

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 YEAR 2021/2022.

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 has requested that the City Council approve new municipal solid  
13 waste collection, recycling and disposal service rates, (hereinafter the "Rates"), based on an  
14 increase in their cost of doing business, including solid waste tipping fees;

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

19 WHEREAS, accordingly, it is the intent of the City Council to adopt by this Resolution  
20 the establishment of Rates for residential and commercial solid waste collection, recycling  
21 and disposal services, (hereinafter the "Solid Waste Services"); and

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

24 WHEREAS, pursuant to California Government Code 53756, an agency providing  
25 Solid Waste Services may adopt a schedule of fees or charges authorizing automatic  
26 adjustments that pass through increases for adjustments for inflation, if it complies with all of  
27 the following: (1) the agency adopts the schedule of fees or charges for a property-related  
28 service for a period not to exceed 5 years pursuant to California Government Code Section  
53755; (2) the schedule of fees or charges may include a schedule of adjustments, including

1 a clearly defined formula for adjusting for inflation, and any inflation adjustment to a fee or  
2 charge for a property-related service shall not exceed the cost of providing that service; and  
3 (3) notice of any adjustment pursuant to the schedule shall be given pursuant to California  
4 Government Code Section 53755(a), not less than 30 days before the effective date of the  
5 adjustment; and

6 **WHEREAS**, on June 11, 2019, the City Council adopted Resolution No. 7491,  
7 approving the Rates for Fiscal Years 2019/2020 through 2021/2022, and

8 **WHEREAS**, the City Council deemed it in the public interest to adopt fees or charges  
9 for the Solid Waste Services in the City for Fiscal Year 2021/2022 commencing July 1, 2021,  
10 incorporating adjustments for half of the cost recovery component from the 2020 Residential  
11 Rate Deferment, disposal and processing cost components for Trash, Green & Food Waste  
12 and Recyclables, Commercial Recycling and Multi-Family Bulky Collection and San  
13 Bernardino County disposal fees, as further identified in Exhibit "A" to this Resolution; and

14 **WHEREAS**, the increased Rates for the City as set forth in **Exhibit "A"**, attached  
15 hereto and made a part hereof, are required to cover the cost of the City to provide for Solid  
16 Waste Services to property owners within the City; and

17 **WHEREAS**, the increased Rates for the City as set forth in **Exhibit "A"**, attached  
18 hereto and made a part hereof, are non-discriminatory and do not exceed the cost of the City  
19 to provide Solid Waste Services to the users thereof.

20  
21 **NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF RIALTO DOES**  
22 **HEREBY FIND, DETERMINE, AND RESOLVE AS FOLLOWS:**

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

24 **Section 2:** Rates for Solid Waste Services shall be increased as further identified in  
25 **Exhibit "A"**, to take effect immediately upon the adoption of this Resolution, subject to  
26 Section 3 of this Resolution; and

27 **Section 3:** Prior to implementation of increased Rates identified in **Exhibit "A"** for Fiscal  
28 Year 2021/2022, the City Council resolves to adopt the Rate increase for Residential

1 Customers for Fiscal Year 2021/2022, not to collect the Pavement Maintenance Fee for  
2 Residential Customers for Fiscal Year 2021/2022, not to increase the Franchise, AB 939 and  
3 HHW fees for Fiscal Year 2021/2022 as a component of the Rates, authorize the  
4 continuation of the Tax Roll Billing option for Fiscal Year 2021/2022 and placement of the  
5 charges on the annual San Bernardino County property tax roll.

6 ,

7 **PASSED, APPROVED, AND ADOPTED** this 13th day of July, 2021.

8  
9 \_\_\_\_\_  
10 DEBORAH ROBERTSON, Mayor

11 ATTEST:

12  
13 \_\_\_\_\_  
14 BARBARA A. McGEE, City Clerk

15  
16 APPROVED AS TO FORM:

17  
18 \_\_\_\_\_  
19 ERIC VAIL, 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 13th day of July, 2021.

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 \_\_\_\_\_, 2021.

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