


7/14/2020

item 5




City Council Meeting

Item #5 – 20-695 Adoption of a Resolution Setting Rates for Overall Solid Waste Services, Annual Clean-up Campaign, and Household Hazardous Waste in the Exclusive Franchise Area; Report responding to Councilmember Chahal's Analysis; and Consideration of Council Action on a Rate Assistance Program, including Budget Amendment action

July 14, 2020

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City of Santa Clara
The Center of What's Possible

Background

- Three year process to enter into new solid waste agreements
- Several criteria needed to be achieved in new agreements:
 - Organic diversion laws and China Sword Policy
 - Market haulers and facility readiness
 - Rate correction and setting
 - Responsive policy
- Rate increases ranging from 43%-57% were a known factor
- June 23 Public Hearing to set rates based on Council Direction
- Presentation from Councilmember Chahal
- Council requested to bring back the item on July 14

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POST MEETING MATERIAL



Summary of Findings

1. New rates have been public since September 2019 and the survey showed overwhelming support for mixed-waste processing
2. The proposition 218 process had only 41 protests, well within the past levels and favorable Prop 218 result
3. Reconsidering the contracts could have serious legal and financial ramifications
 - Inadequate notice to the public that six month old policy decision would be discussed and adherence to Council Policy 030 procedures
4. The analysis did not account for cost of delay-- \$175,000/month for first 6 months, thereafter \$350,000/month

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Summary of Findings

5. The presentation did not analyze or include the bundled service rate comparison
 - The bundled rate comparison shows the residents the change to their solid waste bill
6. The analysis omitted \$500,000 of required annualized cost and, when combined with the cost of delay by one month, result in omission of \$675,000 costs at minimum.
7. Clear communication that a rate increase would occur (43% to 57%). City was clear that the existing service and old rate was never an option to meet new requirements, and the estimated rates presented to Council in 2019 have not changed significantly.

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Discussion on Findings

- Council Due Diligence
- Community Engagement and Disclosure of Rates
- Proposition 218 Protest Trend Data
- Issues with Reconsidering Executed Contracts
- Solid Waste Fund Analysis
- Comments on Councilmember Chahal Presentation
- Financial Assistance Plan & General Fund
- Recommendation

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Council Due Diligence

Concern: Not enough transparency or disclosure of rate increases

Comprehensive and Inclusive Process included:

– Council Study Sessions, Multiple Council Decision Points, Pilot Project, Multimedia Outreach, Community Meetings, and Community Surveys

1. 5/17/17 – Council approved pilot food scraps recycling program
2. 9/28/17 – Pilot food scraps outreach meeting
3. 10/30/17 – Pilot food scraps outreach meeting
4. 1/30/18 – Council update on pilot and survey results
5. 10/9/18 – Council update on pilot and survey results
6. 7/12/18 – Council update on SB 1383 and organics options

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Background/Communications/Approvals

7. **11/13/18** – Council approval to enter negotiations with Mission Trail Waste Systems (MTWS) and Recology
8. **1/29/19** – Council approval of Amendment with Recology
9. **9/17/19** – Council approval to enter negotiations with Green Waste Recovery (GWR) and proceed with developing MTWS agreement – **Complete more outreach**
10. **10/21/19** – Public outreach meeting on organics collection program options
11. **10/24/19** – Public outreach meeting on organics collection program options

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Background/Communications/Approvals

12. **11/4/19 – 11/22/19** – Public outreach survey on organics collection program options
13. **12/3/19** – Council authorizes City Manager to execute agreement with Recology
14. **12/10/19** – Council selects mixed waste processing option Council and authorizes City Manager to execute agreements
15. **12/17/19** – Council discussion on re-considering Agreements
16. **6/23/20** – Public hearing for rates

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Community Engagement

Concern: Community not informed of options and cost differences

- Residential Split-Cart Food Scraps Pilot Project (5,000 customers)
 - Education (videos, websites, social media, brochure)
 - Two customer surveys
 - 188 in-person visits
 - 122 cart upgrades
 - 510 resident contacts to the City
- 9 City Council Meetings
- September 17 - Council requested more community engagement
 - 2 Community Meetings and Citywide survey

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Community Engagement

Concern: Community not aware of cost

- Rate increase and cost differential – known factor
- Community Survey – very clear on cost differential and below chart was included the community survey

Policy Options	7/7/19 Current	7/1/20	7/1/21	7/1/22	Percent Change
Option 1: Organics in new split-cart (source separated)	\$36.59	\$43.00	\$49.60	\$52.60	+44%
Option 2: Organics in existing garbage cart (mixed waste processing)	\$36.59	\$43.40	\$54.30	\$57.90	+58%

- 643 People responded to the survey
- 63% Selected option 2 - mixed-waste processing

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Rate Increases

- Proposed rates:

Service	Est. FY 20/21 Rate (12/10/19)	Proposed FY 20/21 Rate	Difference
Single-family 32-gallon bundled rate (includes yard trimmings, recycling, CUC, HHW)	\$45.10	\$44.10	(\$1.00)
Townhouse 32-gallon bundled rate (includes recycling, CUC, HHW)	\$31.30	\$32.30	\$1.00
Commercial business 3-cubic yard bundled rate, includes 96-gallons/week recycling	\$322.00	\$322.03	\$0.03
Multi-family 3-cubic yard bundled rate, includes 1-cubic yard recycling bin service once a week	\$430.30	\$391.09	(\$39.21)

- Align with what was presented to Council in September and December
- Align with community survey

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Prop 218 Trends

Concern: No consideration that protests align with previous increases and were a favorable result in support of Council policy

- Over 25,000 notices sent
- Protest similar to previous years

Year	Bundled Rate Increase for 32-Gallon Customers	# of Protests
2020	20.5%	41
2019	8.4%	11
2018	6.6%	8
2017	1.7%	48
2016	4.8%	51
Average	8.4%	32

- Aligns with survey results

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Reconsidering Executed Contracts

Concern: Did not factor significant legal and financial issues

Unilateral changes might invite legal action for breach of contract – agreement with GWR grants exclusive rights to process the City's residential **and** commercial garbage and there is no convenience clause to cancel.

