

RESOLUTION NO. 65-17

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, LEVYING AND ADOPTING CHARGES, RATES, AND FEES FOR SOLID WASTE COLLECTION AND FURTHER PROVIDING THAT THE CITY MANAGER, OR DESIGNEE, MAY ADMINISTRATIVELY AMEND THE SUBJECT CHARGES, RATES, AND FEES IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THE CITY'S FRANCHISE AGREEMENT; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, on September 19, 2017, this Commission passed and adopted Ordinance 29-017, removing the charges, rates, and fees for solid waste collection from the Code of Ordinances; and

WHEREAS, the City Commission finds it necessary and appropriate to increase the collection rates for sanitation services in accordance with the terms and conditions of the City's franchise agreement; and

WHEREAS, the City Commission has determined that that it is necessary, efficient, and prudent to remove the subject rates from the Code of Ordinances and authorize the levy and adoption of such rates by Resolution; and

WHEREAS, the City Commission deems approval of this Resolution to be in the best interests of the health, safety, and welfare of the residents and citizens of the City of Delray Beach and the public at-large.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, that:

Section 1. The foregoing recitals are hereby confirmed and ratified.

Section 2. In accordance with Section 51.70 of the Code of Ordinances of the City of Delray Beach the following service charges or fees are levied for collection service, unless the City has approved a different type of service and then each unit/development shall be billed in accordance with the type of service that it is receiving. The subject charges and/or fees shall be subject to administrative amendment by the City Manager, or designee, in accordance with Section 51.70 of the Code of Ordinances and upon any such amendment the City Manager, or designee, shall immediately update the schedule of charges and/or fees and make same available for public inspection in the City Clerk's office.

(A) Residential Service (Single Family Homes, Duplexes, Triplexes, Quadplexes and Mobile Homes):

Curbside Roll-Out Carts

Monthly Service	Cost Per Unit
Garbage Collection	\$4.66 <u>\$4.79</u>
Recycling	\$2.04 <u>\$2.10</u>
Yard Trash	\$1.22 <u>\$1.25</u>
Bulk Waste	\$1.21 <u>\$1.24</u>
Total Fees—Contractor	\$9.13 <u>\$9.38</u>
Administrative Fee	\$0.35
Franchise Fee (5%)	0.46 <u>\$0.47</u>
Total Fees	\$9.94 <u>\$10.20</u>

Rear-Door Owner Container	
Monthly Service	Cost Per Unit
Garbage Collection	\$11.21 <u>\$11.52</u>
Recycling	\$2.04 <u>\$2.10</u>
Yard Trash	\$0.00
Total Fees--Contractor	\$13.25 <u>\$13.62</u>
Administrative Fee	\$0.35
Franchise Fee (5%)	\$0.66 <u>\$0.68</u>

Total Fees	\$14.26 <u>\$14.65</u>
Curbside Disposable Bags With Vegetative Waste and Bulk Trash Pickup	
Monthly Service	Cost Per Unit
Garbage/Trash Collection	\$ 4.66 <u>\$4.79</u>
Recycling	\$ 2.04 <u>\$2.10</u>
Yard Trash	\$ 1.22 <u>\$1.25</u>
Bulk Waste	\$ 1.21 <u>\$1.24</u>
Total Fees—Contractor	\$ 9.13 <u>\$9.38</u>
Administrative Fee	\$0.35
Franchise Fee (5%)	\$ 0.46 <u>\$0.47</u>
Total Fees	\$ 9.94 <u>\$10.20</u>

(B) Multi-Family Service

Multiple-family dwelling units containing five (5) units or more shall use containers emptied by mechanical means, except as otherwise approved by the City because of lack of suitable space for a mechanical container or other good reason. Multiple-family monthly fees shall be based on a per-unit charge. These monthly rates assume two (2) pickups per week. If the amount of refuse generated requires more than two (2) pickups per week, then the third and all subsequent collections shall be charged by the Contractor at the commercial collection rate only. If the Contractor furnishes the roll-out carts, as approved by the City, then a monthly fee of \$1.00 per cart may be charged by the Contractor directly to the customer.

