




Office of the City Manager

CONSENT CALENDAR
June 11, 2013

To: Honorable Mayor and Members of the City Council
From:  Christine Daniel, City Manager
Submitted by: Andrew Clough, Director, Public Works
Subject: Residential and Commercial Refuse Collection Fees: FY 2014 Annual Inflater

RECOMMENDATION

Adopt a Resolution:

1. Increasing rates and fees for residential and commercial refuse collection by the Bay Area Consumer Price Index of 2.381%;
2. Adjusting temporary roll-off container rates to reflect current market rates; and
3. Rescinding Resolution No. 65,798-N.S. effective July 1, 2013.

FISCAL IMPACTS OF RECOMMENDATION

To address future cost increases, an annual inflater tied to the Bay Area Consumer Price Index (CPI) not to exceed 3% per year, was authorized as part of the FY 2010 refuse collection rate increase that followed a Proposition 218 process. Revenue from this year's CPI increase in basic collection rates and fees is expected to generate an additional \$619,000 in FY 2014 to help address rising costs to the Refuse Fund.

CURRENT SITUATION AND ITS EFFECTS

The Refuse Fund is a self-supporting enterprise fund, and its revenues come from residential and commercial refuse collection customer fees, franchise fees, and fees from the City's Transfer Station. Refuse fees for most single-family residential customers are billed annually and the fee is included on the property owner's annual property tax bill; most multi-family residential and commercial refuse fees are billed directly by the City on a quarterly basis, and very large commercial customers are directly billed by the City on a monthly basis.

The City has taken many steps to close the fund deficit over the last few years, including renegotiating contracts with vendors, eliminating positions, and implementing 1-person collection routes beginning in FY 2012 for residential customers. While these balancing measures reduced the gap between annual revenues and expenditures, the CPI increase recommended in this report will help reduce this gap even further and is included in the current fund forecast. However, even with this infusion of new revenue, the fund is projected to require a loan in FY 2015 to cover the funding shortfall in base service levels and needed capital projects.

The City's current temporary roll-off container rates do not reflect competitive market pricing. The proposed rate adjustments will align the City's rates with competitive market rates.

In addition to these changes, StopWaste.org approved a mandatory county-wide "Benchmarking Fee" which is effective July 1, 2013 and will be imposed on all waste accounts. The revenue generated will be used by StopWaste.org staff to determine the composition and quantity of disposed wastes. This mandatory fee will fund StopWaste.org inspection reports which will help generators, such as the City's Zero Waste Division, better understand opportunities to increase recycling efforts. The annual fee is tiered and is based on the amount of refuse service each customer has, and will be included on the customer's refuse bill. Depending on account size, the annual "Benchmarking Fee" in FY 2014 is \$1.81 for single garbage cart accounts; \$7.24 for accounts with more than one cart, but less than 4 cubic yards of garbage service per week; and \$21.72 for accounts with 4 or more cubic yards of garbage service per week.

The 13 gallon waste container currently offered to residents is not manufactured for an automated collection service. The new size that will be offered is a 10 gallon container to meet the needs of the collection operations and sizing for customers. Customers that already have a 13 gallon container will still receive services for their container.

BACKGROUND

As a self-supporting enterprise fund, the Refuse Fund must generate revenue to meet its expenses. This fund was created to support the activities related to the removal of waste in the City of Berkeley. Zero Waste Division programs and services include: residential and commercial refuse collection and disposal; recycling collection and processing; recycling drop-off and buyback centers; commercial food waste collection; residential plant debris and food scrap collection; compostable organic materials hauling and processing; Transfer Station operations (recycling, reuse, diversion and disposal); related capital expenditures; fire fuel removal in the Fire Fuel District (formerly Refuse District 3); and the Clean City Program, including litter collection, graffiti abatement, street sweeping, and neighborhood cleanups. For additional information, go to www.CityofBerkeley.info/ZeroWaste.

In FY 2009, the City conducted a multi-phase process, as required under Proposition 218, to adjust refuse collection fees effective in FY 2010. Despite the approved rate increase for FY 2010 and as continuously reported to Council, we are still projecting a deficit in the Refuse Fund.

RATIONALE FOR RECOMMENDATION

Since 2009 Refuse Collection services have experienced significant increased costs, as well as a revenue shortfall. To help meet these expenses, raise additional revenue and reduce the deficit in the Refuse Fund, this recommendation implements the authorized Bay Area CPI annual inflation increase of 2.381% effective July 1, 2013.

