

RESOLUTION NO. 1077

A RESOLUTION CREATING A CURBSIDE YARD DEBRIS AND SCRAP PAPER RECYCLING PROGRAM FOR SINGLE FAMILY RESIDENCES IN WILSONVILLE AND DIRECTING STAFF TO DEVELOP THE NECESSARY IMPLEMENTING ORDINANCE.

WHEREAS, yard debris comprises more than one quarter of the garbage disposed of by residences in the state of Oregon; and

WHEREAS, yard debris can be processed into a variety of garden products at a substantially lower cost than disposing of it in expensive and increasingly scarce landfills; and

WHEREAS, the Oregon Department of Environmental Quality has mandated that all jurisdictions in the Portland metropolitan area must offer weekly curbside collection of yard debris by July 1, 1994 or face fines of up to \$400.00 per day; and

WHEREAS, Metro and the DEQ have established a regional goal of diverting 93% of all yard debris from the residential waste stream by July 1, 1996; and

WHEREAS, city staff has extensively studied the yard debris collection programs of other jurisdictions to determine what type of program might best meet those goals at a reasonable cost; and

WHEREAS, scrap paper (including junk mail and packaging) comprises another quarter of the residential waste stream; and

WHEREAS, scrap paper can be readily collected and recycled into new paper products; and

WHEREAS, removing both yard debris and scrap paper from the residential waste stream will allow virtually every residence in the city to downsize to a smaller garbage can at a lower cost for monthly collection; and

WHEREAS, it has been determined that a yard debris and scrap paper recycling program established under the following parameters has the greatest chances of success:

Yard Debris Recycling:

Single family homes:	1,125
Container:	60 gallon roll cart
Frequency of pick up:	weekly, year-round
Exemptions:	none
Monthly cost:	\$4.00

Golf Course Homes: 817 (434 excluded from program outright)
 Container: 32 gallon roll cart
 Frequency of pick-up: Monthly, year-round
 Exemptions: none
 Monthly cost: \$2.00

Golf Course Homes participating in the program will be homes in the following homeowner associations: Charbonneau Homeowners, Fountain Lakes Homeowners, Fairway Estates Homeowners, Village Greens II, Oak Leaf Mobile Home Park.

Golf Course Homes excluded from the program will be homes in the following homeowner associations: Arbor Lakes, Charbonneau Greens, Lakeside, Village Greens I, Louvonne.

Scrap Paper Recycling:

All residential garbage customers receive a recycling bin for scrap paper only.
 Scrap paper picked up at the curb weekly on the same day as garbage.
 Program cost: \$1.60 per month.

**Basic rate structure for garbage and recycling pick-up after implementation
 (all services are weekly):**

	<u>20 gal.</u>	<u>32 gal.</u>	<u>60 gal.</u>
Single Family Homes	\$16.60	\$18.60	\$24.90
Golf Course Homes	\$14.60	\$16.60	\$22.90
Excluded Golf Course Homes	\$12.87	\$14.87	\$21.17

Note: 90-gallon service would no longer be offered

NOW, THEREFORE, THE CITY OF WILSONVILLE RESOLVES AS FOLLOWS:

1. That the Wilsonville City Council adopts the curbside yard debris and scrap paper recycling programs outlined in this resolution and directs the city staff to return to the Council with the necessary implementing ordinances not later than February 7, 1994.

CONSIDERED by the City Council of the City of Wilsonville at a public hearing at a regular meeting thereof this 15th day of November, 1993, with the public hearing continued to December 20, 1993.

ADOPTED by the City Council of the City of Wilsonville at a regular meeting thereof this 20th day of December, 1993, and filed with the Wilsonville City Recorder this date.



GERALD A. KRUMMEL, Mayor

ATTEST:



VERA A. ROJAS, CMC/AE, City Recorder

SUMMARY of Votes:

Mayor Krummel	<u>AYE</u>
Councilor Van Eck	<u>AYE</u>
Councilor Carter	<u>AYE</u>
Councilor Hawkins	<u>AYE</u>
Councilor Lehan	<u>AYE</u>

ADMINISTRATION DEPARTMENT

DISCUSSION PAPER

DATE: DECEMBER 20, 1993
TO: HON. MAYOR AND CITY COUNCIL
FROM: DAVE KANNER, PUBLIC AFFAIRS DIRECTOR
SUBJECT: YARD DEBRIS RECYCLING PROGRAM EXEMPTION OPTIONS

At the City Council meeting of November 15, 1993, staff presented a proposal for a curbside yard debris recycling program in the City of Wilsonville. Staff's recommendation was for a program with no exemptions. Four persons testified at that meeting in favor of including an exemption option in the program for homeowners who compost their own yard debris, hire a commercial landscaper or who haul their own yard debris. Some written testimony has also been received in support of an exemption option. Following the public hearing, staff was directed to return to the Council with options for you to look at with regard to exemptions. This discussion paper will present three options: 1. No exemptions; 2. Regulated exemptions; and 3. Non-regulated exemptions.

HISTORY:

When the state of Oregon passed its landmark "Opportunity to Recycle Law," it did so with an important proviso: That people who recycle could not be charged more for the service than people who don't use the service. The rationale behind this is that if only those people who use the service are charged for it, that charge becomes an economic disincentive to recycling. On the other hand, if someone knows they will be charged for the service whether they use it or not, there is a clear incentive to use it. As a result, everyone pays for recycling services through their garbage bills whether they use the service or not.

With regard to yard debris, the Oregon Administrative Rule states "The cost of collection of at least the equivalent of one unit of yard debris per month *must* be incorporated into the base fee charged for solid waste and recycling collection and disposal" (emphasis added). In other words, DEQ mandated that the cost of yard debris collection become a part of the base rate charged to all garbage customers. This effectively prohibited user-pay systems, which had proven to be ineffective at diverting yard debris from the waste stream, just as user-pay systems were ineffective at diverting other types of recyclables from the waste stream.

When the City of Gresham implemented its curbside yard debris collection system in 1992, it did so, as did other cities, with no exemptions. However, because of the public outcry that followed, the city returned to DEQ and requested permission to allow exemptions from the yard debris program for home composters, self-haulers and homeowners who hire commercial landscapers. The DEQ granted that permission on the condition that the exemption program be "monitored;" that is, on the condition that the city take pro-active steps to ensure that people who claim an exemption do not in fact put yard debris in their garbage.

Gresham developed an application form and charged a one-time fee of \$20 for exemptions. About 4,000 applications were received and 1,600 exemptions were granted. Two full-time temporary employees were hired who for three months did nothing but process applications. One exemption was revoked when the homeowner continued to put yard debris in the garbage can.

Later that year, the City of Lake Oswego implemented its yard debris program. Also in the face of public outcry, that city included an exemption option similar to Gresham's in its program. Unlike Gresham, however, Lake Oswego placed the burden of administering the exemption program on their franchised hauler. The assumption is and has been that the increased administrative costs of the program will eventually be passed along to all garbage customers in the form of a rate increase, although the program is too young at this point to know what that rate impact might be.

Finally, Clackamas County, also in 1992, appointed a citizens' commission to study the question of exemptions as it readied its curbside yard debris collection program. Although the citizens' commission recommended a program with no exemptions, the board of commissioners overruled that recommendation and implemented an exemption program. Per DEQ's dictate, the program requires an application form and a \$20 application fee. It is administered by County staff. However, because the exemption option has been poorly publicized, the County has granted only 40 exemptions.

No other jurisdictions allow exemptions.

EXEMPTION OPTIONS

Before fully discussing exemption options, staff must point out that outdoor burning of yard debris, while banned by OAR 340 in most of the Portland metropolitan area, is still permitted in Wilsonville between March 1 and June 15 and again between October 1 and December 15 of each year. It cannot be emphasized strongly enough, however, that **burning of yard debris is not an environmentally acceptable alternative to recycling.** As such, two of these exemption options envision passage of a local ordinance banning all outdoor burning in the city, an action that is likely to prove as controversial as the yard debris program itself.

A sheet summarizing the following options is attached. What follows is a more detailed discussion of each option.

Scenario #1: No exemptions

Under this option, all garbage customers pay for the yard debris recycling service whether they use the service or not. This holds to both the spirit and the letter of the Opportunity to Recycle Law. In other jurisdictions where there are no exemptions, customers who compost their own yard debris, hire a commercial landscaper or haul their own yard debris are left with little choice but to swallow hard and pay the increased garbage bill.

In Wilsonville, we are fortunate that our hauler offers an "on call" service. Those persons who do not wish to participate in the yard debris program can simply cancel their regular garbage service and switch to on call service. With on call service, the customer receives no yard debris container and no yard debris collection service. Rather than being collected on a regular weekly route, garbage and recyclables are collected only when the customer calls and requests collection. Payment must be attached to the garbage can. Because of its cost, on call service works only for a garbage customer who is committed to recycling. It is, in essence, a self-regulating exemption system, since persons who switched to on call service and continued to put yard debris in their garbage can would quickly find themselves paying far more for garbage collection than they would if they just went along with the system.

Customers who use a commercial landscaper for their yard maintenance needs and want to continue to receive regular weekly service also have the option of taking the yard debris container, instructing the landscaper to put all yard debris in the container and negotiating a reduction in the landscaper's fees equal to the increase in the garbage rate. This is a deal that any smart landscaper will be happy to make. In fact, if a landscaper has a large number of customers in one area, it is a deal they would probably encourage all of those customers to take.

It should also be noted that while many people may not be aware of it, everybody already pays for recycling services they may not use. It is likely that, given the proliferation of rapid service oil change businesses, many people never put used motor oil in their recycling bins. Nonetheless, everybody pays for used motor oil recycling as part of their garbage bill. No thought is given to exempting people who pay someone else to change their oil from the cost of the program. Similarly, someone who does not subscribe to the newspaper pays for newspaper recycling. Recycling, however, is not a "free" service, and state law requires that everyone share the cost of the service whether they use it or not.

It should also be pointed out that under this scenario, anyone who does not want the yard debris container and has made acceptable alternate disposal arrangements can simply tell United Disposal that they do not want the container and they will not receive one. They are, however, making a commitment to putting no yard debris in their garbage can.

Advantages:

1. Simplicity. There are no forms to fill out, no monitoring to be done and no fees to be paid. Customers who want an exemption get one by converting to on-call service.
2. This option captures all of the yard debris in the waste stream, including yard debris that cannot be composted, such as branches, blackberries, woody plants, some vegetables, etc.
3. This option eliminates any reasons for cheating or burning.

Disadvantages:

1. Home composters, self-haulers and customers with landscape services who either reject the on-call option or who cannot negotiate a break in their landscaping fees will feel they are paying for a service they do not need.

Scenario #2: Regulated exemptions

As explained earlier, regulated exemptions are available in three other jurisdictions (Lake Oswego, Gresham and Clackamas County). Under this scenario, garbage customers who compost their yard debris, hire a commercial landscaper or haul their own yard debris may apply for an exemption from the yard debris collection program. If their application is approved, the customer receives a credit on their garbage bill. If the terms of the

exemption are violated, the exemption is revoked. Lake Oswego gives two warnings before an exemption is revoked, Gresham and Clackamas County give one warning.

Copies of the Lake Oswego and Clackamas County exemption applications are attached. Copies of the Gresham exemption agreements are attached. Copies of the warning letters used in Lake Oswego are also attached. Clackamas County charges \$20 at the time of application and a \$10 annual renewal fee to cover administrative overhead. Gresham charges \$10 and no renewal fee. Lake Oswego does not charge an application fee, but requires the hauler to administer the program. It is assumed that the haulers increased administrative costs will be passed along to garbage customers in the form of higher garbage rates.

All three jurisdictions require confirmation of eligibility before an exemption is granted. In the case of someone using a commercial landscaper, that customer must submit receipts from the landscaper and the local jurisdiction will then confirm that the landscaper is using an approved yard debris disposal site before the exemption is granted. Similarly, a self-hauler must submit receipts from an approved disposal site to receive an exemption. In the case of a home composter, an on-site inspection is conducted to ensure that the person requesting the exemption has a controlled compost pile that is not generating odors, attracting pests or otherwise creating a nuisance. Someone who is just piling up yard debris in their yard and letting it rot is not composting.

For this option to be effective, staff believes it would have to be accompanied by a city-wide outdoor burn ban. Some home composters in Wilsonville will freely admit that they compost what they can and burn what they can't. Again, burning is not an environmentally acceptable alternative to recycling. Staff proposes that if this option is adopted, we follow the Clackamas County model of a \$20 application fee and \$10 renewal fee with city staff rather than hauler staff conducting inspections. As there is a demonstrable cost to administering this type of exemption program, it seems proper that the people who benefit from this program should bear that cost.

Although there is evidence from other jurisdictions that exemptions can have the effect of raising the cost of the program for everyone else who stays in it, it is staff's position that this exemption option could be offered without raising the cost of the program as proposed.

Advantages:

1. Gives price break to those who believe they deserve it.
2. Reduced likelihood of cheating, with penalties for those who are caught.
3. Application fee at least partially covers increased administrative overhead costs.

Disadvantages:

1. Consumes a tremendous amount of staff time for application processing and enforcement.
2. Puts city and hauler in position of being "garbage police."
3. Provides no legal avenue of disposal (except self-haul) for those exempted if they have materials which cannot be composted (i.e., branches, twigs, blackberries, roses, etc.) or which the landscaper does not take.

Scenario #3: Non-regulated exemptions

This is essentially an honor system exemption program. Under this scenario, customers who are composting their yard debris, using a landscape service or otherwise disposing of their yard debris in an environmentally sound manner would call United Disposal Service

and exempt themselves from the yard debris program. They would receive weekly pick-up of garbage and recyclables at a cost of \$12.60/month for a 20-gallon container or \$14.60/month for a 32-gallon container. However, they would receive no yard debris service and would not be permitted to use a container larger than 32 gallons for garbage.

The theory behind this option is that unless someone is composting, self-hauling or using a landscape service, it will not be possible for them to fit all of their waste in a 32- or 20-gallon container. Again, a burn ban would be imperative for this option to work properly.

The big flaw with this option is that it lays open an immense opportunity for cheating. That is, someone who dumps their yard debris in a roadside ditch or on a nearby vacant lot has no more need for yard debris service than does someone who composts or hires a commercial landscaper. Will people cheat? Of course, the vast majority will not, however it should be pointed out that Metro estimates that 10% of all garbage in the region never makes it to an approved disposal facility. While it would be nice to think that this garbage is going to the Marion County burner or less expensive landfills in Yamhill, Polk or Clark Counties, the fact is, it is being dumped illegally. Meanwhile, SOLV, the statewide volunteer group that conducts ongoing litter clean-ups, estimates that 30-40% of all of the garbage they clean up from illegal dump sites is yard debris. The illegal dumping of yard debris is a big, big problem and one of the reasons the DEQ mandated weekly curbside collection of yard debris region-wide. Whether it is ethically acceptable for the city to adopt a program that knowingly allows for the opportunity for this kind of cheating is a philosophical question that only the Council can answer.

This option would be available only to customers in the "single family homes" group, who would otherwise receive weekly collection of a 60-gallon yard debris container. Golf course homes would not be eligible for this exemption.

Advantages:

1. Simplicity. Requires no forms, fees or commitment of staff time.
2. Gives price break to those who believe they deserve it.

Disadvantages:

1. Provides ample opportunity for cheating. Could encourage illegal dumping.
2. Given experience of other jurisdictions, likelihood that DEQ will approve an unregulated exemption program are slim at best.
3. Provides no legal avenue of disposal (except self-haul) for those exempted if they have materials which cannot be composted (i.e., branches, twigs, blackberries, roses, etc.) or which the landscaper does not take.

Application for Exemption from Lake Oswego's Yard Debris Collection and Recycling Program.

