

City of Santa Paula

City Council

MAYOR JENNY CROSSWHITE
VICE MAYOR ANDY SOBEL
COUNCILMEMBER RICHARD ARAIZA
COUNCILMEMBER CARLOS JUAREZ
COUNCILMEMBER LESLIE CORNEJO



CITY COUNCIL SPECIAL MEETING OF THE SANTA PAULA CITY COUNCIL

WEDNESDAY, SEPTEMBER 28, 2022

6:30 PM - City Council Special Meeting

SANTA PAULA CITY HALL
970 VENTURA STREET
SANTA PAULA, CA 93060

JULIE LATSHAW, CITY CLERK
DAN SINGER, CITY MANAGER
MONICA CASTILLO, INTERIM CITY ATTORNEY

BRINGING ITEMS BEFORE THE CITY COUNCIL

You are invited to participate in all Regular City Council meetings. Agendas are posted in the front of Santa Paula City Hall, 970 Ventura Street, Santa Paula, 72 hours in advance of the scheduled meetings. The City Council's regular meetings start at 6:30 p.m. the first and third Wednesday of each month in the City Hall Council Chambers located at 970 Ventura Street in Santa Paula. Special and Closed Sessions vary by date and time.

HOW TO PARTICIPATE IN PERSON DURING THE MEETING: If you wish to speak at a City Council meeting, please fill out a **Public Comment Form** noting your name and address and submit the form to the City Clerk. Include the Agenda item number you wish to speak on. Members of the public may address the Council on items on this agenda only. **Public Comments are limited to 3 minutes.**

HOW TO PARTICIPATE BEFORE THE MEETING: Members of the public are encouraged to submit email correspondence on any agenda item by sending an email to cityclerk@spcity.org. All public correspondence received by three hours before the meeting date will be provided to the legislative body before the meeting. Public Comments received after, will be provided to the legislative body the next day.

Your Participation in this meeting is in the public domain; meetings are cablecast; minutes of this meeting will reflect your participation in this meeting and are posted on the city's website.

PLEASE NOTE: Be advised that if you bring a legal challenge to an action, you may be limited to raising only those issues you or someone else raised at the meeting described in this Agenda, or in written correspondence delivered to the City Council at or before the meeting. Any action is subject to the ninety-day time period set forth in Code of Civil Procedure § 1094.6.

In compliance with the **Americans with Disabilities Act**, if you need special assistance to participate in this meeting, please contact the City Clerk at (805) 933-4208. Notification 48 hours before the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (28 CFR 35, 102-35.104 ADA Title II). Written materials distributed to the City Council within 72 hours of the City Council meeting are available for public inspection immediately upon distribution in the City Clerk's office.

SPECIAL MEETING - COUNCIL CHAMBERS

1. CALL TO ORDER

REMINDER: in order to minimize distractions during public meetings, all personal communication devices should be turned off or put in a non-audible mode.

2. FLAG SALUTE

3. ROLL CALL

4. PUBLIC COMMENT

At this time, members of the public may comment on any item appearing on the agenda only. Individual Councilmembers may briefly respond to Public Comments or ask questions for clarification. **Public Comments are limited to three minutes.**

5. PUBLIC HEARING

5.A PROPOSITION 218: PROTEST HEARING FOR PROPOSED SOLID WASTE RATE INCREASE

RECOMMENDATION:

Staff recommends that the City Council:

1. Conduct a public hearing to accept written and verbal protests against the increased solid waste fees, track the number of protests and, if the number of written protests received is not sufficient to constitute a majority, make a finding that there is not a majority protest by property owners.

2. Approve Resolution No. 7420 "A Resolution of the City Council of the City of Santa Paula, California, Increasing Solid Waste Maximum Rates."

6. ADJOURNMENT

State of California)-
County of Ventura)- ss
City of Santa Paula)-

I declare under penalty of perjury that I posted this City Council Agenda on the bulletin board near the front door of City Hall, 970 Ventura Street, Santa Paula, California.

On _____ at _____ Signed: _____
Julie Latshaw
City Clerk

CITY OF SANTA PAULA
MEMORANDUM

To: Honorable Mayor and Members of the City Council

From: Clete Saunier, Public Works Director

Subject: Proposition 218: Protest Hearing for Proposed Solid Waste Rate Increase

Date: September 28, 2022

Agenda Item: 11. A

RECOMMENDATION:

Staff recommends that the City Council:

- A. Conduct a public hearing to accept written and verbal protests against the increased solid waste fees, track the number of protests and, if the number of written protests received is not sufficient to constitute a majority, make a finding that there is not a majority protest by property owners.
- B. Approve Resolution No. 7420 "A Resolution of the City Council of the City of Santa Paula, California, Increasing Solid Waste Maximum Rates."

Prepared by:

Clete J. Saunier, Public Works Director
Joseph Alvarado, Public Works Management Analyst
Kimberly Nilsson, Solid Waste Solutions, Inc.

BACKGROUND:

On August 3, 2022, the City of Santa Paula approved a new 25-year exclusive Franchise Agreement (Agreement) with Athens Services, Inc. (Athens) for residential and commercial/industrial solid waste collection services. The agreement also contains two-five year extensions at the City's discretion. The agreement start date is October 1, 2022 and the end date is September 30, 2047. Also contained in the agreement are newly negotiated solid waste and recycling rates.

