



FUNDING OPTIONS FOR TRASH AMENDMENTS IMPLEMENTATION

March 23, 2017

League of California Cities
Public Works Officers Institute & Expo

Stormwater Revenue Mechanisms

Commonly Used

- General Fund
- Existing Fees
- Portion of other Fees
- Federal and State Grants, etc.

For Any New Development Projects

- Developer Impact Fees
- Developer Formed Community Facilities Districts/Benefit Assessments

Dedicated Local Revenue Mechanisms and Prop 218

Balloted Approaches

- Property Related Fee (Property Owner – 50% threshold)
- Special Tax (Registered Voter – 66.7% threshold)

Non-Balloted Approaches – Re-Alignment

- NPDES activities as sewer, water and/or refuse

- New Approaches



Quick Prop 218 Brush-Up

□ Property Related Fee

□ Balloted vs. Non-Balloted

□ Balloting is required except for:

"...fees or charges for sewer, water, and refuse collection services..."

□ Trash Amendment tasks are refuse collection services!

□ Only a notice and public hearing is required!



What Tasks are "Refuse Collection"?

- *Trash and debris that is generated on residential and non-residential parcels and not placed in appropriate containers for pick-up, travels into gutters and ends up in the storm drain infrastructure where it is extracted, collected and disposed of as part of Stormwater management activities. Simply put, the streets and gutters are an integral part of the refuse collection system.*



A Very Helpful Recent Legal Case....

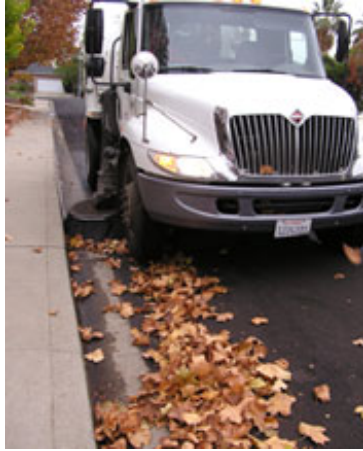


- **Crawley v. Alameda Co. Waste Mgmt. Authority** (SF District Appellate Court - 2016)
 - To fund household hazardous waste services
 - Service is directly related to property ownership even though services are provided only at County dumps.
 - A statutory definition of “refuse” - like the ordinary dictionary definition.

Trash in Streets and Gutters



Street sweeping



Trash in Storm Drains



More Trash in Storms Drains



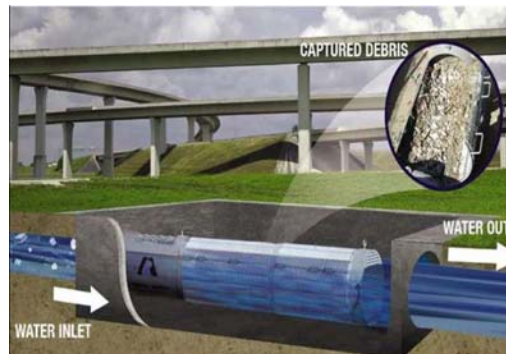
Trash in Creeks



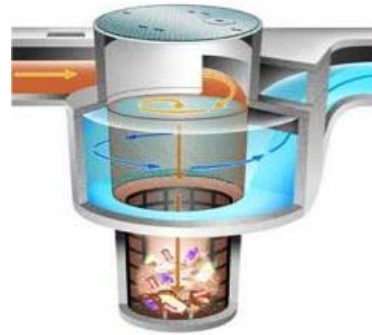
Trash in Large Trash Capture Devices I



Trash in Large Trash Capture Devices II



Trash in Large Trash Capture Devices III



Trucks, Transfer Stations and Landfills



So How Do You Actually Do It? (1)

- Approach 1
 - Contract with your Solid Waste franchisee to perform services



So How Do You Actually Do It? (2)

- Approach 2: (City Bills Customer)
 - Add direct City costs to your Solid Waste Rate and transfer revenue.



So How Do You Actually Do It? (3)

- Approach 3: (Waste Hauler Bills Customer)
 - Stormwater Program invoices Solid Waste provider



So How Do You Actually Do It? (4)



- Approach 4:
 - Impose stand-alone Prop-Related Fee



Our Challenges

- Change the way we think about refuse collection services
- Address legal risks (i.e. keep City Attorney happy)
- Minimize risk of legal challenge
- Raise refuse collection rate – there will be political pushback

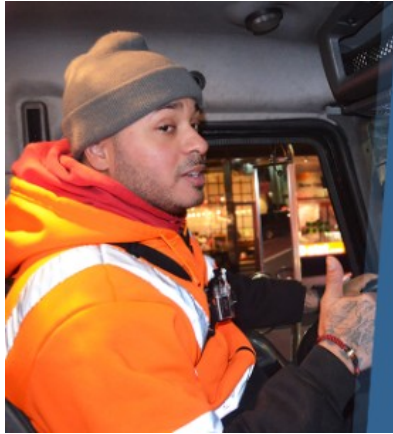


Next Steps

1. Determine trash-related tasks and costs
2. Identify your solid waste collector and flow of revenue
3. Determine most efficient flow of services and revenue
4. Promote your approach and implement increased property-related fee
5. Stay mellow



Questions



“
Your trash is my
money”

—Noel Molina, 32-year-old
trash worker

PATRICK GILLESPIE/NOHONEY

