

**RESOLUTION NO. 2023-**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA TO APPROVE THE SOLID WASTE AND RECYCLING RATES FOR COMMERCIAL CUSTOMERS FOR FISCAL YEAR 2023-24**

THE CITY COUNCIL OF THE CITY OF TEMECULA DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. The City Council does find, determine and declare that:

(a) The City of Temecula and CR & R Incorporated entered into an exclusive solid waste Franchise Agreement on May 28, 1991, as amended on August 27, 1996, June 24, 1997, July 25, 2000, June 13, 2006, October 27, 2015, November 28, 2017, and September 27, 2022, for the collection, transportation, recycling, composting and disposal of solid waste and construction debris and for providing temporary bin/roll off services in the City.

(b) Pursuant to the Franchise Agreement it specifically provides for rate adjustments which may be adjusted on an annual basis, and they shall be adjusted each July 1<sup>st</sup>, based on certain criteria, and subject to the Consumer Price Index (CPI), and changes to the County of Riverside landfill tipping fees, and any extraordinary costs which may be as a result of State mandated programs.

(c) According to the Bureau of Labor Statistics for January 2022 through December 2022, the designated CPI has increased by 9.31%.

(d) The County of Riverside's Waste Management Department will adjust their landfill disposal rate by 7.3%, or \$2.59 per ton.

(e) The City Council of the City of Temecula held a duly noticed public hearing on July 11, 2023, on the proposed solid waste and recycling rates for commercial customers for fiscal year 2023-24.

(f) The City Clerk published said notice of the time and place of the hearing pursuant to Government Code Section 6066 in the manner required by law.

(g) Each affected commercial customer and commercial property owner in the City of Temecula was mailed notice of the proposed rate increase in the manner provided by law at least forty-five (45) days prior to the public hearing set on July 11, 2023.

(h) At the public hearing, the City Council heard and considered any/all public comments, objections, or protests related to the proposed commercial rates.

(i) Revenues derived from the proposed commercial rates shall not exceed the funds required to provide the property related service.

(j) Revenues derived from the proposed commercial rates shall not be used for any purpose other than that for which the proposed commercial rates are imposed.

(k) The amount of the proposed commercial rates do not exceed the proportional cost of the service attributable to the parcel.

(l) The proposed commercial rates are being imposed for a service that is actually used by, or immediately available to, the owner of the properties in question.

(m) All legal requirements for the adoption of the maximum rates for commercial solid waste collection, including without limitation, Section 1, Section 6 of Article XIII D of the California Constitution, Assessment And Property-Related Fee Reform, have been fulfilled.

Section 2. The City Council hereby overrules all protests and objections to the proposed commercial rate increases.

Section 3. The City Council hereby approves the maximum rates for commercial solid waste collection set forth on Exhibit A, "City of Temecula – Proposed Rates Effective July 1, 2023," attached hereto and incorporated herein by this reference as though set forth in full.

Section 4. The City Clerk shall certify to the passage and adoption of the Resolution.

**PASSED, APPROVED, AND ADOPTED** by the City Council of the City of Temecula this 11<sup>th</sup> day of July, 2023.

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Zak Schwank, Mayor

ATTEST:

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Randi Johl, City Clerk

[SEAL]

STATE OF CALIFORNIA     )  
COUNTY OF RIVERSIDE    ) ss  
CITY OF TEMECULA         )

I, Randi Johl, City Clerk of the City of Temecula, do hereby certify that the foregoing Resolution No. 2023-     was duly and regularly adopted by the City Council of the City of Temecula at a meeting thereof held on the 11<sup>th</sup> day of July, 2023, by the following vote:

AYES:                    COUNCIL MEMBERS:

NOES:                    COUNCIL MEMBERS:

ABSTAIN:                COUNCIL MEMBERS:

ABSENT:                 COUNCIL MEMBERS:

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Randi Johl, City Clerk