ALTERNATIVE ACTIONS CONSIDERED

If the recommended rate increase is not approved, Public Works will have to make additional cuts in the Refuse Fund totaling at least \$619,000. Consequently, there would likely be significant impacts on Zero Waste services.

CONTACT PERSON

Danielle Habr, Acting Manager, Administrative & Fiscal Services, Public Works, 981-6317
Ken Etherington, Manager, Zero Waste Division, Public Works, 981-6359

Attachments:

1. Proposed FY 2014 Refuse Collection Rates
2. Resolution
 Exhibit A: Fire Surcharge Area

PROPOSED FY 2014 REFUSE COLLECTION RATES

The following are FY 2014 Refuse Collection rates proposed to be increased by the authorized annual inflator amount. All collection rates are included in the Resolution.

Cans/Carts Rates: The following monthly rates apply to refuse cans and carts (collected 1 time per week for residential customers, and up to 7 times per week for businesses):

Current Citywide Cans/Carts Rates

Container Size	Number of Collections Per Week						
	1X	2X	3X	4X	5X	6X	7X
13 Gallon	\$11.78	\$24.67	\$36.99	\$51.68	\$67.53	\$84.57	\$98.65
20 Gallon	\$18.09	\$37.93	\$56.92	\$79.52	\$103.89	\$130.11	\$151.79
32 Gallon	\$28.93	\$60.73	\$91.07	\$127.22	\$166.25	\$208.13	\$242.85
45 Gallon	\$40.67	\$85.38	\$128.06	\$178.89	\$233.79	\$292.71	\$341.51
64 Gallon	\$57.83	\$121.43	\$182.12	\$254.41	\$332.48	\$416.33	\$485.69
96 Gallon	\$86.72	\$182.12	\$273.19	\$381.61	\$498.68	\$624.46	\$728.52

Proposed Citywide Cans/Carts Rates

Container Size	Number of Collections Per Week						
	1X	2X	3X	4X	5X	6X	7X
10 Gallon	\$9.28	\$19.43	\$29.13	\$40.70	\$53.18	\$66.60	\$77.69
13 Gallon	\$12.06	\$25.26	\$37.87	\$52.91	\$69.14	\$86.58	\$101.00
20 Gallon	\$18.52	\$38.83	\$58.28	\$81.41	\$106.36	\$133.21	\$155.40
32 Gallon	\$29.62	\$62.18	\$93.24	\$130.25	\$170.21	\$213.09	\$248.63
45 Gallon	\$41.64	\$87.41	\$131.11	\$183.15	\$239.36	\$299.68	\$349.64
64 Gallon	\$59.21	\$124.32	\$186.46	\$260.47	\$340.40	\$426.24	\$497.25
96 Gallon	\$88.78	\$186.46	\$279.69	\$390.70	\$510.55	\$639.33	\$745.87

* No new 13 gallon containers will be provided.

Attachment 1: Proposed FY 2014 Refuse Collection Rates

Bins (primarily commercial): Monthly rates for front and rear loading bins (dumpsters) that are mechanically picked up and emptied by collection vehicles:

Current Bins Rates

Capacity in Cubic Yards	Monthly Maint. Rate	Service Collection Charge Based on Number of Collections Per Week							
		1X	2X	3X	4X	5X	6X	7X	8X
1	\$21.66	\$118.42	\$248.68	\$373.05	\$521.09	\$680.95	\$852.66	\$994.77	\$1,184.25
1.5	\$24.24	\$177.64	\$373.05	\$559.55	\$781.60	\$1,021.41	\$1,279.00	\$1,492.17	\$1,776.37
2	\$26.97	\$236.87	\$497.40	\$746.08	\$1,042.13	\$1,361.87	\$1,705.32	\$1,989.54	
3	\$32.42	\$355.27	\$746.08	\$1,119.12	\$1,563.23	\$2,042.85	\$2,557.98	\$2,984.30	
4	\$48.49	\$473.70	\$994.77	\$1,492.17	\$2,084.28	\$2,723.78	\$3,410.65	\$3,979.08	
5	\$48.49	\$592.12	\$1,243.47	\$1,865.21	\$2,605.36	\$3,404.73	\$4,263.30	\$4,973.85	
6	\$53.66	\$710.54	\$1,492.17	\$2,238.25	\$3,126.41	\$4,085.65	\$5,115.95	\$5,968.62	