EXCLUSIVITY

- **Grant of Exclusive Right. The City shall deliver or cause to be delivered to Contractor:**
 - **Mixed Waste.** The City shall deliver or cause to be delivered to Contractor all Mixed Waste generated by Single Family (SFD) Customers, Multi-Family Customers, and Commercial Customers that is placed out for collection by the City or City's exclusively franchised hauler as Mixed Waste beginning January 1, 2021"

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Reconsidering Executed Contracts

Concern: Inadequate notice to the public and adherence to Council Policy

- Solid waste policy is within Council's jurisdiction and introducing new information on six month old policy decision should have been noticed on the Council Agenda for the public to participate and transparency.
- Inadequate compliance with Council's Policy and Procedure Manual # 030 ("Adding an Item on the Agenda") states:
 - **PURPOSE:** To establish a clear, effective and easily understood process for members of the City Council and the public to have items within the jurisdiction of the City Council, placed on the City Council agenda for consideration.
 - **POLICY:** Members of the City Council: The Mayor or any individual Council Member may submit a written request to the City Manager's Office for inclusion of an item on a City Council agenda, provided the request is received two (2) days prior to the public release of the agenda packet.

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Reconsidering Executed Contracts

Concern: Inadequate notice to the public and adherence to Council Policy

- Presentation/Analysis submitted June 23 at 11:47 AM for a Council Meeting at 1:00 PM resulted in confusion and inability to analyze the presentation to provide Council with clear information.
- Council's remedy to understand the analysis resulted in a continuance at a cost of \$175,000 (cost of delay) which could have been entirely avoided
- Additional concerns:
 - Inadequate transparency in how the City awards major service agreements
 - Loss of reputation as a reliable procurement authority and possible discouragement of potential service providers

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Solid Waste Fund Analysis

Concern: Did not factor costs of delay to rates

- Delays to new rates cause immediate deficits
 - July to December 31, 2020 losses are \$175,000/month
 - January to June 2021 losses are \$350,000/month
- Six month delay - \$1.0 million+
- Reserve (\$2.6 million approximately 10%) will first be used to cover costs
- As Reserve decreases, General Fund will need to "back-stop" the Solid Waste Fund
- Current one month delay has already cost - \$175,000

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Presentation Analysis

Concern: Did not acknowledge the rate increase were always known and there was no policy option that did not include rate increase

General Concerns

- Split-cart has always been known to be the cheaper option
- There was never an option to stay with the old rates due to fixed costs that caused increases:
 - Organics waste diversion laws
 - Market, Haulers, and Facility Readiness
 - Rate correction and setting
- The costs for split-cart were not finalized

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Presentation Analysis

Costs Analysis Corrections

- \$500,000 error in Annualized Costs and \$175,000 Cost of Delay
 - **\$93,342** of additional costs cost for MTWS for split-cart.
 - **\$150,000** in estimated program costs for outreach, education, customer service and enforcement.
 - **\$256,250** in additional costs at Newby Landfill Disposal
 - Correction to management costs

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Presentation Analysis

Concern: Did not acknowledge the use of bundled rates

Councilmember Chahal's Rate Analysis

	Monthly Residential Garbage Rates	Current Rates	Proposed 2020-2021 Rates	% age hike current vs proposed*	Comments
A1	Super saver (20 gallon) garbage cart charge	\$7.43	\$12.50	68.24%	Too steep
A2	Small (32 gallon) garbage cart charge	\$14.98	\$20.80	38.85%	Too steep
A3	Medium (64 gallon) garbage cart charge	\$29.49	\$38.60	30.89%	Too steep
A4	Large (96 gallon) garbage cart charge	\$44.00	\$56.50	28.41%	Too steep

- Rates are accurate – but does not represent the Council and community's actual policy and service option—this scenario was never a viable option.
- Difference between split-cart and mixed-waste processing

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Presentation Analysis

Rate Analysis

- Prepared a comparison table, but with the following concerns
 - Bundled rate comparison is the standard approach
 - **Split cart costs were not finalized (not reliable)**
 - **Estimates, estimates, estimates**
 - **Informational only** to better represent the actual comparison that should have been used in presentation. Results are within the estimated rates.

Cart Type	Estimated Split-Cart Rate	Proposed Actual Mixed Procs. Rate	Cost Difference
Super Saver (20-Gallon)	\$10.80	\$12.50	\$1.70
Small (32-Gallon)	\$18.70	\$20.80	\$2.10
Medium (64-Gallon)	\$35.70	\$38.60	\$2.90
Large (96-Gallon)	\$52.70	\$56.50	\$3.80

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Presentation Analysis

Rate Analysis Summary

- There is no new information
 - Old rate was never an option and rate increases were always a known factor
 - Costs conceptually discussed in 2018 and estimated rates presented in September and December 2019
 - Council and Community choice was either a 43% three-year increase for split cart or a 57% three-year increase for mixed waste processing
 - There was 14% cost differential between split-cart and mixed-waste processing – The numbers have always reflected this information.
 - Approximately \$5.00 a month difference for a 32 gallon rate by July 2022

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Financial Assistance

- Option 1 - Provide an additional \$8.00 per month discount (\$11 per month discount in total) to each customer enrolled in the Rate Assistance Program (SVP Program Qualification)
 - Would need to be funded by the General Fund
 - Currently estimated at \$44,000 for up to 500 costumers
- **Pros:** Does not impact the health of the Solid Waste Fund and provides an option to financially assist those residents already on record with the City that require this support.
- **Cons:** There is an impact to the General Fund and it is unlikely that this action would be one-time, since the residents that have demonstrated a need for financial support would not likely all be stabilized within the year. The General Fund Budget Stabilization Reserve is already below the 25 percent minimum and it is likely that the \$23 million budget shortfall will increase.

