

RESOLUTION NO. 20-024

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PACIFIC GROVE APPROVING ACCURACY OF RATES TO BE CHARGED BY GREENWASTE RECOVERY EFFECTIVE JULY 1, 2020 FOR COLLECTION OF FRANCHISED SOLID WASTE, RECYCLING, AND ORGANICS

FINDINGS

1. The City of Pacific Grove (City) entered into a franchise agreement with GreenWaste Recovery, Inc. (GWR) on August 20, 2014 for solid waste, recycling, and organics collection services for the period of August 1, 2015 through July 31, 2030; and,
2. Section 8.2 of the Franchise Agreement describes the process for an automatic annual adjustment to maximum customer rates on July 1 of each year, based on agreed-upon cost indices, changes in tipping fees at the Monterey Regional Waste Management District, and the actual tonnage of materials collected by GWR; and,
3. The application of the formulas required by the Franchise Agreement results in different rate increases for each and every service level; and,
4. Consistent with the provisions of Section 8.2.C of the Franchise Agreement, both the City and GWR have agreed on an alternative approach that adjusts rates by the same percentage for all customers within each sector of customers, thereby preserving the current relationship and structure of the rates within each sector to one another; and
5. HF&H Consultants has reviewed GWR's calculation of the rate adjustments and finds the calculations to be accurate and consistent with the methodology and requirements of the franchise agreement; and,
6. This action does not constitute a "Project" as that term is defined under the California Quality Act (CEQA), CEQA Guidelines Section 15378 as it is an organizational or administrative activity that will not result in direct or indirect physical changes in the environment.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PACIFIC GROVE:

1. The Council determines that each of the Findings set forth above is true and correct, and by this reference incorporates those Findings as an integral part of this Resolution.
2. The City Council of the City of Pacific Grove hereby affirms the following rate adjustments are accurate and appropriate to be charged by GWR under the franchise agreement, effective July 1, 2020: 31.04 % Cost Based Rate Adjustment to all single-family residential, commercial solid waste, recycling, and organics rates; and, all roll-off rates.
3. This Resolution shall become effective July 1, 2020, following passage and adoption thereof.

PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF PACIFIC GROVE
 this 24th day of June, 2020, by the following vote:

AYES: Mayor Peake, Mayor Pro Tem Huitt, Councilmembers Amelio, Garfield, McAdams, Smith, and Tomlinson

NOES: None.

ABSENT: None.

APPROVED:

DocuSigned by:
Bill Peake
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 BILL PEAKE, Mayor

ATTEST: **6/26/2020**
 DATED: _____

DocuSigned by:
Sandra Kandell
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 SANDRA KANDELL, City Clerk

APPROVED AS TO FORM:

DocuSigned by:
David C. Laredo
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 DAVID C. LAREDO, City Attorney