

December 6, 2005

Honorable Mayor and Members of
the Hermosa Beach City Council

Regular Meeting of
December 13, 2005

**APPROVAL OF FIRST AMENDMENT TO AGREEMENT FOR SOLID WASTE
AND RECYCLABLES COLLECTION, PROCESSING AND DISPOSAL
SERVICE BETWEEN THE CITY OF HERMOSA BEACH AND
CONSOLIDATED DISPOSAL SERVICE**

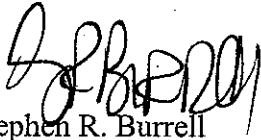
Recommendation:

That the City Council approve the contract amendment and authorize the City Manager to sign on behalf of the City.

Background:

The City Council, at its meeting of April 12, 2005, approved the program changes that have resulted in the start of the Commercial Account Recycling Programs and the Waste to Energy Program. These programs have been implemented consistent with our approved plan to meet the mandatory AB939 50% diversion requirement. These programs resulted in a cost increase of 11.8%. The attached First Amendment has been prepared by the City Attorney to be consistent with your action on April 12, 2005. Copies of the April 12, 2005 report and minutes are attached.

Respectfully submitted,



Stephen R. Burrell
City Manager

FIRST AMENDMENT TO AGREEMENT FOR SOLID WASTE AND
RECYCLABLES COLLECTION, PROCESSING AND DISPOSAL SERVI
BETWEEN THE CITY OF HERMOSA BEACH AND CONSOLIDATED
DISPOSAL SERVICE

THIS FIRST AMENDMENT TO AGREEMENT ("Amendment") is made and entered into this ___ day of _____, 2005, by and between the City of Hermosa Beach, a municipal corporation ("City") and Consolidated Disposal Service, a California corporation ("Contractor").

R E C I T A L S

A. City and Contractor are parties to an Agreement for Solid Waste and Recyclables Collection, Processing and Disposal Services dated September 11, 2001 ("Agreement").

B. The Agreement provides that Contractor will establish recycling programs for commercial businesses in the City.

C. Contractor has proposed a commercial recycling program and an adjustment of collection rates for that program, and the Parties have agreed upon the terms and rates to be charged for commercial recycling services and mutually desire to memorialize those terms herein.

NOW, THEREFORE, in consideration of the foregoing, the parties agree as follows:

1. Paragraph 3.9.2 of the Agreement is amended in its entirety to read as follows:

3.9.2 Collector shall institute a commercial recycling toter program commencing June 1, 2005 for the collection of source separated papers, cans, bottles and flattened cardboard. Collector shall make this program available to all Commercial/Industrial Premises in the City. Not later than June 1, 2005, Collector shall institute a 5% commercial trash to transformation program pursuant to which Collector shall transport commercial trash to the Long Beach Waste to Energy Facility ("SERRF"). In coordination and cooperation with City efforts, Collector shall use its best efforts to promote

the use of Recycling services to Commercial/Industrial Premises.

2. Exhibit B of the Agreement is replaced in its entirety by a new Exhibit B attached hereto and incorporated herein by reference.

Except as modified above, the Agreement and each and every term and provision thereof remains in full force and effect.

CITY OF HERMOSA BEACH

By: _____
City Manager

ATTEST:

By: City Clerk

CONSOLIDATED
SERVICE

DISPOSAL

By: General Manager
(SEAL)

April 6, 2005

**Honorable Mayor and Members
of the Hermosa Beach City Council**

**Regular Meeting of
April 12, 2005**

SUBJECT: FY 04-05 CONTRACT AMENDMENT FOR CONSOLIDATED DISPOSAL SERVICES

Recommendation:

That the City Council approve a contract amendment for FY 04-05 for Consolidated Disposal Services (CDS).

Background:

For several years, the City has been working with Eugene Tseng & Associates (ETA) on measures to achieve compliance with the mandatory 50% waste diversion rate under AB939. Despite implementing many programs, the City's diversion rate had fallen from its previous high of 47% to 32% and the City was issued a compliance order by the California Integrated Waste Management Board in November 2004. On October 12, 2004 the City Council reviewed and approved several implementation programs to help the City achieve its diversion goals. Since that time, ETA and CDS have been assisting the City in the preparation of a work plan, meeting with Board staff and assisting with the implementation programs as reported to City Council on March 8, 2005. The work plan was approved by the Board in January 2005.

