

TOWN OF APPLE VALLEY
NOTICE OF PUBLIC HEARING
REGARDING PROPOSED INCREASE TO
SOLID WASTE RATES

August 23, 2022 at 6:30 P.M.

Town Hall Council Chambers
14955 Dale Evans Parkway
Apple Valley, CA 92307

NOTICE IS HEREBY GIVEN that the Town of Apple Valley (the “Town”) will hold a Public Hearing on August 23, 2022, at 6:30 p.m., at the Town Hall Council Chambers, located at 14955 Dale Evans Parkway, Apple Valley, CA 92307 to consider adopting proposed rate increases for the collection, handling, and disposal of solid waste services within the Town (“solid waste services”). The meeting can also be viewed on Frontier Channel 29, Charter Spectrum Channel 186 and online at applevalley.org.

Persons wishing to address the Council remotely may submit written comments or speak. To submit written comments, please email the Town Clerk at publiccomment@applevalley.org by 12 p.m. on **August 23, 2022** and indicate whether you want your comments read aloud or forwarded to Council. Written comments will be read for up to 3 minutes. To speak on the item at the Council meeting, please complete a request to speak card upon arrival to the meeting and at the time of the requested agenda item, the Town Clerk will allow the person to speak to the Council for up to 3 minutes. This 45-day notice is hereby given in accordance with Section 6(a) of Article XIIIID of the California Constitution.

Proposed Rate Increases

Burrtec Waste Industries (“Burrtec”) provides solid waste services within the Town pursuant to an exclusive franchise agreement. All properties within the Town are required to subscribe to the solid waste services provided by Burrtec unless they are expressly exempt under the Apple Valley Municipal Code. Pursuant to the franchise agreement, solid waste service fees are imposed on customers within the Town who receive solid waste services from Burrtec. The Town bills the customers directly for the services on a bi-monthly basis. The revenues from the fees are used to pay Burrtec for the solid waste services provided under the franchise agreement.

The rate structure for the solid waste service fees has three customer classes — residential, multi-family, and commercial. For residential customers, the solid waste service fees are calculated based on the size (e.g., gallons or cubic yards) of containers used, including containers for trash, recycling and organics. For multi-family and commercial customers, the solid waste service fees are calculated on the basis of the size (e.g., gallons or cubic yards) of the containers (i.e., barrels, bins or roll compacters) used, including containers for trash, recycling and organics, and the number of pick-ups per week. Customers may also request the delivery of temporary extra bins to

their property. A separate, temporary “bin delivery fee” is imposed on any customer who requests these services. The rate for these services is a fixed charge.

To recover the increased costs of providing solid waste services as described above, including to account for inflation, and implement commercial food and green waste recycling requirements under state law, the Town has determined that it is necessary to increase the rates for the solid waste service fees it imposes on its solid waste customers. The 3.83% inflationary increase for service and administration is based on the twelve-month average change in 2020 in the Consumer Price Index for All Urban Consumers (CPI-U) as published by the U.S. Department of Labor for Los Angeles-Long Beach-Anaheim, CA (previously named Los-Angeles-Riverside-Orange County, CA). The new residential rates include organics (including green and food waste) collection and processing services pursuant to the requirements of the Senate Bill 1383 regulations and Chapter 6.20 of the Town of Apple Valley Municipal Code; *Mixed Organics Service* shall be charged at \$4.20 per account, *Burrtec Waste Industries (BWI) SB 1383 Admin Fee* shall be charged at \$0.90 per account, and a *Mixed Organics* processing fee shall be charged at \$98.05 per ton and equalized across all residential customer accounts at \$1.06 per account.

If adopted, the proposed monthly rates take effect **September 1, 2022**. The current and proposed monthly rates for the solid waste service fees are set forth in Exhibit “A” hereto. The rate worksheets, illustrating each rate calculation and its discrete parts can be obtained from Town Clerk at 14955 Dale Evans Parkway or online at www.applevalley.org/services/solid-waste-trash.

