



**TAMALPAIS COMMUNITY SERVICES DISTRICT**  
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**RESOLUTION NO. 2023-09**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE TAMALPAIS COMMUNITY  
SERVICES DISTRICT  
TO ADOPT AND ESTABLISH REVISED SOLID WASTE SERVICE CHARGES EFFECTIVE  
JULY 1, 2023 AND TO PROVIDE FOR THE COLLECTION AND ENFORCEMENT OF  
THOSE RATES AND OTHER CHARGES**

**RECITALS**

1. Tamalpais Community Services District (the "District") provides solid waste collection service to its customers at the rates presently set forth in District Resolution No. 2018-06, adopted on May 9, 2018 for fiscal years 2018-19, 2019-20, 2020-21, 2021-22, & 2022-23.
2. Government Code Section 61115 authorizes the District to establish by resolution, rates and other charges for services and facilities that the District provides and to provide for the collection and enforcement of those rates and charges.
3. Presently, the solid waste service charges under District Resolution No. 2018-06 are fixed at an amount that does not yield sufficient revenue to reflect increased operation and maintenance costs.
4. It is therefore necessary that the solid waste service charges be increased to yield sufficient revenues to pay the operating expenses of the District's solid waste operation, including the processing of recyclable materials, compostable materials and solid waste for landfilling, to provide for repairs and depreciation of solid waste collection works owned and operated by the District, and to pay the interest and principal on District debt associated with the solid waste system.
5. The proposed and existing rates spread the District's costs to customers based on a minimum usage. The basis for the proposed rates is described Refuse Financial Plan and Rate Study Presentation, dated April 6, 2023.
6. In accordance with Section 6 of Article XIII D of the California Constitution, the District provided mailed notice to recorded owners, conducted a Proposition 218 Public Hearing, considered the protests against the proposed rate increase, and determined that a majority of the owners of the identified parcels did not present written protests against the proposed rates.

**NOW, THEREFORE, BE IT RESOLVED** as follows:

1. **Schedule of Charges for Solid Waste Service.**

For fiscal years 2023-24, 2024-25, 2025-26, 2026-27, 2027-28 and later fiscal years, annual solid waste service charges for residential and commercial dwellings shall be as set forth in Exhibit A, incorporated by this reference as though fully set forth herein.

2. **Collection of Solid Waste Service Charges.**

A. The District hereby elects to collect the foregoing charges and any applicable penalties on the tax roll in the same manner as property taxes. Accordingly, each year, the District General Manager shall cause to be prepared the report specified by subdivision (b) of Government Code section 61115 and schedule the necessary Board actions to permit the final report to be filed with the County Auditor by August 1 of that year.

B. In the event that the District bills an individual customer for refuse collection, the District may discontinue either service in the event that all or part of the bill is not paid within 30 days of the bill's due date.

C. In the event that a particular customer does not pay service charges when due, a basic penalty equal to 10% of the charges shall be imposed. An additional penalty equal to 1% of the amounts of the unpaid charges and basic penalty remaining unpaid shall be imposed for each month the charges and penalties remain unpaid.

3. **Effective Date.** This resolution shall become effective immediately, however the schedules of charges set forth in Exhibit A to this resolution shall not become effective until July 1, 2023.

4. **Effect on Prior Legislation Setting Service Charges.** On July 1, 2023, this resolution shall supersede any prior resolution or ordinance setting solid waste service charges, except that, in the event that this resolution or any portion of the foregoing schedules of charges for solid waste services are for any reason invalidated or declared inapplicable to any customer by a court of law, the rates set forth in Resolution 2018-06 shall be deemed to have remained in effect.

5. **Exempt from CEQA.** In accordance with the California Environmental Quality Act ("CEQA"), Public Resources Code section 21000 et seq. and the regulations promulgated pursuant to CEQA ("the State Guidelines"), the District Board finds that this resolution establishes and modifies rates and charges for the purposes of meeting operating expenses of the District, meeting financial reserve needs and requirements of the District, and/or obtaining funds for capital projects that are necessary to maintain services within existing service areas in the District. (State Guidelines §15273.)

**[Signature Page Follows Immediately]**

The foregoing resolution was duly passed and adopted by the Board of Directors of the Tamalpais Community Services District at a duly noticed meeting held in said District in the County of Marin, California on the 10th day of May 2023 by the following vote:

AYES: 3 J. Brown, J. Jacobs, S. Levine


NAYS: 0

ABSENT: 2 S. Bartschat, m. McMahon

 FOR -

Steffen Bartschat, President, Board of Directors

ATTEST:

  
Garrett Toy, Secretary, Tamalpais Community Services District

# EXHIBIT A

***Proposed Maximum Rate Schedule for Solid Waste Services***

<b>Tamalpais Community Services District</b> <b>Proposed Maximum Solid Waste Collection, Processing and Disposal Annual Service Charges FY23-24 - FY27-28</b> Service Charges Apply to Residential and Commercial Properties Based on Garbage Container Size and Collection Frequency Services Charges for Once Weekly Collection Shown Below						
Garbage Container Size	Service Charges for Once Weekly Collection*					
	CURRENT FY22-23	PROPOSED FY 23-24	PROPOSED FY 24-25	PROPOSED FY 25-26	PROPOSED FY 26-27	PROPOSED FY 27-28
A1 Flat (one @ 35 Gallon)	\$ 920.36	\$ 938.77	\$ 957.54	\$ 976.69	\$ 996.23	\$ 1,016.15
A2 Flat (one @ 65 Gallon)	\$ 1,389.58	\$ 1,417.37	\$ 1,445.72	\$ 1,474.63	\$ 1,504.13	\$ 1,534.21
A3 Flat (one @ 35 Gallon & one @ 65 Gallon)	\$ 1,885.32	\$ 1,923.03	\$ 1,961.49	\$ 2,000.72	\$ 2,040.73	\$ 2,081.55
A4 Flat (Two @ 65 Gallon)	\$ 2,359.84	\$ 2,407.04	\$ 2,455.18	\$ 2,504.28	\$ 2,554.37	\$ 2,605.45
B1 Hill (one @ 35 Gallon)	\$ 958.58	\$ 977.75	\$ 997.31	\$ 1,017.25	\$ 1,037.60	\$ 1,058.35
B2 Hill (one @ 65 Gallon)	\$ 1,427.80	\$ 1,456.36	\$ 1,485.48	\$ 1,515.19	\$ 1,545.50	\$ 1,576.41
B3 Hill (one @ 35 Gallon & one @ 65 Gallon)	\$ 1,923.54	\$ 1,962.01	\$ 2,001.25	\$ 2,041.28	\$ 2,082.10	\$ 2,123.74
B3 Hill (two @ 65 Gallon)	\$ 2,398.06	\$ 2,446.02	\$ 2,494.94	\$ 2,544.84	\$ 2,595.74	\$ 2,647.65
C1 Flat & Private (one @ 35 Gallon)	\$ 1,009.52	\$ 1,029.71	\$ 1,050.30	\$ 1,071.31	\$ 1,092.74	\$ 1,114.59
C2 Flat & Private (one @ 65 Gallon)	\$ 1,478.74	\$ 1,508.31	\$ 1,538.48	\$ 1,569.25	\$ 1,600.64	\$ 1,632.65
C3 Flat & Private (one @ 35 Gallon & one @ 65 Gallon)	\$ 1,974.48	\$ 2,013.97	\$ 2,054.25	\$ 2,095.33	\$ 2,137.24	\$ 2,179.99
C4 Flat & Private (two @ 65 Gallon)	\$ 2,449.00	\$ 2,497.98	\$ 2,547.94	\$ 2,598.90	\$ 2,650.88	\$ 2,703.89
D1 Hill & Private (one @ 35 Gallon)	\$ 1,047.74	\$ 1,068.69	\$ 1,090.07	\$ 1,111.87	\$ 1,134.11	\$ 1,156.79
D2 Hill & Private (one @ 65 Gallon)	\$ 1,516.96	\$ 1,547.30	\$ 1,578.25	\$ 1,609.81	\$ 1,642.01	\$ 1,674.85
D3 Hill & Private (one @ 35 Gallon & one @ 65 Gallon)	\$ 2,012.70	\$ 2,052.95	\$ 2,094.01	\$ 2,135.89	\$ 2,178.61	\$ 2,222.18
D4 Hill & Private (two @ 65 Gallon)	\$ 2,487.22	\$ 2,536.96	\$ 2,587.70	\$ 2,639.46	\$ 2,692.25	\$ 2,746.09
Additional Cart (65 Gallon)	\$ 1,415.06	\$ 1,443.36	\$ 1,472.23	\$ 1,501.67	\$ 1,531.71	\$ 1,562.34
1.44 Cubic Yard Bin (Commercial)	\$ 6,097.58	\$ 6,219.53	\$ 6,343.92	\$ 6,470.80	\$ 6,600.22	\$ 6,732.22

\*Service Charges for Commercial and Large Apartment Buildings requiring multiple collections per week are based on the maximum service charges for Garbage carts and bins as shown above, times the number of Garbage carts and bins serviced, times the number of collections per week. For commercial bin pickup more than once per week and/or pickup of more than one bin per location, the rates shall be calculated using the following factors: 2 pickups or 2 bins per week: 1.8 x the weekly rate; 3 pickups or 3 bins per week: 2.3 x the weekly rate; 4 pickups or 4 bins per week: 2.8 x the weekly rate; 5 pickups or 5 bins per week: 3.3 x the weekly rate.