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DEPARTMENT OF  
PUBLIC WORKS  
  
OFFICE OF THE DIRECTOR

CITY OF SACRAMENTO  
CALIFORNIA

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

**APPROVED**  
BY THE CITY COUNCIL

916-449-5283

August 3, 1988

AUG 3 1988

OFFICE OF THE  
CITY CLERK

City Council  
Sacramento, California

Honorable Members In Session:

**SUBJECT: Resolution Approving Negative Declaration for Ballot Measure Related to Lawn and Garden Refuse Collection**

SUMMARY

An environmental review was performed in order to assess the potential impact should the voters approve a ballot measure related to the method of lawn and garden refuse collection. The Environmental Coordinator finds that this project will not have a significant adverse effect on the physical environment and, therefore, recommends that the project and a Negative Declaration be approved by the City Council.

BACKGROUND

Before the City can undertake certain changes in the current garden refuse collection system, the voters must approve a ballot measure repealing an initiative ordinance and eliminating the current excise tax. If the ballot measure is approved, the City would have several options for future collection of lawn and garden clippings. The option which would be the greatest departure from current conditions would be the complete elimination of curbside garden refuse pick-up. Therefore, an environmental review of this option, consisting of an initial study, was performed.

In accordance with the State EIR Guidelines for implementation of the California Environmental Quality Act of 1970, dated June 1986, an initial study was performed. As a result of this study, it was determined that the discontinuation of curbside pickup of vegetal waste would not have a significant adverse effect on the physical environment, and a Draft Negative Declaration was prepared.

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City Council  
Resolution Approving Negative Declaration  
August 3, 1988  
Page 2

On July 11, 1988, the Negative Declaration was filed with the County Clerk. On July 11, 1988, Notice of Opportunity for Public Review of the Draft Negative Declaration was published in the Sacramento Union. The appropriate length of time has elapsed for comments regarding the Negative Declaration with no comments having been received.


The negative declaration relates to the ballot measure and its potential impacts; therefore, if the ballot measure fails passage, the negative declaration would have no import.

RECOMMENDATION

The Environmental Coordinator recommends that the attached resolution be approved which will:

1. Determine that the proposed project will not have a significant effect on the environment;
2. Approve the Negative Declaration; and
3. Authorize the Environmental Coordinator to file a Notice of Determination with the County Clerk.

Respectfully submitted,

  
 MELVIN H. JOHNSON  
 Director of Public Works

Recommendation Approved:

  
 WALTER J. SLIFE  
 City Manager

MHJ:bm  
ED4-48.B

August 3, 1988  
All Districts

Attachment



DEPARTMENT OF  
PUBLIC WORKS

ENGINEERING DIVISION

THOMAS M. FINLEY  
ENGINEERING DIVISION MANAGER

CITY OF SACRAMENTO  
CALIFORNIA

927 TENTH STREET  
ROOM 200  
SACRAMENTO, CA.  
95814-2705

916-449-8220

CONSTRUCTION SECTION  
640 BERKUT DRIVE  
SUITE B  
SACRAMENTO, CA  
95814-0131

**NEGATIVE DECLARATION**

July 8, 1988

916-449-5282

Pursuant to Division 6, Title 14, Chapter 3, Article 7, Section 15083 of the California Administrative Code and pursuant to the Procedures and Guidelines for preparation and processing of Environmental Impact Reports (Resolution 78-172) adopted by the City of Sacramento, pursuant to Sacramento City Code Chapter 63, the Environmental Coordinator of the City of Sacramento, California, a municipal corporation, does prepare, make, declare, publish, and cause to be filed with the County Clerk of Sacramento County, State of California this Negative Declaration regarding the project described as follows:

1. Title and Short Description of Project:

Elimination of curbside pickup of vegetal waste

2. Location of Project:


The project area is the entire City within the City limits

3. The Proponent of the Project: City of Sacramento

4. It is found that the project will not have a significant affect on the environment. A copy of the initial study is attached, which documents the reasons supporting the above finding and any mitigating measures included in the project to avoid any potentially significant effects identified in the initial study.

5. The Initial Study was prepared by Garrett D. Crispell

6. A copy of the Initial Study and this Negative Declaration may be obtained at 927-10th Street, Room 200, Sacramento, California 95814.

  
THOMAS M. FINLEY  
Environmental Coordinator,  
Public Projects

GC4-24.B.ED

CITY OF SACRAMENTO

INITIAL STUDY

References are to California Administrative Code, Title 14, Division 6, Chapter 3, Article 7, Section 15063

- 1. Title and Description of Project (15063 (d) (1))

ELIMINATION OF CURBSIDE PICKUP OF VEGETAL WASTE -  
\_\_\_\_\_  
\_\_\_\_\_

- 2. Environmental Setting (15063 (d) (2))

PROJECT AREA IS THE ENTIRE CITY WITHIN THE CITY LIMITS AND  
ZONING RANGES FROM RURAL ESTATES (RE) TO HEAVY INDUSTRIAL (M-2)  
\_\_\_\_\_  
\_\_\_\_\_

- 3. Environmental Effects - Attached checklist must be completed by person conducting initial study (15063 (d) (3))

- 4. Mitigation Measures - Attached list of mitigation measures must be completed by person conducting initial study (15063 (d) (4))

- 5. Compatibility with Existing Zoning and Plans (15063 (d) (5))

PROJECT IS COMPATIBLE WITH THE ZONING ORDINANCE AND GENERAL PLAN OF THE CITY OF SACRAMENTO.

Date JULY 8, 1988

*Sarah H. Crispell*  
(Signature)

Title ADMINISTRATIVE ASSISTANT

CITY OF SACRAMENTO  
INITIAL STUDY  
ENVIRONMENTAL CHECKLIST FORM

C.C. No. \_\_\_\_\_

Date: JULY 8, 1988

I. BACKGROUND

1. Name of Project \_\_\_\_\_
2. City Department Initiating Project PUBLIC WORKS
3. Name of Individual Preparing Checklist GARRETT D. CRISPELL
4. Is Checklist Being Prepared for CEQA X or NEPA \_\_\_\_\_?
5. Source of Funding of Project WASTE REMOVAL

II. ENVIRONMENTAL IMPACTS

(Explanations of all "yes" and "maybe" answers are required under Item III.)

	Yes	Maybe	No
1. <u>Earth</u> . Will the proposal result in:			
a. Unstable earth conditions or in changes in geologic substructures?	—	—	<u>X</u>
b. Disruptions, displacements, compaction or overcovering of the soil?	—	—	<u>X</u>
c. Change in topography or ground surface relief features?	—	—	<u>X</u>
d. The destruction, covering or modification of any unique geologic or physical features?	—	—	<u>X</u>
e. Any increase in wind or water erosion of soils, either on or off the site?	—	—	<u>X</u>
f. Changes in deposition or erosion of beach sands, or changes in siltation, deposition or erosion which may modify the channel of a river or stream or the bed of the ocean or any bay, inlet or lake?	—	—	<u>X</u>
g. Exposure of people or property to geologic hazards such as earthquakes, landslides, mudslides, ground failure, or similar hazards?	—	—	<u>X</u>
2. <u>Air</u> . Will the proposal result in:			
a. Substantial air emissions or deterioration of ambient air quality?	—	—	<u>X</u>
b. The creation of objectionable odors?	—	—	<u>X</u>
c. Alteration of air movement, moisture or temperature, or any change in climate, either locally or regionally?	—	—	<u>X</u>
3. <u>Water</u> . Will the proposal result in:			
a. Changes in currents, or the course or direction of water movements, in either marine or fresh waters?	—	—	<u>X</u>
b. Changes in absorption rates, drainage patterns, or the rate and amount of surface water runoff?	—	—	<u>X</u>
c. Alterations to the course or flow of flood waters?	—	—	<u>X</u>
d. Change in the amount of surface water in any water body?	—	—	<u>X</u>
e. Discharge into surface waters, or in any alteration of surface water quality, including but not limited to temperature, dissolved oxygen or turbidity?	—	—	<u>X</u>
f. Alteration of the direction or rate of flow of ground waters.	—	—	<u>X</u>
g. Change in the quantity of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations?	—	—	<u>X</u>
h. Substantial reduction in the amount of water otherwise available for public water supplies?	—	—	<u>X</u>

	<u>Yes</u>	<u>Maybe</u>	<u>No</u>
1. Exposure of people or property to water related hazards such as flooding or tidal wave?	—	—	<u>X</u>
4. <u>Plant Life</u> . Will the proposal result in:			
a. Change in the diversity of species, or number of any species of plants (including trees, shrubs, grass, crops, microflora and aquatic plants)?	—	—	<u>X</u>
b. Reduction of the numbers of any unique, rare or endangered species of plants?	—	—	<u>X</u>
c. Introduction of new species of plants into an area, or in a barrier to the normal replenishment of existing species?	—	—	<u>X</u>
d. Reduction in acreage of any agricultural crop?	—	—	<u>X</u>
5. <u>Animal Life</u> . Will the proposal result in:			
a. Change in the diversity of species, or numbers of any species of animals (birds, land animals including reptiles, fish and shellfish, benthic organisms, insects or microfauna)?	—	—	<u>X</u>
b. Reduction of the numbers of any unique, rare or endangered species of animals?	—	—	<u>X</u>
c. Introduction of new species of animals into an area, or result in a barrier to the migration or movement of animals?	—	—	<u>X</u>
d. Deterioration to existing fish or wildlife habitat?	—	—	<u>X</u>
6. <u>Noise</u> . Will the proposal result in:			
a. Increase in existing noise levels?	—	—	<u>X</u>
b. Exposure of people to severe noise levels?	—	—	<u>X</u>
7. <u>Light and Glare</u> . Will the proposal produce new light or glare?	—	—	<u>X</u>
8. <u>Land Use</u> . Will the proposal result in a substantial alteration of the present or planned use of an area?	—	—	<u>X</u>
9. <u>Natural Resources</u> . Will the proposal result in:			
a. Increase in the rate of use of any natural resources?	—	—	<u>X</u>
b. Substantial depletion of any nonrenewable natural resource?	—	—	<u>X</u>
10. <u>Risk of Upset</u> . Does the proposal involve a risk of an explosion or the release of hazardous substances (including, but not limited to, oil, pesticides, chemicals or radiation) in the event of an accident or upset conditions?	—	—	<u>X</u>
11. <u>Population</u> . Will the proposal alter the location, distribution, density, or growth rate of the human population of an area?	—	—	<u>X</u>
12. <u>Housing</u> . Will the proposal affect existing housing, or create a demand for additional housing?	—	—	<u>X</u>
13. <u>Transportation/Circulation</u> . Will the proposal result in:			
a. Generation of substantial additional vehicular movement?	—	—	<u>X</u>
b. Effects on existing parking facilities, or demand for new parking?	—	<u>X</u>	—
c. Substantial impact upon existing transportation systems?	—	—	<u>X</u>
d. Alterations to present patterns of circulation or movement of people and/or goods?	—	—	<u>X</u>
e. Alterations to waterborne, rail or air traffic?	—	—	<u>X</u>
f. Increase in traffic hazards to motor vehicles, bicyclists or pedestrians?	—	—	<u>X</u>
14. <u>Public Services</u> . Will the proposal have an effect upon, or result in a need for new or altered governmental services in any of the following areas:			
a. Fire protection?	—	—	<u>X</u>
b. Police protection?	—	—	<u>X</u>
c. Schools?	—	—	<u>X</u>

