



## Item No. 17 Town of Atherton

### CITY COUNCIL STAFF REPORT – PUBLIC HEARINGS

**TO: HONORABLE MAYOR AND CITY COUNCIL  
GEORGE RODERICKS, CITY MANAGER**

**FROM: ROBERT BARRON III, FINANCE DIRECTOR**

**DATE: OCTOBER 21, 2020**

**SUBJECT: PUBLIC HEARING ON RECOMMENDED INCREASE TO REFUSE  
RESIDENTIAL, COMMERCIAL AND GREEN WASTE RATES IN THE  
TOWN OF ATHERTON**

#### **RECOMMENDATION**

- 1) Conduct the Public Hearing regarding the proposed increase in refuse rates for residential, commercial, and green waste rates; and
- 2) If appropriate, introduce the attached Ordinance for first reading, an Ordinance of the City Council of the Town of Atherton Setting Refuse Collection Rates.

#### **BACKGROUND**

The City Council sets local collection rates based on the revenue requirements for contractor compensation set by the SBWMA Board of Directors. Refuse rates for Atherton residents are calculated monthly by collection and post collection disposal costs, and tipping fees by tonnage. The rates are reviewed every year in order to ensure the total revenue requirement meets the total yearly cost of service, including disposal and processing costs, agency fees, and any surplus/shortfalls owed to/from Recology/ or *other service providers*. Reasons for these proposed increases are to fund required collection and disposal operating expenses and projected tipping disposal fees based on volume tonnage. Without the increases in rates, there will not be the necessary funds to provide waste and green hauling services to residents that meet long-term legislative requirements and could provide a potential deficit for the collection and disposal of refuse.

Adjustments in the refuse rates are required under the current franchise agreement with Recology and are not resultant from the change in franchisee to Greenwaste Recovery.

The Refuse Subcommittee met to discuss the refuse rate setting process and the following items were recommended based on current compensation requirements:

- Increase of Refuse Residential, Commercial, and Green Waste rates

Pursuant to the requirements of Proposition 218, staff mailed Notices of the proposed green cart rate increases, and commercial rates and organic rate increase to all refuse service billing addresses for all parcels in Atherton. The Notice described to the service customer the procedures on how to file a protest regarding the rates. Proposition 218 required that notice be issued 45 days prior to the public hearing. To satisfy this requirement, notices were issued in late August and the public hearing was set for October 21. A copy of the Notice is attached.

Proposition 218 provides that if written protests are presented by a majority of the affected parcels, the rate increase shall not take effect. If there is no majority protest, then the rate increases can be imposed by an ordinance approved by 2/3-vote of the members of the City Council under Health & Safety Code § 5471. After adoption, the Town must also publish and post notice of the proceedings.

As of the writing of this report the Town has not received any written protests.

### **ANALYSIS**

The Subcommittee's recommendation is that all rates within the refuse collection program be adjusted. In recent years, except for green waste rates, most rates have remained the same. In 2017, the Subcommittee recommended, and Council approved a decrease in refuse residential garbage container rates. The current recommendation is to increase the respective fixed cart rates for the residential refuse garbage container, which includes no additional charge for recycled materials. The proposal calls for increases in rates between 2.5 percent (%) and 10 percent (%) more than the current rates. These adjustments are reflected in the attached ordinance.

### **Garbage Carts**

Based on the present rate structures, the following is the calculation for Residential Garbage Cart Rates:

<b>Cart Size</b>	<b>Current Rate</b>	<b>Proposed New Rate</b>	<b>Percentage Increase</b>
<b>20 Gallon</b>	\$25	\$28	10%
<b>32 Gallon</b>	\$50	\$54	7.5%
<b>64 Gallon</b>	\$93	\$98	5%
<b>96 Gallon</b>	\$138	\$141	2.5%

