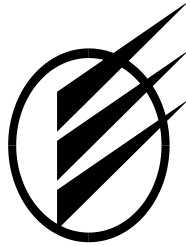


Option D – Increase Rates \$2.00 in 2011 and \$1.00 per year thereafter



**NAPA-VALLEJO WASTE
MANAGEMENT AUTHORITY**

**RESOLUTION # 2011-08
OF THE BOARD OF DIRECTORS
OF THE NAPA-VALLEJO WASTE MANAGEMENT AUTHORITY
ESTABLISHING FEES FOR SOLID WASTE DISPOSAL AT THE
DEVLIN ROAD TRANSFER STATION**

WHEREAS, the Napa-Vallejo Waste Management Authority (hereinafter referred to as the "Authority"), a joint powers local governmental agency formed pursuant to Sections 6500 et seq. of the California Government Code was formed to provide long term solid waste disposal services; and

WHEREAS, on July 9, 2009, the Authority approved Resolution #09-08 increasing rates for non-franchise customers to be effective August 3, 2009 and for franchise customers to be effective October 1, 2009; and

WHEREAS, in order to meet the Debt Service Coverage Ratio, a requirement of the Indenture of Trust for repayment of the Bonds issued by the Authority for the construction of the transfer facility, a rate increase is recommended; and

WHEREAS, Chapter 12.5 of Part 1 of Division 2 of Title 5 of the California Government Code (commencing with Section 54985) and Chapter 8 of Division 1 of Title 7 of the California Government Code (commencing with section 66016) authorize the Authority to establish fees to recover the cost of providing a service; and

WHEREAS, pursuant to Government Code section 66016, at least ten days prior to the date this resolution is to be considered, data was made available to the public indicating the amount of the fee, or estimated fee, required to provide the service for which the fee or service charge is levied and the revenue sources anticipated to provide the service; and

WHEREAS, pursuant to Government Code section 66016, at least fourteen days prior to the date this resolution is to be considered, notice was mailed to those persons who had requested same; and

WHEREAS, notice of the hearing on the proposed fee was published twice in the manner set forth in section 6062a as required by section 66018, subdivision (a), of the Government code.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Napa-Vallejo Waste Management Authority hereby adopts the following fees for disposal of waste at the Devlin Road Transfer Station:

- (a) Effective October 1, 2011, vehicles of Authority Members' authorized franchise haulers and vehicles of Authority members will be charged by the ton or fraction thereof for municipal solid waste (MSW) and construction and demolition debris (C&D) suitable for diversion: \$62.00 /ton
- (b) Effective July 5, 2011, non-franchise vehicles will be charged by the ton or fraction thereof for MSW and C&D: \$66.00/ton
- (c) The minimum charge for all non-franchise customers will be \$33.00 per vehicle
- (d) Manufactured goods (such as appliances, bed springs, water heaters, assorted large furniture or furnishings) \$33.00 each
- (e) Tires:
 - Wheel size 16" or less \$ 8.00 each¹
 - Wheel size 17" through 22" \$ 9.00 each¹
 - Wheel size 22" or more/highway vehicle \$15.00 each¹
 - Wheel size 22" or more/off road/heavy equipment \$122.00 each¹
- (f) Special handling of materials² \$127.00 per load
- (g) Upon approval of the Authority Manager, the Operator may charge variable rates on a case by case basis for specific materials, such as clean soils, based on criteria determined by the Authority Manager.
- (h) Loads not properly covered as defined by the California Vehicle Code will be charged an additional fee of: \$6.00 per vehicle.

¹Wheel size is defined as the diameter of the hole of the tire or wheel size stamped on tire.

²Materials that are bulky, difficult to compact or otherwise difficult to handle, as determined by transfer station personnel.

BE IT FURTHER RESOLVED that the above fees shall be increased by \$1.00 per unit on July 1, 2012 and each July 1 thereafter for non-franchise customers and \$1.00 per unit on October 1, 2012 and each October 1 thereafter for franchise customers, provided, however, that the Board of Directors of the Authority may vote in any given year to defer said increase(s) for the immediately following year if it finds that revenues are sufficient to meet the needs of the Authority without said increase(s).

BE IT FURTHER RESOLVED that the Board finds this resolution is categorically exempt from the California Environmental Quality Act pursuant to Title 14, California Code of Regulations, section 15273(a)(1) and (2).

The foregoing resolution was duly and regularly adopted by the Board of Directors of the Napa-Vallejo Waste Management Authority, State of California, at a regular meeting of said Board held on the 2nd day of June 2011, by the following vote:

AYES: _____
 NOES: _____
 ABSTAI _____
 N: _____

By: _____

ATTEST: STEVE LEDERER
Secretary of Board of Directors

APPROVED AS TO FORM
Office of Legal Counsel

By: Minh Tran

Date: 6/26/11

CERTIFICATIONS

I hereby certify that I am the Secretary of the Napa-Vallejo Waste Management Authority and the custodian of the records for the Authority and that the attached Resolution is a true and correct copy of the original approved by the Board of Directors of the Authority and on file in the Authority office.

Steve Lederer,
Secretary of the Napa Vallejo Waste Management Authority

By _____