



**CITY OF BERKELEY
PUBLIC NOTICE OF
PROPOSED INCREASE IN REFUSE COLLECTION RATES**

102 SAMOA CT
SAN RAMON, CA 94582

APN Number: 053 159201100

BERKELEY, CA 94703

**THIS NOTICE PROVIDES IMPORTANT INFORMATION ABOUT
THE PROPOSED INCREASE IN REFUSE FEES AND THE MAJORITY PROTEST PROCESS**

THE NEED FOR REFUSE RATE ADJUSTMENTS

This notice concerns the City of Berkeley's proposal to increase the rates it charges for both residential and commercial refuse services: garbage collection, transfer & disposal, recyclables collection and processing, and organics collection and composting. These rates have not been adjusted since July 2006. The proposed rates are needed to fund annual cost increases that include landfill disposal expenses, post-closure landfill monitoring, labor costs, fuel charges and composting and recycling expenses, as well as new program costs for a planned cart-based recycling program and California Air Board Clean Diesel Engine regulations. They are shown on pages 3 and 4 of this notice. A rate study is on file with the City Clerk and posted on the City of Berkeley's website. www.CityofBerkeley.info/Clerk. The proposed rates result in a \$4.50 per month increase for the average 32-gallon container, with one pickup per week. The rate proposes a built in annual inflator not-to-exceed 3% per year.

PUBLIC NOTICE AND MAJORITY PROTEST PROCESS

In 1996, California voters adopted Proposition 218. Among other things, Proposition 218 requires a specific process for cities to impose or increase certain types of fees. In particular, the provisions of Proposition 218 set forth in Article XIID of the California Constitution provide that certain types of "Property Related Fees" are subject to a "majority protest" process. This Notice is a part of that process. On April 21, 2009, the City Council adopted Resolution No. 64,424 - N.S., detailing the majority protest process.

The City has determined that its refuse collection fees are "Property Related Fees" under Proposition 218. You are being provided with this notice as the identified owner of real property in the City of Berkeley subject to a "property related fee". As a property owner you have a right to submit a written protest to the proposed rate change (see form below).

WHEN WILL THE CITY COUNCIL CONSIDER THE FEES?

The City Council will consider the adoption of the proposed fees at a Public Hearing on:

Tuesday, July 7, 2009
7:00 p.m. - City Council Chambers
2134 Martin Luther King Jr. Way
Berkeley, California 94704

WHEN WOULD THE NEW FEES BE EFFECTIVE?

If a majority of the affected property owners submit protests, the proposed rate changes will not be imposed; otherwise they will become effective on July 12, 2009, following adoption by the City Council.

IS THERE A RIGHT TO PROTEST?

Yes. However, under Proposition 218, only property owners may protest the proposed rates. All protests must be in writing and include an original signature, and must be submitted as set forth below. Protests submitted by e-mail or facsimile, as well as verbal protests, will not be counted. All members of the public are entitled to make comments at the public hearing, regardless of whether they choose to submit a written protest or own property that would be subject to the new or increased fee or charge. You may file a protest two ways:

- 1. **Written protest by Mail.** If you wish to submit your protest by mail, it must be **received no later than 3:00 p.m. on July 7, 2009.** You may mail your written protest in advance of the Public Hearing, to: City Clerk; City of Berkeley; 2180 Milvia Street, First Floor; Berkeley, CA 94704
- 2. **Written protest in person at the Public Hearing.** Your written protest must be received prior to the close of the Public Hearing. In order to be counted, all of the information listed in the form below must be included with your written protest.

The City Clerk will tabulate written protests immediately following the close of the public hearing and will report the results directly to the City Council.

- If you don't want to protest the proposed rates, you don't need to take any action.**
- If you do want to protest the proposed rates, return the protest form below in the enclosed envelope.**

Cut Here

City Clerk's Office
City of Berkeley
Civic Center Building
2180 Milvia Street
Berkeley, CA 94704

**City of Berkeley
Protest Ballot**



Proposed Refuse Fees

APN Number: 053 159201100

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NO. I protest the proposed refuse rate change that would be effective July 12, 2009, by signing and submitting this form.