In an abundance of caution, the City of Santa Paula has elected to conduct a Proposition 218 Hearing prior to allowing Athens to charge the new rates.

Summarized below is the Proposition 218 majority protest process and requirements:

1. The City must mail out a Public Notice to all property owners and customers responsible for payment of the charges 45 days in advance of the public hearing. Attached as reference is the Public Notice ([Exhibit A](#)). The Notice must include, at minimum, the following information:
 - a. A description of the reasons for the cost increase
 - b. The proposed rate increases
 - c. The Public Hearing date and time
2. The Proposition 218 Hearing must be held in accordance with California Constitution Article XIID. At the hearing, the City Council shall consider all written and oral comments received. Written comments are a formal protest. Oral comments are not a formal protest, unless accompanied, by a written protest. Allowed is only one written protest per identified address or parcel number. The written protest must include, at minimum, the following information:
 - a. State that the identified property owner or tenant opposes the proposed fee increases to the solid waste collection rates
 - b. Provide the location of the identified parcel (by street address or assessor parcel number)
 - c. Include the name and signature of the property owner submitting the protest
3. The City Council is authorized to approve the rate changes, as adopted by resolution, if protests against the rate increase are not received from a majority of the property owners. Attached as reference are the new proposed rate changes ([Exhibit B](#)).
4. Once the resolution is adopted, beginning October 1, 2022, the new rates go into effect. Attached as reference is Resolution No 7420 ([Exhibit C](#)).

If a majority protest is received, the existing rates will remain in place. At that time Athens may, in accordance with Section 4.10 (Procedures in Event of Inability to Adjust Rates) of the Agreement, file a request in writing with the City that the parties negotiate in good faith regarding reductions in programs, services or fees to compensate for any negative impact from the unapproved or invalidated rate increase. Within 45 days of this written request the City must complete negotiations. If not completed, either party may terminate the Agreement with 180 days' written notice.

The Agreement includes a provision for annual adjustments to the residential and commercial/industrial solid waste collection rates. The agreement also has a provision that includes a not-to-exceed cap on rates, called "Maximum Rate." The annual adjustment rate may be set at, or below, the Maximum Rate.

ANALYSIS:

FY 2022/23 Solid Waste Collection Rates

Below is a more in-depth explanation for the rate increase:

1. Athens's current agreement expires on September 30, 2022. The City has negotiated new rates under an exclusive 25-year agreement. The new agreement contains all State mandated solid waste programs; including the 2016 Governor signed SB1383 law. SB1383 is intended to reduce the emissions of climate pollutants (greenhouse gases) by 1) diverting 75% statewide disposal of organic waste from landfills; 2) recovering at least 20% edible food instead of throwing in the trash by commercial food generators by 2025; and 3) procuring recycled organic waste products for use within the City. The State mandated solid waste programs impose legal and fiscal obligations that impact cities, franchisee trash haulers, customers, collection service operations, and program compliance.
2. Under SB1383, Cities must require residents and businesses to separate organic waste (food waste and green waste) from solid waste and recyclable waste. SB1383 requires organic waste diversion from a landfill to a managed organics facility. Also under SB1383, residents and businesses are required to enroll automatically in the following collection service programs: 1) trash, 2) recycling, and 3) organic waste. A \$10,000 per day fine may be imposed, if the City fails to comply with all SB1383 provisions
3. Table 1 below shows the proposed new rates effective October 1, 2022. Each year, on October 1 from 2022 – 2027, the rates shall increase by 6.9%, annually as noted in Table1. On July 1, 2028, the rates shall increase by 4%, as noted in the Table 1.
4. The rate increase pays for the implementation of all State mandated solid waste laws, including SB1383 new recycling provisions of organics waste. The rate increase also pays for increased cost associated with trash collection, transporting, recycling, and disposal services. The rate increase shall cover the cost associated with recycling organic waste at State regulated facilities.

The rate increase shall fund the following services:

- Residential e-waste collection
- Abandoned bulky item pickup in public right of way
- Two residential bulky waste pickups per customer/per year
- 10 City Clean-up events
- Downtown City can collections
- An edible food recovery program

The rate increase reflects the following City fees:

- Franchise Fee: set at 5.25% Commercial/Industrial & 9.25% Residential
- AB 939 Fee: set at 5%
- Household Hazardous Waste (HHW) Fee: set at \$0.50 per customer/per month
- Stormwater Program Fee: set at 4.5%

Athens Services Gross Receipts will also pay for other City fees used for the City's solid waste programs, including fees to cover costs associated with:

- Contract administration – franchise agreement
- Staff salaries
- Program oversight

- Infrastructure maintenance
- Environmental education and outreach
- Compliance with AB939, AB341, AB1826 and SB1383 laws

Monthly Maximum Service Rates:

