

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMMERCE,  
CALIFORNIA, APPROVING THE SECOND AMENDMENT TO THE COMMERCIAL  
REFUSE AND RECYCLING HAULER SEMI-EXCLUSIVE AGREEMENTS**

**WHEREAS**, on November 1, 2018, the City Council authorized semi-exclusive agreements with commercial refuse and recycling haulers for a term of five (5) years; and

**WHEREAS**, on May 30, 2023, the City Council approved the First Amendment to the agreements, extending the term for an additional two (2) years, with a new expiration date of October 30, 2025; and

**WHEREAS**, on September 11, 2025, all seven (7) commercial refuse and recycling haulers were notified via USPS Certified Mail and electronically by email of the City's "Notice of Intent to Exercise the Option for the Second Extension of the Semi-Exclusive Refuse and Recycling Services Agreement for the Commercial Sector"; and

**WHEREAS**, the proposed Second Amendment includes limited modifications such as, Expanded Hauler Reporting with focus on Disposal Tonnages & Diversions Programs. Inclusion of SB 1383 under Section 4, "Compliance with Laws & Regulations". Inclusion of SB 1383 under Section 14.1 "Minimum Diversion Requirements". Inclusion of SB 1383 under Section 14.2 "Guarantee and Indemnification". Increase in Franchise Fee to 20%: and

**WHEREAS**, all seven (7) haulers accepted the proposed modifications as presented. Regarding the franchise fee adjustment, one or more haulers requested that the City defer the effective date of the fee increase until January 1, 2026, to allow sufficient time to provide customer notice of any potential rate adjustments associated with the change; and

**WHEREAS**, the City determined this to be a reasonable request and will incorporate January 1, 2026, as the effective date for the franchise fee increase. All other terms and conditions outlined in the Second Amendment will take effect on November 1, 2025, the effective date of the Second Amendment.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COMMERCE DOES  
HEREBY RESOLVE, DECLARE AND DETERMINE AS FOLLOWS:**

Section 1. All of the recitals above are true and correct and incorporated herein as if set forth in full.

Section 2. Approve the Second Amendment to the Commercial Refuse and Recycling Hauler Semi-Exclusive Agreements ("Second Amendments") in form approved by the City Attorney for the following haulers:

1. Athens/Calmet
2. AAA Rubbish
3. Waste Management
4. Haul Away Rubbish
5. NASA Services
6. Republic Services
7. Universal Waste Systems

Section 3. Authorize the Mayor to execute the Second Amendments and this Resolution for and on behalf of the City of Commerce.

Section 4. This Resolution shall take full force and effect immediately upon adoption by the City Council.

PASSED, APPROVED, and ADOPTED this 28<sup>th</sup> day of October 2025.

ATTEST:

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Ivan Altamirano, Mayor

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Melanie Park, Deputy City Clerk