

1 RESOLUTION NO. \_\_\_\_\_

2  
3 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
4 RIALTO, CALIFORNIA, APPROVING MUNICIPAL SOLID  
5 WASTE COLLECTION, RECYCLING AND DISPOSAL SERVICE  
6 RATES FOR FISCAL YEARS 2018/2019.

7 WHEREAS, the City of Rialto is a municipal corporation duly organized and existing  
8 pursuant to the Constitution and laws of the State of California, (hereinafter the "City"); and

9 WHEREAS, the City Council has by previous action entered into a franchise  
10 agreement with Burrtec Waste Industries, (hereinafter "Burrtec"), for the collection and  
11 disposal of residential and commercial waste within the City; and

12 WHEREAS, Burrtec Waste Industries has asked that the City Council approve new  
13 rates based on an increase in their cost of doing business, including solid waste tipping fees;

14 WHEREAS, the City Council has adopted Goal 2-34 as part of its 2010 General Plan,  
15 that states: **Goal 2-34: Achieve waste recycling levels that meet or exceed State**  
16 **mandates. Achieve maximum waste recycling in all sectors of the community:**  
17 **residential, commercial, industrial, institutional, and construction;** and

18 WHEREAS, accordingly, it is the intent of the City Council to adopt by this Resolution  
19 the establishment of rates for residential and commercial refuse collection services; and

20 WHEREAS, it is also the intent of the City Council to adopt by this Resolution the  
21 extension of the pavement maintenance fee associated with refuse collection into the rate for  
22 refuse collection services in a fair and equitable method to secure a portion of the funding  
23 necessary to adequately repair the damage caused to City streets by refuse vehicles  
24 providing a property related service; and

25 WHEREAS, it is also the intent of the City Council to continue the Tax Roll Billing  
26 option approved in 2017; and

27 WHEREAS, pursuant to California Government Code 53756, an agency providing  
28 refuse collection services may adopt a schedule of fees or charges authorizing automatic  
adjustments that pass through increases for adjustments for inflation, if it complies with all of

1 the following: (1) The agency adopts the schedule of fees or charges for a property-related  
2 service for a period not to exceed 5 years pursuant to California Government Code Section  
3 53755; (2) The schedule of fees or charges may include a schedule of adjustments, including  
4 a clearly defined formula for adjusting for inflation, and any inflation adjustment to a fee or  
5 charge for a property-related service shall not exceed the cost of providing that service; and  
6 (3) Notice of any adjustment pursuant to the schedule shall be given pursuant to California  
7 Government Code Section 53755(a), not less than 30 days before the effective date of the  
8 adjustment; and

9 **WHEREAS**, on July 8, 2014, the City Council adopted Resolution No. 6594, approving  
10 the municipal solid waste collection, recycling and disposal service rates for Fiscal Years  
11 2014/2015 through 2018/2019, to incorporate a new incentivized commercial recycling  
12 program, and to implement a pavement maintenance fee; and

13 **WHEREAS**, the City Council deemed it in the public interest to adopt fees or charges  
14 for refuse collection services in the City for a period of 5 years, pursuant to California  
15 Government Code Section 53755, for Fiscal Year 2014/2015 commencing July 1, 2014,  
16 through Fiscal Year 2018/2019 commencing July 1, 2018, incorporating adjustments for  
17 inflation as established by the Consumer Price Index increase of the twelve month average  
18 of the United States Department of Labor, Bureau of Labor Statistics, Consumer Price  
19 Indexes Pacific Cities and U.S. City Average for Los Angeles-Riverside-Orange Counties  
20 CPI, and San Bernardino County disposal fees, as further identified in **Exhibit "A"** to this  
21 Resolution; and

22 **WHEREAS**, the refuse collection service charges for the City as set forth in **Exhibit**  
23 **"A"**, attached hereto and made a part hereof, are required to cover the cost of the City to  
24 provide for municipal solid waste collection, recycling and disposal services to property  
25 owners within the City; and

26 **WHEREAS**, the refuse collection service charges for the City as set forth in **Exhibit**  
27 **"A"**, attached hereto and made a part hereof, are non-discriminatory and do not exceed the  
28 cost of the City to provide refuse collection services to the users thereof.

1           **NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF RIALTO DOES**  
2 **HEREBY FIND, DETERMINE, AND RESOLVE AS FOLLOWS:**

3 **Section 1:** The above recitals are true and correct.

4 **Section 2:** Refuse collection service charges for municipal solid waste collection, recycling  
5 and disposal services as further identified in **Exhibit "A"**, shall take effect July 1, 2018

6 **Section 3:** The refuse collection service and related fees shall not be adjusted, except as  
7 identified in **Exhibit "A"** for Fiscal Year 2018/2019. Specifically, the City Council resolves to  
8 (1) implement the annual Consumer Price Index increase, pursuant to the Proposition 218  
9 proceeding approved and implemented in Fiscal Year 2014/2015, (2) not to increase the  
10 pavement maintenance fee, and (3) reduce the AB 939 fee and HHW fee for Fiscal Year  
11 2018/2019, all as further outlined in **Exhibit "A"** for Fiscal Year 2018/2019.

12 **PASSED, APPROVED, AND ADOPTED** this 26th day of June, 2018.

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14 \_\_\_\_\_  
15 DEBORAH ROBERTSON, Mayor

16 ATTEST:

17  
18 \_\_\_\_\_  
19 BARBARA A. McGEE, City Clerk

20  
21 APPROVED AS TO FORM:

22  
23 \_\_\_\_\_  
24 FRED GALANTE, Esq., City Attorney

1 **STATE OF CALIFORNIA** )  
2 **COUNTY OF SAN BERNARDINO** ) ss  
3 **CITY OF RIALTO** )

4 I, Barbara McGee, City Clerk of the City of Rialto, do hereby certify that the foregoing  
5 Resolution No. \_\_\_\_\_ was duly passed and adopted at a regular meeting of the City Council  
6 of the City of Rialto held on the 26th day of June, 2018.

7 Upon motion of Council Member \_\_\_\_\_, seconded by Council Member  
8 \_\_\_\_\_, the foregoing Resolution No. \_\_\_\_\_ was duly passed and adopted.

9 Vote on the motion:

10 AYES:

11 NOES:

12 ABSENT:

13  
14 IN WITNESS WHEREOF, I have hereunto set my hand and the Official Seal of the  
15 City of Rialto this \_\_\_\_ day of \_\_\_\_\_, 2018.

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17 \_\_\_\_\_  
18 BARBARA A. McGEE, CITY CLERK  
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