



REPORT TO COUNCIL

City of Sacramento

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www.CityofSacramento.org

STAFF
November 10, 2009

Honorable Mayor and
Members of the City Council

Title: Green Waste Ballot Initiative

Location/Council District: Citywide

Recommendation: Adopt a **Resolution** 1) approving the containerized green waste ballot measure text repealing the initiative ordinance enacted by voter approval of Measure A on September 27, 1977; and 2) authorizing placement of the ballot measure on either the June 2010 or November 2010 general election ballot, as directed by the City Council.

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: On September 27, 1977, City of Sacramento voters passed Measure A, an initiative ordinance that prohibited the City from requiring containerized collection of yard and garden refuse (green waste). The ordinance also stated that it shall not be repealed or amended except by a vote of the majority of the electors in the City of Sacramento at a municipal election (Attachment 2).

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 approve the containerized green waste ballot measure text repealing Measure A and to authorize 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: Since 2004, the City's Solid Waste division has offered containerized green waste collection to select areas of the City on a voluntary participation basis. To date, over 70,000 customers receive containerized green waste collection on this basis and another 45,000 customers will be offered the service by the end of FY2009/10.

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;
- Improved appearance of City streets and neighborhoods;
- Reduced green waste in storm drains;
- Reduced vehicle emissions by using one collection vehicle instead of two;

- Provision of a cleaner and safer path of travel for bicyclists;
- Reduction of potential vector and mosquito control issues by reducing standing water in curbs and gutters; and
- Clean green waste is recycled (composted)

If the proposed measure is placed on the ballot and is adopted by voters, staff would develop an ordinance for City Council consideration that requires green waste materials be placed in containers for collection.

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 is expected to increase significantly as more residents receive containerized collection service because, as the individual green waste piles of residents without containerized collection service become increasingly scattered throughout the City, the City's costs to collect each pile, reflected in the service rate adopted by the City Council, will also increase considerably.

Emerging Small Business Development (ESBD): Not applicable.

Respectfully submitted by: Edison E. Hicks
Edison Hicks
Integrated Waste General Manager

Approved by: Marty Hanneman
Marty Hanneman
Director of Utilities

Recommendation Approved:

Ray Kerridge
Ray Kerridge, City Manager

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Attachment 1

Background

- September 27, 1977** City residents passed an initiative ordinance, Measure A, prohibiting mandatory containerization of yard and garden refuse (green waste) materials.
- 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 – July 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

Text of Measure A, adopted September 27, 1977:

“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 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.

Attachment 3

RESOLUTION NO.

Adopted by the Sacramento City Council

APPROVING BALLOT MEASURE TO REPEAL MEASURE A, RELATING TO THE COLLECTION OF YARD AND GARDEN REFUSE, AND AUTHORIZING PLACEMENT OF THE MEASURE ON THE GENERAL ELECTION BALLOT

BACKGROUND

- A. On September 27, 1977 City of Sacramento voters passed Measure A, adopting an initiative ordinance that prohibited the City from mandating containerized collection of yard and garden refuse (green waste). The ordinance also stated that it shall not be repealed or amended except by a vote of the majority of the electors in the City of Sacramento at a municipal election.
- B. Since 2004, the City's Solid Waste division has offered containerized green waste collection to select areas of the City on a voluntary participation basis. Some of the benefits of containerized green waste collection include lower cost to the customer due to the reduced number of vehicles needed for collection and reduced accumulation of green waste in storm drains.
- C. Currently, there are over 70,000 customers with containerized green waste collection service and another 45,000 who will be offered the service by the end of FY2009/10.
- D. Voter approval of the proposed ballot measure repealing Measure A will provide the City Council the discretion to require, by ordinance, that green waste be placed in containers for collection

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

- Section 1. The ballot question and ballot measure language set forth in Exhibit A to repeal the ordinance enacted by voter approval of Measure A, are approved.

Section 2. The ballot question and ballot measure language set forth in Exhibit A to repeal the ordinance enacted by voter approval of Measure A, are authorized for placement on the ballot for the general election to be held in _____, 2010.

Section 3. Exhibit A is part of this Resolution.

Attachments:

Exhibit A: Ballot Question and Measure Language

EXHIBIT A

MEASURE XXX

**Relating to the deposit and collection of yard
and garden refuse in the City of Sacramento.**

Shall the ordinance enacted by voter approval of Measure A at the City of Sacramento municipal election on September 27, 1977, be repealed, which would then allow the Sacramento City Council to require yard and garden refuse to be placed into containers for collection?

Full Text of Measure XXX

**AN ORDINANCE ENACTED BY THE PEOPLE
OF THE CITY OF SACRAMENTO REPEALING
THE ORDINANCE ENACTED BY THE ADOPTION OF
MEASURE A ON SEPTEMBER 27, 1977, RELATING
TO THE DEPOSIT AND COLLECTION OF YARD AND
GARDEN REFUSE IN THE CITY OF SACRAMENTO**

BE IT ENACTED BY THE PEOPLE OF THE CITY OF SACRAMENTO:

SECTION 1. Repeal of Measure A.

The ordinance enacted by the adoption of Measure A at the City of Sacramento municipal election on September 27, 1977, relating to yard and garden refuse deposit and collection and prohibiting mandatory containerization of yard and garden refuse in the City of Sacramento, shall be and is hereby repealed.

SECTION 2. Purpose and Intent.

The purpose and intent of repealing the ordinance enacted by the adoption of Measure A at the City of Sacramento municipal election on September 27, 1977 is to allow the City of Sacramento to require yard and garden refuse to be placed into containers for collection if the City Council adopts an ordinance imposing this requirement.