There is a minimum \$25 monthly flat fee on residential properties regardless of collections size for recycling, organics, waste for a property that uses the services or not (due to vacations/sale of a house/construction etc.). The current rate structure includes a fixed rate for each gallon of refuse,

with no additional charge for recycled materials or green waste collection. The proposed new rates would look as follows:

<b>Cart Size</b>	<b>Flat Fee</b>	<b>PLUS Standard Cart rate</b>	<b>Total Current/NEW Rate</b>
<b>20 Gallon</b>	\$25	\$3	\$28
<b>32 Gallon</b>	\$25	\$29	\$54
<b>64 Gallon</b>	\$25	\$73	\$98
<b>96 Gallon</b>	\$25	\$116	\$141

There are approximately 2,370 garbage carts in circulation. The total approximate number of 20-gallon carts are 434, 32-gallon carts are 850, 64-gallon carts 659 and 96-gallon carts are 427. If the number of refuse carts remain the same, the proposed rates increases the revenue per month to the respective carts by \$1,302, \$3,400, \$3,295, and \$1,281.

**Green Carts**

The Subcommittee recommends adjusting the green waste cart rates to continue to move closer to cost alignment for collection. The current rate structure includes a fixed rate for each gallon of refuse, with no additional charge for recycled materials or green waste collection. *The rate structure allows a resident to obtain additional green carts.* Currently a 3rd and 4th green cart rate is at \$20 each and for the 5th cart or above, the rate is \$25 each. Actual collection costs for each cart is just above \$28. The Committee recommends that the cost model for the additional green carts be moved closer to a true-cost recovery model by raising the cost for carts as follows:

<b># of Carts</b>	<b>Current Rate</b>	<b>New Rate</b>
Carts 3 and 4	\$20 each	\$24 each
Carts 5 and above	\$25 each	\$30 each

With the above rate structure, the Town is seeking to increase the rate for Carts 3 and 4 by \$4. With carts 5 and above, the rate increase is \$5. The total number of additional Green carts 3 & 4 are 1,590 and for Green carts 5 and above are 420. If the number of Green carts at 3 and above maintains, the proposed increase is an additional \$6,360 and \$2,100 respectively per month in revenue per green cart collection service. *Staff and Subcommittee recommend as cost model fairness for green carts, that the Town of Atherton seek to get closer to full cost recovery.*

**Commercial Rates**

*The Subcommittee recommends adjusting the commercial rates to account for the increase cost in tipping fees per ton.* The proposed increase is 20% to commercial and organic bin rates. These adjustments are reflected in the attached ordinance.

Based on the present rate structures, the following is the calculation for Organic Rates:

Refuse Commercial Bins	Current Rate	Proposed New Rate	Current Organic Rates	Proposed New Organic Rates
1-96 Yard	\$152	\$182	\$129	\$155
1-1 Yard	\$275	\$330	\$234	\$281
1-2 Yard	\$425	\$510	\$361	\$433
1-3 Yard	\$580	\$696	\$493	\$592
1-4 Yard	\$730	\$876	\$621	\$745
1-6 Yard	\$880	\$1,056	\$748	\$898
1-8 Yard	\$1,160	\$1,392	\$1,160	\$1,392

Below is a summary of the Subcommittee's recommendations.

1. Residential customer accounts will see an increase in refuse garbage rates based on the respective carts between 2.5 percent (%) and 10 percent (%)
2. The only residents that will be affected by Green Cart increases are those that have more than 2 Green Carts.
3. Those customer accounts that maintain Commercial refuse bins will see an increase in their rates for refuse and organics.

In accordance with Proposition 218 process we make the following findings:

- A. The revenues derived from the increased green waste collection rates, do not exceed the funds required to provide refuse services pursuant to the Solid Waste/Recycling Collection Agreement.
- B. The revenues derived from the increase in residential garbage collection rates, do not exceed the funds required to provide refuse services pursuant to the Solid Waste/Recycling Collection Agreement.
- C. The revenues derived from the increase in commercial garbage/organic collection rates will not be used for any other purpose other than pursuant to Solid Waste/Recycling Collection Agreement.
- D. Review of cost model fairness to move closer to full cost recovery.

