REPORT TO COUNCIL
City of Sacramento

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STAFF
November 24, 2009

Honorable Mayor and
Members of the City Council

Title: Green Waste Ballot Initiative

Location/Council District: Citywide

Recommendation: Direct staff to develop ballot language repealing the initiative ordinance enacted by voter approval of Measure A for placement on either the June 2010 or November 2010 general election ballot.

Contact: David Levine, Support Services Manager, 808-7943; Edison Hicks, Integrated Waste General Manager, 808-4949

Presenters: Edison Hicks, Integrated Waste General Manager

Department: Utilities

Division: Solid Waste

Organization No: 14001711

Description/Analysis

Issue: As requested by City Council, the Department of Utilities (DOU) Solid Waste division is reporting on the status of the containerized green waste collection program and the ongoing efforts to fully implement the program citywide.

Since 2004, the division has offered containerized green waste collection to select areas of the City on a voluntary participation basis. Under the current program, residential property owners who qualify may switch to containerized service from loose-in-the-street collection. Before containerized green waste collection can be mandated for all customers, City electors must first repeal Measure A, an initiative ordinance passed in 1977 that prohibits the City from requiring containerized collection of green waste (Attachment 2).

With City Council's direction, staff will begin drafting the necessary ballot language to repeal Measure A for inclusion on the June 2010 or November 2010 general election ballot.

Policy Considerations: The ordinance adopted by Measure A prohibits the City from requiring the containerized collection of green waste. Voter approval of the proposed ballot measure repealing Measure A would provide the City Council the discretion to require, by ordinance, that green waste be placed in containers for collection.

Environmental Considerations:

California Environmental Quality Act (CEQA): The Environmental Planning Services Manager has determined that the current request to provide direction to develop containerized green waste ballot measure text repealing Measure A and to direct placement of the measure on either the June 2010 or November 2010 general election ballot is exempt from CEQA pursuant to Section 15061(b)(3) of the CEQA Guidelines, which exempts approval of an activity where there is no possibility that the activity in question may have a significant effect on the environment.

If the measure is passed and the City Council subsequently decides to adopt an ordinance requiring containerized green waste collection, it will likely lessen the environmental effects associated with the City's current green waste collection service because it would reduce the number of vehicles used to collect the same green waste materials that currently are being collected through a combination of loose-in-the-street and containerized collection.

Sustainability Considerations: The use of containers for green waste collection is consistent with the Sustainability Master Plan goal to reduce carbon dioxide emissions and will help lower the City's carbon footprint by reducing the number of vehicles needed to collect the green waste material.

Commission/Committee Action: None

Rationale for Recommendation: To date, approximately 85,000 customers receive containerized green waste collection on this basis and another 30,000 customers will be offered the service by the end of FY2009/10. Throughout this transition to containerized green waste collection, the Solid Waste division has engaged Local 39 in an open dialogue about the program.

One of the major benefits of containerized green waste collection is that it is less expensive than loose-in-the-street collection, due to the fact that loose-in-the-street collection requires the operation of two vehicles, the "claw" and the collection vehicle. Containerized green waste program participants are presently charged $9.37 per month for a single-family home, which is 24% cheaper than the rate charged to those with loose-in-the-street collection service.

In addition to reduced utility bills, containerized green waste collection service benefits include:

- Timely weekly collection year-round;
- Collection on the same day as garbage and recycling collection;
- Reduced vehicle emissions by using one collection vehicle instead of two;
- Improved appearance of City streets and neighborhoods;
- Reduced green waste in storm drains;
- Provision of a cleaner and safer path of travel for bicyclists; and
- Reduction of potential vector and mosquito control issues by reducing standing water in curbs and gutters.

If directed by City Council, staff will develop the ballot language to repeal Measure A and return to Council early next year for approval of the language.

Financial Considerations: As noted above, the cost of service to provide containerized green waste collection is less than the cost to provide loose-in-the-street collection. This disparity in cost between containerized and loose-in-the-street is expected to increase significantly as fewer customers receive loose-in-the-street collection because, as the individual green waste piles become increasingly scattered throughout the City, the City's costs to collect each pile will also increase considerably. Operationally, loose-in-the-street collection is more inefficient in time and labor and vehicle fuel and maintenance.

