

Woodland City Council Meeting
City Hall, Council Chambers
300 First Street
Woodland, California

MINUTES

JOINT SPECIAL CITY COUNCIL/
REDEVELOPMENT AGENCY BOARD MEETING

MARCH 27, 2007

6:00 P.M.

CALL TO ORDER

At 6:00 p.m., Vice Mayor Davies called the joint special meeting of the Council and Agency Board to order.

PLEDGE OF ALLEGIANCE

Vice Mayor Davies invited all in attendance to join in the Pledge of Allegiance led by Council Member Monroe.

ROLL CALL

COUNCIL MEMBERS PRESENT: Marlin Davies, William Marble, Jeff Monroe, Artemio Pimentel, David Flory

COUNCIL MEMBER ABSENT: None

STAFF MEMBERS PRESENT: Rick Kirkwood, Phil Marler, Ann Siprelle, Sue Vannucci, Barry Munowitch, Gary Wegener, Loida Osoteo, Christine Engel, Rich Thomas, Jim Dahl, John Nail

COUNCIL/STAFF STATEMENTS AND REQUESTS

City Manager Kirkwood asked that the following item be deferred and that he and Mayor Flory be authorized to hold additional discussion on this item. Council concurred.



REDEVELOPMENT CONSENT CALENDAR

REVISED MEMORANDUM OF UNDERSTANDING - UNION PACIFIC RAILROAD PROJECT

REPORT OF THE CITY MANAGER

RECOMMENDATION-SOLID WASTE COMMITTEE GREEN WASTE COLLECTION SERVICES; RATE ADJUSTMENT; ORDINANCE

Environmental Resource Analyst Engel said following public request, a Citizens' Advisory Committee had been formed to discuss the Green Waste Container Program proposed by the City. A pilot program of approximately 400 homes was begun in 2002. The initiation of phases was included in the process with the initial 400 homes part of phase one of seven phases. By 2003 there were 1,800 homes in the program. A City-wide Ordinance was put in place but later rescinded in 2005 for further input from the public. A Citizens' Advisory Committee was formed and presented their recommendations to the Solid Waste Committee in February of 2006. In May of 2006 those recommendations were presented to Council who directed that staff negotiate services and rates with Waste Management.

The recommendations of the Solid Waste Committee included that leaf season would be from October 15 through January 15 where weekly container and street green waste collection would be in place to include weekly street sweeping. During the non-leaf season, January 16 through October 14, the weekly green waste container and street sweeping services will be in place plus once per month green waste pile collection. Grass is always to be placed into containers. Waste Management has requested a five year contract extension to allow adequate time to recoup their cost for startup.

The negotiation process began with Waste Management in May of 2006. The services of HDR/BVA were retained to assist in the process of review of financial data presented by Waste Management. Meetings were also held with the accounting firm of Ullrich and Delevati to verify the accuracy of that information. It was concluded that the data presented, proposal and rates were fair and reasonable.

The Solid Waste Committee recommendations for 2008-09 include that during the non-leaf season (January 16 through October 14), street collection would be held one time per month with weekly container service, with no grass



allowed on the street. During leaf season, there would be cart and street services (no grass). Street sweeping would continue weekly. The proposed rates include for 1 or 2 containers, \$11.59, for 3 or 4 containers, \$14.55 and existing small lot customers with 1 container would remain at \$8.57.

The approach is to implement the program for 18 months, January 2008 through June 2009, with ongoing public input. Input would be solicited for the future program following the June 2009 period. Some of the aspects of the program would be to consider the staff recommendation to the Solid Waste Committee for continuance with existing levels of service or to change that level of service. Those recommendations would then be forthcoming to Council where approval on services for the period of 2010 to 2015 would be determined. Options for the 2010 to 2015 period would include implementation of Phase I services to include a \$1.09 per month increase in rates (1 or 2 containers at \$12.68, 3 or 4 containers at \$15.64). Another option would be to implement specified Phase 2 services which would include no change in rates.