*Attached is an Ordinance adjusting the above-mentioned collection rates for refuse service, green waste and commercial.*

### **POLICY FOCUS**

The setting of refuse collection rates is a matter of policy discussion for the City Council. Establishing rates that reflect full cost recovery is consistent with Proposition 218.

**FISCAL IMPACT**

If the number of refuse carts remain the same, the proposed rates increase the revenue per month to the respective carts by \$9,278. Assuming a static number of carts, the recommended fee change per green waste cart use includes an *increase* of \$8,460 per month. Waste diversion is a bigger priority and as the cost for diversion increases, it is important to ensure the commercial rates are set accordingly. Of the 10 commercial accounts, 9 have organic bins. The increase of the commercial rates (non-organic) would amount to \$1,714 more per month. The organics bin use would amount to \$891 more per month. With the total recommended fee changes the total fiscal impact is an increase of \$20,343 per month.

**PUBLIC NOTICE**

Public notification was achieved by posting the agenda, with this agenda item being listed, at least 72 hours prior to the meeting in print and electronically. Information about the project is also disseminated via the Town’s electronic News Flash and Atherton Online. There are approximately 1,200 subscribers to the Town’s electronic News Flash publications. Subscribers include residents as well as stakeholders – to include, but be not limited to, media outlets, school districts, Menlo Park Fire Protection District, service providers (water, power, and sewer), and regional elected officials.

**COMMISSION/COMMITTEE FEEDBACK/REFERRAL**

This item \_\_\_ has or  X  has not been before a Town Committee or Commission.

- \_\_\_ Audit/Finance Committee (meets every other month)
- \_\_\_ Bicycle/Pedestrian Committee (meets as needed)
- \_\_\_ Civic Center Advisory Committee (meets as needed)
- \_\_\_ Environmental Programs Committee (meets every other month)
- \_\_\_ Park and Recreation Committee (meets each month)
- \_\_\_ Planning Commission (meets each month)
- \_\_\_ Rail Committee (meets every other month)
- \_\_\_ Transportation Committee (meets every other month)
- \_\_\_ Tree Committee (meets each month)

**ATTACHMENTS**

- Ordinance
- Notice of Public Hearing

ORDINANCE XXX

**AN ORDINANCE OF THE CITY COUNCIL OF THE TOWN OF ATHERTON  
AMENDING THE RATES SET FORTH IN ORDINANCE 633 TO INCREASE THE  
REFUSE RESIDENTIAL, COMMERCIAL, AND GREEN WASTE CART RATES**

WHEREAS, the Town of Atherton ("Town") has provided a franchise to Recology San Mateo County ("Franchisee") allowing for and governing the collection of refuse, recyclable material and plant material within the Town of Atherton's limits; and

WHEREAS, pursuant to the Uniform Franchise Agreement for Collection Services ("Solid Waste/Recycling Collection Agreement") between Franchisee and the Town, the Town is required to adopt solid waste/recycling collection rates that produce revenues sufficient to provide payment to Franchisee in accordance with the amount due under the Solid Waste/Recycling Collection Agreement; and

WHEREAS, the Town has reviewed and approved rates on June 20, 2018 by Ordinance 633, that Franchisee may charge for these solid waste/recycling collection services; and

WHEREAS, the City Council directed staff to prepare an adjustment to refuse residential, commercial, and green waste cart collection rates above the standard residential pick up service to reflect a cost model closer to full cost recovery; and

WHEREAS, the Town has mailed a public hearing notice of the proposed rate increases, including the date, time and location of a public hearing not less than 45 days before said public hearing; and

WHEREAS, the Town held the duly noticed public hearing and considered any and all comments;