Name (please print) _____

Address _____

Account number _____

Phone (day) _____

I request an exemption from the yard debris collection and recycling program and from that portion of my solid waste service billing. I recycle my yard debris by (check any that apply and fill in the required information for those checked):

_____ home composting. By requesting this exemption, I hereby authorize Rossman's Sanitary Service to enter onto my property from time to time to ascertain that I do have a properly maintained compost pile.

_____ hauling it to an authorized processor. I agree to submit the original receipts every six months.

Processor's name _____

_____ having a lawn maintenance service which hauls the yard debris to a processor. I agree to submit a copy of at least three of my service billing receipts every six months.

Company name _____

Address _____

Phone _____

Processor's name _____

I certify that no yard debris is disposed of as garbage or is taken directly to the Metro South Transfer Station for disposal. I understand this exemption can be revoked if: yard debris is found in my garbage container, if my yard debris is illegally dumped, if my compost pile creates a nuisance, or if any of the above mentioned agreements are not met. If approved, this exemption agreement is good for six months, with an automatic extension to one year from the date of filing if the program is not changed by the City Council's review.

Signature

Date

DEAR CUSTOMER:

Your application for exemption from the yard debris collection and recycling has not been approved based on the following reason:

___ **YOUR COMPOST PILE** was not approved. It is:

- ___ not a working pile.
- ___ at a location that is not on your property.
- ___ has trash in it.

___ **YOUR HAULING OF YOUR OWN YARD DEBRIS** was not approved because:

- ___ Where you take your yard debris to be recycled is not an approved processor or method.
- ___ You have not supplied receipts to where you take your yard debris to be recycled (please send in copies or originals of 3 of your receipts for the last 6 months.)

___ **YOUR YARD MAINTENANCE SERVICE** has not been approved because:

- ___ They do not recycle the yard debris at an approved processor or with an approved method.
- ___ They have not sent back any information forms about where they recycle their yard debris.
- ___ You have not supplied billing receipts from your maintenance service. (please send in copies or originals of 3 of your receipts from the last 6 months)

___ **YOUR RETURNED APPLICATION WAS INCOMPLETE;**

If you feel that you can correct this situation, you may call Rossmans when you feel you have resolved the problem and request a new application form.

Exemption applications will be accepted once a year, for a one month period starting, APRIL 1st and ending APRIL 30th.

If you have additional questions call Rossman Sanitary Service, 636-3011

Notice Date: _____

Customer Address: _____

Yard Debris Exemption

You have applied for and received an exemption from the City's curbside yard debris collection and recycling program. The exemption was given because you handled your yard debris in an environmentally sound manner. We want to encourage you to continue to do so. Today, however, our collectors found yard debris in your garbage can.

___ **First warning.** There was yard debris in your garbage can for disposal in a landfill. Do not jeopardize your exemption. Continuous non-compliance will result in a loss of your exemption.

___ **Second warning.** There was yard debris in your garbage can for disposal. Citizens in the Metro region are recycling their yard debris in attempts to keep down the escalating costs of landfill disposal and to reuse a natural resource.

___ **Third warning.** There was yard debris in your garbage can for disposal. Since you have violated the exemption agreement, **your yard debris program exemption has been revoked.** The yard debris program charges will be reinstated to your billing account. You will be mailed a yard debris decal to put on a can so that you may use the yard debris curbside program.

If you have any questions about the yard debris program, contact:

Rossman's Sanitary Service
P.O. Box 405
Lake Oswego, OR 97034
636-3011

Or call the City of Lake Oswego's Citizen's Action Office for recycling and solid waste reduction issues: 697-6573.

With everyone's commitment, we can make it work.

APPLICATION FOR EXEMPTION FROM YARD DEBRIS SERVICE

Name _____
(please print)
Address _____
City _____ Zip _____
Phone (day) _____
Garbage Company _____

_____ Initial Application \$20.00
_____ Renewal \$10.00
Attach check made out to: Clackamas County 902 Abernethy Rd. Oregon City, OR 97045

I request an exemption from the yard debris portion of my solid waste management service because I handle yard debris using one or more of the following method(s):

_____ home compost* - my compost system does not create a solid waste nuisance*

_____ haul to processor myself; Processor name _____ I will retain receipts and submit them to Clackamas County every six months.

_____ Lawn maintenance service hauls material away - Have your lawn maintenance service complete the following certification:

Name: _____

Company Name: _____

Address: _____

Phone: _____

Processor to whom material is delivered: _____

I certify that my company takes all yard debris material to the above processor.

Signature

Date

I certify that no yard debris from my property is disposed of as garbage. I understand this exemption will be revoked if yard debris is found in my garbage can; if my yard debris is illegally dumped; if my compost pile creates a nuisance; if any of the above agreements are not met; or if my property is found to be in violation of any County Solid Waste Ordinance codes.

Signature

Date

*Composting: a controlled biological decay of compost material where moisture, heat, bacteria, earthworms and microorganisms found in nature transform compost material into compost in a manner which does not create offensive odors or a health hazard.

*Solid Waste prohibited under the Ordinance: Composting which causes offensive odors or creates a health hazard or which is capable of attracting or providing food for potential disease carriers such as birds, rodents, flies and other vectors

Please retain this agreement for your records

CITY OF GRESHAM
YARD DEBRIS COMPOSTING EXEMPTION AGREEMENT
April 1, 1993- March 31, 1994

As a condition of receiving a Composter Certification which entitles me to a credit for the yard debris portion of my solid waste collection charge I, hereby acknowledge and agree to the following:

1. I agree to compost and/or mulch or to manage yard debris generated on my property in an approved, environmentally responsible way.
2. If yard debris is placed out for collection as part of the yard debris recycling program, or is found in my garbage can more than one time, I understand that the charge will be added back onto my monthly solid waste bill and I may not apply for a composting exemption until the next open application period.
3. The solid waste hauler will place an "I COMPOST" decal on my garbage can. It is my responsibility to call my hauler in the event that my decal is lost or needs to be replaced.
4. I may begin yard debris collection service at any time by notifying the hauler. The yard debris charge will be added to the monthly garbage bill. I will not be eligible for the Exemption Program until the next open application period.
5. If I have a compost system I agree to the following:
 - * All compost piles will be tended and managed in a controlled manner.
 - * Meats, fats, dairy products and grains will not be added to compost.
 - * If compost begins to generate odors, attract pests, or becomes a public nuisance, I am responsible for controlling this problem within a reasonable amount of time by modifying management practices.
 - * If problems are not corrected within the time period required by the City, I understand that I will no longer be eligible for a composting certification exemption and the charge for yard debris will be added back to my solid waste bill, and that I may not apply for a composting certification until the next open application period.
6. Application processing fees are not refundable. The fee covers the application review and compost inspection.
7. Certification is valid until March 31, 1994. On April 1, 1994 renewals will be granted to customers who continue to compost and are following the terms of the agreement. There is no fee for renewal.
8. The credit I will receive is \$3.65 per month and is valid until March 31, 1994. I understand that costs of providing the yard debris collection service will be evaluated annually and may result in an adjustment to the credit amount.
9. The compost certification and credit is not transferable to another customer or property.

Please retain this agreement for your records

CITY OF GRESHAM
LANDSCAPE/YARD MAINTENANCE SERVICE EXEMPTION AGREEMENT
April 1, 1993 - March 31, 1994

As a condition of receiving a Landscape/Yard Maintenance Service Exemption which entitles me to a credit for the yard debris collection portion of my solid waste collection monthly charge I, the hereby acknowledge and agree to the following:

1. The landscape and/or yard maintenance company must be approved by the City and meet the following requirements:
 - a. The company must dispose of yard debris at a yard debris recycling facility.
 - b. The company must be licensed to do business in Gresham.
2. If the landscape and/or yard maintenance firm disposes of yard debris at a location other than a yard debris recycling facility, the company will be removed from the list of approved landscape and/or yard maintenance companies.
3. If the landscape and/or yard maintenance company is removed from the approved list, customers who are receiving a credit for payment of the yard debris portion of their bill will receive a notice from the City. The customer will have two weeks from the date of the notice to notify the City if they have contracted with another approved firm.
4. If the customer does not notify the City that they have contracted with a new firm approved by the city, the yard debris charge will be added to their monthly solid waste collection bill.
5. The solid waste hauler will place an "I COMPOST" decal on my garbage can. It is my responsibility to call my hauler in the event that my decal is lost or needs to be replaced.
6. If yard debris is placed out for collection as part of the yard debris recycling program or placed in the garbage can, I understand that the charge will be added back onto the monthly solid waste bill and the I may not apply for an exemption until the next open application period.
7. Application processing fees are not refundable.
8. Certification is valid until March 31, 1994. On April 1, 1994, renewals will be granted if an approved landscaper is continuing to provide yard service. There is no fee for renewal.
9. The landscape/yard maintenance credit is \$3.65 per month and is valid until March 31, 1994. The costs of providing the yard debris collection service will be evaluated annually, and may result in an adjustment to the credit amount.
10. The Landscape/Yard Maintenance Service Exemption and credit is not transferable to another customer or property.

Scenario #1: No exemptions

- No exemptions, as recommended in the staff report of Nov. 15, 1993.
- Customers who do not wish to participate in the yard debris program can cancel their regular garbage service and use on-call service.
- Customers who use a commercial landscaper for their yard maintenance needs and want to continue regular weekly service can take the yard debris container, instruct the landscaper to put all yard debris in the container and negotiate a reduction in the landscaper's fees equal to the increase in the garbage rate.

Advantages:

Captures all yard debris, including materials which cannot be composted, such as branches, blackberries, woody plants, some vegetables, etc.
Eliminates any reasons for cheating
Spreads costs of program across largest possible base

Disadvantages:

Home composters, self-haulers and customers with landscape services will feel they are paying for a service they do not need

Scenario #2: Regulated exemptions

- Customers who are home composting, hauling their own yard debris to an approved processor or who hire a commercial landscaper for their yard maintenance needs may apply for an exemption from the yard debris recycling program.
- \$20 application fee to cover administrative overhead. \$10 annual renewal fee.
- New city ordinances ban outdoor burning and any yard debris in garbage can.
- Home composters must submit to an inspection in order to qualify.
- Self-haulers must submit receipts from approved processing facility.
- Those hiring commercial landscapers must submit three receipts with customer's name and address on them. City must verify that landscaper is using an approved processing facility.
- Customer receives two warnings if found to be violating exemption agreement. Exemption revoked after third violation.

Advantages:

Increased administrative overhead costs are covered (at least partially)
Reduced likelihood of cheating, with penalties for cheaters who are caught
Gives price break to those who believe they deserve it

Disadvantages:

Consumes tremendous amount of staff time for processing and enforcement
Puts city and hauler in the position of being "garbage police"
Provides no legal avenue of disposal (except self-haul) for those exempted if they have materials which cannot be composted (i.e., branches, twigs, blackberries, roses, etc.) or which the landscaper does not take

Scenario #3: Non-regulated exemptions

- No formal exemptions granted, but revised rate structure provides price break to home composters, self-haulers and those using commercial landscapers if they commit to hard-core recycling effort.
- New city ordinances ban outdoor burning and any yard debris in garbage can.
- Revised rate structure is as follows (rates are for weekly collection):

	<u>20 gal.</u>	<u>32 gal.</u>	<u>60 gal.</u>
Single Family Homes/Exempted	\$12.60	\$14.60	not available
Single Family Homes	\$16.60	\$18.60	\$24.90
Golf Course Homes	\$14.60	\$16.60	\$22.90
Excluded GC Homes	\$12.87	\$14.87	\$21.17

Advantages:

Requires no forms, fees or commitment of staff time
Gives price break to those who believe they deserve it

Disadvantages:

Ample opportunity for cheaters
May encourage illegal disposal options
Strong possibility that Washington County or DEQ will not approve an unmonitored exemption program
Provides no legal avenue of disposal (except self-haul) for those exempted if they have materials which cannot be composted (i.e., branches, twigs, blackberries, roses, etc.) or which the landscaper does not take

ADMINISTRATION DEPARTMENT
STAFF REPORT AND RECOMMENDATION

DATE: NOVEMBER 15, 1993

TO: HON. MAYOR AND CITY COUNCIL

FROM: DAVE KANNER, PUBLIC AFFAIRS DIRECTOR

SUBJECT: RESOLUTION CBR 753-93, CREATING YARD DEBRIS
AND SCRAP PAPER RECYCLING PROGRAMS IN
WILSONVILLE

SUMMARY:

The City of Wilsonville, like all cities in the Portland metropolitan area, is required by the Oregon Department of Environmental Quality to offer weekly curbside collection of yard debris by July 1, 1994. The service must be extended to all single family residential customers, with the goal of diverting 93% of all yard debris from the residential waste stream by July 1, 1996.

In addition, though its diversion from the waste stream has not been mandated by the state, scrap paper comprises the single largest element of the residential waste stream. Staff has received a great deal of public input requesting the establishment of a curbside scrap paper collection service. By diverting both yard debris and scrap paper from the residential waste stream, virtually every household in the city should be able to downsize to a smaller garbage can, thereby offsetting a substantial portion of the rate increase required to offer these two new services.

Resolution CBR 753-93 states the Council's intent to establish these new programs and new rates for residential garbage collection, and directs the staff to return to the Council with the necessary implementing ordinances not later than February 7, 1994.

The elements of these programs are as follows:

1. Recognizing that of the 1,942 single family homes in Wilsonville, 817 homes do not have full-sized yards and therefore do not require the same level of service as the remaining single family homes, a lower level of service at a lower rate is proposed for these homes. These homes, which are primarily located inside the French Prairie Road loop in Charbonneau, are referred to as "golf course homes" in the staff materials. Included in this group are the Louvonne Homeowners Association and Oakleaf Mobile Home Park.

2. Six homeowner associations of golf course homes in Charbonneau, Arbor Lakes, Lakeside, Village Greens I, Village Greens II, Louvonne and Charbonneau Greens, have made what staff considers acceptable alternative arrangements for yard debris disposal and are excluded outright from the proposed city program. These are referred to hereinafter as "excluded homes." However, this proposal envisions no individual exemptions from the program.

3. A small rate increase is proposed for the excluded homes for reasons detailed later in this memo.

4. Golf course homes will receive a 32-gallon yard debris roll cart. Collection will be monthly. Other single family homes will receive a 60-gallon roll cart. Collection will be weekly, on the same day as garbage collection. The carts are specially designed for yard debris and do not have the odor problems associated with regular carts.

5. The rate increase for golf course homes is recommended at \$2.00 per month. The rate increase for other single family homes is \$4.00 per month. A rate increase is also recommended for the excluded homes. Since they receive the long-term benefit of lower garbage rates, it seems fair that they help pay the general and administrative costs of the system. The rate increase recommended for the excluded homes is \$.27 per month.

6. All homes, including the excluded homes, will have their Christmas trees picked up at the curb as part of the program.

7. All homes will receive a separate recycling bin for scrap paper. Scrap paper will be picked up weekly at the curb on the same day as garbage.

8. The rate increase recommended for the scrap paper program is \$1.60 per month for all homes.

9. An additional adjustment in residential rates may be necessary if Metro increases its disposal fees. It is unknown how much that might be, although staff should have a better idea by February. Each increase of \$1 in Metro's disposal fee usually translates into an increase of about 8¢ per month at the curb.

STAFF RECOMMENDATION:

Defer a vote on Resolution CBR 753-93 to the meeting of December 6, 1993. Schedule a second public hearing for that meeting. Accept public input at the meeting of November 15 and provide direction to staff regarding changes the Council would like to see in the program.

BACKGROUND:

PART I: YARD DEBRIS

In order to develop a yard debris program for the City of Wilsonville, city staff met with or talked to virtually every other jurisdiction in the Portland metropolitan area. In addition, staff spent considerable time talking with the Washington County solid waste staff and in reviewing the Regional Yard Debris Plan prepared by Metro.