During the Phase 2 leaf season, the green waste portion would be weekly container and street service with weekly street sweeping. Non-leaf season would have weekly container service plus one pruning season street collection, still without any grass in the street. Streets to be swept would be arterials, collectors, parking lots, Dead Cat Alley, and Dog Gone Alley weekly. Also in the City tree designated area would be every other week. The balance of the City would have sweeping once per month.

It is also recommended that all current Agreements with Waste Management be merged into one and that additional safeguards for the City be included. A performance review is to be held and Waste Management will contribute up to \$50,000 for that review. Other features include senior and disabled low income discounts, such as those currently in place. There would be one free bulky item, universal waste and household hazardous waste collection event. The collection of bulky items from a residence would cost \$65.00 and be tied to the Consumer Price Index. Recycling containers would be available for private and City-sponsored events. The Franchise Fee would be increased from present of 8% to 10%, to 12% in 2010 with a minimum dedicated to Solid Waste Program management. The annual CPI would be applied to the A. B. 939 fee and there would be special service rates for commercial services.

The Solid Waste Committee also recommended enforcement criteria, the Citizen's Committee to continue, a landscaper education program be put in place during the Business License process, an increase in composting courses and



extensive public education. The Ordinance to amend Section 23C-4-14 would expire on January 15, 2008 with the addition of Section 23C-4-16 becoming effective January 15, 2008.

Public Education recommendations include literature creation and distribution, newspaper articles, direct mail, bill inserts, presentations, workshops and contact with service clubs. The containers would be delivered and use to begin in January 2008.

The primary rationale for the program is to comply with requirements of our Waste Water Discharge Permit. Another is the encroachment of materials in the right-of-way on the Street which creates a hazard for bicyclists, walkers and drivers. The Clean Water Act requires that Cities use best management practices and these containers would meet that requirement.

There are currently 1,800 homes in the program, with the total City at 12,600±.

Bill Marcus, member of the Solid Waste Committee, said the Committee recommends adoption of the recommendations and commended the Citizens' Committee and staff for their work.

Sandy Marble said the Committee worked very hard on this and the research, presentations and information provided was very helpful. A compromise was reached by those members who were at opposite ends of the spectrum.

Mayor Flory asked if the Committee thought about putting the extra franchise money into the General Fund, thus lowering the fees to the residents. The franchise fee increase is \$400,000 for two years. He feels it should be utilized to lower the fees. City Manager Kirkwood said there are other associated costs with the maintenance of this program, but the City could hold the money and then could refund at some future time. Mayor Flory asked if the funds could go into the storm drain and City Manager Kirkwood indicated to the affirmative. In the budget process there could be statements included that funds realized from these franchise fee increase could go forward to other areas needing additional funding.

Council Member Pimentel asked if all the fees included the entire City. Analyst Engel indicated to the affirmative. Council Member Pimentel asked if the 5,000 minimum lot size in the Spring Lake area will be counted and Analyst Engel said they are getting away from lot size as a factor. Any new resident will not be asked for the lot size as the fees will be based on the number of carts.



Council Member Pimentel asked why Waste Management is not paying the recycling program as part of the fee and Analyst Engel said this is a pass through fee Council voted on in 1991 to fund our recycling program. Waste Management has a Recycling Coordinator that focuses on the commercial and industrial aspects, but our Coordinator focuses on household hazardous waste and residential needs. Council Member Pimentel asked why is it separate and Analyst Engel said it has been negotiated separately in the past. Council Member Pimentel asked if the Committee will be doing the review in 18 months. Analyst Engel said they want to solicit City-wide input and there will be extensive posting to receive that input.

Council Member Marble said one of the concerns is if the program will pass the State permit requirements and Analyst Engel said the State Board has been following the progress and encouraging the City to utilize this program to meet the permitting requirements.

