

**TOWN OF  
APPLE VALLEY, CALIFORNIA**

**AGENDA MATTER**

**Subject Item:**

**A RESOLUTION OF THE TOWN COUNCIL AUTHORIZING A COST OF LIVING INCREASE ON TRASH/RECYCLING SERVICE**

**Summary Statement:**

Following is a chart indicating proposed increases for trash service. The increase has two components: (1) Our service provider, Burrtec Waste Industries, has requested a CPI Increase on the cost of solid waste collection and recycling, and (2) the County of San Bernardino has increased the cost of landfill disposal. The increase for residential service is between 3.24% and 3.84%. The commercial refuse increase is between 3.64% and 3.87%. These increased fees are a pass-through only and will only result in allowing the Town to recapture its increased cost for trash/recycling services and will result in no gain or loss to the Town of Apple Valley. If approved the increase will be effective August 01, 2008.

(continued)

**Recommended Action:**

1. Open the public hearing for Resolution 2008-40
2. Determine whether a majority protest exists, and
3. If no majority protest exists, adopt Resolution 2008-40, revising the trash/recycling user fees for the Town of Apple Valley

**Proposed by:** William Pattison, Finance Director/Treasurer Item Number \_\_\_\_\_

**T. M. Approval:** \_\_\_\_\_ Budgeted Item  Yes  No  N/A

Summary Statement  
Page Two

On May 13, 2008, the Town Council voted to approve Town Council Resolution 2008-18, titled "Resolution of the Town Council of the Town of Apple Valley setting the time and place for a public hearing on trash user fees increase in an amount of between 2.95% and 3.05% and directing staff to proceed with the special notice required by law." Pursuant to Section 6, of Article XIII(D) (Proposition 218), on May 16, 2008, Twenty-one Thousand Seven Hundred and Thirty-nine (21,739) written notices were sent out to property owners notifying them of this hearing and their right to protest the Proposed Fee Increase. The Town has complied with the notice, protest and hearing requirements of Proposition 218 with respect to the Proposed Fee Increase.

If the protests submitted in opposition to the Proposed Fee Increase **are not** greater than the majority of the parcels subject to the Proposed Fee Increase, a majority protest does not exist and the Town Council may adopt Resolution 2008-.

If the protests submitted in opposition to the Proposed Fee Increase **are** greater than the majority of the parcels subject to the Proposed Fee Increase, a majority protest does exist and the Town Council must deny Resolution 2008-.

**RESOLUTION NO. 2008-40**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF APPLE VALLEY, CALIFORNIA, AMENDING RESOLUTION 2007-29 ESTABLISHING SPECIFIED REFUSE FEES AND CHARGES FOR RESIDENTIAL AND COMMERCIAL ACCOUNTS WITH-IN THE TOWN OF APPLE VALLEY**

WHEREAS the Town Council of the Town of Apple Valley has adopted Chapter 6.20 of the Town's Municipal Code which provides for the collection, removal and disposal of refuse with the Town of Apple Valley; and

WHEREAS said chapter requires all fees and charges to be adopted by Resolution of the Town Council of the Town of Apple Valley; and

WHEREAS the Town has duly proposed and made available to the public data including the costs of providing said services; and

WHEREAS the Town Council of the Town of Apple Valley has held a public hearing to consider an amendment to the fees and charges for such services; and the Town Council has duly considered all oral and written presentations which were made in respect to said fees and charges; and

WHEREAS the amount of the fees and charges imposed on any person as an incident of ownership do not exceed the proportional cost of the service attributable to the property, which service is used by or immediately available to the owner of the property; and

WHEREAS the revenues derived from the fees and charges, as amended, will not exceed the cost reasonable borne in providing the services, and will not be used for any purpose other than that for which the fees and charges are imposed, and the fees and charges are not being imposed for general governmental services.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Apple Valley as follows:

1. The schedule of fees and charges for all residential and commercial accounts for solid waste handling and recycling services attached as Exhibit A hereto is hereby approved and adopted.
2. All prior enactments establishing fees for services are hereby amended to the extent that such enactments duplicate or establish fees for services which are different than the fees established by the Resolution, but shall otherwise remain in full force and effect.