NOW, THEREFORE, THE CITY COUNCIL OF THE TOWN OF ATHERTON DOES HEREBY ORDAIN AS FOLLOWS:

**SECTION 1.** In accordance with Article XIII D, Section 6(b), of the California Constitution, the City Council makes the following findings:

- A. The revenues derived from the increased green waste collection rates, do not exceed the funds required to provide refuse services pursuant to the Solid Waste/Recycling Collection Agreement.
- B. The revenues derived from the increase in residential garbage collection rates, do not exceed the funds required to provide refuse services pursuant to the Solid Waste/Recycling Collection Agreement.
- C. The revenues derived from the increase in commercial garbage/organic collection rates do not exceed the funds required to provide refuse services pursuant to the Solid Waste/Recycling Collection Agreement
- D. The revenues derived from the refuse residential, commercial, and green waste cart collection rates will not be used for any other purpose other than pursuant to Solid Waste/Recycling Collection Agreement.

E. The solid waste/recycling collection services are presently available.

**SECTION 2.** Beginning on the effective date of this Ordinance, the refuse garbage, commercial refuse/organic bins, and the green waste cart collection rates above the standard residential pick up service are amended as listed below.

**Residential Rates:**

<b>Refuse Garbage Container</b>	<b>Rates</b>
20 gallon	\$28
32 gallon	\$54
64 gallon	\$98
96 gallon	\$141

**Minimum Monthly Flat Fee:**

<b>Cart Size</b>	<b>Minimum Monthly Flat Fee</b>	<b>PLUS Standard Cart rate</b>	<b>Total Rate</b>
<b>20 Gallon</b>	\$25	\$3	\$28
<b>32 Gallon</b>	\$25	\$29	\$54
<b>64 Gallon</b>	\$25	\$73	\$98
<b>96 Gallon</b>	\$25	\$116	\$141

**Commercial Rates:**

<b>Refuse Commercial Bins</b>	<b>Rate</b>	<b>Organic Rates</b>
1-96 Gallon	\$182	\$155
1-1 Yard	\$330	\$281
1-2 Yard	\$510	\$433
1-3 Yard	\$696	\$592
1-4 Yard	\$876	\$745
1-6 Yard	\$1,056	\$898

1-8 Yard	\$1,392	\$1,392
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**Green Waste carts:**

Unscheduled Service Category	Cost	Description of Cost
Additional Targeted Recyclable Materials or Organic Materials Cart Rental or Purchase (in addition to the two Organic Material carts and one Recyclable Materials cart)	A – <b>\$24.00</b> each for 1 or 2 additional cans <b>\$30.00</b> each for 3 or more additional cans B - \$3.00 C – \$63.00 D – \$69.00	A – monthly rental fee (any size Cart) for Organic Materials Carts B – monthly rental fee (any size Cart) for Targeted Recyclable Materials Carts C – Customer purchase of a 64 gallon Cart D – Customer purchase of a 96 gallon Cart

**OTHER SERVICES  
COST SCHEDULE**

<b>Backyard Collection Service Distance Costs for Single-Family Dwellings</b>				
	<b>One (1) Solid Waste Cart</b>	<b>Two (2) Solid Waste Carts</b>	<b>Three (3) Solid Waste Carts</b>	<b>Four (4) Solid Waste Carts</b>
<b>Distance from Curbside</b>	<b>Base monthly Solid Waste Rate plus</b>	<b>Base monthly Solid Waste Rate plus</b>	<b>Base monthly Solid Waste Rate plus</b>	<b>Base monthly Solid Waste Rate plus</b>
0-100 feet	\$21.00	\$31.72	\$60.44	\$89.16
101-150 feet	\$24.00	\$34.72	\$63.44	\$92.16
151 – 200 feet	\$27.00	\$37.72	\$66.44	\$95.16
201 – 250 feet	\$30.00	\$40.72	\$69.44	\$98.16
251 – 300 feet	\$33.00	\$43.72	\$72.44	\$101.16
301 feet or more	\$36.00	\$46.72	\$75.44	\$104.16