TABLE 1	
Service Level	Proposed Rate:
32-gallon Single Family Residential Cart Service ¹	\$26.65
64-gallon Single Family Residential Cart Service ¹	\$29.55
96-gallon Single Family Residential Cart Service ¹	\$33.39
32-gallon Multi Family Residential Cart Service ²	\$57.95
64-gallon Multi Family Residential Cart Service ²	\$61.25
96-gallon Multi Family Residential Cart Service ²	\$64.55
Multi-Family Commercial Bin Service ³ 3-yd bin, collected 1x/wk	\$279.47
32-gallon Commercial Cart Service ²	\$54.76
64-gallon Commercial Cart Service ²	\$57.90
96-gallon Commercial Cart Service ²	\$61.04
Commercial Bin Service ³ 3-yd bin, collected 1x/wk	\$265.88

Notes for Table 1:

1. Service includes trash, 96 gal. recyclables and 96 gal. green waste capacity
2. Service includes trash, 96 gal. recyclables capacity and 96 gal. green waste capacity
3. Representational service level. Multi-Family and Commercial Bin service offers 1.5, 2, 3 & 4 cubic yard bins sizes, and 1-6 collections/wk
4. Beginning October 1, 2023, and for each year thereafter commencing on October 1, through and including October 1, 2027, the Solid Waste Collection Rates may be increased annually by 6.9%. Beginning July 1, 2028, the Solid Waste Collection Rates may be increased annually by 4%.

Through this contract negotiation process, it was apparent that Athens's dedication to the City of Santa Paula has proven a good partnership with the City. It is the conclusion of the Public Works Department that the contractor, Athens Services, will remain in compliance with the new Franchise Agreement and has faithfully submitted the new rates accordingly. Therefore, Public Works staff through the writing of this report supports the findings to recommend the requested rate increase pending the receipt of any letters of concern from the public.

STRATEGIC PLAN:

The approval of this agenda item does not directly address the strategic goals within the City's adopted Strategic Plan.

FISCAL IMPACTS:

Athens has provided an estimate of the fiscal benefit to the City via this contract. This includes an increase of \$588,903 in franchise fees, \$137,273 in street sweeping savings, \$75,000 as a one-time reimbursement, and \$50,000 in contributions to the Community.

ATTACHMENTS:

- Exhibit A: Notice of Public Hearing to Consider the Proposed Increase in Rates for Solid Waste Collection Services
- Exhibit B: Monthly Maximum Service Rates
- Exhibit C: Resolution 7420 Prop 218

EXHIBIT A

Notice of Public Hearing to Consider the
Proposed Increase in Rates for Solid Waste
Collection Services



**NOTICE OF PUBLIC HEARING
PROPOSED CHANGES IN CITY OF SANTA PAULA TRASH AND RECYCLING RATES FOR
FISCAL YEAR 2022 THROUGH 2029**

Date: September 28, 2022, 6:30 p.m.

Place: City of Santa Paula Council Chambers, City Hall, 970 Ventura Street,
Santa Paula, CA 93060

ATTENTION: The City Council of the City of Santa Paula ("City") will conduct a public hearing on September 28, 2022 at 6:30p.m., or as soon thereafter as the matter may be heard, in the City of Santa Paula City Hall Council Chambers, located at 970 Ventura Street, Santa Paula, to consider adopting increases and adjustments in the City's current rates for solid waste collection provided by Athens Services Inc. ("Solid Waste Collection Rate(s)" or "Rate(s)"). Individuals may participate in person at City Hall. City Council meeting agenda will be posted in advance of that meeting at: <https://www.spacity.org/523/Public-Meeting-Agendas>. The public may also view the meeting on Santa Paula Channel 10 and/or online at: <http://santa-paula.granicus.com/player/camera/2?&redirect=true>.

PROPOSED RATE CHANGES

You are receiving this Notice because our records indicate that you are either a City of Santa Paula property owner or tenant directly liable for payment of the fees for solid waste collection (i.e., a customer of record). The Notice describes the Solid Waste Collection Rate changes in services you receive from Athens Services, Inc. ("Athens") and explains how you can file a protest to this proposed Solid Waste Collection Rate increase and participate in the Proposition 218 process.

All current trash rates are being increased due to the expiration of the existing solid waste franchise agreement and the negotiation with Athens Services of a new franchise agreement. The new agreement is in compliance with all State mandated solid waste programs. In 2016 the Governor signed into law SB 1383. This law is intended to reduce the emissions of climate pollutants (greenhouse gases) by 1) diverting 75% statewide disposal of organic waste from landfills; 2) recovering at least 20% edible food instead of throwing in the trash by commercial food generators by 2025; and 3) procuring recycled organic waste products for use within the City. In order to achieve these requirements, the law imposes obligations that will affect trash collection in the City of Santa Paula, its franchised hauler operations, City program compliance reporting, and all residents and businesses.

As a result of SB 1383, the City must require residents and businesses to separate organic waste (food waste and green waste) from other trash to be managed at a facility other than the landfill. To accomplish this, all property owners, residents and businesses, will be required to enroll automatically in collection services for trash, recycling, and organic waste. Failure by the City to comply with the law can result in penalties of up to \$10,000 per day. In order to facilitate these new requirements a new franchise agreement with new service rates has been negotiated.

Will My Trash Rate Change?

Effective October 1, 2022, all trash monthly rates will increase according to Table 1. Each October 1st in future years through October 1, 2027, all trash monthly rates will increase by 6.9% annually as noted in Table 1. In addition, rates will increase effective July 1, 2028 by 4% as noted in Table 1.

