

**SULTAN CITY COUNCIL
AGENDA ITEM COVER SHEET**

ITEM NO: Consent C 5

DATE: October 8, 2009

SUBJECT: Ordinance 1058-09 Recycling Rates

CONTACT PERSON: Laura Koenig Clerk/Deputy Finance Director

ISSUE:

The issue before the Council is the adoption of Ordinance 1058-09 to establish rates for recycling services provided by Allied Waste in accordance with the approved Franchise Agreement. The ordinance was introduced for a first reading on September 24, 2009 and the Council requested clarification in the ordinance in regards to the yard waste collection.

SUMMARY:

The city's contract for recycling services with Rabanco Connections dba as Lynnwood Disposal (now known as Allied Waste) expired in April 2008. The city and Allied Waste jointly agreed to extend the contract to August 31, 2009 pending a request for proposal process for recycling services. The Council approved a franchise agreement with Allied Waste (Rabanco) at the July 23, 2009 meeting.

In January 2009, the Council adopted interim garbage and recycle rates under Ordinance 1014-09. The franchise agreement sets new rates for recycling services and in accordance with state law, the City published a Notice of Recycle Rate Increases on August 26, 2009 and September 2, 2009.

Ordinance 1058-09 establishes the rates for residential recycling which includes an administrative fee for the City's handling the customer billing. The rates will be effective October 1, 2009 and the first billing will be sent out in November 2009.

RECOMMENDATION:

Staff recommends the Council adoption of Ordinance 1058-09 as amended.

Attachment: A. Ordinance 1058-09

CITY OF SULTAN
WASHINGTON
ORDINANCE NO. 1058-09

AN ORDINANCE OF THE CITY OF SULTAN,
WASHINGTON, AMENDING ORDINANCE 1027-09 TO
ADOPT RECYCLE SERVICE RATES; PROVIDING FOR
SEVERABILITY; AND ESTABLISHING AN EFFECTIVE
DATE.

WHEREAS the City has entered into a contract with Allied Waste to provide recycling services within the city; and

WHEREAS, the Council adopted Ordinance 1027-09 on March 12, 2009 to establish interim rates; and

WHEREAS, the rates will be effective October 1, 2009 in accordance with the contract with Allied Waste;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SULTAN, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Establish rates and charges for recycle service as follows:

- 1. ~~Recycling and Yard Waste~~
(Per Dwelling Unit Per Month)
Single family detached and multi-family units
(duplex, triplex, and fourplex)
 - 64 or 96 gallon toter.....\$9.25
 - Multi-family units of five units or larger
 - 64 or 96 gallon toter/unit.....\$9.25
 - 1.0 cubic yard/complex.....\$32.45
 - 1.5 cubic yard/complex.....\$48.70
 - 2.0 cubic yard/complex.....\$64.95
 - Qualified low income senior citizens.....\$4.65
 - Yard Waste Voucher (per pickup).....\$8.40

Section 2. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 3. Effective Date. This Ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force on October 1, 2009.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 8th DAY OF OCTOBER, 2009.

CITY OF SULTAN

Carolyn Eslick, Mayor

ATTEST/AUTHENTICATED:

Laura Koenig, City Clerk

Approved as to form:

Margaret J. King, City Attorney

Passed by the City Council:
Date of Publication:
Effective Date: