

RESOLUTION NO. 2010-XX

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEVADA CITY
ADOPTING THE INCREASED RATE STRUCTURE FOR WASTE MANAGEMENT**

WHEREAS, the City of Nevada City (the "City"), doing business with Waste Management (hereinafter "WM"), provides collection, transportation, recycling and disposal of solid waste services within the City under the terms of the Franchise agreement, and;

WHEREAS, the Franchise Agreement provides for WM to request adjustment of the rates it charges to its customers for services within Nevada City, and;

WHEREAS, per the WM contract, effective July 1, 2010, WM is allowed a rate increase for Nevada City waste service, and;

WHEREAS, the increase is 75% of the March Consumer Price Index increase, (2.3) which amounts to 1.73%.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Nevada City does hereby approve the request from Waste Management (WM), to adjust waste disposal service rates for residential and commercial accounts in the City of Nevada City as presented in Exhibit A.

PASSED AND ADOPTED by the Council of the City of Nevada City on June 9, 2010, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Reinette Senum, Mayor

ATTEST:

Niel Locke, City Clerk

Received on May 20, 2010



WASTE MANAGEMENT
P.O. Box 1007
Grass Valley, CA 95945

May 17, 2010

Mr. Gene Albaugh
City Manager
City of Nevada
317 Broad Street
Nevada City, Ca 95959

RE: Rate Increase

Dear Gene,

In accordance with our waste and recycling contract with the City of Nevada, we are requesting a rate increase effective July 1st. The increase is 75% of the March CPI increase, which amounts to 1.73% of the service portion of the rate.

We have provided our calculations showing how we reached this rate increase for your review. Please let us know if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Steve Cameron', written over a horizontal line.

Steve Cameron
District Manager

CITY OF NEVADA CITY
 2010 RATES
 EFFECTIVE JULY 1, 2010

1.73%

	2009 GATE FEE	2009 SERVICE FEE	2010 CPI INCREASE	2010 SERVICE FEE	2010 NEW RATE
RESIDENTIAL					
1 32G TOTER	\$ 3.65	\$ 8.82	\$ 0.15	\$ 8.97	\$ 12.62
2 32G TOTER	\$ 7.29	\$ 11.54	\$ 0.20	\$ 11.74	\$ 19.03
3 32G TOTER	\$ 10.93	\$ 13.86	\$ 0.24	\$ 14.10	\$ 25.03
4 32G TOTER	\$ 14.58	\$ 16.07	\$ 0.28	\$ 16.35	\$ 30.93
1 20G TOTER	\$ 2.79	\$ 8.35	\$ 0.14	\$ 8.49	\$ 11.28
1 96G TOTER	\$ 10.93	\$ 15.39	\$ 0.27	\$ 15.66	\$ 26.59
32G EXTRA PICKUP (same day only)	\$ 0.84	\$ 3.37	\$ 0.06	\$ 3.43	\$ 4.27
96G EXTRA PICKUP (same day only)	\$ 2.51	\$ 10.11	\$ 0.17	\$ 10.28	\$ 12.79
1 96G GREENWASTE TOTER	\$ 0.86	\$ 2.88	\$ 0.05	\$ 2.93	\$ 3.79
COMMERCIAL					
1 CAN	\$ 3.65	\$ 18.06	\$ 0.31	\$ 18.37	\$ 22.02
2 CAN	\$ 7.29	\$ 35.30	\$ 0.61	\$ 35.91	\$ 43.20
3 CAN	\$ 10.93	\$ 45.61	\$ 0.79	\$ 46.40	\$ 57.33
4 CAN	\$ 14.58	\$ 58.75	\$ 1.02	\$ 59.77	\$ 74.35
5 CAN	\$ 18.24	\$ 90.32	\$ 1.56	\$ 91.88	\$ 110.12
6 CAN	\$ 22.00	\$ 108.42	\$ 1.88	\$ 110.30	\$ 132.30
WASTE WHEELER	\$ 10.93	\$ 48.39	\$ 0.84	\$ 49.23	\$ 60.16
EXTRA	\$ 0.84	\$ 6.27	\$ 0.11	\$ 6.38	\$ 7.22
HOPPER	\$ 10.61	\$ 47.05	\$ 0.81	\$ 47.86	\$ 58.47
COMMERCIAL BINS					
1 Yd x 1	\$ 22.98	\$ 109.32	\$ 1.89	\$ 111.21	\$ 134.19
1-1/2 Yd x 1	\$ 34.48	\$ 151.84	\$ 2.63	\$ 154.47	\$ 188.95
x 2	\$ 68.96	\$ 254.66	\$ 4.41	\$ 259.07	\$ 328.03
x 3	\$ 103.44	\$ 359.54	\$ 6.22	\$ 365.76	\$ 469.20
2 Yd x 1	\$ 45.97	\$ 173.57	\$ 3.00	\$ 176.57	\$ 222.54
x 2	\$ 91.95	\$ 291.04	\$ 5.03	\$ 296.07	\$ 388.02
x 3	\$ 137.92	\$ 397.97	\$ 6.88	\$ 404.85	\$ 542.77
x 4	\$ 183.89	\$ 510.53	\$ 8.83	\$ 519.36	\$ 703.25
x 5	\$ 229.86	\$ 596.74	\$ 10.32	\$ 607.06	\$ 836.92
x 6	\$ 275.81	\$ 675.35	\$ 11.68	\$ 687.03	\$ 962.84
2 Yd EOW	\$ 34.48	\$ 113.92	\$ 1.97	\$ 115.89	\$ 150.37
3 Yd x 1	\$ 68.96	\$ 221.35	\$ 3.83	\$ 225.18	\$ 294.14
x 2	\$ 137.92	\$ 333.69	\$ 5.77	\$ 339.46	\$ 477.38
x 3	\$ 206.86	\$ 464.43	\$ 8.03	\$ 472.46	\$ 679.32
x 4	\$ 275.83	\$ 590.00	\$ 10.21	\$ 600.21	\$ 876.04
x 5	\$ 344.79	\$ 717.27	\$ 12.41	\$ 729.68	\$ 1,074.47
x 6	\$ 413.78	\$ 839.22	\$ 14.52	\$ 853.74	\$ 1,267.52
4 Yd x 1	\$ 91.95	\$ 262.34	\$ 4.54	\$ 266.88	\$ 358.83
x 2	\$ 183.89	\$ 427.45	\$ 7.39	\$ 434.84	\$ 618.73
x 3	\$ 275.83	\$ 624.40	\$ 10.80	\$ 635.20	\$ 911.03
x 4	\$ 367.77	\$ 815.34	\$ 14.11	\$ 829.45	\$ 1,197.22
x 5	\$ 459.72	\$ 1,009.69	\$ 17.47	\$ 1,027.16	\$ 1,486.88
x 6	\$ 551.67	\$ 1,181.35	\$ 20.44	\$ 1,201.79	\$ 1,753.46
6 Yd x 1	\$ 137.92	\$ 302.71	\$ 5.24	\$ 307.95	\$ 445.87
x 2	\$ 275.83	\$ 483.34	\$ 8.36	\$ 491.70	\$ 767.53
x 3	\$ 413.75	\$ 696.58	\$ 12.05	\$ 708.63	\$ 1,122.38
x 4	\$ 551.66	\$ 936.54	\$ 16.20	\$ 952.74	\$ 1,504.40
x 5	\$ 689.58	\$ 1,115.39	\$ 19.30	\$ 1,134.69	\$ 1,824.27
x 6	\$ 827.48	\$ 1,282.69	\$ 22.19	\$ 1,304.88	\$ 2,132.36

**CITY OF NEVADA CITY
2010 RATES
EFFECTIVE JULY 1, 2010**

1.73%

	2009 GATE FEE	2009 SERVICE FEE	2010 CPI INCREASE	2010 SERVICE FEE	2010 NEW RATE
COMMERCIAL RECYCLING					
2 YD - with existing trash service		\$ -	\$ -	\$ -	\$ -
4 YD - with existing trash service		\$ -	\$ -	\$ -	\$ -
2 YD - with no existing trash service		\$ 47.66	\$ 0.82	\$ 48.48	\$ 48.48
4 YD - with no existing trash service		\$ 74.14	\$ 1.28	\$ 75.42	\$ 75.42
TEMPORARY BINS & DEBRIS BOXES					
Temp 2 YARD BIN	\$ 10.61	\$ 44.17	\$ 0.76	\$ 44.93	\$ 55.54
Temp 3 YARD BIN	\$ 15.91	\$ 55.37	\$ 0.96	\$ 56.33	\$ 72.24
Temp 4 YARD BIN	\$ 21.21	\$ 67.57	\$ 1.17	\$ 68.74	\$ 89.95
Temp 6 YARD BIN	\$ 31.82	\$ 84.19	\$ 1.46	\$ 85.65	\$ 117.47
Temp Bin - Additional Week		\$ 52.97	\$ 0.92	\$ 53.89	\$ 53.89
20 to 40 yard bin - service	\$ -	\$ 178.90	\$ 3.09	\$ 181.99	\$ 181.99
20 to 40 yard bin - disposal	\$ 70.00	\$ -	\$ -	\$ -	\$ 70.00
SPECIAL SERVICE FEES					
Bad/Return Check Fee		\$ 25.86	\$ 0.45	\$ 26.31	\$ 26.31
Activation/Delivery Fees:					
Residential		\$ 15.52	\$ 0.27	\$ 15.79	\$ 15.79
Commercial		\$ 25.86	\$ 0.45	\$ 26.31	\$ 26.31
Restart Fee:					
With delivery		\$ 12.15	\$ 0.21	\$ 12.36	\$ 12.36
Without delivery		\$ 36.21	\$ 0.63	\$ 36.84	\$ 36.84
Replacement Fee		\$ 77.58	\$ 1.34	\$ 78.92	\$ 78.92
Finance Fee		\$ 12.15	\$ 0.21	\$ 12.36	\$ 12.36

RESOLUTION NO. 2010-XX

**A RESOLUTION OF THE CITY COUNCIL OF NEVADA CITY
ESTABLISHING AND AMENDING PERSONNEL REGULATIONS PERTAINING TO
CERTAIN APPOINTIVE OFFICERS AND EMPLOYEES AND ADOPTING A REVISED
INTERNET ACCEPTABLE USE POLICY AND GUIDELINES**

WHEREAS, the City Council of the City of Nevada City is authorized to adopt policies for the administration of the personnel system; and,

WHEREAS, the objectives of these policies are to facilitate efficient, effective and economical services to the public and to provide an equitable system of personnel management; and,

WHEREAS, at the same time, within limits of administrative feasibility, considerable latitude shall be given to the City Manager or his/her designee, in the interpretation and application of these policies so that they are applied equitably; and

WHEREAS, due to relevant changes in federal and state personnel laws, these policies must be revised from time to time.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Nevada City does hereby adopt the Nevada City Revised Internet Acceptable Use Policy and Guidelines, attached hereto as Exhibit A and made a part thereof.

ADOPTED at the regular meeting of the City Council of the City of Nevada City on the 9th day of June, 2010, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Reinette Senum, Mayor

Niel Locke, City Clerk

REDRAFTED
AMENDED
PROPOSED

POLICY TITLE: INTERNET ACCEPTABLE USE POLICY AND GUIDELINES
POLICY NUMBER: 2370

The City of Nevada City ("City") through the County of Nevada ("County") computing and communications systems is providing most employees with access to the vast resources available on the Internet, including, but not limited to electronic mail ("e-mail"), to assist them in carrying out the business of the City. This document includes guidelines that, together with the Computer/Communications Policy contained in Section 3.13 of the Nevada County Personnel Code, identify employee responsibilities when using these resources. All personnel must adhere to generally accepted standards of ethics, courtesy and etiquette, obeying any and all laws regarding access and use of City computers and the Internet. Except for certain confidential communications provided for herein, users of e-mail services should be aware that (1) their e-mail communications are not personal and private, (2) their e-mail communications may be saved for future reference, and (3) their e-mail communications may be accessed by members of the public under provisions of the Public Records Act. Use of City computers and through them, the Internet, is a privilege and failure to adhere to this Policy may result in the termination of access to City computers and through them, the Internet. Employees may also be subject to other disciplinary action by the City up to and including termination.

A. Acceptable Use

The purpose of providing access to the Network and through it, the Internet, is to help increase productivity by helping employees to do their jobs faster and smarter, provide better communication with customers, suppliers, and colleagues, to research relevant topics and obtain useful business information. Use of City computers and through them, the Internet, must be in support of the objectives of the City. The City e-mail system shall generally be used only in conjunction with the conduct of official City business and, except as provided for herein, City employees shall not use the City e-mail system for personal use.

City employees may be permitted to make limited use of the City's e-mail for reasons of personal necessity so long as employee's use of the system is made during time the employee is relieved from duty, e.g. during a break, during lunch time, or before or after regular work hours, so long as City operations are not compromised or disrupted. While the City recognizes each employee's right to personally comment and express his or her opinion on matters of public concern, City employees shall not utilize the City e-mail system to do so.

Except for communications to or from the City Attorney, or other legal counsel for the City as hereinafter provided, no employee should have any expectation of privacy in any message or communication he or she creates, receives, stores, sends, or deletes from the City e-mail system. Under the Public Records Act (Government Code Sections 6250, *et seq.*) members of the public may have the right to access and review City records and communications, including e-mail messages. Unprivileged e-mail communications may also be discoverable during the course of legal proceedings. Accordingly, discretion should be used when sending and storing highly sensitive or confidential information.

The City reserves the right to monitor or review any sent or stored e-mail messages without advance notice to users of the City e-mail system. All such communications are the property of the City and may be accessed for purposes of (1) periodic review of office efficiency, (2) the performance of duties, (3) responding to discovery or Public Records Act requests, and (4) investigation of reasonable suspicions or specific complaints of misuse of the City's e-mail

system. Other than attorney/client communications, designation upon such communications such as “personal”, “private”, or “confidential” will not result in the document receiving any greater degree of privacy or confidentiality than that which would normally be given such communication.

Transmission of or access to materials that violate federal or state laws are prohibited. This prohibition includes, but is not limited to, copyrighted materials, threatening or obscene materials, or material restricted through passwords or other user access codes. Use for commercial advertising and political lobbying is also prohibited.

Employees are prohibited from using obscenities, vulgarities, racist, sexist or inflammatory speech when communicating with others using City computers and through them, the Internet.

In addition to the foregoing restrictions, City employees shall not use the City e-mail system for advertising or soliciting for commercial ventures, personal business, performing an illegal or malicious act, or for other inappropriate or prohibited uses of the City e-mail system, including, but not limited to, (1) creating, viewing, accessing, downloading, storing, or exposing others to materials that, either intentionally or unintentionally, are offensive, obscene, or which, if distributed publicly, would be likely to foster or create a hostile work environment; (2) any use that a reasonable person would consider creates or furthers a hostile attitude on the basis of race, color, religion, national origin, citizenship, ancestry, marital status, gender, disability, age, veteran’s status or sexual orientation; (3) communication of confidential information to unauthorized individuals; (4) sending messages with content that conflicts with City policies, rules, protocols, or other applicable laws; (5) initiating or sustaining chain letters; and (6) intentionally misrepresenting one’s identity for improper or illegal purposes.

An e-mail communication should be deleted as soon as practical from the electronic communications system without preserving the informational content of such communication, or any portion thereof, in archival form unless: (1) a law expressly requires such communication be kept, or (2) preservation of such communication is necessary or convenient to discharge one’s duties and was made or retained for the purpose of preserving its informational content for future City use or reference, or (3) in the event a public inspection request is made pursuant to the Public records Act, or a demand by subpoena, discovery request, or court order received by the City, for any communication in existence at the time such request or demand is received, or (4) whenever the potential for litigation arises, or has arisen, with respect to the matter communicated by the e-mail. Retained or stored documents should be treated the same as paper documents with regard to the laws pertaining to a public entity’s retention and destruction of documents and records (Government Code Sections 26200 *et seq.*).

As an exception to the foregoing rules, e-mail communications to or from the City Attorney or other legal counsel for the City may be subject to non-disclosure through privileges applicable to communications with the City’s attorneys. In order to preserve the attorney/client and attorney work product privileges, e-mail communications to and from the City Attorney or other legal counsel for the City may be opened only by the person to whom it is properly addressed or with the express permission of the attorney involved in the communication. Employees who send or receive an e-mail containing confidential information to or from the City’s attorneys should be aware that the confidential nature of such e-mails is subject to challenge in the courts and that preservation of these privileges requires limiting disclosure of these e-mails to essential recipients only.

Employees are prohibited from introducing a computer virus to City computers. If an employee imports a file from another computer onto a City computer by any means, he or she is responsible to assure that he or she is not introducing a computer virus into other City computers.

Any messages sent or actions taken by an employee on City computers must be done under his or her private user account secured by his or her private password. Employees are prohibited from using another's private account or from allowing another to use his or her private account. Employees are prohibited from sharing his or her private passwords with anyone else except as may be necessary to carry out their duties or from using another's private password to access their account without express permission to do so.

B. Privileges

The use of the Network and access to City computers is a privilege, not a right. If an employee uses City computers inappropriately, or if it is suspected that an employee has done so, his or her access privileges may be suspended or revoked at any time. Reinstatement of his or her access privileges shall be at the discretion of the City.

INTERNET RULES

1. Employee use of City computers and through them, the Internet, must be in support of the objectives of the City. Use of City computers and through them, the Internet, for private purposes is expressly prohibited;
2. Employees are prohibited from lending their Internet account number and/or password to others;
3. Employees are prohibited from using others' Internet account numbers and/or passwords;
4. Employees are forbidden to access any Internet site, news group or other areas of cyberspace that would be offensive;
5. Employees are prohibited from using any forms of obscene, harassing, or abusive language on-line;
6. Employees must add a disclaimer to the end of every message sent which reads "Any opinions are my own and do not represent those of the City of Nevada City";
7. Employees are prohibited from sending or intentionally receiving messages that are racist,
8. Employees are prohibited from sending or intentionally receiving messages that use inflammatory language or fighting words [i.e., words directed to a person which would have a tendency to cause acts of violence by the person to whom, individually, the remark is addressed].
9. Employees are prohibited from placing a computer virus on City computers. If a staff member imports a file from another computer onto a City computer by any means, the staff member is responsible to ensure that he/she is not introducing a computer virus

into other City computers.

10. Employees are prohibited from sending or intentionally receiving messages with someone else's name on it;
11. Employees are prohibited from sending or intentionally receiving messages that are inconsistent with the City's code of conduct,
12. Employees are prohibited from sending or intentionally receiving messages that are sexist and/or contain obscenities;
13. Employees are prohibited from transmitting or accessing materials that violate federal or state laws. This prohibition includes, but is not limited to, copyrighted materials, threatening or obscene materials, or material restricted through passwords or other user access codes;
14. Employees are prohibited from using the City Network for commercial advertising or political lobbying; and
15. Employees should be aware that use of City computers should not be regarded as private. City staff may monitor communications on and use of the Network, and may inspect files in staffs' network file systems at any time.
16. Electronic communications are not private or confidential. All e-mail communications are the property of the City of Nevada City. There are no rights to individual privacy in any e-mail communications, whether through the local area network or the City's Internet capabilities. No person shall use e-mail for any matter which he or she considers private or personal.

Enforcement/Discipline

Failure of any staff member to adhere to this Policy may result in revocation of that staff member's access to City computers, and through them the Internet, and which may not be reinstated as determined solely by the City. In addition, to the revocation of access to City computers, City may, in its sole discretion, impose any other disciplinary action consistent with City rules, regulations, policies, collective bargaining agreements and state or federal law, up to and including termination.

NEVADA CITY SUSTAINABILITY OBJECTIVES

Draft

Economic Objectives:

- A resilient economy that provides a diversity of good economic opportunities for all citizens;
- Workers whose knowledge and skills are globally competitive, supported by lifelong education.

Environmental Objectives:

- Healthy urban and rural watersheds and species abundance and diversity;
- Clean and sufficient water for human and natural use; and
- Efficient use and reuse of resources and elimination of harmful toxins and emissions to the environment.

Community Objectives:

- Independent and productive citizens;
- Youth who are fully supported by strong families and communities;
- Downtowns and main streets that are active and vital;
- Efficient and compact development that saves infrastructure investments and natural resources;
- Affordable housing available for citizens in the community

NEVADA CITY SUSTAINABILITY *PROJECTS LIST*

Education, Outreach and Capacity Building

Community Revolving Fund
Sierra College: green jobs development
K-12 School sustainable education
Rethink/retool local media
Education data-base
School programs
Sustainability training education for businesses (KSG)
Capacity building- people power
Vibrant Economy
Bio-mass production
Make downtown NC more shoppable for locals
Promote NC's transitional history (A City of Firsts)
Create forest products such as fuel pellets from forest
E-Script

Energy/Resource Usage

Bio-diesel plant using bio-mass
District Central Heating
Bloom Box or alternative energy (moonshoot)
Solar farm

Waste Reduction and Recycling

Food waste utilization
Public recycling containers
Zero waste events
Public drinking fountains, Cooler Zones

Watershed/Water Quality/Conservation

Increase water efficiency
Storm water management
Water efficient toilets
Watershed restoration, noxious weeds
Water-banking/instream flow benefits
Leak detection and repair

Built Environment-mixed Use

Green Building- retrofits, building codes

Walkability, bikability

Net zero energy building

Walkable city w/ shared space such as Commercial St.

Housing

Affordable housing planning, building codes

Environmentally Friendly Transport

Historical trolley rail

Commuter/heavy rail to Colfax

Community Thumbdrive/carshare

Electric cars available within 5 mile radius

Organize PUD for public transportation

Landscapes, Vegetation/Forest Health/Open Space

Trails and interpretive walks

Improve access to Deer Creed

Extend Tribute Trails, connectivity

Pocket-parks, city-owned parks

City-owned property management plan

BLM fuel management plan with neighborhood assoc.

Street trees

Community Health, Facilities and Programs

Anti-obesity campaign

Local labeling systems

Local health insurance

Additional free clinics

Fish advisories

Healthy Local Food System

More local food production/Reclaiming our Roots

Local school programs

Community garden ordinance

Right to farming ordinance