

City of Hood River, Oregon

Ordinance No. 2051

An Ordinance Amending Section 7(B) of the Exclusive Solid Waste Recycling and Organics Collection Service Franchise Agreement with Waste Connections of Oregon, Inc., dba Hood River Garbage Service and Allowing the Imposition of a 2.61% Rate Surcharge on Solid Waste Recycling Customers

The Hood River City Council adopts the following Recitals:

WHEREAS, the City of Hood River (the "City") is an Oregon municipal corporation with the authority to grant exclusive franchises for utilities and the providers of certain services within its corporate boundaries; and

WHEREAS, Waste Connections of Oregon, Inc., dba Hood River Garbage Service ("Hood River Garbage") is a provider of solid waste and organics collection and disposal services operating in and around the City; and

WHEREAS, the City approved and executed a 10-year Exclusive Solid Waste Recycling and Organics Collection Service Franchise Agreement with Hood River Garbage, effective May 1, 2017 (the "2017 Franchise Agreement"); and

WHEREAS, Section 7(B) of the 2017 Franchise Agreement requires Hood River Garbage to collect a variety of materials for recycling including a newspaper, magazines, mixed waste paper, cardboard, paperboard, aluminum, tin and steel cans, aerosol cans, aluminum trays, plastic bottles, jugs, plastic tubs 1-7, glass jars and bottles, and motor oil; and

WHEREAS, Section 7(D) of the 2017 Franchise Agreement requires Hood River Garbage to operate a drop-off center, located within 3 miles of the City limits, for receipt from the public of the same materials for recycling; and

WHEREAS, Section 8 of the 2017 Franchise Agreement requires Hood River Garbage to educate and inform Customers with respect to composting, reducing, reusing and recycling materials; and

WHEREAS, Section 15 of the 2017 Franchise Agreement requires Hood River Garbage to transfer all Recyclable Materials, solid or compostable to a licensed facility appropriate to the type of material being handled - solid waste, recyclables or organics - to a location for processing and/or preparation for sale; and

WHEREAS, contaminants have adversely affected global recycling markets since late 2017, and Hood River Garbage began sending commingled recyclable materials to the Wasco County Landfill after receiving concurrence from the Department of Environmental Quality; and

WHEREAS, Hood River Garbage made a presentation to the City Council at its April 8, 2019 regular meeting requesting a modification to the list of acceptable materials for commingled recycling in Section 7(B) of the 2017 Franchise Agreement and allowing a rate surcharge to pay for the remaining recycling services; and

WHEREAS, Hood River Garbage requests eliminating the collection of Plastic Nos. 3 through 7 from commingled materials, but still collecting Plastic Nos. 1 and 2, to improve marketability of commingled recyclable materials to recycle processors; and

WHEREAS, Hood River Garbage requests a surcharge of 2.61% to its recycling customers to offset the cost of delivering commingled materials to recycle processors rather than to the Wasco County Landfill; and

WHEREAS, the City Council considered Hood River Garbage's request to modify Section 7(B) of the 2017 Franchise Agreement by eliminating the requirement to collect Plastic Nos. 3 through 7 from commingled materials and allowing a surcharge of 2.61% on recycling customers to ensure that all remaining commingled recyclable materials are recycled rather than sent to the Wasco County Landfill; and

WHEREAS, the City Council expects Hood River Garbage to prepare and implement a suitable public education plan for recycling customers consistent with the 2017 Franchise Agreement prior to implementing any rate surcharge contemplated in this Ordinance.

NOW, THEREFORE, based on the foregoing Recitals, the Hood River City Council Ordains as follows:

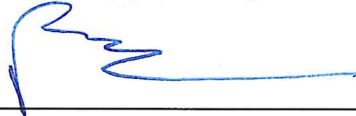
Section 1. Franchise Amendment. Section 7(B) of the Exclusive Solid Waste Recycling and Organics Collection Service Franchise Agreement with Waste Connections of Oregon, Inc., dba Hood River Garbage Service (effective May 1, 2017) is amended to read as follows:

(B) Recyclable Materials. Franchisee shall supply a 95-gallon lidded wheeled cart and a 14-gallon bin for glass to each Residential Customer for Recyclable Materials service. Standard collection service shall be every-other-week, opposite of Solid Waste collection. At a minimum, Franchisee shall collect the following materials in the cart: newspaper, magazines, mixed-waste paper, cardboard, paperboard, aluminum, tin and steel cans, aerosol cans, aluminum trays, and plastic bottles, jugs and containers labeled 01 and 02. Glass jars and bottles will be collected in the separate bin for glass. Motor oil shall be collected if it is in a plastic one (1)-gallon bottle with a screw-tight lid and set next to the cart. Franchisee shall provide all Commercial, Institutional and Industrial Customers

and all multi-family housing Customers regular on-site collection service of at least the following four (4) types of recyclable materials: newspaper, container glass, tin cans, and corrugated cardboard and kraft paper. Franchisee shall provide durable containers sufficiently sized to accommodate Customer Recyclable Materials needs and shall provide a regular collection service consisting, at a minimum, of two monthly collections.

Section 2. Amended Rate Schedule Authorized. In amending the Franchise, the City Council recognizes that Hood River Garbage Services will also need an amendment to the adopted rate schedule to provide additional compensation to cover the added cost of recycling the plastics and mixed waste paper it collects from Hood River customers. Such a rate increase is reflected in Resolution 2019-07 adopted the same date herewith.

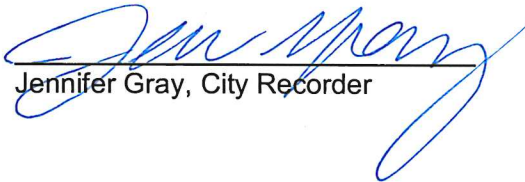
Read for the first time June 24, 2019. Read for a second time, adopted and approved July 8, 2019. This Ordinance shall become effective on the 31st day following the second reading.



Paul Blackburn, Mayor

Attest:

Approved as to form:



Jennifer Gray, City Recorder

Daniel Kearns, City Attorney