Public Hearing and Protests

The owner of record of any parcel upon which the proposed solid waste service fees are imposed or any tenant directly responsible for the payment of solid waste service fees (i.e., customer of record) may submit a written protest to the proposed rate increase; however, only one protest will be counted per identified parcel. Any written protest must: (1) state the protest is being submitted in opposition to the proposed rate increase; (2) provide the location of the identified parcel (by assessor’s parcel or street address); and (3) include the name and signature of the property owner or tenant directly responsible for the payment of the solid waste service fees submitting the protest. Written protests may be submitted by mail or in person to the Town Clerk at Town of Apple Valley, 14955 Dale Evans Parkway, Apple Valley, CA 92307. The Town Clerk must receive written protests delivered by mail no later than 12 p.m. on the date of the Public Hearing, or if delivered in person, prior to the close of the public comment portion of the Public Hearing (date, time, and location noted above). Any written protests received following the close of the public hearing will not be counted. Please identify on the front of the envelope for any protest, whether mailed or submitted in person to the Town Clerk, Attn: Public Hearing on Rate Increases.

The Town Council will consider all written protests and oral comments to the proposed rate increases and annual rate adjustments at the Public Hearing. Oral comments at the Public Hearing will not qualify as formal protests unless accompanied by a written protest. Upon the conclusion of the Public Hearing, the Town Council will consider adoption of the rate increases to the Town’s solid waste service fees as described herein. If written protests against the proposed rate increases are not presented by a majority of the property owners (50% + 1) of the identified parcels upon which the proposed rates are to be imposed and tenants directly responsible for the payment of the solid waste service fees, the Town Council will be authorized to impose the rate increases as outlined above. If adopted, the proposed rates take effect **September 1, 2022**. The Town is conducting this Proposition 218 majority protest proceeding out of an abundance of caution and

without conceding the applicability of Proposition 218 to the franchise agreement or to solid waste service provided by Burrtec.

If you have questions regarding this notice or how your rates will be affected, you may contact Pamela Quick at (760) 240-7000 ext. 7569 or visit www.applevalley.org/services/solid-waste-trash.

Exhibit "A"

