

ATTACHMENT #1

RESOLUTION NO. 2024-____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDIAN WELLS, CALIFORNIA, ORDERING THE LEVY AND COLLECTION OF FEES FOR REFUSE COLLECTION AND RECYCLING SERVICES FROM RESIDENTIAL AND COMMERCIAL PROPERTIES WITHIN THE CITY PURSUANT TO INDIAN WELLS MUNICIPAL CODE SECTION 8.04.190

WHEREAS, the City Council has heretofore adopted Chapter 8.04 of the Indian Wells Municipal Code establishing standards for the collection and disposal of refuse, trash, rubbish and other forms of solid waste; and

WHEREAS, the City Council has determined that the disposal and/or collection of refuse, trash, rubbish or other solid waste is a service to be performed in the City in accordance with the provisions of the Municipal Code; and

WHEREAS, pursuant to Municipal Code Section 8.04.210 and California Public Resources Code Section 40059(a)(1) an exclusive franchise has been granted to Burrtec Waste and Recycling Services (the "Contractor") for the collection, transportation, recycling, composting and disposal of solid waste from residential, commercial, construction and industrial (roll-off) establishments within the City; and

WHEREAS, Municipal Code Section 8.04.190 provides that the City Council shall establish by Resolution the schedule of residential and commercial fees that can be charged by the Contractor for solid waste collection, disposal and recycling services; and

WHEREAS, California Public Resources Code Section 41901 authorizes the City to impose fees in amounts sufficient to pay the costs of preparing, adopting, implementing and administering local recycling and source reduction programs; and

WHEREAS, the City has heretofore adopted and imposed an AB 939 Administrative Fee as part of the fees for refuse collection and recycling services paid annually by eligible parcels within the City; and

WHEREAS, the City Council desires to levy and collect residential and commercial fees to pay for Refuse Collection and Recycling Services rendered to eligible parcels within the City for the period commencing July 1, 2024, and ending June 30, 2025; and

WHEREAS, the City Council conducted a duly noticed public hearing on June 20, 2024 concerning the adoption of fees for refuse collection and recycling services, at the conclusion of which there was not a majority protest against the adoption of the proposed fees.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF INDIAN WELLS DOES HEREBY FIND, DETERMINE, RESOLVE AND ORDER AS FOLLOWS:

SECTION 1. In all respects, the Recitals of this Resolution are true and correct.

SECTION 2. The annual fees for residential refuse collection and recycling services shall be \$424.68 per parcel for those parcels which will be billed on the property tax roll and otherwise for all other parcels of the rates set forth in Exhibit "A" attached hereto. The City Clerk and Finance Director are authorized and directed to request that the County place on residential property tax roles in the amount of \$424.68 per parcel. The annual fees set forth above shall be effective from and after the first day of July 1, 2024, through June 30, 2025 unless amended by City Council resolution prior to that date.

SECTION 3. The annual rates for commercial refuse collection and recycling services shall be as set forth in Exhibit "A" attached hereto. Commercial rates shall be paid by all applicable commercial customers within the City. The annual fees set forth above shall be effective from and after the first day of July 1, 2024, through June 30, 2025 unless amended by City Council resolution prior to that date.

SECTION 4. This Resolution shall take effect upon adoption.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Indian Wells, California, at a regular meeting held on this 20th day of June 2024.

GREG SANDERS
MAYOR

CERTIFICATION FOR RESOLUTION NO. 2024-____

I, Angelica Avila, City Clerk of the City Council of the City of Indian Wells, California, **DO HEREBY CERTIFY** that the whole number of the members of the City Council is five (5); that the above and foregoing Resolution was duly and regularly passed and adopted at a regular meeting of the City Council of the City of Indian Wells on the 20 day of June 2024, by the following vote:

AYES:

NOES:

ATTEST:

APPROVED AS TO FORM:

ANGELICA AVILA
CITY CLERK

TODD LEISHMAN FOR
BEST BEST & KRIEGER LLP
CITY ATTORNEY

EXHIBIT "A"
(*following this page*)

**City of Indian Wells
Rate Increase
Effective July 1, 2024
Residential Service**

**Proposed
2024-25**

DESCRIPTION	SERVICE RATE	1383 RATE	DUMP FEE	AB939 FUND	RECYCLING SERVICE	HHW Fee	MONTHLY CHARGE
TAX ROLL	\$13.78	\$8.61	\$4.76	\$0.53	\$6.10	\$1.61	\$35.39
DIRECT BILL	\$15.05	\$8.61	\$4.76	\$0.53	\$6.10	\$1.61	\$36.66
ADDITIONAL CART ALL SERVICES	\$3.45			\$0.20			\$3.65

