



RESOLUTION NO.

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO

RESOLUTION AUTHORIZING DISBURSEMENT OF COUNTY SERVICE AREA NO. 10 SOLID WASTE MANAGEMENT CITY OF SOUTH LAKE TAHOE AB 939 FEES COLLECTED BY THE COUNTY TO THE CITY OF SOUTH LAKE TAHOE

(Amending Resolution No. 173-2013)

WHEREAS, on March 8, 1988 the Board of Supervisors approved in concept the formation of a County Service Area to provide solid waste, liquid waste and household hazardous waste management service, the boundaries of which to be contiguous with the County's boundaries, and to include the two incorporated cities in the County, being the City of Placerville and the City of South Lake Tahoe;

WHEREAS, on May 3, 1988 City Council of the City of South Lake Tahoe (City) adopted Resolution No. 1988-59 consenting to inclusion in the proposed County Service Area No.10 on the condition that a separate zone of benefit be established utilizing the boundaries of the City;

WHEREAS, on July 28, 1988 by Resolution No. 249-88 the County duly organized County Service Area No. 10, the boundaries of which are the boundaries of the County, and the purpose of which is to provide household hazardous waste, solid waste management and liquid waste management and other such services;

WHEREAS, on June 26, 1990 by Resolution No. 204-90 the County established waste management fees for the Lake Tahoe Basin for fiscal year 1990-1991, including a \$3.00 per equivalent dwelling baseline unit (EDU) on improved parcels or business interests within the City of South Lake Tahoe portion of County Service Area No. 10 for the purpose of compliance with provisions of Section 41901 of the California Public Resources Code, known as the California Integrated Waste Management Act of 1989 (AB 939 Fees), which have since been confirmed and collected annually in the same amount;

WHEREAS, the revenues generated by the City AB 939 Fees are a direct pass-through to the City for the planning and implementation of waste reduction and recycling programs to reduce the amount of solid waste generated within the City going into landfills;

WHEREAS, on June 24, 2014 by Resolution No. 076-2014, the Board determined the Waste Management Fees for the Lake Tahoe Basin and County Service Area No. 10 for fiscal year 2014/2015, including the \$3.00 City AB 939 Fees, and provided for the collection of the fees as a part of the regular tax billing system;

WHEREAS, City AB 939 Fees were collected for fiscal year 2014/2015 with the ad valorem taxes, and deposited into a separate account with the County;

WHEREAS, City AB 939 Fees are used for the purpose of implementing the City's Integrated Waste Management Plan, including waste reduction and recycling programs that reduce the amount of solid waste going to landfills;

WHEREAS, the Board finds that a public benefit is derived by disbursement of the AB 939 fees to the City of South Lake Tahoe annually, for the purpose of implementing its Integrated Waste Management Plan;

NOW, THEREFORE, BE IT RESOLVED that the County Department assigned fiscal responsibility for confirming County Service Area No. 10 fees associated with household hazardous waste, solid waste management, liquid waste management, and compliance with provisions of AB 939 is authorized and directed to:

1. Reconcile the net revenue of City AB 939 Fees received during the 2014/2015 fiscal year, including any penalties and interest associated with payment of delinquent amounts;
2. Prepare the documents necessary to disburse the City AB 939 Fee net revenue to the City.
3. Present the documents to the Auditor Controller, who shall disburse the City AB 939 Fee net revenues to the City, for the purpose of funding the programs, implementing the City's Integrated Waste Management Plan and provide the public benefit for which the fees are established in compliance with the provisions of the California Integrated Waste Management Act of 1989.

BE IT FURTHER RESOLVED, by the Board of Supervisors of El Dorado County that Resolution No. 173-2013 is hereby amended, and that this Resolution and the distribution process described herein shall be given continuing effect with the confirmation of the Waste Management Fees for County Service Area No. 10 each fiscal year, until such time as it is superseded, repealed or made otherwise invalid.

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held the ____ day of _____, 20__, by the following vote of said Board:

Attest: Ayes:
James S. Mitrisin Noes:
Clerk of the Board of Supervisors Absent:

By: _____
Deputy Clerk Chair, Board of Supervisors