
**A RESOLUTION ADOPTING ADJUSTED GARBAGE AND RECYCLING
SERVICE RATES FOR WASTE MANAGEMENT EFFECTIVE AUGUST 1,
2013**

RECITALS:

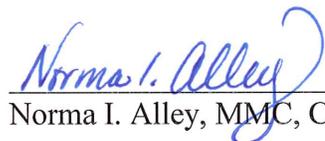
1. The City has an exclusive franchise with Waste Management (WM) for the hauling of garbage as well as the collection of recyclable materials within the City. Section 1 & 2 of the Franchise Agreement between WM and the City gives the City the right to regulate and fix rates. An excerpt from the Franchise Agreement outlining Authorized Rates is hereby attached as Exhibit "B" and by this reference incorporated.
2. WM acquired Newberg Garbage and Recycling Service, Inc. in the latter part of 2009. The Council approved the Consent to Transfer the franchise from Newberg Garbage and Recycling Service, Inc. to WM on January 18, 2010, pursuant to Resolution No. 2010-2882.
3. Resolution No. 1999-2160 adopted January 19, 1999, requiring the garbage rates be reviewed every two (2) years.

THE CITY OF NEWBERG RESOLVES AS FOLLOWS:

1. The garbage and recycling rates for individual services proposed by Waste Management (WM) is a 4.7% general rate increase as shown in Exhibit "A" is hereby attached and by this reference adopted.
2. The 4.7% general rate increase will take effect on August 1, 2013.

➤ **EFFECTIVE DATE** of this resolution is the day after the adoption date, which is: June 18, 2013.

ADOPTED by the City Council of the City of Newberg, Oregon, this 17th day of June, 2013.



Norma I. Alley, MMC, City Recorder

ATTEST by the Mayor this 20th day of June, 2013.



Bob Andrews, Mayor

Exhibit "A"
to Resolution No. 2013-3054

City of Newberg Garbage and Recycling Rates
Current and Proposed as of 7/1/2013

Residential Service				
Monthly Rate				
Weekly Curbside Service	Current Rate	Proposed Rate with 4.7%	Difference	Proposed Rate with Glass
20 gallon cart	\$17.65	\$18.48	\$0.83	\$19.23
35 gallon cart	\$19.03	\$19.92	\$0.89	\$20.67
35 gallon cart - Each additional	\$12.95	\$13.56	\$0.61	\$14.31
35 gallon cart (Non-Curb garbage only)	\$20.90	\$21.88	\$0.98	\$22.63
64 gallon cart	\$23.40	\$24.50	\$1.10	\$25.25
96 gallon cart	\$25.71	\$26.92	\$1.21	\$27.67
additional Recycling / Yard Debris cart	\$2.97	\$3.11	\$0.14	\$3.86
Recycling only - Every other week	\$7.08	\$7.41	\$0.33	\$8.16
Monthly Curbside Service				
35 gallon cart	\$13.93	\$14.58	\$0.65	\$15.33

Every Other Week recycling & yard debris service is included with garbage service.

Multiple Residential Units and Mobile Parks Service (Five or more units) Single Billing				
Monthly Rate				
Weekly Curbside Service	Current Rate	Proposed Rate with 4.7%	Difference	Proposed Rate with Glass
20 gallon cart	\$15.88	\$16.63	\$0.75	\$17.38
35 gallon cart	\$17.33	\$18.14	\$0.81	\$18.89
35 gallon cart (Non-Curb garbage only)	\$19.03	\$19.92	\$0.89	\$20.67
96 gallon cart	\$25.71	\$26.92	\$1.21	\$27.67
Each additional 35 gallon cart	\$11.39	\$11.93	\$0.54	\$12.68
Recycling only	\$7.08	\$7.41	\$0.33	\$8.16
Monthly Curbside Service				
35 gallon cart	\$13.93	\$14.58	\$0.65	\$15.33

Every Other Week recycling & yard debris service is included with garbage service.

Additional Rates			
Service			
Extra On Service Day	Current Rate	Proposed Rate	Difference
Regular Customer - additional 32 gal equivalent can curbside	\$2.84	\$2.97	\$0.13
Regular Customer - additional 32 gal equivalent can non-curbside	\$3.46	\$3.62	\$0.16
On Call Customer - 32 gallon equivalent	\$7.60	\$7.96	\$0.36
Regular Customer - Yard Debris - 32 gal equivalent	\$3.12	\$3.27	\$0.15
Extra - Non-Service Day			
Go Back Charge - Per Cart	\$6.74	\$7.06	\$0.32
Bulky Items - Hourly plus disposal			
Truck - Hourly rate (one person)	\$75.52	\$79.07	\$3.55
Truck - Hourly rate (two people)	\$94.40	\$98.84	\$4.44
Weekly Walk in Rate - per foot after first 50 feet	\$0.01	\$0.01	\$0.00
Recycling Contamination Charge	\$10.24	\$10.72	\$0.48
Cart Exchange Fee	\$11.38	\$11.91	\$0.53
Overweight Charge	\$2.52	\$2.64	\$0.12
Restart Fee - Service stopped for Non-payment	\$11.38	\$11.91	\$0.53
NSF - Non Sufficient Funds	\$20.00	\$20.94	\$0.94

