

RESOLUTION NO. 2021-052

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HESPERIA, CALIFORNIA, APPROVING AN AMENDMENT TO THE AMENDED AND RESTATED EXCLUSIVE FRANCHISE AGREEMENT WITH ADVANCE DISPOSAL FOR PROVISION OF SOLID WASTE HANDLING SERVICES WITHIN THE CITY LIMITS OF THE CITY OF HESPERIA.

WHEREAS, on April 20, 2000, the City of Hesperia, California and Bestway Disposal, Inc., dba Advance Disposal (Advance Disposal) entered into an Agreement and Exclusive Permit for the collection and disposal of solid waste within the City of Hesperia; and

WHEREAS, on February 21, 2012, the City of Hesperia and Advance Disposal entered into an agreement and Restated Exclusive Franchise Agreement for the collection and disposal of solid waste within the City of Hesperia; and

WHEREAS, the City of Hesperia and Advance Disposal seek to establish a City-wide cleanup program called the Hesperia Environmental Assistance Response Team (HEART) Program commencing October 20, 2021, whereby Advance Disposal will proactively, and in response to notification, collect and dispose of illegally dumped solid waste; and

WHEREAS, On July 20, 2021, following a Proposition 218 hearing, the City adopted a rate structure to fund the HEART Program, including the software program for reporting and tracking, specialty vehicles, equipment, and adequate staffing; and

WHEREAS, a new section 5.14 will be added to the existing Agreement and will include the terms agreed upon by the City of Hesperia and Advance Disposal for the full and successful operation of the HEART program; and

WHEREAS, the amendment to the Agreement will include additional customer service provisions to ensure customer complaints are being addressed, staff are properly trained, and response times are reduced; and

WHEREAS, the City Council has determined that the provisions of the HEART Program and the customer service additions as identified in "Attachment 2" are fair and reasonable for the additional solid waste collection and disposal services to be provided by Advance Disposal.

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF HESPERIA CITY COUNCIL AS FOLLOWS:

- Section 1. All of the recitals in this Resolution, as set forth above, are true and correct.
- Section 2. The provisions for the HEART Program as set forth in "Attachment 2" of this Resolution are hereby adopted.
- Section 3. The effective date of this Resolution shall be October 20, 2021 at which time the HEART Program will be fully operational.

Section 4. That City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

ADOPTED AND APPROVED this 19th day of October 2021.

Cameron Gregg, Mayor

ATTEST:

Melinda Sayre
City Clerk