What Services Are Funded By The Trash Rates?

Increases to the rates are necessary to pay for the cost of trash collection, recycling and disposal services, including compliance with SB 1383. Recycling services include processing of recycling and organic wastes collected from all customers at state-regulated facilities. The rates will also fund residential electronic waste collection, abandoned bulky waste pickup in public right of way, two free residential bulky waste pickups, 10 City Clean-up events, Downtown City can collections, and edible food recovery program support. Other portions of the trash rate include City fees, such as the franchise fee (5.25% Commercial/Industrial & 9.25% Residential), AB 939 or Recycling fee (5%), Household Hazardous Waste (HHW) Fee (\$0.50/customer/month), and Stormwater Program fee (4.5%). The percentage fees are taken from Athens Services Monthly Gross Receipts. These fees are used by the City for various purposes, including to administer the trash hauling contract, program oversight, infrastructure maintenance, environmental education and outreach, and compliance with regulatory requirements under the California Waste Management Act of 1989.

Proposed Rate Structure

The above increases for Fiscal Year 2022-2023 are shown in further detail in the following table and are representative of residential and commercial collection Rates. If approved, these increased Rates will be effective on October 1, 2022

TABLE 1	
Service Level	Proposed Rate:
32-gallon Single Family Residential Cart Service ^{1*}	\$26.65
64-gallon Single Family Residential Cart Service ^{1*}	\$29.55
96-gallon Single Family Residential Cart Service ^{1*}	\$33.39
32-gallon Multi Family Residential Cart Service ^{2*}	\$57.95
64-gallon Multi Family Residential Cart Service ^{2*}	\$61.25
96-gallon Multi Family Residential Cart Service ^{2*}	\$64.55
Multi-Family Commercial Bin Service ³ 3-yd bin, collected 1x/wk	\$279.47
32-gallon Commercial Cart Service ^{2*}	\$54.76
64-gallon Commercial Cart Service ^{2*}	\$57.90
96-gallon Commercial Cart Service ^{2*}	\$61.04
Commercial Bin Service ³ 3-yd bin, collected 1x/wk	\$265.88

Notes for table:

¹ Service includes trash, 96 gal recyclables and 96 gal greenwaste capacity

² Service includes trash, 96 gal recyclables capacity and 96 gal greenwaste capacity

³ Representational service level. Multi-Family and Commercial Bin service offers 1.5, 2, 3 & 4 cubic yard bins sizes, and 1-6 collections/wk

⁴ Beginning October 1, 2023, and for each year thereafter commencing on October 1, through and including October 1, 2027, the Solid Waste Collection Rates may be increased annually by 6.9%. Beginning July 1, 2028, the Solid Waste Collection Rates may be increased annually by 4%.

HOW DO I PROTEST?

If you wish to protest any of the above increases, you must submit a written protest, **signed and in writing**, by including your name and service address or assessor parcel number to the **City Clerk of the City of Santa Paula at 970 Ventura Street, Santa Paula, CA 93060**, provided written protests are received prior to the close of the Public Hearing, which will occur when the public testimony on the proposed increases and adjustments is concluded. Any written protest must: (1) state that the identified property owner or tenant (i.e., customer of record) opposes the proposed fee increases to the Solid Waste Collection Rates; (2) provide the location of the identified parcel (by street address or assessor's parcel number); and (3) include the name and signature of the property owner or tenant submitting the protest. On the envelope please note: **Attn: Public Hearing of Solid Waste Rate Changes**. A protest letter can be done by any property owner or tenant (i.e., a customer of record) directly responsible for the payment of solid waste collection fees. Only one protest will be counted per identified address/parcel.

IF YOU DO NOT OBJECT TO THE ADJUSTMENTS, NO ACTION IS REQUIRED.

The City Council will hear and consider all written protests to the proposed rate changes at the Public Hearing. Oral and written public comments at the Public Hearing will not qualify as formal protests unless accompanied by a written and signed protest. At the conclusion of the Public Hearing, the City Council will consider adoption of a resolution authorizing the new rate schedule in accordance with the 2022 Athens Services Franchise Agreement that would allow for the specified Solid Waste Collection Rate changes for Fiscal Year 2022-23, and to further allow for Fiscal Years 2023 through 2029, increases to the Solid Waste Collection Rate, as described herein. If written protests against the proposed Rate changes are not received by a majority of property owners or tenants upon which the Solid Waste Collection Rates are imposed (i.e., customers of record) in the City limits, then the City Council will be authorized to impose the Rate changes. If approved, the proposed rate changes will be in effect on October 1, 2022.

This protest hearing is being conducted in accordance with Article XIID of the California Constitution and Proposition 218 in an abundance of caution and without conceding the applicability of these provisions to privately provided solid waste service. Please note that a rate protest proceeding is not an election. To ensure transparency and accountability in the rate protest tabulation, protests shall constitute a disclosable public record from and after the time they are received.

For further details regarding the basis and reasons for the proposed rate changes to the City's Solid Waste Collection Rates or any questions you may have regarding the proposed fees to be imposed on your parcel, please contact the Public Works Department at (805)933-4212 or (805) 525-7870.