Commercial						
Monthly Rate - Regular Service	Current Rate		Proposed rate		Difference	
Regular Weekly Service	One Stop/Week	Each Additional Stop/Week	One Stop/Week	Each Additional Stop/Week	One Stop/Week	Each Additional Stop/Week
35 gallon cart	\$22.05		\$23.09		\$1.04	
64 gallon cart	\$24.53		\$25.68		\$1.15	
96 gallon cart	\$26.85		\$28.11		\$1.26	
1 yard container	\$78.23	\$59.18	\$81.91	\$61.96	\$3.68	\$2.78
1.5 yard container	\$106.27	\$93.36	\$111.26	\$97.75	\$4.99	\$4.39
2 yard container	\$135.58	\$121.04	\$141.95	\$126.73	\$6.37	\$5.69

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City of Newberg Garbage and Recycling Rates Current and Proposed as of 7/1/2013

3 yard container	\$193.19	\$171.02	\$202.27	\$179.06	\$9.08	\$8.04
4 yard container	\$253.71	\$216.73	\$265.63	\$226.92	\$11.92	\$10.19
5 yard container	\$311.01	\$259.86	\$325.63	\$272.07	\$14.62	\$12.21
6 yard container	\$403.17	\$308.12	\$422.12	\$322.60	\$18.95	\$14.48
Yard Debris 96 gallon cart EOW	\$7.08		\$7.41		\$0.33	

Temporary Service	Current Rate		Proposed rate		Difference	
	One Stop/Week	Each Additional Stop/Week	One Stop/Week	Each Additional Stop/Week	One Stop/Week	Each Additional Stop/Week
1.5 yard container	\$35.41	\$25.41	\$37.07	\$26.60	\$1.66	\$1.19
2 yard container	\$44.92	\$34.26	\$47.03	\$35.87	\$2.11	\$1.61
3 yard container	\$60.08	\$48.61	\$62.90	\$50.89	\$2.82	\$2.28
4 yard container	\$74.88	\$64.14	\$78.40	\$67.15	\$3.52	\$3.01

Monthly Rate Commingled Recycling Service						
For Additional Commercial Recycling, Drop Box Recycling, and Recycling Only Customers						
Regular Weekly Service	Current Rate		Proposed rate		Difference	
	One Stop/Week	Each Additional Stop/Week	One Stop/Week	Each Additional Stop/Week	One Stop/Week	Each Additional Stop/Week
96 gallon cart	\$9.75	\$8.30	\$10.21	\$8.69	\$0.46	\$0.39
1 yard container	\$31.65	\$26.90	\$33.14	\$28.16	\$1.49	\$1.26
1.5 yard container	\$41.35	\$35.15	\$43.29	\$36.80	\$1.94	\$1.65
2 yard container	\$51.80	\$44.05	\$54.23	\$46.12	\$2.43	\$2.07
3 yard container	\$72.10	\$61.30	\$75.49	\$64.18	\$3.39	\$2.88
4 yard container	\$94.00	\$79.90	\$98.42	\$83.66	\$4.42	\$3.76
5 yard container	\$114.10	\$97.00	\$119.46	\$101.56	\$5.36	\$4.56
6 yard container	\$153.40	\$130.40	\$160.61	\$136.53	\$7.21	\$6.13

Commingled recycling is included with regular service up to two times the garbage volume.

Dropbox						
Disposal Rates	Current Rate		Proposed rate		Difference	
	Loose Rate	Compacted Rate	Loose Rate	Compacted Rate	Loose Rate	Compacted Rate
10 yard	\$187.67	\$299.69	\$196.49	\$313.78	\$8.82	\$14.09
15 yard		\$400.48		\$419.30	\$0.00	\$18.82
20 yard	\$309.60	\$492.73	\$324.15	\$515.89	\$14.55	\$23.16
25 yard		\$618.36		\$647.42	\$0.00	\$29.06
30 yard	\$456.38	\$710.61	\$477.83	\$744.01	\$21.45	\$33.40
40 yard	\$595.08	\$920.43	\$623.05	\$963.69	\$27.97	\$43.26

Permanent Drop box Rental Rates			
Container Size	Current Rate	Proposed Rate	Difference
20 yard	\$50.92	\$53.31	\$2.39
30 yard	\$63.94	\$66.95	\$3.01
40 yard	\$68.15	\$71.35	\$3.20
Screen Lid	\$12.23	\$12.80	\$0.57
Metal Covered Lid	\$15.41	\$16.13	\$0.72
Demurrage - daily fee	\$5.02	\$5.26	\$0.24

Additional Rate Information	Current Rate	Proposed Rate	Difference
Delivery Charge - First Box	\$18.88	\$19.77	\$0.89
One drop box truck (one person) hourly rate	\$81.81	\$85.66	\$3.85
One drop box truck & trailer (one person) hourly rate	\$100.69	\$105.42	\$4.73
Mileage - per mile over 10 miles round trip	\$2.08	\$2.18	\$0.10

Note;

Drop boxes must be loaded to the point where the loaded vehicle will not exceed truck weight laws, or to the point where the drop box can not be dumped by normal dumping methods. Additional fees may apply for cost of penalties that are incurred due to overweight drop boxes.

