

6.3 Public Hearing on Residential Garbage and Recycling Services Rates for Single-Family and Multi-Family Residential Solid Waste Services.

Recommendation:

- (a) Hold a public hearing on the proposed Residential Garbage and Recycling rates and charges effective July 1, 2024.
- (b) Adopt a resolution, effective July 1, 2024:
 - (1) Increasing residential solid waste service rates for single-family households up to 4%; and
 - (2) Increasing residential solid waste service rates for multi-family households up to 2%.
- (c) Approve an uncodified ordinance, effective July 1, 2024:
 - (1) Increasing residential solid waste service rates for single-family households up to 4% specified in the resolution; and
 - (2) Increasing residential solid waste service rates for multi-family households up to 2% specified in the resolution.

CEQA: Statutorily Exempt, File No. PP17-005, CEQA Guidelines Section 15273, Rates, Tolls, Fares, and Charges. (Environmental Services)



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Kerrie Romanow

SUBJECT: SEE BELOW

DATE: May 14, 2024

Approved

Date

5/22/24

**SUBJECT: PUBLIC HEARING ON RESIDENTIAL GARBAGE AND RECYCLING
SERVICES RATES FOR SINGLE-FAMILY AND MULTI-FAMILY
RESIDENTIAL SOLID WASTE SERVICES**

RECOMMENDATION

- (a) Hold a public hearing on the proposed Residential Garbage and Recycling rates and charges effective July 1, 2024.
- (b) Adopt a resolution, effective July 1, 2024:
 - (1) Increasing residential solid waste service rates for single-family households up to 4%; and
 - (2) Increasing residential solid waste service rates for multi-family households up to 2%.
- (c) Approve an uncodified ordinance, effective July 1, 2024:
 - (1) Increasing residential solid waste service rates for single-family households up to 4% specified in the resolution; and
 - (2) Increasing residential solid waste service rates for multi-family households up to 2% specified in the resolution.

SUMMARY AND OUTCOME

Rate increases of up to 4% for Single-Family Dwelling (SFD) households (\$2.05 per month or \$0.47 per week for the 32-gallon cart, or typical service level) and 2% for Multi-Family Dwelling (MFD) households (approximately \$0.51 per unit per month or \$0.12 per unit per week) will be implemented effective July 1, 2024. These proposed rate adjustments would maintain the Residential Garbage and Recycling Program near cost-recovery and meet contractual obligations.

BACKGROUND

Residential garbage and recycling agreements provide the following services: garbage, recycling, and yard trimming collection; recycling processing; yard trimmings processing and composting; junk pickup; SFD motor oil and oil filter collection; and processing of residential garbage to recover organics and recyclables. Residential garbage and recycling rates, billed to property owners as part of the property tax bill, are set to cover the expenses of providing these residential solid waste services. Staff regularly reviews Integrated Waste Management Fund revenues and expenditures and forecasts the rates necessary to implement and maintain City Council-approved services, programs, and activities related to residential solid waste.

As required under California law, a notice of the proposed rate increase was mailed on April 9, 2024 to all property owners that are subject to these rates. The notice specified a maximum 6% annual rate increase for SFD households and 3% for MFD households effective July 1, 2024.

Adoption of the resolution and approval of the uncodified ordinance will implement increased residential garbage and recycling rates, effective July 1, 2024.

ANALYSIS

Residential garbage and recycling contractors collect half a million tons of material every year from over 330,000 households while providing waste processing services that give San José one of the highest recycling rates in the area.

Increasing Contractual Costs

The recommended rate increases fund contractual cost increases due to an average increase of 4.47% in the Refuse Rate Index, which covers cost of living adjustments and increased operational costs for waste haulers. Another driver of customer rate increases is a dynamic pricing structure that compensates the recycling contractors based on levels of non-recyclables found in the recycling cart, which was negotiated to address the contractors' assertion that garbage in the recycling cart impacts their costs. A recycling assessment is performed once every two fiscal years by a third-party consultant to determine the percentage of material not on the then-current program recyclables list, by weight, present in recyclable material collected by the service provider. In the 2022 study, the Citywide contamination rate was 57%, which resulted in approximately \$1 million compensation increases to recycling contractors in 2023-2024 and 2024-2025.

