



# MALAGA COUNTY WATER DISTRICT

3580 SOUTH FRANK STREET - FRESNO, CALIFORNIA 93725

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## **NOTICE OF PUBLIC HEARING ON PROPOSED RATE INCREASES FOR SOLID AND GREEN WASTE COLLECTION AND RECYCLING SERVICES**

To comply with Proposition 218 (California Constitution Article XIII D Section 6), the Malaga County Water District hereby gives the following Notice:

1. Date, time, location and purpose of Public Hearing:

At 6:00 p.m. on October 25, 2016, at the Malaga County Water District ("District") Boardroom located at the District office 3580 South Frank Street, Fresno, California 93725, The Board of Directors of the District ("Board") will hold a Public Hearing on Proposed Increases in Rates for Solid and Green Waste Collection and Recycling Services provided by the District through a Franchise Agreement with Industrial Waste and Salvage ("IWS") and to hear and consider objections and protests to the proposed increases, the basis for calculating those increases, the Report described in paragraph 3, and the reason(s) for the proposed rate increases.

2. What do Solid and Green Waste and Recycling Rates Fund?

The District provides residential solid and green waste collection and recycling services ("Sanitation Service") within the District boundaries by contracting for those services through a Franchise Agreement. The revenues collected by the District for Sanitation Services pay the Contractor, in this case IWS, to preform said services for the District and include an administrative fee which is used by the District to cover the District's costs which include, but are not limited to, billing, postage, notice costs and staff costs. Rates cannot be used for general governmental services.

3. What is the Basis for the Change?

The District contracts for Sanitation Services and its current contract with IWS has expired. Pursuant to Water Code §31140, the District solicited public bids for Sanitation Services and after thorough consideration of all bids received the Board of Directors selected the bid of IWS to provide Sanitation Services. In addition to the contract amount paid to IWS for Sanitation Services, the proposed rates also include the Administrative Fee described in paragraph 2 of this Notice. A Report on the bid process, IWS's bid and the Administrative Fee has been prepared by the District and is available for review at the District office (the "Report").

4. New Solid and Green Waste and Recycling Services Rates:

The proposed rates for Sanitation Services are as follows:

Residential Services		Monthly Rate
Full Service		\$ 18.40
Solid Waste: 96 gallon		included
Recycled Waste: 96 gallon		included
Green Waste: 96 gallon		included
Reduced Volume Service		\$ 16.40
Solid Waste: 64 gallon		included
Recycled Waste: 96 gallon		included
Green Waste: 96 gallon		included
Curb-Side Clean-Up		\$ 7.05
Fall and Spring		
Administrative Fee		\$ 2.46
<b>Full Service Rate (monthly total)</b>		<b>\$ 27.91</b>
<b>Reduced Volume Rate (monthly total)</b>		<b>\$ 25.91</b>
<b>Supplemental Work-Order (on-call services)</b>		
Solid Waste: 96 gallon		\$ 7.80
Recycled Waste: 96 gallon		\$ 3.60
Green Waste; 96 gallon		\$ 5.00
Roll-Off Container		\$ 130.00
Bulk Item pick-up (2 cuyd max)		\$ 50.00

5. Automatic Inflationary Increases:

In addition to the proposed rates effective November 1, 2016, shown above, beginning August 1, 2017, rates may also be adjusted based on the annual change in the California Consumer Price Index, as published by the California Office of Policy, Research and Legislation”, (“Annual CPI”) and annual change in the “Department of Labor, Bureau of Labor Statistics, Producer Price Index-Commodities, #2 Diesel fuel”, (“Fuel Cost Adjustment”) In no event will the Annual CPI Rate Adjustment and the Fuel Cost Adjustment combined exceed fifteen percent (15%) in any year.

6. When Will the New Rates be Effective?

If approved, the new rates will be effective November 1, 2016.

7. Public Hearing Process and Determination of a Majority Protest :

At the time and place shown in paragraph 1 of this Notice, the Board of Directors will hear and consider all objections and protests, if any, verify all written protests to

the proposed rate increases and any other matter described in the Report and in this Notice and will listen to and consider all objections and challenges, if any, to the Proposed Rate Increases, including the proposed Annual CPI and Fuel Costs Adjustment Increase(s) beginning August 1, 2017. The Board may continue the Public Hearing. The Board will not consider written protests submitted after the conclusion of the Public Hearing. Both the owner of the parcel and the person receiving service for which the fees or rate is charged may submit a written protest. Only one protest per parcel is counted. The written protest must include; (i) original signature; (ii) Identification of the parcel by parcel number or street address; (iii) Identification as the Owner of the parcel or person receiving the service for which the fee or rate is charged; and (iv) your statement that you protest the increase in the rate. Written protests may be mailed to the Malaga County Water District 3580 South Frank Street, Fresno, California 93725, Attention Clerk to the Board of Directors. Written protests are not accepted by email or facsimile. If sufficient written protests against the Proposed Rate Increases are presented and not withdrawn by a majority of the record owners or persons receiving service for or to the parcel subject to the increased rates, the District may not imposed the increased rate; rather the rates for Solid and Green Waste Collection and Recycling Services would continue at the current amounts, which have been previously approved. If at the close of the Public Hearing, there is no majority protest as described above, the Board of Directors may approve the rate increase as proposed to be effective and commence on November 1, 2016.

8. Preserving the Right to Challenge:

Any person who wants to preserve the opportunity to file a lawsuit or legal action challenging the Proposed Rate Increase for Solid and Green Waste Collection and Recycling Services, or other matters described in the Report or in this Notice, must file a written protest with the Board, stating the specific grounds of the protest. Any grounds not stated in a written protest filed with the Board before the close of the Public Hearing on October 25, 2016, will be deemed waived and may not be raised in any subsequent lawsuit or legal action.

9. Additional Information:

For additional information and answers to questions about the Proposed Increase in Rates for Solid and Green Waste Collection and Recycling Services, contact: James Anderson, General Manager, Malaga County Water District at (559) 485-7353.

*J. D. Anderson*

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James D. Anderson  
Clerk to the Board of Directors,  
Malaga County Water District