



**AGENDA ITEM REQUEST FORM
CITY OF JOHNSON CITY, TEXAS
CITY COUNCIL**

ITEM NOS. 14 - 16

MEETING DATE: May 3, 2022

AGENDA PLACEMENT:

- ☐ Ceremonial
- ☐ Consent
- ☒ Individual
- ☐ Closed Session

CAPTION:

Discussion of and action on an Ordinance of the City of Johnson City, Texas amending Chapter 13 *Utilities* of the Municipal Code of Ordinances by adding Article 13.07 *Solid Waste Collection and Disposal* providing for regulations regarding solid waste collection; providing for the issuance of a franchise on same; declaring a misdemeanor violation with penalties not to exceed \$2,000; and setting an effective date. (Staff)

Discussion of and action on an Ordinance of the City of Johnson City, Texas approving an Exclusive Franchise and Contract between the City of Johnson City and Hill Country Waste Solutions for the collection and disposal of municipal solid waste and recyclable materials in the City of Johnson City, Texas; and providing an effective date. (Staff)

Discussion of and action on an Ordinance of the City Council of the City of Johnson City, Texas establishing and amending fees, costs, and fines charged by the City of Johnson City; adopting savings, repealer, and penalty clauses; and adopting an effective date. (Staff)

STRATEGIC WORK PLAN:

- | | |
|--|--|
| <input type="checkbox"/> Not Applicable | <input type="checkbox"/> Goal 5: Improve Fire Safety |
| <input type="checkbox"/> Goal 1: Increase Housing Diversity | <input type="checkbox"/> Goal 6: Improve Streets |
| <input type="checkbox"/> Goal 2: Expand Quality Lodging | <input type="checkbox"/> Goal 7: Increase Publicity & Promotion of the Community |
| <input checked="" type="checkbox"/> Goal 3: Improve Code Enforcement | <input type="checkbox"/> Goal 8: Increase Economic Development Activities |
| <input type="checkbox"/> Goal 4: Improve Streetscaping & Signage | |

EXECUTIVE SUMMARY:

For practical purposes, City Staff provides the following for Item Nos. 14 – 16, as all Items relate to the collection and disposal of solid waste within the City of Johnson City.

Item No. 14 –

Adds Article 13.07 *Solid Waste Collection and Disposal* to Chapter 13 *Utilities* of the Municipal Code of Ordinances. The Ordinance accomplishes the following:

1. Requires property owners / tenants to maintain their properties in compliance with the International Property Maintenance Code, including ensuring that each property is free and clear of dumped solid waste and recyclable materials.
2. Includes dumping prohibitions on private / vacant properties and public rights-of-way.
3. Provides civil and criminal penalties for violations.
4. Grants an exclusive franchise to a service provider selected by the City Council for the collection, removal, and disposal of solid waste and recyclable materials.
5. Requires a franchise agreement for any entity collecting solid waste refuse within the City.
6. Requires all residential, commercial, and industrial units / persons to utilize solid waste and recyclable material collection, removal and disposal services.
7. Provides for the City's billing and collection of fees from units / persons for the aforementioned services, including all commercial roll-off containers within the City.

Item No. 15 –

Establishes an exclusive franchise and contract between the City and Hill Country Waste Solutions for the collection and disposal of all solid waste and recyclable materials in the City limits. Generally, the contract includes the following:

1. June 1, 2022 – June 1, 2025 initial term; automatic 3-year term renewals.
2. Provides insurance and performance bond requirements.
3. Residential services:
 - a. One (1) weekly curbside service, including cart and three (3) additional bags.
 - b. One (1) biweekly curbside recycling service, including cart.
 - c. Two (2) commingled curbside brush and white good / bulky item collections (8 cu. yds. each) per year.
4. Commercial / industrial services:
 - a. A variety of hand cart / front load commercial containers at different service intervals for solid waste. See schedule of rates.
 - b. A variety of hand cart / front load commercial containers at different service intervals for recyclable materials. See schedule of rates.
5. The following will not be picked up by the service provider as a part of regular service:
 - a. Construction and remodeling debris and other debris originating from commercial lot clearing and/or construction operations.
 - b. Brush items cut / trimmed by a commercial or private contractor.

- c. Bulky items and white goods resulting from work completed by a commercial or private contractor during bulky item pickup.
6. Municipal services provided at not cost to the City:
- a. 360 cubic yards of compacted brush, trees and other plant materials trimmed and/or removed by the City from City rights-of-way and public drainage areas.
 - b. Regular solid waste collection and disposal services to City Hall and the Wastewater Treatment Plant (WWTP).
 - c. Regular solid waste collection and disposal services, including the replacement of clean plastic garbage bags, at all permanent, public trash receptacles throughout the City.
7. The City will be billed monthly by the service provider at the rates included in the Schedule of Rates for all residential, commercial, and industrial units in the City. The City will bill monthly all residential, commercial, and industrial units in the City in accordance with the City's Fee Schedule, as amended.
8. Service provider rates are locked for one (1) year from contract commencement. Thereafter, the rates are subject to a CPI adjustment. The service provider can also amend the Schedule of Rates for "unusual changes in the cost of operations;" however, the City may cancel the contract with 30 days written notice should the rate increase be considered unreasonable. Finally, the service provide can implement a fuel surcharge for fuel prices above \$3.70 per gallon. The fuel surcharge would be removed and discontinued following the fall of fuel prices below \$3.70 per gallon.
9. The service provider agrees to work with the City during emergency situations whereby the City must invoke its Emergency Management Plan (i.e. tornados, floods, et cetera).