NEW START FEE	\$18.75
RE-START FEE	\$28.10
NSF / RETURNED CHECK FEE	\$37.48

Bulky item collection	<i>per Item</i>	\$75.55
Replacement recycling containers (2nd in 12-month period)	<i>per occurrence</i>	\$36.68
Wheeled cart (purchase)	<i>per occurrence</i>	\$101.22

**City of Indian Wells
Rate Increase
Effective July 1, 2024
Commercial Service**

Proposed Rates

2024-25

COMMERCIAL RATES

2 YARD BIN SERVICE PICK-UP PER WEEK	SERVICE RATE	DUMP FEE	AB939 FUND	Trash Rate	Recycle Rate (1)
1	\$91.35	\$ 34.27	\$5.63	\$ 131.25	\$91.35
2	\$156.85	\$ 68.60	\$11.26	\$ 236.71	\$156.85
3	\$222.23	\$ 102.87	\$16.89	\$ 341.99	\$222.23
4	\$288.64	\$ 137.18	\$21.92	\$ 447.74	\$288.64
5	\$352.92	\$ 172.48	\$28.15	\$ 553.55	\$352.92
6	\$463.59	\$ 202.48	\$33.77	\$ 699.84	\$463.59
EXTRA EMPTY PICK-UP	\$61.58	+	Pull Out Fee	\$ 11.34	\$61.58

(1) Recycle Rate equal to service component of trash rate

3 YARD BIN SERVICE PICK-UP PER WEEK	SERVICE RATE	DUMP FEE	AB939 FUND	Trash Rate	Recycle Rate (1)
1	\$114.75	\$ 51.40	\$8.44	\$ 174.59	\$114.75
2	\$195.87	\$ 102.87	\$16.89	\$ 315.63	\$195.87
3	\$279.54	\$ 154.36	\$25.33	\$ 459.23	\$279.54
4	\$356.32	\$ 205.73	\$33.77	\$ 595.82	\$356.32
5	\$440.05	\$ 256.85	\$42.22	\$ 739.12	\$440.05
6	\$520.40	\$ 308.65	\$50.66	\$ 879.71	\$520.40
EXTRA EMPTY PICK-UP	\$84.49	+	Pull Out Fee	\$ 11.35	\$84.49

(1) Recycle Rate equal to service component of trash rate

4 YARD BIN SERVICE PICK-UP PER WEEK	SERVICE RATE	DUMP FEE	AB939 FUND	Trash Rate	Recycle Rate (1)
1	\$150.62	\$ 68.60	\$11.26	\$ 230.48	\$150.62
2	\$242.86	\$ 137.18	\$22.52	\$ 402.56	\$242.86
3	\$339.94	\$ 205.73	\$33.77	\$ 579.44	\$339.94
4	\$436.62	\$ 273.82	\$45.03	\$ 755.47	\$436.62
5	\$533.41	\$ 342.56	\$56.29	\$ 932.26	\$533.41
6	\$620.99	\$ 411.17	\$67.55	\$ 1,099.71	\$620.99
EXTRA EMPTY PICK-UP	\$110.44	+	Pull Out Fee	\$ 11.35	\$110.44

(1) Recycle Rate equal to service component of trash rate

6 YARD BIN SERVICE PICK-UP PER WEEK	SERVICE RATE	DUMP FEE	AB939 FUND	Trash Rate	Recycle Rate (1)
1	\$206.47	\$ 98.58	\$29.05	\$ 334.10	\$206.47
2	\$355.15	\$ 197.14	\$58.10	\$ 610.39	\$355.15
3	\$508.60	\$ 295.75	\$87.15	\$ 891.50	\$508.60
4	\$648.91	\$ 394.29	\$116.20	\$ 1,159.40	\$648.91
5	\$802.48	\$ 656.51	\$165.44	\$ 1,624.43	\$802.48
EXTRA EMPTY PICK-UP	\$147.29	+	Pull Out Fee	\$ 11.35	\$147.29

(1) Recycle Rate equal to service component of trash rate

**City of Indian Wells
Rate Increase
Effective July 1, 2024
Commercial Service**

**Proposed
2024-25**

COMPACTOR RATES (X3)