EXHIBIT B

Monthly Maximum Service Rates

City of Santa Paula Solid Waste Collection Rates - Effective October 1, 2022

Residential Single Family Services: Cart, Bin & Temporary Refuse, Recyclable & Organic Services Mandatory All Accounts With Enhancements

Residential Cart Services	
Service Description: Costs are based on the refuse container size. Service includes a refuse container + 96 Gallon Recycling Cart + 96 gallon Green Waste/Organics Container. All three service types are mandatory.	Monthly Rate
32 gallon solid waste cart (weekly collection)	\$ 26.65
64 gallon solid waste cart (weekly collection)	\$ 29.55
96 gallon solid waste cart (weekly collection)	\$ 33.39
Each additional 32, 64 or 96 gallon solid waste cart	\$ 7.74
Each additional 96 gallon recyclable cart (32 or 64 gallon upon request)	\$ 6.38
Each additional 96 gallon organics cart (32 or 64 gallon upon request)	\$ 6.84
Senior and low income discount	10%
Active Military Discount	10%

Additional Cart Services	
Service Description	Rate
Backyard cart service for eligible customers (Seniors, disabled, etc.)	No Charge
Backyard cart service for ineligible customers (each cart)	\$ 30.47

Residential Bin Services						
	Monthly Rate					
Permanent	Number Of Collections Per Week					
Service Description	1	2	3	4	5	6
1 cubic yard solid waste bin*	\$ 130.81	\$ 212.89	\$ 309.51	\$ 424.82	\$ 585.28	\$ 634.14
2 cubic yard solid waste bin*	\$ 213.87	\$ 380.21	\$ 543.45	\$ 758.76	\$ 948.46	\$ 1,088.54
3 cubic yard solid waste bin*	\$ 243.63	\$ 425.58	\$ 654.38	\$ 853.37	\$ 1,079.61	\$ 1,305.88
4 cubic yard solid waste bin*	\$ 374.84	\$ 667.84	\$ 952.18	\$ 1,309.08	\$ 1,636.33	\$ 1,900.07
* Any SFD solid waste bin service shall include recyclables and organic waste services. The total of recyclables plus organics must be at least 50% of the volume of the solid waste container size. Additional recycling and organics containers will be at the rates on the commercial rate sheet.						

Additional SFD Collection Services	
Service Description	Rate
E-Waste and white goods collection	\$ 56.93
Holiday (Christmas) tree collection outside green waste container (free if inside container)	\$ 31.88
Household battery collection	\$ 56.93
Sharps waste collection	\$ 31.88

Temporary Bin Services Description	
Service Description	Rate
Additional bin collection (per collection):	
1.5 cubic yard solid waste bin	\$ 50.10
2 cubic yard solid waste bin	\$ 54.65
3 cubic yard solid waste bin	\$ 59.20
4 cubic yard solid waste bin	\$ 63.76

City of Santa Paula Solid Waste Collection Rates - Effective October 1, 2022
Residential Multi-Family Services Cart, Bin & Temporary
Refuse, Recyclable & Organic Services Mandatory All Accounts
With Enhancements

Multi-Family Cart Services						
Service Description: Costs are based on the refuse container size. Service includes a refuse container + 96 Gallon Recycling Cart + 96 gallon Green Waste/Organics Container. All three service types are mandatory.						Monthly Rate
32 gallon solid waste cart (weekly collection)						\$ 57.95
64 gallon solid waste cart (weekly collection)						\$ 61.25
96 gallon solid waste cart (weekly collection)						\$ 64.55
Each additional 32, 64 or 96 gallon solid waste cart						\$ 60.75
Each additional 96 gallon recyclable cart (32 or 64 gallon upon request)						\$ 14.25
Each additional 96 gallon organics cart (32 or 64 gallon upon request)						\$ 23.77
Senior and low income discount						10%
Active Military Discount						10%
Multi-Family Bin Services						
Service Description	Monthly Rate					
	Number Of Collections Per Week					
	1	2	3	4	5	6
1 cubic yard solid waste bundle*	\$ 143.71	\$ 235.08	\$ 342.56	\$ 468.61	\$ 639.88	\$ 699.58
2 cubic yard solid waste bundle*	\$ 252.60	\$ 447.61	\$ 644.29	\$ 892.71	\$ 1,115.77	\$ 1,289.21
3 cubic yard solid waste bundle*	\$ 279.47	\$ 487.91	\$ 747.63	\$ 977.23	\$ 1,234.31	\$ 1,491.42
4 cubic yard solid waste bundle*	\$ 447.87	\$ 795.27	\$ 1,143.05	\$ 1,562.79	\$ 1,953.35	\$ 2,280.36
1 cubic yard recyclables extra bin	\$ 49.59	\$ 86.78	\$ 130.18	\$ 173.13	\$ 216.42	\$ 259.70
2 cubic yard recyclables extra bin	\$ 55.79	\$ 97.64	\$ 146.45	\$ 194.77	\$ 243.47	\$ 292.16
3 cubic yard recyclables extra bin	\$ 61.99	\$ 108.48	\$ 162.72	\$ 216.42	\$ 270.52	\$ 324.63
4 cubic yard recyclables extra bin	\$ 96.09	\$ 168.15	\$ 252.21	\$ 335.45	\$ 419.31	\$ 503.16
1 cubic yard organics extra bin	\$ 82.66	\$ 144.65	\$ 216.97	\$ 288.58	\$ 360.71	\$ 432.86
2 cubic yard organics extra bin	\$ 92.98	\$ 162.73	\$ 244.10	\$ 324.65	\$ 405.81	\$ 486.97
3 cubic yard organics extra bin	\$ 103.32	\$ 180.81	\$ 271.21	\$ 360.71	\$ 450.89	\$ 541.08
4 cubic yard organics extra bin	\$ 160.15	\$ 280.26	\$ 420.38	\$ 559.11	\$ 698.89	\$ 838.67
* Costs are based on the refuse container size. All refuse rates include an equivalent volume of recyclable materials and the equivalent of one 32-gallon organic waste cart per 2 cubic yards of refuse plus recyclable materials.						
Additional MFD Collection Services						
Service Description						Rate
E-Waste and white goods collection						\$ 56.93
Holiday (Christmas) tree collection outside of green waste bin						\$ 31.88
Household battery collection						\$ 56.93
Sharps waste collection						\$ 31.88
Temporary Bin Services Description						Rate
Service Description						Rate
Additional bin collection (per collection):						
1 cubic yard solid waste, recyclables, or organics bin						\$ 50.10
2 cubic yard solid waste, recyclables, or organics bin						\$ 54.65
3 cubic yard solid waste, recyclables, or organics bin						\$ 59.20
4 cubic yard solid waste, recyclables, or organics bin						\$ 63.76