<b>Unscheduled Service Category</b>	<b>Cost</b>	<b>Description of Cost</b>
Distance Charge for Commercial Accounts	A – 10% of base monthly Rate B – 25% of base monthly Rate	A – 51 to 100 feet from access by Contractor's collection vehicle B – 101 feet or more from access by Contractor's collection vehicle
Extra Pick-up Cost for Commercial Customers	25% of the base monthly Rate for the size of Container Collected once per week	Per Collection event
Single-Family Return Trip Cost (i.e., request to provide Collection service after the regularly scheduled Collection day)	\$15.00	Per Collection event
Fee for Service On-Call Bulky Item Collection Service	\$81.55 per the 3 <sup>rd</sup> occurrence Residents receive first 2 for free	Per event (after the 2 <sup>nd</sup> event)
Overage Fee	100% of the base monthly Rate	Per Collection event
Overage Bags Cost	50% of the base monthly Rate or \$8.00 minimum	Per bag
Container Cleaning Fee	A – \$50.00 B – \$85.00	A – per Cart B – per Bin or Drop-Box
Dirty Cart Replacement Cost	A – \$65.00 B – \$75.00 C – \$85.00	A – per 32 gallon Cart B – per 64 gallon Cart C – per 96 gallon Cart

**SECTION 3.** The City Council hereby declares that it would have passed this Ordinance, sentence by sentence, paragraph by paragraph, and section by section, and does hereby declare that any provisions in this Ordinance are severable and, if for any reason any sentence, paragraph or section of this Ordinance shall be held invalid, such decision shall not affect the validity of the remaining parts of this Ordinance.

**SECTION 4.** This Ordinance was approved by a 2/3 vote of the City Council pursuant to Health & Safety Code section 5471.

**SECTION 5.** This Ordinance shall take effect thirty (30) days after adoption as provided by Government Code section 36937.

**SECTION 6.** This Ordinance shall be published once fifteen (15) days after its passage in a newspaper of general circulation, printed, published and circulated in the City in accordance with Government Code section 36933.

\* \* \* \* \*

Introduced at a regular meeting of the City Council held on October 21, 2020, and passed and adopted by the City Council of the Town of Atherton on the 18<sup>th</sup> day of November, 2020 by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:  
NOES: COUNCIL MEMBERS:  
ABSENT: COUNCIL MEMBERS:  
ABSTAIN: COUNCIL MEMBERS:

\_\_\_\_\_  
Rick DeGolia, Mayor  
Town of Atherton

ATTEST:

\_\_\_\_\_  
Anthony Suber  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Mona Ebrahimi  
City Attorney

**NOTICE OF PUBLIC HEARING  
REGARDING PROPOSED INCREASE IN REFUSE RESIDENTIAL, COMMERCIAL,  
AND GREEN WASTE RATES IN THE TOWN OF ATHERTON**

Dear Property Owner/Tenant:

Pursuant to the requirements of Proposition 218 and Article XIID of the California Constitution, this notice provides information regarding proposed increases to the existing refuse and green waste rates in the Town of Atherton.

**Notice of Public Hearing  
Regarding Proposed Increase in Refuse, Commercial, and Green Waste rates**

A public hearing on proposed increases in residential garbage cart rates will be held by the City Council on:  
**Date: Wednesday, October 21, 2020**  
**Time: 7:00 p.m.**  
**Place: This meeting is being held virtually, Atherton CA Join Zoom Meeting**

<https://zoom.us/j/506897786>

Meeting ID: 506 897 786  
 One tap mobile  
 +16699006833,506897786# US (San Jose)  
 Dial by your location  
     +1 669 900 6833 US (San Jose)  
 Meeting ID: 506 897 786

<http://www.ci.atherton.ca.us/Archive.aspx?AMID=41>

This notice is being sent to the refuse service billing address for all parcels in Atherton. This notice also describes how to file a protest regarding the proposed rate increase. All property owners/tenants and other interested parties are invited to attend the public hearing and be heard on the proposed rate increase.