2 YARD BIN SERVICE	SERVICE	DUMP	AB939	MONTHLY
PICK-UP PER WEEK	RATE	FEE	FUND	CHARGE
1	\$274.05	\$102.81	\$16.89	\$393.75
2	\$470.55	\$205.80	\$33.78	\$710.13
3	\$666.69	\$308.61	\$50.67	\$1,025.97
4	\$865.92	\$411.54	\$65.76	\$1,343.22
5	\$1,058.76	\$517.44	\$84.45	\$1,660.65
6	\$1,390.77	\$607.44	\$101.31	\$2,099.52
EXTRA EMPTY PICK-UP	\$184.74	+	Pull Out Fee	\$ 34.02

3 YARD BIN SERVICE	SERVICE	DUMP	AB939	MONTHLY
PICK-UP PER WEEK	RATE	FEE	FUND	CHARGE
1	\$344.25	\$154.20	\$25.32	\$523.77
2	\$587.61	\$308.61	\$50.67	\$946.89
3	\$838.62	\$463.08	\$75.99	\$1,377.69
4	\$1,068.96	\$617.19	\$101.31	\$1,787.46
5	\$1,320.15	\$770.55	\$126.66	\$2,217.36
6	\$1,561.20	\$925.95	\$151.98	\$2,639.13
EXTRA EMPTY PICK-UP	\$253.47	+	Pull Out Fee	\$ 34.05

4 YARD BIN SERVICE	SERVICE	DUMP	AB939	MONTHLY
PICK-UP PER WEEK	RATE	FEE	FUND	CHARGE
1	\$451.86	\$205.80	\$33.78	\$691.44
2	\$728.58	\$411.54	\$67.56	\$1,207.68
3	\$1,019.82	\$617.19	\$101.31	\$1,738.32
4	\$1,309.86	\$821.46	\$135.09	\$2,266.41
5	\$1,600.23	\$1,027.68	\$168.87	\$2,796.78
6	\$1,862.97	\$1,233.51	\$202.65	\$3,299.13
EXTRA EMPTY PICK-UP	\$331.32	+	Pull Out Fee	\$ 34.05

**City of Indian Wells
Rate Increase
Effective July 1, 2024
Commercial Service**

**Proposed Rates
2024-25**

COMMERCIAL OTHER CHARGES	AMOUNT
RE-START FEE	\$ 27.59
NEW START FEE	\$ 18.38
PULL-OUT CHARGE	\$ 48.36
COMMERCIAL BULKY ITEM PICK-UP PER ITEM	\$ 52.24
LOCKING CONTAINER CHARGE (CUSTOMER PROVIDES LOCK & KEY)	\$ 82.73
REPLACEMENT LOCKING BAR CHARGE	\$ 55.19
TEMP/CONSTRUCTION 3yd, per lift	\$ 186.90
TEMP/CONSTRUCTION 4yd, per lift	\$ 239.27
NSF / RETURNED CHECK	\$ 33.85
96 GALLON RECYCLING CONTAINER MONTHLY CHARGE, COMMERCIAL	\$ 17.03
35 GALLON RECYCLING CONTAINER MONTHLY CHARGE, COMMERCIAL	\$ 12.16
SATURDAY CHARGE PER BIN (SERVICE LESS THAN 4 DAYS PER WEEK)	\$ 45.69

City of Indian Wells
Rate Increase
Effective July 1, 2024
Commercial Foodwaste Rates

1-64 Gallon Cart

Proposed Rates

# Pick-Ups Per week	Recycling Collection Component	Material Processing	Franchise Fee	AB-939 Fee	Total Monthly Rate
1	\$ 36.62	\$ 38.50	\$ 13.26	\$ 3.49	\$ 91.87
2	\$ 73.25	\$ 76.98	\$ 26.51	\$ 6.98	\$ 183.72
3	\$ 109.87	\$ 115.48	\$ 39.77	\$ 10.47	\$ 275.59
4	\$ 146.51	\$ 153.94	\$ 53.02	\$ 13.96	\$ 367.43
5	\$ 183.12	\$ 192.44	\$ 66.28	\$ 17.45	\$ 459.29