Council Member Marble said in the current Ordinance there is a pile size limitation and he asked if that has been an issue in the past. Tim Magill, District Manager of Waste Management, said they do have issues with super large piles. There are not many times this happens, but it can hamper the ability of the equipment to adequately scoop the piles. The materials need to be cut and piled so they can be managed and efficiently moved. The piles that are larger end up in the street, are hit by vehicles and pose hazard. A series of smaller piles is more effective, efficient and safe.

Council Member Pimentel asked if leaf season arrives earlier, how would that be accommodated. Analyst Engel said staff would handle discussions with Waste Management to start earlier. This would be triggered by an event, such as an early storm or wind that would cause early drop. Council Member Pimentel asked about low income seniors and disabled having a reduced fee and Analyst Engel said the same program as for water fees would be utilized for this program. Council Member Pimentel asked if the outreach would be provided in Spanish and Analyst Engel said they do some of that outreach in Spanish at this time but it could be expanded at Council direction.

Vice Mayor Davies asked about alley pickup and sweeping. Mr. Magill said whatever is happening now would continue with the new program. There are not many but Analyst Engel will check on which are using the collection and how they handled now. There may be some issues where the equipment cannot navigate the alleys at the present and would not be included in alley pickup or sweeping with this program because of that issue.



Vice Mayor Davies said the BioMass is not utilized by Waste Management to any degree at this time. Analyst Engel said 13,000 tons of green waste is going to the landfill. About 8,200 tons could go to the BioMass but it needs to be sorted and Waste Management does not sort. The BioMass does not want green waste or stumps of wood. We use the green waste for cover at the landfill and receive credit.

Vice Mayor Davies said the increase in franchise fees is a Council decision. If it is lower, the residents pay less. He asked about receiving reports and an evaluation for Phase I and that Waste Management keep a record of weight and amount of loads throughout the areas of the City so that data is available. Analyst Engel said that is not a problem but the number would need to be collected by the representatives. Vice Mayor Davies said the residential fee is going down and the commercial fee going up and we need to be sure they are aware of those changes. Analyst Engel said Waste Management will notify and they, the Commercial users, could decide if they want to find alternative means to dispose of their waste. Vice Mayor Davies feels the fines are too stiff. Analyst Engel said they are based on the Council adopted Administrative Citation Program fees. This allows an alternative method of enforcement other than Civil or Criminal action. Vice Mayor Davies asked that Waste Management provide a cost for twice per month pickup during non-leaf season as the Committee did not look at that because of the possible cost. If once per month is not working that option and associated cost should be available.

Council Member Marble asked how long in advance could residents put materials in the street on the once per month plan. The language says the Saturday before pickup. Analyst Engel said the current Ordinance language said the night before pickup is when residents are allowed to place their materials out. With Saturday as being the time, it would allow those who do yard work on the weekend to place their materials in the street.

Vice Mayor Davies said certain parts of the City may need more than one time per month. He expects citizens would cooperate with the program. The community has been asked their preference on many issues but we are not asking them about their opinion on this. Council Member Marble asked that the Ordinance give residents up to a week to put their piles out in the street.

Council Member Monroe moved and Council Member Marble seconded to move the Ordinance with the following additions: approve staff recommendation on pile size, Council Member Pimentel's recommendation for literature advising the public be done in Spanish and include Council Member Marble's



recommendation that piles be allowed to be placed in the street one week in advance.

Council Member Pimentel wants staff to work out the recycling issue, have a program for low income residents other than seniors and disabled with a 10% discount, provide for the Citizens' Advisory Committee review the program in 18 months. Analyst Engel said more than 1% of the franchise fee as stated at this time could go to the recycling program. Council Member Pimentel said he was under the impression that Waste Management was going to put money toward the recycling program or that residents would be charged additional. Analyst Engel said it is not additional. They currently pay 70 cents per month and have been paying that amount since 1991. This would be the allowance for a cost of living increase as needed. Council Member Pimentel asked if both of those fees be put together. Analyst Engel said one is for implementing the green waste program and the other is for the requirements of our source reduction and recycling plan.