3. The fees approved and established herein shall become effective on August 01, 2008.
4. If any increased or modified fees as adopted herein are invalidated or voided by a final judgement of any court having jurisdiction to so act, then as to those invalidated or voided fees, the fees currently in effect before adoption of the Resolution shall be and remain in effect.

APPROVED AND ADOPTED by the Town Council of the Town of Apple Valley  
this 8<sup>th</sup> day of July, 2008.

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MAYOR

Attest:

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TOWN CLERK

Town of Apple  
Valley Rate  
Worksheet  
**Commercial Refuse**

Service Level	3/07 CPI 3.80% Trash	Current Components			Total	Proposed Components - August 2008				Total	Rate \$ Increase	Rate % Increase
		3/07 CPI \$35.56/ton	3/07 CPI 3.80%	0.50%		3.80%	3/08 CPI 3.30%	3/08 CPI 3.30%	4.70%			
		Recycling	Landfill	Adm/MRF		Trash	Recycling	Landfill	Adm/MRF			
60 gallon	8.16	4.35	5.09	3.02	\$ 20.62	8.43	4.49	5.33	3.12	\$ 21.37	\$ 0.75	3.64%
95 gallon	8.16	4.35	7.40	3.02	\$ 22.93	8.43	4.49	7.75	3.12	\$ 23.79	\$ 0.86	3.75%
1.5 - 1x	25.48	1.29	21.73	6.52	\$ 55.02	26.32	1.33	22.75	6.74	\$ 57.14	\$ 2.12	3.85%
1.5 - 2x	50.96	1.29	43.48	12.96	\$ 108.69	52.64	1.33	45.52	13.39	\$ 112.88	\$ 4.19	3.86%
1.5 - 3x	76.46	1.29	65.20	19.41	\$ 162.36	78.98	1.33	68.26	20.05	\$ 168.62	\$ 6.26	3.86%
1.5 - 4x	101.94	1.29	86.94	25.85	\$ 216.02	105.30	1.33	91.03	26.70	\$ 224.36	\$ 8.34	3.86%
1.5 - 5x	127.41	1.29	108.68	32.29	\$ 269.67	131.61	1.33	113.79	33.36	\$ 280.09	\$10.42	3.86%
1.5 - 6x	152.89	1.29	130.42	38.75	\$ 323.35	157.94	1.33	136.55	40.03	\$ 335.85	\$12.50	3.87%
1.5 - 7x	178.40	1.29	152.15	45.16	\$ 377.00	184.29	1.33	159.30	46.65	\$ 391.57	\$14.57	3.86%
2.0 - 1x	33.93	1.29	28.98	8.69	\$ 72.89	35.05	1.33	30.34	8.98	\$ 75.70	\$ 2.81	3.86%