With contractor compensation tied to recycling contamination rates, reducing contamination through programs, such as the Recycle Right outreach campaign, continues to be a top priority for the Environmental Services Department. The recommended rate increase will also fund programmatic improvements, including limit-dated and part-time contractual staff support for lid flip inspections and resident education via cart tagging as well as a small increase in funding for household hazardous waste disposal.

Contractual costs for the agreements are projected to be approximately \$192.6 million for 2024-2025, an increase of \$9.1 million from 2023-2024. Contractual costs comprise over 89% of total expenditures in the Integrated Waste Management Fund. All other expenses, including outreach, City staff, and support costs amount to approximately \$23.7 million, or roughly 11% of the Integrated Waste Management Fund.

Residential garbage and recycling contractual appropriations proposed for 2024-2025 are shown in the **Table 1** below.

Table 1 – Recycle Plus Contractual Appropriations (Integrated Waste Management Fund 423)

<i>Appn</i>	<i>Contractual Budget</i>	<i>2022-2023</i>	<i>2023-2024</i>	<i>2024-2025</i>	<i>Increased Amount</i>
		<i>Adopted</i>	<i>Adopted</i>	<i>Proposed</i>	
0763	Single-Family Recycle Plus	\$91,511,798	\$93,016,568	\$96,990,657	\$3,974,089
3318	Single-Family Dwelling Processing	\$20,496,497	\$21,632,279	\$22,597,378	\$965,099
0764	Multi-Family Recycle Plus	\$29,295,506	\$29,970,769	\$31,751,411	\$1,780,642
0766	Yard Trimming Collection/Processing	\$32,004,594	\$33,573,107	\$35,764,590	\$2,191,483
2059	* IDC Disposal Agreement	\$4,736,232	\$5,340,575	\$5,516,303	\$175,728
	Residential Contracts Total	\$178,044,627	\$183,533,298	\$192,620,339	\$9,087,041

*International Disposal Corporation of California, Inc.

Rate Strategy and Recommended Increases

Under the proposed rate increases, San José's customer rates for residential garbage and recycling remain comparable to the local marketplace, even when comparing San José's proposed rate effective July 1, 2024 to other local jurisdictions' current rates (as 2024-2025 rate information is not yet available from all other jurisdictions). San José's services are robust, including unlimited recycling, unlimited loose in the street yard trimmings collection (with optional cart subscription), unlimited on-demand junk pickups at no additional cost, used oil collection, and processing of all waste to recover organics and recyclables. This combination of services results in San José having one of the most effective residential recycling programs in the area. **Table 2** below provides a comparison of current monthly single-family rates throughout the area. Current multi-family rates are also very competitive, as shown in Table 2, using the common three-cubic yard garbage bin, collected one-time per week, as a comparison.

Table 2 – Residential Garbage and Recycling Program Rates Comparison

SFD 32-Gallon Cart Rate Comparison	
Jurisdiction	Monthly Rate
Oakland	\$58.77
San José (Proposed for 2024-2025)	\$53.45*
San José (Current)	\$51.40*
Palo Alto	\$50.07
Santa Clara	\$49.12
San Francisco	\$47.50
Fremont	\$46.84
Sunnyvale	\$44.64
Hayward	\$44.22

MFD 3-Cubic Yard Bin Rate Comparison	
Jurisdiction	Monthly Rate
Santa Clara	\$1,008.57
Oakland	\$978.42
Sunnyvale	\$963.40
Palo Alto	\$786.96
San Francisco	\$774.26
Fremont	\$762.28
Hayward	\$746.42
San José (Proposed for 2024-2025)	\$309.82*
San José (Current)	\$303.75*

*Only San José includes unlimited junk pick-up for both single-family and multi-family dwellings.

EVALUATION AND FOLLOW-UP

If approved, the residential garbage and recycling rates will be billed to ratepayers for services effective July 1, 2024 for SFD and MFD customers. A supplemental memorandum will be submitted to the City Council prior to the June 4, 2024 public hearing to report on the number of written protests and comments received by the City Clerk's Office in response to rate notice. Furthermore, there is a 120-day statute of limitations to challenge any new, increased, or extended fee or charge.

