

RESOLUTION NO. 9199

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASADENA TO
INCREASE THE NON-EXCLUSIVE SOLID WASTE FRANCHISE FEE**

WHEREAS, the City Council has approved a non-exclusive Franchise Fee System and established a new fee entitled "Solid Waste Non-Exclusive Franchise Fee" to provide standards and procedures for the granting of non-exclusive franchises for solid waste collection and a mechanism to generate and distribute revenue between the preparation and implementation of an Integrated Waste Management Plan and the repair and maintenance of the City's infrastructure due to operation of heavy duty collection vehicles; and

WHEREAS, the reasons for enacting such a fee are contained in an agenda report dated October 20, 1992, entitled "Franchise Grants for Use of the Public Ways. Establishment of Solid Waste Collection Franchise System"; and

WHEREAS, that portion of the total franchise fee which is a fee for services must be increased to pay for those services, and the revenue generated as a result of that 3.551 percent increase will go directly toward the increased cost of providing those services outlined in the City's 2010 Integrated Waste Management Plan.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF
PASADENA THAT:**

The fee entitled "Solid Waste Non-Exclusive Franchise Fee" is increased from 19.515 percent to 23.066 percent, effective immediately.

Each franchise with a non-exclusive Solid Waste Collection Franchise granted pursuant to Chapter 8.61 of the Pasadena Municipal Code shall pay a franchise fee to the City during the term of such franchise in the following amount: 23.066 percent of any and all gross monthly receipts resulting from the operation of business in the City.

- I. For the purpose of calculation of such franchise fee, "gross monthly receipts" means any and all compensation received by the franchise in connection with collection, transportation, disposing, and/or recycling of solid waste kept, accumulated, or produced in the City plus any and all such compensation received by the franchisee or franchisee's subcontractors in connection with collecting, transporting, disposing, and/or recycling of solid waste produced, kept, or accumulated in the City, with the exception of compensation received from sale of material recovered through recycling.
- II. Each monthly franchise fee payment shall be calculated as 23.066 percent of the gross monthly receipts received in the preceding calendar month. Revenue from the franchise fee

shall be divided as follows: 5.5 percent of the gross monthly receipts shall be paid to the City general fund (to a maximum of \$420,000 annually) and 17.566 percent of the gross monthly receipts shall be placed in a special fund account to be used only for costs stated in Public Revenue Code Section 41901 or any successor provision for preparing, adopting, and implementing an Integrated Waste Management Plan.

ADOPTED at the regular meeting of the City Council on the 4th day of June, 2012, by the following vote:

AYES: Councilmembers Gordo, Masuda, Tornek,
Vice Mayor McAustin, Mayor Bogaard

NOES: None

ABSENT: Councilmembers Holden, Madison, Robinson

ABSTAIN: None



Mark Jonsky
City Clerk

APPROVED AS TO FORM:

 5/29/12

Nicholas George Rodriguez
Chief Assistant City Attorney