The City Clerk's office has advised that the cost to place the green waste ballot measure on the general election ballot will vary depending on the election that is selected by City Council. If City Council directs the measure to be included on the June 2010 general election ballot, it would be considered an add-on measure (the strong mayor initiative being the primary measure) and the cost would be up to $30,000.

If City Council recommends the measure be placed on the ballot for the general election in November 2010, it would be considered the primary measure and the cost would be up to $200,000. Election costs will be funded from the General Fund Administrative Contingency if the measure is included on the June 2010 ballot. If the measure is included on the November 2010 ballot the funding will be included in the FY2010/11 budget.

Emerging Small Business Development (ESBD): Not applicable

Respectfully submitted by: _____
Edison Hicks
Integrated Waste General Manager

Approved by: _____
Marty Hanneman
Director of Utilities

Recommendation Approved:

_____
Ray Kerridge, City Manager

Table of Contents:

Report pg. 1

Attachments

1 Background pg. 6

2 Initiative Ordinance Language pg. 7

Attachment 1

Background

June 28, 1977	City Council passed Resolution 77-344 authorizing the placement of an initiative ordinance prohibiting mandatory containerization of yard and garden refuse (green waste) materials on the September 1977 general election ballot.
September 27, 1977	City residents passed Measure A, an initiative ordinance prohibiting mandatory containerization of yard and garden refuse (green waste) materials.
November 8, 1988	Measure F, which would have repealed Measure A and repealed the City-wide garden refuse excise tax, failed.
August 2004	The City Council adopted City Code revisions establishing the Voluntary Containerized Collection Service Program for garden refuse. Under the program, residential property owners in the City who qualify for the Program may switch to containerized garden refuse collection service from loose-in-the-street collection.
October 2004	The first delivery of green waste containers to program participants in Oak Park.
October 2004 – November 2009	Delivery of green waste containers to program participants throughout various neighborhoods in the City.
October 2009	All remaining City residents north of the American River who were previously not part of the Voluntary Containerized Collection Service program received green waste containers if desired.

Attachment 2

RESOLUTION NO. 77-344

Adopted by The Sacramento City Council on date of

JUN 28 1977

RESOLUTION PLACING ORDINANCE QUALIFIED By INITIATIVE RE: MANDATORY CONTAINERIZATION OF YARD AND GARDEN REFUSE ON THE'BALLOT OF THE PRIMARY MUNICIPAL ELECTION ON SEPTEMBER 27, 1977

WHEREAS, the following described proposed ordinance has qualified by initiative for placement on the ballot pursuant to the Sacramento City Charter,

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO, that the City Council hereby orders the following proposed ordinance to be placed on the ballot for vote by the electorate at the primary municipal election to be held on September 27, 1977.

The proposed ordinance reads as follows:

"BE IT ENACTED BY THE PEOPLE OF THE CITY OF SACRAMENTO."

Section 1. Yard and Garden Refuse; deposit and collection.

That yard and garden refuse deposit and collection shall be conducted consistent with Sections 19.401 et seq of the Code of the City of Sacramento (Ord. 3685, Section 4, effective 6-24-76) to the end that mandatory containerization of yard and garden refuse shall not be required in the City of Sacramento,

Section 19.401 is prior City Code for "Garden Refuse." See current City Code section 13.10.350 for equivalent.

Section 2. Yard and Garden Refuse; deposit and collection voter approval.

That the ordinance enacted pursuant to Section 1 above shall not be repealed or amended except by a vote of the majority of the electors of the City of Sacramento at any municipal election."

The proposed ordinance shall be published by the City Clerk in the official newspaper of the City of Sacramento in the manner provided in Section 243 of the Sacramento City Charter.

The Sacramento City Clerk and Sacramento County Registrar of Voters shall take all necessary actions in accordance with the Sacramento City Charter to place this matter before the voters at said primary municipal election,

Philip I. Bentley
MAYOR

ATTEST:

Lorraine Magana
CITY CLERK