COST SUMMARY/IMPLICATIONS

It is estimated the SFD and MFD increases will generate approximately \$7 million (\$6.3 million from SFD and \$732,000 from MFD) in additional revenue in the Integrated Waste Management Fund in 2024-2025 to offset the necessary expenditure increases. The additional revenue, coupled with savings in the 2023-2024 Ending Fund Balance, will be used to offset the necessary expenditure increases of approximately \$9.1 million. This additional revenue and higher expenditures have been assumed in the 2024-2025 Proposed Operating Budget Integrated Waste Management Fund Statement of Source and Use of Funds.

COORDINATION

This memorandum was coordinated with the City Attorney's Office and City Manager's Budget Office.

HONORABLE MAYOR AND CITY COUNCIL

May 14, 2024

Subject: Public Hearing on Residential Garbage and Recycling Services Rates for Single-Family and Multi-Family Residential Solid Waste Services

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PUBLIC OUTREACH

As required under California law, public notices were mailed in early April, advising property owners of the proposed rate changes and a public hearing scheduled for June 4, 2024. Notices and frequently asked questions were made available to utility rate payers in six languages, including English, Spanish, Korean, Vietnamese, Traditional Chinese, and Tagalog on the Environmental Services Department Proposed Rate Change webpage at <https://www.sanjoseca.gov/your-government/departments-offices/environmental-services/rate-notices>. As of May 6, 2024, the City Clerk's Office had received 612 letters of protest to garbage and recycling rates from customers in response to the public notices. Written protests have been received by mail, fax, and email.

This memorandum will be posted on the City's Council Agenda website for the June 4, 2024 City Council meeting.

COMMISSION RECOMMENDATION AND INPUT

There is no commission recommendation/input associated with this action.

CEQA

Statutorily Exempt, File No. PP17-005, CEQA Guidelines Section 15273, Rates, Tolls, Fares, and Charges.

PUBLIC SUBSIDY REPORTING

This item does not include a public subsidy as defined in section 53083 or 53083.1 of the California Government Code or the City's Open Government Resolution.

/s/

KERRIE ROMANOW

Director, Environmental Services

For questions, please contact Valerie Osmond, Deputy Director, Environmental Services Department, at (408) 535-8557.



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Kerrie Romanow

SUBJECT: SEE BELOW

DATE: June 4, 2024

Approved

Date

6/4/24

**SUBJECT: PUBLIC HEARING ON RESIDENTIAL GARBAGE AND RECYCLING
SERVICES RATES FOR SINGLE-FAMILY AND MULTI-FAMILY
RESIDENTIAL SOLID WASTE SERVICES**

SUPPLEMENTAL

REASON FOR SUPPLEMENTAL

This supplemental memorandum reports on the written protests received to date in response to mailed public notices regarding the proposed Residential Garbage and Recycling services rates, effective July 1, 2024.

ANALYSIS

Public notices were mailed to all residential property owners advising them that a public hearing would be held on June 4, 2024, prior to Council consideration of Residential Garbage and Recycling service rates, effective July 1, 2024. In accordance with Proposition 218, customers were given at least 45 days to file written protests of the proposed rate increase.

As of Tuesday, May 28, 2024, the City Clerk's Office has received 696 protests in response to the Residential Garbage and Recycling public notice, which represents less than one percent of all customers impacted by the change in rates. Protest letters may be submitted through the close of the Public Hearing, at which point the City Clerk will provide a count of all protests received during the protest period.

/s/

KERRIE ROMANOW

Director, Environmental Services

For questions, please contact Valerie Osmond, Deputy Director, Environmental Services Department, at (408) 535-8557.

RESOLUTION NO. _____

**A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN JOSE ADOPTING SERVICE RATES FOR THE
RESIDENTIAL GARBAGE AND RECYCLING PROGRAM
EFFECTIVE JULY 1, 2024, AND SUPERSEDING
RESOLUTION NO. RES2023-198**

WHEREAS, the Recycle Plus Program provides integrated waste management services to all residential premises in San José; and

WHEREAS, on February 25, 1993, the City Council of the City of San José ("City Council") adopted Resolution No. 64405 to establish Service Rates for the Recycle Plus Program, effective July 1, 1993; and

