

## **RESOLUTION 22-XX**

### **A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN COUNCIL OF THE TOWN OF MAMMOTH LAKES. STATE OF CALIFORNIA, APPROVING THE FIRST AMENDMENT TO THE SOLID WASTE FRANCHISE AGREEMENT WITH MAMMOTH DISPOSAL**

**WHEREAS**, the Town is responsible for providing solid waste handling services to its citizens, including source reduction, recycling, composting activities and the collection, transfer and disposal of solid waste within the Town boundaries subject to solid waste handling jurisdiction, as provided in Public Resources Code Section 40057, part of the California Integrated Waste Management Act (Act or AB 939); and

**WHEREAS**, the Town Council has a Franchise Agreement (Agreement) with Mammoth Disposal Company to provide solid waste and recycling services on its behalf within the Town of Mammoth Lakes; and

**WHEREAS**, the Agreement provides the method and means of setting rates and charges for solid wastes services including the cost of disposal and processing of solid waste and recycled materials; and

**WHEREAS**, the Town Council adopted solid waste rates that are in effect until December 31, 2026, which includes a 2.5% Consumer Price Index (CPI) increase each year; and

**WHEREAS**, pursuant to the Agreement, beginning in January 2027, the solid waste rates are scheduled to increase by 1-4% each year based on the CPI; and

**WHEREAS**, since the current rate structure was adopted, Mammoth Disposal has seen substantial cost increases across all categories of its operations including services, infrastructure investment (including construction of the new transfer station), new operating costs, and ongoing expenses; and

**WHEREAS**, Mammoth Disposal has requested the ability to incorporate CPI increase into its rates beginning January 1, 2023; and

**WHEREAS**, Town staff have reviewed the information provided by Mammoth Disposal, along with the Consumer Price Index (CPI) data and agree that the allowance for an additional CPI increase at this time is appropriate to ensure that Mammoth Disposal is able to provide efficient and effective solid waste services on the Town's behalf; and

**WHEREAS**, the proposed amendment to the Agreement would allow for a CPI increase to the solid waste rates each year of between 1-4%, based on actual CPI (Los Angeles-Long

Beach-Anaheim area published by the Bureau of Labor Statistics of the U.S, Department of Labor) in August of the previous year.

**NOW, THEREFORE, BE IT RESOLVED** by the Town Council of the Town of Mammoth Lakes as follows:

***Section 1.***

The foregoing recitals are true and correct and incorporated herein by reference.

***Section 2.***

The Town Council has fully considered this matter and has:

- A. Reviewed the agenda bill and draft First Amendment to the Franchise Agreement attached hereto as Exhibit A and all information submitted herewith regarding the proposed agreement;
- B. Heard and received all support, objections and/or protests, or other written communications regarding the proposed agreement;
- C. Taken and received oral and documentary evidence pertaining to the approval of the proposed agreement; and
- D. Been fully informed of this matter.

***Section 3.***

The Town Council of the Town of Mammoth Lakes explicitly and expressly adopts all findings contained herein this resolution.

***Section 4.***

The Town Council hereby approves and authorizes the Mayor or Town Manager of the Town of Mammoth Lakes to execute the First Amendment to the Solid Waste Services Agreement between the Town of Mammoth Lakes and Mammoth Disposal Company attached hereto.

***Section 5.***

The Town Clerk shall certify as to the adoption of this Resolution.

APPROVED AND ADOPTED this 16<sup>th</sup> day of November 2022.

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LYNDA SALCIDO, Mayor

ATTEST:

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JAMIE GRAY, Town Clerk