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Financial Assistance

- Option 2 - Provide a \$3.00 per month discount to all 25,837 customer accounts in the City
 - \$465,000 for six months
 - Affects the Solid Waste Rate Stabilization Reserve
- **Pros:** This option provides all residential and commercial business customers with a discount during a time of rate increases, and it is likely that the reduced rate is needed by households recently impacted by the economic impacts related to COVID-19.
- **Cons:** This option puts the Solid Waste Budget Stabilization Reserve at dangerously low levels and, if not implemented on a one-time basis, may require General Fund subsidy. Additionally, this option does not address future rate increases and the need to build back up the Reserve. Any shortfalls would need to be covered by the General Fund.

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Conclusion

- Great work by City staff and our consultant R3
- Three year process to enter into new solid waste agreements
- Nine Council meetings with significant community outreach/engagement
- Comprehensive and inclusive process
- Transparency that rates would increase under all scenarios
- Split Cart always known to be cheaper
- Cost differential between split cart and mixed waste was presented to the Council and Community multiple times and for several months
- Council listened to community preference – selected mixed waste processing
- Concerns with Councilmember's presentation and analysis, transparency, and cost of delay
- Staff has fully responded to issues and Council has made a policy decision based on valid data and community support for mixed waste processing and rates

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Recommendation

Adopt a Resolution setting the overall rates to be charged to rate payers for the collection and disposal of garbage, refuse, yard trimmings, recycling, annual Clean-up Campaign, and household hazardous waste in the exclusive franchise area, effective for the utility bills issued for services rendered on August 1, 2020.

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City Council Meeting

Item #5 – 20-695 Adoption of a Resolution Setting Rates for Overall Solid Waste Services, Annual Clean-up Campaign, and Household Hazardous Waste in the Exclusive Franchise Area; Report responding to Councilmember Chahal's Analysis; and Consideration of Council Action on a Rate Assistance Program, including Budget Amendment action

July 14, 2020

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SAVING OUR RESIDENTS MILLIONS OF DOLLARS BY OPPOSING GARBAGE RATE HIKES

BY COUNCILMEMBER RAJ CHAHAL

ITEM # 5.20-695 RESIDENTIAL RATE HIKE ANALYSIS, CITY OF SANTA CLARA



POST MEETING MATERIAL

KEY POINTS TO BE DISCUSSED

1. Why are we considering changing our garbage system?
2. Background and how the city council responded to need for change
3. The Numbers: Proposed Rate Analysis
 1. What these changes would mean financially to our residents?
 2. **\$1.9 million more in residential rates annually or \$28 million over the next 15 years**
4. What we should do now to avoid burdening our residents?
 1. Don't cancel but **re-negotiate** the Green Waste Recovery contract
 2. Work with residents to improve organic waste collection without significantly hiking rates

WHY ARE WE CHANGING OUR CURRENT BUSINESS PRACTICES?

- 2016 Senate Bill 1383 (SB 1383): Mandates cities to meet targets which reduce organic waste disposal in efforts to reduce methane emissions for a greener community
- By state law we have to come up with a way to handle organic waste (food waste)

2. BACKGROUND ANALYSIS AND HOW CITY COUNCIL RESPONDED TO NEED FOR CHANGE

- In 2017, the City started the Pilot Food Scraps Recycling Program
- A low-cost solution to comply with SB 1383