Proposed Bins Rates

Capacity in Cubic Yards	Monthly Maint. Rate	Service Collection Charge Based on Number of Collections Per Week							
		1X	2X	3X	4X	5X	6X	7X	8X
1	\$22.18	\$121.24	\$254.60	\$381.93	\$533.50	\$697.16	\$872.96	\$1,018.46	\$1,212.45
1.5	\$24.82	\$181.87	\$381.93	\$572.87	\$800.21	\$1,045.73	\$1,309.45	\$1,527.70	\$1,818.67
2	\$27.61	\$242.51	\$509.24	\$763.84	\$1,066.94	\$1,394.30	\$1,745.92	\$2,036.91	
3	\$33.19	\$363.73	\$763.84	\$1,145.77	\$1,600.45	\$2,091.49	\$2,618.89	\$3,055.36	
4	\$49.64	\$484.98	\$1,018.46	\$1,527.70	\$2,133.91	\$2,788.63	\$3,491.86	\$4,073.82	
5	\$49.64	\$606.22	\$1,273.08	\$1,909.62	\$2,667.39	\$3,485.80	\$4,364.81	\$5,092.28	
6	\$54.94	\$727.46	\$1,527.70	\$2,291.54	\$3,200.85	\$4,182.93	\$5,237.76	\$6,110.73	

* No new 1.5 yard bin service will be provided.

Roll-Off Containers

Current Roll-Offs Rates

Capacity in Cubic Yards	Monthly Maint. Rate*	Service Collection Charge Based on Number of Collections Per Week						
		1X	2X	3X	4X	5X	6X	7X
6	\$73	\$902	\$1,900	\$2,847	\$3,978	\$5,196	\$6,506	\$7,595
12	\$119	\$1,808	\$3,793	\$5,693	\$7,955	\$10,395	\$13,017	\$15,190
14	\$137	\$2,109	\$4,428	\$6,643	\$9,280	\$12,125	\$15,183	\$17,714
15	\$144	\$2,261	\$4,750	\$7,123	\$9,951	\$13,006	\$16,286	\$18,999
16	\$151	\$2,410	\$5,063	\$7,595	\$10,604	\$13,860	\$17,354	\$20,244
20	\$169	\$2,676	\$6,328	\$9,491	\$13,255	\$17,324	\$21,691	\$25,305
25	\$171	\$2,960	\$7,908	\$11,864	\$16,570	\$21,652	\$27,116	\$31,633
30	\$175	\$3,258	\$9,491	\$14,235	\$19,883	\$25,984	\$32,539	\$37,957

Attachment 1: Proposed FY 2014 Refuse Collection Rates

Proposed Roll-Offs Rates								
Capacity in Cubic Yards	Monthly Maint. Rate*	Service Collection Charge Based on Number of Collections Per Week						
		1X	2X	3X	4X	5X	6X	7X
6	\$75	\$923	\$1,945	\$2,915	\$4,073	\$5,320	\$6,661	\$7,776
12	\$122	\$1,851	\$3,883	\$5,829	\$8,144	\$10,643	\$13,327	\$15,552
14	\$140	\$2,159	\$4,533	\$6,801	\$9,501	\$12,414	\$15,545	\$18,136
15	\$147	\$2,315	\$4,863	\$7,293	\$10,188	\$13,316	\$16,674	\$19,451
16	\$155	\$2,467	\$5,184	\$7,776	\$10,856	\$14,190	\$17,767	\$20,726
20	\$173	\$2,740	\$6,479	\$9,717	\$13,571	\$17,736	\$22,207	\$25,908
25	\$175	\$3,030	\$8,096	\$12,146	\$16,965	\$22,168	\$27,762	\$32,386
30	\$179	\$3,336	\$9,717	\$14,574	\$20,356	\$26,603	\$33,314	\$38,861

*Note: The service rate for compaction-filled roll-off containers is triple the amount shown in the table above

Roll-Off Containers Short Term (4-day) Rental: The City's current temporary roll-off container rates do not reflect competitive market pricing. The proposed rate adjustments will align the City's rates with competitive market rates.

