



MEMORANDUM

DATE: December 12, 2023

TO: Margaret Wimberly, City Clerk

FROM: Casey Wichert, Director of Public Works

CC: Tim Ogden, City Manager
Damien Brower, City Attorney
Kerry Breen, Director of Finance and Information Systems

SUBJECT: Correction to Resolution No. 2023-177, Attachment A-1 and Solid Waste Rate Study Report

Resolution 2023-177 was adopted by the City Council on June 13, 2023. Following the adoption of the five-year rate study, an unintended clerical error was discovered for the recyclable non-compacted bin service rates of certain non-residential customers and needs to be corrected.

BACKGROUND

Through the Solid Waste Rate Study's cost of service analysis it was determined that rates, as currently set for recycle non-compacted bin service, were adequate to cover the cost of solid waste service for this non-residential customer category, and a rate increase specifically for this portion of the solid waste service was not needed for FY 2023/24.

When the rates were transferred from the Solid Waste Rate Study into the Rate Study Report and into Attachment A-1 of the Solid Waste Rate Resolution, the recyclable non-compacted rate schedule for non-residential customers was incorrectly listed, and included an increase from the FY 2022/23 rates. All other bin service rates were listed correctly.

The table on the next page shows the rates from the original Attachment A-1 to Resolution 2023-77, with the incorrectly listed rates highlighted.



SOLID WASTE SCHEDULED SERVICES PROPOSED RATES PER MONTH July 1, 2023								
COMMERCIAL FRONT-LOAD BIN SERVICE				1Yard = two 96 Gal Carts				
Fiscal Year 2023-24				Adjustment 0.0%				
Fiscal Year 2024-25				Adjustment 0.0%				
Fiscal Year 2025-26				Adjustment 1.0%				
Fiscal Year 2026-27				Adjustment 3.0%				
Fiscal Year 2027-28				Adjustment 3.0%				
Mixed Recyclables Non-Compacted Rates								
Container Size								
		1 Yard	2 Yard	3 Yard	4 Yard	5 Yard	6 Yard	8 Yard
Service Per Week	1	76.47	171.20	256.81	384.12	480.15	576.17	851.68
	2	233.16	422.61	593.81	848.46	1040.51	1232.57	1783.56
	3	389.84	674.02	930.83	1312.78	1600.88	1888.95	2715.44
	4	546.51	925.43	1267.83	1777.11	2161.24	2545.36	3647.34
	5	703.20	1176.83	1604.85	2241.43	2721.58	3201.75	4579.22

The table below highlights the correct rates for FY 2023/24 that reflect no increase from the FY 2022/23 rates. The corrected rate will impact approximately 195 customers.

SOLID WASTE SCHEDULED SERVICES PROPOSED RATES PER MONTH July 1, 2023								
COMMERCIAL FRONT-LOAD BIN SERVICE				1Yard = two 96 Gal Carts				
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Fiscal Year 2027-28				Adjustment 3.0%				
Mixed Recyclables Non-Compacted Rates								
Container Size								
		1 Yard	2 Yard	3 Yard	4 Yard	5 Yard	6 Yard	8 Yard
Service Per Week	1	72.14	161.51	242.27	362.38	452.97	543.56	803.47
	2	219.96	398.69	560.20	800.43	981.61	1162.80	1682.60
	3	367.77	635.87	878.14	1238.47	1510.26	1782.03	2561.74
	4	515.58	873.05	1196.07	1676.52	2038.91	2401.28	3440.89
	5	663.40	1110.22	1514.01	2114.56	2567.53	3020.52	4320.02

NOTICE TO CUSTOMERS

On April 21, 2023, Public Hearing Notices were sent to all property owners and customers of the parcels served by the City's Water, Wastewater and Solid Waste utilities. In the Notice, the Solid



Waste Recyclable Non-compacted Bin Service increase was correctly listed as 0% for FY 2023/24, though the individual listed rates were incorrectly shown.

The correct solid waste rates for recyclable non-compacted bin service are *lower* than what was listed in the Proposition 218 required Notice provided to all utility customers and property owners. As such, additional Proposition 218 Notice of the correction is not required. In accordance with applicable City policy, solid waste customers impacted by this error will receive a full refund for the extra moneys paid for services provided from July 2023 to November 2023.

CORRECTIONS TO RESOLUTION NO. 2023-177 AND SOLID WASTE RATE STUDY REPORT

At their meeting of December 12, 2023, the City Council will be notified of this unintended error. Following that meeting, and to accurately reflect the solid waste rates adopted by the City Council, please replace Attachment A-1 to Resolution 2023-177, with the attached corrected Attachment A-1, and replace the Solid Waste Rate Study Report with the attached corrected version. In addition, please include a copy of this memo with Resolution No. 2023-177 and the Rate Study Report. This matter was reviewed by the City Attorney and outside legal counsel, and they concur with this course of action.

Please contact me should you have any questions. Thank you for your assistance with these matters.
