

RESOLUTION NO. 11586

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
NEWARK AUTHORIZING A 5.0% INCREASE TO THE
MAXIMUM LIMIT FOR RATES FOR SOLID WASTE
COLLECTION, RECYCLING AND ORGANICS SERVICES
FOR CALENDAR YEAR 2024

WHEREAS, the Agreement between the City of Newark and Allied Waste Services of North America (Republic Services) for the collection of solid waste and recycling services dated June 1, 2023 provides for an annual rate adjustment effective January 1 of each year; and

WHEREAS, the Franchise Agreement with Republic Services includes an annual index based adjustment that involves applying prescribed formulas to calculate rate adjustments due to changes in specific indices including Consumer Price Index for water and sewer and trash collection, a compressed natural gas service index, and an increase in disposal costs at the Fremont Transfer Station; and

WHEREAS, Staff, using the indexbased adjustment methodology identified above, determined that the total proposed rate increase is 5.20%, with a contracted cap of 5.0%.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Newark that, in accordance with the Franchise Agreement, dated June 1, 2023, between the City of Newark and Republic Services for solid waste collection, recycling and organics services, and pursuant to the Newark Municipal Code, fees and rates for solid waste collection, recycling and organics services shall not exceed that established in New Exhibit L attached hereto and incorporated herein by reference, which is made a part hereof as though set forth at length;

BE IT FURTHER RESOLVED that any portion of Resolution No. 11,492 setting maximum for fees and rates for solid waste collection, recycling and organics services is hereby rescinded and that if any provisions contained herein are found to be in conflict with provisions of Resolution No. 11,492 or any other previous resolution, the provisions herein shall prevail.

I HEREBY CERTIFY the foregoing resolution was introduced at a regular meeting of the City Council of the City of Newark held on November 9, 2023, by Council Member Freitas who moved its adoption and passage, which motion was carried after being duly seconded, and passed by the following vote:

AYES: Council Members Bucci, Freitas, Jorgens, Vice Mayor Collazo, and Mayor Hannon
NOES: None
ABSENT: None
SECONDED: Vice Mayor Collazo

APPROVED:



MICHAEL K. HANNON
Mayor

ATTEST:



SHEILA HARRINGTON

City Clerk

APPROVED AS TO FORM:



KRISTOPHER J. KOKOTAYLO

City Attorney

NEW EXHIBIT L
Maximum Rates Approved by City for Rate Period Two
(Effective January 1, 2024)

All references to Contractor and the Maximum Rates established herein are as a result of City’s contract for collection of garbage, recyclables, and organic materials and shall be deemed Maximum Rates as established by City effective June 1, 2023.

A. SINGLE-FAMILY CART SERVICE

Single-Family Customers include single-family premises and each unit of a duplex, triplex, townhouse or condominium which receives individual Cart collection services.

CURBSIDE SERVICES	CONTAINER SIZE			
	20 GAL	32 GAL	64 GAL	96 GAL
(A) Basic Service	\$38.75	\$43.05	\$76.25	\$109.44
(B) Lifeline/Senior Rate	\$32.93	\$36.61	\$64.81	\$93.00
(C) Extra Solid Waste Cart	n/a	\$25.84	\$45.73	\$65.60
(D) Extra Yardwaste Cart	n/a	n/a	\$10.76	n/a
(E) Extra Recyclables Cart	n/a	n/a	\$6.47	n/a

*BACKYARD SERVICES	CONTAINER SIZE			
	20 GAL	32 GAL	64 GAL	96 GAL
(A) Basic Service	\$58.11	\$64.58	\$114.39	\$164.15
(B) Lifeline/Senior Rate	\$49.38	\$54.87	\$97.23	\$139.51
(C) Extra Solid Waste Cart	n/a	\$38.76	\$68.60	\$98.43
(D) Extra Yardwaste Cart	n/a	n/a	\$38.76	n/a
(E) Extra Recyclables Cart	n/a	n/a	\$38.76	n/a

(A) Basic Service

Weekly curbside collection of refuse, recyclables and yard waste in containers provided by the Contractor. Customers may select their level of refuse service according to the container options available. All customers will be issued a 64-gallon container for yardwaste and food scraps collection and a 64-gallon container for recyclables collection.