**1. Proposed New Rates for Residential Garbage Cart rates:  
(Effective December 21, 2020)**

The proposed new rates for residential garbage cart rates include an increase in the respective fixed cart rates for the black garbage container, which includes no additional charge for recycled materials. The proposed increases are between 2.5 percent (%) and 10 percent (%) more than the current rates. The proposed new rates for residential garbage cart rates are below.

Garbage Cart			
<b>Cart Size</b>	<b>Current Rate</b>	<b>New Rate</b>	<b>Percentage Increase</b>
<b>20 Gallon</b>	\$25	\$28	10%
<b>32 Gallon</b>	\$50	\$54	7.5%

<b>Cart Size</b>	<b>Current Rate</b>	<b>New Rate</b>	<b>Percentage Increase</b>
<b>64 Gallon</b>	\$93	\$98	5%
<b>96 Gallon</b>	\$138	\$141	2.5%

With the current minimum \$25 monthly flat fee on residential properties regardless of collections size for recycling, organics, waste for a property that use the services or not (due to vacations/sale of a house/construction etc.) The proposed new rates would look as follows:

<b>Cart Size</b>	<b>Flat Fee</b>	<b>PLUS, Standard Cart rate</b>	<b>Total Current/NEW Rate</b>
<b>20 Gallon</b>	\$25	\$3	\$28
<b>32 Gallon</b>	\$25	\$29	\$54
<b>64 Gallon</b>	\$25	\$73	\$98
<b>96 Gallon</b>	\$25	\$116	\$141

**2. Proposed New Rates for number of Green Waste Carts greater than 2: (Effective December 21, 2020)**

The proposed increase in rates is only affecting green waste rates for those that have 3 or more Green Carts. The rates for the first 2 green carts of the standard residential pick up service are NOT increasing. The only residents that will be affected by Green Cart increases are those that have more than 2 Green Carts. The proposed new rates for green carts are below.

Green Carts

<b># of Carts</b>	<b>Current Rate</b>	<b>New Rate</b>
Carts 3 and 4	\$20 each	\$24 each
Carts 5 and above	\$25 each	\$30 each

**3. Proposed New Rates for Commercial rates and Commercial Organic Rates (Effective December 21, 2020)**

The Proposed new rates for commercial bins include an increase in rates in respective commercial bins sizes. The proposal is correspondent to increases in tipping fees per ton. The proposed increase is 20% to Commercial and Organic Bin rates. Those customer accounts that maintain Commercial refuse bins will see an increase in their rates. The proposed new rates are reflected below.

<b>Refuse Commercial Bins</b>	<b>Current Rate</b>	<b>Proposed New Rate</b>	<b>Current Organic Rates</b>	<b>Proposed New Organic Rates</b>
<b>1-96 Gallon</b>	\$152	\$182	\$129	\$155
<b>1-1 Yard</b>	\$275	\$330	\$234	\$281
<b>1-2 Yard</b>	\$425	\$510	\$361	\$433
<b>1-3 Yard</b>	\$580	\$696	\$493	\$592
<b>1-4 Yard</b>	\$730	\$876	\$621	\$745

<b>Refuse Commercial Bins</b>	<b>Current Rate</b>	<b>Proposed New Rate</b>	<b>Current Organic Rates</b>	<b>Proposed New Organic Rates</b>
<b>1-6 Yard</b>	\$880	\$1,056	\$748	\$898
<b>1-8 Yard</b>	\$1,160	\$1,392	\$1,160	\$1,392

**Explanation of Rate Increases:**

Refuse rates for Atherton residents are calculated on a monthly basis by collection and post collection disposal costs, and tipping fees by tonnage. The rates are reviewed every year in order to ensure the total revenue requirement meets the total yearly cost of service, including disposal and processing costs, agency fees, and any surplus/shortfalls owed to/from Recology/service providers.

