RESOLUTION 20-___

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FAIRFAX ESTABLISHING MAXIMUM RATES COLLECTED BY MARIN SANITARY SERVICE FOR SOLID WASTE SERVICES, TO BE EFFECTIVE JANUARY 1, 2021, IN THE TOWN OF FAIRFAX

WHEREAS, Fairfax Town Code Section 8.08.110 provides that the Town may enter into an exclusive contract with any responsible individual, firm or corporation for the collection, removal and disposal of garbage collected and accumulated within the Town, under the terms and conditions as may be prescribed by the Town Council; and

WHEREAS, the Town of Fairfax has entered into such an agreement with Marin Sanitary Service for the provision of solid waste and recycling services (the "Franchise Agreement"); and

WHEREAS, in accordance with the Franchise Agreement, Marin Sanitary Service may submit an application to the Town for an increase in garbage and recycling service rates; and

WHEREAS, Marin Sanitary Service has submitted an application for rate review, requesting an increase in service charges to be effective January 1, 2021; and

WHEREAS, the Town conducted an independent review of the rate application in accordance with the rate-setting methodology set forth in the Franchise Agreement; and

WHEREAS, the new rate schedule proposed by Marin Sanitary Service is attached hereto and incorporated herein as Exhibit A; and

WHEREAS, in accordance with the requirements of the Franchise Agreement, as well as state law, the Town of Fairfax posted a notice of the December 16, 2020, public hearing in the three designated places in Town as well as on the Town website; and

WHEREAS, the Town Council of the Town of Fairfax held a public hearing on December 16, 2020, to consider the requested increase, at which time any person interested, including all persons owning property within the Town, was invited to appear and be heard on the matters set forth in the public hearing notice; and

WHEREAS, Fairfax Town Code Section 8.08.030 provides that garbage service charges will be set forth in a resolution of the Town Council,

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Fairfax as follows:

<u>SECTION 1</u>. The recitals set forth above are adopted as further findings of the Town Council.

<u>SECTION 2</u>. The Town Council has reviewed the rate schedule requested by Marin Sanitary Service, as set forth in Exhibit A hereto, and finds that the proposed rates and charges are not discriminatory or excessive and will be sufficient under California Government Code Section 54515 and will comply with the provisions of Chapter 6 of Part 1 of Division 2 of Title 5 of the California Government Code and will be in compliance with law.

<u>SECTION 3</u>. The Town Council hereby adopts the rate schedule set forth in Exhibit A, with such new rates effective as of the 1st day of January 2021.

The forgoing Resolution was duly passed and adopted at a special meeting of the Town Council of the Town of Fairfax held in said Town on the 16th day of December 2020 by the following vote, to wit:

AYES: NOES: ABSENT: ABSTAIN:

BRUCE ACKERMAN, Mayor

Attest:

Michele Gardner, Town Clerk

Exhibit A attached

TOWN OF FAIRFAX EXHIBIT - SCHEDULE OF RATES

RESIDENTIAL REFUSE COLLECTION RATES									
	Rate increase: Effective date:	4.73% 01/01/2021							
	Residential Service (Bundled service includes 1 landfill (garbage) cart, 1 organic waste cart*, & 1 Recycling split cart)								
	Weekly Service Rates (Billed Quarterly)	2021 Fl	at rate	2021 Hill Rate					
		Monthly Rate	Quarterly Rate	Monthly Rate	Quarterly Rate				
S	20 gallon cart	\$37.38	\$112.14	\$43.63	\$130.89				
Ü	32 gallon cart	\$44.80	\$134.40	\$52.34	\$157.02				
AR	64 gallon cart	\$89.63	\$268.89	\$104.70	\$314.10				
H	96 gallon cart	\$134.43	\$403.29	\$157.04	\$471.12				
U U	Low income - 20 gal** cart	\$29.90	\$89.70	\$34.90	\$104.70				
Z	Low income - 32 gal** cart	\$35.84	\$107.52	\$41.87	\$125.61				
U.R.	Low income - 64 gal** cart	\$71.70	\$215.10	\$83.76	\$251.28				
8	Low income - 96 gal** cart	\$107.54	\$322.62	\$125.63	\$376.89				
REOCCURING CHARGES	Additional Organics Cart Rental (35 or 64 gallon cart)	\$2.37	\$7.11	\$2.37	\$7.11				
	Additional Split Cart Rental (64 or 96 gallon cart)	\$2.37	\$7.11	\$2.37	\$7.11				
	Additional Monthly Charges	Monthly Fee	Quarterly Fee						
		(per cart, each way)							
	Distance 5' - 50'	\$6.69	\$20.07						
	Distance Over 50'	\$13.31	\$39.93						