2.0 - 2x	67.87	1.29	57.96	17.27	\$ 144.39	70.11	1.33	60.68	17.84	\$ 149.96	\$ 5.57	3.86%
2.0 - 3x	102.19	1.29	86.94	25.48	\$ 215.90	105.56	1.33	91.03	26.32	\$ 224.24	\$ 8.34	3.86%
2.0 - 4x	135.72	1.29	115.93	34.49	\$ 287.43	140.20	1.33	121.38	35.63	\$ 298.54	\$11.11	3.87%
2.0 - 5x	169.65	1.29	144.91	43.08	\$ 358.93	175.25	1.33	151.72	44.50	\$ 372.80	\$13.87	3.86%
2.0 - 6x	203.61	1.29	173.89	51.67	\$ 430.46	210.33	1.33	182.06	53.38	\$ 447.10	\$16.64	3.87%
2.0 - 7x	237.54	1.29	202.87	60.29	\$ 501.99	245.38	1.33	212.40	62.28	\$ 521.39	\$19.40	3.86%
2.5 - 1x	43.65	1.29	36.30	11.04	\$ 92.28	45.09	1.33	38.01	11.40	\$ 95.83	\$ 3.55	3.85%
3.0 - 1x	50.91	1.29	42.96	12.93	\$ 108.09	52.59	1.33	44.98	13.36	\$ 112.26	\$ 4.17	3.86%
3.0 - 2x	101.83	1.29	85.92	25.74	\$ 214.78	105.19	1.33	89.96	26.59	\$ 223.07	\$ 8.29	3.86%
3.0 - 3x	152.76	1.29	128.88	38.60	\$ 321.53	157.80	1.33	134.94	39.87	\$ 333.94	\$12.41	3.86%
3.0 - 4x	203.68	1.29	171.86	51.43	\$ 428.26	210.40	1.33	179.94	53.13	\$ 444.80	\$16.54	3.86%
3.0 - 5x	254.61	1.29	214.82	66.53	\$ 537.25	263.01	1.33	224.92	68.73	\$ 557.99	\$ 20.74	3.86%
3.0 - 6x	305.52	1.29	257.77	77.12	\$ 641.70	315.60	1.33	269.89	79.66	\$ 666.48	\$ 24.78	3.86%
3.0 - 7x	356.45	1.29	300.75	89.93	\$ 748.42	368.21	1.33	314.89	92.90	\$ 777.33	\$ 28.91	3.86%
4.0 - 1x	67.87	1.29	57.96	17.27	\$ 144.39	70.11	1.33	60.68	17.84	\$ 149.96	\$ 5.57	3.86%
4.0 - 2x	135.72	1.29	115.93	33.89	\$ 286.83	140.20	1.33	121.38	35.01	\$ 297.92	\$11.09	3.87%
4.0 - 3x	203.61	1.29	173.89	51.67	\$ 430.46	210.33	1.33	182.06	53.38	\$ 447.10	\$ 16.64	3.87%
4.0 - 4x	271.48	1.29	231.85	68.88	\$ 573.50	280.44	1.33	242.75	71.15	\$ 595.67	\$ 22.17	3.87%
4.0 - 5x	339.34	1.29	289.80	86.08	\$ 716.51	350.54	1.33	303.42	88.92	\$ 744.21	\$ 27.70	3.87%
4.0 - 6x	407.19	1.29	347.77	103.30	\$ 859.55	420.63	1.33	364.12	106.71	\$ 892.79	\$ 33.24	3.87%
4.0 - 7x	475.14	1.29	405.73	120.41	\$1,002.57	490.82	1.33	424.80	124.38	\$1,041.33	\$ 38.76	3.87%