	<u>Yes</u>	<u>Maybe</u>	<u>No</u>
d. Parks or other recreational facilities?	—	—	<u>X</u>
e. Maintenance of public facilities, including roads?	<u>X</u>	—	—
f. Other governmental services?	—	—	<u>X</u>
15. <u>Energy</u> . Will the proposal result in:			
a. Use of substantial amounts of fuel or energy?	—	—	<u>X</u>
b. Substantial increase in demand upon existing sources of energy, or require the development of new sources of energy?	—	—	<u>X</u>
16. <u>Utilities</u> . Will the proposal result in a need for new systems, or substantial alterations to the following utilities:			
a. Power or natural gas?	—	—	<u>X</u>
b. Communications systems?	—	—	<u>X</u>
c. Water?	—	—	<u>X</u>
d. Sewer or septic tanks?	—	—	<u>X</u>
e. Storm water drainage?	—	—	<u>X</u>
f. Solid waste and disposal?	<u>X</u>	—	—
17. <u>Human Health</u> . Will the proposal result in:			
a. Creation of any health hazard or potential health hazard (excluding mental health)?	—	—	<u>X</u>
b. Exposure of people to potential health hazards?	—	—	<u>X</u>
18. <u>Aesthetics</u> . Will the proposal result in the obstruction of any scenic vista or view open to the public, or will the proposal result in the creation of an aesthetically offensive site open to public view?	—	—	<u>X</u>
19. <u>Recreation</u> . Will the proposal result in an impact upon the quality or quantity of existing recreational opportunities?	—	—	<u>X</u>
20. <u>Archeological/Historical</u> . Will the proposal result in an alteration of a significant archeological or historical site, structure, object or building?	—	—	<u>X</u>
21. <u>Mandatory Findings of Significance</u> .			
a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	—	—	<u>X</u>
b. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals? (A short-term impact on the environment is one which occurs in a relatively brief, definitive period of time while long-term impacts will endure well into the future.)	—	—	<u>X</u>
c. Does the project have impacts which are individually limited, but cumulatively considerable? (A project may impact on two or more separate resources where the impact on each resource is relatively small, but where the effect of the total of those impacts on the environment is significant.	—	—	<u>X</u>
d. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	—	—	<u>X</u>

III. DISCUSSION OF ENVIRONMENTAL EVALUATION (any "yes" or "maybe" answers must be explained - attached additional sheets if necessary)

13.b. ELIMINATION OF CURBSIDE DUMPING OF VEGETAL WASTE WILL ALLOW MORE OPEN AREA FOR CURBSIDE PARKING.

14.e. ELIMINATION OF CURBSIDE DUMPING OF VEGETAL WASTE WILL REDUCE THE AMOUNT OF STREET SWEEPING TO KEEP THE STREETS CLEAN.

16.f. ELIMINATION OF CURBSIDE DUMPING OF VEGETAL WASTE WILL ELIMINATE THE NEED FOR SPECIAL PICKUP OF THE DUMPED WASTE BY THE SOLID WASTE VEHICLES AND PERSONNEL.

IV. Mitigation measures proposed to minimize environmental impacts for the project as identified above. (Explain in detail - if none, so state)

13.b. NONE.

14.e. NONE.

16.f. NONE.