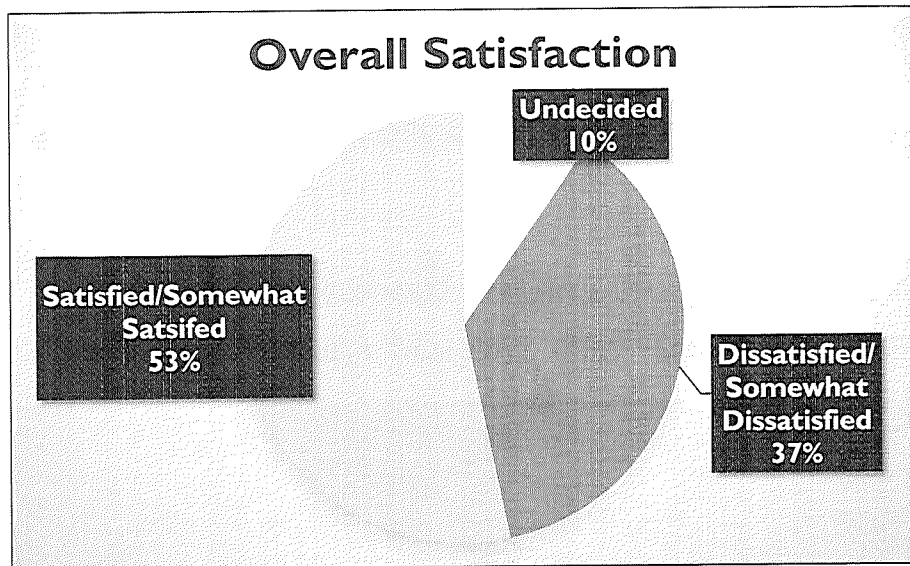
Pilot Food Scraps Recycling Program

1,298 views • Oct 3, 2017

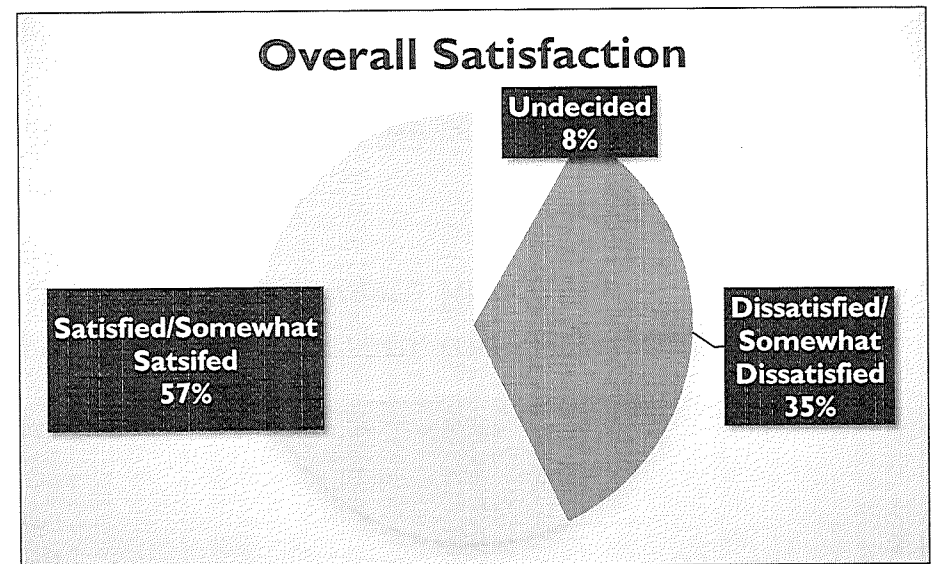
4 1 SHARE SAVE

CITY STAFF SURVEYS OF SPLIT BIN PILOT PROGRAM

Survey #1: 1,402 Respondents



Survey # 2: 1,254 respondents



In both surveys, majority of participants of the pilot program were satisfied/somewhat satisfied

INSTEAD OF MOVING FORWARD WITH SPLIT BIN SOLUTION, COUNCIL VOTES FOR EXPENSIVE CONTRACT WITH GREENWASTE RECOVERY

- Despite, mostly positive data from the lower-cost split bin program, the City Council opted to award an expensive multi-million dollar contract to GreenWaste Recovery
- GWR would separate the waste after collection as opposed to source separation using split-bin solution
- City Council in December 2019 in a 4-3 vote awards the contract:
 - Mayor Gillmor and Councilmembers Watanabe, Davis, and O'Neill **vote for contract**
 - Councilmembers Hardy, Chahal, and Mahan **vote against contract**

WHY DID WE VOTE AGAINST THE CONTRACT?

- Paying GWR millions of dollars to sort our residential organic waste, after collection, is fiscally irresponsible and will cost millions of dollars for our residents
- The split-bin option can save residents millions

THE NUMBERS: PROPOSED RATE HIKE ANALYSIS

- Let's take a look at and breakdown how the proposed rate hikes will affect your monthly garbage collection bill
- **Rates for residential garbage collection and processing for residential customers will be increased by an unacceptable 28-68%** (depending on the size of your garbage bins)

RESIDENTIAL BILL BROKEN DOWN WITH PROPOSED

Table 7 Analysis for Proposed Hike in Garbage Rates

		Current Rates	Proposed 2020-2021 Rates with GWR option	% current vs proposed*	Comments
	Monthly Residential Garbage Rates				
A1	Super saver (20 gallon) garbage cart charge	\$7.43	\$12.50	68.24%	Too steep
A2	Small (32 gallon) garbage cart charge	\$14.98	\$20.80	38.85%	Too steep
A3	Medium (64 gallon) garbage cart charge	\$29.49	\$38.60	30.89%	Too steep
A4	Large (96 gallon) garbage cart charge	\$44.00	\$56.50	28.41%	Too steep
B	Yard trimmings per unit	\$11.24	\$11.80	4.98%	
C	Annual Cleanup	\$5.67	\$5.90	4.06%	
D	Recycling per unit	\$4.40	\$5.30	20.45%	
E	Household Hazardous waste	\$0.30	\$0.30	0.00%	
	Total of above 4 misc services(B+C+D+E)	\$21.61	\$23.30	7.82%	
	Extra Garbage	\$4.50	\$5.70	26.67%	

These drastic rate hikes for residents are simply unacceptable.

THE NUMBERS: COMPARING OUR OPTIONS

- In the next slide, I will compare the costs of:
 - GreenWaste Recovery's service to separate our organic waste
 - The source separated split-bin option
- The split-bin option saves our residents over \$1.9 million annually or \$28 million over the next 15 years

Residential Rate Comparison - GWR vs Split Bin Option

Costs Breakdown:	Current Option	GWR Service	Split-Bin Option
Mission Trail Services with Food Scrap process. \$90/Ton	\$3,313,125	\$3,495,913	\$3,655,216
Program Costs 2019-2020	\$896,891	\$2,282,121	\$2,432,121
GreenWaste Recovery Charges	\$0	\$2,475,000	\$0
Landfill Disposal Costs 2019-2020	\$745,688	\$384,375	\$640,625

Total Aggregate Garbage Costs for Residents A1+A2+A3+A4	\$4,955,704	\$8,637,409	\$6,727,962
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How much more residents pay annually for GWR as opposed to Split-Bin options	28.38% more expensive than Split -Bin option	\$1,909,447 more annually
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How much more residents pay over next 15 years for GWR as opposed to Split-Bin options		\$28,641,705 more over 15 years
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GWR VS SPLIT-BIN COSTS - QUESTIONS FOR CITY STAFF

Residential Rate Comparison - GWR vs Split Bin Option

Costs Breakdown:	Current Option	GWR Service	Split-Bin Option	
Mission Trail Services with Food Scrap process. \$90/Ton	\$3,313,125	\$3,495,913	\$3,655,216	
Program Costs 2019-2020	\$896,891	\$2,282,121	\$2,432,121	Q1, Q2
GreenWaste Recovery Charges	\$0	\$2,475,000	\$0	
Landfill Disposal Costs 2019-2020	\$745,688	\$384,375	\$640,625	Q3

Total Aggregate Garbage Costs for Residents A1+A2+A3+A4	\$4,955,704	\$8,637,409	\$6,727,962
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How much more residents pay annually for GWR as opposed to Split-Bin option	28.38% more expensive than Split -Bin option	\$1,909,447 more annually
How much more residents pay over next 15 years for GWR as opposed to Split-Bin option		\$28,641,705 more over 15 years

Q1: Is \$150K for Outreach/education etc. a one year cost or it will be every year for next 15 years?

Q2: The Program Cost as per data from staff in the agenda report is too steep, please explain ?