City of Santa Paula Solid Waste Collection Rates - Effective October 1, 2022

Commercial Services: Cart, Bin, Temporary & Roll-Off Refuse, Recyclable & Organic Services Mandatory All Accounts With Enhancements

Commercial Cart Services						
Service Description: Costs are based on the refuse container size. Service includes a refuse container + 96 Gallon Recycling Cart + 96 gallon Green Waste/Organics Container. All three service types are mandatory.						Monthly Rate
32 gallon solid waste cart (weekly collection)						\$ 54.76
64 gallon solid waste cart (weekly collection)						\$ 57.90
96 gallon solid waste cart (weekly collection)						\$ 61.04
Each additional 32, 64 or 96 gallon solid waste cart						\$ 57.90
Each additional 96 gallon recyclable cart (32 or 64 gallon upon request)						\$ 13.58
Each additional 96 gallon organics cart (32 or 64 gallon upon request)						\$ 22.65
Commercial Bin Services						
	Monthly Rate					
	Number Of Collections Per Week					
Service Description	1	2	3	4	5	6
1 cubic yard solid waste bundle*	\$ 136.49	\$ 223.58	\$ 326.01	\$ 446.15	\$ 609.38	\$ 666.28
2 cubic yard solid waste bundle*	\$ 240.27	\$ 426.13	\$ 613.58	\$ 850.35	\$ 1,062.94	\$ 1,228.25
3 cubic yard solid waste bundle*	\$ 265.88	\$ 464.54	\$ 712.07	\$ 930.90	\$ 1,175.92	\$ 1,420.96
4 cubic yard solid waste bundle*	\$ 426.38	\$ 757.48	\$ 1,088.94	\$ 1,488.99	\$ 1,861.22	\$ 2,172.89
1 cubic yard recyclables extra bin	\$ 47.26	\$ 82.71	\$ 124.07	\$ 165.01	\$ 206.26	\$ 247.52
2 cubic yard recyclables extra bin	\$ 53.17	\$ 93.06	\$ 139.58	\$ 185.63	\$ 232.05	\$ 278.45
3 cubic yard recyclables extra bin	\$ 59.09	\$ 103.39	\$ 155.09	\$ 206.26	\$ 257.83	\$ 309.40
4 cubic yard recyclables extra bin	\$ 91.58	\$ 160.26	\$ 240.38	\$ 319.71	\$ 399.64	\$ 479.55
1 cubic yard organics extra bin	\$ 78.78	\$ 137.87	\$ 206.79	\$ 275.04	\$ 343.79	\$ 412.55
2 cubic yard organics extra bin	\$ 88.62	\$ 155.10	\$ 232.65	\$ 309.42	\$ 386.77	\$ 464.12
3 cubic yard organics extra bin	\$ 98.48	\$ 172.33	\$ 258.49	\$ 343.79	\$ 429.74	\$ 515.70
4 cubic yard organics extra bin	\$ 152.63	\$ 267.11	\$ 400.66	\$ 532.88	\$ 666.10	\$ 799.32
* Costs are based on the refuse container size. All refuse rates include an equivalent volume of recyclable materials and the equivalent of one 32-gallon organic waste cart per 2 cubic yards of refuse plus recyclable materials.						
Temporary Bin Services Description						
Service Description						Rate
Temporary bin delivery and first collection						\$ 169.27
Additional bin collection or dead-run:						
1 cubic yard solid waste, recyclables, or organics bin						\$ 47.75
2 cubic yard solid waste, recyclables, or organics bin						\$ 52.09
3 cubic yard solid waste, recyclables, or organics bin						\$ 56.43
4 cubic yard solid waste, recyclables, or organics bin						\$ 60.77
Temporary bin demurrage (per day - no dump in 7 days)						\$ 7.82
Roll-Off Services						
Service Description						Rate
Non-compacted collection						\$ 259.80
Compacted collection						\$ 341.92
Roll-Off Disposal per Ton - Trash						\$ 108.51
Roll-Off Disposal per Ton - Recycling						\$ 82.47
Roll-Off Disposal per Ton - Organics						\$ 129.34