- V. Alternatives to the project which would produce less of an adverse impact on the environment (lower density, less intense land use, move building on site, no project, et cetera)


NO PROJECT - FAILURE TO APPROVE AND CARRY OUT THE PROJECT WOULD  
LEAVE THE CITY WITH THE CURRENT CONDITIONS. THE HEAPS OF  
VEGETAL WASTE PILED AT CURBSIDE CREATING AN UNSIGHTLY  
CONDITION AND ACTING AS BREEDING GROUNDS FOR DESTRUCTIVE  
INSECT AND RODENTS.

VI. DETERMINATION

On the basis of this initial study:

- I find the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described in IV above have been added to the project or the possibility of a significant effect on the environment is so remote as to be insignificant.
- I find the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT IS REQUIRED.

Date JULY 8, 1988

  
(Signature)  
Title ADMINISTRATIVE ASSISTANT

6A

# RESOLUTION No. 88-709

Adopted by The Sacramento City Council on date of

## RESOLUTION APPROVING NEGATIVE DECLARATION FOR BALLOT MEASURE RELATING TO THE METHOD OF LAWN AND GARDEN REFUSE COLLECTION

WHEREAS, on July 11, 1988, the Environmental Coordinator of the City of Sacramento filed a Negative Declaration with the County Clerk of Sacramento for the following proposed City initiated project:

Elimination of Curbside Pickup of Vegetal Waste

WHEREAS, the prescribed time for receiving appeals has elapsed, and no appeals were received;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

1. That the proposed project, Elimination of Curbside Pickup of Vegetal Waste, will not have a significant effect on the environment.
2. That the Negative Declaration for the above-referenced project is hereby approved.
3. That the Environmental Coordinator is authorized to file with the County Clerk a Notice of Determination for said project.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

**APPROVED**  
BY THE CITY COUNCIL

AUG 3 1988

OFFICE OF THE  
CITY CLERK



6B

DEPARTMENT OF  
PUBLIC WORKS

CITY OF SACRAMENTO  
CALIFORNIA

CITY HALL  
ROOM 207  
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OFFICE OF THE DIRECTOR

August 3, 1988

916-449-5283

APPROVED  
BY THE CITY COUNCIL

City Council  
Sacramento, California

AUG 3 1988

OFFICE OF THE  
CITY CLERK

Honorable Members in Session:

Subject: **BALLOT MEASURE TO REPEAL GARDEN REFUSE EXCISE TAX AND MEASURE A  
ADOPTED BY THE VOTERS IN SEPTEMBER 1977**

**SUMMARY**

The attached report was submitted to the Joint Budget and Finance/Transportation and Community Development Committees at their July 26, 1988, meeting. This report recommended that ballot language to the repeal the Garden Refuse Excise Tax and Measure A approved by the voters in 1977 be forwarded to the City Council for approval. The Committees voted to forward the proposed ballot measure to the City Council without recommendation. The Committees asked staff to report back with additional information when the item was brought to the City Council.

**DISCUSSION**

The additional information requested by the Committees is as follows:

1. Staff was asked to redraft the proposed ballot language. A revised version of the ballot language is attached. The Committees also suggested that the ballot measure indicate that a two dollar per month tax was being repealed. However, the two dollar amount is not uniform for all residential accounts. For instance, duplexes pay \$3.50 and other multi-family units pay an amount depending on the number of units. Therefore, it would not be accurate to indicate that a two dollar tax is being repealed for everyone and it would be too cumbersome to list the entire fee schedule in the ballot measure.

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2. The question arose as to what residents would do if one 90-gallon container was not sufficient for all of their vegetal waste. Staff's proposal on this issue would be that those who need additional capacity could obtain a second container. The cost of the second container would be substantially reduced from that of the first container. This is the practice followed by the County of Sacramento. Currently, only 9% of the County's solid waste customers have more than one can. Staff's recommendation would be that we also follow the County's practice of providing a second container for a minimum of six months. Therefore, residents could subscribe to this additional service only during the time of the year that they need it and could save the expense during half the year. The current charge for a second container is \$4.47 per month. This could be further reduced in the future.
  
3. The Committees asked how staff would propose to handle the "leaf and pruning seasons." It is recommended that the City would be responsible for picking up leaves that fall in the streets in the autumn because they could present a traffic or drainage problem. This would occur only in older areas with extensive mature trees. Residents would be responsible for leaves on their own property. This, of course, could require that some residents (probably a small percentage) obtain a second or third 90-gallon container during the leaf season. The cost of removing the leaves from the streets would be borne by drainage and/or street maintenance funds. Staff cannot recommend a City-wide "leaf season" pick-up because the majority of the City neighborhoods do not require this service during the entire fall season. Prunings would have to be placed in a 90-gallon container, because there really is no "pruning season" even though the month of January is considered to be "the season." Actually, individuals prune during all times of the year, and to establish a City-wide program to pick up prunings only during January would be extremely inefficient.

FINANCIAL

There is a minor cost related to placing the attached proposed ballot language on the November 1988 ballot.


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Page 3  
City Council  
Ballot Measure to Repeal Garden Refuse Excise Tax  
August 3, 1988

RECOMMENDATION

It is recommended that the attached proposed ballot language relating to repeal of the Garden Refuse Excise Tax and the Initiative Ordinance passed by the voters on the 1977 ballot be placed on the November 1988 ballot.