**Collection & Hauling
Rate Per Unit**

Monthly Service	Monthly Cost Per Unit
Refuse Collection	\$3.00 <u>\$3.08</u>
Recycling	\$2.04 <u>\$2.10</u>
Total Per-Unit Fee—Contractor	\$5.04 <u>\$5.18</u>
Administrative Fee	\$0.35
Franchise Fee (5%)	\$0.25 <u>\$0.26</u>
Total Monthly Fees Per Unit	\$ 5.64 <u>\$5.79</u>

(C) Commercial Service

(1) Commercial customers shall use mechanical containers or rollout carts. Commercial customers shall include all customers other than residential or multi-family customers. Commercial customers may use any of the following containers for accumulation of refuse:

- (a) *Rollout Carts.* The City shall require any commercial customer needing more than six (6) rollout carts to use mechanical containers, if feasible.
- (b) *Mechanical Containers.*

(2) The owners/operators of commercial establishments and other commercial customers shall accumulate such refuse in those locations mutually agreed upon by the owner/operator and the City or its contractor, and which are convenient for collection by the City or its contractor.

(3) Mechanical containers emptied by mechanical means shall be provided by the contractor. These containers shall be emptied on a schedule mutually agreed upon by the customer and the City or its contractor, but not less than one day a week nor more than seven (7) days a week.

(4) Commercial customers needing six (6) or less rollout carts, and those approved for this type of service by the City in advance because they lack a suitable location for a mechanical container, shall be serviced at least once per week. All garbage and commercial trash shall be collected from such refuse containers at locations agreed to between the City or its contractor and the customer. The charge shall be based upon the following schedule:

Commercial Rates (Monthly)

Container Size	Container Pickup Frequency (Per Week)						
	1	2	3	4	5	6	7
2 Yard Collection	39.23 <u>40.36</u>	78.46 <u>80.72</u>	117.69 <u>121.08</u>	156.92 <u>161.44</u>	196.15 <u>201.80</u>	235.38 <u>242.16</u>	274.61 <u>282.52</u>
Disposal	24.33	48.67	73.00	97.34	121.67	146.01	170.34
Total Contractor Fees	63.56 <u>64.69</u>	127.13 <u>129.39</u>	190.69 <u>194.08</u>	254.26 <u>258.78</u>	317.82 <u>323.47</u>	381.39 <u>388.17</u>	444.95 <u>452.86</u>
Franchise Fee (10%)	6.36 <u>6.47</u>	12.71 <u>12.94</u>	19.07 <u>19.41</u>	25.43 <u>25.88</u>	31.78 <u>32.35</u>	38.14 <u>38.82</u>	44.50 <u>45.29</u>
Administrative Fee	.35	.35	.35	.35	.35	.35	.35
Total Fees	70.27 <u>71.51</u>	140.19 <u>142.68</u>	210.11 <u>213.84</u>	280.04 <u>285.01</u>	349.95 <u>356.17</u>	419.88 <u>427.34</u>	489.80 <u>498.50</u>
3 Yard Collection	58.84 <u>60.53</u>	117.68 <u>121.06</u>	176.52 <u>181.59</u>	235.36 <u>242.12</u>	294.20 <u>302.65</u>	353.04 <u>363.18</u>	411.88 <u>423.71</u>
Disposal	36.53	73.06	109.59	146.12	182.65	219.18	255.71
Total Contractor Fees	95.37 <u>97.06</u>	190.74 <u>194.12</u>	286.11 <u>291.18</u>	381.48 <u>388.24</u>	476.85 <u>485.30</u>	572.22 <u>582.36</u>	667.59 <u>679.42</u>