Analysis:

Consolidated Disposal Service has been working with the City on new commercial recycling programs previously approved by City Council. These programs include a new commercial recycling toter program and a trash to transformation facility program.¹ CDS indicates that implementing the commercial recycling toter program will divert an estimated 900 tons of waste and increase commercial collection rates by 6.7%. This includes the cost of the 64 gallon toters distributed to commercial users and additional hauling of recycled materials. Implementation of a new commercial trash to transformation program will result in an additional average rate increase of 5.1% which equates to \$30.00 per ton. Therefore the total rate increase for commercial accounts is 11.8%. The programs were outlined to the City Council in October and are described in the attached CDS correspondence. The proposed contract amendment involves a revision to Exhibit B, incorporating the additional commercial recycling programs approved by the State as part of the compliance order.

Fiscal Impact:

If the Consolidated Waste Management contract amendment is approved it will result in a total 11.8% rate increase for disposal services for commercial accounts.

Sol Blumenfeld, Director
Community Development

Noted for Fiscal Impact:

Viki Copeland, Director
Finance Department

Concur:

Stephen R. Burrell,
City Manager

Attachments:

1. CDS Amended Contract Exhibit B
2. CDS Correspondence.

Notes

1. Automated Recycle Toters for Commercial Businesses

The Automated Recycle Toters for Commercial Business program provides on average two 64-gallon recycle toters for each commercial account. Businesses will source separate paper, cans, bottles, and flattened cardboard and place these materials into the toters for collection by the hauler. An estimated 900 tons will be diverted each year. The estimated cost increase to the commercial customers' rate is approximately 6.7%. The additional diversion tonnage costs are approximately \$76 per ton diverted.

Commercial Trash to Transformation Facility

Under the Commercial Trash to Transformation Facility" program, approximately 1,719 tons per year of commercial trash will be sent to the Long Beach Waste-to-Energy Facility (SERRF) for incineration. This will result in all 100% of the 1,719 tons being credited as diversion to the City of Hermosa Beach., and represents approximately another 5% additional increase in the City's overall diversion rate. The estimated cost increase to the commercial customers' rate is approximately 5.1%. The additional diversion tonnage from this program costs are approximately \$30 per ton diverted.

P:/ConsolidatedContractRept

Public Works Director Morgan responded to Council questions regarding the history of granting this exemption in specific cases.

Action: To approve the staff recommendation to adopt Resolution No. 05-6388, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HERMOSA BEACH, CALIFORNIA, EXEMPTING AVA AVENUE, BETWEEN 21ST STREET AND ITS SOUTHERLY TERMINUS, FROM THE SIDEWALK REQUIREMENT OF SUBSECTION (b) OF SECTION 12.08.010 GENERAL REQUIREMENT OF CHARTER 12.08 STREET, SIDEWALK, CURB AND GUTTER CONSTRUCTION OF THE HERMOSA BEACH MUNICIPAL CODE."

Motion Tucker, second Yoon. The motion carried, noting the absence of Edgerton.

- (n) RECOMMENDATION TO ADOPT RESOLUTION APPROVING FINAL MAP NO. 060478 FOR A TWO-UNIT CONDOMINIUM PROJECT AT 62 EIGHTH STREET. Memorandum from Community Development Director Sol Blumenfeld dated April 5, 2005.

Action: To approve the staff recommendation to adopt Resolution No. 05-6387, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HERMOSA BEACH, CALIFORNIA, GRANTING APPROVAL OF FINAL PARCEL MAP NO. 060478 FOR A TWO UNIT CONDOMINIUM PROJECT LOCATED AT 62 EIGHTH STREET, HERMOSA BEACH, CALIFORNIA." (Edgerton absent)

- (o) RECOMMENDATION TO APPROVE FY 04-05 CONTRACT AMENDMENT FOR CONSOLIDATED DISPOSAL SERVICES. Memorandum from Community Development Director Sol Blumenfeld dated April 6, 2005. Supplemental information from the Community Development Department was received on April 12, 2005.

This item was removed from the consent calendar by Mayor Pro Tempore Tucker for separate discussion later in the meeting.

Community Development Director Blumenfeld and City Manager Burrell responded to Council questions regarding commercial recycling.

Action: To approve the FY 04-05 contract amendment for Consolidated Disposal Services, as recommended by staff.
Motion Tucker, second Yoon. The motion carried, noting the absence of Edgerton.

3. CONSENT ORDINANCES – None
4. ITEMS REMOVED FROM THE CONSENT CALENDAR FOR SEPARATE DISCUSSION

EXHIBIT B

SCHEDULE OF APPROVED RATES

May 1, 2005

RESIDENTIAL PREMISES RATES

STEP 1- Effective 5/1/05

Manual collection of customer provided cans for Solid Waste (no limit); manual collection of Recyclable Materials from resident's existing 18-gallon buckets.