The program being proposed is as follows:

Single Family Homes

Receive a 60-gallon yard debris cart

Receive weekly pick up of yard debris

Rate increase (for weekly pick-up of 32-gallon garbage can) of \$4.00 per month

Golf Course Homes (see explanation below)

Receive a 32-gallon yard debris cart
Receive monthly pick up of yard debris
Rate increase (for weekly pick up of 32-gallon garbage can) of \$2.00 per month

Excluded Homes (see explanation below)

Receive no yard debris cart and no pick up service
Must dispose of yard debris through common areas landscaper. May not put yard debris in garbage can.
Rate increase (for weekly pick up of 32-gallon garbage can) of \$.27 per month, plus expected increase in homeowner association dues for yard debris pick-up.

In developing this program, three questions were key:

1. Is it fair?
2. Will it work?
3. Are we getting our program for the lowest possible cost?

1. Is it fair?

The DEQ mandate is that we establish a weekly curbside collection program. OAR 340, which contains this mandate, does allow for less than weekly collection if we can prove that the lower level program will meet the regional recycling goals. Wilsonville is unique in the region in that many of our 1,942 single family households do not have what we normally think of as a front yard and a back yard. Instead, they have 500 square-foot courtyards or, in the case of the Louvonne development in Charbonneau or the Oak Leaf Mobile Home Park, postage stamp-sized lots that generate an estimated .24 compacted cubic yards of yard debris annually. Requiring that these homes participate in a weekly program designed for homes on 5,000 to 10,000 square foot lots that generate an estimated 1.923 compacted cubic yards annually seemed inherently unfair.

For that reason, these homes, referred to as "golf course homes," were given two options:
1. Negotiate a contract addendum with their common areas landscaper to have the landscaper haul off household yard debris; or 2. Accept a lower level of service under the program at a lower rate than what is paid in the rest of the city.

Six homeowner associations in Charbonneau (Charbonneau Greens, Arbor Lakes, Lakeside, Village Greens I, Village Greens II and Louvonne) were able to accept the first option. As such, 434 golf course homes will be excluded from the program outright. However, the program as proposed envisions no individual exemptions.

Although Oregon's "Opportunity to Recycle Act" (SB 66) stipulates that users of a recycling service may not be charged more for the service than people who don't use it, the DEQ has chosen not to enforce this provision with regard to yard debris. Three jurisdictions -- Lake Oswego, Gresham and Clackamas County -- do allow exemptions. It is staff's view, however, after talking to these and all other jurisdictions that exemptions are unfair to those who remain in the program and that the system being proposed for Wilsonville offers enough alternatives to those who believe themselves to be qualified for an exemption.

The arguments against exemptions are:

1. Exemptions raise the cost of the program for everyone else who remains in it. For instance, if Wilsonville were to exempt just 100 single family homes, it would raise the cost of the program by at least \$.31 per month for the remaining homes. In Gresham, where 1,400 households were exempted from their yard debris recycling program, the monthly rate for weekly collection of a 60 gallon yard debris container is \$5.80 per month. This higher cost can be directly attributed to the exemptions. However, since

everyone benefits from this program in the form of more stable garbage rates in the long-run (see chart 1), it is unfair to provide this benefit to people who pay nothing for it. In essence, the people who remain in the program wind up subsidizing the garbage rates of people who are exempted. This is patently unfair.

2. There is a cost to exemption programs. Gresham had to hire two full-time people for three months to do nothing but process exemption applications. That city charged a \$10 non-refundable application fee. Clackamas County charged a \$20 application fee and still estimated that it lost \$1,200. There are also hidden administrative costs to both the city and the hauler that don't show up on balance sheets but which have the long-term effect of driving up garbage rates for everybody.

3. Enforcement is next to impossible. What if someone is granted an exemption then continues to put yard debris in their garbage can? Who provides the enforcement and how? What are the penalties?

4. Homeowners who home compost or use a landscaping service can self-select out of the yard debris program by switching from regular weekly garbage collection to on-call garbage collection. By using on-call garbage collection, the customer receives no regular billing and no yard debris pick up. Instead, the customer calls United Disposal when their garbage can is full and United Disposal picks it up the next day. Payment of \$5.05 for a 32-gallon can must be attached to the can. Customers would curbside pick-up of their recyclables with their garbage. Granted, this is a bit of a hassle and works cost-wise only if the customer is committed to recycling, but it's better than the alternative offered by most jurisdictions, which is nothing. In addition, a homeowner who uses a landscaping service can take the yard debris cart, request that the landscaper use it, then negotiate a reduction in the landscaper's charges equivalent to the increase in garbage rates due to yard debris collection.

5. If the issue for a homeowner is that they're willing to pay the rate increase but, since they use a landscaping service, they don't want the cart cluttering up their garage, they can simply call United Disposal and tell them not to provide a cart.

6. Although DEQ has chosen not to enforce it in this instance, exemptions are clearly not in keeping with the spirit of SB 66, which also stipulates that the cost of recycling programs be spread across the user base. That is, someone who doesn't subscribe to the newspaper can't get an exemption from the curbside newspaper recycling program. They must pay for the program whether they use it or not, because of the benefits that accrue to society as a whole by having such a program in place.

Because there are benefits to everyone from this program, as outlined in points 1 and 6 above, it is recommended that the excluded homes be required to share in the general and administrative costs of the program. If the excluded homes pay nothing into the program, but receive the long-term benefit of lower or more stable garbage rates in the future, then the homes participating in the program are for all intents and purposes subsidizing the garbage rates of those homes that are excluded. Staff considers this unfair and is recommending a rate increase for the excluded homes of 27¢ per month.

2. Will it work?

Having reviewed all of the available evidence and having met with or talked to representatives of virtually all other jurisdictions in the region, staff is of the opinion that a weekly curbside program under which homeowners are provided with a cart and yard debris is picked up on the same day as garbage is the only program that will work. In fact, it is precisely because fee-for-service, monthly or bi-weekly, and self-haul depot systems failed so miserably that DEQ mandated weekly curbside collection.

As shown in chart 2 (taken from an extensive study conducted by Clackamas County), roller carts far outstrip other types of containers in terms of both participation rates and recovery amounts. Note that in the Clackamas County study, participants were given 32-

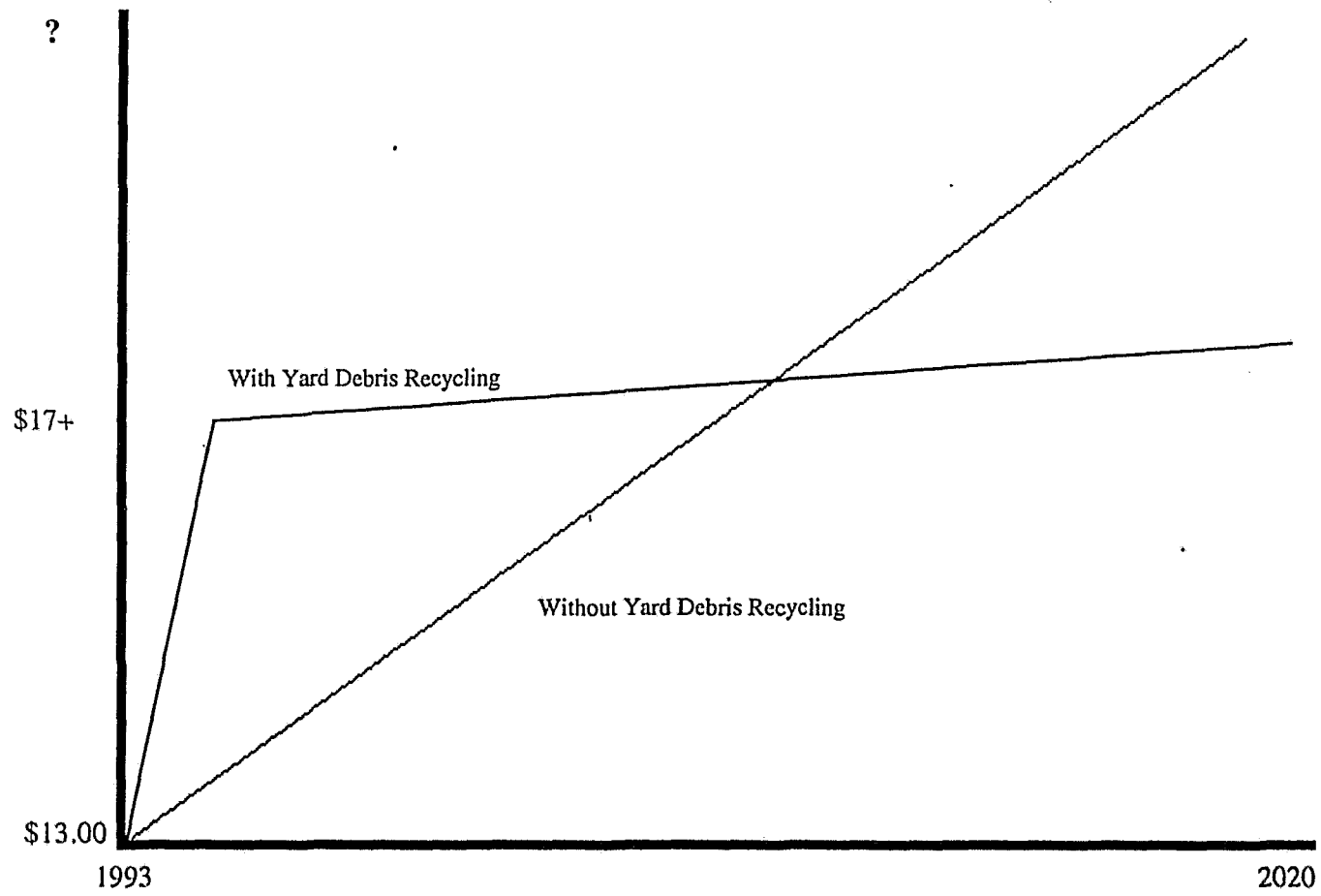


Chart 1

Chart 2

Table 2: Collection Data for Each Container Tested

	<i>Cart</i>	<i>Can</i>	<i>Kraft</i>	<i>Starch</i>	<i>Plastic</i>	<i>Mesh</i>
Households	245	249	473	460	245	500
Average Participation	58.0%	56.9%	34.1%	23.1%	33.1%	10.1%
Avg. Lbs/Set Out	69.5	45.4	63.7	72.6	44.3	73.8
Avg. Lbs/Container	69.5	28.8	35.4	30.7	23.6	38.2
Avg. Containers Set Out	1.0	1.57	1.8	2.34	1.9	1.91
Minutes/Set Out*	2.3	1.9	1.6	2.0	2.2	6.3
Minutes/Container	2.3	1.2	0.9	0.9	1.2	3.5
Minutes/Container	1.1	1.4	0.9	1.1	1.7	3.1

* All time calculations include round trip to the processor.

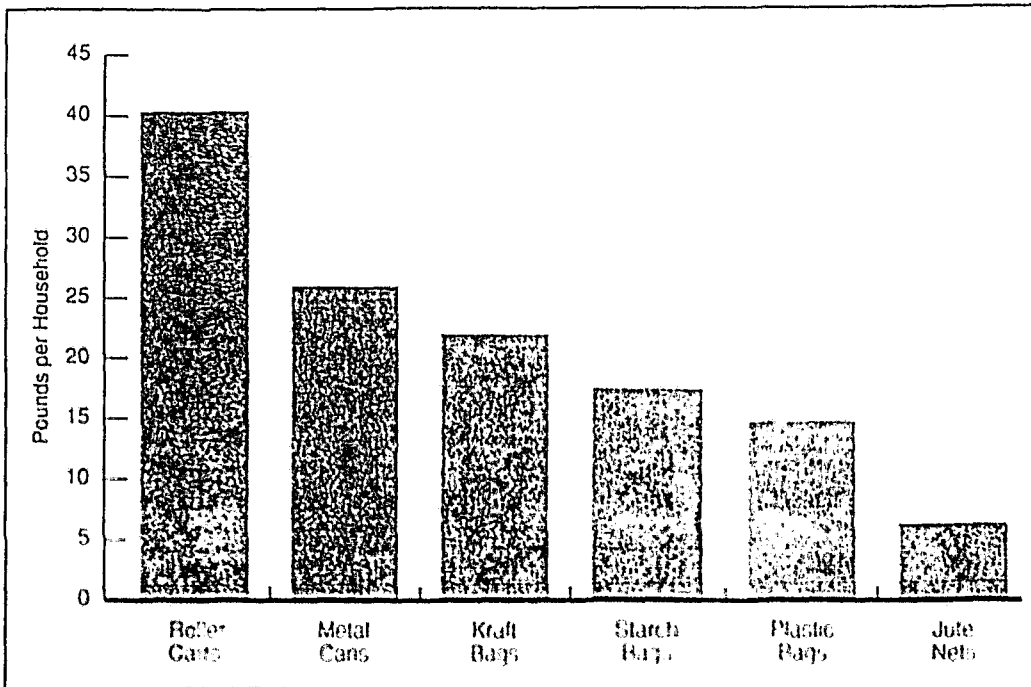


Figure 1: Average amount of yard waste collected per household for each type of container, based on total households in the collection area. This information can be a tool to help project total material recovery for a yard waste program.

	<u>Frequency</u>	<u>Type of Container</u>	<u>Container provided?</u>	<u>% recovered</u>	<u>Monthly cost</u>
Portland	bi-weekly	32 gal.	no	7.40%	\$1.60
Tualatin	weekly	90 gal. roll cart	yes	69.10%	\$4.00
Clackamas Co.	weekly	32 gal.	no	19.50%	\$2.60
Gresham	weekly	32 gal./60 gal.	no	24%	\$3.65/\$5.80
Milwaukie	weekly	32 gal.	no	22.50%	\$2.60
Lake Oswego	weekly	32 gal.	no	31.90%	\$2.60
Washington Co.*	self-haul depot	none		14.50%	

* Washington County has converted to a bi-weekly curbside system.

gallon cans. In practice, programs in which residents have to purchase a 32-gallon can have not fared well. As can be seen in chart 3, the only program that has even come close to meeting the DEQ goals is Tualatin's program, in which all households received a roll cart and weekly collection.

Tualatin's experience, however, points up an interesting and vexing problems for all jurisdictions, including Wilsonville. The recovery rates are based on a DEQ/Metro planning assumption that each household in the region generates 1,450 pounds (.725 tons or 1.923 compacted cubic yards) of yard debris annually. This number is apparently too high. Tualatin city staff is confident that their actual recovery rate is close to 100% and that using what is believed to be an erroneous planning assumption, it will be impossible for them to meet the DEQ goal. This same dilemma applies to Wilsonville. Using the 1,450 pounds per household figure, Wilsonville should be expected to generate 1,432 tons of yard debris annually (which would make our 93% goal 1,332 tons). Given the large number of golf course homes in the city, our actual annual yard debris generation is probably closer to 890 tons. Even if we diverted 100% of our residential yard debris from the waste stream, we would be well short of what DEQ thinks we should be diverting. This is an issue city staff will be working on with the Washington County Recycling Cooperative and the staffs of other jurisdictions. These planning assumptions must be changed.

3. Are we getting our program for the lowest possible cost?

Staff believes that we are. Attached are the final proposal made by United Disposal Service (exhibit B) and the final counter-proposal made by city staff (exhibit A). It is the staff's counter-proposal that we recommend you adopt. It should be noted that the proposal and counter-proposal are the result of a tremendous amount of give-and-take and that both sides have moved significantly off of their original positions. The proposals vary slightly in their numbers but wind up with the same bottom line. Staff feels confident that this counter-proposal is fair, establishes a program that will work, establishes the program at the lowest possible cost and will provide a profit for United Disposal Service.