*Residential Customers may request one additional Organic Waste Cart, for a total of two, as part of the service

**Must meet PG&E CARE program eligibility requirements. 20% discount on regular rates.

NOTE: We may not be able to accommodate any collection requests NOT at the curb due to a variety of factors including safety, accessibility, and efficiency. Requests to be assessed and approved by Route Manager.

	Additional Service Fees per Occurrence	Fee
	Return Fees - Off day	\$25.00
	Return Fees - Same day	\$10.00
	Resume Service/Late Fee	\$35.00
S	Contamination (cart) any size cart	\$30.00
Ë	Overload/Overweight (cart)	\$25.00
ONE TIME SERVICE FEES	Extra bag garbage	\$15.00
ž	Extra bag yard waste	\$10.00
ER	Steam Clean (cart)	\$15.00
ES	Special Collection	\$35.00
Σ	Special Handling (Bulky items)	\$30.00
F	Bulky item fees per item	Fees Vary
Z	Cart Strap Set-up Admin Fee	\$25.00
0	20 Gal Cart Replacement Fee	\$55.00
	32 Gal Cart Replacement Fee	\$60.00
	64 Gal Cart Replacement Fee	\$65.00
	96 Gal Cart Replacement Fee	\$75.00
	64 Gal Split Cart Replacement Fee	\$90.00
	96 Gal Split Cart Replacement Fee	\$100.00

