

RESOLUTION NO. 2020-866

**A RESOLUTION OF THE BOARD OF DIRECTORS OF RUBIDOUX
COMMUNITY SERVICES DISTRICT ESTABLISHING RESIDENTIAL AND
COMMERCIAL TRASH COLLECTION FEES WITHIN THE DISTRICT'S
SERVICE AREA**

WHEREAS, Rubidoux Community Services District has adopted Resolution No. 2020-866 regulating the collection and disposal of garbage and solid waste matter within the Rubidoux Community Services District; and,

WHEREAS, said resolution provides that garbage and solid waste matter may be collected or removed only by employees of the Rubidoux Community Services District acting in the regular course of such employment, or by contractors or employees of contractors who are under contract with the District for the collection, removal and disposal of garbage and solid waste matter; and,

WHEREAS, the Board of Directors of the Rubidoux Community Services District deems it to be necessary, convenient and in the public interest that a contract be entered into with a person, firm or corporation providing for the collection and disposal of garbage and solid waste matter in the Rubidoux Community Services District and has contracted with a private contractor for trash collection, removal and disposal services; and,

WHEREAS, the Board of Directors of the Rubidoux Community Services District executed a service contract for the collection and disposal of garbage and solid waste with Burrtec Waste Industries, Inc., and compliant to the California Integrated Waste Management Act of 1989 the Rubidoux Community Services District implemented a fully automated collection and recycling program for residential households; and

WHEREAS, effective July 1, 2020, the Robert E. Nelson Solid Waste Transfer Facility increased tipping fees from \$50.99 to \$52.81 per ton for all solid waste matter delivered to subject facility; and,

WHEREAS, the Green Waste Disposal tipping fees increased from \$50.08 to \$51.60 per ton; and,

WHEREAS, the Consumer Price Index (CPI) for the past 12 months (October 2018-September 2019) has been determined to be 2.89%, which affects the Residential and Commercial trash rates; and,

WHEREAS, District Officials and representatives of Burrtec Waste Industries, Inc., have met, conferred and reviewed in detail the proposed charges for households and businesses, determined that proposed adjustments are

pursuant to contractual provisions and necessary for the efficient removal of municipal solid waste matter within the District's Service area; and,

WHEREAS, at the June 18, 2020, regular meeting of the Rubidoux Community Services District, the Board of Directors Noticed and Held a Public Hearing compliant to AB 3030 and Proposition 218 noticing and protest election requirements and determined that the trash adjustments to commercial trash service are justified "pass through" increases/reductions and a necessary element of doing business;

WHEREAS, the Board of Directors conducted a Protest Election compliant to Prop. 218 and such protest election failed to meet the 50% plus one; and

NOW, THEREFORE, the Board of Directors of Rubidoux Community Services District does hereby resolve, determine and order as follows:

1. The foregoing recitals are true and correct.
2. The results of the Public Hearing and Protest Election are final.
3. The collection, removal and disposal of garbage and solid waste matter are for the health, safety and welfare for the community members of the Rubidoux Area.
4. The adjustment in fees for residential and commercial collection and disposal fees is a pass-through increase to all trash removal charges and is necessary to continue providing the level of service to all trash accounts.
5. At the June 18th, 2020, Public Hearing of the Rubidoux Community Services District the Board of Directors reviewed residential and commercial trash rates and authorized Staff to prepare said resolution to effect the adjusted rates as prescribed on Exhibit "A".
6. Effective adoption of Resolution No. 2020-866 fees for all trash collection and disposal services shall be adjusted as described on the fee schedule on Exhibit "A" attached hereto, with a billing date of July 1, 2020.
7. Adoption of Resolution No. 2020-866 shall rescind in its entirety and supercede Resolution No. 2019-852.

BE IT FURTHER RESOLVED this resolution was approved and adopted this June 18, 2020 at the regular meeting of the Board of Directors of the Rubidoux Community Services District by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

(Seal)

Armando Muniz, President
Rubidoux Community Services District

ATTEST:

Jeffrey D. Sims
General Manager

APPROVED AS TO FORM AND CONTENT:

John R. Harper
District Counsel