2-64 Gallon Cart

# Pick-Ups Per week	Recycling Collection Component	Material Processing	Franchise Fee	AB-939 Fee	Total Monthly Rate
1	\$ 58.60	\$ 76.98	\$ 23.93	\$ 6.14	\$ 165.65
2	\$ 117.22	\$ 153.94	\$ 47.85	\$ 12.28	\$ 331.29
3	\$ 175.81	\$ 230.91	\$ 71.77	\$ 18.42	\$ 496.91
4	\$ 234.42	\$ 307.90	\$ 95.70	\$ 24.56	\$ 662.58
5	\$ 293.06	\$ 384.85	\$ 119.63	\$ 30.70	\$ 828.24

3-64 Gallon Cart

# Pick-Ups Per week	Recycling Collection Component	Material Processing	Franchise Fee	AB-939 Fee	Total Monthly Rate
1	\$ 76.93	\$ 115.48	\$ 33.95	\$ 8.58	\$ 234.94
2	\$ 164.84	\$ 230.91	\$ 69.84	\$ 17.16	\$ 482.75
3	\$ 230.77	\$ 346.39	\$ 101.85	\$ 25.74	\$ 704.75
4	\$ 307.67	\$ 461.83	\$ 135.79	\$ 34.32	\$ 939.61
5	\$ 384.60	\$ 577.32	\$ 169.75	\$ 42.90	\$ 1,174.57

4-64 Gallon Cart

# Pick-Ups Per week	Recycling Collection Component	Material Processing	Franchise Fee	AB-939 Fee	Total Monthly Rate
1	\$ 87.90	\$ 153.94	\$ 42.68	\$ 10.61	\$ 295.13
2	\$ 175.81	\$ 307.90	\$ 85.36	\$ 21.22	\$ 590.29
3	\$ 263.73	\$ 461.83	\$ 128.04	\$ 31.83	\$ 885.43
4	\$ 351.65	\$ 615.79	\$ 170.72	\$ 42.44	\$ 1,180.60
5	\$ 439.56	\$ 769.73	\$ 213.40	\$ 53.05	\$ 1,475.74

**City of Indian Wells
Rate Increase
Effective July 1, 2024
Commercial Foodwaste Rates**

Additional Cart after 4 Carts Per Week	Recycling Collection Component	Material Processing	Franchise Fee	AB-939 Fee	Total Monthly Rate
# of Carts Per Pick-Up					
1	\$ 20.31	\$ 38.50	\$ 10.38	\$ 2.56	\$ 71.75
2	\$ 40.57	\$ 76.98	\$ 20.74	\$ 5.11	\$ 143.40
3	\$ 60.96	\$ 115.48	\$ 31.14	\$ 7.67	\$ 215.25
4	\$ 81.29	\$ 153.94	\$ 41.51	\$ 10.23	\$ 286.97
5	\$ 101.61	\$ 192.44	\$ 51.89	\$ 12.79	\$ 358.73

Extra Pickup	Recycling Collection Component	Material Processing	Franchise Fee	AB-939 Fee	Total Monthly Rate
# of Carts Per Pick up					
1	\$ 12.63	\$ 8.88	\$ 3.80	\$ 1.04	\$ 26.35
2	\$ 22.72	\$ 17.77	\$ 7.15	\$ 1.94	\$ 49.58
3	\$ 28.42	\$ 26.65	\$ 9.72	\$ 2.59	\$ 67.38
4	\$ 37.87	\$ 35.56	\$ 12.96	\$ 3.45	\$ 89.84
5	\$ 47.36	\$ 44.46	\$ 16.20	\$ 4.31	\$ 112.33

2 YARD ORGANIC BIN	Recycling Collection Component	Material Processing	Franchise Fee	AB-939 Fee	Rate
X Per Week					
1	\$ 122.33	\$ 93.78	\$ 38.14	\$ 10.61	\$ 264.86
2	\$ 230.71	\$ 187.56	\$ 73.81	\$ 21.22	\$ 513.30
3	\$ 353.03	\$ 281.37	\$ 111.95	\$ 31.83	\$ 778.18
4	\$ 475.36	\$ 375.12	\$ 150.08	\$ 42.44	\$ 1,043.00
5	\$ 597.70	\$ 468.90	\$ 188.22	\$ 53.05	\$ 1,307.87
2yd Extra Pick Up	\$ 40.66	\$ 24.06	\$ 11.42	\$ 1.04	\$ 77.18