Current Roll-Off Containers Short Term (4-day) Rental Service Rates		Proposed Roll-Off Containers Short Term (4-day) Rental Service Rates	
Capacity in Cubic Yards	Short-Term Service Rate	Capacity in Cubic Yards	Short-Term Service Rate
(dirt) 6	\$525	(dirt) 6	\$525
12	\$473	12	\$364
14	\$483	14	\$425
16	\$498	16	\$486
20	\$551	20	\$551
30	\$656	30	\$656

*4 consecutive days including delivery and removal days

RESOLUTION NO. ~~##,###~~-N.S.

INCREASING RATES FOR RESIDENTIAL AND COMMERCIAL REFUSE
COLLECTION AND RESCINDING RESOLUTION NO. 65,798-N.S.

WHEREAS, the City is required by law, and in the interest of public health and resource conservation, to provide comprehensive waste management services to the public; and

WHEREAS, the Refuse Fund is an enterprise fund for solid waste programs and services, and must generate revenue to meet its expenses; and

WHEREAS, the City conducted the required Proposition 218 majority protest process to increase refuse collection rates and authorize an annual inflator tied to the Bay Area CPI, not to exceed 3% in 2009; and

WHEREAS, on June 26, 2012, the City Council adopted Resolution No. 65,798-N.S. establishing new refuse rates for FY 2013; and

WHEREAS, the Bay Area Consumer Price Index is 2.381% and this percentage increase can be applied to the rates and fees for residential and commercial refuse collection for FY 2014 effective July 1, 2013.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley as follows:

Section 1. Pursuant to Section 12.32.050 of the Berkeley Municipal Code, garbage collection service is provided by the City, and all owners of premises and places in the City in or from which garbage is created, accumulated or produced shall use or cause to be used, and pay the fees charged for, the City's collection service; and the City Council adopts the service provisions, charges and fees set forth below.

Section 2. General Provisions:

(a) Regular residential refuse collections shall be made only once each week.

(b) No refuse shall be picked up from any cans having a capacity of 45 gallons or more, except for continuing service with existing cans.

(c) Rate for additional weekly scheduled collections in excess of the maximum weekly frequency shown in the monthly rate tables: the rate for the additional collections shall be calculated by dividing the rate for the maximum frequency of collections for the size container used (including carts, bins and roll-offs) by that number of collections, then multiplying that amount by the number of additional collections per week.

(d) Whenever refuse collection service is discontinued or cancelled prior to the end of the period for which the collection fees have been paid, refund shall be made of that portion of the fees which is for the period subsequent to the discontinuance or cancellation of such service; provided, however, that no refund of less than one month's fee shall be made. Requests for such refunds shall be processed administratively under such rules and regulations therefore as shall be prescribed by the City Manager. Refunds may be granted as herein authorized only upon the written approval of the City Manager or her/his designee.

Section 3. Cans and Carts: for citywide refuse collected and removed in cans or carts, the provisions, rates and charges shall be as follows:

(a) The monthly rates for cans or carts shall be:

Container Size	Number of Collections Per Week						
	1X	2X	3X	4X	5X	6X	7X
10 Gallon	\$9.28	\$19.43	\$29.13	\$40.70	\$53.18	\$66.60	\$77.69
13 Gallon	\$12.06	\$25.26	\$37.87	\$52.91	\$69.14	\$86.58	\$101.00
20 Gallon	\$18.52	\$38.83	\$58.28	\$81.41	\$106.36	\$133.21	\$155.40
32 Gallon	\$29.62	\$62.18	\$93.24	\$130.25	\$170.21	\$213.09	\$248.63
45 Gallon	\$41.64	\$87.41	\$131.11	\$183.15	\$239.36	\$299.68	\$349.64
64 Gallon	\$59.21	\$124.32	\$186.46	\$260.47	\$340.40	\$426.24	\$497.25
96 Gallon	\$88.78	\$186.46	\$279.69	\$390.70	\$510.55	\$639.33	\$745.87

(b) No new 13 gallon containers will be provided.

(c) Residential customers (for purposes of this paragraph: any customer who has 5 or fewer refuse containers picked up per week and has less than one cubic yard of weekly refuse service) who request service on their property: there shall be a surcharge of 100% of the otherwise applicable base refuse collection charge, except for provisions made for eligible elderly and disabled customers.