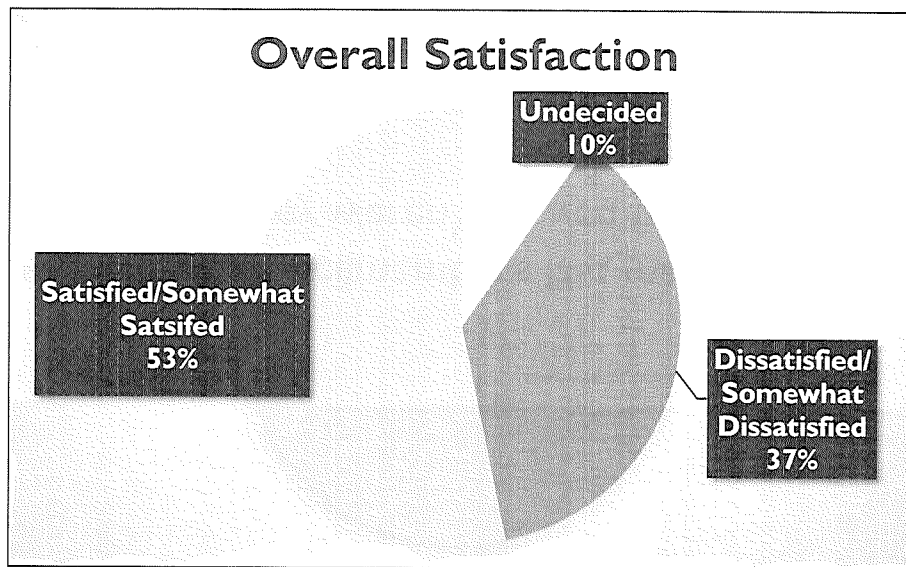
Q3: What is the diversion rate for source separated organic? Is the calculation at 17%?

RESPONDING TO CONCERNS BROUGHT UP BY ASTHRA

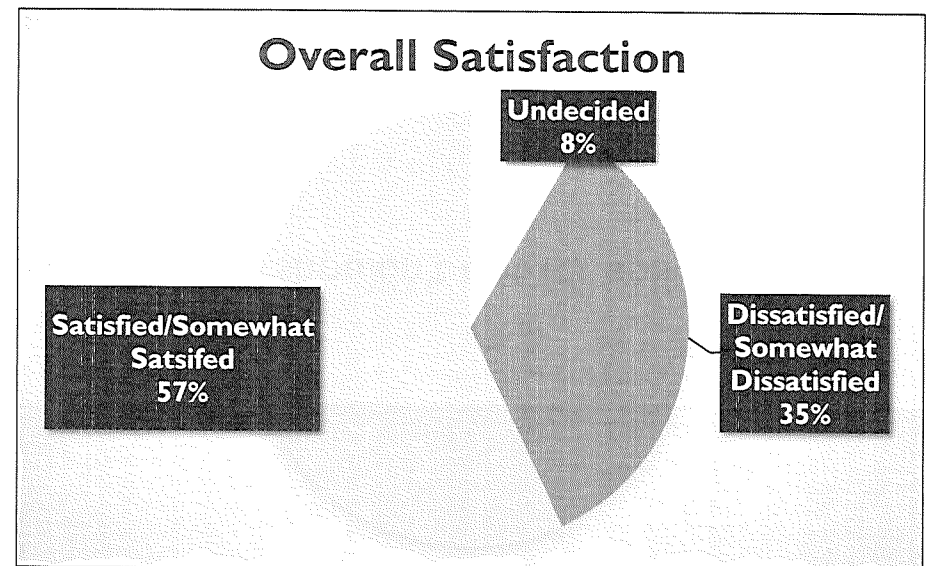
- Several councilmembers last meeting wrongly cited that we shouldn't opt for split-bins because they weren't viewed favorably in surveys
- This is incorrect:
 - In both surveys of residents in the pilot program, **a majority of users of split-bins were somewhat or mostly satisfied**

CITY STAFF'S SURVEYS OF SPLIT BIN PILOT PROGRAM

Survey #1: 1,402 Respondents



Survey # 2: 1,254 respondents



In both surveys, majority of participants of the pilot program were satisfied/somewhat satisfied

RESPONDING TO CONCERNS BROUGHT UP IN A SURVEY

643 responses

Summary Responses (643) Survey

Please indicate your organics collection program option preference below:

Option 1 - Implementation of the existing pilot split-cart food recycling program citywide (with one compartment for organics and one compartment for garbage) to all single-family and townhouse customers



Response Percent	Response Count
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37.0%	238
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Option 2 - Maintain the existing garbage container for single-family and townhouse customers and deliver the contents to a mixed waste processing facility to recover food scraps and food soiled paper



63.0%	405
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- One survey conducted by the City at first glance may look like residents oppose split-bins, but consider these facts:
 - This one question survey included residents who were not part of the split-bin pilot program at all
 - This survey does not include the alternative options of paying \$1.9 million more annually for GWR's services, it only compares the split-bin program with our current system, which we cannot keep due to state law
 - **Therefore, to claim that this survey is evidence that our residents would rather have the GWR option over the split-bin options is misleading and dishonest**

RESPONDING TO CONCERNS BROUGHT UP IN LAST MEETING

- Mayor Gillmor repeatedly mentioned in the last meeting that I was suggesting to withdraw from the contract with GWR
 - This was never proposed – fortunately we have a way to keep our contract with GWR for commercial clients and use the split-bin option for **residential customers**
 - We can still retain GWR for our commercial customers, which makes fiscal sense
- The GWR contract includes Section 11 titled “Change in Scope” which allows us to negotiate this:
 - “11. CHANGE IN SCOPE In the event that City or Contractor request a Change in Scope to the Services provided under this Agreement, the Parties shall negotiate in good faith an appropriate adjustment to Contractor’s compensation resulting from such Change in Scope and a Change in Scope shall only become effective if the Parties mutually agree on the scope of changes and adjusted or additional pricing associated with such a change...”

