

RESOLUTION NO. _____

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

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RESOLUTION SETTING JANUARY 17, 2023, AT 9:30 A.M. AT THE REGULARLY SCHEDULED BOARD MEETING, AS THE TIME AND PLACE FOR A PUBLIC HEARING ON THE GARBAGE AND RECYCLABLES COLLECTION RATES FOR UNINCORPORATED FRANCHISED AREA FOR CALENDAR YEAR 2023

RESOLVED, by the Board of Supervisors of the County of San Mateo, State of California, that

WHEREAS, on October 20, 2009, this Board adopted Resolution No. 070423 which approved a franchise agreement with Recology San Mateo County to provide services for the collection of recyclable materials, organic materials, and garbage from January 1, 2011, through December 31, 2020. On June 4, 2019, this Board adopted Resolution No. 076641 approving the amended and restated Recology Franchise Agreement for an additional 15-year term expiring on December 31, 2035; and

WHEREAS, on February 11, 2020, this Board adopted Resolution No.077213, approving a five percent (5.0%) rate increase for calendar year (CY) 2020, for the 20- and, 32-gallons size garbage carts for Unincorporated Franchised Area (CFA), which were effective on February 1, 2020; and

WHEREAS, on February 23, 2021, this Board adopted an Appropriations Transfer Request (ATR) No. ATR21-040 appropriating \$31,847 from Non-General Fund General Reserves to Services and Supplies to offset any increases for Recology in garbage and recycling rates in CFA for CY 2021. The effective rates were reaffirmed for CY 2021, and these same rates were also used in CY 2022, and

WHEREAS, the Director of the Office of Sustainability has recommended garbage and recyclables collection rates for the CFA attached hereto as Exhibit A; and

WHEREAS, the Franchise Agreement with Recology San Mateo County included the Unscheduled Service Charges attached hereto as Exhibit B, that are specifically requested and are paid for by the ratepayer, adjusted annually based upon the Consumer Price Index, and are in addition to the base collection rates; and

WHEREAS, the Unscheduled Service Charges are fees Recology San Mateo County charges customers for additional services that are electively subscribed to by ratepayers, were approved at the time the Franchise Agreement was executed by the County, are not property-related fees subject to the Proposition 218 rate setting requirements and apply to the County Service Area No.8 and CFA; and

WHEREAS, the Constitution of the State of California requires that written notice of any proposed new or increased fees or property related charges be provided by mail to the record owners of each parcel upon which the charges are proposed for imposition; and

WHEREAS, in light of the proposed new rates, a written notice of the rates and public hearing must be provided to the record owner of each parcel within the CFA to comply with Proposition 218 requirements; and

WHEREAS, a written notice of the public hearing will be posted in a newspaper of general circulation, attached hereto as Exhibit C.

NOW THEREFORE, IT IS HEREBY DETERMINED AND ORDERED as follows:

1. **Tuesday, January 17, 2023, at 9:30 a.m.** in the Chambers of the Board of Supervisors of the County of San Mateo, in the Hall of Justice and Records, Redwood City, California, is hereby fixed as the time and place of the hearing on the garbage and recyclables collection rates for the CFA, effective January 1, 2023.

Pursuant to Government Code Section 54953(e), the board meeting will be a hybrid meeting, open to the public for both in person participation and via Zoom online meeting format. Anyone interested may appear in person or via Zoom and be heard on this matter or may submit a written statement to the Clerk of the Board. To view the Zoom meeting please visit <https://sanmateocounty.legistar.com/Calendar.aspx>, choose the calendar item by date (January 17, 2023). The link for the zoom or in person meeting will be published on Friday January 13, 2023. You can also send a written statement to the Clerk of the Board, via email to boardfeedback@smcgov.org or via mail to Clerk of the Board 1st Floor, 400 County Center, Redwood City, CA 94063.

2. **IT IS HEREBY FURTHER DETERMINED AND ORDERED** that the Director of the Office of Sustainability shall cause a copy of the "NOTICE OF PUBLIC HEARING," attached hereto, to be published **once a week for two successive weeks** prior to the date set for the public hearing in a newspaper of general circulation.
3. **IT IS HEREBY FURTHER DETERMINED AND ORDERED** that the Director of the Office of Sustainability shall prepare a written notice of the proposed garbage and recyclables collection rates for CFA, which will be the basis for the imposition and collection of charges by Recology San Mateo County consistent with County Ordinance Codes, and that the notice be sent by mail to the record owner of each parcel within CFA.

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