(d) Commercial customers (for purposes of this paragraph: any customer who has either 6 or more refuse containers picked-up per week or has 1.0 cubic yards or more of weekly refuse service) who request refuse collection service on their property: there shall be a surcharge of 20% of the otherwise applicable base refuse collection fee. Commercial customers who request collection of recycling carts or cans on their property: there shall be a surcharge of \$10.24 per container per month.

(e) Where a can is located up or down a flight of stairs (for this purpose: a flight of stairs is at least 10 steps): there shall be a monthly surcharge for each flight of stairs of \$5.22 per can multiplied by the number of service pickups per week.

(f) When a container/can is not at the curb, there shall be a monthly surcharge for each additional 20 feet or portion thereof of \$3.94 per can multiplied by the number of service pickups per week.

Section 4. Fire Surcharge: for fire fuel collection and removal, there shall be a surcharge to the otherwise applicable monthly refuse service rate for customers in the Fire Surcharge Area, as defined in Exhibit A, as follows:

Container Size	Number of Collections Per Week						
	1X	2X	3X	4X	5X	6X	7X
13 Gallon	\$0.65	\$1.28	\$2.04	\$2.85	\$3.71	\$4.67	\$5.41
20 Gallon	\$1.00	\$2.02	\$3.02	\$4.28	\$5.54	\$6.80	\$8.06
32 Gallon	\$1.52	\$3.04	\$4.82	\$6.71	\$8.77	\$10.96	\$12.77
45 Gallon	\$2.17	\$4.34	\$6.82	\$9.52	\$12.47	\$15.59	\$18.22
64 Gallon	\$3.04	\$6.10	\$9.60	\$13.40	\$17.52	\$21.92	\$25.57
96 Gallon	\$4.58	\$9.14	\$14.42	\$20.09	\$26.26	\$32.88	\$38.35

Section 5. Refuse Bins (primarily commercial): for front- and rear-loading refuse bins (containers other than carts as defined by BMC 12.34.020.A) that are mechanically picked up and emptied by the collection vehicles, the provisions, rates and charges shall be as follows:

(a) The monthly rates for refuse bins shall be as follows:

Capacity in Cubic Yards	Monthly Maint. Rate	Service Collection Charge Based on Number of Collections Per Week							
		1X	2X	3X	4X	5X	6X	7X	8X
1	\$22.18	\$121.24	\$254.60	\$381.93	\$533.50	\$697.16	\$872.96	\$1,018.46	\$1,212.45
1.5	\$24.82	\$181.87	\$381.93	\$572.87	\$800.21	\$1,045.73	\$1,309.45	\$1,527.70	\$1,818.67
2	\$27.61	\$242.51	\$509.24	\$763.84	\$1,066.94	\$1,394.30	\$1,745.92	\$2,036.91	
3	\$33.19	\$363.73	\$763.84	\$1,145.77	\$1,600.45	\$2,091.49	\$2,618.89	\$3,055.36	
4	\$49.64	\$484.98	\$1,018.46	\$1,527.70	\$2,133.91	\$2,788.63	\$3,491.86	\$4,073.82	
5	\$49.64	\$606.22	\$1,273.08	\$1,909.62	\$2,667.39	\$3,485.80	\$4,364.81	\$5,092.28	
6	\$54.94	\$727.46	\$1,527.70	\$2,291.54	\$3,200.85	\$4,182.93	\$5,237.76	\$6,110.73	

(b) No new 1.5 yard bin service will be provided.

(c) Bin cleaning, special 1-time pickup, short-term (4 consecutive days including delivery and removal days) rental rates, and additional charges will be as follows:

Capacity in Cubic Yards	Cleaning Rate	Special Pick-Up Rate (1-time)	Short-Term Service Rate
1	\$90	\$46	
1.5	\$90	\$57	
2	\$90	\$67	\$96
3	\$90	\$91	\$116
4	\$90	\$108	\$146
5	\$90	\$133	\$166
6	\$90	\$153	\$185

Bins left over 4 days: there shall be an additional charge of \$17.92 per day, for no more than 2 additional days. Bins left over 6 days: the service will be considered a “new” service and a new full short-term rate shall be charged in addition to the original and extra day.

(d) Bins not located at the curb will receive a monthly surcharge will be added for refuse of 10%, and for recycling of \$11.06 per bin multiplied by the number of service pickups per week.

(e) Access difficulty, moving danger or liability exposure: a surcharge of 20% of the applicable base rate will be added where access to refuse bins is difficult, where moving the bin is dangerous due to narrow gateway, narrow passage or extreme slope, or where there is unusually high exposure to liability.

