

RESOLUTION NO. 4313

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLEDAD
AUTHORIZING SUSPENSION OF THE MONTHLY GARBAGE FEE FOR
CURRENT OWNER OF PROPERTY AT 725 MARKET STREET
PURSUANT TO SECTION 13.40.050 OF THE SOLEDAD MUNICIPAL CODE**

WHEREAS, Chapter 13.40 of the Soledad Municipal Code—Utility Charges allows the City Council of the City of Soledad to adjust utility charges as applied to a particular property in special circumstances, by either resolution or by ordinance; and

WHEREAS, the City is in receipt of a letter from the family members of the property owner of 725 Market Street indicating that full utility charges as currently applied to this property are unjust and requesting a reduction in utility fees currently charged to the property owner of that property; and

WHEREAS, the City Council of the City of Soledad acknowledges that charging full utility service fees to a property owner who is convalescent and unable to occupy her home constitutes “special circumstances” pursuant to Section 13.40.050 of the Soledad Municipal Code; and

WHEREAS, the City is committed to providing both a high level of public services to the community while still being responsive to the special needs and circumstances of its residents.

NOW, THEREFORE BE IT HEREBY RESOLVED, that the City Council of the City of Soledad hereby approves and authorizes suspension of the monthly garbage fee for the current owner of the property located at 725 Market Street, subject to the conditions contained in **Exhibit A**, attached hereto and incorporated by reference.

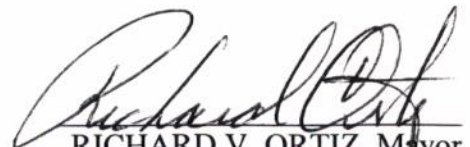
PASSED AND ADOPTED, by the City Council of the City of Soledad at a regular meeting duly held on the 3rd day of December 2008, by the following vote:

AYES, and in favor thereof, Councilmembers: Martha Camacho, Juan Saavedra, Patricia Stephens, Mayor Pro Tem Christopher Bourke, Mayor Richard Ortiz

NOES, Councilmembers: None

ABSENT, Councilmembers: None

ABSTAIN, Councilmembers: None


RICHARD V. ORTIZ, Mayor

ATTEST:


ADELA P. GONZALEZ, City Clerk

EXHIBIT A

Conditions for Approval of Reduction in Utility Charges for 725 Market Street:

1. The suspension of the monthly garbage fee for the property at 725 Market Street shall be retroactive as of November 1, 2008.
2. Owner or representative shall submit a bi-annual statement with their monthly utility bill payment, beginning June 2009, stating that the special circumstances described herein still exist.
3. The suspension of utility fees shall sunset and expire upon any change in the special circumstances as they now exist, including any one or more of the following events:
 - a. Sale of the property or other change in ownership; or
 - b. Change in occupancy status such that the residence is no longer vacant; or
4. The property owner or representative agrees to notify the City within two weeks following either sale of the property, change in ownership, or re-occupancy of the premises.

Name (Print): _____

Signature: _____

Phone No.: _____

Date: _____