TOWN OF FAIRFAX EXHIBIT - SCHEDULE OF RATES COMMERCIAL REFUSE COLLECTION RATES

		Effective date:					
Residential Service (Bundled service inclu			Collections	s per Week			Additional One
Garbage	1	2	3	4	5	6	Time Empty
20 gallon cart*	\$44.92	\$89.84	\$134.76	\$179.68	\$224.60	\$269.52	\$10.37
32 gallon cart	\$52.85	\$105.70	\$158.55	\$211.40	\$264.25	\$317.10	\$12.20
64 gallon cart	\$105.70	\$211.40	\$317.10	\$422.80	\$528.50	\$634.20	\$24.39
96 gallon cart	\$158.55	\$317.10	\$475.65	\$634.20	\$792.75	\$951.30	\$36.59
1 yard bin	\$263.46	\$443.86	\$624.03	\$804.56	\$984.89	\$1,165.21	\$60.80
2 yard bin	\$440.48	\$780.50	\$1,120.38	\$1,460.32	\$1,800.48	\$2,140.36	\$101.65
3 yard bin	\$617.66	\$1,117.30	\$1,616.79	\$2,116.44	\$2,615.79	\$3,024.77	\$142.54
4 yard bin	\$881.33	\$1,626.60	\$2,302.85	\$2,979.09	\$3,655.32	\$4,331.55	\$203.38
5 yard bin	\$994.96	\$1,817.20	\$2,605.13	\$3,393.03	\$4,180.99	\$4,968.89	\$229.61
6 yard bin	\$1,108.57	\$2,007.80	\$2,907.39	\$3,806.99	\$4,706.66	\$5,606.25	\$255.82
10 yard roll-off	\$1,847.62	\$3,346.32	\$4,845.65	\$6,344.98	\$7,844.42	\$9,343.76	\$426.37
18 yard roll-off	\$3,325.71	\$6,023.38	\$8,722.18	\$11,420.96	\$14,119.97	\$16,818.77	\$767.47
20 yard roll-off	\$3,695.22	\$6,692.64	\$9,691.31	\$12,689.96	\$15,688.86	\$18,687.51	\$852.74
25 yard roll-off	\$4,619.03	\$8,365.81	\$12,114.13	\$15,862.45	\$19,611.08	\$23,359.40	\$1,065.93
Organics (F2E or Compost)	1	2	3	4	5	6	Additional One
22	¢20.62	¢44.20	¢c1.00	602 F2	6102.15	¢122.70	Time Empty
					· · · · ·		\$4.76
			•				\$33.26
				. ,			\$66.52
					. ,		
	. ,			. ,		. ,	\$298.46
25 yard roll-off					\$16,166.55	\$19,399.86	\$746.15
					\$224.54		
Stationary FL (Per Compacted Yard)	ary FL (Per Compacted Yard) \$113.63			Roll-off Compactor Special handling Rates Va			Rates Vary
Other Charges Bc Di				Details			
	ock		\$25.00	Monthly fee			
	Box rental	Box rental		Minimum Bimonthly fee			
	Distance < 50ft		\$6.69				
	Distance < 50ft		\$13.31		Monthly fee per		
	Garbage 20 gallon cart * 32 gallon cart 64 gallon cart 96 gallon cart 1 yard bin 2 yard bin 3 yard bin 4 yard bin 5 yard bin 10 yard roll-off 18 yard roll-off 25 yard roll-off Organics (F2E or Compost) 32 gallon 64 gallon 2 yard 3 yard 10 yard roll-off 28 yard onl-off Organics (F2E or Compost) 32 gallon 64 gallon 2 yard 3 yard 20 yard roll-off Roll-off Compactor Tipping fee per ton Stationary FL (Per Compacted Yard)	Residential Service (Bundled service inclGarbage120 gallon cart*\$44.9232 gallon cart\$52.8564 gallon cart\$105.7096 gallon cart\$158.551 yard bin\$263.462 yard bin\$440.483 yard bin\$440.483 yard bin\$440.483 yard bin\$1,108.5710 yard roll-off\$1,108.5710 yard roll-off\$1,347.6218 yard roll-off\$3,325.7120 yard roll-off\$3,695.2225 yard roll-off\$44,619.03Organics (F2E or Compost)132 gallon\$20.6364 gallon\$144.122 yard\$28.243 yard\$432.3510 yard roll-off\$1,293.3218 yard roll-off\$2,327.9820 yard roll-off\$2,2586.6525 yard roll-off\$2,237.9820 yard roll-off\$2,327.9820 yard roll-off\$2,237.9820 yard roll-off\$2,323.31CRoll-off Compactor Tipping fee per tonStationary FL (Per Compacted Yard)ServiceLockBox rental	Rate increase: Effective date:Residential Service (Bundled service incleGarbage1220 gallon cart*\$44.92\$89.8432 gallon cart\$52.85\$105.7064 