

**CITY OF TEMECULA  
AGENDA REPORT**

**TO:** City Manager/City Council

**FROM:** Patrick Thomas, Director of Public Works/City Engineer

**DATE:** September 27, 2022

**SUBJECT:** Approve the Seventh Amendment to the Franchise Agreement with CR & R Incorporated

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**PREPARED BY:** Julie Tarrant, Principal Management Analyst

**RECOMMENDATION:** That the City Council adopt a resolution entitled:

RESOLUTION NO. 2022-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
TEMECULA TO APPROVE THE SEVENTH AMENDMENT TO  
THE FRANCHISE AGREEMENT WITH CR & R, INC., FOR  
THE COLLECTION, TRANSPORTATION, RECYCLING,  
COMPOSTING, AND DISPOSAL OF SOLID WASTE AND  
CONSTRUCTION DEBRIS AND FOR TEMPORARY  
BIN/ROLLOFF SERVICES

**BACKGROUND:** On May 28, 1991, the City entered into an exclusive franchise agreement with CR & R Incorporated to provide for the Collection, Transportation, Recycling, Composting, and Disposal for Solid Waste and Construction Debris and for providing Temporary Bin/Roll off Services. The Agreement is periodically amended to reflect changes in legislation, collection services, and methodology for calculating rates.

In accordance with SB1383 regulatory requirements, the Seventh Amendment is to incorporate the deletion of, and or to add or amend various definitions, and certain provisions to include, but are not limited to, procurement, container requirements, schedule for delivery of temporary bin/roll off services, missed collections, indemnification, and force majeure language as it pertains to temporarily interrupted or discontinued services due to unforeseeable circumstances or catastrophic events.

The Seventh Amendment also includes required provided services to be performed by CR & R to continue a three-container collection program for source separated recyclable materials, organic waste to include green waste and food waste, and for disposal and collection of trash. The

Amendment also includes provisions that require CR & R to implement contamination monitoring and perform route reviews and waste evaluations to ensure both residential and commercial customers within the City of Temecula are disposing of waste in the appropriate collection containers, to minimize contamination and meet SB1383 compliance measures. CR & R will also be responsible for producing applicable education materials and conduct education programs and activities. CR & R will assist the City to develop, and update annually, a list of Food Recovery Organizations and Food Recovery Services and provide Commercial Edible Food Generators with information about the City's Edible Food Recovery program. The Seventh Amendment includes additional services that CR & R develop and implement online/web-based application and website tools for improved customer service capability.

The City and CR & R will continue to collaborate, coordinate, and assist one another for the implementation and on-going monitoring, and reporting to fulfill the requirements of SB1383 regulations.

**FISCAL IMPACT:** There is no fiscal impact to the City to approve the Seventh Amendment with CR & R Incorporated.

**ATTACHMENTS:**

1. Resolution
2. Seventh Amendment