**City of Indian Wells
Rate Increase
Effective July 1, 2024
Roll Off Service**

**Proposed Rates
2024-25**

PERMANENT ROLL OFF RATES (1 MONTH MIN. SERVICE-INCLUDES 3 EXCHANGES & LAST REMOVAL)

DESCRIPTION	SERVICE RATE	LANDFILL FEE (PER TON)	AB939 FUND (PER LOAD)
20 YARD CONTAINER	\$321.20	\$ 75.86	\$31.06
30 YARD CONTAINER	\$321.20	\$ 75.86	\$46.59
40 YARD CONTAINER	\$349.87	\$ 75.86	\$62.12

Landfill fees at cost plus franchise fee

COMPACTOR RATES (ONE MONTH MINIMUM SERVICE. INCLUDES 3 EXCHANGES & LAST REMOVAL)

DESCRIPTION	SERVICE RATE	LANDFILL FEE (PER TON)	AB939 FUND (PER LOAD)
20 YARD CONTAINER W/ COMPACTOR	\$585.29	\$ 75.86	\$62.12
30 YARD CONTAINER W/ COMPACTOR	\$585.29	\$ 75.86	\$93.18
40 YARD CONTAINER W/ COMPACTOR	\$665.15	\$ 75.86	\$124.24

OTHER CHARGES

OTHER CHARGES	AMOUNT
LANDFILL FEE (PER TON)	\$ 75.86
EXTRA TRIP CHARGE	\$ 102.51
RELOCATION CHARGE	\$ 51.25
NEW START FEE	\$ 16.84
RE-START FEE	\$ 24.90
NSF / RETURNED CHECK FEE	\$ 34.17
RENTAL FEE	\$ 34.17
Concrete Washout - Pump	\$ 134.16

**PPI Commodity Data
Original Data Value**

Series Id: WPUFD49207
 Not Seasonally Adjusted
 Series Title: PPI Commodity data for Final demand-Finished goods, not
 Group: Final demand
 Item: Finished goods
 Base Date: 198200
 Years: 2014 to 2024

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
2014	198.1	198.9	200.3	202.1	201.8	202.9	203.0	202.5	201.7	200.4	198.2	195.4
2015	192.2	192.6	193.6	193.1	196.0	197.7	197.4	196.3	193.4	192.4	191.6	190.1
2016	189.9	188.8	189.2	190.3	191.7	193.8	193.5	192.6	193.2	193.7	192.4	193.7
2017	195.4	196.0	196.3	198.0	197.0	197.8	197.6	198.4	199.6	199.4	200.4	199.9
2018	201.0	201.3	202.1	202.8	205.0	205.9	206.0	205.8	205.9	206.7	204.4	202.5
2019	201.8	202.4	204.9	207.1	207.6	206.9	207.4	206.4	205.7	206.3	206.4	206.0
2020	206.8	205.0	201.8	196.1	200.9	202.2	203.3	203.2	203.3	203.8	203.8	204.4
2021	207.6	210.1	213.8	215.1	218.4	221.8	223.455	224.950	227.240	229.686	230.962	229.449
2022	233.941	238.956	246.495	248.781	255.183	262.394	257.709	253.744	253.501	255.481	255.268	249.919
2023	254.522	253.956	253.942	255.140	252.855	254.316	255.145	258.968	259.348	254.414	252.572	249.683
2024	251.768											

Change (2.7540)
 % Change -1.08%
 PPI Carryover from 2023) 3.69% (8.69% less 5% Cap)
 Total PPI 2.61%

**Edom Hill Transfer Station
Application for 7/1/2024 Rate Adjustment**

Proposed Rate Adjustment - July 1st 2024

	<u>Current</u>			<u>Extra</u>	<u>7/1/2023</u>
	<u>Rate/Ton</u>		<u>CPI</u>	<u>Ordinary</u>	<u>Rate/Ton</u>
Transport Rate	\$ 12.12 (a)	2.88%	\$ 0.35	\$ 3.69	\$ 16.16
Loading & Operating Rate	\$ 7.57 (a)	2.88%	\$ 0.22	\$ 0.52	\$ 8.31
Facility Fee	\$ 0.89				\$ 0.89
Mitigation Fee	\$ 1.00				\$ 1.00
Disposal Fee	\$ 38.12	0.00%	\$ -		\$ 38.12
Total Rate/Ton	\$ 59.70		\$ 0.57	\$ 4.21	\$ 64.48

(a) Jan 2024 CPI