SUMMARY AND NEXT STEPS

- Proposed residential rate hikes are too steep and unacceptable, especially during a recession and pandemic
- **Our residents will have to pay \$1.9 million more annually** in garbage rates if we choose the GWR option over Split-Bin option
- The GWR Services option will **cost residents \$28 million over the next 15 years**
- Let's **re-negotiate our contract** with GWR in accordance with the "Change in Scope" section in the contract
- Let's bring residents into the conversation to even further improve the Split-Bin option
- As we discussed in the last meeting, we must re-notify residents, before voting on this agenda item to comply with laws as mentioned by City Attorney and to maintain transparency
- **During these tough times, our residents need relief, not such steep rate hikes on their monthly bills**

7/14/20

Item # 5

Simrat Dhadli

From: Eric Tyson <rikek1@gmail.com>
Sent: Tuesday, July 14, 2020 1:55 PM
To: Public Comment
Subject: Comment for Tuesday, July 14th, 2020 at 1 PM - Agenda Item # 5. 20-695

Having issues with ecomment, I'd appreciate the following being read for agenda item 20-695 regarding utility rates. Thanks.

Eric Tyson, Santa Clara resident, district 5.

We can not ignore SB 1383, whether that means we pay with our money or our time. I am ready to support raising utility rates for the service of sorting our city's trash as soon as we have proven that our residents are really so incapable of sorting our trash. But I don't think we are.

Our society has adapted well to the concept of sorting trash from recycling, which was also met with initial resistance. In the pilot program, only 35-40% of residents were reluctant to sort food waste. That's a great starting point for asking residents to spend their time on something new, and only more so when considering it omitted the crucial "or else your rates will go up."

I oppose preemptively giving up on Santa Clara residents. And thanks to Councilmember Chahal for his excellent presentation.

POST MEETING MATERIAL

07-14-20

ITEM# 5
RTC# 20-695

Simrat Dhadli

From: Dave Haney <Dave@serranoelectric.com>
Sent: Tuesday, July 14, 2020 10:27 AM
To: Public Comment
Subject: Oppose the Garbage rate hikes Agenda item 5. 20-695 7/14/20

Good Morning Council Members,

My wife and I would like to go on record and appose the garbage rate hike Agenda 5, Item number 20-695 on today 1pm calendar.

We would approve the split bin option that has been studied by the public as a cheaper alternative to comply with state law.

We do not appreciate the council taking the easy way out and approving this type of cost impact to the community

Without really getting the whole community involved. With the state this Country and the City of Santa Clara are in right now

The citizens, my wife and I included cannot afford this type of impact to our monthly budget. It is hard enough trying to locate

And pay for food and daily supplies needed just to get through this countries Covid -19 crises. We do not even know if our jobs will be there tomorrow.

The Council members we voted into office should be finding ways to save cost impacts to it's citizen, not impose them on it citizens.

Please renegotiate your contract as indicated you are able to do and look out for your citizens, neighbors and friend inside the City of Santa Clara.

Thank you,
Dave & Kristian Haney
2288 Bray Ave
Santa Clara.

POST MEETING MATERIAL

Simrat Dhadli

From: Rochelle Fernandes <findrochelle@gmail.com>
Sent: Tuesday, July 14, 2020 12:09 PM
To: Public Comment
Cc: Raj Chahal; Harbir Bhatia
Subject: My feedback Re: Utility Rate Hike for Residential Customers Tuesday, July 14th, 2020 at 1 PM - Agenda Item # 5. 20-695

As I am unable to attend the first part of today's meeting, I would like to share my comments about Agenda Item 5 (20-695), and have the following read out, as follows:

"I think that it's just plain wrong that the city went forward with this negotiation and change of vendors & contract negotiation without input from the community. The whole 'food scrap pilot' was NEWS to me in June 2020 and I don't who specifically is in charge of communications and outreach in my zip code/neighborhood of 95054 but no council person informed me about this when they CLAIM to have had these long meetings in December. Who was in charge of communications during this time? That person should be fired, because they didn't do their job. I was very much here in December 2019, but I never got so much as an email about these matters until Harbir Bhatia and Raj Chahal reached out last month. Does the city just have my email address to reach out with voting propaganda? Or do they actually use it to *communicate* and ask for feedback on important issues that impact our residential bottom line? All I get from the city is an ever increasing property tax bill although I've made no "land improvements" to this place; and a ballot every so often to vote for whichever jokers run this place! I think this "government" is a JOKE and I think the Trumpian manifestation at the central level is only a much larger manifestation of all these smaller pockets of neglect and willful blindness! Perhaps the administration doesn't care, but I find that hard to believe because the Mayor does seem like an empathic person. Perhaps it's the people between the Mayor and we the public who are apathetic to getting TRUE feedback in. But if that is in fact the case, then how can we sit around acting shocked when our country ends up with the most toxic, sociopathic form of leadership at the very top! We shouldn't be surprised! It is the blatant negligence of the *middle management leadership* that leads to such catastrophes at the more central & presidential levels."

Thank you,
Rochelle Fernandes.
Resident of Santa Clara & property owner since 2004.
Doctoral Candidate, USF Class of 2025.
SCU MBA Finance Alumna Class of 2004.
408-464-8286 (CELL)

----- Forwarded message -----

From: **Rochelle Fernandes** <findrochelle@gmail.com>

Date: Tue, Jul 14, 2020 at 9:42 AM

Subject: My feedback Re: Utility Rate Hike for Residential Customers - council meeting Tuesday, July 14th, 2020 at 1 PM - Agenda Item # 5. 20-695

To: Raj Chahal <rajchahal@gmail.com>, Harbir Bhatia <harbirbhatia@gmail.com>

I can't attend today as I have a class to attend from 1pm to 3pm. How do I still get my vote in on this?

I think that's it's just plain wrong that the city went forward with this negotiation and change without input from the community. The whole 'food scrap pilot' was NEWS to me in June 2020 and I don't who specifically is in charge of my zip code/neighborhood but no council person informed me about this when they claim to have had these long meetings in December. I was very much here in December 2019, but I never got so much as an email about these matters until Harbir and yourself reached out last month.

All I get from the city is an ever increasing property tax bill although I've made no "land improvements" and a ballot to vote for whichever jokers run this place!