gallon cart\$105.70\$211.4096 gallon cart\$158.55\$317.101 yard bin\$263.46\$443.862 yard bin\$440.48\$780.503 yard bin\$617.66\$1,117.304 yard bin\$881.33\$1,626.605 yard bin\$1,08.57\$2,007.8010 yard roll-off\$1,847.62\$3,346.3210 yard roll-off\$3,325.71\$6,023.3820 yard roll-off\$3,695.22\$6,692.6425 yard oll-off\$4,619.03\$8,365.81Organics (F2E or Compost)1232 gallon\$20.63\$41.2664 gallon\$14.12\$288.242 yard\$288.24\$576.483 yard\$432.35\$864.7010 yard roll-off\$2,327.98\$4,655.9620 yard roll-off\$2,327.98\$4,665.9620 yard roll-off\$2,323.31\$6,466.62Garbage Compa801-off Compactor Tipping fee per ton	Rate increase: Effective date: 4.73% 01/01/2021 Residential Service (Bundled service incle Garbage Collections Garbage 1 2 3 20 gallon cart* \$44.92 \$89.84 \$134.76 32 gallon cart \$52.85 \$105.70 \$211.40 \$317.10 96 gallon cart \$105.70 \$211.40 \$317.10 \$475.65 1 yard bin \$404.48 \$780.50 \$1,120.38 \$3,120.38 \$3,120.38 2 yard bin \$401.46 \$780.50 \$1,120.38 \$3,1626.60 \$2,302.85 5 yard bin \$108.57 \$2,007.80 \$2,207.39 \$2,605.13 6 yard bin \$1,108.57 \$2,007.38 \$8,722.18 20 yard roll-off \$3,325.71 \$6,023.38 \$8,722.18 20 yard roll-off \$3,369.22 \$6,692.64 \$9,691.31 25 yard roll-off \$3,369.22 \$6,692.64 \$9,691.31 25 yard roll-off \$3,463.23 \$44.86 \$51.23.75 64 gallon \$21.247.41.12 \$28.24 \$57.48 \$	Effective date: 01/01/2021 Residential Service (Bundled service incle Collections per Week Garbage 1 2 3 4 20 gallon cart* \$\$4.92 \$\$9.84 \$\$134.76 \$\$179.68 32 gallon cart \$\$105.70 \$\$158.55 \$\$211.40 64 gallon cart \$\$105.70 \$\$213.01 \$\$422.80 96 gallon cart \$\$158.55 \$\$17.10 \$\$475.65 \$\$634.20 1 yard bin \$\$263.46 \$\$443.86 \$\$624.03 \$\$800.50 \$\$1,120.38 \$\$1,460.32 3 yard bin \$\$417.66 \$\$1,117.30 \$\$1,616.79 \$\$2,116.44 4 yard bin \$\$994.96 \$\$1,817.20 \$\$2,802.81 \$\$2,302.85 \$\$2,979.09 \$\$3,806.99 \$\$10 yard roll-off \$\$3,325.71 \$\$2,007.80 \$\$2,907.39 \$\$3,806.99 \$\$10 yard roll-off \$\$3,45.32 \$\$4,845.65 \$\$6,344.98 20 yard roll-off \$\$1,847.76 \$\$3,325.71 \$\$6,023.84 \$\$11,420.96 \$\$2,907.39 \$\$3,806.99 \$\$20 yard roll-off \$\$2,469.10.3	Rate increase: Effective date: 4.73% 01/01/2021 Residential Service (Bundled service incl Garbage Collections per Week Garbage 1 2 3 4 5 20 gallon cart \$52.85 \$105.70 \$158.85 \$221.40 \$264.25 24 gallon cart \$105.70 \$211.40 \$264.25 \$46.30 \$804.56 \$988.84 1 yard bin \$228.34 \$137.10 \$475.66 \$634.20 \$792.75 1 yard bin \$263.46 \$443.86 \$522.90 \$52.85.00 \$594.89 2 yard bin \$240.40 \$780.50 \$1,120.38 \$1,460.32 \$1,800.48 3 yard bin \$617.66 \$1,117.30 \$1,616.79 \$2,116.44 \$2,615.79 4 yard bin \$1,807.62 \$2,302.85 \$2,970.99 \$3,806.99 \$4,706.66 10 yard roll-off \$1,847.62 \$3,346.32 \$4,845.65 \$5,63.49.8 \$7,844.42 18 yard roll-off \$3,357.71 \$6,023.48 \$8,121.41.41.3 \$11,829.96 \$11,829.75 25 yard roll-o	Rate increase: Effective date: 4.73% 0./01/2021 Residential Service (Bundled service incl Garbage 1 2 3 4 5 Collections per Week Garbage 1 2 3 4 5 32 gallon cart \$522.65 \$105.70 \$158.55 \$221.40 \$264.25 \$317.10 64 gallon cart \$158.55 \$317.10 \$472.66 \$584.20 \$572.75 \$951.30 1 yard bin \$263.46 \$443.86 \$624.03 \$180.57 \$5,170.65 \$1,400.32 \$1,400.33 \$4,412.33 \$1,420.42

