



COUNTY OF SAN MATEO
Inter-Departmental Correspondence
Department of Public Works



DATE: July 13, 2011
BOARD MEETING DATE: July 26, 2011
SPECIAL NOTICE/HEARING: Complied with
Publication
requirements
VOTE REQUIRED: Majority

TO: Honorable Board of Supervisors

FROM: James C. Porter, Director of Public Works

SUBJECT: **Adoption of the 2011-12 Fiscal Year Garbage and Recyclables
Collection Service Charges Report in County Service Area No. 8
(North Fair Oaks)**

RECOMMENDATION:

Acting as the governing board of the County Service Area No. 8 (North Fair Oaks) and after conducting the public hearing, adopt a Resolution:

1. Adopting the 2011-12 Fiscal Year Garbage and Recyclables Collection Service Charges Report for County Service Area No. 8; and
2. Directing the Director of Public Works to file the 2011-12 Fiscal Year Garbage and Recyclables Collection Service Charges Report with the County Controller; and
3. Authorizing the Director of Public Works to refund any overcharge contained in the 2011-12 Fiscal Year Garbage and Recyclables Collection Service Charges Report to the owner of the parcel that was overcharged when the overcharge resulted from data, data entry or computation errors.

BACKGROUND:

On October 20, 2009, your Board adopted Resolution No. 070423 which approved a franchise agreement with Recology San Mateo County (Recology) to provide services for the collection of recyclable materials, organic materials, and solid waste to County Service Area No. 8 (CSA-8), and the remainder of the unincorporated South Bayside Waste Management Authority Service Area (Burlingame to Menlo Park) for a term of January 1, 2011 through December 31, 2020.

On February 15, 2011, acting as the governing board of CSA-8, your Board adopted the garbage and recyclables collection rates, effective March 1, 2011. The adopted rates reflect a five percent (5%) increase for residential and commercial parcels with cart

service from the previous fiscal year. This represents a cost increase for the minimum level of service for residential customers from \$23.52 to \$24.70 per month (64-gallon cart pick-up one time per week).

On June 28, 2011 acting as the governing board of CSA-8, your Board adopted Resolution No. 071495 setting July 26, 2011 at 9:00 AM as the time and place for a public hearing to consider the adoption of the Garbage and Recyclables Collection Service Charges Report for County Service Area No. 8 (North Fair Oaks) for Fiscal Year 2011-12.

DISCUSSION:

The County generates the revenue to pay the contractor for service to residential dwellings in CSA-8 by charging fees based on pick-up units for each affected parcel that meets the criteria outlined in County Ordinance Code 4.04.220. These fees are defined and adopted each fiscal year in the Garbage and Recyclables Collection Service Charges Report (Charges Report) for County Service Area No. 8 and placed on the tax roll. The commercial and industrial properties that do not have the charges placed on the County tax roll are billed directly by the contractor pursuant to the franchise agreement.

The County Ordinance Code requires your Board to hold a public hearing to consider public testimony prior to adopting the Charges Report. The individual user charges contained in the Charges Report were calculated in accordance with the rates adopted by your Board and County Ordinance Code Section 4.04.220. Occasionally, data, data entry, computation, or other errors occur during the annual updating and preparation of the Charges Report. The proposed Resolution authorizes the Director of Public Works to refund during the fiscal year any overcharges resulting from any such errors in the Report.

The purpose of the public hearing is to allow your Board to hear and consider all objections or protests to the Charges Report. After the close of the public hearing, your Board will adopt, revise, change, reduce or modify any charge or overrule any and all objections if any, to the Charges Report, and direct the adoption of the Charges Report.

County Counsel has reviewed and approved the Resolution as to form.

Approval of this action will contribute to the Shared Vision 2025 outcome of a Collaborative Community by engaging the property owners of residential dwellings in the process of adopting the Charges Report and levying the fees on the tax roll in order to provide for continued garbage and recycling collection services in CSA-8.

FISCAL IMPACT:

Adoption of the Charges Report and its electronic filing with the Controller will result in the user charges contained therein being placed on the tax roll. These charges will appear on the FY 2011-12 tax bill of each affected property and will be collected in the same manner as the property taxes.

Staff time involved in preparing the 2011-12 Charges Report, administrative documents,

and public advertisement of the hearing is part of the administrative cost associated with managing the Garbage Collection and Recycling services in CSA-8 and is financed with CSA-8 funds. Additionally, a \$1.35 per parcel charge will be levied by the Controller based on the Controller's rates schedule approved by your Board for the costs associated with levying the charges on the tax bill.

RESOLUTION NO. _____

**BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA
ACTING AS THE GOVERNING BOARD OF COUNTY SERVICE AREA NO. 8
(NORTH FAIR OAKS)**

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RESOLUTION:

- 1. ADOPTING THE 2011-12 FISCAL YEAR GARBAGE AND RECYCLABLES COLLECTION SERVICE CHARGES REPORT FOR COUNTY SERVICE AREA NO. 8; AND**
- 2. DIRECTING THE DIRECTOR OF PUBLIC WORKS TO FILE THE 2011-12 FISCAL YEAR GARBAGE AND RECYCLABLES COLLECTION SERVICE CHARGES REPORT WITH THE COUNTY CONTROLLER; AND**
- 3. AUTHORIZING THE DIRECTOR OF PUBLIC WORKS TO REFUND ANY OVERCHARGE CONTAINED IN THE 2011-12 FISCAL YEAR GARBAGE AND RECYCLABLES COLLECTION SERVICE CHARGES REPORT TO THE OWNER OF THE PARCEL THAT WAS OVERCHARGED WHEN THE OVERCHARGE RESULTED FROM DATA, DATA ENTY OR COMPUTATION ERRORS**

RESOLVED, by the Board of Supervisors of the County of San Mateo, State of California, acting as the governing board of San Mateo County Service Area No. 8 (North Fair Oaks), that

WHEREAS, the Director of Public Works of the County of San Mateo has prepared the report described in San Mateo County Ordinance Code Sections 4.04.200 through 4.04.330 relating to the collection of garbage and recyclables collection service charges on the tax roll in County Service Area No. 8; and

WHEREAS, a public hearing as required by Section 4.04.270 of the San Mateo County Ordinance Code was duly held on July 26, 2011 at 9:00 a.m. in the Board of Supervisors' Chambers; and

WHEREAS, this Board heard and considered all objections or protests to said report at said public hearing and determined that the garbage and recyclables collection service charges should be confirmed and adopted for the 2011-12 Fiscal Year.

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

1. This Board of Supervisors does hereby confirm and adopt said report and imposes the service charges set forth therein to be, and the same are hereby, established and set for the 2011-12 Fiscal Year.
2. The Director of Public Works is hereby directed to certify to the Clerk of this Board that the service charges are based on the garbage and recyclables collection rates adopted by the Board.
3. The Director of Public Works is directed to file with the Controller an electronic copy of said report and a statement endorsed thereon that the service charges as set forth in said electronic copy are the charges as adopted by this Board based on the certification of the Director of Public Works.
4. The Director of Public Works is authorized to refund, as appropriate, any overcharge contained in said report to the owner of the parcel so overcharged when the overcharge resulted from data, data entry computation errors as determined by the Director of Public Works.

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