**EXHIBIT A
TOWN OF APPLE VALLEY PROPOSED RATE INCREASES**

Service Type		Current Rate 8/1/2021	Proposed Rate 9/1/22	Service Type		Current Rate 8/1/2021	Proposed Rate 9/1/22
Residential Service*				Commercial Compactor Trash Service			
		Bi-Monthly	Bi-Monthly	Size	Freq		
40 gallon		\$ 50.76	\$ 64.92	2.0	1	\$ 125.06	\$ 131.06
60 gallon		\$ 53.56	\$ 67.54	2.0	2	\$ 247.97	\$ 259.92
95 gallon		\$ 59.04	\$ 72.74	2.0	3	\$ 371.07	\$ 388.95
40 gallon extra		\$ 15.56	\$ 16.14	2.0	4	\$ 493.97	\$ 517.77
60 gallon extra		\$ 19.44	\$ 20.20	2.0	5	\$ 616.86	\$ 646.61
95 gallon extra		\$ 27.24	\$ 28.30	2.0	6	\$ 739.93	\$ 775.60
40 gallon hardship		\$ 41.20	\$ 55.00	2.0	7	\$ 862.94	\$ 904.54
60 gallon hardship		\$ 45.06	\$ 58.72				
95 gallon hardship		\$ 51.00	\$ 64.38	3.0	1	\$ 186.49	\$ 195.45
Residential Trash Bin Service				3.0	2	\$ 370.91	\$ 388.78
Size	Freq			3.0	3	\$ 555.33	\$ 582.09
1.5	1	n/a	\$ 79.68	3.0	4	\$ 739.76	\$ 775.41
1.5	2	n/a	\$ 140.58	3.0	5	\$ 926.83	\$ 971.49
1.5	3	n/a	\$ 201.47	3.0	6	\$ 1,108.58	\$ 1,162.03
1.5	4	n/a	\$ 262.38	3.0	7	\$ 1,293.00	\$ 1,355.34
1.5	5	n/a	\$ 323.22	4.0	1	\$ 247.97	\$ 259.92
1.5	6	n/a	\$ 384.16	4.0	2	\$ 493.24	\$ 517.01
1.5	7	n/a	\$ 445.04	4.0	3	\$ 739.93	\$ 775.60
				4.0	4	\$ 985.89	\$ 1,033.43
2.0	1	n/a	\$ 99.96	4.0	5	\$ 1,231.85	\$ 1,291.23
2.0	2	n/a	\$ 181.04	4.0	6	\$ 1,477.77	\$ 1,549.02
2.0	3	n/a	\$ 262.27	4.0	7	\$ 1,723.70	\$ 1,806.82
2.0	4	n/a	\$ 343.27	Recycling Commercial			
2.0	5	n/a	\$ 424.34	Bin Service			
2.0	6	n/a	\$ 505.55	1.5	1	\$ 50.76	\$ 50.76
2.0	7	n/a	\$ 586.67	1.5	2	\$ 101.52	\$ 101.52
				1.5	3	\$ 152.28	\$ 152.28
3.0	1	n/a	\$ 140.43	1.5	4	\$ 203.05	\$ 203.05
3.0	2	n/a	\$ 262.01	1.5	5	\$ 253.80	\$ 253.80
3.0	3	n/a	\$ 383.61	1.5	6	\$ 304.59	\$ 304.59
3.0	4	n/a	\$ 505.24	1.5	7	\$ 355.31	\$ 355.31
3.0	5	n/a	\$ 633.74	2.0	1	\$ 67.58	\$ 67.58
3.0	6	n/a	\$ 748.42	2.0	2	\$ 135.25	\$ 135.25
3.0	7	n/a	\$ 870.01	2.0	3	\$ 202.77	\$ 202.77
				2.0	4	\$ 270.37	\$ 270.37
4.0	1	n/a	\$ 181.04	2.0	5	\$ 337.99	\$ 337.99
4.0	2	n/a	\$ 342.54	2.0	6	\$ 405.63	\$ 405.63
4.0	3	n/a	\$ 505.55	2.0	7	\$ 473.17	\$ 473.17
4.0	4	n/a	\$ 667.78	3.0	1	\$ 101.44	\$ 101.44
4.0	5	n/a	\$ 830.02	3.0	2	\$ 202.84	\$ 202.84
4.0	6	n/a	\$ 992.28	3.0	3	\$ 304.28	\$ 304.28
4.0	7	n/a	\$ 1,154.49	3.0	4	\$ 405.71	\$ 405.71
Commercial Barrel Service				3.0	5	\$ 507.15	\$ 507.15
		Monthly	Monthly	3.0	6	\$ 608.57	\$ 608.57
60 gallon		\$ 26.14	\$ 27.15	3.0	7	\$ 709.96	\$ 709.96
95 gallon		\$ 28.84	\$ 29.95	4.0	1	\$ 135.22	\$ 135.22
				4.0	2	\$ 270.35	\$ 270.35
				4.0	3	\$ 405.58	\$ 405.58
				4.0	4	\$ 540.72	\$ 540.72
				4.0	5	\$ 675.89	\$ 675.89
				4.0	6	\$ 811.10	\$ 811.10
				4.0	7	\$ 946.26	\$ 946.26