WHEREAS, on May 25, 1993, the City Council adopted Resolution No. 64608 adopting Service Rates for the Recycle Plus Program and superseding Resolution No. 64405; and

WHEREAS, on March 8, 1994, the City Council adopted Resolution No. 65133 amending Service Rates for the Recycle Plus Program, effective March 1, 1994, and superseding Resolution No. 64608; and

WHEREAS, on April 19, 1994, the City Council adopted Resolution No. 65200 adopting Service Rates for the Recycle Plus Program, effective July 1, 1994, and superseding Resolution No. 65133; and

WHEREAS, on June 11, 1996, the City Council adopted Resolution No. 66675 adopting Service Rates for the Recycle Plus Program to include hardship Service Rates for certain single-family premises which are temporarily uninhabitable because of fire or natural disaster, effective July 1, 1996, and superseding Resolution No. 65200; and

WHEREAS, on August 27, 1996, the City Council adopted Resolution No. 66857 to include certain rates for single-family extra services, and superseding Resolution No. 66675; and

WHEREAS, on February 24, 1998, the City Council adopted Resolution No. 67933 adopting Service Rates for the Recycle Plus Program, effective July 1, 1998, and superseding Resolution No. 66857; and

WHEREAS, on June 18, 2002, the City Council adopted Resolution No. 71079 adopting Service Rates for the Recycle Plus Program to establish a single-family twenty-gallon service rate, establish a yard trimmings subscription cart rate, and revise the service rate structure for multi-family service, effective July 1, 2002, and superseding Resolution No. 67933; and

WHEREAS, on December 17, 2002, the City Council adopted Resolution No. 71358 adopting Service Rates for the Recycle Plus Program, effective February 1, 2003, and superseding Resolution No. 71079; and

WHEREAS, on May 27, 2003, the City Council adopted Resolution No. 71581 adopting Service Rates for the Recycle Plus Program, effective July 1, 2003, and superseding Resolution No. 71358; and

WHEREAS, on June 15, 2004, the City Council adopted Resolution No. 72162 adopting Service Rates for the Recycle Plus Program, effective August 1, 2004, and superseding Resolution No. 71581; and

WHEREAS, on February 28, 2006, the City Council adopted Resolution No. 73083 adopting Service Rates for the Recycle Plus Program, effective April 1, 2006, and superseding Resolution No. 72162; and

WHEREAS, on June 20, 2006, the City Council adopted Resolution No. 73255 adopting Service Rates for the Recycle Plus Program, effective August 1, 2006, and superseding Resolution No. 73083; and

WHEREAS, on May 8, 2007, the City Council adopted Resolution No. 73757 adopting Services Rates for the Recycle Plus Program, effective July 1, 2007, and superseding Resolution No. 73255; and

WHEREAS, on May 13, 2008, the City Council adopted Resolution No. 74362 adopting Services Rates for the Recycle Plus Program, effective July 1, 2008, and superseding Resolution No. 73757; and

WHEREAS, on May 12, 2009, the City Council adopted Resolution No. 74905 to establish the Service Rates for the Recycle Plus Program, effective July 1, 2009, and superseding Resolution No. 74362; and

WHEREAS, on June 14, 2011, the City Council adopted Resolution No. 75859 to establish the current Service Rates for the Recycle Plus Program for Multi-Family service and Single-Family service; cap subscriptions to the Single-Family Low Income Rate Assistance program at the total annual rate subsidization of \$395,000, and superseding Resolution No. 74905; and

WHEREAS, on June 12, 2012, the City Council adopted Resolution No. 76273 to revise the Service Rates for the Recycle Plus Program, effective July 1, 2012, for Large Item Collection service, and superseding Resolution No. 75859; and

WHEREAS, on May 21, 2013, the City Council adopted Resolution No. 76643 to revise the Service Rates for the Recycle Plus Program, effective July 1, 2013 for on-demand

large collection services and optional subscription yard trimmings cart Collection services, and superseding Resolution No. 76273; and

WHEREAS, on May 13, 2014, the City Council adopted Resolution No. 76971 to revise the Service Rates for the Recycle Plus Program, effective July 1, 2014, for Multi-Family service and Single-Family service, and superseding Resolution No. 76643; and

