

RESOLUTION NO. .

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

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**RESOLUTION ADOPTING THE 2017 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 November 18, 2014, the Board adopted Resolution No. 073499, adopting the 2015 garbage and recyclables collection rates at the same level as the 2014 rates for the County Franchised Area, effective January 1, 2015; and

WHEREAS, on February 23, 2016, the Board adopted Resolution No. 074365, adopting a 2.7% rate increase for 2016 for the 20 – 32 gallon cart sizes for the garbage and recyclables collection rates for the County Franchised Area effective March 1, 2016; and

WHEREAS, the Director of the Office of Sustainability has recommended garbage and recyclables collection rates for the County Franchised Area in 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, effective January 1, 2017; and

WHEREAS, on November 15, 2016, this Board adopted Resolution No. 074877, which set January 10, 2017 at 9:15 a.m. in the Chambers of this Board as the fixed time and place for a public hearing on the garbage and recyclables collection rates for the Unincorporated Franchised Area; and directed the Director of the Office of Sustainability to publish a notice of the public hearing in a newspaper of general circulation and send a written notice of the proposed garbage and recycling collection rates to the record owner of each parcel within County Franchised Area; 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, the Director of the Office of Sustainability has had said notice of the public hearing published in a newspaper of general circulation and provided written notice of the proposed rates to the record owner of each parcel within the County Franchised Area in accordance with the requirements of Proposition 218.

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

Effective February 1, 2017, the garbage and recyclables collection rates for service provided pursuant to the Franchise Agreement for the County Franchised Area are as set forth in Exhibit A to this Resolution, which is attached hereto and incorporated by reference.

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