* Customers must have a sufficient level of service for the volume of material generated. Requests for 20gal carts require assessment and approval of a Route Manager. NOTE: All container types and sizes may not be available at all locations depending on a variety of factors including safety, accessibility, and efficiency. Requests to be assessed and approved by Route Manager.

	Commercial Service Fees	Fee
	Return Fee - BIN	\$75.00
	Return Fee - CART -same day	\$10.00
	Return Fee - CART -off day	\$25.00
	Late Fee/Resume Service Fee	\$35.00
	Contamination (BIN)	\$50.00
	Contamination (CART)	\$30.00
	Overload/Compaction (BIN)	\$60.00
ŝ	Overload/Compaction (CART)	\$25.00
Ē	Extra Bag Garbage	\$15.00
H	Additional Empty BIN	Fees vary
ž	Extra Bag Yard Waste	\$15.00
ER	Steam Clean (1-6 yard BIN)	\$95.00
ONE TIME SERVICE FEES	Steam Clean (CART)	\$15.00
Σ	Steam Clean (COMPACTOR/ROLL-OFF)	\$225.00
E	Lock Set-up Admin Fee	\$25.00
Ĩ	Lock Single Use Fee	\$5.00
0	Lock Purchase Fee	\$20.00
	Lock Bar Bin Set-up Fee	\$75.00
	Overweight Charge Per Ton*	\$205.00
	20 Gal Cart Replacement Fee	\$55.00
	32 Gal Cart Replacement Fee	\$60.00
	64 Gal Cart Replacement Fee	\$65.00
	96 Gal Cart Replacement Fee	\$75.00
	64 Gal Split Cart Replacement Fee	\$90.00
	96 Gal Split Cart Replacement Fee	\$100.00
	Bin Repair/Replacement Fee**	Fees vary
	*Boxes exceeding 300lbs/yard	

**Fees vary by size up to \$1,200, not to exceed current replacement value.

TOWN OF FAIRFAX EXHIBIT - SCHEDULE OF RATES MULTI-FAMILY DWELLING REFUSE COLLECTION RATES

			Rate increase:	4.73%				
			Effective date:	01/01/2021				
	Residential Service (Bundled service	Collections per Week						
	Garbage	1	2	3	4	5	6	Additional One Time Empty
	20 gallon cart*	\$38.08	\$76.16	\$114.24	\$152.32	\$190.40	\$228.48	\$8.79
	32 gallon cart	\$44.80	\$89.60	\$134.40	\$179.20	\$224.00	\$268.80	\$10.34
	64 gallon cart	\$89.63	\$179.26	\$268.89	\$358.52	\$448.15	\$537.78	\$20.68
	96 gallon cart	\$134.43	\$268.86	\$403.29	\$537.72	\$672.15	\$806.58	\$31.02
	1 yard bin	\$263.46	\$443.86	\$624.03	\$804.56	\$984.89	\$1,165.21	\$60.80
	2 yard bin	\$440.48	\$780.50	\$1,120.38	\$1,460.32	\$1,800.48	\$2,140.36	\$101.65
	3 yard bin	\$617.66	\$1,117.30	\$1,616.79	\$2,116.44	\$2,615.79	\$3,024.77	\$142.54
S	4 yard bin	\$881.33	\$1,626.60	\$2,302.85	\$2,979.09	\$3,655.32	\$4,331.55	\$203.38
Ш	5 yard bin	\$994.96	\$1,817.20	\$2,605.13	\$3,393.03	\$4,180.99	\$4,968.89	\$229.61
Ċ	6 yard bin	\$1,108.57	\$2,007.80	\$2,907.39	\$3,806.99	\$4,706.66	\$5,606.25	\$255.82
Ъ	10 yard roll-off	\$1,847.62	\$3,346.32	\$4,845.65	\$6,344.98	\$7,844.42	\$9,343.76	\$426.37
₽	18 yard roll-off	\$3,325.71	\$6,023.38	\$8,722.18	\$11,420.96	\$14,119.97	\$16,818.77	\$767.47
승	20 yard roll-off	\$3,695.22	\$6,692.64	\$9,691.31	\$12,689.96	\$15,688.86	\$18,687.51	\$852.74
	25 yard roll-off	\$4,619.03	\$8,365.81	\$12,114.13	\$15,862.45	\$19,611.08	\$23,359.40	\$1,065.93
Z	Organics	1	2	3	4	5	6	Additional One Time Empty
REOCCURING CHARG	Additional Organics Cart Rental (35 gallon cart) after 4 TOTAL carts per cart per month	\$2.37	\$4.74	\$7.11	\$9.48	\$11.85	\$14.22	NA
EOC	Additional Organics Cart Rental (64 gallon (64 gallon cart) after 4 TOTAL carts per cart per month.	\$2.37	\$4.74	\$7.11	\$9.48	\$11.85	\$14.22	NA
œ	1 yard	\$144.12	\$288.24	\$432.36	\$576.48	\$720.60	\$864.72	\$33.26
	2 yard	\$288.24	\$576.48	\$864.72	\$1,152.96	\$1,441.20	\$1,729.44	\$66.52
	3 yard	\$432.35	\$864.70	\$1,297.05	\$1,729.40	\$2,161.75	\$2,594.10	\$99.77
	Garbage Compactors (Per empty)							
	Roll-off Compactor Tipping fee per ton \$175.74		Roll-off Compactor Hauling charge		e	\$224.54		
	Stationary FL (Per Compacted Yard) \$113.63			Roll-off Compact	or Special handl	ing	Rates Vary	
	Other Charges Box rental Distance < 1	Service	Fee		Details			
		Lock		\$25.00	Monthly fee			
		Box rental		Fees Vary	Minimum Bimonthly fee			
		Distance < 50ft		\$6.69	Monthly fee per cart, each way			
		Distance > 50ft		\$13.31	Monthly fee per cart, each way			

