



Notice of Public Hearing Regarding the Proposed Residential Trash Collection Rate Increase

On March 21, 2011 at 6:00 p.m. at a regularly scheduled meeting of the Huntington Beach City Council, the City Council will conduct a Public Hearing in the City Council Chambers located at 2000 Main Street, Huntington Beach to discuss the proposed Residential Trash Collection Rates. The purpose of the Public Hearing is to discuss the proposed rates and increase and gather input regarding Residential Trash Collection Rates and Increase from the rate payers. *The City Council is considering an increase to the Residential Trash Collection Rate and will be accepting protests to this potential action. If protests by a majority (50% plus one) of property owners are received by the City Clerk before the close of the Public Hearing, the fee increase cannot be adopted.*

This Residential Trash Collection charge is currently fixed at \$0.6122 per unit per day, which equates to \$18.62 per unit per month. The residential collection contract service charge as provided in the Franchise Agreement is based on a weighted formula comprised of three components:

- (1) March to March Consumer Price Index for All Urban Consumers ("CPIU") in Los Angeles, Orange and Riverside counties established by the U. S. Bureau of Labor Statistics – 76%;
- (2) the landfill tipping fee – 16%; and
- (3) the hauler's cost of Compressed Natural Gas (CNG) fuel – 8%.

The March 2010 CPIU increased by 1.9%, the Orange County Landfill tipping fee increased by 36.1%, and the hauler's cost of CNG decreased by 3.7%. These fluctuations, when applied to the established formula result in a calculated increase of \$0.69 per unit per month, although the actual increase proposed for this year is \$0.64 per unit per month and is less than what is allowable under the weighted formula. If approved, this rate would be effective April 1, 2011 through June 30, 2012, and subject to adjustment annually in accordance with the above formula.

The proposed increase includes \$0.30 per unit per month for the City's attributed administrative and maintenance costs, which shall be reviewed and may be adjusted annually to reflect the annual percentage adjustment in the March CPIU, available in April each year.

Questions or comments may be directed to the Public Works General Services Division at 714-960-8861.

City of Huntington Beach GUIDELINES FOR THE SUBMISSION AND TABULATION OF PROTESTS:

Where notice of a public hearing with respect to a utility rate increase has been given by the City pursuant to Article XIID, Section 6 of the California Constitution, the following shall apply:

Submission of Protests

1. Any property owner may submit a written protest to the City Clerk, either by delivery to the City Clerk's Office, 2000 Main St., Huntington Beach, CA 92648 or by submitting the protest at the public hearing. Protests must be received before the close of the public hearing on the proposed rate adjustment. No postmarks will be accepted.

For purposes of these Guidelines the term "property owner" shall mean any owner of record on the County of Orange Assessor's rolls and any tenant directly liable to pay the assessment, fee or charge.

2. Each protest must identify the affected property (by assessor's parcel number or street address) and include the original signature of the property owner. Email protests cannot be accepted. Although oral comments at the public hearing will not qualify as a formal protest unless accompanied by a written protest, the City Council welcomes input from the community during the public hearing on the proposed fees.

3. If a parcel served by the City is owned/rented by more than a single property owner, each property owner may submit a protest, but only one protest will be counted per parcel and any one protest submitted in accordance with these rules will be sufficient to count as a protest for that property.

4. In order to be valid, a protest must bear the original signature of the property owner with respect to the property identified on the protest. Protests not bearing the original signature of a property owner shall not be counted.

5. Any person who submits a protest may withdraw it by submitting to the City Clerk a written request that the protest be withdrawn. The withdrawal of a protest shall contain sufficient information to identify the affected parcel and the name of the property owner who submitted both the protest and the request that it be withdrawn.

6. A fee protest proceeding is not an election.

7. To ensure transparency and accountability in the fee protest tabulation, protests shall constitute disclosable public records from and after the time they are received.

Tabulation of Protests

1. The City Clerk, or her designee, shall determine the validity of all protests. She shall not accept as valid any protest if she determines that any of the following conditions exist:

- a. The protest does not identify a property served by the City.
- b. The protest does not bear an original signature of a property owner of the parcel identified on the protest.
- c. The protest does not state its opposition to the proposed fees.
- d. The protest was not received by the City Clerk before the close of the public hearing on the proposed fees.
- e. A request to withdraw the protest is received prior to the close of the public hearing on the proposed fees.

2. The City Clerk's decision that a protest is not valid shall constitute a final action of the City and shall not be subject to any internal appeal.

3. A majority protest exists if written protests are timely submitted and not withdrawn by the property owners of a majority (50% plus one) of the properties subject to the proposed fee.

To Property Owners

For your written protest to be valid you need to insure that the following information is included:

1. The protest must include the Street Address **or** Assessor Parcel Number.
2. The protest must have the original signature of the property owner.
3. The protest must state its opposition to the proposed fee increase.
4. The protest must be received by the City Clerk before the close of the public hearing on the proposed fee.