WHEREAS, on June 16, 2015, the City Council adopted Resolution No. 77402 to revise the Service Rates for the Recycle Plus Program, effective July 1, 2015, for Multi-Family service, Single-Family service, Large Item Collection service and Subscription Yard Trimmings Cart service, and to eliminate LIRA, LIRA Large Family, and Special Medical service rates, and superseding Resolution No. 76971; and

WHEREAS, on June 14, 2016, the City Council adopted Resolution No. 77775 to revise the Service Rates for the Recycle Plus Program, effective July 1, 2016, for Multi-Family service and Large Item Collection service, and superseding Resolution No. 77402; and

WHEREAS, on June 6, 2017, the City Council adopted Resolution No. 78195 to revise the Service Rates for the Recycle Plus Program, effective July 1, 2017, for Multi-Family service and Single-Family service, and superseding Resolution No. 77775; and

WHEREAS, on June 5, 2018, the City Council adopted Resolution No. 78615 to revise the Service Rates for the Recycle Plus Program, effective July 1, 2018, and superseding Resolution No. 78195; and

WHEREAS, on June 11, 2019, the City Council adopted Resolution No. 79131 to revise the Service Rates for the Recycle Plus Program, effective July 1, 2019, and superseding Resolution No. 78615; and

WHEREAS, on June 9, 2020, the City Council adopted Resolution No. 79562 to revise the Service Rates for the Recycle Plus Program, effective July 1, 2020, and superseding Resolution No. 79131; and

WHEREAS, on June 15, 2021, the City Council adopted Resolution No. 80083 to revise the Service Rates for the Residential Garbage and Recycling Program (formerly “the Recycle Plus Program”), effective July 1, 2021, and superseding Resolution No. 79562; and

WHEREAS, on June 7, 2022, the City Council adopted Resolution No. 80555 to revise the Service Rates for the Residential Garbage and Recycling Program, effective July 1, 2022, and superseding Resolution No. 80083;

WHEREAS, on June 6, 2023, the City Council adopted Resolution No. RES2023-198 to revise the Service Rates for the Residential Garbage and Recycling Program, effective July 1, 2023, and superseding Resolution No. 80555; and

WHEREAS, on June 4, 2024, the City Council desires to revise the Service Rates for the Residential Garbage and Recycling Program, effective July 1, 2024, and supersede Resolution No. RES2023-198;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSE THAT:

SECTION 1. The Service Rates to be paid by persons for whom the Residential Garbage and Recycling Program services are made available shall be as set forth in Exhibit A, which is attached to and incorporated in this Resolution, effective July 1, 2024.

SECTION 2. This Resolution shall supersede Resolution No. RES2023-198.

SECTION 3. The Service Rates set forth in this Resolution shall remain effective until such time as they are amended, modified or repealed by a subsequent resolution of the City Council.

ADOPTED this _____ day of _____, 2024, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

MATT MAHAN
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk

EXHIBIT A

**I. RESIDENTIAL GARBAGE AND RECYCLING SERVICE
RATES FOR GARBAGE
CART COLLECTION (SINGLE-FAMILY) SERVICE
EFFECTIVE JULY 1, 2024**

- A. Service Rates Per Month For Standard Services** are hereby established based upon the volume capacity of the wheeled garbage disposal cart as follows:

Disposal Cart Volume							
Service Level	32 Gallon	64 Gallon	96 Gallon	128 Gallon	160 Gallon	192 Gallon	224 Gallon
Standard ¹	\$53.45	\$106.90	\$160.35	\$213.80	\$267.25	\$320.70	\$374.15
On-Premises ^{1,2}	\$162.39	\$215.84	\$269.29	\$322.74	\$376.19	\$429.64	\$483.09
On-Premises/ Disabled ¹	\$53.45	\$106.90	\$160.35	\$213.80	\$267.25	\$320.70	\$374.15

Notes:

- ¹ Maximum Service Level is 224 gallons.
² Carts are serviced from the premise rather than curbside. On-Premises service is \$108.94 per month.