Town of Apple Valley  
Rate Worksheet

**Commercial Refuse - Compactors**

Service Level	3/07 CPI 3.80% Trash	<u>Current Components</u>			Total	<u>Proposed Components - August 2008</u>					Rate \$ Increase	Rate % Increase
		3/07 CPI \$35.38/ton	3/07 CPI 3.80%	3/07 CPI 0.50%		3/08 CPI	3/08 CPI 3.30%	3/08 CPI 3.30%	3/08 CPI 4.70%	3/08 CPI 3.30%		
2.0 - 1x	33.93	1.29	86.95	8.69	\$130.86	35.05	1.33	91.04	8.98	\$136.40	\$5.54	4.23%
2.0 - 2x	67.87	1.29	173.89	17.27	\$260.32	70.11	1.33	182.06	17.84	\$271.34	\$11.02	4.23%
2.0 - 3x	102.19	1.29	260.85	25.48	\$389.81	105.56	1.33	273.11	26.32	\$406.32	\$16.51	4.24%
2.0 - 4x	135.72	1.29	347.77	34.49	\$519.27	140.20	1.33	364.12	35.63	\$541.28	\$22.01	4.24%
2.0 - 5x	169.65	1.29	434.73	43.08	\$648.75	175.25	1.33	455.16	44.50	\$676.24	\$27.49	4.24%
2.0 - 6x	203.61	1.29	521.66	51.67	\$778.23	210.33	1.33	546.18	53.38	\$811.22	\$32.99	4.24%
2.0 - 7x	237.54	1.29	608.61	60.29	\$907.73	245.38	1.33	637.21	62.28	\$946.20	\$38.47	4.24%
3.0 - 1x	50.91	1.29	128.89	12.93	\$194.02	52.59	1.33	134.95	13.36	\$202.23	\$8.21	4.23%
3.0 - 2x	101.83	1.29	257.76	25.74	\$386.62	105.19	1.33	269.87	26.59	\$402.98	\$16.36	4.23%
3.0 - 3x	152.76	1.29	386.66	38.60	\$579.31	157.80	1.33	404.83	39.87	\$603.83	\$24.52	4.23%
3.0 - 4x	203.68	1.29	515.57	51.43	\$771.97	210.40	1.33	539.80	53.13	\$804.66	\$32.69	4.23%
3.0 - 5x	254.61	1.29	644.46	66.53	\$966.89	263.01	1.33	674.75	68.73	\$1,007.82	\$40.93	4.23%
3.0-6x	305.52	1.29	773.32	77.12	\$1,157.25	315.60	1.33	809.67	79.66	\$1,206.26	\$49.01	4.24%
3.0 - 7x	356.45	1.29	902.23	89.93	\$1,349.90	368.21	1.33	944.63	92.90	\$1,407.07	\$57.17	4.24%
4.0 - 1x	67.87	1.29	173.88	17.27	\$260.31	70.11	1.33	182.05	17.84	\$271.33	\$11.02	4.23%
4.0 - 2x	135.72	1.29	347.77	33.89	\$518.67	140.20	1.33	364.12	35.01	\$540.66	\$21.99	4.24%
4.0 - 3x	203.61	1.29	521.65	51.67	\$778.22	210.33	1.33	546.17	53.38	\$811.21	\$32.99	4.24%
4.0-4x	271.48	1.29	695.55	68.88	\$1,037.20	280.44	1.33	728.24	71.15	\$1,081.16	\$43.96	4.24%
4.0 - 5x	339.34	1.29	869.42	86.08	\$1,296.13	350.54	1.33	910.28	88.92	\$1,351.07	\$54.94	4.24%
4.0 - 6x	407.19	1.29	1,043.32	103.30	\$1,555.10	420.63	1.33	1,092.36	106.71	\$1,621.03	\$65.93	4.24%
4.0 - 7x	475.14	1.29	1,217.19	120.41	\$1,814.03	490.82	1.33	1,274.40	124.38	\$1,890.93	\$76.90	4.24%