Date Signed

Signature

Printed Name of Property Owner

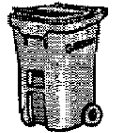
WHAT FEES ARE BEING CONSIDERED?

The following charts summarize the fees subject to this Notice and the majority protest process. Other refuse-related charges (e.g. key charges, transfer station fees) are not "property related fees", are not subject to the majority protest process under Proposition 218, and are therefore not listed in this Notice. For a more complete breakdown of refuse fees please refer to the complete, proposed Rate Resolution available on the City website or at the City Clerk's Office in City Hall. The proposed rates will be subject to an annual inflator, not-to-exceed 3% per year, which is tied to the Bay Area Consumer Price Index (CPI). Waiver of the surcharge for backyard service for eligible elderly/disabled customers will continue unchanged; and the City plans to implement a low-income program to assist eligible individuals with the rate increase.

Residential Can/Car Rates: The following monthly rates apply to refuse cans and carts collected one time per week and include all solid waste collection, transfer, landfilling, recyclables collection and processing and organics collection and processing costs. To identify charges for additional collections per week, please reference the City Clerk's web site. Former Districts 1, 2 and 3 are now eliminated to comply with Proposition 218, and a single citywide rate is established.

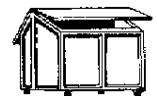
Current & Proposed Residential Rates

Container Size	Current Rate	Current Rate	Current Rate	Proposed Rate	Fire Surcharge**
1 collection/week	District 1	District 2	District 3	Entire City	
13 Gallon	\$ 9.00	\$ 9.19	\$ 9.75	\$ 11.03	\$ 0.65
20 Gallon	\$ 13.85	\$ 14.12	\$ 14.96	\$ 16.94	\$ 1.00
32 Gallon	\$ 22.11	\$ 22.58	\$ 24.00	\$ 27.10	\$ 1.52
45 Gallon	\$ 31.10	\$ 31.75	\$ 31.75	\$ 38.10	\$ 2.17
64 Gallon	\$ 44.24	\$ 45.14	\$ 45.14	\$ 54.17	\$ 3.04
96 Gallon	\$ 66.36	\$ 67.69	\$ 67.69	\$ 81.23	\$ 4.58



***applies to Fire Fuel District only (former District 3). No change to this charge.*

Bins (commercial): Monthly rates for front and rear loading bins (dumpsters) that are mechanically picked up and emptied by collection vehicles:



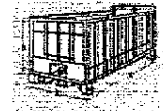
Current Rates

Capacity in Cubic Yards	Monthly Maint. Rate	Service Collection Charge Based on Number of Collections Per Week							
		1X	2X	3X	4X	5X	6X	7X	8X
1	\$ 16.70	\$ 92.44	\$ 194.12	\$ 291.19	\$ 406.74	\$ 531.53	\$ 665.56	\$ 776.49	\$ 924.39
1.5	\$ 18.69	\$ 138.66	\$ 291.19	\$ 436.77	\$ 610.09	\$ 797.29	\$ 998.34	\$ 1,164.74	\$ 1,386.59
2	\$ 20.79	\$ 184.89	\$ 388.25	\$ 582.37	\$ 813.46	\$ 1,063.04	\$ 1,331.12	\$ 1,552.98	
3	\$ 24.99	\$ 277.31	\$ 582.37	\$ 873.55	\$ 1,220.21	\$ 1,594.58	\$ 1,996.69	\$ 2,329.46	
4	\$ 37.38	\$ 369.76	\$ 776.49	\$ 1,164.74	\$ 1,626.93	\$ 2,126.10	\$ 2,662.25	\$ 3,105.95	
5	\$ 37.38	\$ 462.20	\$ 970.62	\$ 1,455.93	\$ 2,033.66	\$ 2,657.63	\$ 3,327.80	\$ 3,882.45	
6	\$ 41.37	\$ 554.63	\$ 1,164.74	\$ 1,747.11	\$ 2,440.39	\$ 3,189.14	\$ 3,993.36	\$ 4,658.93	