Section 6. Roll-off Containers: for roll-off containers, the provisions, rates and charges shall be as follows:

(a) The monthly rates for roll-off containers shall be as follows:

Capacity in Cubic Yards	Monthly Maint. Rate*	Service Collection Charge Based on Number of Collections Per Week						
		1X	2X	3X	4X	5X	6X	7X
6	\$75	\$923	\$1,945	\$2,915	\$4,073	\$5,320	\$6,661	\$7,776
12	\$122	\$1,851	\$3,883	\$5,829	\$8,144	\$10,643	\$13,327	\$15,552
14	\$140	\$2,159	\$4,533	\$6,801	\$9,501	\$12,414	\$15,545	\$18,136
15	\$147	\$2,315	\$4,863	\$7,293	\$10,188	\$13,316	\$16,674	\$19,451
16	\$155	\$2,467	\$5,184	\$7,776	\$10,856	\$14,190	\$17,767	\$20,726
20	\$173	\$2,740	\$6,479	\$9,717	\$13,571	\$17,736	\$22,207	\$25,908
25	\$175	\$3,030	\$8,096	\$12,146	\$16,965	\$22,168	\$27,762	\$32,386
30	\$179	\$3,336	\$9,717	\$14,574	\$20,356	\$26,603	\$33,314	\$38,861

(b) Extra handling (spinning) of roll-off containers, where reloading of container onto truck is required: a monthly surcharge will be added of \$43.87 multiplied by the number of service pickups per week.

(c) Roll-off containers short-term (4 consecutive days including delivery and removal days) rental service rates, and additional charges will be as follows:

Capacity in Cubic Yards	Short-Term Service Rate
(dirt) 6	\$525
12	\$364
14	\$425
16	\$486
20	\$551
30	\$656

Containers left over 4 days: there shall be an additional charge of \$17.50 per day, for no more than 2 additional days. Containers left over 6 days: the service will be considered a “new” service and a new full short term rate shall be charged in addition to the original and extra day charges.

Section 7. Other Special Provisions & Collection Services, Rates & Charges:

(a) Compaction-filled refuse bins and roll-off containers: the regular service collection and pick-up rates and charges set forth for these containers shall be tripled.

(b) Commercial food waste and compostables: weekly collection of wheeled carts, bins, or roll-offs (cans may not be used) filled exclusively with food waste and other compostable material from commercial refuse customers, the fee will be 80% of the fee for comparable refuse service. The Recycling Operations Supervisor may approve or deny commercial collection of food waste, plant debris, and other compostable materials.

(c) Additional refuse cans or carts – regularly scheduled collection: the additional charge shall be \$5.22 for each additional can or cart with up to 45-gallon capacity, and \$10.49 for each additional 64- or 96-gallon cart. Pre-paid bags will be collected at no additional charge, and can be purchased at locations established by the Public Works Director. For reasons of worker safety and ready identification of items to be disposed, only bags procured from the City or containers provided by the City will be picked up.

(d) Additional plant debris – regularly scheduled collection: customers may use pre-paid bags or tags, or additional carts provided by the City; extra materials will be removed only during regularly scheduled service. Pre-paid bags and tags can be purchased at locations established by the Public Works Director. For reasons of worker safety and ready identification of items to be disposed, only bags, tags, and containers procured from the City will be picked up.

(e) Pre-paid bags – special service collection (special service/special call is collection at times other than during regularly scheduled service, or from locations not scheduled for service): the charge shall be \$20.99 for collection of the first bag and no charge for additional bags. Pre-paid bags can be purchased at locations established by the Public Works Director.

(f) Commercial refuse – special service collection (special service/special call is collection at times other than during regularly scheduled service, or from locations not scheduled for service): the charge shall be \$24.21 for the first can or cart, and \$5.22 for each additional can or cart with a capacity of up to 45 gallons and \$10.49 for each additional 64- or 96-gallon cart. For reasons of worker safety and efficiency, only bags procured from the City or carts provided by the City will be picked up.

(g) Commercial recycling – special service collection (special service/special call is collection at times other than during regularly scheduled service, or from locations not scheduled for service): the charge shall be \$11.06 per call. For reasons of worker safety and efficiency, containers used for pickup must be provided by the City.