B. Service Rates For Extra Services are hereby established as follows:

Service	Description	Service Rate
Extra Garbage Stickers	Resident purchases tag; attaches to 32-gallon garbage bag for collection	\$6.25 per sticker
On-Demand Cart Size Exchange	Resident puts out cart; contractor replaces with different size as requested	\$15 per exchange in excess of one/fiscal year
Replacement of Lost/Stolen Cart	Cart is lost or stolen	\$0 per replacement
Container Charge For Repeated Cart Requests or Abuse of Cart	Contractor demonstrates to City that resident uses cart for unintended purpose or makes repeated requests for replacements	\$60.00 plus the actual container replacement cost, including delivery costs
Collection of contaminated recycling cart	Contractor collects contaminated materials as garbage	\$15.00 per incident per cart
Yard Trimmings Cart Subscription Option	Resident requests cart for yard trimmings collection	\$7.12 per month per cart
Service Type Change between SFD and MFD	Fee for processing requests to change between SFD and MFD service.	Applied to Multi-Family bill; see section C.9 of Multi-Family Service for details.

II. RESIDENTIAL GARBAGE AND RECYCLING SERVICE RATES FOR GARBAGE BIN COLLECTION (MULTI-FAMILY) SERVICE EFFECTIVE JULY 1, 2024

A. Service Rates Per Month For Standard Service are hereby established based upon the size of the garbage container and the frequency of collection:

Garbage Collections Per Week ^{1, 2, 3}

Garbage Bin Size (cu. yd.)	Recycling Bin Size (cu. yd.) ¹	1	2	3	4	5	Extra Pick-Up
1	1	\$152.46	\$276.17	\$399.91	\$523.66	\$647.42	\$65.60
1.5	1.5	\$191.53	\$351.40	\$511.29	\$671.21	\$831.06	\$74.63
2	2	\$231.59	\$427.66	\$623.71	\$819.76	\$1,015.79	\$83.75
3	3	\$309.82	\$578.23	\$846.60	\$1,114.99	\$1,383.32	\$101.91
4	4	\$388.12	\$728.85	\$1,069.49	\$1,410.21	\$1,750.93	\$120.12
5	5	\$466.35	\$879.35	\$1,292.42	\$1,705.48	\$2,118.51	\$137.33
6	6	\$544.62	\$1,030.01	\$1,515.37	\$2,000.69	\$2,486.08	\$156.45
8	8	\$701.14	\$1,331.17	\$1,961.15	\$2,591.15	\$3,221.18	\$192.81

Notes:

¹ Collections per week refers to collection of garbage. Standard recycling collections are once per week regardless of bin size. Additional recycling capacity and/or collection frequency will be considered by the Director of Environmental Services upon request.

² Where the garbage bin is provided by the Service Recipient, the monthly service rates set out in this matrix are reduced by the following amounts:

Bin Size (cu. yd.)	Service Rate Reduction/Month	Bin Size (cu. yd.)	Service Rate Reduction/Month
1	\$11.33	4	\$18.67
1.5	\$12.46	5	\$21.00
2	\$14.01	6	\$23.34
3	\$16.34	8	\$28.01

- ³ For bins without wheels sizes 1-cu. yd. to 5-cu. yd., the monthly service rates set out in this matrix are reduced by \$4.00 multiplied by the number of collections per week. The monthly service rates for 6- and 8-cu. yd. bins already include the \$4.00 reduction.

B. Service Rates for Compactor Garbage Collection Service is hereby established at \$72.89 per cubic yard of compactor capacity per collection. This rate includes service for a recycling compactor with a capacity equal to the capacity of the garbage compactor.

C. Service Rates for Extra Services are hereby established as follows:

1. Dismount and Push Charges Per Garbage Bin

Monthly Rates for Regularly Scheduled Service						Push Charge For Extra Pick-Up ²
Distance (in feet)	Collections Per Week ^{1, 3}					Per Bin/ Push
	1	2	3	4	5	
Up to 25	\$34.11	\$68.26	\$102.40	\$136.55	\$170.70	\$21.14
26 - 50	\$68.26	\$136.55	\$204.84	\$273.14	\$341.42	\$42.31
51 - 75	\$102.40	\$204.84	\$307.26	\$409.71	\$512.15	\$63.50
76 - 100	\$136.55	\$273.14	\$409.71	\$546.30	\$682.86	\$84.68
101 - 125	\$170.70	\$341.42	\$512.15	\$682.86	\$853.58	\$105.85
126 - 150	\$204.84	\$409.71	\$614.58	\$819.45	\$1,024.31	\$127.04
151 - 175	\$238.99	\$478.00	\$717.00	\$956.02	\$1,195.03	\$148.20
176 - 200	\$273.14	\$546.30	\$819.45	\$1,092.61	\$1,365.76	\$169.39