NOTE: Up to four (4) Organics carts provided at no additional charge. Additional carts may be rented for a nominal monthly fee. NOTE: Up to four (4) Organics carts provided at no additional charge. Additional carts may be rented for a nominal monthly fee. NOTE: All container types and sizes may not be available depending on a variety of factors including safety, accessibility, and efficiency. Requests to be assessed and approved by Route Manager.

	MFD One Time Service Fees	Fee
	Return Fee - BIN	\$75.00
	Return Fee - CART -same day	\$10.00
	Return Fee - CART -off day	\$25.00
	Late Fee/Resume Service Fee	\$35.00
	Contamination (BIN) Per Yard	\$50.00
ONE TIME SERVICE FEES	Contamination (CART)	\$30.00
H	Overload/Compaction (BIN)	\$60.00
Ш	Overload/Compaction (CART)	\$25.00
ш	Additonal Empty Bag	\$15.00
Ö	Extra Bag Yard Waste	\$10.00
\leq	Additional Empty Garbage	Fees vary
Ŕ	Steam Clean (BIN)	\$95.00
Щ	Steam Clean (CART)	\$15.00
0)	Steam Clean (COMPACTOR/ROLL-OFF)	\$225.00
Ψ	Lock Set-up Admin Fee	\$25.00
≦	Lock Single Use Fee	\$5.00
\vdash	Lock Purchase Fee	\$20.00
Щ	Lock Bar Bin Set-up Fee	\$75.00
\leq	Overweight Charge Per Ton*	\$205.00
0	20 Gal Cart Replacement Fee	\$55.00
	32 Gal Cart Replacement Fee	\$60.00
	64 Gal Cart Replacement Fee	\$65.00
	96 Gal Cart Replacement Fee	\$75.00
	64 Gal Split Cart Replacement Fee	\$90.00
	96 Gal Split Cart Replacement Fee	\$100.00
	Bin Repair/Replacement Fee**	Fees vary
	*Boxes exceeding 300lbs/vard	

*Boxes exceeding 300lbs/yard **Fees vary by size up to \$1,200, not to exceed current replacement value.