RESIDENTIAL PREMISES RATES

Solid Waste Service	Rate per Household per Month
Unlimited Manual collection	\$ 10.07 (WITH AB - 10.32)

Residential premises service includes once weekly curbside recyclables collection in an 18-gallon bucket.

STEP 2- Effective 7/1/02

-(Pursuant to Section 4.1 of Agreement)-

Automated collection of Contractor provided carts for Solid Waste, Recyclable Materials, and (optional) Green Waste Collection

RESIDENTIAL PREMISES RATES

Solid Waste Service	Rate per Household per Month
35-gallon cart, 1X weekly	\$ 8.78*
65-gallon cart, 1X weekly	\$ 9.78*
95-gallon cart, 1X weekly	\$ 10.78*
Additional solid waste cart	60% times the single cart rate
Additional green waste cart	Additional \$1.25 per month per hh.
Additional recycling cart	No charge.
Optional green waste service	\$2.65 per month per hh.

Residential premises cart service includes once weekly curbside recyclables collection in either a 32-gallon or 64-gallon cart (residents' choice) and optional (at request of resident) once weekly green waste collection in either a 64-gallon cart or 96-gallon cart (residents' choice). *The above rates include Solid Waste and Recyclables Materials Collection (and excludes Green Waste Collection).

COMMERCIAL PREMISES SOLID WASTE COLLECTION SERVICE: CAN AND CART SERVICE

Service Type	Frequency	Rate per Account per Month
32-gallon can (curbside)	1x weekly	\$ 17.58
	2x weekly	\$ 30.23
	3x weekly	\$ 42.86
	4x weekly	\$ 55.51
	5x weekly	\$ 68.14
	6x weekly	\$ 80.78
	7x weekly	\$ 102.76
32-gallon can (carryout)	1x weekly	\$ 21.98
	2x weekly	\$ 38.47
	3x weekly	\$ 54.95
	4x weekly	\$ 71.44
	5x weekly	\$ 85.79
	6x weekly	\$ 104.41
	7x weekly	\$ 131.88
35-gallon cart	1x weekly	\$ 19.24
	2x weekly	\$ 32.97
	3x weekly	\$ 46.71
	4x weekly	\$ 60.45
	5x weekly	\$ 74.19
	6x weekly	\$ 87.92
	7x weekly	\$ 109.90
65-gallon cart	1x weekly	\$ 30.23
	2x weekly	\$ 51.65
	3x weekly	\$ 73.09
	4x weekly	\$ 94.51
	5x weekly	\$ 115.95
	6x weekly	\$ 137.38
	7x weekly	\$ 170.35
95-gallon cart	1x weekly	\$ 41.22

Service Type	Frequency	Rate per Account per Month
	2x weekly	\$ 68.69
	3x weekly	\$ 96.17
	4x weekly	\$ 123.64
	5x weekly	\$ 151.12
	6x weekly	\$ 178.59
	7x weekly	\$ 206.07

COMMERCIAL PREMISES SOLID WASTE COLLECTION SERVICE: BIN SERVICE

Service Type	Frequency	Rate per Account per Month
1 c.y. bin	1x weekly	\$ 50.54
	2x weekly	\$ 75.86
	3x weekly	\$ 101.14
	4x weekly	\$ 126.47
	5x weekly	\$ 151.26
	6x weekly	\$ 177.01
	7x weekly	\$ 207.12
1.5 c.y. bin	1x weekly	\$ 56.19
	2x weekly	\$ 84.28
	3x weekly	\$ 119.92
	4x weekly	\$ 140.82
	5x weekly	\$ 168.58
	6x weekly	\$ 225.66
	7x weekly	\$ 264.01
2 c.y. bin	1x weekly	\$ 67.46
	2x weekly	\$ 104.02
	3x weekly	\$ 140.51
	4x weekly	\$ 177.01
	5x weekly	\$ 207.96
	6x weekly	\$ 238.89
	7x weekly	\$ 279.48
3 c.y. bin	1x weekly	\$ 78.64
	2x weekly	\$ 120.80
	3x weekly	\$ 163.01
	4x weekly	\$ 205.12
	5x weekly	\$ 247.23
	6x weekly	\$ 288.83
	7x weekly	\$ 338.57

