

**CITY OF SACRAMENTO
MEASURE T**

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ordinance enacted by voter approval of Measure A at the City of Sacramento municipal election on September 27, 1977 be repealed, which would then allow the Sacramento City Council to require yard and garden refuse to be placed into containers for collection?"

IMPARTIAL ANALYSIS OF MEASURE T
Prepared by Sacramento City Attorney

Measure T, if approved by a majority of the voters, would enact an ordinance that repeals an initiative 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 in the City of Sacramento.

Measure A, the current law, prohibits the City of Sacramento from requiring yard and garden refuse to be placed into containers for collection. If approved, Measure T would eliminate this prohibition and allow the city to decide whether to require containerization of yard and garden refuse. The stated purpose and intent of Measure T is to allow the city to implement a citywide containerized yard-waste collection program combined with a seasonal loose-in-the-street yard waste collection, and a large-item collection program.

A "yes" vote is in favor of enacting the ordinance, and would allow the city council the discretion to determine how yard and garden refuse will be collected. A "no" vote is against enacting the ordinance, and would leave in effect the existing prohibition on mandatory containerization of yard and garden refuse. A majority of "yes" votes is required for the ordinance to be enacted.

Sandra G. Talbott
Interim City Attorney

FULL TEXT OF MEASURE T

**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and prohibiting mandatory containerization of yard and garden refuse in the City of Sacramento, shall be and is hereby repealed.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 implement a Citywide containerized yard waste collection program combined with a seasonal loose-in-the-street yard waste collection program, and a large item collection program.

ARGUMENT IN FAVOR OF MEASURE T

Measure T will freeze residential trash collection fees at current levels through June 2015, bring back the popular Neighborhood Cleanup Program, and provide loose-in-the-street collection of yard waste with "The Claw" during the annual leaf season from November through January. Measure T will ensure that Sacramento not only maintains the highest level of trash collection and recycling services in the region, but adds services such as the appointment based large item collection program.

Measure T is a common sense approach to providing equitable, uniform and cost effective yard waste services for all City households. By repealing the old Measure A, which prohibits the City from requiring containers for the collection of yard waste, we won't have yard waste piles on our streets from February through October. Less piles means improved parking and safer streets for joggers, walkers and cyclists. It also means illegal dumping of yard waste will be significantly reduced and easier to enforce.

During the heavy leaf season, all residents will have the benefit of the loose-in-the-street "Claw" service to keep our streets and storm drains clean.

Vote Yes on Measure T to:

Freeze current residential trash collection fees through June 2015;

Provide weekly, containerized yard waste collection for all households year-round;

Provide uniform and convenient waste collection and recycling programs for all households;

Bring back the appointment based large item collection program for items like appliances, furniture, and large tree limbs; and

Significantly reduce carbon emissions, fuel consumption, and traffic congestion resulting from City trucks.

Vote Yes on Measure T – a common sense measure to keep rates stable and our streets safe and clean.

s/Brian Holloway, Small Business Owner/Flood Control District Board Member

s/Phil Pluckebaum, President, River Park Neighborhood Association

s/Mark Murray, Executive Director, Californians Against Waste

s/Frank Cirill, President Emeritus, Save the American River Association

s/Walt Seifert, Past Executive Director, Sacramento Area Bicycle Advocates

REBUTTAL TO ARGUMENT IN FAVOR OF MEASURE T

Vote No on Mandatory containerization. The 2012 Grand Jury reported significant City mismanagement with long lasting negative financial impact to ratepayers. The 2010 Grand Jury Report disclosed credible evidence that \$21 million dollars had been misappropriated within the City's Utility Funds, including \$6 million from Solid Waste. The report similarities are alarming: lack of accountability, absence of transparency and failure of responsibility by individuals holding high-trust positions in Sacramento's City government.

Containerization will not reduce fees nor force accountability. Based on the 2012 Grand Jury report the City is planning to reduce both the Green Waste and Recycling services to every other week. Read the fine print. The City is offering to freeze rates for 3 years if Measure T passes in exchange for a reduction in your services. Ask yourself these questions: Is half service at full price fair to you? Can you trust the Solid Waste Division to honor their promises? Who on the City Council, staff or other City employees benefited from the secretive, no bid, over-priced waste

contracts? Is Measure T a cover-up for city mismanagement?

