

**RESOLUTION NO. 2010-177**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE CALLING A PUBLIC HEARING AND AUTHORIZING PUBLIC NOTICE FOR CONSIDERATION OF INCREASES IN RESIDENTIAL COLLECTION AND DISPOSAL SOLID WASTE SERVICE RATES**

**WHEREAS**, on November 18, 2009 the Elk Grove City Council adopted Resolution No. 2009-236 certifying the Final Environmental Impact Report for the Transfer Station Long Range Planning Project (SW0001); and

**WHEREAS**, City staff began property acquisition, due diligence on both of the approved master plan sites, appraised both, and are prepared to make an offer to purchase the preferred site; and

**WHEREAS**, based on the current estimate for the purchase of property and design and construction of the facility, financing in the amount of \$9,500,000 bond financing and a repayment plan will be required; and

**WHEREAS**, the City Council of the City of Elk Grove approved a Franchise Agreement with Allied Waste Services of North America, LLC (Allied) for the collection, transport and disposal of residential trash and the collection, transport, processing and marketing of recyclables and green waste; and

**WHEREAS**, under the Franchise Agreement, Allied is entitled to an annual compensation adjustment reflecting changes in specified indices, and staff has projected reasonable impacts to the rate; and

**WHEREAS**, the City Council has selected the residential rate increase option #3 to provide a revenue stream for the repayment of the bond financing and annual compensation for Allied.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Elk Grove:

1. **Public Hearing**: Hereby fixes 6:00 p.m., or as soon practicable thereafter, on Wednesday, November 10, 2010, at the regular meeting place of the City Council, City Council Chambers, 8400 Laguna Palms Way, Elk Grove, California, as the time and place for a public hearing on proposed increases to the City's solid waste collection and disposal services rates; and

2. **Notice of Hearing**: Directs the City Clerk to mail a notice of the hearing, in substantially the form attached hereto as Exhibit A, which describes the proposed increases to each solid waste service customer and each record owner of property within the City upon which the service rates would be imposed. The mailing shall be completed no later than Friday, September 17, 2010, which date is at least 45 days before the date of the public hearing.

**PASSED AND ADOPTED** by the City Council of the City of Elk Grove this 28<sup>th</sup> day of July 2010.

  
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SOPHIA SCHERMAN, MAYOR of the  
CITY OF ELK GROVE

ATTEST:

  
\_\_\_\_\_  
JASON LINDGREN, INTERIM CITY CLERK

APPROVED AS TO FORM:

  
\_\_\_\_\_  
SUSAN COCHRAN, CITY ATTORNEY

## **EXHIBIT A**

### **NOTICE OF PROPOSED ADJUSTMENTS TO SOLID WASTE SERVICE RATES AND PUBLIC HEARING**

The Elk Grove City Council will consider an adjustment to the solid waste service rates on Wednesday, November 10, 2010 at 6:00 p.m. in the Council Chambers at City Hall (8400 Laguna Palms Way, Elk Grove). This notice describes how to file a protest against the proposed rate adjustment. This notice also provides information on the reason for the proposed rate adjustments and how the additional revenue would be used. If approved, these rate adjustments would take effect on SEE SELECTED OPTION.

#### **Explanation of the Proposed Rate Increase**

Rates for solid waste services (trash, recycling, and green waste) are normally adjusted as part of the City's yearly budget process and changes normally take effect in July. In Budget year 2010-2011 the City has delayed rate adjustments as follows:

1. Almost every year there is an adjustment in the rates due to the impacts of inflation (labor costs, fuel costs, landfill fees, fees resulting from state regulations and various county impact fees). This year there was very little inflation increase and that makes possible the deferral of rate adjustments until SEE SELECTED OPTION..
2. The City is proposing rate adjustments over the following (3) years so that solid waste funds can pay for anticipated inflation and the construction of a new permanent local facility. This facility is part of the long range planning for the City and will provide residents with a convenient and safe drop off location to recycle and package for shipment household hazardous materials such as pesticides, solvents, pool chemicals, etc. for processing at appropriate regional centers.

#### **Integrated Waste Long Range Planning Information:**

For the last two years the City has been working on long term infrastructure options for future residential and commercial waste. The steps have included analysis and environmental review of site options for future facilities. By the end of 2010, the City will have begun working on the design of the most immediate need – a Household Hazardous Waste Collection Facility (HHWCF). State law requires the City to keep certain items separate from normal trash that goes to a landfill. To assist in the effort, the State has provided grant funding for design of this facility, but the City must acquire land, construct a facility and provide for on-going operations.

There will be no additional fees to residents for drop-off of 15 gallons or 125 lbs of waste (per visit) at this facility because the cost of this program will be contained within the bi-monthly utility bill rate.

### **Proposed Rate Increase Adjustment:**

The following table provides a summary of the proposed adjustments in the City of Elk Grove's solid waste service rates, which will be considered by the City Council at the public hearing noted above. These adjustments will be phased over the next three (3) years. Additionally, the rate includes an anticipated average inflation increase to the City's contract hauler and disposal company. An estimate of the inflation adjustment has been based on the first five years of experience with the existing contract.

The majority of residents utilize 64-gallon trash carts, and the chart below details how residents with 32, 64, and 96 gallon trash cart rates will change.

### **SCENARIO OF RATE ADJUSTMENTS** **SELECTED BY CITY COUNCIL** **IN THIS LOCATION**

For a detailed description of the individual components of the proposed rate adjustment, go to [www.elkgrovecity.org/council/city-council-agendas.asp](http://www.elkgrovecity.org/council/city-council-agendas.asp) to view the Staff Report for the July 28<sup>th</sup> City Council meeting. For a complete list of all service rates and miscellaneous services rates that will be impacted by this adjustment, please go to [www.egtrashrecycleservices.org](http://www.egtrashrecycleservices.org).

### **Comments On and Protests to the Proposed Rate Adjustments**

The City invites you to comment on the proposed adjustments to the solid waste service rates. Please submit your comments in writing, "even if you plan to attend the public hearing".

In compliance with Proposition 218, any owner or tenant of a parcel that is subject to the proposed rate increases may file a written protest with the City Clerk at or before the close of the public hearing on November 10, 2010. If you submit a protest, please include an identification of the affected parcel by street address or assessor's parcel number (APN). If written protests are filed by a majority of the affected parcel owners, the proposed rate increases will not be imposed. Please mail or deliver all comments and/or protests to the **Elk Grove City Clerk, 8401 Laguna Palms Way, Elk Grove, CA 95758** – **Solid Waste Service Rates Proposal**.



**CERTIFICATION  
ELK GROVE CITY COUNCIL RESOLUTION NO. 2010-177**

**STATE OF CALIFORNIA            )**  
**COUNTY OF SACRAMENTO        )        ss**  
**CITY OF ELK GROVE             )**

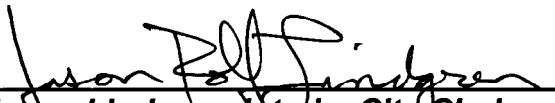
***I, Jason Lindgren, Interim City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on July 28, 2010 by the following vote:***

**AYES :        COUNCILMEMBERS:        Scherman, Detrick, Cooper, Davis**

**NOES:        COUNCILMEMBERS:        Hume**

**ABSTAIN :    COUNCILMEMBERS:        None**

**ABSENT:     COUNCILMEMBERS:        None**

  
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**Jason Lindgren, Interim City Clerk  
City of Elk Grove, California**