Item No. 16 –

The proposed Ordinance amends the Municipal Fee Schedule to reflect:

1. The new rates charged to the customer. The rates are based upon those costs payable by the City to the service provider and the resulting fee increase, if applicable. Some fees remained the same, while others reflect the fee payable to the service provider, plus 10%.
2. The addition of a late payment charge of 10%, which has been previously applied in practice through utility billing.
3. The addition of a service reinstatement fee of \$35.00.
4. The following:

Service Type	Service	Proposed Rate	Change (* Cost + 10%)
Residential	Residential Unit Service (RUS) 1x weekly (includes 1x biweekly recycling)	\$22.64	No change

	Handicapped RUS 1x weekly (includes 1x biweekly recycling)	\$22.64	No change
	Additional RUS Garbage Totter (Qty. 1 - 96 gal)	\$8.03	New*
	Additional RUS Recycling Totter (Qty. 1 - 96 gal)	\$3.30	New*
	RUS Extra Pickup	\$11.00	New*
Commercial	Commercial Hand Load Service (CHLS) 1x weekly (does not include 1x biweekly recycling)	\$23.82	No change
	CHLS Recycling 1x biweekly	\$5.91	New*
	Additional CHLS Garbage Totter (Qty. 1 - 96 gal)	\$10.60	New*
	Additional CHLS Recycling Totter (Qty. 1 - 96 gal)	\$4.35	New*
	CHLS Extra Pickup	\$11.00	New*
Frontload Commercial Container Trash	2 Cu. Yard / 1X Per Week	\$63.80	New*
	2 Cu. Yard / 2X Per Week	\$126.50	New*
	3 Cu. Yard / 1X Per Week	\$96.68	No change
	3 Cu. Yard / 2X Per Week	\$172.70	New*
	4 Cu. Yard / 1X Per Week	\$131.74	No change
	4 Cu. Yard / 2X Per Week	\$263.46	No change
	4 Cu. Yard / 3X Per Week	\$339.90	New*
	6 Cu. Yard / 1X Per Week	\$201.40	No change
	6 Cu. Yard / 2X Per Week	\$402.82	No change
	6 Cu. Yard / 3X Per Week	\$517.00	New*
	8 Cu. Yard / 1X Per Week	\$220.00	New*
	8 Cu. Yard / 2X Per Week	\$387.20	New*
	8 Cu. Yard / 3X Per Week	\$577.50	New*
	Frontload Extra Pickup	\$41.25	New*
Frontload Commercial Container Recycling	2 Cu. Yard / 1X Per Week	\$57.20	New*
	3 Cu. Yard / 1X Per Week	\$80.30	New*
	4 Cu. Yard / 1X Per Week	\$104.50	New*
	6 Cu. Yard / 1X Per Week	\$159.50	New*
	8 Cu. Yard / 1X Per Week	\$198.00	New*

Roll-Off Containers	<i>Large Roll-Off Containers:</i>		
	Delivery Fee	\$82.50	New*
	Relocation Fee (Truck Not Onsite)	\$82.50	New*
	Rental / Day (First 30 days free)	\$5.50 day (after 30 days)	New*
	20 Cu. Yard / Pull	\$522.50 / pull (\$66.00 / Ton Disposal Fee)	New*
	30 Cu. Yard / Pull	\$577.50 / pull (\$66.00 / Ton Disposal Fee)	New*
	40 Cu. Yard / Pull	\$632.50 / pull (\$66.00 / Ton Disposal Fee)	New*
	Dry Run Charge (Fee assessed in the event the Contractor is unable to service commercial container due to overload, other weight issues, locked gate(s), or other similar issues.)	\$82.50	New*
	Mini Roll-Off Containers:		
	Relocation Fee (Truck Not Onsite)	\$82.50	New*
	8 Cu. Yard / Pull	\$330.00 / pull (No Disposal Fee)	New*
	Dry Run Charge (Fee assessed in the event the Contractor is unable to service commercial container	\$82.50	New*

	due to overload, other weight issues, locked gate(s), or other similar issues.)		
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In addition to the above amendments, the proposed Municipal Fee Schedule accomplishes the following:

1. Increases construction reinspection fee from \$62.00 to \$150.00 to encourage quality work is performed prior to inspection requests.
2. Adds current Cell Network Node fees.
3. Replaces all water reconnection fees with one fee - \$65.00 per reconnection.

FINANCIAL: See Schedule of Rates for all services / pricing.

<u>Service</u>	<u>Current Rate</u>	<u>Waste Connections Bid</u>	<u>New Rate</u>
Residential Unit Service	\$16.91 (incl. solid waste and recycling)	\$17.76 (incl. solid waste and recycling; addtl. \$0.90 per unit for curbside brush / bulky item pickup)	\$17.37 (incl. solid waste, recycling, and curbside brush / bulky item pickup)
Commercial Hand Load Service	\$16.77	\$17.61	\$16.50
Commercial Hand Load Recycling Service	-	No bid.	\$5.37

ATTACHMENTS:

- Proposed ordinances;
- Proposed exclusive franchise and solid waste and recyclable materials contract; and
- Proposed Municipal Fee Schedule.

SUGGESTED ACTION:

Motion to approve:

an Ordinance of the City of Johnson City, Texas amending Chapter 13 *Utilities* of the Municipal Code of Ordinances by adding Article 13.07 *Solid Waste Collection and Disposal* providing for regulations regarding solid waste collection; providing for the issuance of a franchise on same; declaring a misdemeanor violation with penalties not to exceed \$2,000; and setting an effective date. (Staff)

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PREPARED BY: City Staff