Containerization will diminish the flexibility and efficiency of the green waste process. It will adversely impact Sacramento's urban forest and other greenery. Send the Department of Utilities, Division of Solid Waste back to the drawing board and demand accountability. Do not agree to pay full price for reduced services to facilitate Departmental and Division mismanagement. Vote No on T. Demand full disclosure and accountability.

s/J. Bolton Phillips, McKinley Park Resident

s/Annette Barudoni Deglow, College Greens Resident

s/Patrick E. Melarkey, DDS, Midtown Resident

s/Dennis Neufeld, Land Park Resident

s/Ronald M. Charles, Sr., Greenhaven Resident

ARGUMENT AGAINST MEASURE T

Vote No on Mandatory Containerization. Preserve your rights. A Yes vote will support the City's mismanagement, which will cost us tens of millions and eliminate your right to choose. A No vote preserves your right to choose, and forces the Mayor, City Council and their staffs to be accountable to you, the ratepayer.

Our Grand Jury has found the City has and continues to mismanage city refuse collection as follows: The City Council failed to seek competitive bids for the transfer and disposal of residential solid waste for a period of 34 years (1998-2032) and for the sorting and selling of residential recyclables for a period of 25 years (2007-2032) ignoring City Code Section 3.60.110. The City Council failed to perform adequate due diligence and voted on multi-million dollar solid waste and recyclables contracts without sufficient financial analysis.

Costs to the City for disposal and in buyout clauses of BLT's 1998 and 2010 contracts are and were higher than fair market value. There was inadequate provision for public review and comment for 29 months while the Amended Service Agreements for Municipal Solid Waste and Recyclables were negotiated. Lobbying for these contracts was performed by immediate past city managers on behalf of the companies receiving the city's contracts.

For decades curbside collection was consistent, efficient and cost effective. The City wants you to believe that mandatory containerization will fix all that is wrong with our solid waste services. But it was not until the City privatized refuse disposal and introduced dual-containerization that there was confusion, inefficiency and higher costs.

Vote No on Measure T. Preserve your right to choose and keep City management accountable. For reference and the full text of the Grand Jury Report go to <http://sacgrandjury.org/reports/11-12/2011-2012-Report.pdf> pages 33-44.

s/J. Bolton Phillips, McKinley Park Resident

s/Annette Barudoni Deglow, College Greens Resident

s/Patrick E. Melarkey, DDS, Midtown Resident

s/Dennis Neufeld, Land Park Resident

s/Ronald M. Charles, Sr., Greenhaven Resident

REBUTTAL TO ARGUMENT AGAINST MEASURE T

Voting Yes on Measure T allows Sacramento to make important changes to our yard waste collection program. It's a common sense measure that will freeze residential rates for three years, increase efficiency, reduce customer confusion and keep our streets clean and safe. Measure T will also reinstate the popular Neighborhood Cleanup Program, and provide yard waste collection with "The Claw" during the annual leaf season.

The current system allows all 124,000 solid waste customers in Sacramento to choose between containerized collection and the loose-in-the-street program. No other city in our region allows

that. Measure T would end this very expensive and confusing program that contributes to illegal dumping of yard waste, air pollution, street flooding and traffic congestion in our neighborhoods.

Since Sacramento started to offer the new yard waste containers, 90% of City customers have chosen to use a container for yard waste. Measure T would stop the subsidy that the 90% of customers are now giving to the 10% who leave their green waste in the street all year long.

Sacramento is a leader in environmental sustainability. Voting Yes on Measure T contributes to these efforts by reducing storm drain pollution that flows to our rivers, reducing greenhouse gas emissions, cutting fuel cost, easing traffic congestion and unclogging bike lanes.

Vote Yes on Measure T to fix our yard waste program. Measure T allows for precisely the kind of accountable government management we all want - efficient services that meet customer needs at the lowest cost.

s/Brian Holloway, Small Business Owner/Flood Control District Board Member

s/Phil Pluckebaum, President, River Park Neighborhood Association

s/Mark Murray, Executive Director, Californians Against Waste

s/Frank Cirill, President Emeritus, Save the American River Association

s/Walt Seifert, Past Executive Director, Sacramento Area Bicycle Advocates