**Reason for Rate Increases:**

The reasons for these proposed increases are to fund required collection and disposal operating expenses and projected tipping disposal fees based on volume tonnage.

Over the past several years, annual operating costs for refuse and green waste hauling and disposal have increased with new legislation requiring increased waste diversion. Without the increases in rates, there will not be the necessary funds to provide waste and green hauling services to residents that meet long-term legislative requirements and could provide a deficit for the collection and disposal of refuse.

**Methodology for Rate Calculation:**

Every year the SBWMA JPA reports to its Member Agencies the refuse rate setting process and revenue requirement which includes Collection Service (Recology), Shoreway facility Operations costs, and Member Agency Fees. The process includes review of a draft report on Recology/provider compensation application for the rate setting year. Rates are calculated based on collection, disposal of refuse, and agency fees. There is a three (3) cart collection program (varies 20, 32, 64, 96-gallon sizes) for standard residential service that include refuse, recycling, and green waste. Costs methodology includes calculation of total number of gallons per cart size times the total number of carts in service. This methodology is used for calculation for cost of disposal and collection. Calculation for disposal is total cost of disposal divided by total number of gallons in service. Collection costs is calculated by total cost of collections divided by number of solid waste and green waste carts in service. The total costs for disposal and collection are derived for the total year by cart size and a per month cost is a result. As there are various cart sizes and potential migration of carts may produce less revenue for collection and disposal costs.

[Annual Reports from the SBWMA are accessible here.](https://rethinkwaste.org/about/rethinkwaste/annual-reports-budgets/)  
<https://rethinkwaste.org/about/rethinkwaste/annual-reports-budgets/>

[SBWMA Board of Directors Agendas and Reports are accessible here.](https://rethinkwaste.org/meetings/)  
<https://rethinkwaste.org/meetings/>

**Protest Procedures:**

The City Council of the Town of Atherton will hold a public hearing on Wednesday, October 21 at 7:00 p.m. **This meeting will be held virtually.** At this hearing, the City Council will consider public comment as well as written protests by ratepayers and property owners against the proposed increase in green waste fees. Any person may appear at the public hearing and be heard on any matter related to the proposed increase in rates.

**Written protests must be received prior to the close of the public hearing on October 21, 2020.** In order to be valid, a protest must clearly bear date, designation of service address or assessor's parcel number (APN), printed name, and original signature of the record owner, or trustee, or authorized signatory of a corporation/partnership, or customer of record with respect to the property identified on the protest. The customer of record is the name of the person whose name is printed on the refuse bill for the parcel. Protests not bearing the original signature shall not be counted. Protests which have been altered by someone other than the person who signed them shall not be counted.

The Town of Atherton must receive any written protest at Town Hall by 5:00 p.m. on October 21, 2020, or the written protest must be presented at the *virtual* City Council meeting on October 21, 2020 prior to the close of the public hearing on the matter. If you wish to mail a written protest, please send it in a sealed envelope addressed to Garbage Cart Rates, Attn: City Clerk, Town of Atherton, 150 Watkins Ave., Atherton, CA 94027. In accordance with the California Constitution as amended by Proposition 218, only one protest is allowed per parcel. For example, if both the tenant and the owner of the same parcel filed a protest, only one protest would be counted.

If written protests are presented by a majority of affected property owners/customers prior to close of the public hearing, the City Council cannot adopt the proposed rates and another rate structure would have to be proposed.

If you have any questions or would like to make changes to your service with Recology, please visit their website at [www.recology.com](http://www.recology.com) or call 650-802-3500.

If you would like additional information on the proposed rates, please call Robert Barron III at 650-752-0552.

For mailing distribution by August 27, 2020.