Mayor Flory said 1% was to go to administer the program and Analyst Engel agreed and but the City could add more to that and put it into recycling. Mayor Flory said when this was put together Waste Management was going to pay for a Recycling Coordinator. Analyst Engel said in 2003 when the City went to mixed recycling it did include a full time Recycling Coordinator for Waste Management to implement the commercial and industrial program to help us meet or diversion requirements. In 1991 the 70 cents per house and 25 cents per yard for trash was put into effect to hire a City Recycling staff member and study the land fill closure issues. Mayor Flory asked if the Waste Management employee is to be working on behalf of the City. Analyst Engel said they are working to assist the City and other agencies.

Vice Mayor Davies asked if Council Member Monroe would amend his motion to include the 8%, 10%, or 12% franchise fee and Council Member Monroe said he did not want to change what the Committee had recommended.

Mayor Flory asked if the maker of the motion would accept Council Member Pimentel's recommendation for general low income resident fees. Analyst Engel said this is for seniors and disabled low income at this time. Mr. Magill said there are no numbers of other low income persons that could be included in the lesser fees. If it would be 50% of the community it would significantly impact the program costs. Council Member Pimentel said there are people who make the same money as many of the seniors. Mr. Magill said the magnitude is a concern and he will need to check the numbers that could fall into that category to ascertain if it is feasible for the cost to provide the service versus the net loss.



Council Member Monroe said the rates are going to go down and Analyst Engel agreed. Vice Mayor Davies wants the cost for a 2 time per month pickup to be provided. Council Member Pimentel asked that staff come back with low income figures, the twice per month pickup cost and a review of the fines. He asked that the motion be amended to include the citizens' review process. Council Member Monroe accepted the changes to his motion as above. City Attorney Siprelle said the request was for information, not changing the Ordinance. City Clerk Vannucci indicated there were substantial changes to the Ordinance as mentioned and it would need to be reintroduced. City Attorney Siprelle agreed and said if the low income or other items were added to the Ordinance language it would need to return with a new introduction. Vice Mayor Davies said the Ordinance does not include all of the recommendations. City Manager Kirkwood said the recommendation from Council Member Monroe was to move the action which included the Green Waste Advisory Committee and the staff report, as well as the Ordinance. The items in the staff report would also be approved. The discussion as part of the amendment would return. If there are substantial changes the Ordinance needs to be reintroduced. Mayor Flory said the staff report includes the fees which need to be discussed further. Council Member Monroe feels we need to move ahead. City Attorney Siprelle said the recommendation is to receive the staff report only. City Manager Kirkwood said if there are substantive concerns, perhaps this item should be remanded back to the Citizens' Advisory Committee with staff to review and return with changes. Vice Mayor Davies feels the Committee has done a very good job but Council needs to consider the policy issues. Mayor Flory asked for clarification if the motion is to move staff report and the committee recommendation or just the committee recommendation. Council Member Monroe said the motion is to move everything and City Attorney Siprelle said the three amendments include clarification on pile size, one week in advance placement in the street, bilingual literatures, which is direction to staff, and clarification on fines. She said the Administrative Citations are set forth in State law. Council Member Monroe moved and Council Member Marble seconded the motion. Mayor Flory, Vice Mayor Davies and Council Member Pimentel voted to the negative. Motion lost.

On a motion by Council Member Pimentel, seconded by Mayor Flory and carried, Council moved to receive the Committee recommendations and direct staff to return with clarification on the income analysis for low income family reduced rates, a twice per month pickup schedule and the citation amount and options and to encompass other issues mentioned. Council Members Marble and Monroe voted to the negative.



Council Member Marble said this has been studied extensively for 18 months and he feels that Council should move forward and accept the recommendations the Committee has worked very hard to present.

Mayor Flory said these are recommendations to Council and Council should carefully review those recommendations prior to making a decision.

ADJOURN

Vice Mayor Davies adjourned the special meeting of the City Council at 7:15 p.m.

Respectfully submitted,

Sue Vannucci, CMC, City Clerk