



City of Hesperia

Gateway to the High Desert

September 21, 2019

NOTICE OF PUBLIC HEARING

**BY THE CITY COUNCIL REGARDING THE PROPOSED
INCREASES TO SOLID WASTE AND RECYCLING
SERVICE MONTHLY RATES PURSUANT TO ARTICLE
XIIID OF THE CALIFORNIA CONSTITUTION
(PROPOSITION 218)**

Owners and Tenants of the Addressed Property:

NOTICE IS HEREBY GIVEN that a Public Hearing will be held before the City Council of the City of Hesperia on the following date:

DATE OF HEARING: November 5, 2019

TIME OF HEARING: 6:30 p.m., or as soon thereafter as possible

PLACE OF HEARING: City Hall - City of Hesperia
Council Chambers, 9700 Seventh Avenue
Hesperia, California 92345
(760) 947-1018

FOR THE FOLLOWING PURPOSE:

The City of Hesperia ("City") will hold a public hearing pursuant to Article **XIIID** of the California Constitution (commonly referred to as Proposition 218) to consider proposed rate increases for the collection, hauling and processing of solid waste pursuant to the terms of the franchise agreement between Bestway Disposal, Inc., dba Advance Disposal, and the City. The proposed rate increase includes (i) a proposed increase in monthly fees for services provided by Advance Disposal due to State legislation. The proposed new rates are shown in the attached Exhibit A and Exhibit B. This 45-day notice is hereby given in accordance with Section 6(a) of Article XIIID of the California Constitution. The purpose of this notice is to provide you with information about the proposed increase in the rates charged by the City, and to inform you about your opportunity to protest the rate increase by submitting written protests prior to or during this public hearing.

If the proposed rates are approved, the proposed rates are scheduled to take effect commencing January 1, 2020 and on each January 1st thereafter, until the last increase on January 1, 2024. Future rate increases after January 1, 2024 will require a new notice and hearing.

The proposed rate changes are needed to remain in compliance with State mandated legislation and with regulations from the California Department of Resources Recycling and Recovery otherwise known as CalRecycle. Due to changes in legislation and new regulations passed by CalRecycle, Advance

*Larry Bird, Mayor
William J. Holland, Mayor Pro Tem
Cameron Gregg, Council Member
Rebekah Swanson Council Member*

*9700 Seventh Ave
Hesperia, CA 92345
760-947-1000
TD 760-947-1119*

Nils Bentsen, City Manager

www.cityofhesperia.us



City of

Disposal has had to comply with increasingly complex recycling initiatives aimed at curtailing disposal of traditional recyclables, in addition to organic materials, as part of compliance with California law.

In order to continue to meet the requirements of Assembly Bill 1826 and to prepare for future legislation, such as Senate Bill 1383, Advance Disposal has begun acquisition and implementation of new equipment in the form of a kinetic pulverizer. By processing organics and fine material through the kinetic pulverizer, Advance Disposal will improve the quality of the material by pulverizing glass and other small contaminants. Once the material has been processed, it will continue to be considered a pre-processed material for composting thereby satisfying the State's recycling requirements. In the event the City is unable to adequately address AB 1826 or SB 1383 requirements with the implementation of this equipment, CalRecycle maintains the authority to institute a jurisdictional fine (in accordance with Public Resources Code Section 41813) of up to \$10,000 per day due to noncompliance.

The proposed solid waste collection, hauling and processing fees are detailed in Exhibits "A" and "B", which are attached to this notice and incorporated herein and made a part of this notice by this reference.

This notice has been mailed to the property listed on the service bill and to the record owner's address shown on the last equalized assessment roll if that address is different than the billing or service address. Persons responsible for the payment of solid waste services (which includes owners of real property subject to the charges or renters of such property who actually pay the charges) who wish to protest the increases can send in a written protest to the address below or attend the public hearing on the increases to register their written protest at the hearing. Only one written protest per identified parcel (i.e. address/assessor parcel number) relating to the rate increase will be heard. **Written protests must be received prior to or during the public hearing on NOVEMBER 5, 2019.** Any written protests received following the close of the public hearing will not be counted. All written protests must (at a minimum) include the following information to be counted: (a) Address or assessor parcel number(s) of property subject to the rate increase, (b) whether the protester is an owner or renter and (c) a clear statement protesting a particular rate or rates pursuant to this notice. The City cannot adopt the rate increase if written protests are presented by a majority (50%+1) of owners or tenants of the parcels upon which the increase will be imposed. Oral protests presented at the hearing will be heard but will not be counted. Only written protests will be counted. No email or other electronic protests will be accepted or counted.

Any person wishing to protest the increase may submit written protests to the City Clerk's office at 9700 Seventh Avenue, Hesperia, California 92345, before or during the public hearing. Any additional information on the increase may be obtained from the City at the phone number and address on the front of this notice. If you challenge this proposal in court, you may be limited to raising only those issues you or someone else raised at the public hearing as described in this Public Hearing Notice, or in written correspondence delivered to the City Clerk at, or prior to the Public Hearing.

DATED: This 21st day of September 2019

Melinda Sayre, City Clerk



City of _____

EXHIBIT A

Proposed maximum rates for standard residential service (two 95 gallon waste wheelers) and commercial service (one three yard bin collected once per week).

Current Rate	Residential Solid Waste Service Monthly Rate				
	Year One	Year Two	Year Three	Year Four	Year Five
	1/1/2020	1/1/2021	1/1/2022	1/1/2023	1/1/2024
\$28.89	\$29.48	\$30.07	\$30.66	\$31.25	\$31.84

Current Rate	Commercial Solid Waste Service Monthly Rate				
	Year One	Year Two	Year Three	Year Four	Year Five
	1/1/2020	1/1/2021	1/1/2022	1/1/2023	1/1/2024
\$183.59	\$186.24	\$188.89	\$191.54	\$194.19	\$196.84



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EXHIBIT B – Full Rate Card