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A RESOLUTION TO PROVIDE AN APPROPRIATE FEE SYSTEM AND EXEMPTION(S) FROM SERVICE; TO REAFFIRM THE USE OF THE APPROVED CONTRACT FOR ENGAGING CONTRACTORS FOR THE COLLECTION OF SOLID WASTE AND RECYCLABLES IN AUGUSTA; AND OTHER PURPOSES.

WHEREAS, it has been determined by the Augusta Commissioners that there is a need in Augusta to continue to develop and promote the efficient and environmentally safe management of solid waste by various means including the collection, recovery, utilization and disposition of solid waste and recycling and to promote commerce and industry by continuing the collection, processing and disposal of solid waste in an efficient and environmentally sound manner; and

WHEREAS, it has been determined by the Augusta Commissioners that the financing of projects provided by the Regional Solid Waste Management Authorities Act (A.C.G.A Section 12-8-50, et seq.) is necessary for the public good and general welfare of Augusta and will promote the general welfare of the State of Georgia; and

WHEREAS, it has been determined by the Augusta Commission that it is in the public interest and is vital to the public welfare of the people of Augusta and the State of Georgia to collect, transport, manage and dispose of solid waste and to recover and utilize resources contained in solid waste and thereby develop and promote for the public good and general welfare, trade, commerce, industry and employment opportunities in Augusta; and

WHEREAS, the Augusta Commission, does by this Resolution take official notice that the solid waste and recyclable collection system as implemented has resulted in a cleaner Augusta community and has thereby promoted the public health, safety, and welfare of Augusta; and

WHEREAS, any interruption in solid waste collection would present a public health emergency in Augusta which the Commission desires to avoid and does not have its own resources readily available to take over solid waste and recycling collections; and

WHEREAS, the current solid waste collections contract has been a model contract for the inclusion of local and/or small businesses as desired by the Augusta Commission; and

WHEREAS, the Augusta Commission believes that the success of the ESD programs is directly attributed, and a reflection of the day to day diligence, efforts and contributions of the employees who manage, assist, and perform functions for the citizens, the department and the contractor(s); and

WHEREAS, Augusta Georgia has established a solid waste service area, which has been extended county wide; and will enter into new contracts beginning June 1, 2013 for contractors to provide uninterrupted solid waste and recyclable collection services; and

WHEREAS, in an effort to offer its citizens a more streamlined and inclusive service, the Augusta Commission has chosen to modify services to include one-time per week garbage collection, offering various sizes of containers as well as multiple types of services and providing services to all of Augusta, either directly or through exemption, provided however that the properties within the city limits of Hephzibah and Blythe shall be granted an automatic exemption from service unless a request for service is made by the city for the entire city; and

WHEREAS, in an effort to get back to a platform of community interaction and provide a consistent service, tires have been removed from contracted collection and the Environmental Services Department (ESD) shall engage the community through local community events; and

WHEREAS, the disposal expense (associated with Fund 542 and revenues of Fund 541) were committed to repay bonds to develop additional landfill space and collect methane from said landfill, which are utilized by said solid waste collections contractors for disposal purposes, with a portion of said funds pledged to secure repayment of the Solid Waste Authority bonds, 2004 and 2010 series; and

WHEREAS, the Augusta Commission believes in educating the public, businesses and developers of its available programs and requirements through various methods of marketing, to include the placement of information regarding solid waste services in the development guidelines for acknowledgement by all developers prior to plan approval; and

WHEREAS, the Augusta Commission is committed to waste reduction and recycling efforts by offering an incentive based recycling program, single stream recycling, as well as, the establishment of satellite recyclable drop off locations at select Augusta facilities; and

WHEREAS, the Augusta Commission is committed to alternative fuels by utilizing this contract as a means of developing CNG infrastructure for Augusta, requiring collection vehicles to operate on said CNG, understanding that the contract term must be extended to a minimum length of 9 years to reasonably match the useful life of the collection vehicles thereby maximizing the benefits to Augusta; and

WHEREAS, it has been determined by the Augusta Commissioners that there is a need to fund the ESD through a fee based system, where all property owners pay fees for services, in a similar fee based system, allowing for revenues for various ESD functions to be consolidated and collected through a single fee system; and

