

**RESOLUTION NO. 58-2020**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PACIFICA DIRECTING STAFF TO ISSUE NOTICE OF PUBLIC HEARING FOR NEW OR INCREASED SOLID WASTE COLLECTION SERVICES FEE AND CHARGES**

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**WHEREAS**, The City of Pacifica (“City”) entered into a Franchise Agreement (“Agreement”) with Recology of the Coast (“Recology”) pursuant to which Recology provides services regarding recyclable materials, organic materials, and solid waste collection (“Services”);

**WHEREAS**, pursuant to the Franchise Agreement, Recology has the right to charge and collect from customers rates for services subject to a maximum not to exceed the amount set forth in the Franchise Agreement;

**WHEREAS**, Recology has applied for a rate adjustment to be approved at a public hearing; and

**WHEREAS**, the City Council desires to initiate proceedings to review Recology’s request to revise the rates effective beginning January 1, 2021.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Pacifica that:

Section 1. The City Council directs staff to schedule a public hearing at which all interested persons shall be permitted to present oral and written testimony with respect to the proposed rate revision. The City Council further directs staff to give written notice of the hearing via the United States Postal Service, postage prepaid, at least forty-five (45) days before the date set for the public hearing.

Section 2. The City Council finds that this Resolution is not subject to review under the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21000, et seq. and the CEQA Guidelines (14 Cal. Code Regs. §§ 15000 et. seq.), including without limitation, Public Resources Code section 21065 and California Code of Regulations 15378 as this is not a “project” that may cause a direct, or reasonably foreseeable indirect, physical change in the environment and if a “project,” is exempt under the “common sense” exception (14 Cal. Code Regs. § 15061(b)(3)) because it can be seen with certainty that there is no possibility that this action may have a significant effect on the environment and it is categorically exempt pursuant to section 15273 of the CEQA Guidelines. Resolution is exempt from the California Environmental Quality Act (“CEQA”) pursuant to Section 15273 of the CEQA Guidelines.

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**PASSED AND ADOPTED** at a regular meeting of the City Council of the City of Pacifica, California, held on the 14th day of September, 2020, by the following vote:

**AYES**, Councilmembers: Martin, Beckmeyer, Vaterlaus, Bier, O'Neill.

**NOES**, Councilmembers: n/a.

**ABSENT**, Councilmembers: n/a.

**ABSTAIN**, Councilmembers: n/a.



Deirdre Martin (Sep 18, 2020 14:50 PDT)

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Deirdre Martin, Mayor

ATTEST:



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Sarah Coffey, City Clerk

APPROVED AS TO FORM:



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Michelle Marchetta Kenyon, City Attorney

# For Signature - ResolutionNo58-2020\_SettingPublicHearingDate\_RecologyRateAdjustment2021-Approved

Final Audit Report

2020-09-18

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