Respectfully submitted,

  
MELVIN H. JOHNSON  
Director of Public Works

Recommendation Approved:

  
WALTER J. SLIPE  
City Manager

August 3, 1988  
All Districts

Attachment

6B

**PROPOSED BALLOT LANGUAGE FOR  
NOVEMBER 1988 ELECTION**

Shall the City-wide garden refuse excise tax be repealed, effective January 1, 1989; and, shall the Initiative Ordinance passed in September 1977 relating to yard and garden refuse deposit and collection be repealed, effective January 1, 1989?



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DEPARTMENT OF  
PUBLIC WORKS

CITY OF SACRAMENTO  
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CITY HALL  
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OFFICE OF THE DIRECTOR

July 26, 1988

916-449-5283

Budget and Finance  
Transportation and Community Development Committees  
Sacramento, California

Honorable Members in Session

SUBJECT: Lawn and Garden Refuse Program

SUMMARY

This report discusses the method of operation and funding for the Lawn and Garden Refuse Program. Options for addressing customer dissatisfaction and cost inequities are presented. However, it is staff's position that the basic question of continuing the non-containerization mandate and the Garden Refuse Excise Tax should be addressed before changes in fees or service are initiated. Therefore, it is recommended that staff be directed to forward the attached proposed ballot language for the November 1988 election to the City Council for approval.

BACKGROUND

At the February 23, 1988, joint Budget and Finance/Transportation and Community Development Committees meeting, staff was directed to conduct a program review of the current solid waste services including residential and commercial rates, quality and efficiency of service, recycling activities, and lawn and garden services and to report back to the Committees on these programs. This report discusses the Lawn and Garden Refuse Program. The issue of how lawn and garden refuse pick-up is to be provided is complicated by a 1977 initiative ordinance (Measure A - Attachment 1) which requires non-containerized street pick-up of lawn and garden refuse. The measure did not mandate the frequency of the pick-up or method of pick-up. Measure A does not even require that the City provide the service, only that if we do provide the service, we cannot require containerization. The lawn and garden refuse service currently consists of weekly collections of residential yard waste by crews distinct from those who collect garbage. Discussed below are the method of operation and funding aspects of the Lawn and Garden Refuse Program, options to consider, and staff's

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Budget and Finance/Transportation and  
Community Development Committees  
July 26, 1988

recommended future direction.

### A. Methods of Operation

#### 1. The Program

The practice of placing uncontainerized lawn and garden refuse in the streets is unique. Sacramento is the only major city in the nation that still provides this split waste stream collection (separate crews and separate collection days for garbage collection versus lawn and garden refuse collection). In Northern California, the City of Fresno has discontinued its similar past practice when it implemented a 90-gallon automated refuse collection system. Stockton has gone to a twice-a-month containerized collection of grass clippings while Davis separately collects tree trimmings and leaves uncontainerized but requires grass clippings to be containerized. Davis utilizes the "claw" system, but does sweep the streets after each pick-up.

Sacramento's current "claw" system involves a crew of two employees (Equipment Operators I) and two pieces of equipment (the "claw" loader and a refuse packer). The crews are assigned to weekly routes and are on an incentive-off system, which means that they are released from work when their routes are finished.

The City routinely receives complaints from the citizens regarding the noise, the mess and the damage to the streets related to the "claw's" operation. Also, complaints are received concerning the payment of the \$2.00 excise tax when many people are now placing their lawn and garden refuse in the 90-gallon containers.

The practice of placing uncontainerized lawn and garden refuse in the streets is also damaging to the City's drainage system since drains clogged by loose garden debris and lawn clippings cause flooding. With the new Clean Water laws governing discharge of street runoff, placement of garden refuse in the streets could, in the future, require that we treat our storm drainage wastewater before discharge into the river.

#### 2. Options

- (a) One way to address the concerns related to the claw would be to revert to the old hand sweeping method of collecting the lawn and garden refuse. This system, which was abandoned in 1979, consisted of three employees, a refuse packer and a scoop loader per route. One employee drove the packer, one employee operated the loader and a third employee used a push-broom to push the material into the loader. This system was discontinued because the \$2.00 Excise Tax did not provide the fiscal support necessary for all three employees and two pieces of equipment per route. Prior to subsidizing the lawn and garden collection, the cost was reduced as much as possible. Reverting back to this method could require the hiring of an additional 25 employees to staff 25 three-member crews. A rough estimate of the additional annual salary and benefit costs alone



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attributable to these additional employees would be \$680,000. This would raise the Excise Tax shortfall amount from its current \$1.608 million to at least \$2.288 million per year.