City of Santa Paula Solid Waste Collection Rates - Effective October 1, 2022

**Commercial Services: Cart, Bin, Temporary & Roll-Off
Refuse, Recyclable & Organic Services Mandatory All Accounts
With Enhancements**

Additional Roll-Off Services	
Service Description	Rate
Roll-off box rental (10, 20, 30 or 40 cubic yard)	\$ 169.27
Roll-off roll-top rental	\$ 56.43
Roll-off compactor monthly lease	\$ 651.03
Roll-off and compactor per day rental after 7 days without a pull	\$ 15.20
Roll-off same-day priority service	\$ 73.79
Roll-off go-back/dry-run/redelivery/return trip/relocation fee	\$ 169.27
Roll-off plastic liner	\$ 42.54
Roll-off "rocket-launcher" service per hour (one hour minimum)	\$ 169.27
Roll-off and compactor overweight penalty (per ton over 10 tons - plus disposal)	\$ 108.51
Roll-off and compactor repair (per hour, excluding parts)	\$ 86.81
Roll-off steam clean compactor:	
1x per year (each compactor)	\$ 290.80
2x or more per year (each compactor)	\$ 273.44
Roll-off and compactor load characterization - customer requested	\$ 520.83
Roll-off box impound fee for non-permitted haulers	\$ 846.34

City of Santa Paula Solid Waste Collection Rates - Effective October 1, 2022
Additional Service Charges All Sectors
With Enhancements

Fee Type	Description	Commercial/Multi-family/Roll-Off	Residential Rate
Account Cancellation Fee	Cancelling account for non-payment.	\$ 35.52	\$ 35.52
Account Reactivation Fee	Restart service after inactivation.	\$ 35.52	\$ 35.52
Container Redelivery Fee	Redelivering and setting up a container previously repossessed due to non-payment.	\$ 77.42	\$ 26.42
Late Payment	Applies to unpaid balances at thirty (30) days past due; payment is due upon request. Minimum \$5.00.	5.00%	5.00%
Declined Payment/Returned Check Charge (Any Reason)	Payment does not clear.	\$ 35.52	\$ 35.52
Exchange Fee	Exchange or replacement of container more than once per year; does not apply to replacements caused by damage.	\$ 77.42	\$ 26.42
Exchange for Bins with Metal Lids	Exchange for bins with metal lids - per bin, per exchange.	\$ 227.70	Not Applicable
Relocation Fee	Movement of container upon customer request to different collection location.	\$ 77.42	Not Applicable
Cleaning Fee	Clean, deodorize, or remove graffiti more than once per year.	\$ 77.42	\$ 26.42
Damage Fee	Replace customer damaged containers (includes lost carts)	\$ 1,366.16	\$ 113.85
Overflow Fee	If materials project above the lid/rim of cart/container in a manner that impedes the closure of a lid (lid does not close completely) and/or when materials are placed outside the container or cart and/or allowed to accumulate making access to the container or cart unsafe for collection; Photo documentation shall be provided to City and a fee shall only be assessed for each overflow incident following written notice to customer after the customer's first overflow event. City may review this fee annually.	\$ 54.65	\$ 27.33
Overweight Fee	Materials overweight or materials that cannot be collected with typical truck equipment; fee shall only be assessed for each incident following written notice to customer after the customer's first overweight event.	\$ 54.65	\$ 27.33
Contamination Fee	Container or cart shall be considered contaminated if it contains (i) discarded materials placed in any Container intended for Recyclable Materials that are not identified as acceptable Recyclable Materials for such Container; (ii) discarded materials placed in any Container intended for Green Waste or Organic Waste that are not identified as acceptable Green Waste or Organic Waste for such Container; (iii) discarded materials placed in any Container intended for Garbage that are acceptable Recyclable Materials and/or Organic Waste; and (iv) any other items or substances that are not Refuse, Recyclable Materials, or Organic Waste placed in any Container.	\$ 227.70	\$ 54.65

City of Santa Paula Solid Waste Collection Rates - Effective October 1, 2022
Additional Service Charges All Sectors
With Enhancements

