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

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1 commercial recycling was imposed, (hereinafter the “mandatory commercial accounts”); and

2       **WHEREAS**, pursuant to AB 341, since July 1, 2012, Burrtec has implemented an  
3 education, outreach, and monitoring program of the mandatory commercial accounts; and

4       **WHEREAS**, as a result of Burrtec’s AB 341 education, outreach, and monitoring  
5 program, 387 of the 580 businesses and 53 of the 104 multi-family residential dwellings of  
6 the mandatory commercial accounts have opened recycling accounts; and

7       **WHEREAS**, on October 2014 Governor Brown signed AB 1826 Chesbro (Chapter  
8 727, Statutes of 2014), which required mandatory commercial organics recycling throughout  
9 the State; and

10       **WHEREAS**, starting April 1, 2016, this act required businesses that generate more than  
11 8 cubic yards of organic waste per week to arrange for recycling services for their organic  
12 waste.

13       **WHEREAS**, on January 1, 2017, the state lowered the threshold to include businesses  
14 that generate 4 cubic yards of organic waste per week.

15       **WHEREAS**, starting January 1, 2019, the new threshold included all businesses that  
16 generate 4 cubic yards of solid waste per week.

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

21       **WHEREAS**, accordingly, it is the intent of the City Council to initiate by this Resolution  
22 the establishment of increased rates for commercial refuse collection services that include  
23 the commercial recycling and commercial organics recycling fee components that  
24 incentivizes recycling programs by the mandatory commercial accounts, whereby those  
25 mandatory commercial accounts that initiate recycling programs will realize a reduced overall  
26 cost for refuse collection services; and

27       **WHEREAS**, it is the intent of the City Council to establish fees or charges for refuse  
28 collection services in the City for a period of 3 years, pursuant to California Government

1 Code Section 53755, for Fiscal Year 2019/2020 through 2021/2022 commencing July 1,  
2 2019, through June 30, 2022, incorporating adjustments for inflation as established by the  
3 Consumer Price Index increase of the twelve month average of the United States  
4 Department of Labor, Bureau of Labor Statistics, Consumer Price Indexes Pacific Cities and  
5 U.S. City Average for Los Angeles-Riverside-Orange Counties CPI, and San Bernardino  
6 County disposal fees, as further identified in **Exhibit “A”** to this Resolution.

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

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

10 **Section 2:** The City Council hereby declares its intention to provide and collect charges  
11 and fees for municipal solid waste collection, recycling and disposal services provided to all  
12 record owners within the City, described in Section 6 of this Resolution, for Fiscal Years  
13 2019/2020 through 2021/2022.

14 **Section 6:** The services within the City include but are not limited to: 1) trash collection  
15 and disposal; 2) yard waste and organic waste collection and processing; 3) recyclable  
16 materials collection and processing; 4) bulky item collection and disposal; and 5) pavement  
17 rehabilitation, repairs and maintenance to address pavement deterioration caused by refuse  
18 vehicles.

19 **Section 7:** The City Council hereby declares its intention to conduct a Public Hearing  
20 concerning municipal solid waste collection, recycling and disposal services for Fiscal Year  
21 2019/2020 through 2021/2022, in accordance with Section 6 of Article 13D of the California  
22 Constitution; and, notice is hereby given that a Public Hearing on these matters will be held  
23 by the City Council on Tuesday, June 11, 2019 at 6:00 P.M., or as soon thereafter as  
24 feasible, in the City Council Chambers located at 150 South Palm Avenue, Rialto, California.  
25 At the Public Hearing, all interested persons shall be afforded the opportunity to hear and be  
26 heard.

27 **Section 8:** The City Council hereby authorizes and directs the City’s franchise refuse  
28 collection services provider, Burrtec Waste Industries, Inc., to provide notice to all residential

1 and commercial refuse customers within the City, not less than forty-five (45) days prior to  
2 the Public Hearing, pursuant to California Government Code Section 53755 and Section 6 of  
3 Article 13D of the California Constitution.

4 **PASSED, APPROVED, AND ADOPTED** this 9th day of April, 2019.

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6 \_\_\_\_\_  
7 DEBORAH ROBERTSON, Mayor  
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9 ATTEST:

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11 \_\_\_\_\_  
12 BARBARA A. McGEE, City Clerk  
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15 APPROVED AS TO FORM:

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18 FRED GALANTE, Esq., City Attorney  
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STATE OF CALIFORNIA )  
COUNTY OF SAN BERNARDINO ) ss  
CITY OF RIALTO )

I, Barbara McGee, City Clerk of the City of Rialto, do hereby certify that the foregoing Resolution No.\_\_\_\_\_ was duly passed and adopted at a regular meeting of the City Council of the City of Rialto held on the 9th day of April, 2019.

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

Vote on the motion:

**AYES:**

NOES:

ABSENT:

IN WITNESS WHEREOF, I have hereunto set my hand and the Official Seal of the  
City of Rialto this \_\_\_\_ day of \_\_\_\_\_, 2019.

BARBARA A. McGEE, CITY CLERK