RESOLUTION NO. 6230

A RESOLUTION OF THE CITY COUNCIL ADOPTING REVISIONS TO THE SCHEDULE OF SOLID WASTE RATES

Intent of the Parties and Findings

(i) On or about November 27, 2000, the City entered into an agreement with Burrtec Waste Industries Inc. (Burrtec) to provide Solid Waste Collection, Processing and Disposal Services ("Agreement") as authorized by Section 13.28.040 of the Upland Municipal Code; and

(ii) On or about May 27, 2014 the City and Burrtec entered into a Third Amendment to the Agreement modifying Burrtec's service fee for providing solid waste collection, processing and disposal services; and

(iii) Section 13.28.160 of the Upland Municipal Code authorizes the City Council to place limits on the rates, fees and charges collectors may charge to residential owners and commercial/industrial businesses for the collection of solid waste ("Solid Waste Rates"); and

(iv) The City conducted an evaluation of its Solid Waste Rates and determined that adjustments to the amounts paid by residential, commercial and industrial property owners were necessary; and

(v) The City Council finds and determines that the proposed Solid Waste Rates for residential, commercial and industrial property owners do not exceed the estimated reasonable amounts for which they are to be imposed; and

(vi) On or about April 24, 2014, notice of the public hearing was mailed to property owners and tenants pursuant to Article XIIID Section 6 of the California Constitution; and

(vii) On June 9th, 2014, the City Council held a public hearing wherein written and oral testimony was presented regarding to the proposed adjustments to the Solid Waste Rates; and

(viii) Less than a majority of owners of the identified parcels and users of the City's solid waste service made a written protest against the adjustments to the Solid Waste Rates; and

(iv) On the basis of the evidence presented during the public hearing, the City Council hereby adjusts the Solid Waste Rates as set forth hereafter.

NOW, THEREFORE, the Upland City Council hereby finds, determines and resolve as follows:

Section 1. All of the facts set forth in the recitals part of this Resolution, are true and correct.

Section 2. Users of the City's solid waste collection and disposal service shall be charged no greater than the amounts set forth in Attachment A hereto.

Section 3. Effective July 1, 2014, the City's solid waste rates, fees and charges, as specified in Section 13.28.160 of the Upland Municipal Code, shall be superseded pursuant to Attachment A.

Section 4. The rates, fees or charges set forth above, in Attachment A, will remain in effect until amended by subsequent resolution(s) of the City Council.

Section 5. The City Council finds that the California Environmental Quality Act of 1970, as amended, does not apply to the adoption of this Resolution, pursuant to Section 15273 of Article 18 of Chapter 3 of Title 14 of the California Code of Regulations. The City Council expressively finds based on the evidence before it that the increase is for the purposes of:

a. Meeting the operating expenses, including employee wage rates;
b. Purchasing supplies, equipment and materials; and
c. Meeting the financial reserves.

Section 6. If any section, subsection, sentence, clause, phrase or portion of this Resolution is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the Resolution. The City Council hereby declares that it would have adopted this Resolution, and each section, subsection, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or portions be declared invalid or unconstitutional.

Section 7. Certification. The City Clerk shall certify the adoption of this Resolution.

PASSED, APPROVED AND ADOPTED this 9th day of June, 2014.

Ray M. Musser, Mayor

I, Stephanie A. Mendenhall, City Clerk of the City of Upland, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the City Council held on the 9th day of June, 2014, by the following vote:

AYES:	Mayor Musser, Councilmembers Stone, Brandt, Filippi
NOES:	Councilmember Bozar
ABSENT:	None
ABSTAINED:	None

ATTEST:

Stephanie A. Mendenhall, City Clerk

CITY OF UPLAND - ATTACHMENT A
SOLID WASTE/TRASH SERVICE RATES & CHARGES

Service Type	Proposed Rate (effective 7/1/14)	Proposed Rate (effective 7/1/2015)	Proposed Rate (effective 7/1/2016)	Proposed Rate (effective 7/1/2017)	Proposed Rate (effective 7/1/2018)
Residential Service					
35-gallon trash barrel	$ 15.99	$ 16.63	$ 17.29	$ 17.99	$ 18.71
65-gallon trash barrel	$ 19.82	$ 20.61	$ 21.44	$ 22.29	$ 23.19
95-gallon trash barrel	$ 23.71	$ 24.66	$ 25.64	$ 26.67	$ 27.74
Extra 35-gallon trash barrel	$ 8.53	$ 8.87	$ 9.23	$ 9.60	$ 9.98
Extra 65-gallon trash barrel	$ 9.63	$ 10.02	$ 10.42	$ 10.83	$ 11.27
Extra 95-gallon trash barrel	$ 10.77	$ 11.20	$ 11.65	$ 12.11	$ 12.60
Exchange/replace damaged/stolen bbl	$ 16.86	$ 17.53	$ 18.24	$ 18.97	$ 19.72
Extra pick-up - barrel	$ 15.16	$ 15.77	$ 16.40	$ 17.05	$ 17.74
Commercial Barrel					
65-gallon trash barrel	$ 19.82	$ 20.61	$ 21.44	$ 22.29	$ 23.19
95-gallon trash barrel	$ 23.71	$ 24.66	$ 25.64	$ 26.67	$ 27.74
Exchange/replace damaged/stolen bbl	$ 16.86	$ 17.53	$ 18.24	$ 18.97	$ 19.72
Extra pick-up - barrel	$ 15.16	$ 15.77	$ 16.40	$ 17.05	$ 17.74
Miscellaneous Charges					
Extra pick-up - bin	$ 53.24	$ 55.37	$ 57.58	$ 59.89	$ 62.28
Extra pick-up - compactor bin	$ 98.16	$ 102.09	$ 106.17	$ 110.42	$ 114.83
Temporary bin (7 day usage)	$ 110.74	$ 115.17	$ 119.78	$ 124.57	$ 129.55
Temporary bin - extra empty	$ 110.74	$ 115.17	$ 119.78	$ 124.57	$ 129.55
Recycling bin contamination fee	$ 53.24	$ 55.37	$ 57.58	$ 59.89	$ 62.28
Locking bin	$ 11.74	$ 12.21	$ 12.70	$ 13.21	$ 13.73
Steam cleaning	$ 41.14	$ 42.79	$ 44.50	$ 46.28	$ 48.13
Contamination Charge	$ 53.24	$ 55.37	$ 57.58	$ 59.89	$ 62.28
Pull-out (26-50 ft)	$ 38.08	$ 39.60	$ 41.19	$ 42.83	$ 44.55
Pull-out (51-75 ft)	$ 51.52	$ 53.58	$ 55.72	$ 57.95	$ 60.27
Pull-out (76-100 ft)	$ 64.40	$ 66.97	$ 69.65	$ 72.44	$ 75.33
Pull-out (101-125 ft)	$ 78.40	$ 81.54	$ 84.80	$ 88.19	$ 91.72
Pull-out (126-150 ft)	$ 91.84	$ 95.51	$ 99.33	$ 103.31	$ 107.44
Pull-out (over 150 ft)	$ 105.27	$ 109.48	$ 113.86	$ 118.41	$ 123.15
Rolloff Service					
40 yd compactor - trash (8 tons Max.)	$ 865.58	$ 900.20	$ 936.21	$ 973.66	$ 1,012.61
40 yd rolloff box - trash (6 tons Max.)	$ 698.32	$ 726.25	$ 755.30	$ 785.52	$ 816.94
19 yd rolloff box - trash (6 tons Max.)	$ 698.32	$ 726.25	$ 755.30	$ 785.52	$ 816.94
Demo box - inerts (8 tons Max.)	$ 382.69	$ 398.00	$ 413.92	$ 430.47	$ 447.69
C&D box (6 tons Max.)	$ 699.45	$ 727.43	$ 756.53	$ 786.79	$ 818.26
Rolloff 40 yd Recycling (6 tons Max.)	$ 203.69	$ 211.84	$ 220.31	$ 229.12	$ 238.29
Rolloff 40 yd Comp Recycling (8 tons	$ 206.08	$ 214.32	$ 222.90	$ 231.81	$ 241.08
Rolloff 40 yd Greenwaste (landscaper)	$ 594.91	$ 618.71	$ 643.45	$ 669.19	$ 695.96
Rolloff 40 yd - clean wood/green	$ 417.35	$ 434.04	$ 451.41	$ 469.46	$ 488.24
Dry run charge	$ 59.46	$ 61.84	$ 64.31	$ 66.88	$ 69.56
Daily roll-off rental	$ 29.10	$ 30.26	$ 31.47	$ 32.73	$ 34.04
Commercial Bin Service					
Size / Freq					
1 / 1	$ 70.96	$ 73.80	$ 76.75	$ 79.82	$ 83.01
1.5 / 1	$ 82.23	$ 85.52	$ 88.94	$ 92.50	$ 96.20
2 / 1	$ 93.76	$ 97.51	$ 101.41	$ 105.47	$ 109.69
2 / 2	$ 176.00	$ 183.04	$ 190.36	$ 197.98	$ 205.90
2 / 3	$ 258.23	$ 268.56	$ 279.30	$ 290.47	$ 302.09
2 / 4	$ 336.17	$ 349.62	$ 363.60	$ 378.15	$ 393.27
2 / 5	$ 417.31	$ 434.00	$ 451.36	$ 469.42	$ 488.19
2 / 6	$ 473.55	$ 492.49	$ 512.19	$ 532.68	$ 553.99
3 / 1	$ 124.28	$ 129.25	$ 134.42	$ 139.80	$ 145.39
3 / 2	$ 237.07	$ 246.55	$ 256.41	$ 266.67	$ 277.34
3 / 3	$ 349.82	$ 363.81	$ 378.37	$ 393.50	$ 409.24
3 / 4	$ 462.60	$ 481.10	$ 500.35	$ 520.36	$ 541.18
3 / 5	$ 575.38	$ 598.40	$ 622.33	$ 647.22	$ 673.11
3 / 6	$ 688.12	$ 715.64	$ 744.27	$ 774.04	$ 805.00