(B) Lifeline and Senior Rates

Weekly curbside collection of refuse, recyclables and yard waste in containers provided by the Contractor. Customers may select their level of refuse service according to the container options available. All customers will be issued a 64-gallon container for yardwaste and food scraps collection and a 64-gallon container for recyclables collection. These rates will be available for eligible, low-income customers demonstrating that they receive assistance under PG&E’s Low Income Rate Payer Assistance program. These rates will also be available for senior citizens, age 65 and above.

(C,D,E) Additional Containers

Customers may subscribe to additional weekly refuse, yard waste or recycling service by requesting one or more extra Carts in the sizes listed above.

*Backyard services are available for an additional cost. Drivers cannot services containers behind locked gates or structures. Disabled residents may apply for an exemption from the additional fee.

NEW EXHIBIT L

Maximum Rates Approved by City for Rate Period Two

B. MULTI-FAMILY CART SERVICE

Multi-Family Customers include any Residential premises (other than Single-Family Premises), which have centralized collection services. Each unit of a duplex, triplex, townhouse or condominium that receives individual collection services is considered a Single-Family Premises and charged Single-Family Rates.

CART SIZE	MATERIAL	COLLECTIONS PER WEEK					
		1X	2X	3X	4X	5X	6X
32-Gallons	Refuse	\$32.78	\$66.87	\$102.26	\$138.96	\$177.00	\$216.32
64-Gallons	Refuse	\$58.02	\$118.36	\$181.00	\$245.99	\$313.31	\$382.89
96-Gallons	Refuse	\$83.27	\$169.84	\$259.76	\$353.00	\$449.56	\$549.47
32-Gallons	Recyclables	\$16.38	\$33.42	\$51.16	\$69.49	\$88.50	\$108.17
64-Gallons	Recyclables	\$28.99	\$59.17	\$90.51	\$122.99	\$156.65	\$191.47
96-Gallons	Recyclables	\$41.64	\$84.93	\$129.90	\$176.51	\$224.77	\$274.74
32-Gallons	Yardwaste	\$24.59	\$50.15	\$76.70	\$104.24	\$132.74	n/a
64-Gallons	Yardwaste	\$43.50	\$88.78	\$135.74	\$184.50	\$234.96	n/a
96-Gallons	Yardwaste	\$62.45	\$127.39	\$194.81	\$264.73	\$337.20	n/a

C. MULTI-FAMILY FRONT-LOAD BIN AND COMPACTOR SERVICE

Multi-Family Customers include any Residential premises (other than Single-Family Premises), which have centralized collection services. Each unit of a duplex, triplex, townhouse or condominium that receives individual collection services is considered a Single-Family Premises and charged Single-Family Rates.

REFUSE BINS*	COLLECTIONS PER WEEK					
	1X	2X	3X	4X	5X	6X
1 cubic yard container	\$174.47	\$355.81	\$544.35	\$739.53	\$942.11	\$1,151.21
2 cubic yard container	\$326.49	\$666.00	\$892.27	\$1,384.27	\$1,763.00	\$2,154.76
3 cubic yard container	\$461.58	\$860.07	\$1,258.76	\$1,846.25	\$2,307.82	\$2,769.34
4 cubic yard container	\$604.82	\$1,136.28	\$1,667.96	\$2,419.27	\$3,024.11	\$3,628.89
6 cubic yard container	\$903.81	\$1,701.21	\$2,498.46	\$3,615.15	\$4,518.96	\$5,422.75
7 cubic yard container	\$1,036.79	\$1,967.03	\$3,110.33	\$4,147.10	\$5,183.85	\$6,220.65

