

**RESOLUTION NO. 2018-81**

**A RESOLUTION ESTABLISHING NEW SOLID WASTE COLLECTION RATES AND CHARGES AND RESCINDING RESOLUTION NO. 2017-45**

**Whereas**, ORS 459.017 provides that local government units have the primary responsibility for planning for solid waste management; and

**Whereas**, ORS 459A.085 gives local governments the authority to issue solid waste management franchises, which may be exclusive if service areas are allocated, and to prescribe rates, which must be just, reasonable, and adequate, for solid waste management services; and

**Whereas**, Salem Revised Code (SRC) Chapter 47, the Solid Waste Management Ordinance of the City of Salem, sets out a coordinated program for solid waste management services through the issuance of franchises; and

**Whereas**, SRC 47.099(d) provides that the City Council shall be responsible for establishing and adjusting the rates charged by Franchisees for solid waste management services; and

**Whereas**, SRC 47.099(e) allows a Franchisee to request a rate adjustment; and

**Whereas**, on May 25, 2018, due to increases in operating costs greater than the solid waste management system's revenue growth, the six solid waste management Franchisees serving the City requested the following monthly rate increases effective January 1, 2019: 3.26 percent, plus \$2.00, for role cart services provided in Marion County; 5.71 percent, plus \$2.00, for role cart services provided in Polk County; 5.32 percent for container services provided in Marion County; 9.0 percent for container services provided in Polk County; 2.34 percent for drop box services provided in Marion County; and 9.13 percent for drop box services provided in Polk County; and

**Whereas**, on July 20, 2018, due to increases in operating cost greater than the solid waste management system's revenue growth, the six solid waste management Franchisees serving the City requested a rate increase for low-volume medical waste collection services of 8.4 percent; for high-volume medical waste collection services of 31.3%; and

**Whereas**, the City Manager conducted an investigation of the Franchisees' rates and their requested rate adjustments, applying the factors specified in SRC 47.099(f), and submitted a recommendation to the City Council that concluded that the requested rate adjustments are just, reasonable, and adequate; and

**Whereas**, pursuant to SRC 47.099(d) the City Council held a public hearing and received evidence and testimony on the proposed rate increases on November 13, 2018; and

**Whereas**, the City Council considered the entire record of the rate adjustment proceeding.

**NOW, THEREFORE, THE CITY OF SALEM RESOLVES AS FOLLOWS:**

**Section 1. Findings.** The City Council finds that the specific rate increases requested by the City's Franchisees effective January 1, 2019, and set forth in "Exhibit A" are necessary to sustain the operations of the City's solid waste management Franchisees and are just, reasonable, and adequate.

**Section 2. Order.** As of January 1, 2019, the City's solid waste management Franchisees shall collect from their customers not more than the fees and charges set forth in "Exhibit A," which is attached hereto and incorporated herein by this reference. The Franchisees shall supply all of their customers with not less than thirty days' written notice of the rate increases, the amount of the increases, and the effective date thereof.

**Section 3. Rescission.** This resolution rescinds Resolution No. 2017-45 and any other resolution to the extent that such resolution enacts fees and charges of the type set forth herein.

**Section 4. Effective Date.** This resolution is effective upon adoption.

ADOPTED by the City Council this \_\_\_\_ day of \_\_\_\_\_, 2018.

ATTEST:

City Recorder

Approved by City Attorney: \_\_\_\_\_

Checked by: R. Zink