

RESOLUTION 2018 - 55

**.A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA
APPROVING MAXIMUM ALLOWABLE SOLID WASTE COLLECTION RATES
EFFECTIVE NOVEMBER 1, 2018 TO JUNE 30, 2019**

WHEREAS, on June 19, 2018, the City Council approved Recology of San Benito County as the new franchise agreement collection hauler whose term begins November 1, 2018; and

WHEREAS, Recology of San Benito County determined the solid waste collection rates as part of the competitive procurement process; and

WHEREAS, while not currently required by law, the City Council followed 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, the public was noticed of such proposed solid waste collection rates by a notice mailed to property owners and ratepayers within the City of San Juan Bautista on August 1, 2018; and

WHEREAS, a public hearing was held on October 16, 2018; and there was not a majority protest.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of San Juan Bautista:

1. 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 16th day of October 2018, by the following vote:

AYES: West, Boch, Freeman

NOES: None

ABSTAIN: None

ABSENT: Martorana, DeVries

ATTEST:



Trish Paetz, Deputy City Clerk



Jim West, Mayor