- (b) A way to alleviate only the "messiness" complaints would be to have a motor sweeper follow the lawn and garden refuse crews on their weekly routes (at this time residential streets are swept once every four weeks). However, this would also result in an additional cost for service and exacerbate the tax revenue shortfall situation. Another way to take care of the "messiness" complaints would be to continue street pick-up but require containerization. However, the aforementioned initiative ordinance prohibits this.
- (c) The best way to deal with all of the concerns with the service would be to eliminate the uncontainerized street pick-up and incorporate the lawn and garden pick-up into the 90-gallon container program. Requiring placement of the lawn and garden refuse in the 90-gallon containers could be interpreted as "mandated" containerization, so Measure A would have to be repealed in order to do this. It would be possible to containerize pick-up without laying off employees, through attrition and gradual reassignment of surplus employees.

B. Funding

1. Revenue

Revenue for the garden refuse service is in the form of an excise tax and is, therefore, subject to constraints. The tax rate has remained unchanged since its inception in fiscal year 1976-77. A \$2.00 Lawn and Garden Excise Tax is charged to all single family residences; \$3.50 is charged to double-family residences; and a varied tax rate is charged for residential units from 3 to 50 units. Apartment complexes of over 50 units are charged by the cubic yard of refuse.

It is anticipated that the Lawn and Garden Excise Tax Revenue will total \$2.631 million in 1988-89 while the cost to collect the lawn and garden refuse will be approximately \$4.239 million. The difference of \$1.608 million will be subsidized by revenue from both the commercial and residential garbage rates.

This subsidy was previously reported by staff to the joint Committees in October 1986 when a report on Solid Waste Rates and the results of a cost allocation study was presented. The cost allocation study revealed that the cost of the Lawn and Garden Refuse Service was almost twice as much as the tax receipts for 1986-87. In order to more equitably distribute the costs to those who receive the services, the October 1986 report recommended that the garbage fees be adjusted over several years. In 1987-88 the Solid Waste fees were increased for residential can services while the fees for fully funded residential and commercial bin services were held relatively constant. This equity effort is

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continued in the 1988-89 garbage fee schedule.

The current cost to provide garden refuse service to a 90-gallon container customer is approximately \$4.03 a month. With the equity adjustments mentioned above, the 1988-89 garbage fee for a 90-gallon container customer is within 45 cents of paying the full cost of the garden refuse subsidy. In other words, the Garden Refuse program for 90-gallon container customers is being subsidized by other customers in the amount of 45 cents per month. The most probable source of this subsidy is the residential bin accounts. Also, an initial analysis indicates that multi-family residential units do not pay the full cost of their garden refuse service through their garden refuse tax payments. Therefore, some of the over-payment for residential bin service is probably also used to subsidize the multi-family garden refuse service. This concept will be further analyzed in the study on commercial and residential bin service.

2. Options

- (a) The garbage rate subsidy to the Garden Refuse Program could be eliminated with a subsidy of General Funds. Considering the availability of General Funds and the demand on these funds, this solution is not recommended by staff.
- (b) The subsidy can be eliminated through the instituting of a "Garden Refuse Fee" that would cover the difference in the cost to provide the service and the Garden Refuse Excise Tax. The fee would have to be imposed on all utility customers to avoid enforcement problems. Therefore, this solution would still be inequitable and would probably result in public dissatisfaction. As mentioned above, as the 90-gallon program expands, more people are placing their garden refuse in these containers and no longer use the garden refuse service. Establishing a fee, then, could result in charging more for a service some people no longer need or want. As a matter of fact, as noted earlier, some Solid Waste customers are questioning why they have to pay the \$2.00 tax when they do not need the service. Also, areas without curb and gutter (mostly the north area) are required to containerize now, so establishing a fee for a service they do not really get would cause further dismay. Therefore, staff would not recommend establishing a fee until after City residents have had an opportunity to decide if they want to continue the uncontainerized service.
- (c) The subsidy can be dropped if the City eliminates the street pick-up and requires placement of the lawn and garden refuse in the 90-gallon containers. As stated above, this option would probably also require the repeal of Measure A before implementation. Also, as previously mentioned, staff reductions due to phase out of the service could be handled without layoffs. The City Attorney has recommended that the \$2 Garden Refuse Tax be retained as long as Measure A is part of the law. Therefore, the repeal of the Garden Refuse Tax should be coupled with the repeal of Measure A if this issue is brought to the voters.

6B

C. Recommended Future Direction

Conditions have changed since the voters approved "Measure A" in 1977. At that time, containerization would have meant placing garden refuse in bags or boxes. Today, the material can be placed inside the 90-gallon containers, and nearly all of the City will have this type service within a year. Also, the Garden Refuse Tax is no longer capable of paying for the service as it existed in 1977. The change to the less expensive "claw" system has resulted in customer dissatisfaction.

It is obvious that if the system is to continue, the fee structure and method of operation must be addressed. However, before that is done, it is staff's opinion that the basic questions of mandated non-containerization and the continuation of the Garden Refuse Excise Tax should be addressed. Therefore, staff believes that the attached ballot measure (Attachment 2) should be presented to the voters during the November 1988 election to decide this issue.

