



REPORT TO CITY COUNCIL

DATE: JANUARY 22, 2013

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: GREG RAMIREZ, CITY MANAGER 

BY: LOUIS CELAYA, DEPUTY CITY MANAGER 

SUBJECT: ADOPTION OF RESOLUTION NO. 14-1739; LIMITING THE NUMBER OF HAULERS AUTHORIZED TO PROVIDE SOLID WASTE COLLECTION AND RECYCLING SERVICES FROM COMMERCIAL PREMISES, AND ROLL-OFF SERVICES TO RESIDENTIAL AND COMMERCIAL PREMISES IN THE CITY OF AGOURA HILLS

The City currently has an established permit-based system for solid waste collectors (haulers) for the collection of solid waste and recyclables from the City's commercial sector. Additionally, those haulers who secure a permit for the commercial sector are also permitted to provide temporary bin and roll-off services to the residential sector. All permit holders are required to meeting quarterly diversion rates (50%) to participate in the program and assist the City with meeting mandates required under AB 939 (mandatory diversion) and SB 314 (mandatory commercial recycling programs).

The City, historically, has between 12 to 13 permitted haulers annually seeking permits. This number has fared well, as it provides a sufficient number of collectors for Agoura businesses to select from, while at the same time limiting the amount of trucks traversing City streets. With the changing solid waste arena, the City of Los Angeles is limiting solid waste haulers, and the County of Los Angeles is issuing franchise agreements to specific areas. Now other collectors, who formally provided services in these areas, are seeking other service areas. The City has received several inquires and requests for permit application information. The City has administratively limited the number of permits issued annually, however after discussions with the City Attorney, the City's Solid Waste Consultant, and the Public Works Director, a formal policy would best continue to preserve the City's infrastructure and overall traffic conditions, while also continuing to afford City staff the current manageable administrative work associated with the annual permits and reporting requirements.

The attached resolution official sets forth the policy establishing 13 permitted commercial solid waste collectors (haulers), while also affording the City the ability to accept applications from other solid waste haulers in the event existing permitted haulers either fail to apply or qualify for a permit. The absence of an official policy would make it challenging for City staff to deny potential new companies desiring to secure a permit. In some municipalities, commercial permitted haulers number over 20, making it difficult for

the City to maintain required state diversion mandates, creating additional administrative work to collect required reports and associated fees, and most importantly impacting streets and infrastructure. As mentioned previously, the current number of haulers has worked well for Agoura Hills and has provided the business sector with ample choices for providers to best serve their needs, afforded residents the options to select from several providers to assist with temporary construction projects, and reduced the impacts to streets and infrastructure.

RECOMMENDATION

Staff respectfully recommends the City Council adopt Resolution No. 14-1739; limiting the number of haulers authorized to provide solid waste collection and recycling services from commercial premises, and roll-off services to residential and commercial premises in the City of Agoura Hills.

Attachment: Resolution No. 14-1739

RESOLUTION NO. 14-1739

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, LIMITING THE NUMBER OF HAULERS AUTHORIZED TO PROVIDE SOLID WASTE COLLECTION AND RECYCLING SERVICES FROM COMMERCIAL PREMISES, AND ROLL OFF SERVICES TO RESIDENTIAL AND COMMERCIAL PREMISES IN THE CITY OF AGOURA HILLS

WHEREAS, pursuant to Section 5302 of the City of Agoura Hills Municipal Code, and to improve monitoring and reporting of commercial and roll-off disposal and recycling tonnage, only those solid waste haulers who have secured a permit with the City may collect solid waste and recyclables from commercial premises, and roll-off services to residential premises in the City ("Commercial Haulers"); and

WHEREAS, on November 15, 1995, the City Council of the City of Agoura Hills adopted Resolution No. 95-962, establishing procedures for mandatory commingled collection of recyclables from commercial premises; and

WHEREAS, on December 13, 2006, the City Council of the City of Agoura Hills adopted Resolution No. 06-1437, establishing revised procedures for mandatory commingled collection of recyclables from commercial premises; and

WHEREAS, there are currently thirteen authorized Commercial Haulers operating in the City; and

WHEREAS, the City Council has found that more than thirteen haulers providing solid waste collection and recycling services from commercial premises, and roll-off services to residential and commercial premises, would overburden the streets and create traffic problems, as well as potentially damaging the pavement, and would increase the difficulty of efficiently monitoring and reporting commercial and roll-off disposal and recycling tonnage, and other such required activities; and

WHEREAS, the City reserves the right to continue to limit the numbers of permitted haulers, as authorized providers cease to operate as a result of economic conditions; and

WHEREAS, all thirteen authorized Commercial Haulers provided timely quarterly reports and fees, and provided the required proof of valid general liability and workers compensation insurance during 2013; and

NOW THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF AGOURA HILLS THAT:

Section 1. The number of haulers authorized to provide solid waste collection and recycling services from commercial premises, and roll-off services to residential and commercial premises in the City of Agoura Hills, is hereby limited to thirteen.

Section 2. Commencing upon the effective date of this Resolution, only the Commercial Haulers authorized to provide services in the City in the preceding calendar year are authorized to apply for permits to provide solid waste collection and recycling services from commercial premises, and roll off services to residential and commercial premises in the City of Agoura Hills in the succeeding calendar year. If any of the previously authorized Commercial Haulers fail to apply or qualify for a permit, the City shall accept applications from other haulers. In no case shall the number of authorized Commercial Haulers exceed thirteen.

PASSED, APPROVED, and ADOPTED this 22nd day of January 2014, by the following vote to wit:

AYES: ()
NOES: ()
ABSENT: ()
ABSTAIN: ()

William D. Koehler, Mayor

ATTEST:

Kimberly M. Rodrigues, MMC, City Clerk