

**RESOLUTION R2019-\_\_**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
NAPA, STATE OF CALIFORNIA, ADJUSTING SOLID  
WASTE AND RECYCLING COLLECTION RATE REVENUE  
AND ESTABLISHING A NEW PROGRAM TO PROVIDE  
FINANCIAL ASSISTANCE TO LOW-INCOME  
RESIDENTIAL SOLID WASTE AND RECYCLING  
CUSTOMERS**

WHEREAS, on June 18, 2019, the City Council adopted Resolution R2019-070 approving and adopting the City budget for Fiscal Years (FY) 2019/20 and 2020/21; and

WHEREAS, on July 23, 2019, the City Council approved Resolution R2019-082 establishing rates for collection of MSW, recyclable materials, and compostables with effective dates on August 1, 2019, January 1, 2020, January 1, 2021 and January 1, 2022; and

WHEREAS, on June 4, 2019 and July 23, 2019, at the request of City Council, staff presented information on a potential low income assistance program for solid waste and recycling collection service customers based on the program model already adopted by Council for water service customers referred to as the "RateShare Program"; and

WHEREAS, as used in this resolution, the phrase "solid waste rate" shall mean the solid waste and recycling collection service as established by the City Council on July 23, 2019, or as duly amended by City Council thereafter; and

WHEREAS, the California Constitution Article XIID (Proposition 218) dictates that solid waste rate customer must pay for the cost of service provided to that customer, thereby prohibiting subsidization of solid waste rates among solid waste service customers; and

WHEREAS, the adopted solid waste rates contained expenditure projections that anticipated the establishment of a new low-income assistance program to be funded through non-Proposition 218 collection rate revenue through revenue derived from the sale of recyclable materials; and

WHEREAS, the adopted rates will increase projected solid waste and recycling (refuse) collection rate revenue; and

WHEREAS, the City Council has considered all information related to this matter, as presented at the public meetings of the City Council identified herein, including the supporting reports by City Staff, and any information provided during the public meetings.

## ATTACHMENT 1

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Napa, as follows:

1. The City Council hereby finds that the facts set forth in the recitals to this Resolution are true and correct and establish the factual basis for the City Council's adoption of this Resolution.

2. The City Council hereby finds and determines, as described herein, that the California Environmental Quality Act ("CEQA") does not apply to the actions authorized by this resolution, pursuant to Public Resources Code section 21080(b)(8), as well as CEQA Guidelines sections 15273.

3. The City Council hereby establishes the Solid Waste RateShare Program, for which each City residential solid waste service customer is an "eligible customer" if the customer provides documentation which establishes, to the satisfaction of the Utilities Director, or his designee, that the customer qualifies for the Pacific Gas & Electric (PG&E) California Alternate Rates for Energy (CARE) program.

4. The Utilities Director, or his designee, shall review and approve eligible customers on a "first come, first served" basis, limited to the amount of revenue available to the fund the Solid Waste RateShare Program (or as modified by City Council action). The Solid Waste RateShare Program shall be funded by revenue that is not restricted by Proposition 218; specifically, the Program shall be funded by revenue derived from the sale of recyclable materials.

5. Each eligible customer approved by the Utilities Director, or his designee, shall receive a reduction in their solid waste rate in an amount equal to \$10.00 per monthly bill (which is equal to \$120.00 per year).

6. The City Council hereby approves and adopts amendments to the Solid Waste and Materials Diversion Fund Budget for FY2019/20 and FY2020/21 as follows:.

Description	Account No.	Adopted Budget	Proposed Adjustment Amount	Proposed Budget
FY2019/20 Revenue Charges for Services	51004-34401	\$19,600,000	\$3,449,600	\$23,049,600
FY2019/20 Expenditure Low Income Assistance Program	51004-58920	\$0	\$150,000	\$150,000
FY2020/21 Revenue Charges for Services	51004-34401	\$19,600,000	\$5,513,088	\$25,113,088
FY2020/21 Expenditure Low Income Assistance Program	51004-58920	\$0	\$154,500	\$154,500

## ATTACHMENT 1

7. This Resolution shall take effect immediately upon its adoption.

I HEREBY CERTIFY that the foregoing Resolution was duly adopted by the City Council of the City of Napa at a public meeting of said City Council held on the 6<sup>th</sup> day of August, 2019, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: \_\_\_\_\_  
Tiffany Carranza  
City Clerk

Approved as to form:

\_\_\_\_\_  
Michael W. Barrett  
City Attorney