**EXHIBIT A
TOWN OF APPLE VALLEY PROPOSED RATE INCREASES**

Service Type		Current Rate 8/1/2021	Proposed Rate 9/1/22	Service Type		Current Rate 8/1/2021	Proposed Rate 9/1/22
Commercial Trash Bin Service				Recycling Compactors			
Size	Freq			6.0	1	\$ 202.83	\$ 202.83
1.5	1	\$ 69.19	\$ 71.89	6.0	2	\$ 405.71	\$ 405.71
1.5	2	\$ 136.40	\$ 141.78	6.0	3	\$ 608.53	\$ 608.53
1.5	3	\$ 203.68	\$ 211.67	6.0	4	\$ 811.44	\$ 811.44
1.5	4	\$ 270.90	\$ 281.56	6.0	5	\$ 1,014.27	\$ 1,014.27
1.5	5	\$ 338.11	\$ 351.40	6.0	6	\$ 1,217.10	\$ 1,217.10
1.5	6	\$ 405.39	\$ 421.34	6.0	7	\$ 1,419.93	\$ 1,419.93
1.5	7	\$ 472.63	\$ 491.21				
2.0	1	\$ 91.56	\$ 95.17	Recycling			
2.0	2	\$ 181.10	\$ 188.24	60 gallon		\$ 11.09	\$ 11.09
2.0	3	\$ 270.81	\$ 281.47				
2.0	4	\$ 360.30	\$ 374.48	Green Waste			
2.0	5	\$ 449.82	\$ 467.55	1.5	1	\$ 92.31	\$ 96.41
2.0	6	\$ 539.51	\$ 560.76	1.5	2	\$ 182.00	\$ 190.12
2.0	7	\$ 629.10	\$ 653.88	1.5	3	\$ 271.72	\$ 283.84
3.0	1	\$ 136.26	\$ 141.63	1.5	4	\$ 361.41	\$ 377.56
3.0	2	\$ 270.55	\$ 281.21	1.5	5	\$ 451.04	\$ 471.19
3.0	3	\$ 404.86	\$ 420.82	1.5	6	\$ 540.80	\$ 564.95
3.0	4	\$ 539.19	\$ 560.44	3.0	1	\$ 173.63	\$ 181.42
3.0	5	\$ 676.17	\$ 706.94	3.0	2	\$ 344.79	\$ 360.30
3.0	6	\$ 807.78	\$ 839.62	3.0	3	\$ 515.99	\$ 539.19
3.0	7	\$ 942.07	\$ 979.22	3.0	4	\$ 687.19	\$ 718.11
4.0	1	\$ 181.09	\$ 188.24	3.0	5	\$ 865.00	\$ 903.88
4.0	2	\$ 359.57	\$ 373.75	3.0	6	\$ 1,029.53	\$ 1,075.86
4.0	3	\$ 539.48	\$ 560.76	35 gallon	1	n/a	\$ 26.03
4.0	4	\$ 718.63	\$ 746.98	35 gallon	2	n/a	\$ 51.22
4.0	5	\$ 897.82	\$ 933.23	35 gallon	3	n/a	\$ 76.43
4.0	6	\$ 1,076.99	\$ 1,119.48	35 gallon	4	n/a	\$ 101.63
4.0	7	\$ 1,256.13	\$ 1,305.68	35 gallon	5	n/a	\$ 126.80
				35 gallon	6	n/a	\$ 151.99
The 7/1/22 rates are now back to being the same as Comm:				60 gallon	1	n/a	\$ 31.35
Resdl & MF Trash Barrel Service				60 gallon	2	n/a	\$ 61.76
60 gallon		\$ 26.14	\$ 27.15	60 gallon	3	n/a	\$ 92.18
95 gallon		\$ 28.84	\$ 29.95	60 gallon	4	n/a	\$ 122.60
The 7/1/22 rates are now back to being the same as Comm:				60 gallon	5	n/a	\$ 153.01
Resdl & MF Trash Bin Service				60 gallon	6	n/a	\$ 183.43
Size	Freq			95 gallon	1	\$ 40.00	\$ 41.78
1.5	1	\$ 68.99	\$ 71.89	95 gallon	2	n/a	\$ 82.37
1.5	2	\$ 136.02	\$ 141.78	95 gallon	3	n/a	\$ 122.99
1.5	3	\$ 203.10	\$ 211.67	95 gallon	4	n/a	\$ 163.59
1.5	4	\$ 270.14	\$ 281.56	95 gallon	5	n/a	\$ 204.20
1.5	5	\$ 337.16	\$ 351.40	95 gallon	6	n/a	\$ 244.79
1.5	6	\$ 404.24	\$ 421.34				
1.5	7	\$ 471.29	\$ 491.21				
2.0	1	\$ 91.31	\$ 95.17				
2.0	2	\$ 180.59	\$ 188.24				
2.0	3	\$ 270.04	\$ 281.47				
2.0	4	\$ 359.27	\$ 374.48				
2.0	5	\$ 448.55	\$ 467.55				
2.0	6	\$ 537.99	\$ 560.76				
2.0	7	\$ 627.32	\$ 653.88				