Notes:

¹ For regularly scheduled service, the monthly charge for pushes greater than 200 feet is \$34.11 multiplied by the number of 25-foot increments multiplied by the number of collections per week.
Example: For pushes of 276 - 300 feet, the number of 25-foot increments is 12; the monthly charge for pushes of 276 - 300 feet for collections performed 3 times per week is \$34.11 x 12 x 3 = \$1,227.96

² For extra pick-ups with pushes greater than 200 feet, the push charge is 0.62 times \$34.11 multiplied by the number of 25-foot increments.

³ The garbage bin push rate includes the push of a recycling bin or carts the same distance and frequency.

2. Dismount And Push Charges For Recycling Carts ¹

Distance (in feet)	Push Charge for Regularly Scheduled Service ²	Push Charge for Extra Pick-Up ³
Up to 25	\$ 0.00	\$ 0.00
26 - 50	\$34.11	\$21.13
51 - 75	\$68.25	\$42.28
76 - 100	\$102.38	\$63.43
101 - 125	\$136.52	\$84.58
126 - 150	\$170.65	\$105.74
151 - 175	\$204.79	\$126.89
176 - 200	\$238.93	\$148.05

Notes:

- ¹ Push rates apply to a single cart and to each set of 2 carts or 1 recycling bin. Example: The regularly-scheduled push charge for a distance of 26-50 feet for 3 carts or 4 carts is \$68.22; the regularly-scheduled push charge for a distance of 26-50 feet for 5 carts or 6 carts is \$102.33.
- ² For regularly scheduled service, the monthly charge for pushes greater than 200 feet is \$34.11 multiplied by one less than the number of 25-foot increments. Example: For pushes of 276 - 300 feet, the number of 25-foot increments is 12; the monthly charge for pushes of 276 - 300 feet for regularly scheduled service is \$34.11 x 11 = \$375.21
- ³ For extra pick-ups, the charge for pushes greater than 200 feet is 0.62 multiplied by \$34.11 and multiplied by one less than the number of 25-foot increments. Example: For pushes of 276 - 300 feet, the number of 25-foot increments is 12; the push charge for the extra pick-up is 0.62 x \$34.11 x 11 = \$232.63

3. Charges for Collection of Contaminated Recycling Containers

For the collection of recycling containers whose contents are contaminated by garbage or other non-recyclable materials, the charges are:

Rate Per Occurrence			
Recycling Bins		Recycling Carts	
Bin Size (cu. yd.)	Pick-up Charge per Bin	Number of Carts	Pick-up Charge
1	\$65.60	1	\$65.89
1.5	\$74.67	2	\$82.36
2	\$83.75	3	\$148.30
3	\$101.92	4	\$164.74
4	\$120.12	5	\$230.69
5	\$137.29	6	\$247.20
6	\$154.55	7	\$313.17
8	\$192.81	8	\$329.65
		9+	\$41.16 ¹

Notes:

- ¹ In situations where there are 9 or more contaminated recycling carts being collected, the rate is calculated by multiplying the total number of collected carts by the per cart rate of \$41.16. Example: The contaminated recycling cart pick-up charge for 9 carts is \$370.44; the contaminated recycling cart pick-up charge for 11 carts is \$452.76.

4. Charges for Garbage Service Level Changes

One change per fiscal year: No charge.

For changes in excess of one per fiscal year: \$25.00 per request for each bin and \$25.00 per request for each set of two carts.

5. Garbage Overflow:

Regular charge for bin service as established in Section A above for each

bin requested, prorated to the number of weeks the overflow bin is requested, plus \$67.27 per bin for bin pick-up and delivery

6. Lock Services

	Bins	Recycling Carts
	\$302.37	\$175.89
Lock installed, Plus Key		
Lock 3 Carts Together	NA	\$175.89
	\$195.65	\$134.38
Repaired, Including Lock		
	\$165.15	\$107.45
Repaired, Excluding Lock		
	\$223.56	\$175.89
Removed, Damaged by Customer		
	\$111.75	\$107.45
Removed, Customer Request		
	\$110.73	\$106.47
Special Services, Welding or Retrofit, per hour		

7. Container Cleaning

One cleaning per fiscal year (of Garbage bins, recycling bins or recycling carts): No charge.