Fee Type	Description	Commercial/Multi-family/Roll-Off	Residential Rate
Demurrage Fee	Cost of keeping roll-off or temporary bin containers after 7 days.	\$ 8.20	\$ 8.20
Lock Installation Fee	Installation of customer-requested lock(s) within five (5) business days of a customer request for a container lid lock for one or more detachable containers; the locking mechanism may be a gravity lock or lock bar mechanism.	\$ 86.53	Not Applicable
Lock Service Fee	Servicing of locked bins, per lock, per month.	\$ 20.31	Not Applicable
Replace Lock or Key	Replace lost or stolen bin lock or key. Per occurrence.	\$ 35.52	Not Applicable
Push-Out Fee: 0-25 Feet (Per Container, Per Frequency)	Moving bins manually, mechanically or by a specialized "scout" truck, from their storage location to the collection location, and returning them to their storage location.	\$ 10.70	Not Applicable
Push-Out Fee: 26 - 50 Feet (Per Container, Per Frequency)	Moving bins manually, mechanically or by a specialized "scout" truck, from their storage location to the collection location, and returning them to their storage location.	\$ 21.41	Not Applicable
Push-Out Fee: 51 - 75 Feet (Per Container, Per Frequency)	Moving bins manually, mechanically or by a specialized "scout" truck, from their storage location to the collection location, and returning them to their storage location.	\$ 32.10	Not Applicable
Push-Out Fee: 75 - 100 Feet (Per Container, Per Frequency)	Moving bins manually, mechanically or by a specialized "scout" truck, from their storage location to the collection location, and returning them to their storage location.	\$ 42.81	Not Applicable
Push-Out Fee: 100+ Feet (Per Container, Per Frequency)	Moving bins manually, mechanically or by a specialized "scout" truck, from their storage location to the collection location, and returning them to their storage location.	\$ 53.51	Not Applicable
Bulky Item Collection - First Two Items per Year	Collection of the first two bulky items per year. If bulky items are not set-out on the agreed-upon date and time, then dead-run charges will apply.	\$ 45.54	No Charge
Bulky Item Collection - Each Additional Item after First Two Items per Year	Collection of additional bulky items after the first two per year. If bulky items are not set-out on the agreed-upon date and time, then dead-run charges will apply.	\$ 22.77	\$ 15.94
Enclosure Fee	Services to address impeded collection of bin(s), including but not limited entering secured building by unlocking and locking gates; accessing bin(s) for collection via intercom or security office; etc.	\$ 22.77	Not Applicable
Extra Collection Fees	Returning to collection location when bins are not available during scheduled collection date or number of times needed to collect waste exceeds the agreed-upon number of collections per week.	\$ 54.65	\$ 27.33

City of Santa Paula Solid Waste Collection Rates - Effective October 1, 2022
Additional Service Charges All Sectors
With Enhancements

Fee Type	Description	Commercial/Multi-family/Roll-Off	Residential Rate
Dead-Run or "Go-Back"	Returning to customer location after scheduled service time.	\$ 54.65	\$ 27.33
Stand-By or Delay Time	Charge for each 15 minutes the driver is delayed.	\$ 45.54	\$ 45.54
Bin Enclosure Clean up	Clean up of the area surrounding the bins in the trash enclosure (per bin).	\$ 35.52	Not Applicable
Custom Bin Fabrication Charge (Per Cubic Yard)	Customer requires a specialized bin.	\$ 546.47	Not Applicable
Certificate of Destruction	Provide customer with certificate of destruction.	\$ 159.39	\$ 159.39

EXHIBIT C

Resolution 7420 Prop 218

RESOLUTION NO. 7420

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA, CALIFORNIA, INCREASING SOLID WASTE MAXIMUM RATES FOR RESIDENTIAL, COMMERCIAL, INDUSTRIAL AND MULTI-FAMILY SECTORS

The City Council for the City of Santa Paula does resolve as follows:

SECTION 1: The City Council finds and declares as follows:

- A. On Wednesday, September 28, 2022, the City Council held a duly noticed protest hearing with respect to the solid waste maximum rates.
- B. All affected property owners were given notice of the hearing on August 12, 2022, and given an opportunity to protest.
- C. The City received written protests for [REDACTED] properties prior to the protest hearing and an additional [REDACTED] written protests were received at the public hearing.
- D. A total of [REDACTED] written protests were received before the close of the hearing.
- E. For purposes of determining whether a majority protest exists for each type of parcel, the protests were also tabulated for commercial, condominium, multi-family residential and single-family residential.
- F. The number of written protests received was not sufficient to constitute a majority protest. The City Clerk has certified the tabulation of written protests.

SECTION 2: The City Council of the City of Santa Paula authorizes the schedule of maximum solid waste fees as set forth below:

- A. The City Council hereby accepts the City Clerk's certification of the results of the protest hearing and approves the increase in maximum solid waste collection rates in accordance with the Exclusive Collection Services Agreement executed between City of Santa Paula and Arakelian Enterprises, Inc. d/b/a Athens Services Exhibit 1 Rates Charges and Fees, Effective October 1, 2022, incorporated by this reference.
- B. Beginning October 1, 2023, and for each year thereafter commencing on October 1, through and including October 1, 2027 the maximum solid waste collection rates shall be increased annually by 6.9%.
- C. Beginning July 1, 2028, the solid waste collection rates shall be increased annually by 4%.

SECTION 3: The City Clerk is directed to certify the adoption of this Resolution.

SECTION 4: This Resolution will become effective immediately upon adoption.

PASSED AND ADOPTED this 28th day of September 2022

Jenny Crosswhite, Mayor

ATTEST:

Julie Latshaw, City Clerk

APPROVED AS TO FORM:

Monica Castillo, interim City Attorney

APPROVED AS TO CONTENT:

Dan Singer, City Manager