A key assumption made by staff is that 88% of the program costs should be assumed by the single family homes and 12% by the golf course homes. Staff also disagrees with United Disposal's assumption that 100% of all golf course homes will participate on each collection day, but this does not seem to affect UDS's numbers, which reflect the staff's 88/12 split. In addition, staff's proposal shows general and administrative costs allocated across the entire user base for reasons stated earlier, while the UDS proposal shows no costs shared by the excluded homes. The bottom lines of the proposal and counter-proposal are otherwise the same.

Questions have been raised during the development of this program as to whether we might get a lower cost if we were to bid the program out. Staff believes the chances that another hauler could provide the service at a lower cost than United Disposal are nil. The reason is simple: United Disposal pays for disposal of yard debris at Grimm's Fuel Co. at a rate of \$6.50 per compacted cubic yard. All other haulers pay for disposal at a rate of \$28 per ton. The cubic yard rate paid by UDS works out to about \$18.05 per ton. This 36% savings on disposal fees alone makes it virtually impossible for another hauler to compete with UDS for this service. It should be noted, however, that should UDS lose this arrangement with Grimm's Fuel Co., it would probably necessitate an increase in yard debris disposal rates. In addition, the city's franchise agreement with UDS (Ordinance No. 204) gives them exclusive rights to haul all putrescible waste, including yard debris. (An exception is made for landscapers and gardeners who haul yard debris

resulting from their work.) To bid this program out would essentially mean tearing up the franchise agreement and negotiating a new one, despite the fact that the city has received excellent and reliable service at a very low cost from the current franchisee. Staff does not believe this would be a prudent course of action.

PART II: SCRAP PAPER RECYCLING

The single largest component of the residential waste stream is scrap paper. This includes junk mail, packaging, grayboard and a variety of other lower grade papers. Neither the state nor Metro requires that scrap paper be recycled, although such a mandate is possible before the end of the decade. Consumer surveys have repeatedly shown strong demand for scrap paper recycling services and markets for secondary fiber are improving as the increasing scarcity of wood chips drives the prices of virgin products higher.

The City of Tualatin approached United Disposal about offering a scrap paper recycling program. United Disposal responded with a proposal for such a program that would work only in Wilsonville and Tualatin entered simultaneously. Staff is recommending that we do so.

The obvious advantage to this program is that removing both yard debris and scrap paper from the garbage can diverts, on average, 53% of what people are now disposing. By offering recycling services for these two items, every household in the city has the opportunity to switch to a smaller garbage can at a lower cost. Households that use a 90-gallon can will be able to downsize to a 60-gallon can. Households that use a 60-gallon can will be able to downsize to a 32-gallon can. Households that use a 32-gallon can will be able to downsize to a 20-gallon mini-can. This is precisely the impact that recycling programs are supposed to have.

Under this program, each household receiving regular weekly service will receive a recycling bin similar to the bins that have already been distributed by Washington County. These bins would be for scrap paper only and would be collected at the curb on the same day as garbage.

United Disposal originally submitted a cost proposal that staff felt was too high. After pointing out some specific items that we felt should be changed, UDS submitted a new proposal showing a monthly cost of \$1.60 per month. Staff has no quarrel with this revised proposal and is recommending that as the rate for the program. In theory, this cost should come down over time as demand for secondary fiber increases, thereby allowing UDS to command a higher price for the paper it collects. However, this change will be a long time in coming.

In addition, United Disposal has proposed, and staff agrees, that the 90-gallon cart for residential service be eliminated as an option and that the cost of 60-gallon service be increased to the current cost of 90-gallon service. There are currently 661 residential customers using 90-gallon roll carts for garbage. Mini-can service would continue to be \$2.00 per month lower than 32-gallon service.

	<u>Gov Course Homes</u>		<u>Single Family Homes</u>		<u>Excluded Homes</u>	
	<u>Rate/Mo.</u>		<u>Rate/Mo.</u>		<u>Rate/Mo.</u>	
No. of homes	383		1,125		434	
<u>Carts</u>						
390 @ \$66.44	\$2,879.07					
1,225 @ \$87.44			\$11,901.56			
<u>Disposal</u>						
.24 cy/yr./house	\$597.48					
1.923 cy/yr./house			\$14,061.94			
Avoided Disposal						
one lb./wk./house	(\$746.85)				(\$846.30)	
8 lbs./wk./house			(\$17,550.00)			
Allocation of excluded						
homes avoided disposal	(\$214.14)		(\$631.36)			
Disposal total	(\$363.51)		(\$4,119.42)			
<u>Truck (.39 trucks needed)</u>						
\$150,000/5.5 year life x .39						
totals \$10,659	\$1,279.08		\$9,379.92			
Truck operating expense =						
\$9,654.00	\$1,158.48		\$8,495.52			
Truck labor @ \$37,128						
per year @ .39 FTE	\$1,733.99		\$12,776.01			
<u>Total -- Carts, truck, disposal, operator</u>	\$6,687.11	\$1.45	\$38,433.59	\$2.85		
<u>General and Admin.</u>						
Prop. Tax @ \$2,612						
Insurance @ \$781						
Interest @ \$7,655						
Total = \$11,048	\$1,256.98	\$0.27	\$8,373.57	\$0.62	\$1,417.45	\$0.27
w/o excluded homes						
allocation	\$1,917.00	\$0.42	\$9,131.00	\$0.68		
Franchise Fee = \$1,862.08	\$292.45	\$0.06	\$1,569.63	\$0.12		
Profit @ 10% before tax =						
\$6,524.89	\$978.83	\$0.21	5,546.06	\$0.41		
<u>Total Yard Debris Rate</u>	\$2.00		\$4.00		\$0.27	
<u>Waste Paper Rate</u>	\$1.60		\$1.60		\$1.60	
<u>Total Rate Increase</u>	\$3.60		\$5.60		\$1.87	
<u>Total Rate Increase w/o excluded homes allocation</u>	\$3.75		\$5.65		\$1.60	

UNITED DISPOSAL SERVICE, INC.
PAPERBOARD AND WASTE PAPER PROGRAM COST ESTIMATE
FOR THE CITIES OF TUALATIN AND WILSONVILLE

PROGRAM DESCRIPTION

Weekly curbside collection of residential paperboard and waste paper. To be incorporated with existing residential, curbside recycling programs. Each residential customer to be given a second recycling bin. The new bin will hold paperboard and the waste paper which will be collected in a paper bag.

Program costs to be spread over entire residential customer base.

ASSUMPTIONS

Residential Customer Counts

Tualatin	3063
Wilsonville	<u>1942</u>
 Total customers	 5005

Equipment

One new truck	\$24,000
2 new trailers designed for more compartments	10,000
Retrofit 2 existing trailers	2,200

Recycling bins:

Cost per bin	\$4.00
Distribution cost/bin	<u>1.00</u>

Total cost per bin \$5.00

(Distribution cost based on 7 people for 5 days @ \$17.85/hr)

One drop box at shop for dumping collection trucks \$4,000

Collection Labor

No. of new employees (FTE's)	2.00
Hourly wage including taxes & benefits	\$14.00

Office Labor

Office FTE's for phone and recordkeeping related to program	0.10
Hourly wage including taxes & benefits	\$17.85

Promotion

Startup: one mailer to each customer	\$0.50
Ongoing promotion per year	\$1,000

Truck Operating Costs

Fuel, oil, tires, repairs per day per truck	\$55.00
Insurance per truck per year	\$1,200

Hauling Costs to Market

Loads per month to market	6
Cost per load	\$100

Volume of Material to Collect

Pounds per month per household:	
Waste paper	2.8
Paperboard	2.6
	<hr/>
Total pounds per month per household	5.4

Revenue

Price per ton	\$0.00
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Other Assumptions

Property Tax rate per \$1,000 of assessed value	\$19.63
Interest rate on borrowed funds	7.50%
Payback period on borrowed funds (months)	36
Percent of waste currently in garbage can	100%
Disposal charge per ton for solid waste	\$75.00
Useful life for depreciation (years)	7

PROGRAM COST ESTIMATE

CAPITAL COSTS

Trucks and trailers	\$36,200	
Bins	25,018	
Drop box	<u>4,000</u>	
Total capital costs	65,218	
Capital costs per year		\$9,317

OPERATING AND COLLECTION COSTS

Vehicle operating costs (one truck)	14,300	
Insurance	1,200	
Transportation to market	7,200	
Promotion (startup promotion amortized over 5 yrs)	0	
Property taxes	570	
Interest	2,605	
Collection labor:		
FTE's	2.00	
Annual cost per FTE	<u>\$29,120</u>	
Total annual collection labor	58,240	
Office and administrative labor:		
FTE's	0.10	
Annual cost per FTE	<u>\$37,128</u>	
Total annual office and admin. labor	<u>3,713</u>	
Total annual operating and collection costs		87,827

AVOIDED DISPOSAL COSTS

Annual tons collected	162.16
Disposal cost per ton	<u>\$75.00</u>
Total annual avoided disposal costs	<u>(12,162)</u>

TOTAL ANNUAL COST OF PROGRAM 84,982

REVENUE FROM SALE OF MATERIAL

Annual tons collected	162.16
Price per ton	<u>\$0.00</u>
Total annual revenue	<u>0</u>

NET ANNUAL COST OF PROGRAM 84,982

Franchise fee	2,817
Profit @ 10% before tax	<u>8,923</u>

Total annual charge to customers \$96,722

No. of residential customers 5005

Annual cost per customer \$19,33

Monthly cost per customer \$1.61
Rounded to \$1.60

Exhibit B

**UNITED DISPOSAL SERVICE
COST TO PROVIDE CURBSIDE YARD DEBRIS SERVICE
CITY OF WILSONVILLE**

PROGRAM DESCRIPTION

Weekly collection of yard debris from all single family households using 60 gal. yard debris roll-carts. Monthly collection of yard debris from Charbonneau golf course homes, the homes in the Louvonne development, and the Oakleaf Mobile Home Park using 32 gal. yard debris roll-carts. Certain household groups will be excluded from the program due to alternative yard debris programs already in place.

All residential garbage collection will be automated using roll-carts.

ASSUMPTIONS

	<u>WEEKLY COLLECTION</u>	<u>MONTHLY COLLECTION</u>	<u>NO COLLECTION</u>
No. of residential customers	1,125	383	434
Percent of households participating	100.00%	100.00%	
Percent of households participating which set out carts on collection day	65.00%	100.00%	
Stops per day per truck per 8 hr shift	425	425	
Yard debris generation - cy/yr/house	1.923	0.24	
lbs diverted from garbage per week per house	8	1	
Capital cost per cart:			
	Time/ Cart	Hourly Rate	Cost/ Cart
Base cart cost			80.00
Assembly	0.17	17.85	2.98
Distribution	0.25	17.85	4.46
Total			\$87.44
Vehicle operating costs per truck per month			\$2,058
Hourly wage rate including taxes and benefits			\$17.85
Useful life of carts in years			9
Useful life of trucks in years			5.5
Property taxes (per \$1,000 of assessed value)			\$19.63
Insurance cost per truck per year			\$2,000
Promotion (one mailer per year)			\$0.00
Interest rate on borrowed funds			7.50%
Payback term on borrowed funds in months			36
Percent of yd. debris currently in garbage			25.00%
Disposal cost per ton for solid waste			\$75.00

COST COMPUTATION

	<u>WEEKLY COLLECTION</u>	<u>MONTHLY COLLECTION</u>	<u>NO COLLECTION</u>
No. of stops per week or per month	731	383	
CAPITAL COSTS			
A. CARTS			
No. of carts (including 100 for inventory)	1,225	390	
Cost per cart	\$87.44	\$66.44	
Total Cost	\$107,111	\$25,911	
Cost per year	\$11,901	\$2,879	
B. TRUCKS			
No. of trucks	0.34	0.05	
Cost per truck	\$150,000	\$150,000	
Total Cost	\$51,618	\$7,007	
Cost per year	\$9,385	\$1,274	
OPERATING AND COLLECTION COSTS			
Vehicle operating costs	\$8,500	\$1,154	
Labor:			
On-route FTE	0.34	0.05	
Office FTE	0.00	0.00	
Customer service FTE	0.00	0.00	
Total FTE	0.34	0.05	
Cost/year/FTE	\$37,128	\$37,128	
Cost per year	\$12,776	\$1,734	

Disposal Cost:

Annual compacted cubic yards	2,103	92
Disposal cost per cubic yard	\$8.50	\$6.50
Total annual disposal cost	\$14,062	\$597

Avoided Disposal on Solid Waste:

Tons diverted from solid waste	242	13
Disposal cost per ton	75	75
Total annual avoided disposal cost	\$18,181	\$962

General & administrative:

Property taxes	\$2,103	\$509
Insurance	688	93
Promotion	0	0
Interest	6,340	1,315
Cost per year	\$9,131	\$1,917

SUMMARY ANNUAL COSTS

Capital costs	\$21,286	\$4,153
Vehicle operating costs	8,500	1,154
Labor cost	12,776	1,734
Disposal cost	14,062	597
Avoided disposal	(18,181)	(962)
General & admin. costs	9,131	1,917
Total Annual Cost to Provide Service	\$47,574	\$8,593
Franchise fee	1,591	287
Profit @ 10% before tax	5,471	988
Total Annual Charge to Customer	\$54,636	\$9,869
Total Monthly Charge to Customer	\$4,553	\$822

COST PER MONTH PER CUSTOMER

No. of residential customers	1,125	383
Cost per month per customer	\$4.05	\$2.15

ADMINISTRATION DEPARTMENT

**ADDENDUM TO NOV. 15, 1993, STAFF REPORT
ON YARD DEBRIS RECYCLING**

A question arose at the November 15 meeting about the appropriateness of the size of the yard debris container and how the 60 gallon size was decided upon. I would also like to clarify what's going to happen city wide when our garbage collection system is fully automated.

First, there is no expectation that everyone (or anyone) will fill their yard debris container every week or that everyone will set their container out every week. To the contrary, in most weeks, the container will be less than full and in any given week only 65% of all garbage customers will set out their yard debris containers. The idea, however, is to provide a container that is big enough to handle peak volumes in the spring and fall (or all summer during a wet summer season) as well as being big enough to handle large branches when people are trimming trees and shrubs. There will, in fact, be times when a 60 gallon container is actually too small, particularly in the fall in the older sections of the city when deciduous trees are shedding their leaves. Tualatin's experience with 90 gallon containers has been that people fill them regularly. When staff first began the process of identifying concerns about the proposed yard debris program, much of the input received focused on the 90 gallon cart being too large. In an effort to be sensitive to citizen input, we have proposed using the smaller 60 gallon cart. Note, however, that these are special composting carts which contain an aeration chamber in the bottom that helps break down and compact the yard debris as it sits in the cart. This helps improve the cart's capacity.

While the standard unit on which the program is based is a 60 gallon cart, residents who are convinced that they need no more than a 32 gallon cart can call United Disposal and receive the smaller cart. Because the cost difference between the two carts is so small -- especially when amortized over nine years -- no rate break is envisioned. Based on the experience of other jurisdictions, it is staff's opinion that most people who request the 32 gallon container will quickly find that they actually need the 60 gallon container.

Next, when United Disposal Service automates its garbage collection service later this year, all garbage customers will be provided with a 32-gallon garbage container unless they request a larger (or smaller) container. Those who request a 60 gallon container (90 gallon containers will no longer be available) will pay a premium price for that service. We hope that requiring people to use the smaller container will provide additional incentive to recycle and that the premium for the larger container will provide an economic incentive for recycling.