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Service Type		Current Rate 8/1/2021	Proposed Rate 9/1/22	Service Type		Current Rate 8/1/2021	Proposed Rate 9/1/22
3.0	1	\$ 135.88	\$ 141.63	Food Waste (equalized)			
3.0	2	\$ 269.78	\$ 281.21	2.0	1	\$ 91.56	\$ 95.17
3.0	3	\$ 403.71	\$ 420.82	2.0	2	\$ 181.10	\$ 188.24
3.0	4	\$ 537.67	\$ 560.44	2.0	3	\$ 270.81	\$ 281.47
3.0	5	\$ 674.26	\$ 706.94	2.0	4	\$ 360.30	\$ 374.48
3.0	6	\$ 805.48	\$ 839.62	2.0	5	\$ 449.82	\$ 467.55
3.0	7	\$ 939.40	\$ 979.22	2.0	6	\$ 539.51	\$ 560.76
4.0	1	\$ 180.58	\$ 188.24	35 gallon	1	n/a	\$ 24.00
4.0	2	\$ 358.55	\$ 373.75	35 gallon	2	n/a	\$ 46.94
4.0	3	\$ 537.96	\$ 560.76	35 gallon	3	n/a	\$ 69.85
4.0	4	\$ 716.59	\$ 746.98	35 gallon	4	n/a	\$ 92.75
4.0	5	\$ 895.27	\$ 933.23	35 gallon	5	n/a	\$ 115.62
4.0	6	\$ 1,073.93	\$ 1,119.48	35 gallon	6	n/a	\$ 138.51
4.0	7	\$ 1,252.57	\$ 1,305.68	60 gallon	1	\$ 26.14	\$ 27.15
<u>Temporary Roll-Offs</u>				60 gallon	2	\$ 51.46	\$ 53.48
10 cubic yard		\$ 883.54	\$ 927.43	60 gallon	3	\$ 76.74	\$ 79.72
20 cubic yard		\$ 883.54	\$ 927.43	60 gallon	4	\$ 102.01	\$ 106.00
30 cubic yard		\$ 639.63	\$ 670.11	60 gallon	5	\$ 127.25	\$ 132.21
<u>Roll-Offs Permanent</u>				60 gallon	6	\$ 152.52	\$ 158.47
10 cubic yard		\$ 264.40	\$ 274.40				
20 cubic yard		\$ 264.40	\$ 274.40				
30 cubic yard		\$ 264.40	\$ 274.40				
40 cubic yard		\$ 264.40	\$ 274.40				
30 cubic yard - compactor		\$ 264.40	\$ 274.40				
30 cubic yard - recy compactor (customer owned)		\$ 291.54	\$ 301.54				
Liner for Roll-Offs		\$ 123.93	\$ 128.67				
Roll Off Retractable Lid Monthly Rental Fee		n/a	\$ 239.00				
Service Type		Current Rate 8/1/2021	Proposed Rate 9/1/22				
<u>Extra Services</u>							
<u>Temporary Bin</u>							
3 cubic yard - 7 days use		\$ 132.14	\$ 137.42				
Dump and return		\$ 132.14	\$ 137.42				
<u>Barrel Exchange (one exchange per year at no charge, does not apply to graffiti or damaged barrels)</u>		\$ 18.53	\$ 19.24				
<u>Barrel Replacement</u>		\$ 79.81	\$ 82.87				
resdl-customer damaged							
comm1-lost or stolen							
<u>Bin Exchange (one exchange per year at no charge, does not apply to graffiti or damaged bins)</u>		\$ 92.64	\$ 96.19				
<u>Bin Replacement + actual cost of bin</u>		\$ 102.61	\$ 106.54				
comm1-lost or stolen							
<u>Additional Bin Fees</u>							
Locking Bin		\$ 13.06	\$ 13.56				
Contamination Fee -Recycling Bin		\$ 52.22	\$ 54.22				
Extra Bin Pickup		\$ 58.46	\$ 60.70				

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Service Type	Current Rate 8/1/2021	Proposed Rate 9/1/22
<u>Additional Roll Off Fees</u>		
Dry Run	\$ 67.34	\$ 69.92
Rental Fees per week	\$ 201.10	\$ 208.80
Rental Fees per day	\$ 28.73	\$ 29.83
<u>G/W & F/W Contamination Fees</u>		
Bins	\$ 59.80	\$ 62.09
Barrels	\$ 49.34	\$ 51.23
<u>Certificate of Destruction (new)</u>		
Taken to San Bernardino County Landfill (per ton)	\$ 129.11	\$ 134.05

*Resdl barrel rates may be delayed pending implementation of the mixed organics program.