I think this "government" is a JOKE and I think the Trumpian manifestation at the central level is only a much larger manifestation of all these smaller pockets of neglect and willful blindness!

And Harbir and Raj - you both have my FULL permission to read out the above at today's meeting.

Many thanks,
Rochelle

Sent from my iPhone 1-408-464-8286

On Jul 14, 2020, at 2:39 AM, Raj Chahal <rajchahal@gmail.com> wrote:

Dear Residents,

Hope you and family are safe and well.

As you may recall, I presented my analysis to oppose the steep hike for residential garbage rates on 06/23/2020. My presentation led the council to postpone the decision on 06/23/2020 meeting. My analysis clearly showed that residents are being subject to very high rate increases for their garbage collection - most historic rate hikes ever - 28% to 68%.

To protect millions of dollars of our residents, I have prepared the attached powerpoint which I plan to present at the council meeting on 07/14/2020, which starts at 1 PM. Agenda Item is 5. 20-695.

Please try to join the meeting for this item and express your concerns and opposition about the unprecedented hike being proposed. You can join the council meeting via zoom or via phone as per details below:

- Via Zoom:
o <https://santaclaraca.zoom.us/j/99706759306>

Meeting ID: 997-0675-9306 or

o Phone: 1(669) 900-6833

You can and should also send your comments via email to:

PublicComment@santaclaraca.gov

Please share this analysis with all your friends and neighbors. Let's work together to prevent this unreasonable and **fiscally irresponsible** utilities hike. In case you have any questions or comments, please feel free to contact me.

Thank you for your time and help with this matter.

Regards and stay healthy,

Raj Chahal
Councilmember District 2
City of Santa Clara

*In case you do not want to receive such community related emails in future, please send me a message and I will delete your email from the group.

<Garbage Rate Hikes Presentation Final-07132020.pdf>

7/14/20

Item #5

Julie Minot

From: Adolfo A. Garcia <adolfo.garcia@att.net>
Sent: Tuesday, July 14, 2020 4:30 PM
To: Mayor and Council
Subject: Comments on Agenda Item 20-695

Mayor Gillmor and Members of the Santa Clara City Council -

In my reviewing the text of SB1383 and all (9) attachments associated with this agenda item to be covered this afternoon during your session, I remain in extreme strong opposition to any solid-waste (SW) rate increases.

In the attachment "Previous Outreach and Updates to Council", one of the reasons stated to revisit SW contracts was compliance to statewide organic waste diversion laws, specifically SB1383. Even though SB 1383 was based on very suspect (and challengeable) scientific information, it was unfortunately and wrongly signed into law by Gov Brown in 2016. What legal consequences does City of Santa Clara face if it correctly chooses to ignore the provisions listed in SB 1383?

In the very same document and in other documents referenced by staff on this subject, I request a complete set of the data used by staff to prepare its proposed rates. Specifically, I request:

a) The underlying report/data prepared by R3 Consulting with respect to how it determined the rate increases on the City's residential, commercial, and industrial customers. I'd like to see the hard \$\$ numbers it used as part of its Excel-based models;

b) What is the number of residential properties (by single-family, duplexes, and townhouses, respectively), commercial properties, and industrial properties, separately?

Of all the approved residential projects under construction (or soon to be), there will be over 8000 residential units added to the existing number of residential units in the City, regardless of housing type (apartment, townhouse, single-family residence, low-income). Has staff included all these new units in its proposed rates? If not, why not?

c) Wrt Table 1 of Agenda Item 20-134, what is the number of residential properties by cart size?

With respect to my protest letter of 6/22/20, I repeat again here part of my comments from that document:

"Furthermore, the City's proposed increases when compared to surrounding communities in the county are 26% to 37.3% higher than the average (for containers smaller than or equal to 32 gallons) - this is completely unreasonable given the level of service and current economic situation. In looking more closely at the Table I of the attachments, cost burden is borne substantially by owners of single-family residences, duplexes, and townhouses."

I have yet to receive a compelling explanation for why city customers should accept these rate increases.

d) Wrt Table 2 of Agenda Item 20-134, what is the number of commercial properties by box size/bin service?

With respect to the document labeled "Analysis of Councilmember Chahal's Spreadsheet", I request a complete breakdown by line item for "Program Costs" referenced on Page 2 of this document.

I thank the Mayor and Member of Santa Clara City Council for the opportunity to weigh into this matter. I look forward to receiving a substantive reply to my comments/objections by 31 July 2020.

Sincerely yours,

/s/ Adolfo A Garcia
1667 Long Street

POST MEETING MATERIAL

07-14-2020

Item 5

Simrat Dhadli

From: Sridhar L <ani_sri91@yahoo.com>
Sent: Tuesday, July 14, 2020 5:50 PM
To: Public Comment
Cc: Sridhar Lakshminarayana
Subject: Utility Rate Hike for Residential Customers - council meeting Tuesday, July 14th, 2020 at 1 PM - Agenda Item # 5. 20-695

Dear Santa Clara City Government;

Regarding : Utility Rate Hike for Residential Customers - council meeting Tuesday, July 14th, 2020 at 1 PM - Agenda Item # 5. 20-695

I oppose the utilities rate hike as I believe it is unreasonable and fiscally irresponsible.

Regards

Resident

1820 Park Vista Circle,

Santa Clara

07-14-2020

Item 5

Simrat Dhadli

From: Sumeet Sandhu <sumeet.k.sandhu@gmail.com>
Sent: Tuesday, July 14, 2020 6:44 PM
To: Public Comment
Subject: Santa Clara should lead in waste management

we need

(1) composting - teach citizens to compost on their own, or create community compost gardens + vegetable/fruit gardens

(2) zero waste recycling center - i have to hunt down 10 different places to dispose properly of bulbs, tubes, pans, carpets, meds, electronics, shoes, chemicals, what-nots

07-14-2020

Item 5

Simrat Dhadli

From: Sunil <sravipati@gmail.com>
Sent: Tuesday, July 14, 2020 4:53 PM
To: Public Comment
Subject: Utility Rate Hike for Residential Customers - council meeting Tuesday, July 14th, 2020 at 1 PM - Agenda Item # 5. 20-695

Greetings,

I am santa clara resident and would like to request to not increase the residential garbage rates as being in this pandemic situation with rising unemployment, residents don't want to see an increase in rates. I would support the proposal of Raj Chahal.

