



## **STAFF REPORT TO THE CITY COUNCIL**

**DATE:** Regular Meeting of April 23, 2019

**TO:** Members of the City Council

**SUBMITTED BY:** David Biggs, City Manager  
Mike Roberts, Public Works Director

**SUBJECT:** Update to Solid Waste Collection Rates to Include Contamination Charges

**RECOMMENDED ACTION:** Adopt a Resolution to Update the Solid Waste Collection Rates to Include the Imposition of Recycling and Green Waste Contamination Charges.

**FISCAL IMPACT OF RECOMMENDATION:** There is no fiscal impact for the City as a result of this item.

**DISCUSSION:** On March 12, 2019, the City Council received a report on recycling from Republic Services and the staff report from that meeting is provided as Attachment 2. Republic's report also provided an update on the on-going audit of recycling bins. Concern was expressed by the City Council as to what authority Republic has to levy the contamination charge associated with the contamination of recycling bins. At that meeting, the City requested that Republic suspend their recycling audits until such time as the authority for the contamination charge could be determined.

The City Attorney's Office has reviewed the matter and has determined that it is unclear as to what authority the contamination charge is levied. The City's current approved fee resolution regarding solid waste collection as adopted in January 2019 is silent on the matter, as is the Franchise Agreement.

While Republic has stated that their ability to levy the contamination charge is solely within their purview, Republic did consent recently to the City of Richmond adding the contamination charge to their approved solid waste fee schedule, which was done by Richmond on April 2, 2019. As such, City staff recommends that the City of Hercules add the contamination charge to the City's listing for collection rates and a resolution doing so has been prepared for consideration by the City Council. Adoption of this resolution would allow for the contamination audits to recommence.

### **ATTACHMENTS:**

1. Resolution
2. Staff Report from March 12, 2019

***Financial Impact***

**Description:**

**Funding Source:**

**Budget Recap:**

Total Estimated cost:	\$	New Revenue:	\$
Amount Budgeted:	\$	Lost Revenue:	\$
New funding required:	\$	New Personnel:	\$
Council Policy Change:	Yes <input type="checkbox"/> No <input type="checkbox"/>		