4	1	$	154.77	$	160.96	$	167.40	$	174.10	$	181.06
4	2	$	298.10	$	310.02	$	322.42	$	335.32	$	348.73
4	3	$	441.38	$	459.04	$	477.40	$	496.49	$	516.35
4	4	$	584.64	$	608.03	$	632.35	$	657.64	$	683.95
4	5	$	727.91	$	757.03	$	787.31	$	818.80	$	851.55

Commercial Bin Service, Continued

Size	Freq										
4	6	$	871.16	$	906.01	$	942.25	$	979.94	$	1,019.13
5	1	$	185.33	$	192.74	$	200.45	$	208.47	$	216.81
5	2	$	359.11	$	373.47	$	388.41	$	403.95	$	420.11
5	3	$	532.90	$	554.22	$	576.38	$	599.44	$	623.42
5	4	$	706.71	$	734.98	$	764.38	$	794.95	$	826.75
5	5	$	880.48	$	915.70	$	952.33	$	990.42	$	1,030.04
5	6	$	1,054.29	$	1,096.46	$	1,140.32	$	1,185.93	$	1,233.37
6	1	$	215.85	$	224.48	$	233.46	$	242.80	$	252.51
6	2	$	420.15	$	436.96	$	454.43	$	472.61	$	491.52
6	3	$	624.43	$	649.41	$	675.38	$	702.40	$	730.49
6	4	$	828.75	$	861.90	$	896.38	$	932.23	$	969.52
6	5	$	1,033.06	$	1,074.38	$	1,117.36	$	1,162.05	$	1,208.53
6	6	$	1,237.38	$	1,286.88	$	1,338.35	$	1,391.88	$	1,447.56

Commercial Compactor Trash Service

Size	Freq										
3	1	$	248.96	$	258.92	$	269.28	$	280.05	$	291.25
3	2	$	486.54	$	506.00	$	526.24	$	547.29	$	569.18
3	3	$	724.13	$	753.10	$	783.22	$	814.55	$	847.13
3	4	$	961.74	$	1,000.21	$	1,040.22	$	1,081.83	$	1,125.10
3	5	$	1,199.32	$	1,247.29	$	1,297.18	$	1,349.07	$	1,403.03
3	6	$	1,436.89	$	1,494.37	$	1,554.14	$	1,616.31	$	1,680.96
4	1	$	324.99	$	337.99	$	351.51	$	365.57	$	380.19
4	2	$	638.46	$	664.00	$	690.56	$	718.18	$	746.91
4	3	$	951.96	$	990.04	$	1,029.64	$	1,070.83	$	1,113.66
4	4	$	1,250.53	$	1,300.55	$	1,352.57	$	1,406.68	$	1,462.94
4	5	$	1,560.35	$	1,622.76	$	1,687.67	$	1,755.18	$	1,825.39
4	6	$	1,870.11	$	1,944.91	$	2,022.71	$	2,103.62	$	2,187.76

Commercial Green Waste Bin Service*

Size	Freq										
2	1	$	66.09	$	68.73	$	71.48	$	74.34	$	77.32
2	2	$	120.64	$	125.47	$	130.48	$	135.70	$	141.13
2	3	$	175.21	$	182.22	$	189.51	$	197.09	$	204.97
2	4	$	229.78	$	238.97	$	248.53	$	258.47	$	268.81
2	5	$	284.32	$	295.69	$	307.52	$	319.82	$	332.61
2	6	$	338.88	$	352.44	$	366.53	$	381.19	$	396.44
3	1	$	82.81	$	86.12	$	89.57	$	93.15	$	96.88
3	2	$	154.06	$	160.22	$	166.63	$	173.30	$	180.23
3	3	$	225.33	$	234.34	$	243.72	$	253.47	$	263.60
3	4	$	296.58	$	308.44	$	320.78	$	333.61	$	346.96
3	5	$	367.85	$	382.56	$	397.87	$	413.78	$	430.33
3	6	$	439.11	$	456.67	$	474.94	$	493.94	$	513.70
4	1	$	99.47	$	103.45	$	107.59	$	111.89	$	116.37
4	2	$	187.42	$	194.92	$	202.71	$	210.82	$	219.25
4	3	$	275.36	$	286.37	$	297.83	$	309.74	$	322.13
4	4	$	336.31	$	349.76	$	363.75	$	378.30	$	393.44
4	5	$	451.27	$	469.32	$	488.09	$	507.62	$	527.92
4	6	$	539.20	$	560.77	$	583.20	$	606.53	$	630.79

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* Gardeners and Landscapers Only

The actual rate adjustment (not to exceed these rate amounts) shall be equal to the percentage change in the published Consumer Price (CPI), All Urban Consumers for the Los Angeles-Riverside-Orange County Metropolitan Area, all items, base period 1982-84=100, plus the actual tonnage amounts collected, disposal amounts and City program costs. Excess CPI will be carried over to the following year.