Proposed Rates

Capacity in Cubic Yards	Monthly Maint. Rate	Service Collection Charge Based on Number of Collections Per Week							
		1X	2X	3X	4X	5X	6X	7X	8X
1	\$ 20.04	\$ 110.93	\$ 232.94	\$ 349.43	\$ 488.09	\$ 637.84	\$ 798.67	\$ 931.79	\$ 1,109.27
1.5	\$ 22.43	\$ 166.39	\$ 349.43	\$ 524.12	\$ 732.11	\$ 956.75	\$ 1,198.01	\$ 1,397.69	\$ 1,663.91
2	\$ 24.95	\$ 221.87	\$ 465.90	\$ 698.84	\$ 976.15	\$ 1,275.65	\$ 1,597.34	\$ 1,863.58	
3	\$ 29.99	\$ 332.77	\$ 698.84	\$ 1,048.26	\$ 1,464.25	\$ 1,913.50	\$ 2,396.03	\$ 2,795.35	
4	\$ 44.86	\$ 443.71	\$ 931.79	\$ 1,397.69	\$ 1,952.32	\$ 2,551.32	\$ 3,194.70	\$ 3,727.14	
5	\$ 44.86	\$ 554.64	\$ 1,164.74	\$ 1,747.12	\$ 2,440.39	\$ 3,189.16	\$ 3,993.36	\$ 4,658.94	
6	\$ 49.64	\$ 665.56	\$ 1,397.69	\$ 2,096.53	\$ 2,928.47	\$ 3,826.97	\$ 4,792.03	\$ 5,590.72	

Roll-offs (large wheeled dumpsters – primarily commercial): Monthly rates for roll-off containers. *The rate for compaction-filled roll-off containers is triple the service collection charges shown in the table.



Current Rates

Capacity in Cubic Yards	Monthly Maint. Rate*	Service Collection Charge Based on Number of Collections Per Week						
		1X	2X	3X	4X	5X	6X	7X
6	\$58	\$717	\$1,508	\$2,260	\$3,158	\$4,125	\$5,166	\$6,030
12	\$95	\$1,435	\$3,012	\$4,520	\$6,316	\$8,253	\$10,335	\$12,061
14	\$108	\$1,674	\$3,516	\$5,274	\$7,368	\$9,627	\$12,055	\$14,064
15	\$114	\$1,795	\$3,771	\$5,656	\$7,901	\$10,326	\$12,930	\$15,084
16	\$120	\$1,913	\$4,020	\$6,030	\$8,419	\$11,004	\$13,779	\$16,073
20	\$134	\$2,125	\$5,024	\$7,536	\$10,524	\$13,754	\$17,222	\$20,092
25	\$136	\$2,350	\$6,278	\$9,419	\$13,157	\$17,191	\$21,529	\$25,116
30	\$138	2,587	\$7,536	\$11,302	\$15,787	\$20,631	\$25,835	\$31,137

Proposed Rates

Capacity in Cubic Yards	Monthly Maint. Rate*	Service Collection Charge Based on Number of Collections Per Week						
		1X	2X	3X	4X	5X	6X	7X
6	\$70	\$860	\$1,810	\$2,712	\$3,790	\$4,950	\$6,199	\$7,236
12	\$114	\$1,722	\$3,614	\$5,424	\$7,579	\$9,904	\$12,402	\$14,473
14	\$130	\$2,009	\$4,219	\$6,329	\$8,842	\$11,552	\$14,466	\$16,877
15	\$137	\$2,154	\$4,525	\$6,787	\$9,481	\$12,391	\$15,516	\$18,101
16	\$144	\$2,296	\$4,824	\$7,236	\$10,103	\$13,205	\$16,535	\$19,288
20	\$161	\$2,550	\$6,029	\$9,043	\$12,629	\$16,505	\$20,666	\$24,110
25	\$163	\$2,820	\$7,534	\$11,303	\$15,788	\$20,629	\$25,835	\$30,139
30	\$166	\$3,104	\$9,043	\$13,562	\$18,944	\$24,757	\$31,002	\$37,364

MORE QUESTIONS?

It is our hope that the information included with this Notice is helpful in answering the most common questions. In the event that you have additional questions, please contact the City Manager's office at (510) 981-2489 (981-CITY).