Service Type	Frequency	Rate per Account per Month
4 c.y. bin	1x weekly	\$ 94.35
	2x weekly	\$ 145.00
	3x weekly	\$ 218.87
	4x weekly	\$ 246.48
	5x weekly	\$ 296.73
	6x weekly	\$ 347.28
	7x weekly	\$ 406.33
6 c.y. bin	1x weekly	\$ 117.99
	2x weekly	\$ 181.22
	3x weekly	\$ 244.53
	4x weekly	\$ 307.72
	5x weekly	\$ 370.91
	6x weekly	\$ 434.11
	7x weekly	\$ 507.91
8 c.y. bin	1x weekly	\$ 146.13
	2x weekly	\$ 224.53
	3x weekly	\$ 300.82
	4x weekly	\$ 377.00
	5x weekly	\$ 448.85
	6x weekly	\$ 525.04
	7x weekly	\$ 616.16

Commercial Premises Recycling Rate:

Collector may charge a fee for Commercial Premises Recyclables Collection service up to 75% of the rate for comparable volume of Commercial Premises Solid Waste Collection service.

COMPACTOR AND DEBRIS BOX SERVICE

COMPACTOR AND DEBRIS BOX SERVICE

Service Type	Frequency	Rate per Account per Month
Compactor Service		
3 c.y.*	1x weekly	\$ 139.30
	2x weekly	\$ 242.14
	3x weekly	\$ 312.53
	4x weekly	\$ 404.50
	5X weekly	\$ 496.44
4 c.y. *	1x weekly	\$ 171.64
	2x weekly	\$ 299.55
	3x weekly	\$ 418.23
	4x weekly	\$ 512.31
	5X weekly	\$ 629.00
5 c.y.*	1x weekly	\$ 200.06
	2x weekly	\$ 350.90
	3x weekly	\$ 480.91
	4x weekly	\$ 609.38
	5X weekly	\$ 749.16
6 c.y.*	1x weekly	\$ 228.49
	2x weekly	\$ 401.69
	3x weekly	\$ 543.57
	4x weekly	\$ 706.45
	5X weekly	\$ 869.31
Industrial Debris Box and Bin Service (non C&D; per pull)		
Service Type		Rate
2 c.y. bin**		\$ 66.95 per pull
3 c.y. bin**		\$ 72.10 per pull
4 c.y. bin**		\$ 77.25 per pull
5 c.y. bin**		\$ 87.55 per pull
6 c.y. bin**		\$ 92.70 per pull
7 c.y. bin**		\$ 103.00 per pull

20 c.y.**	\$ 150 per pull
25 c.y.**	\$ 150 per pull
30 c.y.**	\$ 150 per pull
40 c.y.**	\$ 150 per pull
Less than 30 c.y. compactor*	\$ 275 per pull
30 c.y. – 39 c.y. compactor*	\$ 300 per pull
Greater than 40 c.y. compactor*	\$ 325 per pull
<p>* Compactor rates do not include leasing or maintenance.</p> <p>** Rates include dropping off box or bin at customer location, retrieving box or bin when requested, hauling waste to, and up to 0 tons of Class III disposal. An additional charge equal to \$32.00 per ton will apply for disposal in excess of 0 tons.</p>	

SPECIAL CHARGES

Special Service	Charge
Roll-out service for non-qualifying households	Additional \$4.00 per month per hh.
On-call bulky waste pick-up for non-qualifying residents	\$36.05 per cubic yard per event. \$12.36 freon removal charge per unit.
On-call extra solid waste collection for residential premises	32-gallon cart: \$15.00 64-gallon cart: \$15.00 96-gallon cart: \$20.00
Cart exchange (for requests in addition to 1x annual free exchange; includes delivery fee)	\$35.00 per event.
Call back for collection as a result of set-out after collection time	\$20.00 per event.
Cart replacement as a result of loss or damage through willful or intentional misuse or abuse	\$55.00 per cart including delivery fee.
Extra Commercial Pick-up:	
32-gallon can	\$15.00 per event
32-gallon cart	\$15.00 per event
64-gallon cart	\$15.00 per event
96-gallon cart	\$15.00 per event
2 c.y. bin	\$36.05 per event
3 c.y. bin	\$46.35 per event
4 c.y. bin	\$46.35 per event
5 c.y. bin	\$46.35 per event
6 c.y. bin	\$56.65 per event
7 c.y. bin	\$56.65 per event
Key charge: Allowed when container access requires driver to remove lock to empty container.	\$ 5.15 per container per month
Enclosure charge: Allowed when collection requires removing a container from an enclosure and replacing it when empty.	\$0 per container per month

Gate service charge: Allowed when collection requires passing through a gate in order to access a container.	\$5.00 per container per month
Distance charge: Allowed when a container is placed further than 10 feet from where the collection vehicle has access.	\$10.30 per fifty (50) feet per container per month
Other special charges not identified herein are subject to the review and approval of the City prior to levy.	