(h) Residential Refuse and Plant Debris Collection Program: prices for optional extra pre-paid bags, tags, and carts:

Prepaid Residential Refuse Bag	\$5.73 each
Prepaid Residential Plant Debris Bag	\$2.30 each
Prepaid Residential Plant Debris Tag for 1 extra bundle	\$1.33 each
Additional Plant Debris Cart	\$13.60 per month

(i) Annual Bulky Pickup: a fee of \$33.27 per cubic yard shall be charged for collection of refuse in excess of 3 cubic yards set out in front of the property on the scheduled Annual Bulky Pickup Day. Refuse in excess of 3 cubic yards left at the edge of the right-of-way on the scheduled Bulky Pickup Day constitutes authorization for the City to provide services to remove the refuse, at the above per-yard rate.

(j) Customer keys and codes: for handling customer keys and codes to access containers, a key/code fee of \$33.79 per month, multiplied by the number of service pickups per week, will be charged. There is no charge for use of the standard key recommended by the Solid Waste Management Division.

(k) Cart replacement: in accordance with Berkeley Municipal Code section 12.34.060, the replacement fee for a solid waste cart that was maliciously or willfully destroyed, or for which reasonable care was not used in securing or maintaining the cart, shall be \$55.29.

Section 8. Agreements: The City Council may authorize agreements with the Berkeley Unified School District, the University of California, or any other governmental agency or special district for collection and disposal of refuse, recycling, and organic materials upon such terms and conditions as may be mutually agreed upon.

BE IT FURTHER RESOLVED that Resolution No. 65,798–N.S is hereby rescinded effective July 1, 2013.

BE IT FURTHER RESOLVED that this Resolution shall become effective on July 1, 2013.

Exhibit:

A: Fire Surcharge Area

FIRE SURCHARGE AREA

The Fire Surcharge Area is all of that area within the City of Berkeley that is east of the line beginning at a point on the northern boundary line of the City of Berkeley 100 feet west of the western line of Arlington Avenue, and running thence southerly parallel to the western line of Arlington Avenue to the northern line of The Circle; thence southerly across the Circle to the intersection of the southern line thereof with the center line of Fountain Walk; thence southerly along the center line of Fountain Walk to the northern line of Del Norte Street to a point on the southern line thereof, distant 100 feet at right angles easterly from the northern extension of the eastern line of Sutter Street; thence southerly parallel to the eastern line of Sutter Street to the northern line of Eunice Street; thence southerly across Eunice Street to a point on the southern line thereof, distant 100 feet east of the eastern line of Henry Street; thence southerly parallel to the eastern line of Henry Street to a point 100 feet north of the northern line of Rose Street; thence easterly parallel to the northern line of Rose Street to a point 100 feet east of the eastern line of Spruce Street, thence southerly parallel to the eastern line of Spruce Street to a point 100 feet north of the northern line of Cedar Street; thence easterly parallel to the northern line of Cedar Street to a point 100 feet east of the northern extension of the eastern line of Scenic Avenue, as located south of Cedar Street; thence southerly parallel to said extension of Scenic Avenue and parallel to Scenic Avenue to a point 100 feet north of the northern line of Hilgard Avenue; thence easterly parallel to the northern line of Hilgard Avenue to a point 100 feet west of the western line of Euclid Avenue; thence southerly parallel to the western line of Euclid Avenue to the northern line of Hearst Avenue; thence southerly in a straight line to a point on the southern line of the grounds of the University of California, distant 100 feet east of the eastern line of College Avenue; thence southerly parallel to the eastern line of College Avenue to a point 100 feet north of the northern line of Bancroft Way; thence easterly parallel to the northern line of Bancroft Way to a point 100 feet west of the western line of Piedmont Avenue; thence southerly parallel to the western line of Piedmont Avenue to the center line of Dwight Way; thence easterly along the center line of Dwight Way and along its eastern extension to the eastern boundary line of the City of Berkeley; thence southerly along the eastern boundary of the City of Berkeley to the southern line of Russell Street; thence southerly along the western line of Domingo Avenue to a point 100 feet west of the western line of El Camino Real; thence southerly parallel to the western line of El Camino Real to the center line of The Uplands; thence westerly along the center line of the Uplands to a point 100 feet east of the eastern line of Claremont Avenue; thence southerly parallel to the eastern line of Claremont Avenue to the southern line of the City of Berkeley.