Franchise Fee (10%)	9.54 <u>9.71</u>	19.07 <u>19.41</u>	28.61 <u>29.12</u>	38.15 <u>38.82</u>	47.69 <u>48.53</u>	57.22 <u>58.24</u>	66.76 <u>67.94</u>
Administrative Fee	.35	.35	.35	.35	.35	.35	.35
Total Fees	105.26 <u>107.12</u>	210.16 <u>213.88</u>	315.07 <u>320.65</u>	419.98 <u>427.41</u>	524.89 <u>534.18</u>	629.79 <u>640.95</u>	734.70 <u>747.71</u>
4 Yard Collection	78.46 <u>80.71</u>	156.92 <u>161.42</u>	235.38 <u>242.13</u>	313.84 <u>322.84</u>	392.30 <u>403.55</u>	470.76 <u>484.26</u>	549.22 <u>564.97</u>
Disposal	48.71	97.41	146.12	194.83	243.53	292.24	340.95
Total Contractor Fees	127.17 <u>129.42</u>	254.33 <u>258.83</u>	381.50 <u>388.25</u>	508.67 <u>517.67</u>	635.83 <u>647.08</u>	763.00 <u>776.50</u>	890.17 <u>905.92</u>
Franchise Fees (10%)	12.72 <u>12.94</u>	25.43 <u>25.88</u>	38.15 <u>38.83</u>	50.87 <u>51.77</u>	63.58 <u>64.71</u>	76.30 <u>77.65</u>	89.02 <u>90.59</u>
Administrative Fee	.35	.35	.35	.35	.35	.35	.35
Total Fees	140.24 <u>142.71</u>	280.11 <u>285.06</u>	420.00 <u>427.43</u>	559.89 <u>569.79</u>	699.76 <u>712.14</u>	839.65 <u>854.50</u>	979.54 <u>996.86</u>
6 Yard Collection	117.69 <u>121.07</u>	235.38 <u>242.14</u>	353.07 <u>363.21</u>	470.76 <u>484.28</u>	588.45 <u>605.35</u>	706.14 <u>726.42</u>	823.83 <u>847.49</u>
Disposal	73.06	146.12	219.18	292.24	365.30	438.36	511.42
Total Contractor Fees	190.75 <u>194.13</u>	381.50 <u>388.26</u>	572.25 <u>582.39</u>	763.00 <u>776.52</u>	953.75 <u>970.65</u>	1144.50 <u>1164.78</u>	1335.25 <u>1358.91</u>
Franchise Fee (10%)	19.08 <u>19.41</u>	38.15 <u>38.83</u>	57.23 <u>58.24</u>	76.30 <u>77.65</u>	95.38 <u>97.07</u>	114.45 <u>116.48</u>	133.53 <u>135.89</u>
Administrative Fee	.35	.35	.35	.35	.35	.35	.35
Total Fees	210.18	420.00	629.83	839.65	1049.48	1259.30	1469.13

	<u>213.89</u>	<u>427.44</u>	<u>640.98</u>	<u>854.52</u>	<u>1068.07</u>	<u>1281.61</u>	<u>1495.15</u>
8 Yard Collection	156.92 <u>161.42</u>	313.84 <u>322.84</u>	470.76 <u>484.26</u>	627.68 <u>645.68</u>	784.60 <u>807.10</u>	941.52 <u>968.52</u>	1098.44 <u>1129.94</u>
Disposal	97.41	194.83	292.24	389.65	487.07	584.48	681.89
Total Contractor Fees	254.33 <u>258.83</u>	508.67 <u>517.67</u>	763.00 <u>776.50</u>	1017.33 <u>1035.33</u>	1271.67 <u>1294.17</u>	1526.00 <u>1553.00</u>	1780.33 <u>1811.83</u>
Franchise Fee (10%)	25.43 <u>25.88</u>	50.87 <u>51.77</u>	76.30 <u>77.65</u>	101.73 <u>103.53</u>	127.17 <u>129.42</u>	152.60 <u>155.30</u>	178.03 <u>181.18</u>
Administrative Fee	.35	.35	.35.	.35	.35	.35	.35
Total Fees	280.11 <u>285.06</u>	559.89 <u>569.79</u>	839.65 <u>854.80</u>	1119.41 <u>1139.21</u>	1399.19 <u>1423.94</u>	1678.95 <u>1708.65</u>	1958.71 <u>1993.36</u>

Commercial Compacting Containers

<u>Container Size</u>	Pickup Frequency (Per Week)						
	1	2	3	4	5	6	7
2 Yard Collection	49.10 <u>50.49</u>	98.20 <u>100.98</u>	147.30 <u>151.47</u>	196.40 <u>201.96</u>	245.50 <u>252.45</u>	294.60 <u>302.94</u>	343.70 <u>353.43</u>
Disposal	48.67	97.34	146.01	194.68	243.35	292.02	340.69
Total Contractor Fee	97.77 <u>99.16</u>	195.54 <u>198.32</u>	293.31 <u>297.48</u>	391.08 <u>396.64</u>	488.85 <u>495.80</u>	586.62 <u>594.96</u>	684.39 <u>694.12</u>
Franchise Fee (10%)	9.78 <u>9.92</u>	19.55 <u>19.83</u>	29.33 <u>29.75</u>	39.11 <u>39.66</u>	48.89 <u>49.58</u>	58.66 <u>59.50</u>	68.44 <u>69.41</u>
Administrative Fee	.35	.35	.35	.35	.35	.35	.35
Total Fee	107.90 <u>109.43</u>	215.44 <u>218.50</u>	322.99 <u>327.58</u>	430.54 <u>436.65</u>	538.09 <u>545.73</u>	645.63 <u>654.81</u>	753.18 <u>763.88</u>