ADMINISTRATION DEPARTMENT

DISCUSSION PAPER

DATE: **DECEMBER 20, 1993**

TO: **HON. MAYOR AND CITY COUNCIL**

FROM: **DAVE KANNER, PUBLIC AFFAIRS DIRECTOR**

SUBJECT: **YARD DEBRIS RECYCLING PROGRAM EXEMPTION OPTIONS**

At the City Council meeting of November 15, 1993, staff presented a proposal for a curbside yard debris recycling program in the City of Wilsonville. Staff's recommendation was for a program with no exemptions. Four persons testified at that meeting in favor of including an exemption option in the program for homeowners who compost their own yard debris, hire a commercial landscaper or who haul their own yard debris. Some written testimony has also been received in support of an exemption option. Following the public hearing, staff was directed to return to the Council with options for you to look at with regard to exemptions. This discussion paper will present three options: 1. No exemptions; 2. Regulated exemptions; and 3. Non-regulated exemptions.

HISTORY:

When the state of Oregon passed its landmark "Opportunity to Recycle Law," it did so with an important proviso: That people who recycle could not be charged more for the service than people who don't use the service. The rationale behind this is that if only those people who use the service are charged for it, that charge becomes an economic disincentive to recycling. On the other hand, if someone knows they will be charged for the service whether they use it or not, there is a clear incentive to use it. As a result, everyone pays for recycling services through their garbage bills whether they use the service or not.

With regard to yard debris, the Oregon Administrative Rule states "The cost of collection of at least the equivalent of one unit of yard debris per month *must* be incorporated into the base fee charged for solid waste and recycling collection and disposal" (emphasis added). In other words, DEQ mandated that the cost of yard debris collection become a part of the base rate charged to all garbage customers. This effectively prohibited user-pay systems, which had proven to be ineffective at diverting yard debris from the waste stream, just as user-pay systems were ineffective at diverting other types of recyclables from the waste stream.

When the City of Gresham implemented its curbside yard debris collection system in 1992, it did so, as did other cities, with no exemptions. However, because of the public outcry that followed, the city returned to DEQ and requested permission to allow exemptions from the yard debris program for home composters, self-haulers and homeowners who hire commercial landscapers. The DEQ granted that permission on the condition that the exemption program be "monitored;" that is, on the condition that the city take pro-active steps to ensure that people who claim an exemption do not in fact put yard debris in their garbage.

Gresham developed an application form and charged a one-time fee of \$20 for exemptions. About 4,000 applications were received and 1,600 exemptions were granted. Two full-time temporary employees were hired who for three months did nothing but process applications. One exemption was revoked when the homeowner continued to put yard debris in the garbage can.

Later that year, the City of Lake Oswego implemented its yard debris program. Also in the face of public outcry, that city included an exemption option similar to Gresham's in its program. Unlike Gresham, however, Lake Oswego placed the burden of administering the exemption program on their franchised hauler. The assumption is and has been that the increased administrative costs of the program will eventually be passed along to all garbage customers in the form of a rate increase, although the program is too young at this point to know what that rate impact might be.

Finally, Clackamas County, also in 1992, appointed a citizens' commission to study the question of exemptions as it readied its curbside yard debris collection program. Although the citizens' commission recommended a program with no exemptions, the board of commissioners overruled that recommendation and implemented an exemption program. Per DEQ's dictate, the program requires an application form and a \$20 application fee. It is administered by County staff. However, because the exemption option has been poorly publicized, the County has granted only 40 exemptions.

No other jurisdictions allow exemptions.

EXEMPTION OPTIONS

Before fully discussing exemption options, staff must point out that outdoor burning of yard debris, while banned by OAR 340 in most of the Portland metropolitan area, is still permitted in Wilsonville between March 1 and June 15 and again between October 1 and December 15 of each year. It cannot be emphasized strongly enough, however, that **burning of yard debris is not an environmentally acceptable alternative to recycling.** As such, two of these exemption options envision passage of a local ordinance banning all outdoor burning in the city, an action that is likely to prove as controversial as the yard debris program itself.

A sheet summarizing the following options is attached. What follows is a more detailed discussion of each option.

Scenario #1: No exemptions

Under this option, all garbage customers pay for the yard debris recycling service whether they use the service or not. This holds to both the spirit and the letter of the Opportunity to Recycle Law. In other jurisdictions where there are no exemptions, customers who compost their own yard debris, hire a commercial landscaper or haul their own yard debris are left with little choice but to swallow hard and pay the increased garbage bill.

In Wilsonville, we are fortunate that our hauler offers an "on call" service. Those persons who do not wish to participate in the yard debris program can simply cancel their regular garbage service and switch to on call service. With on call service, the customer receives no yard debris container and no yard debris collection service. Rather than being collected on a regular weekly route, garbage and recyclables are collected only when the customer calls and requests collection. Payment must be attached to the garbage can. Because of its cost, on call service works only for a garbage customer who is committed to recycling. It is, in essence, a self-regulating exemption system, since persons who switched to on call service and continued to put yard debris in their garbage can would quickly find themselves paying far more for garbage collection than they would if they just went along with the system.

Customers who use a commercial landscaper for their yard maintenance needs and want to continue to receive regular weekly service also have the option of taking the yard debris container, instructing the landscaper to put all yard debris in the container and negotiating a reduction in the landscaper's fees equal to the increase in the garbage rate. This is a deal that any smart landscaper will be happy to make. In fact, if a landscaper has a large number of customers in one area, it is a deal they would probably encourage all of those customers to take.

It should also be noted that while many people may not be aware of it, everybody already pays for recycling services they may not use. It is likely that, given the proliferation of rapid service oil change businesses, many people never put used motor oil in their recycling bins. Nonetheless, everybody pays for used motor oil recycling as part of their garbage bill. No thought is given to exempting people who pay someone else to change their oil from the cost of the program. Similarly, someone who does not subscribe to the newspaper pays for newspaper recycling. Recycling, however, is not a "free" service, and state law requires that everyone share the cost of the service whether they use it or not.

It should also be pointed out that under this scenario, anyone who does not want the yard debris container and has made acceptable alternate disposal arrangements can simply tell United Disposal that they do not want the container and they will not receive one. They are, however, making a commitment to putting no yard debris in their garbage can.

Advantages:

1. Simplicity. There are no forms to fill out, no monitoring to be done and no fees to be paid. Customers who want an exemption get one by converting to on-call service.
2. This option captures all of the yard debris in the waste stream, including yard debris that cannot be composted, such as branches, blackberries, woody plants, some vegetables, etc.
3. This option eliminates any reasons for cheating or burning.

Disadvantages:

1. Home composters, self-haulers and customers with landscape services who either reject the on-call option or who cannot negotiate a break in their landscaping fees will feel they are paying for a service they do not need.

Scenario #2: Regulated exemptions

As explained earlier, regulated exemptions are available in three other jurisdictions (Lake Oswego, Gresham and Clackamas County). Under this scenario, garbage customers who compost their yard debris, hire a commercial landscaper or haul their own yard debris may apply for an exemption from the yard debris collection program. If their application is approved, the customer receives a credit on their garbage bill. If the terms of the

exemption are violated, the exemption is revoked. Lake Oswego gives two warnings before an exemption is revoked, Gresham and Clackamas County give one warning.

Copies of the Lake Oswego and Clackamas County exemption applications are attached. Copies of the Gresham exemption agreements are attached. Copies of the warning letters used in Lake Oswego are also attached. Clackamas County charges \$20 at the time of application and a \$10 annual renewal fee to cover administrative overhead. Gresham charges \$10 and no renewal fee. Lake Oswego does not charge an application fee, but requires the hauler to administer the program. It is assumed that the haulers increased administrative costs will be passed along to garbage customers in the form of higher garbage rates.

All three jurisdictions require confirmation of eligibility before an exemption is granted. In the case of someone using a commercial landscaper, that customer must submit receipts from the landscaper and the local jurisdiction will then confirm that the landscaper is using an approved yard debris disposal site before the exemption is granted. Similarly, a self-hauler must submit receipts from an approved disposal site to receive an exemption. In the case of a home composter, an on-site inspection is conducted to ensure that the person requesting the exemption has a controlled compost pile that is not generating odors, attracting pests or otherwise creating a nuisance. Someone who is just piling up yard debris in their yard and letting it rot is not composting.

For this option to be effective, staff believes it would have to be accompanied by a city-wide outdoor burn ban. Some home composters in Wilsonville will freely admit that they compost what they can and burn what they can't. Again, burning is not an environmentally acceptable alternative to recycling. Staff proposes that if this option is adopted, we follow the Clackamas County model of a \$20 application fee and \$10 renewal fee with city staff rather than hauler staff conducting inspections. As there is a demonstrable cost to administering this type of exemption program, it seems proper that the people who benefit from this program should bear that cost.

Although there is evidence from other jurisdictions that exemptions can have the effect of raising the cost of the program for everyone else who stays in it, it is staff's position that this exemption option could be offered without raising the cost of the program as proposed.

Advantages:

1. Gives price break to those who believe they deserve it.
2. Reduced likelihood of cheating, with penalties for those who are caught.
3. Application fee at least partially covers increased administrative overhead costs.

Disadvantages:

1. Consumes a tremendous amount of staff time for application processing and enforcement.
2. Puts city and hauler in position of being "garbage police."
3. Provides no legal avenue of disposal (except self-haul) for those exempted if they have materials which cannot be composted (i.e., branches, twigs, blackberries, roses, etc.) or which the landscaper does not take.

Scenario #3: Non-regulated exemptions

This is essentially an honor system exemption program. Under this scenario, customers who are composting their yard debris, using a landscape service or otherwise disposing of their yard debris in an environmentally sound manner would call United Disposal Service

and exempt themselves from the yard debris program. They would receive weekly pick-up of garbage and recyclables at a cost of \$12.60/month for a 20-gallon container or \$14.60/month for a 32-gallon container. However, they would receive no yard debris service and would not be permitted to use a container larger than 32 gallons for garbage.

The theory behind this option is that unless someone is composting, self-hauling or using a landscape service, it will not be possible for them to fit all of their waste in a 32- or 20-gallon container. Again, a burn ban would be imperative for this option to work properly.

The big flaw with this option is that it lays open an immense opportunity for cheating. That is, someone who dumps their yard debris in a roadside ditch or on a nearby vacant lot has no more need for yard debris service than does someone who composts or hires a commercial landscaper. Will people cheat? Of course, the vast majority will not, however it should be pointed out that Metro estimates that 10% of all garbage in the region never makes it to an approved disposal facility. While it would be nice to think that this garbage is going to the Marion County burner or less expensive landfills in Yamhill, Polk or Clark Counties, the fact is, it is being dumped illegally. Meanwhile, SOLV, the statewide volunteer group that conducts ongoing litter clean-ups, estimates that 30-40% of all of the garbage they clean up from illegal dump sites is yard debris. The illegal dumping of yard debris is a big, big problem and one of the reasons the DEQ mandated weekly curbside collection of yard debris region-wide. Whether it is ethically acceptable for the city to adopt a program that knowingly allows for the opportunity for this kind of cheating is a philosophical question that only the Council can answer.

This option would be available only to customers in the "single family homes" group, who would otherwise receive weekly collection of a 60-gallon yard debris container. Golf course homes would not be eligible for this exemption.

Advantages:

1. Simplicity. Requires no forms, fees or commitment of staff time.
2. Gives price break to those who believe they deserve it.

Disadvantages:

1. Provides ample opportunity for cheating. Could encourage illegal dumping.
2. Given experience of other jurisdictions, likelihood that DEQ will approve an unregulated exemption program are slim at best.
3. Provides no legal avenue of disposal (except self-haul) for those exempted if they have materials which cannot be composted (i.e., branches, twigs, blackberries, roses, etc.) or which the landscaper does not take.

Application for Exemption from Lake Oswego's Yard Debris Collection and Recycling Program.

Name (please print) _____

Address _____

Account number _____

Phone (day) _____

I request an exemption from the yard debris collection and recycling program and from that portion of my solid waste service billing. I recycle my yard debris by (check any that apply and fill in the required information for those checked):

_____ home composting. By requesting this exemption, I hereby authorize Rossman's Sanitary Service to enter onto my property from time to time to ascertain that I do have a properly maintained compost pile.

_____ hauling it to an authorized processor. I agree to submit the original receipts every six months.

Processor's name _____

_____ having a lawn maintenance service which hauls the yard debris to a processor. I agree to submit a copy of at least three of my service billing receipts every six months.

Company name _____

Address _____

Phone _____

Processor's name _____

I certify that no yard debris is disposed of as garbage or is taken directly to the Metro South Transfer Station for disposal. I understand this exemption can be revoked if: yard debris is found in my garbage container, if my yard debris is illegally dumped, if my compost pile creates a nuisance, or if any of the above mentioned agreements are not met. If approved, this exemption agreement is good for six months, with an automatic extension to one year from the date of filing if the program is not changed by the City Council's review.

Signature

Date

DEAR CUSTOMER:

Your application for exemption from the yard debris collection and recycling has not been approved based on the following reason:

___ YOUR COMPOST PILE was not approved. It is:

- ___ not a working pile.
- ___ at a location that is not on your property.
- ___ has trash in it.

___ YOUR HAULING OF YOUR OWN YARD DEBRIS was not approved because:

- ___ Where you take your yard debris to be recycled is not an approved processor or method.
- ___ You have not supplied receipts to where you take your yard debris to be recycled (please send in copies or originals of 3 of your receipts for the last 6 months.)

___ YOUR YARD MAINTENANCE SERVICE has not been approved because:

- ___ They do not recycle the yard debris at an approved processor or with an approved method.
- ___ They have not sent back any information forms about where they recycle their yard debris.
- ___ You have not supplied billing receipts from your maintenance service. (please send in copies or originals of 3 of your receipts from the last 6 months)

___ YOUR RETURNED APPLICATION WAS INCOMPLETE:

If you feel that you can correct this situation, you may call Rossmans when you feel you have resolved the problem and request a new application form.

Exemption applications will be accepted once a year, for a one month period starting, APRIL 1st and ending APRIL 30th.

If you have additional questions call Rossmans Sanitary Service, 636-3011

Notice Date: _____

Customer Address: _____

Yard Debris Exemption

You have applied for and received an exemption from the City's curbside yard debris collection and recycling program. The exemption was given because you handled your yard debris in an environmentally sound manner. We want to encourage you to continue to do so. Today, however, our collectors found yard debris in your garbage can.

__ **First warning.** There was yard debris in your garbage can for disposal in a landfill. Do not jeopardize your exemption. Continuous non-compliance will result in a loss of your exemption.

__ **Second warning.** There was yard debris in your garbage can for disposal. Citizens in the Metro region are recycling their yard debris in attempts to keep down the escalating costs of landfill disposal and to reuse a natural resource.

__ **Third warning.** There was yard debris in your garbage can for disposal. Since you have violated the exemption agreement, **your yard debris program exemption has been revoked.** The yard debris program charges will be reinstated to your billing account. You will be mailed a yard debris decal to put on a can so that you may use the yard debris curbside program.

If you have any questions about the yard debris program, contact:

Rossmann's Sanitary Service
P.O. Box 405
Lake Oswego, OR 97034
636-3011

Or call the City of Lake Oswego's Citizen's Action Office for recycling and solid waste reduction issues: 697-6573.

With everyone's commitment, we can make it work.

APPLICATION FOR EXEMPTION FROM YARD DEBRIS SERVICE

Name _____
(please print)
Address _____
City _____ Zip _____
Phone (day) _____
Garbage Company _____

___ Initial Application \$20.00
___ Renewal \$10.00
Attach check made out to:
Clackamas County
902 Abernethy Rd.
Oregon City, OR 97045

I request an exemption from the yard debris portion of my solid waste management service because I handle yard debris using one or more of the following method(s):

- _____ home compost* - my compost system does not create a solid waste nuisance*
- _____ haul to processor myself; Processor name _____ I will retain receipts and submit them to Clackamas County every six months.
- _____ Lawn maintenance service hauls material away - Have your lawn maintenance service complete the following certification:

Name: _____

Company Name: _____

Address: _____

Phone: _____

Processor to whom material is delivered: _____

I certify that my company takes all yard debris material to the above processor.