RECYCLING BINS**	COLLECTIONS PER WEEK					
	1X	2X	3X	4X	5X	6X
1 cubic yard container	\$69.79	\$142.34	\$217.74	\$295.82	\$376.85	\$460.50
2 cubic yard container	\$130.62	\$266.41	\$356.90	\$553.71	\$705.19	\$861.89
3 cubic yard container	\$184.61	\$344.02	\$503.51	\$738.50	\$923.11	\$1,107.73
4 cubic yard container	\$241.94	\$454.52	\$667.19	\$967.72	\$1,209.65	\$1,451.55
6 cubic yard container	\$361.52	\$680.48	\$999.38	\$1,446.06	\$1,807.60	\$2,169.10
7 cubic yard container	\$414.73	\$786.80	\$1,244.13	\$1,658.84	\$2,073.55	\$2,488.26

YARD WASTE BINS**	COLLECTIONS PER WEEK					
	1X	2X	3X	4X	5X	6X
1 cubic yard container	\$130.84	\$266.87	\$408.24	\$554.66	\$706.58	\$0.00
2 cubic yard container	\$244.87	\$499.51	\$669.19	\$1,038.20	\$1,322.22	\$0.00
3 cubic yard container	\$346.17	\$645.09	\$944.07	\$1,384.69	\$1,730.84	\$0.00

*Customer owned front-load refuse compactors will be charged 2 times the refuse bin rates listed in the above table.

**Customer owned front-load recycling compactors will be charged 50% of the refuse bin rates listed the above table.

NEW EXHIBIT L
Maximum Rates Approved by City for Rate Period Two

D. COMMERCIAL CART SERVICE

CART SIZE	MATERIAL	COLLECTIONS PER WEEK					
		1X	2X	3X	4X	5X	6X
32-Gallons	Refuse	\$32.78	\$66.87	\$102.26	\$138.96	\$177.00	\$216.32
64-Gallons	Refuse	\$58.02	\$118.36	\$181.00	\$245.99	\$313.31	\$382.89
96-Gallons	Refuse	\$83.27	\$169.84	\$259.76	\$353.00	\$449.56	\$549.47
32-Gallons	Recyclables	\$16.38	\$33.42	\$51.16	\$69.49	\$88.50	\$108.17
64-Gallons	Recyclables	\$28.99	\$59.17	\$90.51	\$122.99	\$156.65	\$191.47
96-Gallons	Recyclables	\$41.64	\$84.93	\$129.90	\$176.51	\$224.77	\$274.74
32-Gallons	Yardwaste	\$24.59	\$50.15	\$76.70	\$104.24	\$132.74	n/a
64-Gallons	Yardwaste	\$43.50	\$88.78	\$135.74	\$184.50	\$234.96	n/a
96-Gallons	Yardwaste	\$62.45	\$127.39	\$194.81	\$264.73	\$337.20	n/a

E. COMMERCIAL FRONT-LOAD BIN AND COMPACTOR SERVICE

REFUSE BINS*	COLLECTIONS PER WEEK					
	1X	2X	3X	4X	5X	6X
1 cubic yard container	\$174.47	\$355.81	\$544.35	\$739.53	\$942.11	\$1,151.21
2 cubic yard container	\$326.49	\$666.00	\$892.27	\$1,384.27	\$1,763.00	\$2,154.76
3 cubic yard container	\$461.58	\$860.07	\$1,258.76	\$1,846.25	\$2,307.82	\$2,769.34
4 cubic yard container	\$604.82	\$1,136.28	\$1,667.96	\$2,419.27	\$3,024.11	\$3,628.89
6 cubic yard container	\$903.81	\$1,701.21	\$2,498.46	\$3,615.15	\$4,518.96	\$5,422.75
7 cubic yard container	\$1,036.79	\$1,967.03	\$3,110.33	\$4,147.10	\$5,183.85	\$6,220.65

