



## REPORT TO CITY COUNCIL

**DATE:** DECEMBER 14, 2016

**TO:** HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

**FROM:** GREG RAMIREZ, CITY MANAGER 

**BY:** LOUIS CELAYA, DEPUTY CITY MANAGER 

**SUBJECT:** CONDUCT A PUBLIC HEARING AND CONSIDER ADOPTION OF RESOLUTION NO. 16-1831 OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, ADJUSTING AND ADOPTING A COMMERCIAL SOLID WASTE COLLECTOR PERMIT FEE

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The City of Agoura Hills currently issues annual permits for collection of solid waste and recyclables for the commercial sector. The City currently has a set number of solid waste commercial collectors (collectors) that provide this service, as well as provision for temporary solid waste bin service to the residential area for temporary construction projects.

Currently the City's commercial solid waste collectors pay \$500 for the issuance of an annual commercial solid waste collector permit. During the FY 2015-16 Budget Workshop, the City Council conceptually agreed to phased increases over time to a maximum permit amount of \$1,000. The phased increases allowed for existing collectors to make adjustments over time for the fee increase, and also keep the City in line with existing fees assessed by other entities for the provision of these services, and finally to allow for cost recovery for City expenditures to continually monitor and administrate this element of the City's Solid Waste and Recycling Programs. Historically, the City of Agoura Hills has had the lowest fee for this service. During the FY 2016-17/FY 2017-18 budget workshop, the City Council was advised that next phase increase would be implemented and agreed to the fee increase.

The City currently collects approximately \$6,500 annually in permit application fees from the thirteen collectors participating in the commercial solid waste program. The following staff members and contracted consultant(s) work directly on the administration of the commercial solid waste and recyclables program for the commercial sector:

Position/Consultant	Tasks	Average Time Spent	Estimated Time	Estimated Annual Cost
Deputy City Manager	Program Oversight & Monitoring of Commercial Solid Waste Program and Solid Waste Consultant	10%	180 hours	\$32,137

Position/Consultant	Tasks	Average Time Spent	Estimated Time	Estimated Annual Cost
Solid Waste Solutions (Consultant)	Monthly monitoring of disposal reports; quarterly review of hauler disposal diversion reports and fees; Annual Permit application processing; legislative tracking pertaining to commercial collection and recycling	23%	85.5 hours	\$ 7,450
			TOTAL:	\$39,587

This cost information was validated by the consultant (MGT Financial Services) currently assisting the City with reviews of existing fees, and identified that the commercial solid waste permit applications are calculated to offset 10% of staff's fully burdened annual cost and the 23% of consultant's costs. Based on the consultant's review of staff resources and costs, it was concluded that the cost for issuing and administrating the thirteen commercial solid waste permits is \$3,045 per permit. This is well above the proposed \$750 and final \$1,000 final application fee being recommended.

It should be noted that staff anticipates additional time will be attributed to this element of the solid waste program as recent mandates pertaining to commercial solid waste recycling, and organics collection in the commercial sector (AB 341/AB 1826) will be required.

Resolution No. 16-1831 provides the history of the permit fee requirement, approval of past fees and increases, and authorizes the change in permit application fee from \$500 to \$750 for Fiscal Year 2016-17 and for the final increase of \$1000 for Fiscal Year 2017-2018.

This item has been reviewed and approved as to form by the City Attorney.

### **RECOMMENDATION**

Staff respectfully recommends the City Council conduct a Public Hearing and adopt Resolution No. 16-1831; adjusting and adopting a Commercial Solid Waste Collector Permit Fee.

