to become effective thirty (30) days thereafter.

PASSED AND ADOPTED on this 1st day of August, 2006, by the following vote:

AYES:

NOES:

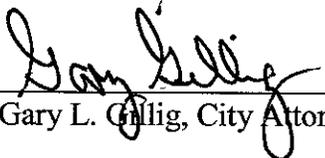
ABSENT:

Dr. Thomas E. Holden, Mayor

ATTEST:

Daniel Martinez, City Clerk

APPROVED AS TO FORM:

 07-18-06

Gary L. Gillig, City Attorney

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