If Measure A and the Garden Refuse Excise Tax are repealed, it would be staff's intention to eliminate the tax on January 1, 1989. The Garden Refuse Program would then be phased out. The first priority for phase out would be to exclude new developing areas from receiving the service. These new areas have little or no landscaping and do not need the service. The next priority would be to eliminate the service in areas which do not have curb and gutter; these areas currently are required to containerize. The rest of the City would then be phased out with the newer areas first and the older areas with extensive street trees last. It may be necessary to always provide the service to areas with street trees at least during "leaf season." Also, it may be desirable to reduce the service to bi-weekly pick-up instead of complete elimination in some areas - at least initially. In any case, the phase out program will be developed in such a manner that no career employees are laid off and those transferred to other jobs do not suffer a reduction in pay.

If the voters decide to continue the practice of depositing uncontainerized garden refuse material in the streets and retain the tax, staff will report back on methods to address the cost of service inequities and improvement of the service.

FINANCIAL DATA

There is no financial impact related to the recommendation that staff be directed to forward the attached proposed ballot language to the City Council for approval.

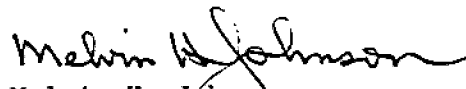
6B

Page 6  
Budget and Finance/Transportation and  
Community Development Committees  
July 26, 1988

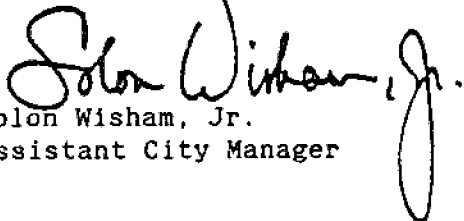
RECOMMENDATION

It is recommended that the Budget and Finance/Transportation and Community Development Committees direct staff to forward the attached proposed ballot language regarding the repeal of Measure A and the Garden Refuse Excise Tax to the City Council for approval.

Respectfully submitted,

  
Melvin H. Johnson  
Director of Public Works

Recommendation Approved:

  
Solon Wisham, Jr.  
Assistant City Manager

July 26, 1988  
All Districts

6B

**MEASURE A**

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 (Ordinance 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.

6B

**PROPOSED BALLOT LANGUAGE FOR  
NOVEMBER 1988 ELECTION**

Should both the City-wide Garden Refuse Excise Tax (as specified in Sections 412-427 of Chapter 19 of the City Code) and the Initiative Ordinance passed in September 1977 relating to yard and garden refuse deposit and collection be repealed, effective January 1, 1989?

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**RESOLUTION No. 88-710**

**Adopted by The Sacramento City Council on date of**

RESOLUTION AMENDING RESOLUTION NO. 88-705 CALLING A SPECIAL MUNICIPAL ELECTION FOR NOVEMBER 8, 1988, IN THE CITY OF SACRAMENTO FOR THE PURPOSE OF SUBMITTING VARIOUS PROPOSALS FOR THE AMENDMENT OF THE CHARTER OF THE CITY OF SACRAMENTO, A PROPOSAL TO AMEND THE SACRAMENTO CITY CODE AND REPEAL AN INITIATIVE MEASURE ADOPTED BY THE VOTERS, AND AN ADVISORY MEASURE; REQUESTING THAT THE SACRAMENTO COUNTY BOARD OF SUPERVISORS CONSOLIDATE SAID ELECTION WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON THE SAME DATE; SUBMITTING SAID PROPOSALS TO THE ELECTORATE; PROVIDING FOR THE PLACEMENT OF SAID PROPOSALS ON THE BALLOT; REQUESTING SAID BOARD OF SUPERVISORS TO ORDER THE COUNTY REGISTRAR OF VOTERS TO PROVIDE SPECIFIED SERVICES IN CONNECTION WITH SAID ELECTION, AND CANVASS THE ELECTION RESULTS THEREAFTER; AND DIRECTING THE CITY CLERK TO PUBLISH SAID PROPOSED AMENDMENTS AND TAKE SUCH OTHER ACTION AS REQUIRED BY LAW

**BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO AS FOLLOWS:**

**SECTION 1.**

It is the intention of the Council of the City of Sacramento to submit, and it does hereby submit on its own motion to the qualified electors of the City of Sacramento at a special municipal election to be held on Tuesday, November 8, 1988, the proposed amendments to the Charter of the City of Sacramento as set forth in Exhibit A attached hereto and incorporated herein by this reference, the proposed amendments to the Sacramento City Code as set forth in Exhibit B attached hereto and incorporated herein by this reference, and the advisory measure as set forth in Exhibit C attached hereto and incorporated herein by this reference.

**SECTION 2.**

The measures to be placed on the municipal election ballot for November 8, 1988, by the Sacramento County Registrar of Voters shall be in the following words and figures:

**APPROVED**  
BY THE CITY COUNCIL

AUG 3 1988

OFFICE OF THE  
CITY CLERK

MEASURE

Relating to Competitive Bidding

Shall the Charter of the City of Sacramento be amended to provide that contracts for public projects and for the purchase of goods, equipment, materials, and supplies in excess of an amount set by ordinance adopted by the City Council be open to competitive bidding?

