

## **RESOLUTION NO. 2023-57**

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FREMONT ADOPTING THE CITY'S CURBSIDE RECYCLING PAYMENT AND YARD WASTE TRANSFER FEE AT THE FREMONT RECYCLING AND TRANSFER STATION COMMENCING JANUARY 1, 2024**

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WHEREAS, the City of Fremont ("City") entered into a contract with BLT Enterprises of Fremont Inc., hereinafter referred to as "Contractor", for receipt and processing of Curbside Recyclable Materials, and receipt and transfer of Curbside Organic Waste effective June 1, 2006 at the Fremont Recycling and Transfer Station; and

WHEREAS, incorporated into the aforementioned contract is Exhibit A establishing the negotiated rates between the City and the Contractor for a per ton payment to the City for Curbside Recyclable Materials, and a per ton fee for Curbside Organic Waste Transfer services; and

WHEREAS, the City agreed to suspend the Curbside Recyclable Material Payment due to extraordinary circumstances as reflected in the Third, Fourth, and Fifth Amendments to the aforementioned contract; and

WHEREAS, the City agreed to implement a revised compensation structure for Curbside Recyclables consisting of a Processing Fee Per Incoming Ton, Landfill Residue Payment, and Curbside Mixed Paper Processing Fee due to extraordinary circumstances as reflected in the Sixth Amendment to the aforementioned contract; and

WHEREAS, the City agreed to adjust the Curbside Organic Waste Transfer fees biennially over the Base Term to reflect changes in the Consumer Price Index ("CPI") as provided in Article 8 of the aforementioned contract; and

WHEREAS, the City agreed to adjust the Processing Fee Per Incoming Ton, Landfill Residue Payment, and Curbside Mixed Paper Processing Fee to reflect changes in the CPI material commodity prices, and landfill disposal costs as provided in the Sixth Amendment of the aforementioned contract; and

WHEREAS, Contractor has agreed to pay City a Curbside Recyclables Offset Fee for each ton of Recyclables Contractor accepts for Curbside Recyclables generated outside of the Tri-Cities; and

WHEREAS, the City has agreed to adjust the Curbside Recyclables Offset Fee payment biennially over the Base Term to reflect change in the CPI as provided in Article 8 of the aforementioned contract; and


WHEREAS, the revised payment for the Curbside Recyclables Offset Fee, the revised fee for Curbside Organic Waste Transfer services, the Processing Fee Per Incoming Ton, Landfill Residue Payment, and Curbside Mixed Paper Processing Fee will be in effect from January 1, 2024 to December 31, 2025.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF FREMONT DOES HEREBY RESOLVE AS FOLLOWS:

The City Council adopts the payments and fees shown in attached Exhibit A of the Agreement between the City of Fremont and BLT Enterprises of Fremont, Inc. for Curbside Recyclable Materials and Organic Waste Services.


ADOPTED December 12, 2023, by the City Council of the City of Fremont, by the following vote:

- AYES: Mayor Mei, Councilmembers Keng, Campbell, Kassan, Salwan, and Cox
- NOES: None
- ABSENT: Vice Mayor Shao
- ABSTAIN: None

  
\_\_\_\_\_  
Mayor

ATTEST:

APPROVED AS TO FORM:

  
\_\_\_\_\_  
City Clerk

  
\_\_\_\_\_  
City Attorney

## EXHIBIT A

### COMPENSATION

January 1, 2024 – December 31, 2025

#### CURBSIDE RECYCLABLE MATERIAL

The Curbside Recyclable Material Payment is suspended.

A Curbside Extraordinary Adjustment Fee will be charged to the City for each ton of curbside recyclables delivered to the Facility. The fee per ton is \$14.53

#### CURBSIDE ORGANIC WASTE TRANSFER FEE

A Curbside Organic Waste Transfer Fee will be charged to the City for each ton of curbside organic waste delivered to the Facility. The fee per ton is \$33.70

#### CURBSIDE RECYCABLES OFFSET FEE

A Curbside Recyclables Offset Fee will be paid to the City for each ton of curbside recyclables generated outside of the Tri-Cities and processed at the Facility. The fee per ton is \$3.13

#### CURBSIDE PROCESSING FEE PER INCOMING TON

A Curbside Processing Fee Per Incoming will be charged to the City for each ton of curbside recyclables processed at the Facility. The fee per ton is \$85.70

#### LANDFILL RESIDUE PAYMENT

A Landfill Residue Payment will be charged to the City for each ton of curbside recyclables processed and ultimately landfilled as residue. The fee per ton is \$58.19

#### CURBSIDE MIXED PAPER PROCESSING FEE

A Curbside Mixed Paper Processing Fee will be charged to the City for each ton of mixed paper processed at the facility. The fee per ton is \$78.81

**BIENNIAL ADJUSTMENT TO CURBSIDE RECYCLABLE EXTRAORDINARY ADJUSTMENT**

Current Curbside Extraordinary Adjustment Fee	\$12.18
MMW Service Fee ILWU Wage Component Adjustment	\$ 1.61
MMW Service Fee Health Insurance Component Adjustment	<u>\$ .74</u>
Revised Curbside Extraordinary Adjustment Fee	\$14.53

The biennial per ton increase calculated for the facility wage and health components of the Mixed Municipal Waste Service Fee shall also be applied to the High Value Commercial Recycling Extraordinary Adjustment

**BIENNIAL ADJUSTMENT TO CURBSIDE ORGANIC WASTE TRANSFER FEE  
Calculation Example**

Component	Adjustment Index Used	2022/2023 Fee	Most Recent Index	Prior Index	2024/2025 Fee
CPI Component	CPI	\$2.79	340.056	309.497	\$3.06
Transportation Wage Component	CPI	\$4.09	340.056	309.497	\$4.50
ILWU Wage Component	CPI	\$16.30	340.056	309.497	\$17.91
Extraordinary Health Insurance Component	Health Insurance Index/CPI floor	\$7.49	340.056	309.497	\$8.23
<b>Total</b>		<b>\$30.67</b>			<b>\$33.70</b>

**BIENNIAL ADJUSTMENT TO CURBSIDE RECYCLABLE OFFSET FEE**  
**Calculation Example**

Component	Adjustment Index Used	2018/2019 Fee	Most Recent Index	Prior Index	2020/2021 Fee
CPI Component	CPI	\$2.86	340.056	309.497	\$3.13