Attachment: Resolution No. 16-1831

**RESOLUTION NO. 16-1831**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, ADJUSTING AND ADOPTING A COMMERCIAL SOLID WASTE COLLECTOR PERMIT FEE**

**WHEREAS;** Section 5302 of the Agoura Hills Municipal Code, also known as the City's Solid Waste Ordinance, requires that all collectors of solid waste within the City must obtain a solid waste collector permit, and

**WHEREAS;** Section 5306 of the Agoura Hills Municipal Code requires that each collector pay an annual fee in an amount determined by resolution of the City Council for collection of solid waste within the City;

**WHEREAS,** on November 15, 1995, the City Council approved a fee in the amount of \$250.00 per year to be imposed for commercial solid waste collector permits issued within the City;

**WHEREAS,** in June 2015, the commercial solid waste collector permit fee was increased from \$250.00 to \$500.00 for commercial solid waste collectors within the City;

**WHEREAS,** the City Council hereby finds and determines, based upon the analysis set forth in the staff report dated December 14, 2016, that the commercial solid waste collector permit fee established herein does not exceed the reasonable estimated costs to the City of providing the service or conferring the benefit to the permit holder.

**WHEREAS,** the City Council acknowledges that the commercial solid waste collector permit fees set forth in Section 4 of this Resolution will not recover all the actual costs associated with the City's commercial solid waste collector permit program.

**WHEREAS,** the City desires to gradually increase the commercial solid waste collector permit fee in two phases – the first on January 1, 2017 and the last on January 1, 2018.

**WHEREAS,** City staff has determined that the adoption of the commercial solid waste collector permit fee does not constitute a "project" under the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Section 15378(b)(4) because such actions involve the creation of a government funding mechanism which does not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment.

**NOW THEREFORE,** the City Council of the City of Agoura Hills hereby resolves and orders as follows:

**Section 1.** The City Council hereby adopts and approves the findings set forth above in support of this Resolution.

**Section 2.** The City Council has reviewed and considered the staff report and proposed notice of exemption from CEQA review prepared for the City's commercial solid waste collector permit fee. The City Council concurs with City staff's determination that the adoption of the commercial solid waste collector permit fee does not constitute a project under CEQA pursuant to CEQA Guidelines Section 15378. City staff is therefore directed to prepare and file a Notice of Exemption with the County Clerk pursuant to CEQA Guidelines Section 15062 within five (5) days of the date of this action.

**Section 3.** After reviewing the staff report and all testimony and information received at the City Council meeting, the City Council hereby finds and determines as follows:

- A. It is necessary, desirable and in the public interest to adjust the existing commercial solid waste collector permit fee.
- B. The commercial solid waste collector permit fee collected pursuant to Section 5306 of the Agoura Hills Municipal Code shall be used only to carry out the commercial solid waste collector permit program.
- C. The purpose of the commercial solid waste collector permit fee is to allow the City to recoup the actual and reasonable costs of the commercial solid waste collector permit program.
- D. The fees established by this Resolution do not exceed and fall below the estimated reasonable costs incurred by the City in providing the services to which the commercial solid waste collector permit fee applies.
- E. The City Council hereby approves the methodology and calculations used in determining the commercial solid waste collector permit fee set forth in the staff report dated December 14, 2016, and prepared in connection with this Resolution.

**Section 4.** The City Council hereby adjusts and adopts the commercial solid waste collector permit fee according to the following schedule:

- A. Effective January 1, 2017, the commercial solid waste collector permit fee shall be \$750.
- B. Effective January 1, 2018, the commercial solid waste collector permit fee shall be \$1000.
- C. Commercial solid waste collector permit fees shall be remitted directly to the City together with the application for a commercial solid waste collector's permit.

**Section 5.** Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Resolution or any part hereof is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portion of this Resolution or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase hereof, irrespective of the fact that any one or more section, subsection,

subdivision, paragraph, sentence, clause or phrase be declared invalid or unconstitutional.

**Section 6.** The City Clerk shall certify to the adoption of this Resolution.

**PASSED, APPROVED AND ADOPTED** this 14<sup>th</sup> day of December, 2016, by the following vote to wit:

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

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Denis Weber,  
Mayor

ATTEST:

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Kimberly Rodrigues, MMPA, MMC  
City Clerk



Agency: City of Agoura Hills  
 Department: Film  
 Fiscal Year: 2016-2017

Adj to Match is quite large

I	Ord	Position Title	# of FTE	Days/Yr		Hrs/Wk		Min/Day		% Working Hours					
				Training Entry	Training & Educ	Meetings Entry	Meetings	Breaks Entry	Breaks	Other Entry	Other (Specify)	Admin Entry	Admin	Direct Hours	Percent Direct
1	1	City Manager	1.00		-		-		-			30%	540	1,260	61%
2	2	Assistant City Manager	1.00		-		-		-			30%	540	1,260	61%
3	3	Deputy City Manager	1.00		-		-		-			30%	540	1,260	61%
4	4	Admin. Analyst	1.00		-	1.00	52	30	113			30%	491	1,145	55%
5	5	Admin. Analyst	1.00		-	1.00	52	30	113			30%	491	1,145	55%
6	6	Executive Assistant	1.00		-		-		-			30%	540	1,260	61%
7	7	Secretary I	0.50		-		-		-			30%	270	630	61%
8	8	Adj to Match	1.00		-		-		-				-	1,800	87%
Total:			7.50												

## Full Cost Hourly Rates

Agency:  
 Department:  
 Fiscal Year:

City of Agoura Hills  
 Film  
 2016-2017

I	Ord	Position	Annual Salary	Hourly			Total
				Salary & Benefits	Internal Dept Admin	External Support	
1	1	City Manager	\$ 213,885	\$ 156.48	\$ 136.59	\$ -	\$ 293.06
2	2	Assistant City Manager	\$ 180,184	\$ 131.82	\$ 115.06	\$ -	\$ 246.89
3	3	Deputy City Manager	\$ 130,305	\$ 95.33	\$ 83.21	\$ -	\$ 178.54
4	4	Admin. Analyst	\$ 87,312	\$ 63.88	\$ 55.76	\$ -	\$ 119.63
5	5	Admin. Analyst	\$ 55,584	\$ 40.66	\$ 35.50	\$ -	\$ 76.16
6	6	Executive Assistant	\$ 57,514	\$ 42.08	\$ 36.73	\$ -	\$ 78.80
7	7	Secretary I	\$ 68,243	\$ 49.93	\$ 43.58	\$ -	\$ 93.50
8	8	Adj to Match	\$ (124,198)	\$ (90.86)	\$ (79.31)	\$ -	\$ (170.17)

**Notes:**

Internal admin/indirect rate of 87.3% is applied to hourly personnel rate.  
 External admin/indirect rate of 0% is applied to hourly personnel rate.



# Agoura

## Dollars

Agoura Hills - 2015-16		July	August	September	October	November	December	January	February	March	April	May	June	Subtotal by Task
AP	40,000	Annual Solid Waste Hauler Permits												
	40001	AP: Annual Permits Tasks: Issue renewal letters, process permits												
	40003	AP: Diversion/Disposal Reports Tasks: Maintain Database of Haulers' monthly/quarterly reporting logs												
	40004	AP: Hauler Coordination & Yearly Report												
	40005	AP: Reporting Requirements												
	40006	AP: Illegal Hauling/Permit Violations Addressed												
PD	60,000	Program Development												
	60008	Legislative review												
COM	80,000	Commercial Programs CIWMB Program 2030-RC-OSP												
	80001	COM: Hauler Coordination Tasks: work w/ haulers to insure active participation in Cmnd program												
	80004	Com: E-Waste												
														\$ 7,457

## Hours

Agoura Hills - 2015-16		July	August	September	October	November	December	January	February	March	April	May	June	Subtotal by Task
AP	40,000	Annual Solid Waste Hauler Permits												
	40001	AP: Annual Permits Tasks: Issue renewal letters, process permits												
	40003	AP: Diversion/Disposal Reports Tasks: Maintain Database of Haulers' monthly/quarterly reporting logs												
	40004	AP: Hauler Coordination & Yearly Report												
	40005	AP: Reporting Requirements												
	40006	AP: Illegal Hauling/Permit Violations Addressed												
PD	60,000	Program Development												
	60008	Legislative review												
COM	80,000	Commercial Programs CIWMB Program 2030-RC-OSP												
	80001	COM: Hauler Coordination Tasks: work w/ haulers to insure active participation in Cmnd program												
	80004	Com: E-Waste												
														85.50

SOLID WASTE SOLUTIONS INC.