Signature

Date

I certify that no yard debris from my property is disposed of as garbage. I understand this exemption will be revoked if yard debris is found in my garbage can; if my yard debris is illegally dumped; if my compost pile creates a nuisance; if any of the above agreements are not met; or if my property is found to be in violation of any County Solid Waste Ordinance codes.

Signature

Date

*Composting: a controlled biological decay of compost material where moisture, heat, bacteria, earthworms and microorganisms found in nature transform compost material into compost in a manner which does not create offensive odors or a health hazard.

*Solid Waste prohibited under the Ordinance: Composting which causes offensive odors or creates a health hazard or which is capable of attracting or providing food for potential disease carriers such as birds, rodents, flies and other vectors.

Please retain this agreement for your records

CITY OF GRESHAM
YARD DEBRIS COMPOSTING EXEMPTION AGREEMENT
April 1, 1993- March 31 1, 1994

As a condition of receiving a Composter Certification which entitles me to a credit for the yard debris portion of my solid waste collection charge I, hereby acknowledge and agree to the following:

1. I agree to compost and/or mulch or to manage yard debris generated on my property in an approved, environmentally responsible way.
2. If yard debris is placed out for collection as part of the yard debris recycling program, or is found in my garbage can more than one time, I understand that the charge will be added back onto my monthly solid waste bill and I may not apply for a composting exemption until the next open application period.
3. The solid waste hauler will place an "I COMPOST" decal on my garbage can. It is my responsibility to call my hauler in the event that my decal is lost or needs to be replaced.
4. I may begin yard debris collection service at any time by notifying the hauler. The yard debris charge will be added to the monthly garbage bill. I will not be eligible for the Exemption Program until the next open application period.
5. If I have a compost system I agree to the following:
 - * All compost piles will be tended and managed in a controlled manner.
 - * Meats, fats, dairy products and grains will not be added to compost.
 - * If compost begins to generate odors, attract pests, or becomes a public nuisance, I am responsible for controlling this problem within a reasonable amount of time by modifying management practices.
 - * If problems are not corrected within the time period required by the City, I understand that I will no longer be eligible for a composting certification exemption and the charge for yard debris will be added back to my solid waste bill, and that I may not apply for a composting certification until the next open application period.
6. Application processing fees are not refundable. The fee covers the application review and compost inspection.
7. Certification is valid until March 31, 1994. On April 1, 1994 renewals will be granted to customers who continue to compost and are following the terms of the agreement. There is no fee for renewal.
8. The credit I will receive is \$3.65 per month and is valid until March 31, 1994. I understand that costs of providing the yard debris collection service will be evaluated annually and may result in an adjustment to the credit amount.
9. The compost certification and credit is not transferable to another customer or property.

Please retain this agreement for your records

CITY OF GRESHAM
LANDSCAPE/YARD MAINTENANCE SERVICE EXEMPTION AGREEMENT
April 1, 1993 - March 31, 1994

As a condition of receiving a Landscape/Yard Maintenance Service Exemption which entitles me to a credit for the yard debris collection portion of my solid waste collection monthly charge I, the hereby acknowledge and agree to the following:

1. The landscape and/or yard maintenance company must be approved by the City and meet the following requirements:
 - a. The company must dispose of yard debris at a yard debris recycling facility.
 - b. The company must be licensed to do business in Gresham.
2. If the landscape and/or yard maintenance firm disposes of yard debris at a location other than a yard debris recycling facility, the company will be removed from the list of approved landscape and/or yard maintenance companies.
3. If the landscape and/or yard maintenance company is removed from the approved list, customers who are receiving a credit for payment of the yard debris portion of their bill will receive a notice from the City. The customer will have two weeks from the date of the notice to notify the City if they have contracted with another approved firm.
4. If the customer does not notify the City that they have contracted with a new firm approved by the city, the yard debris charge will be added to their monthly solid waste collection bill.
5. The solid waste hauler will place an "I COMPOST" decal on my garbage can. It is my responsibility to call my hauler in the event that my decal is lost or needs to be replaced.
6. If yard debris is placed out for collection as part of the yard debris recycling program or placed in the garbage can, I understand that the charge will be added back onto the monthly solid waste bill and the I may not apply for an exemption until the next open application period.
7. Application processing fees are not refundable.
8. Certification is valid until March 31, 1994. On April 1, 1994, renewals will be granted if an approved landscaper is continuing to provide yard service. There is no fee for renewal.
9. The landscape/yard maintenance credit is \$3.65 per month and is valid until March 31, 1994. The costs of providing the yard debris collection service will be evaluated annually, and may result in an adjustment to the credit amount.
10. The Landscape/Yard Maintenance Service Exemption and credit is not transferable to another customer or property.

Scenario #1: No exemptions

- No exemptions, as recommended in the staff report of Nov. 15, 1993.
- Customers who do not wish to participate in the yard debris program can cancel their regular garbage service and use on-call service.
- Customers who use a commercial landscaper for their yard maintenance needs and want to continue regular weekly service can take the yard debris container, instruct the landscaper to put all yard debris in the container and negotiate a reduction in the landscaper's fees equal to the increase in the garbage rate.

Advantages:

Captures all yard debris, including materials which cannot be composted, such as branches, blackberries, woody plants, some vegetables, etc.
Eliminates any reasons for cheating
Spreads costs of program across largest possible base

Disadvantages:

Home composters, self-haulers and customers with landscape services will feel they are paying for a service they do not need

Scenario #2: Regulated exemptions

- Customers who are home composting, hauling their own yard debris to an approved processor or who hire a commercial landscaper for their yard maintenance needs may apply for an exemption from the yard debris recycling program.
- \$20 application fee to cover administrative overhead. \$10 annual renewal fee.
- New city ordinances ban outdoor burning and any yard debris in garbage can.
- Home composters must submit to an inspection in order to qualify.
- Self-haulers must submit receipts from approved processing facility.
- Those hiring commercial landscapers must submit three receipts with customer's name and address on them. City must verify that landscaper is using an approved processing facility.
- Customer receives two warnings if found to be violating exemption agreement. Exemption revoked after third violation.

Advantages:

Increased administrative overhead costs are covered (at least partially)
Reduced likelihood of cheating, with penalties for cheaters who are caught
Gives price break to those who believe they deserve it

Disadvantages:

Consumes tremendous amount of staff time for processing and enforcement
Puts city and hauler in the position of being "garbage police"
Provides no legal avenue of disposal (except self-haul) for those exempted if they have materials which cannot be composted (i.e., branches, twigs, blackberries, roses, etc.) or which the landscaper does not take

ADMINISTRATION DEPARTMENT
ADDENDUM TO NOV. 15, 1993, STAFF REPORT
ON YARD DEBRIS RECYCLING

A question arose at the November 15 meeting about the appropriateness of the size of the yard debris container and how the 60 gallon size was decided upon. I would also like to clarify what's going to happen city wide when our garbage collection system is fully automated.

First, there is no expectation that everyone (or anyone) will fill their yard debris container every week or that everyone will set their container out every week. To the contrary, in most weeks, the container will be less than full and in any given week only 65% of all garbage customers will set out their yard debris containers. The idea, however, is to provide a container that is big enough to handle peak volumes in the spring and fall (or all summer during a wet summer season) as well as being big enough to handle large branches when people are trimming trees and shrubs. There will, in fact, be times when a 60 gallon container is actually too small, particularly in the fall in the older sections of the city when deciduous trees are shedding their leaves. Tualatin's experience with 90 gallon containers has been that people fill them regularly. When staff first began the process of identifying concerns about the proposed yard debris program, much of the input received focused on the 90 gallon cart being too large. In an effort to be sensitive to citizen input, we have proposed using the smaller 60 gallon cart. Note, however, that these are special composting carts which contain an aeration chamber in the bottom that helps break down and compact the yard debris as it sits in the cart. This helps improve the cart's capacity.

While the standard unit on which the program is based is a 60 gallon cart, residents who are convinced that they need no more than a 32 gallon cart can call United Disposal and receive the smaller cart. Because the cost difference between the two carts is so small -- especially when amortized over nine years -- no rate break is envisioned. Based on the experience of other jurisdictions, it is staff's opinion that most people who request the 32 gallon container will quickly find that they actually need the 60 gallon container.

Next, when United Disposal Service automates its garbage collection service later this year, all garbage customers will be provided with a 32-gallon garbage container unless they request a larger (or smaller) container. Those who request a 60 gallon container (90 gallon containers will no longer be available) will pay a premium price for that service. We hope that requiring people to use the smaller container will provide additional incentive to recycle and that the premium for the larger container will provide an economic incentive for recycling.

Scenario #3: Non-regulated exemptions

- No formal exemptions granted, but revised rate structure provides price break to home composters, self-haulers and those using commercial landscapers if they commit to hard-core recycling effort.
- New city ordinances ban outdoor burning and any yard debris in garbage can.
- Revised rate structure is as follows (rates are for weekly collection):

	<u>20 gal.</u>	<u>32 gal.</u>	<u>60 gal.</u>
Single Family Homes/Exempted	\$12.60	\$14.60	not available
Single Family Homes	\$16.60	\$18.60	\$24.90
Golf Course Homes	\$14.60	\$16.60	\$22.90
Excluded GC Homes	\$12.87	\$14.87	\$21.17

Advantages:

- Requires no forms, fees or commitment of staff time
- Gives price break to those who believe they deserve it

Disadvantages:

- Ample opportunity for cheaters
- May encourage illegal disposal options
- Strong possibility that Washington County or DEQ will not approve an unmonitored exemption program
- Provides no legal avenue of disposal (except self-haul) for those exempted if they have materials which cannot be composted (i.e., branches, twigs, blackberries, roses, etc.) or which the landscaper does not take

MARSHALL & LINDA WATKINS
32575 SW Riviera Lane
Wilsonville, Oregon 97070-7442
503-694-2334

October 4, 1993

Wilsonville City Council
Meeting at the Charbonneau Country Club
October 11, 1993

Dear Council Members:

Thank you for coming to Charbonneau to meet with our community members. We appreciate your willingness to venture south of the river to meet with us in our portion of the Wilsonville community to hear our concerns.

We would like to comment on the suggested solution to the yard debris problem. As it was stated in the paper, the amount of yard debris that is currently being collected in the household garbage must be reduced. The suggestion we saw in the newspaper was for the City of Wilsonville to provide each residence with a 90 gallon container for yard debris. These containers would be collected separately. While we appreciate the need, we have several problems with the solution proposed and we have some suggestions for alternate solutions. First, the problems:

1. In the Louvonne area of Charbonneau, and in most other areas here, the local home owners association (HOA) has the responsibility for the common area. It is the common area that generates the bulk of the yard debris and the HOA contracts for the landscape care and the contract includes collection and transport of the yard debris from the common area.
2. The private area of most homes simply do not generate enough yard debris to fill a 90 gallon container through the course of a normal 12 month period.
3. The local covenants and restrictions of this planned community require that trash containers be screened from public view. Most people keep the containers in their garage or in a separate screened area. Our garage is simply too small to "park" a 90 gallon container. We would likely have to construct a storage facility adjacent to our home for the can. We are unwilling to disrupt our landscaping and to spend the money to do so.

Wilsonville City Council, page 2

Finally, our alternate solutions:

1. The City could provide each residence a collection bag for yard debris that could be put out at the curb on a scheduled basis for collection.
2. The City could establish a drop point for us to take yard debris for composting and reuse. This could be at one of the park sites or perhaps at the Charbonneau maintenance yard.
3. The City could schedule a drop box in each of the neighborhoods on a schedule to accept the yard debris that has been collected by each home owner or HOA.

The voters in Oregon have been very clear in the messages we have been sending to our elected representatives. The message can be boiled down to a simple motto--"Cut spending first." Providing each residence with a 90 gallon container for yard debris is not a good solution, does not meet the test of a low-cost response, and does not provide for the re-use of the yard trimmings. A different solution must be chosen.

Thank you for your consideration of this matter.

Sincerely:

Handwritten signature of Marshall and Linda Watkins in cursive script.

Marshall & Linda Watkins

Charbonneau country club

32000 S.W. Charbonneau Drive • Wilsonville, Oregon 97070 • Phone 503/694-2300

October 6, 1993

Dave Kanner, Director
Public Affairs
City of Wilsonville
30000 S.W. Town Center Loop E.
Wilsonville, OR 97070

Dear Mr. Kanner:

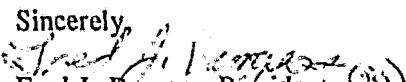
Many thanks for appearing at our Board meeting to explain the yard debris recycling issue and alternatives. As you learned at the meeting Charbonneau has a wide variation of yard debris related issues. We have 252 single family residences that are located on conventional lots and for the most part provide their own yard care. We have 796 town houses and single family residences that are in home-owner associations where the landscape maintenance and debris removal is cared for by a landscape maintenance contractor. In these cases a very small amount of debris (mostly flower clippings) is generated from the interior court yard that is cared for by the owner. My house is a good example. Our interior court yard is 25 ft. x 22 ft. with 295 square feet of this area in concrete walkways and a patio. Our plantings consist of 6 rose bushes, 3 decorative (6ft) trees and several shrubs. In the spring and fall we clean up the courtyard and generate about two (32gal) garbage cans of debris. At other times of the year our weekly debris consists of sweeping a few leaves from the walk plus defunct flowers. This debris fits in a medium paper bag. I believe our situation is average for the town house and single family residences served by a landscape contractor.

It was the consensus of our Board that several alternatives are needed since the "90 gallon roll cart and weekly yard debris pick up" proposal simply doesn't fit the needs of the majority of our residents. One big flaw is the storage of a "monstrous" 90 gallon roll cart that isn't needed. It simply won't fit in my garage and this is the case for most people that have 2 cars and other equipment such as bicycles, golf carts etc. Our CC&R prohibit the placement of a refuse container in public view in front of the house and it wouldn't be welcome in the courtyard. A smaller yard debris container might fit somewhere for most people but it would likely not need to be emptied more than once a month except for the spring and fall cleanup.

One alternative that would likely work is to have our landscape contractors service the courtyards and haul the debris off to his recycling center with the other debris collected from the outside maintenance. The various home-owner associations will want to discuss this with their landscape contractors. However as I understood your remarks there is a reluctance to grant variances since monies to run the program is needed from everyone.

We will want to discuss alternatives with you in greater detail as soon as the issues involved are clarified. Thanks for your assistance.

Sincerely,


Fred J. Burgess, President (circ)

FJB/sls

cc: Board Members

October 6, 1993

Wilsonville City Council
City Hall
30000 Town Center Loop
Wilsonville, OR 97070

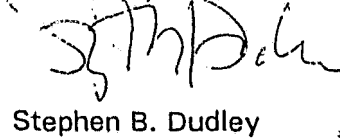
Dear City Council members:

While I can understand the need to begin separate pickup of yard debris, I have some concerns about providing "every household" with a 90-gallon roll cart and charging them accordingly.

Please keep in mind that in Charbonneau many residents have a very limited "inside" yard for which they are responsible. Everything outside of their patio is maintained by the area landscape firms who remove any debris. Thus, I suspect that many residents wouldn't know what to do with a large debris container and certainly shouldn't be charged for it in the same manner as would a single home. Even in our case where we have one of the larger yards I seldom generate enough yard material that it can't be added to our existing 32-gallon trash barrel. (If we have extra material at time of fall clean-up, etc., then we taken it to a friend's mulch pile.)

Thus, I hope you will review the matter more thoroughly than perhaps indicated in the notice recently distributed and instead of a flat rate for everyone, give consideration to having several rates which are more consistent with potential usage.

