

LAW AND LEGISLATION COMMITTEE AGENDA

Tuesday, April 28, 1992

1:00 p.m.

City Council Chamber
915 "I" Street
Sacramento, California

1. Legislative update from Ken Emanuels, the City's Legislative Advocate. (D-All)

RECOMMENDATION OF STAFF: File.

2. AB 3378 (Bates) regarding initiative advertisements. (D-All)

RECOMMENDATION OF STAFF: Review and make recommendation.

3. An ordinance amending Articles XI and XII (Sections 49.1101 through 49.1208) of Chapter 49 and Section 50.401 of the Sacramento City Code relating to procedures and fees for abating substandard and dangerous buildings. (D-All)

RECOMMENDATION OF STAFF: Support and forward to Council.

4. An ordinance adding Sections 27.326 through 27.329 to the Sacramento City Code, and amending Sections 27.301 and 27.325 of the Sacramento City Code, prohibiting fishing within the Sacramento Boat Harbor and prohibiting the operation of non-licensee vessels and personal watercraft within the Sacramento Boat Harbor, and declaring the ordinance to be an emergency measure to take effect immediately. (D-4)

RECOMMENDATION OF STAFF: Support and forward to Council.

5. An ordinance amending Article V of Chapter 25 to prohibit riding bicycles off-road on City property where signs prohibiting bicycles are posted. (D-All)

RECOMMENDATION OF STAFF: Support and forward to Council.

CONTINUED ON FOLLOWING PAGE.

LAW AND LEGISLATION COMMITTEE AGENDA (CONTINUED)

6. Conflict of Interest Codes for City Boards and Commissions.
(D-All)

RECOMMENDATION OF STAFF: Review and make recommendation.

7. SB 1538 (Kopp) and AB 3476 (Burton) regarding proposed amendments to Open Meeting Law (Brown Act). (D-All)

RECOMMENDATION OF STAFF: Review and make recommendation.

8. Follow-up on bills previously considered or discussed. (D-All)

RECOMMENDATION OF STAFF: File.

COMMITTEE MEMBERS: Robie (Chair), Chinn, Pane and Serna.



DEPARTMENT OF
PUBLIC WORKS

OFFICE OF THE DIRECTOR

CITY OF SACRAMENTO
CALIFORNIA

March 17, 1992

CITY HALL
ROOM 207
915 I STREET
SACRAMENTO, CA
95814-2673

916-449-5283

ADMINISTRATION
916-449-8747

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Law and Legislation Committee
Sacramento, California

Honorable Members in Session:

SUBJECT: Resolution Directing Staff to Undertake Major Revisions to City Code Chapter 19, Incorporating Flow Control, AB 939 Definitional Terms and Source Reduction and Recycling Element (SRRE) Suggested Regulations into the City Garbage, Rubbish, Weeds and Waste Matter Ordinance.

LOCATION: Citywide

SUMMARY

The attached resolution reaffirms and expands upon the policy adopted by the City Council on May 14, 1991. The resolution directs staff to revise Chapter 19 to (1) change the title to Solid Waste Management and Recovery, (2) require all mixed waste generated within the City be directed to a city-selected location, most likely a city-owned Materials Recovery Facility, (3) substitute AB 939 definitions of solid waste classifications for terms currently used in the City ordinance, and (4) study the incorporation of City Source Reduction and Recycling Element (SRRE) recommendations, such as prohibiting the landfill of city-generated yardwaste and demolition debris.

COMMITTEE ACTION

This staff report and resolution are scheduled for review by the Law and Legislation Committee on March 17, 1992, the City-County Solid Waste Advisory Committee/AB 939 Task Force on March 23, 1992 and the City Recycling Subcommittee on March 24, 1992, and the City Council on March 31, 1992.

STAFF RECOMMENDATION

Staff recommends that the Law and Legislation Committee review and recommend adoption of the attached resolution by the City Council. The resolution directs staff to form a task force to revise City Code Chapter 19 as stated above.

BACKGROUND

On May 14, 1991, the City Council directed staff to prepare an ordinance to control the flow of mixed waste generated in the city, and arrange for its processing through a city-designated facility.

FINANCIAL CONSIDERATIONS

There are no financial considerations associated with the adoption of this resolution. Financial considerations, if any, will be presented with the ordinance.