3 Yard Collection	73.65 <u>75.73</u>	147.30 <u>151.46</u>	220.95 <u>227.19</u>	294.60 <u>302.92</u>	368.25 <u>378.65</u>	441.90 <u>454.38</u>	515.55 <u>530.11</u>
Disposal	73.00	146.01	219.01	292.02	365.02	438.02	511.03
Total Contractor Fee	146.65 <u>148.73</u>	293.31 <u>297.47</u>	439.96 <u>446.20</u>	586.62 <u>594.94</u>	733.27 <u>743.67</u>	879.92 <u>892.40</u>	1026.58 <u>1041.14</u>
Franchise Fee (10%)	14.67 <u>14.87</u>	29.33 <u>29.75</u>	44.00 <u>44.62</u>	58.66 <u>59.49</u>	73.33 <u>74.37</u>	87.99 <u>89.24</u>	102.66 <u>104.11</u>
Administrative Fee	.35	.35	.35	.35	.35	.35	.35
Total Fee	161.67 <u>163.95</u>	322.99 <u>327.57</u>	484.31 <u>491.17</u>	645.63 <u>654.78</u>	806.95 <u>818.39</u>	968.26 <u>981.99</u>	1129.59 <u>1145.60</u>
4 Yard Collection	98.20 <u>100.98</u>	196.40 <u>201.96</u>	294.60 <u>302.94</u>	392.80 <u>403.92</u>	491.00 <u>504.90</u>	589.20 <u>605.88</u>	687.40 <u>706.86</u>
Disposal	97.34	194.68	292.02	389.35	486.69	584.03	681.37
Total Contractor Fee	195.54 <u>198.32</u>	391.08 <u>396.64</u>	586.62 <u>594.96</u>	782.15 <u>793.27</u>	977.69 <u>991.59</u>	1173.23 <u>1189.91</u>	1368.77 <u>1388.23</u>
Franchise Fee (10%)	19.55 <u>19.83</u>	39.11 <u>39.66</u>	58.66 <u>59.50</u>	78.22 <u>79.33</u>	97.77 <u>99.16</u>	117.32 <u>118.99</u>	136.88 <u>138.82</u>
Administrative Fee	.35	.35	.35	.35	.35	.35	.35
Total Fee	215.44 <u>218.50</u>	430.54 <u>436.65</u>	645.63 <u>654.81</u>	860.72 <u>872.95</u>	1075.81 <u>1091.10</u>	1290.90 <u>1309.25</u>	1506.00 <u>1527.40</u>
6 Yard Collection	147.31 <u>151.46</u>	294.62 <u>302.92</u>	441.93 <u>454.38</u>	589.24 <u>605.84</u>	736.55 <u>757.30</u>	883.86 <u>908.76</u>	1031.17 <u>1060.22</u>
Disposal	146.01	292.02	438.02	584.03	730.04	876.05	1022.05
Total Contractor Fee	293.32 <u>297.47</u>	586.64 <u>594.94</u>	879.95 <u>892.40</u>	1173.27 <u>1189.87</u>	1466.59 <u>1487.34</u>	1759.91 <u>1784.81</u>	2053.22 <u>2082.27</u>
Franchise Fee (10%)	29.33 <u>29.75</u>	58.66 <u>59.49</u>	88.00 <u>89.24</u>	117.33 <u>118.99</u>	146.66 <u>148.73</u>	175.99 <u>178.48</u>	205.32 <u>208.23</u>
Administrative Fee	.35	.35	.35	.35	.35	.35	.35
Total Fee	323.00 <u>327.57</u>	645.65 <u>654.78</u>	968.30 <u>981.99</u>	1290.95 <u>1309.21</u>	1613.60 <u>1636.42</u>	1936.25 <u>1963.64</u>	2258.89 <u>2290.85</u>
8 Yard Collection	196.41 <u>201.95</u>	392.82 <u>403.90</u>	589.23 <u>605.85</u>	785.64 <u>807.80</u>	982.05 <u>1009.75</u>	1178.46 <u>1211.70</u>	1374.87 <u>1413.65</u>
Disposal	194.68	389.35	584.03	778.71	973.38	1168.06	1362.74

