

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

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

Section 1. On May 28, 1991 the City and CR & R entered into that certain agreement entitled “Agreement Between the City of Temecula and CR & R Incorporated, for the Collection, Transportation, Recycling, Composting, and Disposal for Solid Waste and Construction Debris and for providing Temporary Bin/Rolloff Services.” This Agreement has since been amended, on August 27, 1996, June 24, 1997, July 25, 2000, June 13, 2006, October 27, 2015, and November 28, 2017.

Section 2. The State of California has found and declared that the amount of Solid Waste generated in California, coupled with diminishing disposal capacity and interest in minimizing potential environmental impacts from landfilling and the need to conserve natural resources, have created an urgent need for State and local agencies to enact and implement aggressive integrated waste management programs, and the State has, through enactment of the California Integrated Waste Management Act of 1989 (AB 939) (California Public Resources Code Section 40000, et seq.) and subsequent related legislation including, but not limited to: the Jobs and Recycling Act of 2011 (AB 341), the Event and Venue Recycling Act of 2004 (AB 2176), SB 1016 (Chapter 343, Statutes of 2008), the Mandatory Commercial Organics Recycling Act of 2014 (AB 1826), and the Short-Lived Climate Pollutants Bill of 2016 (SB 1383), directed the responsible State agency, and all local agencies, to promote a reduction in landfill disposal and to maximize the use of feasible waste reduction, reuse, recycling, and composting options in order to reduce the amount of material that must be disposed.

Section 3. SB 1383 establishes regulatory requirements for jurisdictions, Generators, haulers, solid waste facilities, and other entities to support achievement of State-wide organic waste disposal reduction targets.

Section 4. Regulations implementing SB 1383 require the City to implement collection programs, meet processing facility requirements, conduct contamination monitoring, provide education, maintain records, submit reports, monitor compliance, conduct enforcement, and fulfill other requirements; and, the City has chosen to delegate some of its responsibilities to the Grantee, acting as the City’s designee, and Grantee desires to take on these responsibilities.

Section 5. The City adopted Ordinance No. 2021-05 (hereinafter “the Ordinance”) on December 14, 2021 to implement SB 1383 by amending the Temecula Municipal Code.

Section 6. The City Council of the City of Temecula hereby approves that certain Amendment entitled “Seventh Amendment” to the Franchise Agreement with CR & R Incorporated, for the Collection, Transportation, Recycling, Composting, and Disposal of Solid Waste and Construction Debris and for providing Temporary Bin/Rolloff Services. The Mayor and City Clerk are hereby authorized to execute and attest, respectively, the Amendment, on behalf of the City in substantially the form attached hereto as Exhibit A.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Temecula this 27th day of September, 2022.

Matt Rahn, Mayor

ATTEST:

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. 2022- was duly and regularly adopted by the City Council of the City of Temecula at a meeting thereof held on the 27th day of September, 2022, by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

Randi Johl, City Clerk