POLICY CONSIDERATIONS

Flow Control.

Under state law (AB 939), the city is required to achieve landfill diversion of 25% by 1995 and 50% by 2000. The City Council has itself adopted more ambitious goals of 40% and 70% respectively. In order to achieve these mandates and goals, the city must have closer management control over the generation, collection, processing, and disposal of waste than it had in the past. Failure to accomplish AB 939 mandates will expose the city to fines currently established at \$10,000 dollars a day.

The city's Source Reduction and Recycling Element (SRRE), currently being circulated for public review, recommends flow control of mixed waste, while allowing city residents and businesses to source-separate recyclables and arrange for their collection and marketing through private vendors. Advantages to this approach are that the city is assured a certain amount of waste being diverted through the facility, which will enable retrieval of non-source separated recyclables before landfilling and will assure a steady revenue stream to secure financing on bonds, while ensuring the following advantages regarding the private sector:

- (1) Currently, the estimated amount of resource recovery being accomplished by the private sector is 19% of the City's total waste stream. Continuing to allow private processing of recyclables would encourage private industry to increase this amount.
- (2) Recyclable processing by the private sector is included in the AB 939 diversion figures, but is not paid for by the city. Private recycling relieves the city ratepayers from the increased costs of recycling.
- (3) This approach encourages development of private industry in recycling.

For the above reasons, staff recommends that the City Council adopt the attached resolution directing the City Manager to appoint a staff task force to revise Chapter 19 of the City Code to mandate flow control, i.e., require city-generated mixed waste, excluding source-separated recyclables, processing through a city-designated facility.

Incorporation of AB 939 Definitions into City Code Chapter 19, Garbage, Rubbish, Weeds and Waste Matter.

State law AB 939 completely revolutionized and revamped solid waste management in the State of California. In order to promote universal understanding of city programs and to facilitate city compliance with AB 939, staff recommends that City Code Chapter 19 be retitled Solid Waste Management and Recovery, and initiate a task force to restructure the ordinance to incorporate and substitute AB 939 waste characterizations and definitions for those currently in use by the city.

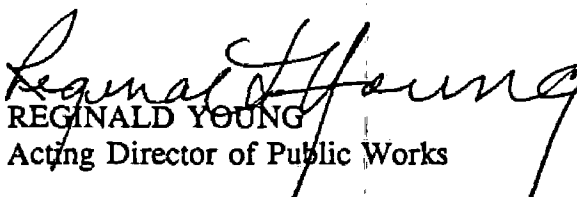
Landfilling ban of garden waste and certain types of demolition debris.

The SRRE recommends enjoining disposal in landfills of city-generated garden waste and certain types of demolition debris. Staff recommends that the task force renovating the ordinance also be directed to study the incorporation of these types of regulations into the ordinance.

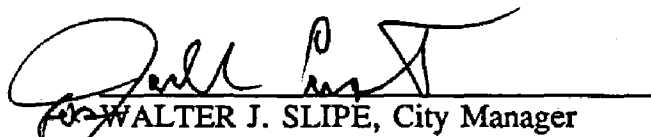
MBE/WBE

The resolution as drafted would not have any MBE/WBE implications.

Respectfully submitted,


REGINALD YOUNG
Acting Director of Public Works

RECOMMENDATION APPROVED:


WALTER J. SLIPE, City Manager

FOR LAW AND LEGISLATION COMMITTEE MEETING OF: March 17, 1992

CONTACT FOR MORE INFORMATION:

Reginald Young
Acting Director of Public Works
264-7110

RESOLUTION NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

**A RESOLUTION DIRECTING STAFF TO REVISE CITY
CODE CHAPTER 19**

IT IS HEREBY RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO THAT:

The City Manager is hereby directed to appoint a task force to undertake major revisions to City Code Chapter 19, including changing the title to Solid Waste Management and Recovery, and incorporating flow control of mixed waste, AB 939 definitional terms and Source Reduction and Recycling Element (SRRE) suggested regulations into the City Garbage, Rubbish, Weeds and Waste Matter Ordinance.

MAYOR

ATTEST:

CITY CLERK

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

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ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

**A RESOLUTION DIRECTING STAFF TO REVISE CITY
CODE CHAPTER 19**

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