Town of Apple Valley  
Rate Worksheet

**Commercial Recycling**

	Current Components			Proposed Components - Aug 2008			Rate	Rate
	3/07 CPI	3/07 CPI		3/08 CPI	3/08 CPI			
Service	3.80%	3.80%		3.30%	3.80%		\$	%
Level	Recycling	Adm/MRF	Total	Recycling	Adm/MRF	Total	Increase	Increase
60 gallon	6.46	0.40	\$ 6.86	6.67	0.42	\$ 7.09	\$ 0.23	3.35%
1.5 - 1x	29.31	1.90	\$ 31.21	30.28	1.97	\$ 32.25	\$ 1.04	3.33%
1.5 - 2x	58.61	3.79	\$ 62.40	60.54	3.93	\$ 64.47	\$ 2.07	3.32%
1.5 - 3x	87.92	5.69	\$ 93.61	90.82	5.91	\$ 96.73	\$ 3.12	3.33%
1.5 - 4x	117.22	7.58	\$ 124.80	121.09	7.87	\$ 128.96	\$ 4.16	3.33%
1.5 - 5x	146.53	9.48	\$ 156.01	151.37	9.84	\$ 161.21	\$ 5.20	3.33%
1.5 - 6x	175.84	11.37	\$ 187.21	181.64	11.80	\$ 193.44	\$ 6.23	3.33%
1.5 - 7x	205.14	13.27	\$ 218.41	211.91	13.77	\$ 225.68	\$ 7.27	3.33%
2.0 - 1x	39.02	2.51	\$ 41.53	40.31	2.61	\$ 42.92	\$ 1.39	3.35%
2.0 - 2x	78.06	5.06	\$ 83.12	80.64	5.25	\$ 85.89	\$ 2.77	3.33%
2.0 - 3x	117.07	7.57	\$ 124.64	120.93	7.86	\$ 128.79	\$ 4.15	3.33%
2.0 - 4x	156.09	10.11	\$ 166.20	161.24	10.49	\$ 171.73	\$ 5.53	3.33%
2.0 - 5x	195.13	12.62	\$ 207.75	201.57	13.10	\$ 214.67	\$ 6.92	3.33%
2.0 - 6x	234.16	15.12	\$ 249.28	241.89	15.69	\$ 257.58	\$ 8.30	3.33%
2.0 - 7x	273.17	17.67	\$ 290.84	282.18	18.34	\$ 300.52	\$ 9.68	3.33%
3.0 - 1x	58.55	3.78	\$ 62.33	60.48	3.92	\$ 64.40	\$ 2.07	3.32%
3.0 - 2x	117.10	7.57	\$ 124.67	120.96	7.86	\$ 128.82	\$ 4.15	3.33%
3.0 - 3x	175.66	11.36	\$ 187.02	181.46	11.79	\$ 193.25	\$ 6.23	3.33%
3.0 - 4x	234.20	15.13	\$ 249.33	241.93	15.70	\$ 257.63	\$ 8.30	3.33%
3.0 - 5x	292.76	18.93	\$ 311.69	302.42	19.65	\$ 322.07	\$ 10.38	3.33%
3.0 - 6x	351.31	22.70	\$ 374.01	362.90	23.56	\$ 386.46	\$ 12.45	3.33%
3.0 - 7x	409.84	26.51	\$ 436.35	423.36	27.52	\$ 450.88	\$ 14.53	3.33%
4.0 - 1x	78.05	5.06	\$ 83.11	80.63	5.25	\$ 85.88	\$ 2.77	3.33%
4.0 - 2x	156.07	10.11	\$ 166.18	161.22	10.49	\$ 171.71	\$ 5.53	3.33%
4.0 - 3x	234.13	15.12	\$ 249.25	241.86	15.69	\$ 257.55	\$ 8.30	3.33%
4.0 - 4x	312.16	20.17	\$ 332.33	322.46	20.94	\$ 343.40	\$ 11.07	3.33%
4.0 - 5x	390.19	25.22	\$ 415.41	403.07	26.18	\$ 429.25	\$ 13.84	3.33%
4.0 - 6x	468.24	30.28	\$ 498.52	483.69	31.43	\$ 515.12	\$ 16.60	3.33%
4.0 - 7x	546.27	35.32	\$ 581.59	564.30	36.66	\$ 600.96	\$ 19.37	3.33%
<b>Compactors</b>								
6.0 - 1x	117.10	7.70	\$ 124.80	120.96	7.99	\$ 128.95	\$ 4.15	3.33%
6.0 - 2x	234.21	15.39	\$ 249.60	241.94	15.97	\$ 257.91	\$ 8.31	3.33%
6.0 - 3x	351.30	23.13	\$ 374.43	362.89	24.01	\$ 386.90	\$ 12.47	3.33%
6.0 - 4x	468.42	30.81	\$ 499.23	483.88	31.98	\$ 515.86	\$ 16.63	3.33%
6.0 - 5x	585.52	38.54	\$ 624.06	604.84	40.00	\$ 644.84	\$ 20.78	3.33%
6.0 - 6x	702.63	46.23	\$ 748.86	725.82	47.99	\$ 773.81	\$ 24.95	3.33%
6.0 - 7x	819.71	53.96	\$ 873.67	846.76	56.01	\$ 902.77	\$ 29.10	3.33%

Town of Apple Valley  
**Rate Worksheet**

**Extra**

Service	Current Rate	August 2008 Proposed Rate
<u>Temporary Bin</u>		
3 cubic yard - 7 days use	\$95.00	\$95.00
Dump and return	\$95.00	\$95.00
Locking Bin	\$10.00	\$10.00
Extra Bin Pickup (CPI - 3%)	\$41.04	\$42.27
<u>Additional Rolloff Fees</u>		
Dry Run	\$50.00	\$50.00
Rental Fees (1)	\$154.00	\$154.00

RENTAL CHARGES:

**Permanent Boxes**

A minimum of four (4) loads per month is needed for boxes to be serviced on a permanent basis. The weekly rental fee will be charged on weeks that no service has been scheduled.