RECYCLING BINS**	COLLECTIONS PER WEEK					
	1X	2X	3X	4X	5X	6X
1 cubic yard container	\$69.79	\$142.34	\$217.74	\$295.82	\$376.85	\$460.50
2 cubic yard container	\$130.60	\$266.41	\$356.90	\$553.71	\$705.19	\$861.89
3 cubic yard container	\$184.61	\$344.02	\$503.51	\$738.50	\$923.11	\$1,107.73
4 cubic yard container	\$241.94	\$417.27	\$667.19	\$967.72	\$1,209.65	\$1,451.55
6 cubic yard container	\$361.52	\$680.48	\$999.38	\$1,446.06	\$1,807.60	\$2,169.10
7 cubic yard container	\$414.73	\$786.80	\$1,244.13	\$1,658.84	\$2,073.55	\$2,488.26

YARD WASTE BINS**	COLLECTIONS PER WEEK					
	1X	2X	3X	4X	5X	6X
1 cubic yard container	\$130.84	\$266.87	\$408.24	\$554.66	\$706.58	\$0.00
2 cubic yard container	\$244.87	\$499.51	\$669.19	\$1,038.20	\$1,322.22	\$0.00
3 cubic yard container	\$346.17	\$645.09	\$944.07	\$1,384.69	\$1,730.84	\$0.00

*Customer owned front-load refuse compactors will be charged 2 times the refuse bin rates listed in the above table.
 **Customer owned front-load recycling compactors will be charged 50% of the refuse bin rates listed the above table.

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F. COMMERCIAL ORGANIC SERVICES & RATES

REFUSE BINS*	COLLECTIONS PER WEEK					
	1X	2X	3X	4X	5X	6X
1 cubic yard container	\$167.96	\$342.52	\$524.01	\$711.90	\$906.90	\$1,108.19
2 cubic yard container	\$314.29	\$641.13	\$858.92	\$1,332.57	\$1,697.14	\$2,074.29
32 or 64 Gallon Commercial	\$55.85	\$113.93	\$174.24	\$236.81	\$301.58	\$368.58

G. DROP BOX CONTAINERS AND COMPACTOR SERVICES

DROP BOX SIZES	Tonnage Limit Per Pick-Up*	REFUSE	RECYCLING	YARDWASTE
6 cubic yard Drop Box	2.0	\$613.53	n/a	n/a
14 cubic yard Drop Box	2.0	\$613.53	\$306.75	\$460.11
20 cubic yard Drop Box	3.0	\$775.46	\$387.74	\$581.61
30 cubic yard Drop Box	5.0	\$1,099.39	\$549.71	\$824.54
40 cubic yard Drop Box	6.0	\$1,261.34	\$630.69	\$946.03
Excess Tonnage Rate	n.a.	\$161.99	\$97.09	\$97.09

CUSTOMER-OWNED COMPACTORS	Tonnage Limit Per Pick-Up*	REFUSE	RECYCLING	YARDWASTE
6 cubic yard Compactor	1.2	\$534.14	\$267.08	\$400.59
15 cubic yard Compactor	3.0	\$1,068.28	\$534.14	\$801.21
20 cubic yard Compactor	4.0	\$1,424.36	\$712.16	\$1,068.28
25 cubic yard Compactor	5.0	\$1,780.43	\$890.23	\$1,335.34
30 cubic yard Compactor	6.0	\$2,136.53	\$1,068.28	\$1,602.41
35 cubic yard Compactor	7.0	\$2,492.64	\$1,246.34	\$1,869.47
40 cubic yard Compactor	8.0	\$2,848.72	\$1,424.36	\$2,136.53
Excess Tonnage Rate	n.a.	\$161.99	\$97.09	\$97.09

If tonnage collected is greater than the tonnage limit listed in the above table, contractor may charge for tonnage in excess of the tonnage limit at the per-ton rate specified.