Sincerely yours,



Stephen B. Dudley
31650 Arbor Glen Loop
Wilsonville, OR 97070

I attended the Chardonneck Country Club Board meeting when the issue of curbside debris recycling was addressed.

I was pleased to see some kind of compromise being made with Condo and town house owners who would not have the debris we in single family have. I was also glad to hear of a fine for households that try to circumvent the action by "sneaking" just a little into garbage cans.

Any type of change will meet with opposition initially, but all of us need to accept and even embrace the changes that will keep our earth stay intact for our future generations. We need to think about the legacy we want to leave. This is a good step in the right direction -
Pat Rayborn

Mr. and Mrs. J. D. Rayborn
7045 SW Armitage Ct.
Wilsonville, OR 97070

October 8, 1993
Wilsonville, OR

City Council
Wilsonville, OR

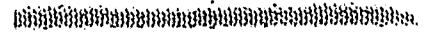
Dear Council:

We are writing in regards to the yard debris recycling program. We feel we should be given the option to choose not to pay for the yard debris service as we now mulch and compost all our yard debris and never put any into our garbage can.

Sincerely

Robert and Miriam Kinder

Robert Kinder
Miriam Kinder
10413 Tranquil Way
Wilsonville



October 15, 1993

Mr. Dave Kanner,
Public Affairs Director
City of Wilsonville
30000 Town Center Loop E.
Wilsonville, OR 97070

Dear Mr. Kanner:

I am in receipt of your letter of October 13th containing reasons why you believe United Disposal Service should be the exclusive vendor for the removal of yard debris.

I must be very candid with you and tell you that the tone of your letter left me with the impression that either you, or the lead negotiator who is dealing with UDS, is allowing UDS to establish the terms and conditions for the yard debris removal program. UDS may have a franchise agreement with the City for garbage removal, but some of us question whether yard debris constitutes "garbage." We also question the projected cost of \$4.00 to \$4.50 per month surcharge. We feel that this sum is grossly excessive considering that the amount of clippings and yard debris generated during a five month growing period would certainly not warrant a 90 gallon receptacle with 52 weekly collections per year.

Our home may represent a typical residence in Wilsonville. We are located on a 10,000 square foot lot with large trees and shrubs. We could not generate enough yard debris to fill one 90 gallon receptacle a month. Besides, we, like a large number of other homeowners have a landscape service, and they haul away the grass clippings to a recycler as a part of their service.

Furthermore, it is my understanding that the City of Lake Oswego also has initiated a debris service, and does not charge any fee to homeowners who have a landscaper performing their yard maintenance. This policy of eliminating those homeowners who already have alternate means of disposing of their yard debris should also be adopted by the City of Wilsonville.

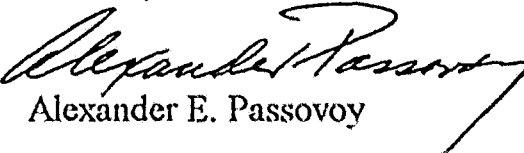
Mr. Dave Kanner
October 18, 1993
Page 2.

Finally, I look to the City to be creative in establishing programs to minimize the costs to the homeowners. In addition to exploring ways to determine if UDS has a permanent monopoly on yard debris, the City should explore programs that would reduce the amount of yard debris in the first place, and the costs associated with collection programs. For example:

1. Encourage homeowners to let their grass clippings remain on their lawns, rather than bag them. The clippings will decompose and add nutrients back into the soil.
2. Encourage homeowners, by offering them a credit, to have a compost bin and a small mulcher in their back yards for all their clippings. That is the ultimate, creative way to reduce yard debris. Both the electric and gas utilities offer their customers financial incentives to install energy efficient appliances. The City should consider doing the same with respect to yard debris.
3. Negotiate a contract with a hauler to charge homeowners for yard debris on an "on call" basis. If a homeowner has debris to be picked up once a month, or once a year, or 52 times a year, that is all the homeowner should be charged.
4. Finally, and most important, explore how other communities have creatively accomplished methods to resolve this problem in a cost effective manner. I am not convinced that the program that you propose is the only option available to the City.

Your role as a city administrator is to find the most efficient and cost effective methods to resolve problems, and not be too quick in your decision making without having done your homework.

Sincerely,


Alexander E. Passovoy

cc: Arlene Lobel, City Manager

H. L. CRAWSHAW
7036 S.W. GORDONS RUN
WILSONVILLE, OR 97070

OCT. 16, 1993

WILSONVILLE CITY COUNCIL
WILSONVILLE CITY HALL
30000 TOWN CENTER LOOP EAST
WILSONVILLE, OR 97070

RE: DEQ RECYCLING REQUIREMENTS.

DEAR MEMBERS OF WILSONVILLE CITY COUNCIL:

WILSONVILLE WILL SHORTLY BE REQUIRED TO INSTITUTE A RECYCLING PROGRAM TO MEET DEQ REQUIREMENTS. THE PROGRAM AS PRESENTLY UNDER CONSIDERATION IS AN ADDITIONAL FLAT MONTHLY FEE OF \$4.00 TO \$5.00 PER HOUSEHOLD. IT IS ALSO UNDERSTOOD THAT SOME CONDOMINIUMS, APARTMENTS AND BUSINESSES WHICH DO NOT DEVELOP VEGETATION RECYCLABLE MATERIALS, THEY WILL BE EXEMPT FROM THE ADDITIONAL MONTHLY CHARGE.

IT NOW COMES DOWN TO THE CHARGE FOR THE INDIVIDUAL HOUSEHOLDS WHICH DEVELOP THESE VEGETATIONAL MATERIALS IN THE FORM OF GRASS CLIPPINGS, TREE BRANCHES, AND OTHER GARDEN MATERIALS. SOME HOUSEHOLDS DO NOT HAVE THESE RECYCLABLE VEGETATIONAL PRODUCTS AS THY HAVE LANDSCAPE SERVICES REMOVE ALL THIS TYPE OF DEBRIS. THESE HOUSEHOLDS SHOULD NOT BE CHARGED THE EXTRA FEE. OTHER HOUSEHOLDS HAVE A MINIMAL AMOUNT OF THIS MATERIAL TO RECYCLE AND SHOULD NOT BE CHARGED THE SAME AMOUNT AS THE HOUSEHOLDS WITH LARGE AMOUNTS OF RECYCLABLE MATERIAL.

HOW DO YOU MAKE THIS PROGRAM FAIR TO EVERYONE? THERE IS A WAY TO DO THIS WITHOUT CAUSING UNDUE HARDSHIP TO SOME OF THE CITIZENS.

1. WILSONVILLE WOULD INSTITUTE AN ORDINANCE REQUIRING ALL VEGETATIVE GARDEN MATERIALS WOULD BE REQUIRED TO BE RECYCLED IN SEPARATE LABELED CONTAINERS.

2. FIRST OPTION: BILL EACH HOUSEHOLD THE ADDITIONAL MONTHLY RECYCLING FEE AND SUPPLY FIVE SPECIAL PLASTIC RECYCLING BAGS EACH MONTH.


3. SECOND OPTION: NO ADDITIONAL MONTHLY RECYCLING CHARGE, BUT THE SPECIAL PLASTIC BAGS WOULD BE REQUIRED. THESE BAGS WOULD BE SOLD IN LOTS OF 5, 10, 25 AND 50 WITH THE LARGER AMOUNTS SOLD AT A DISCOUNT

HOUSEHOLDS WOULD BE REQUIRED TO CHOOSE EITHER OPTION. THOSE HOUSEHOLDS NOT MAKING A SELECTION WOULD AUTOMATICALLY BE BILLED BY THE MONTH.

THE BAGS COULD HAVE PRINTING ON THEM TO DENOTE THAT THEY ARE TO BE USED FOR VEGETATION RECYCLING. EXAMPLE: "WILSONVILLE RECYCLES TODAY FOR A BETTER TOMORROW" OR SELL SPACE TO LOCAL BUSINESSES THAT COULD SAY "ABC CORP. SUPPORTS RECYCLING. WE SOLICIT YOUR SUPPORT IN THIS PROGRAM".

I AM SURE THE THE CITY COUNCIL WILL ENACT A FAIR AND IMAGINATIVE RECYCLING ORDINANCE PROGRAM THAT WILL SATISFY THE DEQ REQUIREMENTS.

YOURS TRULY,

A handwritten signature in cursive script, appearing to read "H. L. Crawshaw".

H. L. CRAWSHAW

32552 S. W. RIVERA LANE
WILSONVILLE, OR 97070-7441

28 OCTOBER 1993

CITY COUNCIL
WILSONVILLE, OR

RE: CURBSIDE YARD DEBRIS RECYCLING

DEAR COUNCIL MEMBERS:

A: WHY A 90 GALLON ROLL CART FOR DEBRIS COLLECTION??

1. WHERE WOULD ONE STORE SUCH A LARGE CART?

THERE IS NO ROOM IN MY GARAGE FOR SUCE A CART.

2. HOW WOULD A SENIOR CITIZEN HANDLE SUCH A CART?

A 1000 POUNDS OF DEBRIS A YEAR AVERAGES OUT TO ONLY
20 LBS. A WEEK. A 30-40 GALLON CONTAINER SHOULD BE
ADIQUATE MOST OF THE TIME.

3. WHO IS PROFITING FROM THE SALE OF THE 90 GALLON CARTS??

B: WHY WEEKLY COLLECTIONS?

ONCE A MONTH, EXCEPT MAYBE IN THE SPRING AND FALL WHEN
TWICE A MONTH MIGHT BE NEEDED, SHOULD BE OFTEN ENOUGH.

ONCE A MONTH COLLECTION WOULD ALLOW THE COLLECTOR TO
COVER A LARGER AREA AT LESS COST TO THE CITY AND HOUSEHOLDER.

C: WHY NOT A DEBRIS COLLECTOR WHOSE BUSINESS IS RECYCLING YARD
DEBRIS?

A COMPNAY ALREADY IN THE BUSINESS WOULD BE MORE LIKELY
TO HAVE EQUIPMENT TO HANDLE THE MATERIAL SO THE GARBAGE
COLLECTOR WOULD NOT HAVE TO PURCHASE NEW EQUIPMENT. HE WOULD
NOT HAVE TO PAY EXTRA DUMPING FEE, EITHER.

D: WOULD THOSE OF US WHO HIRE PROFESSIONALS TO DO OUR YARD WORK
WHO HAUL AWAY ALL YARD DEBRIS FOR COMPOSTING HAVE TO PAY THE
FEE FOR YARD DEBRIS COLLETTION??

A LOT MORE THOUGHT NEEDS TO GO INTO THE DEBRIS COLLECTION.
THE SOLUTION SHOULD BE SOMETHING SIMPLE, NOT COMPLICATED WITH
A 90 GALLON ROLL CART.

CORDIALLY,

Bessie R. Day

BESSIE R. DAY

694-5254

FOUNTAIN LAKES - FAIRWAY ESTATES
HOMEOWNERS ASSOCIATION
P.O. BOX 805
WILSONVILLE, OR 97070

November 6, 1993


Dave Kanner, Director
Public Affairs
City of Wilsonville
30000 S. W. Town Center Loop E.
Wilsonville, OR 97070

Dear Dave:

The yard debris recycling program you outline in your 11/3/93 letter is "on target" and meets the needs of the homes in Charbonneau that are located on the Golf Course and have landscape maintenance services. A 32 gallon container that is collected once each month is something we can live with. It will be empty for most of the year but it will be full in part of March, April and November. United Disposal should make a profit for most of the year by collecting a can that is mostly empty once each month and having minimal dumping charges. My prediction is that most homes will not have a can at curbside even once each month for most of the year. One possible alteration to the plan would be to have collections every 2 weeks in April and November and none in December through February.

As to the claim that United Disposal is losing money I can only say "Poor Sweet Baby". If things are really tough maybe it's time to do a "time and effort" study of the collection process and open up the franchise for competitive bids. Wilsonville is mostly on level ground with an uncomplicated street grid system. Collection should be easy and efficient. Our rates are comparable if not higher than many areas. I do think there would be merit in everyone having a can that can be picked up by an automated system. Many of my neighbors have old fashion (manual pick up) cans and this is nonsense. It not only takes extra time but also adds to the problem of higher workman comp insurance rates due to strain and injury. A 35 gallon automated pickup can makes sense.

Sincerely



Fred J. Burgess, President

cc: Board Members

John Irwin
31136 SW Paulina Ct.
Wilsonville, OR 97070
Dec. 10, 1993

Wilsonville City Council
30000 SW Town Center Loop
Wilsonville, OR 97070

Gentlemen:

I would like to offer some testimony at your meeting on Dec. 20 regarding the proposed yard debris recycling program. Since I will be unable to attend the meeting personally, I would like to submit this written testimony, and, if possible, to have it read aloud at the meeting, preferably by Dave Kanner.

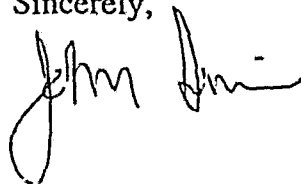
First, a mandatory program would be grossly unfair to those who don't need and won't use the service. Secondly, the idea that the average homeowner needs weekly pickup of a 60-gallon container is ludicrous.

I live in the Rivergreen subdivision, and have a fairly small yard. I compost all my own yard debris. When the subdivision was built, the soil around the houses was heavily compacted. To improve the soil, I work in all my own grass clippings and other yard debris. In fact, in the spring, when I am getting ready to plant my garden, I frequently take bags of grass clippings from my neighbors, because I don't have enough of my own. I have been doing this for three years, and I still have a long way to go before I have decent soil in all my garden areas.

It works great. I have a tremendous crop of tomatoes, purple potatoes, zucchini and hot peppers every year. Now you people on the city council tell me that I am going to be penalized for being a good citizen and doing my own composting. I am going to have to pay to have a big, ugly plastic container that I will never use, sitting empty in my yard. It's outrageous.

The only fair thing for you to do is to have a system where the people who use it pay for it, and those who don't use it don't pay. I don't care whether this makes the system more complicated, or makes it cost more for the people who do use it. The issue is fairness, not convenience for the government bureaucrats. The non-users should not have to subsidize the people who use the service.

Sincerely,



Honorable Jerry Krummel
Mayor of Wilsonville
Wilsonville, Oregon

Regarding pickup of yard debris & scrap paper
People should not be forced
to pay for a service they don't need.

Perhaps there could be an
optional once a month debris
pickup?

Sincerely,

Dhese
Fortland

December 2, 1993

Mayor Jerry Krummel
City of Wilsonville
30000 SW Town Center Loop E.
Wilsonville, OR 97070

Re: Yard Debris Pick-Up Program

Dear Mayor Krummel:

I believe we all need to do our part in taking care of the environment in which we live, and that recycling of yard debris is a good idea. I understand that DEQ is requiring cities to comply with new regulations in this regard. I own my own home with my husband and have a good size, landscaped yard. However, I object to the proposed yard debris pick-up program currently being considered by the city for the following reasons:

1. The fee to dispose of the debris is too expensive;
2. I do not have the room to have another garbage receptacle at my home (in addition to garbage can and recycling tub already there);
3. I do not believe I could possibly fill up a receptacle as large as is being considered on a weekly basis, or even bi-weekly and sometimes monthly the whole year round;
4. It is not fair to require homeowners to pay for a service they cannot use to its full potential, and other homeowners who already recycle their yard debris into compost should not be required to pay a fee; and
5. If the city will undertake the yard debris recycling program as proposed, it should seek bids from other haulers than United Disposal Service.

The kind of yard debris recycling program that I would like the city to set up is one where all residents could take their debris to a facility or transfer station very near the city and would then pay a reasonable fee for disposal of the load they are bringing in. Residents could then bring debris in as it accumulated naturally. This would be a more equitable way to deal with the cost of yard debris collection.

Thank you for your consideration of these comments.