Total Contractor Fee	-391.09 <u>396.63</u>	-782.17 <u>793.25</u>	-1173.26 <u>1189.88</u>	-1564.35 <u>1586.51</u>	-1955.43 <u>1983.13</u>	-2346.52 <u>2379.76</u>	-2737.61 <u>2776.39</u>
Franchise Fee (10%)	-39.11 <u>39.66</u>	-78.22 <u>79.33</u>	-117.33 <u>118.99</u>	-156.44 <u>158.65</u>	-195.54 <u>198.31</u>	-234.65 <u>237.98</u>	-273.76 <u>277.64</u>
Administrative Fee	.35	.35	.35	.35	.35	.35	.35
Total Fee	-430.55 <u>436.64</u>	-860.74 <u>872.93</u>	-1290.94 <u>1309.22</u>	-1721.14 <u>1745.51</u>	-2151.32 <u>2181.79</u>	-2581.52 <u>2618.09</u>	-3011.72 <u>3054.38</u>

Commercial/Multi-Family Rolloff Containers:

Commercial/Multi-Family Permanent Roll-Off Containers:

Permanent open-top roll-off container: ~~Two hundred thirty-five dollars and forty-two cents \$235.42~~
Two hundred forty-two dollars and one cent \$242.01 (Includes franchise fee for haul excludes disposal and franchise fee on disposal) per pickup.

Compactors: ~~Two hundred thirty-five dollars and forty-two cents \$235.42~~
Two hundred forty-two dollars and one cent \$242.01 (Includes franchise fee for haul excludes disposal and franchise fee on disposal) per pickup.

The rates for commercial collection service shall include all charges and fees for the rental of mechanical containers except compactors. The rate for leasing a compactor shall be negotiated by the contractor and the customer.

15 Yard Collection	\$ 214.02 <u>\$220.01</u>
20 Yard Collection	\$ 214.02 <u>\$220.01</u>
30 Yard Collection	\$ 214.02 <u>\$220.01</u>
40 Yard Collection	\$ 214.02 <u>\$220.01</u>

Excludes commercial recycling containers and construction/demolition debris.

Commercial 96-Gallon Cart Service (Does not apply to residential service)

			Pickups Per Week			
	1	2	3	4	5	6
Collection	-25.48 <u>\$26.19</u>	-50.96 <u>\$52.38</u>	-76.44 <u>\$78.57</u>	-101.92 <u>\$104.76</u>	-127.40 <u>\$130.95</u>	-152.88 <u>\$157.14</u>
Disposal	\$6.08	\$12.16	\$18.24	\$24.32	\$30.40	\$36.48
Total Contractor Fees	-31.56 <u>\$32.27</u>	-63.12 <u>\$64.54</u>	-94.68 <u>\$96.81</u>	-126.24 <u>\$129.08</u>	-157.80 <u>\$161.35</u>	-189.36 <u>\$193.62</u>
Franchise Fee (10%)	-3.16 <u>\$3.23</u>	-6.31 <u>\$6.45</u>	-9.47 <u>\$9.68</u>	-12.62 <u>\$12.91</u>	-15.78 <u>\$16.14</u>	-18.94 <u>\$19.36</u>
Administrative Fee	\$0.35	\$0.35	\$0.35	\$0.35	\$0.35	\$0.35
Total Fees	-35.07 <u>\$35.85</u>	-69.78 <u>\$71.34</u>	-104.50 <u>\$106.84</u>	-139.21 <u>\$142.34</u>	-173.93 <u>\$177.84</u>	-208.65 <u>\$213.33</u>

NOTE: The foregoing rates are based on forty-two dollars (\$42.00) per ton (\$2.81 per cubic yard), which is the anticipated Solid Waste Authority tipping fee to be effective October 1, 2017.

NOTE: City of Delray Beach buildings and locations shall be charged the City Collection Service rate, but shall not be charged for disposal fees, where the Contractor receives the appropriate disposal credits from SWA.

The Contractor shall be allowed to charge the Rates for Special Collection Services, as set forth in Exhibit 3D of the Franchise Agreement, if the Contractor performs any of the services listed on the special services exhibit. The City's franchise fee shall be applied to these rates.

Section 3. The City Clerk is hereby directed to maintain a copy of this Resolution and the Schedule of Solid Waste Collection charges and/or fees adopted thereby in the City Clerk's office for public inspection during normal business hours.

Section 4. This resolution shall become effective immediately upon passage.

PASSED AND ADOPTED this _____ day of _____, 2017.

MAYOR

ATTEST:

City Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY.

R. Max Lohman, City Attorney