Thank you,
Sunil Ravipati

Julie Minot

Item # 5

7/14/20

From: Mayor and Council
Sent: Tuesday, July 14, 2020 1:26 PM
To: Nora Pimentel
Cc: Simrat Dhadli; Deanna Santana; Genevieve Yip; Kathleen McGraw; Nadine Nader; Robyn Sahid
Subject: FW: Forwarding letter on behalf of Mr. John Dietrich on 07/14/2020 - Agenda Item 20-642
Attachments: Santa Clara Station development.pdf

Hello Nora,

Please find the attached statement from resident John Dietrich, they have requested that you read this into the record during public comments on item #5 20-642. I'll print this and bring it to you as well.

Best regards,

Julie Minot, SPHR | Executive Assistant, Mayor and City Council
Mayor & Council Offices | City of Santa Clara
1500 Warburton Avenue, Santa Clara, CA 95050
Tel: 408-615-2252 | www.santaclaraca.gov



**City of
Santa Clara**
The Center of What's Possible

From: Patricia Leung <patriciaoqra@gmail.com>
Sent: Tuesday, July 14, 2020 12:47 PM
To: Mayor and Council <MAYORANDCOUNCIL@SantaClaraCA.gov>; Public Comment <PublicComment@santaclaraca.gov>; Kathy Watanabe <KWatanabe@SantaClaraCA.gov>; Raj Chahal <RChahal@SantaClaraCA.gov>; Karen Hardy <KHardy@SantaClaraCA.gov>; Teresa O'Neill <TO'Neill@SantaClaraCA.gov>; Debi Davis <Ddavis@SantaClaraCA.gov>; Clerk <Clerk@santaclaraca.gov>
Cc: John Dietrich <jad626@pacbell.net>
Subject: Forwarding letter on behalf of Mr. John Dietrich on 07/14/2020 - Agenda Item 20-642

I am submitting public comments that are not of my own but on behalf of Mr. John Dietrich for the Agenda Item 20-642.

He is having some technical difficulties with the submission and may not be able to attend in person due to the early meeting time conflicting with work schedule. He asked me to submit his comments on his behalf. Please see the pdf attached to this email.

Mr. Dietrich expressed he would greatly appreciate it if the assistant city clerk can read out loud to council his comments during the meeting.

Sincerely,
Patricia Leung
Resident, District 5

07-14-20

ITEM # 5

RTC # 20-695

T-Mobile Wi-Fi 7:19 PM 84%
7 Messages

< Inbox [rivermark_community] IM... >

----- forwarded message -----

From: **Raj Chahal** <rajchahal@gmail.com>
Date: Wed, Jun 17, 2020 at 9:28 PM
Subject: Utility Rate Hike Protest - council 2020
To: Raj Chahal <rajchahal@gmail.com>

Dear Residents,

Hope you and family are safe and healthy.

On June 23rd, 2020, city council will vote of City of Santa Clara utilities including water and solid waste (garbage collection/processing) emailing you today to:

1. Share my analysis of the rate hikes with current data I have, I'm against increases for solid waste (garbage collection/processing). Table 7 of notice.
2. Recommend how you can take action to prevent the rate hikes from happening

1. My Analysis (Full Analysis attached)

I found that if these rate hikes are approved



T-Mobile Wi-Fi 7:19 PM 83%
7 Messages

< Inbox [rivermark_community] IM... >

1. My Analysis (Full Analysis attached)

I found that if these rate hikes are approved customers will have a steep hike on their garbage rates (**ranging from 28.41% to 68.24%**) source: <https://www.santaclaraca.gov/showdocument?id=67413> See "Table Rates"

This is happening because on December 10th a majority voted on a contract with Green Waste Recovery Inc. which would separate organic waste after 2022 to the much more affordable alternative of composting for residents. We will be paying this corporation \$8,900,000 annually (**yes \$8.9 Million**) **the residents and businesses of Santa Clara** Green Waste Recovery Inc. \$133.5 Million over the next 15 years if these hikes are enacted. I am fiscally responsible. I voted against the contract for the rate hikes. Going with a split bin option our rates have only gone up by 2% for collection and

2. What we can do to stop the rate hike

You all must have received a notice to increase rates in early May, 2020 - we the residents have a



POST MEETING MATERIAL

< Inbox [rivermark_community] IM... >

2. What we can do to stop the rate hike

You all must have received a notice to increase rates in early May, 2020 - we the residents have a right to protest a rate hike, and in case that a majority of utility customers protest a rate hike, the council cannot legally hike the rates.

To formally protest the proposed increases at the public hearing, you must do so in writing. Your protest will be accepted via email or telephone. When submitting your protest, please include your :

1. Name
2. Address of the property for which you are protesting or utility customer
3. Rate(s) you are protesting.
4. Signature

(You can also use the attached word document to protest a rate hike. Feel free to make changes to the document proposed protest)

Written protests can be submitted at any time before the start of the public hearing. Protests must either be delivered to:

City Clerk's Office – Utility Rate Comments



< Inbox [rivermark_community] IM... >

(You can also use the attached word document to protest a rate hike. Feel free to make changes to the document proposed protest)

Written protests can be submitted at any time before the start of the public hearing. Protests must either be delivered to:

City Clerk's Office – Utility Rate Comments
City of Santa Clara
1500 Warburton Ave.,
Santa Clara, CA 95050

Thank you for your time and help with this issue. Let's work together to prevent this unreasonable and irresponsible utilities hike. **Please share this with all your friends and neighbors.** In case you have any questions or comments, please feel free to contact me.

Regards and stay healthy,

Raj Chahal
Councilmember District 2
City of Santa Clara