Sincerely,

Molly M. Luoto

Molly M. Luoto
7900 SW Racquet Court
Wilsonville, Oregon

P.S. Please distribute my letter to other appropriate persons concerned or involved in this issue.

December 1, 1993

City Council
Arlene Loble, City Manager
Dave Kanner
City of Wilsonville
301000 SW Town Center Loop
Wilsonville, OR 97070

RE: Yard Debris Recycling Program

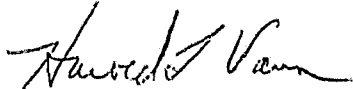
Dear City:

As a home owner, tax payer, and user of the cities franchised disposal service I would like to address a issue pending before you. I am in favor of a yard debris recycling program for the city of Wilsonville, not only for myself but for the city as we need to be better stewards of our environment. We must pay a favor price for those things and services that are within our care.

In addition, I have been a customer of United Disposal for over 15 years. I have always been treated in a professional and fair manner. It is a pleasure dealing with a family owned business with long ties to our community and a commitment to providing quality service that is environmentally safe with a long term commitment to recycling. United Disposal has offered this service for some time and it is the city that has been slow to implement this required but needed service.

I am willing to pay my fair share for my property and my communities contribution to the waste we all generate or need to be considered with its proper disposal. I want a responsible government working with responsible business such as United Disposal Service, Inc.

Sincerely,



Harold L. Vann
8655 SW Miami
Wilsonville, OR 97070

CC: Sally Fender, United Disposal Service, Inc.

City of
WILSONVILLE
In OREGON

30000 SW Town Center Loop E
Wilsonville, Oregon 97070
FAX (503) 682-1015
(503) 682-1011

December 10, 1993

Mr. Alex Passovoy
31005 SW Country View Lane
Wilsonville, OR 97070

Dear Mr. Passovoy:

Thank you for your letter of December 2. It's apparent that I (or someone) has not articulated certain aspects of the proposed recycling program and some of the mandates driving the program to you. I apologize for that and hope I can clarify those points in this letter.

First, while it is true that United Disposal now takes newspaper, magazines and corrugated cardboard as part of the curbside collection program, UDS does not take scrap paper (junk mail, gray cardboard, paper packaging, this letter, etc.) for recycling. As I explained to the Council on November 15, scrap paper is the single largest component of the residential waste stream. By removing both yard debris and scrap paper from the garbage can, every homeowner in the city should have the opportunity to downsize to a smaller garbage can.

Second, the city does indeed have the right to audit United Disposal any time UDS asks for a rate increase. In this case, however (and I know this is going to sound terribly bureaucratic), UDS has not asked for a rate increase. They are being required by the city to offer a new service that the city is required to offer by the Department of Environmental Quality. The DEQ requirement is for a weekly curbside collection system. The rate increase was determined by the city on a cost-plus basis after reviewing evidence submitted by UDS and reviewing actual costs of comparable systems in other jurisdictions. UDS has certainly argued long and hard in favor of a higher rate than what I have proposed to the City Council and they certainly have every right to pursue their argument with the Council, although they have chosen not to do so. I believe the rate is fair and it is undeniably lower than the rates for comparable service in other jurisdictions (\$4.72 and \$5.80 per month in Tigard and Gresham respectively).

You are correct that UDS collects excess rubbish and charges customers a premium for that collection. As you note, however, this does not address the problem of having to separate the yard debris from the garbage and then have UDS take the yard debris to a different disposal site. Collecting separated yard debris requires additional equipment and labor and the service cannot be offered for the same price as picking up an extra bag of garbage and tossing it into the garbage truck.

Your proposal to charge homeowners in relation to the amount of service required is expressly forbidden by the state mandate. Rather, the state requires that all costs be spread evenly across the rate base whether ratepayers use the service or not. (See enclosed copy from OAR 340.) Note that everybody pays for newspaper, tin can, aluminum, motor oil, corrugated cardboard, glass and metal recycling as part of their garbage bill regardless of whether they use the service. There is no provision for

December 10, 1993
Mr. Alex Passovoy
Page 2

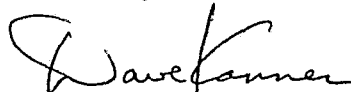
exempting people who do not generate any of these materials.

Now, as you know, DEQ has permitted three other jurisdictions to offer exemptions from their yard debris programs. But in each case it has been with the express requirement that the exemptions be monitored. This requirement may be unnecessary bureaucracy and a sign of distrust, but again, your argument is with the DEQ, not with the City of Wilsonville. I agree with you that the majority of citizens would comply with an honor system, although I personally believe it is poor public policy to establish any kind of system that allows even the opportunity for cheating at the expense of others. (I must emphasize that this is my personal opinion.) Establishing a monitored exemption system means, unfortunately, application forms and inspections. As there is a demonstrable cost to administering the applications and conducting the inspections, it is reasonable to expect that those requesting the exemption should bear that cost. If simplicity is the goal, the "no exemptions" option is by far the simplest choice available to us within the confines of the state requirements.

I will, at the December 20 City Council meeting, present the Council with options for them to look at with regard to an exemption program. These options were forwarded to you under separate cover. My role, of course, is only to make a recommendation to the City Council and the Council is not in any way bound by that recommendation.

Please do not hesitate to contact me if you have additional questions.

Sincerely,


Dave Kanner
Public Affairs Director

cc: Mayor Jerry Krummel
Arlene Loble, city manager
Mr. Fred Burgess
Homeowner Association Presidents

OAR 340-90-190 NEW YARD DEBRIS CHARGE RULE

- (1) The commission's purpose in adopting this rule governing when a fee may be charged for yard debris recycling services is to:
- (a) ensure that a financial disincentive for recycling is not created for any waste generator;
 - (b) increase recovery of yard debris and stimulate participation in yard debris recycling programs;
 - ~~[(b) recognize that it may not be equitable to distribute the cost of collection and recycling of yard debris across all waste generators due to the extreme variability in volumes generated;]~~
 - (c) acknowledge the rate considerations due to the extreme variability of volumes generated;
 - (d) ensure that service provided to multi-family generators residing in dwellings of four or less units is equivalent to service provided single family residences.
- (2) The purpose as stated in Section (1) of this rule is to apply to those recycling programs required under ORS 459A.005 and ORS 459A.010 and ORS 459.250.
- (3) As used in this rule, "residential generator" means any generator of recyclable material located in single or multi-family dwellings up to and including 4 units.
- (4) As used in this rule, a "unit of yard debris" is the equivalent of a thirty-two gallon can, a similar sized bag, or the standard unit of yard debris service provided, whichever is greater.
- ~~[(4)]~~ (5) Residential generators of yard debris participating in a regularly scheduled yard debris collection service where yard debris is a principal recyclable material, may be charged a fee for yard debris recycling service. The cost of collection of at least the equivalent of one unit of yard debris per month must be incorporated into the base fee charged for solid waste and recycling collection and disposal. An additional fee may be charged for yard debris service which exceeds the equivalent of collection of one unit of yard debris per month. ~~[No fee may be charged for the first setout per month of up to a unit of yard debris. The first unit of yard debris collection is defined as the equivalent of a thirty-two gallon can, or the standard unit of yard debris service provided, whichever is greater.]~~ Where multi-family complexes are treated as a single customers, the local government providing the yard debris service shall assure that yard debris service is provided at a level equivalent to service provided single family dwellings. ~~Equivalent service shall be based on the amount of yard debris generated.~~

December 2, 1993

RECEIVED
DEC 6 1993
CITY OF
WILSONVILLE

Mr. Dave Kanner
Public Affairs Director
City of Wilsonville
30000 SW Town Center Loop E.
Wilsonville, OR 97070

COPY

Dear Mr. Kanner:

Thank you for your letter of November 24th regarding the yard debris problem that is currently under consideration by the City Council. I appreciate your request for my thoughts on this matter.

I will be as straight forward as possible in my response to your request for my comments, and let the chips fall where they may.

First, let me tell you where I stand on the entire subject of recycling and the preservation of our limited natural resources. I have been an ardent supporter of virtually every environmental cause known, from the protection of our oceans to the preservation of our natural resources. And I have contributed readily to these causes because I fervently believe in them.

My argument with your proposals, options one through three, is that you have taken a relatively simple problem and made it complex. That is what I find objectionable to your proposals.

Allow me to explain where I find your proposals flawed. First, under Part II, Scrap Paper Recycling, you advocate that all homeowners pay an additional \$1.60 per month for this service. This program is already in place, it is used and accepted by most residents, and it is included in our monthly bill from United Disposal Service. To ask for a separate fee for a service that is already provided, and is successfully in place, amounts to a request for an increase in fees for the basic home collection service.

I have no qualms whatsoever, in compensating any utility or vendor for services provided. But when a monopoly is involved, such as we have with refuse collection, that company must justify its costs of collection, its overhead, and its agreed upon profit structure for the service. In other words, it is appropriate to expect a periodic verifiable audit.

Mr. Dave Kanner
December 2, 1993

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If a rate increase is justified, there is no logical reason why the request should be denied. But don't take an existing collection program that is in place, as a part of the basic service, and call it a new recycling program that will cost us more money.

My second argument with your proposal is that UDS already has a system in place to charge homeowners for yard debris, or excess rubbish collection -- without the City's involvement. Currently, if a homeowner has more debris than can ordinarily fit into the collection container, UDS charges that homeowner an additional amount per plastic bag. I am not certain, but I believe that the charge for excess rubbish or debris is \$2.00 per bag.

I recognize that this does not solve the problem of requiring the separation of normal garbage from yard debris. I have no problem with mandatory separation. I concur with the total concept. But what is interesting, is that UDS is now capable, once separation is made mandatory by the city, of charging each homeowner according to the level of service required. And UDS can do this without the City's involvement.

I find it objectionable to charge anything to any homeowner who either chooses to compost, or has a qualified landscape service that removes yard debris for recycling. Those homeowners that do not contribute to the present problem should not be asked to subsidize the collection service for others that do.

Simply put, if a homeowner generates yard debris, that homeowner should pay for it in relation to the amount of service required. If a homeowner does not generate yard debris, there should not be any charge.

Further, the City should not give any consideration to Scenario #2. Charging homeowners a \$20.00 application fee and a \$10.00 renewal fee for an exemption permit would, in effect, still be charging the homeowner, under the guise of a city fee, for a service not rendered. There is also an aura of distrust of our citizens in this scenario. While some may attempt to cheat the system, I am confident that the large majority will comply, and the honor system should be given the benefit of the doubt.

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In the spirit of fairness, I should tell you that I recently received a call from Ms. Estle Harlan of UDS, who requested a meeting with me. I did agree to meet with her on December 6th, but only on the condition that other presidents of the various homeowner's associations also attend. I told Ms. Harlan that I do not speak for the residents of Charbonneau, but only for the Village Center Association.

In the course of my lengthy conversation with Ms. Harlan, there were far more areas of agreement than disagreement. I have always been the perennial optimist, and I, along with others, will give her a fair hearing. There are no enemies in this matter, only fair and equitable solutions.

In conclusion, I will offer you two bits of sage advice with respect to the recycling program: Keep it simple, and only allow charges for the services provided. Try to think in those terms. And consider using the present city staff to implement this program. With UDS doing most of the work, there is no need for expensive city involvement.

Sincerely,

Alexander Passovoy

cc: Mayor Jerry Krummel
City Manager Arlene Lobel
Fred Burgess, President, Charbonneau Country Club
Homeowner's Presidents



City of
WILSONVILLE
In OREGON

30000 SW Town Center Loop E
Wilsonville, Oregon 97070
FAX (503) 682-1015
(503) 682-1011

November 24, 1993

Mr. Alex Passovoy
31005 SW Country View Lane
Wilsonville, OR 97070

Dear Alex:

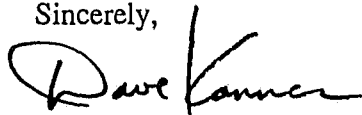
The purpose of this letter is two-fold.

First, as you know the resolution on the yard debris recycling program was continued to the December 6 meeting at the last Council meeting. However, since the Council is scheduled to hear two land-use appeals and a call-up on that date, staff is going to recommend that the matter be continued again to December 20. Obviously, if someone shows up who wants to speak to the issue on December 6, we'll let them speak, but I don't think the Council will take any action.

Second, following the Council meeting of November 15, I was directed to develop options for the Council to consider regarding an exemption program. At this point, I have three options in mind, which are outlined on the enclosed pages. I would appreciate your input on scenarios 2 and 3. (I think I already know how you feel about scenario 1.) The city's free fall leaf pick-up in Charbonneau will be eliminated in all three scenarios.

I look forward to hearing from you soon.

Sincerely,



Dave Kanner
Public Affairs Director

Scenario #1: No exemptions

- No exemptions, as recommended in the staff report of Nov. 15, 1993.
- Customers who do not wish to participate in the yard debris program can cancel their regular garbage service and use on-call service.
- Customers who use a commercial landscaper for their yard maintenance needs and want to continue regular weekly service can take the yard debris container, instruct the landscaper to put all yard debris in the container and negotiate a reduction in the landscaper's fees equal to the increase in the garbage rate.

Advantages:

Captures all yard debris, including materials which cannot be composted, such as branches, blackberries, woody plants, some vegetables, etc.
Eliminates any reasons for cheating
Spreads costs of program across largest possible base

Disadvantages:

Home composters, self-haulers and customers with landscape services will feel they are paying for a service they do not need
Garbage rates of exempted customers are essentially subsidized by the garbage bills of non-exempted customers

Scenario #2: Regulated exemptions

- Customers who are home composting, hauling their own yard debris to an approved processor or who hire a commercial landscaper for their yard maintenance needs may apply for an exemption from the yard debris recycling program.
- \$20 application fee to cover administrative overhead. \$10 annual renewal fee.
- New city ordinances ban outdoor burning and any yard debris in garbage can.
- Home composters must submit to an inspection in order to qualify.
- Self-haulers must submit receipts from approved processing facility.
- Those hiring commercial landscapers must submit three receipts with customer's name and address on them. City must verify that landscaper is using an approved processing facility.
- Customer receives two warnings if found to be violating exemption agreement. Exemption revoked after third violation.

Advantages:

Increased administrative overhead costs are covered (at least partially)
Reduced likelihood of cheating, with penalties for cheaters who are caught
Gives price break to those who believe they deserve it

Disadvantages:

Consumes tremendous amount of staff time for processing and enforcement
Puts city and hauler in the position of being "garbage police"
Provides no legal avenue of disposal (except self-haul) for those exempted if they have materials which cannot be composted (i.e., branches, twigs, blackberries, roses, etc.) or which the landscaper does not take
Could increase the cost of the curbside program by spreading costs across a smaller base

Scenario #3: Non-regulated exemptions

- No formal exemptions granted, but revised rate structure provides price break to home composters, self-haulers and those using commercial landscapers if they commit to hard-core recycling effort.
- Replaces on-call service with monthly (rather than weekly) pick-up.
- New city ordinances ban outdoor burning and any yard debris in garbage can.
- Revised rate structure is as follows:

	<u>20 gal.</u>	<u>32 gal.</u>	<u>60 gal.</u>
Single Family Homes/Monthly	\$12.60	\$14.60	not available
Single Family Homes/Weekly	\$16.60	\$18.60	\$24.90
Golf Course Homes/Weekly	\$14.60	\$16.60	\$22.90
Excluded GC Homes/Weekly	\$12.87	\$14.87	\$21.17

Advantages:

Requires no forms, fees or commitment of staff time
Gives price break to those who believe they deserve it

Disadvantages:

Ample opportunity for cheaters
Strong possibility that Washington County or DEQ will not approve an unmonitored exemption program
Provides no legal avenue of disposal (except self-haul) for those exempted if they have materials which cannot be composted (i.e., branches, twigs, blackberries; roses, etc.) or which the landscaper does not take