Town of Apple Valley  
Rate Worksheet

**Residential Barrels**

Service Level	3/07 CPI 3.80% Trash	3/07 CPI 3.80% Recycling	<u>Current Components</u>		otal Bi-Monthly		3/08 CPI 3.30% Trash	<u>Proposed Components - August 2008</u>					bi-Monthly		Rate \$ Increase	Rate % Increase
			\$35.56/ton 3/07 CPI 0.50% 3.80% Landfill Adm/MRF					3/08 CPI \$37.23/ton 3/08 CPI 3.30% 4.70% 3.30% Recycling_Landfill Adm/MRF Total								
40 gallon	8.16	4.43	3.93	3.02	\$ 19.54	\$ 39.08	8.43	4.58	4.11	3.12	\$ 20.24	\$ 40.48	\$ 1.40	3.58%		
<b>60 gallon</b>	<b>8.16</b>	4.43	5.09	3.02	\$ 20.70	\$ 41.40	8.43	4.58	5.33	3.12	\$ 21.46	\$ 42.92	\$ 1.52	3.67%		
<b>95 gallon</b>	<b>8.16</b>	4.43	7.40	3.02	\$ 23.01	\$ 46.02	8.43	4.58	7.75	3.12	\$ 23.88	\$ 47.76	\$ 1.74	3.78%		
40 gallon <b>extra</b>	5.12	-	-	0.31	\$ 5.43	\$ 10.86	5.29	-	-	0.32	\$ 5.61	\$ 11.22	\$ 0.36	3.31%		
60 gallon <b>extra</b>	6.40	-	-	0.39	\$ 6.79	\$ 13.58	6.61	-	-	0.40	\$ 7.01	\$ 14.02	\$ 0.44	3.24%		
95 gallon <b>extra</b>	8.96	-	-	0.56	\$ 9.52	\$ 19.04	9.26	-	-	0.58	\$ 9.84	\$ 19.68	\$ 0.64	3.36%		
40 gallon <b>hardship</b>	4.63	4.43	3.93	3.02	\$ 16.01	\$ 32.02	4.78	4.58	4.11	3.12	\$ 16.59	\$ 33.18	\$ 1.16	3.62%		
60 gallon <b>hardship</b>	5.01	4.43	5.09	3.02	\$ 17.55	\$ 35.10	5.18	4.58	5.33	3.12	\$ 18.21	\$ 36.42	\$ 1.32	3.76%		
95 gallon <b>hardship</b>	5.19	4.43	7.40	3.02	\$ 20.04	\$ 40.08	5.36	4.58	7.75	3.12	\$ 20.81	\$ 41.62	\$ 1.54	3.84%		

Town of Apple  
Valley Rate

Rolloff

		<u>Current Components</u>				<u>Proposed Components – August 2008</u>							
	3/07 CPI	3/07 CPI		3/07 CPI		3/08 CPI	3/08 CPI		3/08 CPI			Rate	Rate
Service			\$42.67/ton					\$49.72					
Level	Trash	Recycling	Landfill	Adm/MRF	Total	Trash	Recycling	Landfill	Adm/MRF	Total	Increase	Increase	
					\$181.35+					\$186.79+			
30 cubic yard	180.06	1.29	Actual	n/a	actual disposal	186.00	1.33	Actual	n/a	actual disposal	\$ 5.98	3.30%	
					\$181.35+					\$186.79+			
40 cubic yard	180.06	1.29	Actual	n/a	actual disposal	186.00	1.33	Actual	n/a	actual disposal	\$ 5.98	3.30%	
30 cubic yard -					\$181.35+					\$186.79+			
compactor	180.06	1.29	Actual	n/a	actual disposal	186.00	1.33	Actual	n/a	actual disposal	\$ 5.98	3.30%	