

RESOLUTION 2019-30

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA APPROVING SOLID WASTE COLLECTION RATES EFFECTIVE JULY 1, 2019 TO JUNE 30, 2020

WHEREAS, on November 1, 2018, a new Franchise Agreement with Recology San Benito County took effect and included specific provisions related to an annual index-based rate adjustment process; and

WHEREAS, the annual rate adjustment process requires Recology San Benito County to submit its application for a rate adjustment on or before April 1, 2019 and such an application was received on March 29, 2019; and

WHEREAS, staff reviewed the rate application and found it to be complete; and

WHEREAS, while not currently required by law, the City Council is following the noticing procedure set forth in Article XIID §6 of the California Constitution (Proposition 218) and in accordance with Proposition 218, the City Council authorized staff to proceed with noticing and protest proceedings for the proposed solid waste collection rates; and

WHEREAS, on April 16, 2019 the City Council approved issuance of a Proposition 218 notice of proposed maximum allowable solid waste collection rates and such a notice was mailed to property owners on April 24, 2019; and

WHEREAS, a public hearing was held on June 18, 2019; and there was not a majority protest.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of San Juan Bautista hereby finds and resolves that in accordance with Article XIID §6 of the California Constitution:

- a. The revenues derived from the Solid Waste Rates will not exceed the funds required to provide solid waste collection service.
- b. The revenues derived from the Solid Waste Rates will not be used for any purpose other than solid waste collection.
- c. The Solid Waste Rate charged will not exceed the cost of solid waste collection per parcel.
- d. Any surplus monies collected from the solid waste collection fees will be used to offset revenue requirements.
- e. The Solid Waste Rate is only charged for solid waste collection service that is currently available.
- f. The Solid Waste Rate is not charged for general governmental services.

PASSED AND ADOPTED, by the City Council of the City of San Juan Bautista at a regular meeting held this 18th day of June 2019, by the following vote:

AYES: DeVries, Freeman, Jordan, Edge, Flores

NOES: None

ABSTAIN: None

ABSENT: None



César E. Flores, Mayor

ATTEST:



Laura Cent, City Clerk