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RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERSIDE, CALIFORNIA, DECLARING ITS INTENTION TO GRANT AN EXCLUSIVE RESIDENTIAL AND COMMERCIAL SOLID WASTE HAULING FRANCHISE TO ARAKELIAN ENTERPRISES, INC. DOING BUSINESS AS ATHENS SERVICES AND FIXING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE CITY COUNCIL OF THE CITY OF RIVERSIDE.

WHEREAS, the City of Riverside (“City”) is a community of about 314,998, ranked as the 12th most populous city in California, with projected annual growth of 0.51%. Currently, there are 63,484 Residential Solid Waste Accounts and 7,408 Commercial Accounts; and

WHEREAS, current solid waste collection services are provided through a combination of City staff and franchise agreements; and

WHEREAS, City collection staff provide residential collection services for approximately two thirds of the City’s residential customers; the remaining one third of residential customers are currently serviced by Burrtec Waste Industries through an exclusive agreement, which expires on June 30, 2023; and

WHEREAS, commercial collection service is provided through non-exclusive agreements with Burrtec Waste Industries, Arakelian Enterprises, Inc. dba Athens Services, and CR&R Environmental Services. These agreements have been in place since 2001 and are set to expire on June 30, 2023; and

WHEREAS, Public Resources Code section 40059 provides that a City may determine that aspects of solid waste handling are a matter of local concern and that the City may contract for such services with or without use of a competitive bidding process. Section 40059 further provides that the governing body of a local government agency may by resolution or ordinance, prescribe terms and conditions upon which authority to provide solid waste handling services may be granted; and

1 WHEREAS, on August 18, 2022, the City issued RFP No. 2219, soliciting qualified
2 vendors to submit proposals for Residential and Commercial Garbage, Recyclable Material, and
3 Organic Waste Collection Services; and

4 WHEREAS, the residential services solicited are limited to the one third of residential
5 accounts presently serviced through a collection services agreement, the remaining two thirds
6 will continue to be serviced by City collections staff; and

7 WHEREAS, after evaluating responsive proposals, City staff determined that Arakelian
8 Enterprises, Inc. dba Athens Services (“Athens Services”) submitted the highest scoring proposal
9 for both residential and commercial services; and

10 WHEREAS, Riverside Municipal Code (“RMC”) section 6.04.050 provides that no
11 persons, firm or corporation, other than one of the City authorized solid waste haulers acting
12 pursuant to their contract with the City, shall collect residential solid waste, recyclable or organic
13 recyclable material within the City; and

14 WHEREAS, RMC section 6.06.030 provides that no persons, firm or corporation, other
15 than one of the City authorized solid waste haulers acting pursuant to their contract with the City,
16 shall collect commercial solid waste, recyclable or organic recyclable material within the City;
17 and

18 WHEREAS, pursuant to Section 1301 of the City’s Charter, “[b]efore granting any
19 franchise, the City Council shall pass a resolution declaring its intention to grant the same,
20 stating the name of the proposed grantee, the character of the franchise and the terms and
21 conditions upon which it is proposed to be granted. Such resolution shall fix and set forth the
22 day, hour and place when and where any persons having any interest therein or any objection to
23 the granting thereof may appear before the City Council and be heard thereon.”

24 WHEREAS, it is the intent of the City to award an exclusive franchise agreement to
25 Athens Services for residential and commercial solid waste collection services for a fifteen-year
26 term through June 30, 2038, with an option to extend for an additional five years through June
27 30, 2043; and

1 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Riverside as
2 follows:

3 Section 1: It is the intention of the City Council to grant a franchise as follows:

- 4 a. Name of proposed grantee: ARAKELIAN ENTERPRISES, INC. DOING
5 BUSINESS AS ATHENS SERVICES
- 6 b. Character of franchise: Residential and Commercial Solid Waste, Garbage,
7 Recyclable Material, and Organic Waste Collection Services
- 8 c. Terms and conditions upon which the franchise is proposed to be granted:
- 9 i. Grantee shall execute commercial and residential franchise agreements
10 in substantially the same form as the Agreement For The Provision Of
11 Commercial And Multi-Family Dwelling Garbage, Recyclable
12 Materials, And Organic Waste Collection Services and the Agreement
13 For The Provision Of Single-Family Dwelling Garbage, Recyclable
14 Materials, And Organic Waste Collection Services (“Proposed
15 Agreements”) presented to the Council on this date and on file with the
16 City Clerk, which are incorporated herein by reference.
- 17 ii. Grantee shall comply with all terms of the Proposed Agreements.
- 18 iii. Grantee shall comply with all requirements of the Riverside Municipal
19 Code, including but not limited to Chapters 6.04 and 6.06.

20 Section 2: Notice is hereby given that the City Council will hold a public hearing on the
21 proposed Residential and Commercial Garbage, Recyclable Material, and Organic Waste
22 Collection Services, on May 16, 2023, at the hour of 3:00 p.m. in the Art Pick Council Chambers
23 at the Riverside City Hall, 3900 Main Street in the City of Riverside, California. Any protests or
24 objections to the proposed granting of the franchise may be made orally or in writing by any
25 interested person. Mail written statements to City Clerk, City Hall, 3900 Main Street, Riverside,
26 CA 92522, or email City_Clerk@riversideca.gov. Interested persons will be afforded the
27 opportunity to speak and be heard at 3:00 p.m. on May 16, 2023, by appearing in-person at the

1 public hearing at the Art Pick Council Chamber at 3900 Main Street, Riverside, California, or
2 calling (669) 900-6833 and entering Meeting ID: 926 9699 1265.

3 Section 3: The City Clerk shall give notice of the public hearing by causing this
4 Resolution of Intention to be published at least once in The Press Enterprise within fifteen (15)
5 days of the passage of this Resolution and at least ten (10) days prior to the hearing.

6 ADOPTED by the City Council this _____ day of _____, 2023.

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PATRICIA LOCK DAWSON
Mayor of the City of Riverside

9

10 Attest:

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DONESIA GAUSE
City Clerk of the City of Riverside

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1 I, Donesia Gause, City Clerk of the City of Riverside, California, hereby certify that the
2 foregoing resolution was duly and regularly adopted at a meeting of the City Council of said City
3 at its meeting held on the _____ day of _____, 2023, by the following vote, to
4 wit:

5 Ayes:

6 Noes:

7 Absent:

8 Abstain:

9 IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of
10 the City of Riverside, California, this _____ day of _____, 2023.

11
12 _____
13 DONESIA GAUSE
14 City Clerk of the City of Riverside
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25 CA 23-0306
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