

## **RESOLUTION NO. .**

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

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**RESOLUTION SETTING FEBRUARY 11, 2020 AT 10:15 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**

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

**WHEREAS**, October 20, 2009, this Board adopted Resolution No. 070423 which approved a franchise agreement with Recology San Mateo County (RSMC) 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 076641 approving the amended and restated Recology Franchise Agreement for an additional 15-year term expiring on December 31, 2035; and

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

**WHEREAS**, on January 29, 2019, this Board adopted Resolution No. 076373 setting the 2019 garbage and collection rates for CFA effective February 1, 2019; 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 RSMC includes the Recology  
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 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 CSA-8 and 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**, 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, February 11, 2020 at 10:15 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 CFA, effective February 1, 2020.
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 collection of charges by Recology San Mateo County, and that the notice be sent by mail to the record owner of each parcel within CFA.

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