H. CONSTRUCTION AND DEMOLITION DEBRIS BOX SERVICE

DROP BOX SIZES	MATERIAL	BASE RATE PER PICK-UP	PER TON RATE*
6 cubic yard Drop Box	Dirt	\$381.62	\$63.45
6 cubic yard Drop Box	Concrete	\$381.62	\$63.45
14 cubic yard Drop Box	Wood	\$381.62	\$90.63
20 cubic yard Drop Box	Wood	\$381.62	\$90.63
30 cubic yard Drop Box	Wood	\$381.62	\$90.63
40 cubic yard Drop Box	Wood	\$381.62	\$90.63
14 cubic yard Drop Box	Recyclable C&D	\$381.62	\$118.43
20 cubic yard Drop Box	Recyclable C&D	\$381.62	\$118.43
30 cubic yard Drop Box	Recyclable C&D	\$381.62	\$118.43
40 cubic yard Drop Box	Recyclable C&D	\$381.62	\$118.43

*Contractor will charge customer for actual tonnage collected at the per-ton rate listed in the above table.

NEW EXHIBIT L
Maximum Rates Approved by City for Rate Period Two

I. ADDITIONAL SERVICES & RATES

ADDITIONAL SERVICES	RATE
Cost of pre-paid solid waste overage bags	\$15.51
Cost of pre-paid yardwaste overage bags	\$15.51
Extra On-Call Bulky Cleanup (more than three per year)	\$116.52
Cart replacement cost (more than once per year)	\$116.52
Cart delivery/pick-up (more than once per year)	\$77.66
Lost lock per container, per occurrence	\$46.58
Steam cleaning Bin/Cart (charge per visit)	\$194.19
Hourly Trip Charge (if driver must return due to Customer/Generator error, such as failure to place Container at point of Collection before Collection time, overfilled Container, incorrect Container placement, contaminated materials)	\$132.05
Push/pull charge (Per- Mo, Per-50 Ft, Per Cart, Per Pick-up)	\$31.07
Lock/unlock charge (Per- Mo, Per-50 Ft, Per Cart, Per Pick-up)	\$9.00
Extra refuse bin collection (per cubic yard rate per pick-up)	\$38.68
Extra recycling bin collections (per cubic yard rate per pick-up)	\$19.33
Extra yard waste bin collections (per cubic yard rate per pick-up)	\$29.00
Bin Lock Installation (new lock) per container, per occurrence	\$46.58
Container relocation charge per container, per occurrence	\$132.05
Daily drop box demurrage charge (rental charge if customer keeps Box longer than 7-days without pick-up or return)	\$36.63
Drop box placement charge	\$100.99
Drop box relocation charge	\$132.05
Drop box cancellation service	\$132.05
Drop box overage charge - Refuse (For Each Ton In Excess of Limits)	\$161.99
Drop box overage charge - Recyclables (For Each Ton In Excess of Limits)	\$97.09
Drop box overage charge - Yardwaste (For Each Ton In Excess of Limits)	\$97.09
Restart charge after 120-days late and service reduction	\$46.58
Late charge after 60-days past due	1.50%
Insufficient funds charge	\$46.58
Overflow extra yard charge	\$47.45
Contamination charge (after issuance of warning notices)	\$23.74
Contamination charge (after issuance of warning notices) for regular bin service - 1 cu	\$32.41
Contamination charge (after issuance of warning notices) for regular bin service - 2 cu	\$64.74
Contamination charge (after issuance of warning notices) for regular bin service - 3 cu	\$96.06
Contamination charge (after issuance of warning notices) for regular bin service - 4 cu	\$126.56
Contamination charge (after issuance of warning notices) for regular bin service - 6 cu	\$189.74
Contamination charge (after issuance of warning notices) for regular bin service - 7 cu	\$221.44
Contamination charge (after issuance of warning notices) for regular bin service - 8 cu	\$253.06