WHEREAS, the Commission understands that over the years there have been a variety of exemptions from solid waste and recyclable collections, and that starting a new contract with a series of program changes, yields the need to repeal all such exemptions issued prior to June 1, 2013, and all such exemptions shall be re-affirmed under the new programs rules and guidelines. Such exemptions shall be based on ESD Policies, which may be amended from time to time; and

Whereas, that the Director of Environmental Services is hereby directed and authorized to establish means to monitor, manage, regulate and enforce functions of the ESD, through contract enforcement, education programs, policies, procedures, rules, fees and ordinance enforcement, relevant to the solid waste and recycling contract and other functions of the ESD.

NOW THEREFORE BE IT RESOLVED:

1. The Augusta Commission requires that all Residential Unit(s) and Unoccupied Location(s) as defined by policy shall receive services provided by Augusta unless relieved of such requirement through government action or other policy to the contrary. Others, which may include small business, multi-family (above 5 units), mobile home parks (above 10 units) etc. may request, and be provided services from the ESD.

2. That the Director of Environmental Services is hereby directed and authorized to establish policies regarding fees and charges for functions provided through the ESD, which may be amended from time to time. Said fees shall be adjusted annually by an amount equal to the increase in the consumer price index as listed in the solid waste and recycling contract. In the event that franchise fees, taxes, in lieu of tax, regulatory fees or other governmental fees are imposed against the ESD; those costs may be amended into the ESD fees. Additionally, should the estimated amount of bad debt increase, the fees may be amended to reflect the anticipated increase in bad debt expense.

3. That the Augusta Commission hereby affirms and adopts the initial policies for fees and exemptions, attached hereinafter, which are incorporated herein by reference.

4. That the Augusta Commission hereby directs and authorizes the Director of Environmental Services to establish a billing system for the collection of fees and charges for solid waste and recycling collection services and other ESD functions, and said fees shall minimally cover the full cost of the ESD services and programs.

5. Augusta has set and the Contractor has agreed to a Local Small Business goal of 25%, in accordance with Augusta, GA Code 1-10-129 (d)(7).

6. That the Augusta Commission authorizes the ESD Director to hold community events to collect scrap tires, neighborhood clean-up events, as well as other events to promote ESD programs and objectives.

7. The ESD may coordinate with other government agencies and departments to expand recycling initiatives, both to the government(s) as well as the public, through direct collection, or through drop off locations.

8. The Augusta landfill shall charge for disposal the actual amount of, but not less than $3.0 million dollars annually, whichever is greater and said amount being subject to any increase in the annual adjustment using the consumer price index as set forth in the solid waste and recycling collections contracts.

9. That the Augusta Commission hereby directs and authorizes the Director of Environmental Services to establish policies relating to exemption(s) from specific services relating to solid waste and recycling collection and other Environmental Services functions. Said policy shall at a minimum address the cities of Hephzibah and Blythe (being granted city wide exemptions, until such time as the municipality requests such services as a whole), life safety and property safety which may be altered from time to time.

10. That the Director of Environmental Services may utilize the proceeds from the CNG station(s) to reinvest into alternative fuel infrastructure, alternative energy infrastructure, alternative fuel vehicles, alternative energy vehicles, hybrid vehicles or conversion technology either for vehicles or creating fuels for vehicles.

11. That the Augusta Commission authorizes and approves the ESD and contractors to enter private property to place, provide services, repair or retrieve Augusta owned property or other business as needed to perform or inspect serviced offered/provided by or through the ESD.

12. That the Augusta Commission hereby authorizes the Administrator to enter intergovernmental agreements for services offered by the ESD, when they believe it is in the best interest of Augusta.

13. This Resolution supplements and reaffirms any previous Solid Waste Resolutions and except where the terms of this Resolution conflict with said previous Resolution, the terms of this Resolution shall control.

Adopted this 8TH day of July, 2013.

Augusta, Georgia

BY: _____

As Its Mayor

AGM 7/11/13

Attest: _____

Dep. Clerk of Commission