



## Legislation Details (With Text)

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**Title:** Adopt City Council Resolution Approving Amendment No. 6 to the Franchise Agreement with Waste Management

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**Attachments:** 1. RESO WM Amendment No.pdf, 2. WM Amendment 6

Date	Ver.	Action By	Action	Result
2/25/2019	1	City Council	referred to staff	

### Adopt City Council Resolution Approving Amendment No. 6 to the Franchise Agreement with Waste Management

The City's Franchise Agreement (Agreement) with USA Waste of California, Inc., DBA Empire Waste Management (Waste Management) dated January 8, 2007, sets forth the services provided to customers within City limits and the original pricing in 2007 in Exhibit A. Amendment No. 6 to the Franchise Agreement with Waste Management was originally presented to City Council at the January 28, 2019 City Council meeting and added services to that Exhibit A. That proposed amendment included new charges for both overages and contamination. At the January 28, 2019 meeting, City Council directed staff to bring back an amendment that included charges for contamination, but to not include overage charges at this time. Council wanted more historical information on the frequency, issues and Waste Management's educational program in regard to the overage charges before it approves those fees. Staff's understanding was that the overage charges could be revisited in six months, when the SMART Truck technology, used to track the overages, had more history and the overage issue could be better evaluated.

The attached amendment No. 6, provides for a \$10 contamination charge after two warnings have been issued to a residential customer. There is a \$100 contamination charge for commercial customers after two warnings and a proposed \$10 inactivity fee for roll off bins after seven days.

Waste Management acknowledged that it had charged some commercial customers an overage fee, which it has agreed to reverse. Credits totaling more than \$6,000 will be issued to those customers billed in error.