

RESOLUTION NO.

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

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RESOLUTION SETTING FEBRUARY 13, 2018 AT 9:15 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 THE UNINCORPORATED FRANCHISED AREA WITHIN THE SOUTH BAYSIDE WASTE MANAGEMENT AUTHORITY SERVICE AREA, EXCLUSIVE OF COUNTY SERVICE AREA NO. 8 (NORTH FAIR OAKS) AND WEST BAY SANITARY DISTRICT

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 new franchise agreement with Recology San Mateo County (RSMC) to provide services for the collection of recyclable materials, organic materials, and garbage in County Service Area No. 8 (CSA-8); and the Unincorporated Franchised Area (County Franchised Area) within the South Bayside Waste Management Authority (SBWMA) service area (Burlingame to Menlo Park), exclusive of West Bay Sanitary District, from January 1, 2011 through December 31, 2020; and

WHEREAS, RSMC began service in the SBWMA service area on January 1, 2011; and

WHEREAS, the County Franchised Area is comprised of the following communities: Burlingame Hills, San Mateo Highlands and Baywood Park (Crystal Springs area of Baywood Park), Harbor Industrial, Devonshire Canyon, Palomar Park, Oak Knoll, Kensington Square, Emerald Lake Hills, Sequoia Tract, Peninsula Golf Club, and Trailer Rancho; and

WHEREAS, on February 23, 2016, the Board adopted Resolution No. 074365, adopting the garbage and recyclables collection rates for 2016 for the County Franchised Area, effective March 1, 2016; and

WHEREAS, on January 10, 2017, the Board adopted Resolution No. 074970, adopting the garbage and recyclables collection rates for 2017 for the County Franchised Area, effective February 1, 2017; and

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

WHEREAS, the Franchise Agreement with RSMC included the Unscheduled Services fees (Attachment Q of the Franchise Agreement) 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 fees, attached hereto as Exhibit B, are not part of the base rates required for garbage and recyclables collection services, as they are fees 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 Proposition 218, and apply to the County Franchised Area and County Service Area No. 8.

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 must be provided to the record owner of each parcel within the County Franchised area 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, February 13, 2018 at 9:15 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 County Franchised Area, effective February 1, 2018.

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 as Exhibit C, 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 the County Franchised Area, which will be the basis for the imposition and collection of charges by Recology San Mateo County and that the notice be sent by mail to the record owner of each parcel within County Franchised Area.