

RESOLUTION NO. 2014-177

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING THE RESULTS OF THE MAJORITY PUBLIC PROTEST PROCESS FOR SOLID WASTE GENERAL SERVICE RATES AND APPROVING THE SOLID WASTE SERVICE RATES ADJUSTMENTS FOR A FIVE-YEAR PERIOD BEGINNING IN 2014, PURSUANT TO THE APPROVED CONTRACT FORMULAS

WHEREAS, the City of Chula Vista entered into a franchise renewal agreement for Solid Waste Services with Republic Services in August 2014; and

WHEREAS, the agreement contains specific language and formulas for calculating annual rate adjustments, which includes limitations that ensure the Chula Vista ratepayers will continue to have some of the lowest rates for service in San Diego County; and

WHEREAS, although the rates are being implemented pursuant to a franchise agreement, out of an abundance of caution, the City is complying with the notice and majority protests requirements of Proposition 218 (California Constitution, Article XIII D, Section 6); and

WHEREAS, a Public Notice was mailed to property owners/customers of record on July 25, 2014, which started the 45 day opportunity to protest the rate adjustment formulas for Solid Waste General Service Rates, periodic Market Adjustment of the General Service Rates for Large Quantity Generators for solid waste, green waste and recycling, and the adjustment in the governmental fees to 20% of gross receipts; and

WHEREAS, the City has conducted the majority protest process per State regulations; culminating with a public hearing, on September 9, 2014; and

WHEREAS, California Government Code section 53756 permits the adoption of a schedule of fees authorizing automatic adjustments for a period not to exceed five years; and

WHEREAS, the final tally of written protests received by the City Clerk, (less than 32,999+1) approves the solid waste service rates adjustment formulas and the adjustment in the governmental fees.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Chula Vista does hereby accept the results of the majority public protest process, approving the rate adjustment formulas for the General Service Rates with subsequent annual adjustments, for the five-year period beginning in 2014.

Presented by

Approved as to form by



Richard A. Hopkins
Director of Public Works

Glen R. Googins
City Attorney

PASSED, APPROVED, and ADOPTED by the City Council of the City of Chula Vista, California, this 9th day of September 2014 by the following vote:

AYES: Councilmembers: Aguilar, Bensoussan, Ramirez, Salas and Cox

NAYS: Councilmembers: None

ABSENT: Councilmembers: None



Cheryl Cox, Mayor

ATTEST:



Donna R. Norris, CMC, City Clerk

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO)
CITY OF CHULA VISTA)

I, Donna R. Norris, City Clerk of Chula Vista, California, do hereby certify that the foregoing Resolution No. 2014-177 was duly passed, approved, and adopted by the City Council at a regular meeting of the Chula Vista City Council held on the 9th day of September 2014.

Executed this 9th day of September 2014.



Donna R. Norris, CMC, City Clerk