Yes	
No	

MEASURE

Relating to Garden Refuse

Shall the City-wide garden refuse excise tax be repealed effective January 1, 1989; and shall the Initiative Ordinance passed in September, 1977 relating to yard and garden refuse deposit and collection be repealed, effective January 1, 1989?

Yes	
No	

MEASURE

Relating to Utility Users Tax  
(Advisory Vote Only)

Should the Utility Users Tax rate be maintained at 7.5% in order to provide additional General Fund revenues to augment City services such as public safety?

Yes	
No	

SECTION 3.

For the purpose of submitting the foregoing measures to the qualified electors of the City of Sacramento, a special municipal election is hereby called to be held in the City on November 8, 1988.

SECTION 4.

The City Council hereby requests that the Sacramento County Board of Supervisors consolidate the special municipal election called for November 8, 1988, with the statewide general election to be held on the same date.



SECTION 5.

The Sacramento County Board of Supervisors is hereby requested to order the County Registrar of Voters to render the following services to the City of Sacramento in connection with the conduct of the municipal election to be held in the City of Sacramento on November 8, 1988:

- a. Precinct consolidation, establishment of polling places, securing election officers, and preparing and mailing notices of appointment.
- b. To designate by letter or number the measures to be voted upon.
- c. Printing sample ballots, sample ballot envelopes, polling place cards, ballot arguments, charter amendments, and mailing to registered voters.
- d. Printing of official ballots.
- e. Purchase precinct supplies and absent voter supplies.
- f. Provide for absentee voting, Office of the County Registrar of Voters.
- g. Cartage of voting booths, ballots, original books of affidavits, ballot boxes, and precinct supplies to precincts.
- h. Supervision and conduct of election.
- i. Electronic tabulation of votes.
- j. Canvass and certify to City Clerk results of election.
- k. All things necessary or incidental to the above functions as may be requested from time to time by the City Clerk.

SECTION 6.

The City Clerk is hereby authorized and directed to certify to the due adoption of this resolution and to transmit a copy thereof so certified to the Sacramento County Board of Supervisors and to file a copy thereof so certified with the County Registrar of Voters.

SECTION 7.

The City Clerk shall proceed to publish, give notice and take such other action necessary and consistent with this resolution and in the manner provided by law for submitting these charter amendments and other proposals to the electors.

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MAYOR

ATTEST"

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CITY CLERK

EXHIBIT A

MEASURE \_\_\_\_\_

To amend Sections 201 and 202 of Article XIV of the Charter of the City of Sacramento to read as follows:

**§ 201 Same - Requirements of competitive bidding for public projects.**

Any ordinance adopted to implement section 200 of this article shall provide, in the case of a contract for the undertaking of any public project, where the amount therefor equals or exceeds the amount set by said ordinance, that said contract will be open to competitive bidding and that the procedures for such bidding shall include the public advertisement thereof and an award to the lowest responsible bidder.

**§ 202 Same - Requirements of competitive bidding for supplies, etc.**

Any ordinance adopted to implement section 200 of this article shall provide, in the case of any purchase or contract for goods, equipment, materials and supplies, except materials and supplies as defined in Section 204 of this article, where the amount therefor equals or exceeds the amount set by said ordinance, that said purchase or contract will be open to competitive bidding, and that the procedures for such bidding shall include the public advertisement thereof and an award to the lowest responsible bidder.

This measure, if approved by the voters, shall become effective on January 1, 1989.

EXHIBIT B

MEASURE \_\_\_\_\_

ORDINANCE ENACTED BY THE PEOPLE OF THE CITY OF SACRAMENTO REPEALING THE TAX ON THE DEPOSIT OF GARDEN REFUSE IN THE STREET AND REPEALING THE INITIATIVE ORDINANCE RELATING TO THE DEPOSIT AND COLLECTION OF GARDEN REFUSE

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

SECTION 1. Repeal of the Garden Refuse Excise Tax.

Sections 19.412 through 19.425, inclusive, and Section 19.427 of the Sacramento City Code relating to the imposition and collection of an excise tax on the privilege of depositing garden refuse in the streets shall be and hereby are repealed.

SECTION 2. Repeal of Measure A, adopted September 27, 1977.

Measure A, adopted as an initiative measure by the voters of the City of Sacramento on September 27, 1977, shall be and the same is hereby repealed. For reference, said Measure A is attached hereto as Exhibit "1".

SECTION 3. Effective Dates of Sections 1 and 2.

Sections 1 and 2 of this Ordinance shall become effective on January 1, 1989; provided, however, that Section 1 shall only be effective if Section 2 is also effective.

SECTION 4. Legislative Intent.

The City Council, in placing this Ordinance on the ballot, and the voters in enacting it, specifically intend that the garden refuse tax repeal only be effective and operative if the City is no longer required to pick up uncontainerized garden refuse from the streets, currently mandated by Measure A.

EXHIBIT "1" TO EXHIBIT B

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 (Ordinance 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.

**EXHIBIT C**

**MEASURE \_\_\_\_\_**

Advisory Vote Only

Should the Utility Users Tax rate be maintained at 7.5% in order to provide additional General Fund revenues to augment City services such as Public Safety?