

**NOTICE OF PUBLIC HEARING
PROPOSED CHANGES IN CITY OF HERMOSA BEACH ORGANIC AND RECYCLING RATES
FOR FISCAL YEAR 2022 THROUGH 2028**

Date:
Place:

ATTENTION: The City Council of the City of Hermosa Beach ("City") will conduct a public hearing on _____, or as soon thereafter as the matter may be heard, in the City of Hermosa Beach City Hall Council Chambers, located at 1315 Valley Drive, Hermosa Beach, to consider adopting increases and adjustments in the City's current rates for solid waste collection provided by Athens Services Inc. ("Solid Waste Collection Rate(s)" or "Rate(s)"). Individuals may participate in person at City Hall. City Council meeting agenda will be posted in advance of that meeting at: <https://www.hermosabeach.gov/>. The public may also view the meeting on [insert].

PROPOSED RATE CHANGES

You are receiving this Notice because our records indicate that you are either a City property owner or tenant directly liable for payment of the fees for solid waste collection (i.e., a customer of record). The Notice describes the Solid Waste Collection Rate changes in services you receive from Athens Services, Inc. ("Athens") and explains how you can file a protest to this proposed Solid Waste Collection Rate increase and participate in the Proposition 218 process.

All current trash rates are being increased due to the negotiation with Athens Services of an amended franchise agreement. The amended agreement is in compliance with all State mandated solid waste programs. In 2016 the Governor signed into law SB 1383. This law is intended to reduce the emissions of climate pollutants (greenhouse gases) by 1) diverting 75% statewide disposal of organic waste from landfills; 2) recovering at least 20% edible food instead of throwing in the trash by commercial food generators by 2025; and 3) procuring recycled organic waste products for use within the City. In order to achieve these requirements, the law imposes obligations that will affect trash collection in the City, its franchised hauler operations, City program compliance reporting, and all residents and businesses.

As a result of SB 1383, the City must require residents and businesses to separate organic waste (food waste and green waste) from other trash to be managed at a facility other than the landfill. To accomplish this, all property owners, residents and businesses, will be required to enroll automatically in collection services for trash, recycling, and organic waste. Failure by the City to comply with the law can result in penalties of up to \$10,000 per day. In order to facilitate these new requirements a new franchise agreement with new service rates has been negotiated.

Will My Trash Rate Change?

Effective July 1, 2023, all trash monthly rates will increase according to Table 1. If approved, the new rates will be adjusted based upon the annual percentage changes in the Consumer Price Index (CPI) for Trash and Garbage Collection (CUUR0000SEHG02), United States City Average (not seasonally adjusted), as determined by the United States Department of Labor Statistics, plus one additional percent, beginning July 1, 2024, and every July 1st thereafter for a five-year period. Trash rates may be adjusted without a further public hearing, according to CPI, however, the trash monthly rates shall not increase by more than 5% in any fiscal year. Notice will be provided annually by mail at least 30 days prior to the effective date of any such increase

Proposed Rate Structure

The above increases for Fiscal Year 2023-2024 are shown in further detail in the following table and are representative of residential and commercial collection Rates. If approved, these increased Rates will be effective on July 1, 2023.

[INSERT]

HOW DO I PROTEST?

If you wish to protest any of the above increases, you must submit a written protest, **signed and in writing**, by including your name and service address or assessor parcel number to the **City Clerk of the City of Hermosa Beach at 1315 Valley Drive, Hermosa Beach, CA 90254**, provided written protests are received prior to the close of the Public Hearing, which will occur when the public testimony on the proposed increases and adjustments is concluded. Any written protest must: (1) state that the identified property owner or tenant (i.e., customer of record) opposes the proposed fee increases to the Solid Waste Collection Rates; (2) provide the location of the identified parcel (by street address or assessor's parcel number); and (3) include the name and signature of the property owner or tenant submitting the protest. On the envelope please note: **Attn: Public Hearing of Solid Waste Rate Changes**. A protest letter can be done by any property owner or tenant (i.e., a customer of record) directly responsible for the payment of solid waste collection fees. Only one protest will be counted per identified address/parcel.

IF YOU DO NOT OBJECT TO THE ADJUSTMENTS, NO ACTION IS REQUIRED.

The City Council will hear and consider all written protests to the proposed rate changes at the Public Hearing. Oral and written public comments at the Public Hearing will not qualify as formal protests unless accompanied by a written and signed protest. At the conclusion of the Public Hearing, the City Council will consider adoption of a resolution authorizing the new rate schedule. If written protests against the proposed Rate changes are not received by a majority of property owners or tenants upon which the Solid Waste Collection Rates are imposed (i.e., customers of record) in the City limits, then the City Council will be authorized to impose the Rate changes. If approved, the proposed rate changes will be in effect on July 1, 2023.

This protest hearing is being conducted in accordance with Article XIID of the California Constitution and Proposition 218 in an abundance of caution and without conceding the applicability of these provisions to privately provided solid waste service. Please note that a rate protest proceeding is not an election. To ensure transparency and accountability in the rate protest tabulation, protests shall constitute a disclosable public record from and after the time they are received.

For further details regarding the basis and reasons for the proposed rate changes to the City's Solid Waste Collection Rates or any questions you may have regarding the proposed fees to be imposed on your parcel, please contact the .