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City of Newberg Garbage and Recycling Rates Current and Proposed as of 7/1/2013

Drop boxes shall not be loaded above the top of the box.

Weekend service for drop boxes shall be at 1.5 times the regular rate and shall be arranged prior to the service

Other Special Rates				
Additional Rate Information				
Tires	Current Rate	Proposed Rate		Difference
Car tire - on or off rim	\$2.89	\$3.03	plus processing fee	\$0.14
Truck tire - on or off rim	\$2.89	\$3.03	plus processing fee	\$0.14

Note;

Tenants are responsible for waste collection fees (unless separate payment arrangements are made by the landlord).

Definition of extra; bundles, bags, sacks, and other - based on volume, securely tied and limited to 60 lbs. (1.5 x 1.5 x 4 feet will be equivalent to a full garbage carts

Plastic Bags securely tied and limited to 30 lbs. will be equivalent to a full garbage can. Plastic bags to be used for occasional additional garbage, not as full-time garbage service container.

Medical - Commercial Customers Only							
Container Sales	Current Rate		Proposed rate		Difference		
	1 - 2 Containers	3 or More	1 - 2 Containers	3 or More	1 - 2 Containers	3 or More	
17 gallon tub	\$34.32	\$25.59	\$35.93	\$26.79	\$1.61	\$1.20	
23 gallon box	\$36.88	\$27.63	\$38.61	\$28.93	\$1.73	\$1.30	
31 gallon tub	\$38.10	\$28.55	\$39.89	\$29.89	\$1.79	\$1.34	
43 gallon tub	\$42.96	\$33.29	\$44.98	\$34.85	\$2.02	\$1.56	
30 gallon box	\$45.96	\$32.90	\$48.12	\$34.45	\$2.16	\$1.55	

Exhibit "B"
to Resolution No. 2013-3054

Excerpt from Franchise Agreement outlining Authorized Rates. Entire Agreement will be furnished upon request.

AN EXCLUSIVE FRANCHISE AGREEMENT
TO PROVIDE SOLID WASTE SERVICES
WITHIN THE CITY OF NEWBERG

This EXCLUSIVE FRANCHISE AGREEMENT ("Franchise") is made and entered into between THE CITY OF NEWBERG ("City") and WASTE MANAGEMENT OF OREGON, INC. ("Franchisee"). The parties will be collectively referred to herein as the "Parties" and individually as a "Party," unless specifically identified otherwise. This Franchise will be effective upon the "Effective Date," as defined below.

1. AUTHORIZED RATES. The City expressly reserves the right to set and regulate the rates for the Services to be rendered hereunder by the Franchisee such that the rates are reasonable and in the public's interest. Franchisee will provide the Services under this Franchise for the rates set forth in the Service Rate Schedule attached hereto and incorporated herein as *Exhibit B*, as the same may be adjusted in accordance with this Section and Section 2 below. City may require changes in the Services or the addition of new services and Franchisee will comply with such changes, provided that if such changes result in increases in cost to Franchisee, Franchisee will have the right to receive a special rate adjustment pursuant to Section 2 of this Franchise.

2. REVISIONS TO AUTHORIZED RATES.

2.1. The Council may, from time to time, by resolution, revise the Service Rate Schedule, *Exhibit B*. The City or the Franchisee may request a rate revision whenever a significant change in revenue or expenses occurs or is anticipated. In the event the Franchisee requests a rate revision, the City will consider such request in good faith and will act upon the request without undue delay, but in no case later than 120 days from the date the request was made.

2.2. In determining reasonable rates, Council will consider all relevant factors, and the Parties will work in good faith to develop and adjust rates, as necessary, to allow Franchisee to earn a reasonable rate of return. Council will give due consideration to current and projected revenue and allowable expenses; the cost of acquiring and replacing equipment; the net cost of reuse and recycling; and such other factors as the Council deems relevant. Council may consider rates established by other jurisdictions for similar service under the same or similar service conditions. Council will provide the public opportunity to comment on a proposed rate increase as required by ORS 294.160.

2.3. Franchisee will be entitled to increase the rates and City will approve such increases if the City increases the Franchise Fee as provided in Section 8.2 below. Franchisee will be entitled to an increase in rates sufficient to recover the increase in the Franchise Fee.

2.4. When a new or unusual solid waste service, not included in the Service Rate Schedule, is requested, the Franchisee may establish a reasonable rate for providing such service. However, if such service is provided for more than six (6) months, the Franchisee will obtain the approval of the City Manager.

2.5. All books, records, accounts and data relating to collection service operations conducted within the city by the Franchisee are subject to inspection and audit by the city.

2.6. All revisions to the Service Rate Schedule, *Exhibit B*, will be approved by resolution of Council and a minimum of a 30-day notice will be provide by Franchisee to the customers.