Each Additional Cleaning: \$25.00 per bin
 \$25.00 per set of two recycling carts

8. Yard Trimmings Cart Subscription

For yard trimmings carts subscription service at multi-family dwellings receiving garbage bin collection service, and for mobile home parks, townhomes and/or condominiums with wheeled disposal container garbage (cart) service that subscribe to cart service for yard trimmings generated in common areas (does not include carts provided to individual residents):

Per Cart Charge: \$15.99 per month

9. Fee to Change between Single and Multi-Family Service

For processing requests to change between single-family and multi-family service, a Service Type Change fee may be charged at the discretion of

the Environmental Services Department. The baseline fee is \$100.00 for up to four units and \$27.00 for each additional unit. Maximum charge per request is \$1,000. Service type changes that involve starting or stopping property tax billing must be requested by May 1 of each year for the change to be effective the following fiscal year. The fee will appear on the Multi-Family bill.

III. PRO-RATED CHARGES

Service charges on a bill may be pro-rated in various situations including, but not limited to, changes in service level, service type, rates, property ownership; accounts containing both MFD and SFD services such as Home Owner's Associations or mobile home parks (one of the services will be pro-rated); and other special circumstances that require bill adjustments, as determined by the Director of Finance.

Pro-ration will not occur if the cart/bin service is provided between 360 and 370 calendar days for annual SFD accounts or between 25 and 35 calendar days for monthly accounts when there are changes in service level, service type, or property ownership during this period.

The pro-rated amount will be calculated as a daily rate based on the applicable annualized service rate, in accordance with procedures established by the Director of Finance.

Examples of Daily Rate Calculation:

Service	Service Level	Monthly Rate	Annual Charge (Monthly Rate x 12)	Daily Rate** (Annual Charge ÷ 365 Days)
Single Family	32-Gallon Cart	\$53.45	\$641.40	\$1.76
Multi-Family	1 Cu. Yd. Bin*	\$152.46	\$1,829.52	\$5.01

* Assumes collection frequency of once per week.

** For Leap Year, number of days will be 366.

ORDINANCE NO.

AN UNCODIFIED ORDINANCE OF THE CITY OF SAN JOSE ADOPTING SERVICE RATES FOR THE RESIDENTIAL GARBAGE AND RECYCLING PROGRAM EFFECTIVE JULY 1, 2024, AS SPECIFIED IN RESOLUTION NO. RES2024-_____

WHEREAS, on June 4, 2024, the City Council adopted a resolution adopting Service Rates for the Residential Garbage and Recycling Program effective July 1, 2024; and

WHEREAS, pursuant to the provisions and requirements of Section 15273 of the California Environmental Quality Act of 1970, as amended, the Director of Planning, Building and Code Enforcement has determined that the provisions of this Ordinance are a project under CEQA File No. PP17-005 (Adjustment to Fees, Rates & Fares without changes to or expansion of services); and

WHEREAS, the City Council of the City of San José is the decision-making body for this Ordinance and has reviewed, considered, and upheld the exempt determination prior to taking any action on the Ordinance;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SAN JOSE:

SECTION 1. The City Council hereby adopts the findings and amounts of the Service Rates for the Residential Garbage and Recycling Program specified in Resolution No. RES2024-_____, adopted on June 4, 2024.

SECTION 2. The Service Rates for the Residential Garbage and Recycling Program specified in Resolution No. RES2024-_____ and this Ordinance are for property related services as provided in the California Constitution, Article XIID, or for reasonable

charges for a specific local government service or product provided directly to the payor that is not provided to those not charged.

SECTION 3. The provisions of this Ordinance shall take effect retroactive to July 1, 2024.

SECTION 4. The Service Rates for the Residential Garbage and Recycling Program shall continue until modified or superseded by either resolution or ordinance.

PASSED FOR PUBLICATION of title this ____ day of _____, 2024, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

MATT MAHAN
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk