

RESOLUTION NO. 2010-118

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
REPEALING RESOLUTION NOS. 2003-148, 2006-13, AND 2006-177 AND SETTING
FEES AND ADOPTING POLICY ASSOCIATED WITH TITLE 30 (CHAPTERS 30.50,
30.60, 30.70, AND 30.90) OF THE ELK GROVE MUNICIPAL CODE ENTITLED
SOLID WASTE MANAGEMENT, EFFECTIVE JULY 1, 2010**

WHEREAS, the City Council of the City of Elk Grove adopted Ordinance No. 10-2010 of the Elk Grove Municipal Code (EGMC) on May 12, 2010, (the "Ordinance") for Solid Waste Management; and

WHEREAS, the Ordinance authorizes the City Council to establish, from time to time by resolution in accordance with the terms of the Ordinance, an elective fee for the City's Police Department to perform an annual vehicle inspection for commercial haulers, this Resolution establishes the elective vehicle inspection fee (as defined in EGMC Section 30.50.070); and

WHEREAS, the Ordinance authorizes the City Council to establish commercial refuse hauler fees payable to the City by commercial haulers the City Council finds and declares that the commercial refuse hauler fees are established to fund the costs, including without limitation, of:

- 1) Administration and enforcement of solid waste contracts, ordinances and the EGMC;
- 2) Implementation of solid waste programs required by law (including the City's Source Reduction and Recycling Element, Household Hazardous Waste Element and Non-Disposal Facility Element);
- 3) Mitigation of infrastructure impacts related to solid waste program implementation, including supporting a program to handle hazardous waste generated by conditionally exempt generator of hazardous wastes;
- 4) Protecting and promoting the public health and welfare with respect to solid waste, including without limitation, putrescible wastes that may attract vectors, vermin and otherwise comprise a nuisance;
- 5) Any other costs incurred by the City in accordance with law; and

WHEREAS, the City Council wishes to repeal Resolution Nos. 2003-148, 2006-13, and 2006-177, in which the Commercial Refuse Hauler Fees were set; and

WHEREAS, the Ordinance authorizes the City Council to establish, from time to time by resolution in accordance with the terms of the Ordinance, the amount of the commercial refuse hauler fee based on gross receipts, this Resolution establishes the sliding scale for determining the commercial refuse hauler fee (as defined in EGMC

Section 30.50.100); and

WHEREAS, the Ordinance authorizes the City Council to establish, from time to time by resolution in accordance with the terms of the Ordinance, a different method for calculating gross revenue for clean-up companies, this Resolution establishes the method for determining the estimated gross revenue (defined in EGMC Section 30.50.110); and

WHEREAS, the Ordinance authorizes the City Council to establish, from time to time by resolution in accordance with the terms of the Ordinance, a fee for late payment of commercial refuse hauler fees and/or late receipt of monthly or quarterly reports from commercial haulers, this Resolution establishes the late fees payable to the City by commercial haulers (as defined in EGMC Section 30.50.170); and

WHEREAS, the Ordinance establishes a mandatory business recycling program and authorizes the City Council to establish, from time to time by resolution in accordance with the terms of the Ordinance, a fee for delinquent quarterly reports (related to business recycling) to the City from commercial haulers, this Resolution establishes the delinquent report charge [defined in EGMC Section 30.60.130(C)]; and

WHEREAS, the Ordinance establishes a mandatory construction and demolition (C&D) debris recycling program and authorizes the City Council to establish, from time to time by resolution in accordance with the terms of the Ordinance, the project valuation for determining a covered project, this Resolution establishes the project valuation (defined in EGMC Section 30.70.020); and

WHEREAS, the Ordinance authorizes the City Council to establish, from time to time by resolution in accordance with the terms of the Ordinance, the processing fee to accompany the Waste Management Plan for a covered project and all demolition projects, this Resolution establishes the processing fee [defined in EGMC Section 30.70.050(C)]; and

WHEREAS, the *Space Allocation and Enclosure Design Guidelines for Trash and Recycling* (Exhibit E), dated July 1, 2010, and developed for use by the City's Planning Department and Integrated Waste Division to provide recycling and waste collection requirements for all residential and commercial building projects in the City, and the *Guidelines* may be amended by resolution from time to time (defined in EGMC Section 30.90.010);

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Elk Grove under EGMC Section 30.50.070 (Vehicle Inspections):

- 1) Elective Vehicle Inspection Fee. All commercial haulers with either a valid registration or a binding franchise with the City must have their solid waste vehicles that are driven in the City inspected annually. Inspections can be conducted by either the Environmental Compliance Division of the

Sacramento County Environmental Management Department, or the California Highway Patrol (BIT Inspection), or the City of Elk Grove Police Department. Should the authorized or franchised hauler elect to have the City of Elk Grove Police Department perform the vehicle inspection, a fee of One Hundred dollars (\$100.00) per vehicle will be imposed.

- 2) Collection of the Fee. The elective vehicle inspection fee will be collected by the City of Elk Grove Finance Department for the Elk Grove Police Department.
- 3) Effective Date. This Resolution shall take effect on July 1, 2010.

NOW, THEREFORE, BE IT FURTHER RESOLVED by the City Council of the City of Elk Grove under EGMC Section 30.50.100 (Obligations):

- 1) Resolution Nos. 2003-148, 2006-13, and 2006-177 Repealed. Resolution Nos. 2003-148, 2006-13, and 2006-177 are repealed in their entirety effective as of the date of this Resolution.
- 2) Commercial Refuse Hauler Fee. The City may charge and collect monthly commercial refuse hauler fees from each commercial hauler in an amount equal to a percentage of gross receipts as noted on the following table, at the time, in the form and manner, and as otherwise provided in EGMC Section 30.50.100:

% Diversion of Commercial / Industrial Solid Waste	% Commercial Refuse Hauler Fee
30% or greater	10%
25% or greater but less than 30%	12%
20% or greater but less than 25%	14%
15% or greater but less than 20%	16%
10% or greater but less than 15%	18%
Less than 10%	20%

Commercial haulers may not separately itemize commercial refuse hauler fees in an amount greater than ten percent (10%) on their bills, invoices or other documentation that the commercial haulers distribute to their customers or to the general public.

The percentage of gross receipts will not be interpolated between the whole numbers indicated on the table. As an example, if the percent diversion of commercial/industrial solid waste is seventeen percent (17%) of collected tonnage, then the commercial refuse hauler fee is sixteen percent (16%).

Commercial haulers will calculate, on a quarterly basis, their diverted tonnage (as defined in Section 2a below), collected tonnage (as defined in Section 2b

below), and the percent of collected tonnage comprised of diverted tonnage, and these calculations may be corroborated by the City in accordance with Section 2c below.

- a) *Diversion Tonnage.* The amount of diverted commercial/industrial solid waste (diversion tonnage) is equal to:
 - i. the tons of commercial/industrial solid waste that a commercial hauler collects in the City and delivers to a materials recovery facility, or a site or other facility that does not report disposed tonnage to the California Integrated Waste Management Board (CIWMB) or other State of California board, department or agency, *minus*
 - ii. the tons of residue remaining after processing that commercial/industrial solid waste that a facility allocates to the City and reports to the CIWMB in compliance with disposal reporting requirements in accordance with applicable law.
- b) *Collection Tonnage.* The amount of commercial/industrial solid waste that a commercial hauler collects in the City (collection tonnage) is equal to the aggregate amount of that commercial/industrial solid waste that the commercial hauler delivered to solid waste management facilities and that those solid waste management facilities report to the CIWMB in compliance with disposal reporting requirements under applicable law.
- c) *Corroboration of Tonnages.* The commercial haulers will calculate and the City may corroborate, tonnages by written documentation acceptable to the City, including without limitation: weight tickets; invoices; bills of lading; receipts from recyclables transporters, shippers, brokers, beneficiators, remanufacturers and purchasers or other users; and disposal reports submitted to the CIWMB or other State of California boards, departments or agencies. All documentation is subject to an allocation adjustment in accordance with Section 2d of this Resolution if a commercial hauler commingles in a single waste collection vehicle or container, tonnage collected in the City with tonnage collected outside the City. Commercial haulers will provide the City with copies of documentation within seven (7) days of the City's direction to do so.
- d) *Allocation of Commingled Materials.* If a commercial hauler commingles in a single waste collection vehicle the tonnage that the commercial hauler collected in the City with tonnage that the commercial hauler collected outside the City, then the commercial hauler will determine collection tonnage as follows:

The total weight of a collection vehicle's load in tons will be divided by: a) the aggregate cubic yard capacity (commercial route capacity) of containers that a commercial hauler collects with that vehicle in the City, plus b) the aggregate cubic yard capacity (other route capacity) of containers that the commercial hauler collects with that vehicle outside the City based on its written records of customers' service, including customer service subscription orders and invoices. The conversion ratio for carts that have capacities measured in gallons rather than cubic yards is two hundred (200) gallons to one (1) cubic yard. The resulting average tons/cubic yard will be multiplied by the commercial route capacity.

Upon direction by the City, the commercial hauler will promptly supply the City with documentation supporting the allocation calculations, including route collection maps and sheets, and totals of containers by size and capacity. If the City disagrees with the allocation it may correct the calculations. The commercial hauler will be bound by those corrections.

At its option, a commercial hauler may base any or all of its quarterly calculation of diverted tonnage and collected tonnage on either that quarter, or the preceding twelve (12) month period ending on the last day of that quarter. For example, the calculation can be based on: a) the quarter commencing January 1, and ending March 31, or b) the preceding twelve (12) month period commencing April 1 of the prior year, and ending March 31. In conjunction with submitting its calculation to the City, a commercial hauler must indicate whether a quarter or twelve (12) month period served as the basis of its calculation.

The quarterly calculation of diverted tonnage will be used to determine the quarterly diversion rate, which then determines the hauler fee for a future three-month period as detailed on the Rate Determination Schedule (Exhibit A). Commercial haulers shall pay the commercial refuse hauler fee monthly on the first day of the third (3rd) month of the succeeding quarter, and the first (1st) and second (2nd) months of the next succeeding quarter. For example, if a commercial hauler's diversion of commercial/industrial solid waste is calculated to be twenty and two-tenths percent (20.2%) during the third (3rd) quarter (July 1 through Sept 30), then on the first day of: a) the third (3rd) month of the succeeding quarter (December, in this example), and b) the first (1st) and second (2nd) months of the next succeeding quarter (January and February, in this example), the commercial hauler will pay the City a commercial refuse hauler fee equal to fourteen percent (14%) of the commercial hauler's gross receipts (using the table above).

Calculation of the commercial refuse hauler fees will be truncated at three (3)

decimal places. Fractions less than One cent (\$0.01) will not be rounded up to the next One cent (\$0.01). Should commercial haulers choose to include amounts equal to the commercial refuse hauler fee in their charges to their customer, an example follows with a calculation of a hypothetical invoice for a customer service charge, fee or rate of Five Hundred dollars (\$500.00):

Commercial hauler's customer service charge, fee or rate divided by [100% minus Commercial Refuse Hauler Fee %] = amount commercial hauler invoices customer

$\$500 / [100\% - 10\%] = \text{amount commercial hauler invoices customer}$

$\$500 / 0.90 = \text{amount commercial hauler invoices customer}$

$\$555.56 = \text{amount commercial hauler invoices customer}$

In this example, the amount of commercial refuse hauler fees that the commercial hauler pays to the City would be as follows:

$\$555.56 \times 10\% = \55.56 (assuming a commercial refuse hauler fee of 10%).

This example is provided only as a guide and does not obligate commercial haulers to include commercial refuse hauler fees in their customer service charges, fees or rates. How commercial haulers collect their customer service charges, fees or rates is the decision of the commercial hauler and as may be agreed upon by the commercial hauler and their customers.

The City has awarded exclusive rights to the contracted residential hauler for the City of Elk Grove. Any registered commercial hauler can provide clean-up services to a residential customer for a fee but cannot haul away residential trash from that property for a fee. The only exceptions are: (1) If a roll-off box/bin is dropped in a resident's driveway by a registered commercial hauler, solid waste can then be placed in that box/bin and hauled away by the hauler; (2) If the residential property is in foreclosure and is bank-owned, the solid waste from that property is temporarily considered "commercial" waste until it is once again owned and/or occupied by an Elk Grove resident. Any registered commercial hauler can provide clean-up and trash hauling services at a bank-owned, residential property; and (3) If the properly licensed business generates trash at the customer's residence as a result of the primary service it provides, it can then haul away the generated solid waste (i.e. landscaper, home repairperson, roofer, etc.).

- 3) Collection of the Fee. Commercial haulers shall pay the commercial refuse hauler fee as defined in EGMC Section 30.50.140. The Monthly Revenue

Form, the Quarterly Revenue and Diversion Report Form, and the 12-month Quarterly Revenue and Diversion Report Form, are included as Exhibits B, C, and D.

- 4) Effective Date. This Resolution shall take effect on July 1, 2010. For the first six months of this year, January 1 through June 30, 2010, the commercial refuse hauler fee will remain at the calculated rates based on the sliding scale that was previously set in Resolution No. 2006-13.

NOW, THEREFORE, BE IT FURTHER RESOLVED by the City Council of the City of Elk Grove under EGMC Section 30.50.110 (Hauler Fees for Clean-Up Companies):

- 1) Gross Revenue Calculation for Clean-Up Companies. For those companies whose primary business is the provision of clean-up services, including construction clean-up services, the gross commercial solid waste collection revenue subject to the commercial refuse hauler fees will be calculated using One Hundred Five dollars (\$105.00) per ton (two thousand pounds) for commercial solid waste that is collected for disposal at the origination site in Elk Grove.
- 2) Collection of the Fee. Clean-up companies shall pay the commercial refuse hauler fee as defined in EGMC Section 30.50.140.
- 3) Effective Date. This Resolution shall take effect on July 1, 2010.

NOW, THEREFORE, BE IT FURTHER RESOLVED AND DIRECTED by the City Council of the City of Elk Grove under EGMC Section 30.50.170 (Late Fees):

- 1) Fees for Late Payments and Reports. If a commercial hauler does not fully and timely pay its commercial refuse hauler fee in accordance with EGMC Section 30.50.140 or does not submit its monthly and quarterly reports in accordance with EGMC Section 30.50.190, then the hauler must pay a late payment penalty in an amount equal to Two dollars (\$2.00) per day for each business day (Monday through Friday) the payments and/or reports are late.
- 2) Late Fees as a Result of a Professional Audit. As a result of a professional audit, if it is determined that a commercial hauler did not fully and timely pay its commercial refuse hauler fees in accordance with EGMC Section 30.50.140, the commercial hauler shall pay a late fee in an amount equal to two percent (2%) of the dollar (not an incremental two percent) on the amount of unpaid commercial refuse hauler fees that are late as determined by the audit performed, plus interest equal to one and one-half percent (1.5%) for each month in which the commercial refuse hauler fees are late, or the maximum amount permitted by law.

- 3) Collection of the Fee. Commercial haulers must pay any late fees associated with commercial refuse hauler fees in the same manner as commercial refuse hauler fees defined in EGMC Sections 30.50.140(B) and (C).
- 4) Effective Date. This Resolution shall take effect on July 1, 2010.

NOW, THEREFORE, BE IT FURTHER RESOLVED AND DIRECTED by the City Council of the City of Elk Grove under EGMC Section 30.60.130(C) [Reporting]:

- 1) Delinquent Report Charge. If a commercial hauler's quarterly report is not filed by the due date specified in EGMC Section 30.60.130(B), the report shall be deemed delinquent and the commercial hauler shall pay to the City a delinquent report charge in the amount of Fifty dollars (\$50.00) per day. If the report remains delinquent for more than fifteen (15) days, the commercial hauler shall pay to the City a delinquent report charge in the amount of One Hundred dollars (\$100.00) per day.
- 2) Collection of the Fee. Commercial haulers shall pay delinquent report charges associated with business recycling, in the same manner as commercial refuse hauler fees defined in EGMC Sections 30.50.140(B) and (C).
- 3) Effective Date. This Resolution shall take effect on July 1, 2010.

NOW, THEREFORE, BE IT FURTHER RESOLVED AND DIRECTED by the City Council of the City of Elk Grove under EGMC Chapter 30.70 [Construction and Demolition (C&D) Debris Reduction, Reuse and Recycling]:

- 1) Covered Project. A covered project shall be defined as all additions, remodels or new construction projects with a total cost equal to, or in excess of, the established threshold, initially hereby set at project valuation of Two Hundred Fifty Thousand dollars (\$250,000.00), and all demolition projects regardless of value.
- 2) C&D Processing Fee. The City will impose a C&D processing fee to fund the construction and demolition (C&D) recycling program, which will be 0.04% of project valuation. This would impose a One Hundred dollar (\$100.00) C&D processing fee on a Two Hundred Fifty Thousand dollar (\$250,000.00) project, which is the minimum amount. A Four Million dollar (\$4,000,000.00) project would incur an Eight Hundred dollar (\$800.00) C&D processing fee, and the fee would be capped at that level. For all demolition projects, the minimum fee is Forty dollars (\$40.00).
- 3) Collection of the Fee. The C&D processing fee for the administration of the C&D Debris Recycling program will be assessed at the time of application for a building permit. Building Safety and Inspection and Integrated Waste will cover their administrative costs to administer the program with the fee.

4) Effective Date. This Resolution shall take effect on July 1, 2010.

NOW, THEREFORE, BE IT FURTHER RESOLVED AND DIRECTED by the City Council of the City of Elk Grove to adopt the *Space Allocation and Enclosure Design Guidelines for Trash and Recycling* policy document:

1) Purpose. The *Space Allocation and Enclosure Design Guidelines for Trash and Recycling* (Exhibit E), dated July 1, 2010, are adopted for use in establishing the recycling and waste collection requirements for all developments and significant remodels in the City.

2) Effective Date. This Resolution shall take effect on July 1, 2010.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 9th day of June 2010.


SOPHIA SCHERMAN, MAYOR of the
CITY OF ELK GROVE

ATTEST:


JASON LINDGREN, INTERIM CITY CLERK

APPROVED AS TO FORM:


SUSAN COCHRAN, CITY ATTORNEY

EXHIBIT A

Commercial Hauler Fee
Rate Determination Schedule

FIRST QUARTER	January
	February
	March

SECOND QUARTER	April
	May
	June

THIRD QUARTER	July
	August
	September

FOURTH QUARTER	October
	November
	December

**Quarter
Determines Rate
for the
Following Months**



June
July
August

September
October
November

December
January
February

March
April
May

EXHIBIT B



CITY OF ELK GROVE
8401 Laguna Palms Way
Elk Grove, California 95758

Telephone: 916.627.3452
Fax: 916.691.3173
www.elkgrovecity.org

**MONTHLY
Revenue Reporting Form
Commercial Refuse Hauler Fee Payment Form**

**Confidential
Not for Public Disclosure**

Company Name

Reporting Month/Year

COLLECTION REVENUES

Total Elk Grove Gross Receipts (<i>Trash & Source-Sep Recyclables</i>) as defined in Section 30.50.100(B) of Ordinance 10-2010	\$
Less Total Revenue from Source-Separated Recycling (SSR) Services as described in Section 30.50.100(C) of Ordinance 10-2010	\$
Elk Grove Revenue Subject to Commercial Refuse Hauler Fee	\$
Commercial Refuse Hauler Fee Due to Elk Grove	\$

Submit Form and Payment to:
City Of Elk Grove
Attn: Finance Department
8401 Laguna Palms Way
Elk Grove, CA 95758

*** Important Note Regarding Commercial Refuse Hauler Fee Payment Due Date**

Commercial haulers must pay the Commercial Refuse Hauler Fees monthly, due and payable on or before the first day of the second month immediately following the month in which they received Gross Receipts from their customers. Late payments will be subject to late penalties and interest. (**Sample:** October Commercial Refuse Hauler Fees are due on or before December 1.)

I represent and warrant, under penalty of perjury in accordance with the laws of the State of California, that

- (1) I am familiar with the financial transactions of _____ (insert your company name);
- (2) I am responsible for keeping and maintaining its financial records, including Gross Receipts thereof;
- (3) I have reviewed the information presented in this form; and
- (4) To my best knowledge and belief after inquiry, the information presented in this form is correct and complete.

Name & Title of Person Completing Form

Contact Phone or Email

Date

EXHIBIT C



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**QUARTERLY
Revenue Reporting Form
Commercial Refuse Hauler Fee Payment Form**

**Confidential
Not for Public Disclosure**

Company Name

Quarter (circle one):

- 1st (Jan-Feb-Mar)
- 2nd (Apr-May-Jun)
- 3rd (Jul-Aug-Sep)
- 4th (Oct-Nov-Dec)

COLLECTION REVENUES

Total Elk Grove Gross Receipts (<i>Trash & Source-Sep Recyclables</i>) as defined in Section 30.50.100(B) of Ordinance 10-2010	\$
Less Total Revenue from Source-Separated Recycling (SSR) Services as described in Section 30.50.100(C) of Ordinance 10-2010	\$
Elk Grove Gross Revenue Subject to Commercial Refuse Hauler Fee	\$
Commercial Refuse Hauler Fee Due to Elk Grove	\$

I represent and warrant, under penalty of perjury in accordance with the laws of the State of California, that I am familiar with the financial transactions of _____ (insert your company name) and am responsible for keeping and maintaining its financial records, including Gross Receipts thereof, and I have reviewed the information presented in this form. To my best knowledge and belief after inquiry, the statement is true, correct and complete.

Name & Title of Person Completing
Financial Section of Form

Contact Phone or Email

Date

To be completed by the City of Elk Grove:		
Months Reported in this Quarter	Payment Rate (%)	Total

HAULING SOURCE-SEPARATED INFORMATION

Please list source-separated materials for the Quarter.

Source-Separated Soil/Dirt:	Tonnage Tipped:	Facility Name:
Soil/Dirt -Contaminated (Class II)		
Total:		
Soil/Dirt -Uncontaminated (Class III)		
Total:		
TOTAL SOURCE-SEPARATED SOIL/DIRT:		
NOTE: SOIL/DIRT MUST BE REPORTED, BUT NOT COUNTED TOWARD TOTAL COLLECTED OR TOTAL DIVERTED BELOW		

Source-Separated Material:	Tonnage Tipped:	Facility Name:
Inerts (Asphalt, Concrete or Gravel)		
Total:		
Wood Waste		
Total:		
Greenwaste		
Total:		
Sheetrock		
Total:		
Metals		
Total:		
White Goods		
Total:		

HAULING SOURCE-SEPARATED INFORMATION - *continued*

Source-Separated Material:	Tonnage Tipped:	Facility Name:
Tires		
	Total:	
Cardboard (OCC)		
	Total:	
Newspaper		
	Total:	
Mixed Paper		
	Total:	
Plastics		
	Total:	
Glass		
	Total:	
E-Waste		
	Total:	
Donated Items		
	Total:	
Other (please specify)		
	Total:	
TOTAL SOURCE-SEPARATED MATERIAL: NOTE: DO NOT INCLUDE SOIL/DIRT (Total to also be entered in line "E" on the Quarterly Diversion Rate Reporting Form)		



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DIVERSION RATE CALCULATION INSTRUCTIONS

Submit diversion rate information on attachment.

QUARTERLY DIVERSION:

- 1.) Add total Elk Grove Roll-Off Disposal for the three months in 2nd Quarter in "A."
- 2.) Add total Elk Grove Front-End Disposal for the three months in 2nd Quarter in "B."
- 3.) Add total weight of contaminated MSW in "C."
- 4.) Add "A", "B", and "C" together in "D."
- 5.) Add total source separated materials in "E", taken from the Hauling Source-Separated Information Spreadsheet.
- 6.) "F" is the total tonnage generated. You will add "D" and "E" to get "F."
- 7.) "G" is the diversion rate. You will take "E" and divide by "F", then multiply that number by 100. This will give you the diversion rate for that quarter.



CITY OF ELK GROVE
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ELK GROVE

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QUARTERLY
Diversion Rate Reporting Form
Confidential
Not for Public Disclosure

Company Name

Quarter (circle one):
1st 2nd 3rd 4th

Quarterly Diversion

	A	B	C	D	E	F	G
Total Elk Grove Roll-Off Disposal MSW Tonnage							
Total Elk Grove Front-End Loader Disposal Tonnage							
Total Weight of Contaminated MSW							
Total Tonnage Disposed (Subtotal D)							
Total Tonnage Diverted from Source Separated Materials Spreadsheet (Subtotal E)							
Total Generated (Subtotal D + Subtotal E)							
Diversion Rate (Subtotal E divided by Total Generated [F] and multiply by 100)							

EXHIBIT D



CITY OF ELK GROVE
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**(12-month)
QUARTERLY
Revenue Reporting Form
Commercial Refuse Hauler Fee Payment Form**

**Confidential
Not for Public Disclosure**

Quarter, 12-mo. period (circle one):

Company Name

- 1st** (Apr 08 - Mar 09)
- 2nd** (Jul 08 - Jun 09)
- 3rd** (Oct 08 - Sep 09)
- 4th** (Jan 09 - Dec 09)

COLLECTION REVENUES

Total Elk Grove Gross Receipts (<i>Trash & Source-Sep Recyclables</i>) as defined in Section 30.50.100(B) of Ordinance 10-2010	\$
Less Total Revenue from Source-Separated Recycling (SSR) Services as described in Section 30.50.100(C) of Ordinance 10-2010	\$
Elk Grove Gross Revenue Subject to Commercial Refuse Hauler Fee	\$
Commercial Refuse Hauler Fee Due to Elk Grove	\$

I represent and warrant, under penalty of perjury in accordance with the laws of the State of California, that I am familiar with the financial transactions of _____ (insert your company name) and am responsible for keeping and maintaining its financial records, including Gross Receipts thereof, and I have reviewed the information presented in this form. To my best knowledge and belief after inquiry, the statement is true, correct and complete.

Name & Title of Person Completing
Financial Section of Form

Contact Phone or Email

Date

HAULING SOURCE-SEPARATED INFORMATION

Please list source-separated materials for the 12-month period.

Source-Separated Soil/Dirt:	Tonnage Tipped:	Facility Name:
Soil/Dirt -Contaminated (Class II)		
Total:		
Soil/Dirt -Uncontaminated (Class III) n		
Total:		
TOTAL SOURCE-SEPARATED SOIL/DIRT:		
NOTE: SOIL/DIRT MUST BE REPORTED, BUT NOT COUNTED TOWARD TOTAL COLLECTED OR TOTAL DIVERTED BELOW		

Source-Separated Material:	Tonnage Tipped:	Facility Name:
Inerts (Asphalt, Concrete or Gravel)		
Total:		
Wood Waste		
Total:		
Greenwaste		
Total:		
Sheetrock		
Total:		
Metals		
Total:		
White Goods		
Total:		

HAULING SOURCE-SEPARATED INFORMATION - *continued*

Source-Separated Material:	Tonnage Tipped:	Facility Name:
Tires		
Total:		
Cardboard (OCC)		
Total:		
Newspaper		
Total:		
Mixed Paper		
Total:		
Plastics		
Total:		
Glass		
Total:		
E-Waste		
Total:		
Donated Items		
Total:		
Other (please specify)		
Total:		
TOTAL SOURCE-SEPARATED MATERIAL: NOTE: DO NOT INCLUDE SOIL/DIRT (Total to also be entered in line "E" on the Yearly Diversion Rate Reporting Form)		



CITY OF ELK GROVE
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www.elkgrovecity.org



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ELK GROVE
CALIFORNIA

DIVERSION RATE CALCULATION INSTRUCTIONS

Submit diversion rate information on attachment.

QUARTERLY (12-month) DIVERSION:

- 1.) Add total Elk Grove Roll-Off Disposal for 12 months in "A."
- 2.) Add total Elk Grove Front-End Disposal for 12 months in "B."
- 3.) Add total weight of contaminated MSW in "C."
- 4.) Add "A", "B", and "C" together in "D."
- 5.) Add total source separated materials in "E", taken from the Hauling Source-Separated Information Spreadsheet.
- 6.) "F" is the total tonnage generated. You will add "D" and "E" to get "F."
- 7.) "G" is the diversion rate. You will take "E" and divide by "F", then multiply that number by 100. This will give you the diversion rate for the 12-month period.



CITY OF ELK GROVE
 8401 Laguna Palms Way
 Elk Grove, California 95758

ELK GROVE

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**(12-month)
 QUARTERLY
 Diversion Rate Reporting Form**
 Confidential
 Not for Public Disclosure

Quarter, 12-mo. period (circle one):

1st 2nd 3rd 4th

_____ Company Name

12- Month Diversion

	A
Total Elk Grove Roll-Off Disposal MSW Tonnage	
	B
Total Elk Grove Front-End Loader Disposal Tonnage	
	C
Total Weight of Contaminated MSW	
	D
Total Tonnage Disposed (Subtotal D)	
	E
Total Tonnage Diverted from Source Separated Materials Spreadsheet (Subtotal E)	
	F
Total Generated (Subtotal D + Subtotal E)	
	G
Diversion Rate (Subtotal E divided by Total Generated [F] and multiply by 100)	

EXHIBIT E



**SPACE ALLOCATION AND ENCLOSURE
DESIGN GUIDELINES
FOR TRASH AND RECYCLING**

**For Residential and New Commercial
Construction and Remodel**



Dated July 1, 2010

If you have any questions regarding the *Design Guidelines for Trash and Recycling*,
please contact:

Cedar Kehoe
Integrated Waste Program Manager
(916) 478-3634
ckehoe@elkgrovecity.org

The purpose of the *Design Guidelines for Trash and Recycling* (DGTR) is to assist the City of Elk Grove in complying with the Integrated Waste Management Act of 1989 (AB 939) that requires all California cities and counties to reduce the volume of waste deposited in landfills by 50% by the year 2000, and to continue to remain at 50% or higher for each subsequent year. The DGTR provides recycling and waste collection requirements for all developments City-wide. Integrated collection areas with recycling components assist in the reduction of waste materials, thereby prolonging the life of landfills and promoting environmentally-sound practices.

Each applicant for a land use permit is required to develop and submit a solid waste and recycling plan as part of the permit process. The plan must demonstrate those steps the applicant will take to meet the State mandate to reduce or divert 50% of the waste generated by all residences and businesses in the City of Elk Grove.

The DGTR will provide information and resources for designing trash and recycling sites that will be used by building occupants in new developments or significant remodels. Conventional recycling and greenwaste recycling must be designed into the site along with the trash capacity. Assembly Bill 1327, *The California Solid Waste Reuse and Recycling Access Act of 1991*, requires new commercial and multi-family developments of 5 units or more, or improvements that add 30% or more to the existing floor area, to include adequate, accessible, and convenient areas for collecting and loading recyclable materials. Waste disposal and recycling must be well planned in conjunction with the City and the waste hauler.

The DGTR consists of two sections and two appendices. SECTION 1 provides waste enclosure design and placement requirements. SECTION 2 details the procedure on how to estimate waste volume and size of containers. APPENDIX A is a very detailed guide that presents design considerations, measurements, and clearances required for enclosures. APPENDIX B provides the guidelines for minimum space allocation for trash and recyclable containers.

If the policies and/or guidelines within this document are in conflict with the City of Elk Grove Zoning Code or the City of Elk Grove Design Guidelines, these guidelines shall prevail.

SECTION 1: Waste Storage, Enclosure Design, and Location

This section contains information for designing the appropriate waste system for the project. Each solid waste and recycling plan shall include an estimate of the amount of capacity required, the location and placements of the containers, and a summary of the waste management services to be provided at the location.

Trash and recycling capacity should be equal in terms of volume (exceptions can be made on a case-by-case evaluation). They must be located side-by-side in the enclosures or in the same central storage area. Changing proportions of trash and recycling in time can be

accommodated by adjusting the frequency of collection. For example, a commercial property may have an enclosure that contains two 4-yard dumpsters, one for trash and one for recycling. Initially, the trash dumpster is emptied twice per week, so that the total trash volume is 8 yards per week. The recycling dumpster is emptied once per week for a total volume of 4 yards per week. When the occupants start to recycle more and produce less trash, the manager switches the pick-up to twice per week for recycling, and once per week for trash.

For commercial, non-residential, and multi-family properties, and single-family residential properties managed by an association or other organization, greenwaste bins shall be located away from trash and recycling to prevent contamination by the occupants. Since the greenwaste bins will only be used by the landscaper, they don't have to be as convenient as trash and recycling. If possible, consider composting the greenwaste on site. As a suggestion to save space at multi-family properties or single-family residential properties managed by an association or other organization, use the Conditions, Covenants & Restrictions (CC&R) document to require the landscaper to haul greenwaste off-site to a recycling location. The use of mulching mowers is recommended for all sites with lawns. These mowers will dramatically reduce the need (and cost) for bins and greenwaste hauling by mulching and recycling grass clippings in place (grasscycling).

Indoor Collection

Collection containers for trash and recycling shall be located side-by-side. If they are separated, people tend to put all the waste in the closest container. Adequate indoor space shall be allocated for recycling such that the location is next to trash in kitchens. When chutes are used, trash and recycling chutes shall be located side-by-side.

Multiple or Single Shared Waste Enclosure Design and Locations(s)

Trash enclosures containing cans, carts, or dumpsters are appropriate for locations where the occupants will be taking their own trash and recycling to the site and placing it themselves in the shared containers. Trash and recycling containers that are stored outdoors at a commercial, non-residential, or multi-family property, or at single-family residential property managed by an association or other organization, shall be in enclosures or roll-off containers that are placed out of view of the general public. The enclosure site must be owned, leased or rented by the building occupants.

Commercial generators do not have the right to place waste in the public right of way, parking lots, or on private property. See APPENDIX A for the enclosure design guidelines (including enclosure size and layout information).

Commercial generators that will use dumpsters must design the enclosure, at a minimum, for 3-yard containers. The tenants may choose any dumpster size they need, but the enclosure must be able to accommodate different tenants with varying waste production.

In residential complexes, enclosures shall have a pedestrian gate or walk-through that does not necessitate the opening of large gates used for servicing containers, or a walk-through wide enough to accommodate ADA requirements. If a gate is used, seniors children, and people with disabilities must be able to open the gates. For senior complexes where residents take out their own trash, the maximum dumpster size shall not exceed 2 cubic yards, and must be within an enclosure. Larger dumpsters are more space-efficient, but require users to lift bags above shoulder height with one hand while lifting the lid with the other hand. This may be difficult or impossible for seniors or disabled people.

Commercial waste enclosures shall be a *maximum* distance of 250' from the nearest point of the building serviced. For senior residential complexes where occupants empty their own trash and recycling, a *maximum* distance of 150' shall be permitted. The path of travel from building to dumpster shall be free of stairs, textured surfacing, and other impediments. Although office waste is usually emptied by janitors at the end of the day, food serving establishments and others can empty trash or transport recyclable boxes 6 or more times throughout the day. Long distances may affect productivity and worker safety after dark.

SECTION 2: Determining Waste Volume and Sizing Containers

Builders shall use the *City of Elk Grove Allocation Guidelines* in APPENDIX B or consult with the City's Integrated Waste Division to determine the amount of waste capacity needed. Equal space shall be allocated for trash and recycling.

SPECIAL NOTE:

All new buildings and remodeled buildings shall adequately provide outdoor trash and recycling storage pursuant to the DGTR. Interior alteration permits that result in a change to a more intensive use shall not be approved unless adequate new outdoor trash and recycling storage is provided on site.

**APPENDIX A:
Enclosure and Facility Design Guidelines for
Recycling and Trash Removal Service**

A. Residential Locations: Trash, Recycling and Greenwaste Carts

Trash, recycling and greenwaste carts shall be consistent with the following dimensions:

SIZE	HEIGHT	WIDTH	LENGTH
32-gallon cart	38.5 inches	19.25 inches	24.25 inches
64-gallon cart	42.0 inches	24.25 inches	31.75 inches
96-gallon cart	43.25 inches	30.0 inches	35.25 inches

Residents are entitled to up to five carts (any sizes) for the typical rate. Carts shall be placed curbside on service day. Carts shall be placed in a single line with 3 feet between each cart and 3 feet from any car or stationary object, and shall not block the driveway. Trash, recycle and greenwaste carts must be hidden from public view from the sidewalk on non-service days. Trash carts are serviced weekly; recycling and greenwaste carts are serviced every other week. For a dead end street, the turning radius for the hauler's truck shall be a minimum of 45 feet, with the full arc at 90 feet.

Completed residential complexes that do not allow for adequate space to collect materials may not be offered the same service level provided to residents under the Franchise Agreement with the City's contracted hauler. For example: at a high density development, should the available spacing for cart placement be less than the required spacing listed above, residents of the complex may not be allowed a second cart for trash or recycling and will still be required to pay the normal residential service rates.

B. Commercial Locations: Front-End Loading Containers

1. Enclosures

- a. Enclosures shall be designed with at least 50% of space designated for recycling. This shall be achieved with two bins, one for recycling and one for trash.
- b. The containers must be located within an enclosed masonry area consistent with the architecture of the project with a surrounding wall at least 5 feet high and not higher than 8 feet. All enclosures shall be designed consistent with the following:
 - i. Enclosures shall be built of non-combustible materials (wood is not permitted).

- ii. Materials/finishes shall relate to and be of same quality as materials used on building.
 - iii. Landscaping and screening shall be included to help visually buffer loading area and enclosure.
 - iv. A pedestrian access, separate from the primary service access, is recommended.
- c. Enclosure shall be located 25 feet from any public street, 15 feet from the edge of pavement of a private street and, in commercial areas, 25 feet from any residential zoned property line.
- d. Dimensions will vary based on projected usage but shall be consistent with Table A and B below. If multiple containers go in one enclosure, a minimum 30" separation shall be provided between containers (see Illustrations A and B on pages 10 and 11).

ENCLOSURE DIMENSIONS

Table A

SIZE	HEIGHT	WIDTH	LENGTH
2 3-yard front-load bins	59 inches	96 inches	138 inches
2 4-yard front-load bins	67 inches	96 inches	154 inches
2 5-yard front-load bins	70 inches	96 inches	186 inches
2 6-yard front-load bins	79 inches	96 inches	186 inches

Table B

SIZE (end to end)	HEIGHT	WIDTH	LENGTH
2 3-yard front-load bins	59 inches	66 inches	198 inches
2 4-yard front-load bins	67 inches	74 inches	198 inches
2 5-yard front-load bins	70 inches	90 inches	198 inches
2 6-yard front-load bins	76 inches	90 inches	198 inches

- e. Gates should be two inches off the ground and hung on the outside so that, when open, gates are out of the bin's way. Gates shall be able to open more than 90 degrees and shall be equipped to prevent accidental swinging, which can result in injury to persons or equipment.
- f. Hardware shall be of sufficient strength to accommodate repetitive swinging, and so that individuals with gloves should be able to open them.
- g. Lid ears and bin pockets will rub enclosure walls. Bin may also roll against the back of the enclosure during service. Wood or

metal bumpers or interior curbs shall be provided to extend enclosure life. Bolts or screws shall be inset on bumpers to avoid injury to collector or user.

- h. Container shall be on a flat, level surface in the enclosure and in position for the driver to dump the container. Asphalt or dirt floor in the enclosure may not hold up under the heavy weight of a loaded bin. Concrete is required.

2. Pads and Access Areas

- a. Trash and recycling enclosures shall be sited to ensure that the maximum roll-out by collector does not exceed 25' from enclosure to truck.
- b. Roll-out area shall be level and free of dips and bumps.
- c. Front-end loading trucks may weigh up to 30 tons when loaded. All access surfaces shall be engineered accordingly to avoid future pavement damage. Concrete surfacing is required in all access and service areas.
- d. Trash and recycling enclosures shall be sited to ensure that overhead obstructions do not impede the hauler from gaining access to the site.
- e. Stormdrain grills shall not be placed in the driving path of the truck.
- f. Trash and recycling enclosures shall be sited with a turnaround or separate exit that allows the truck to move forward rather than backward.
- g. Trash and recycling enclosures shall be sited to accommodate parked cars and/or delivery trucks, and to consider similar accessibility issues.

3. Approximate Container Dimensions

- a. Trash and recycling containers shall be consistent with the following dimensions:

SIZE	HEIGHT	WIDTH	LENGTH
2-yard front-load bin	44 inches	33 inches	72 inches
3-yard front-load bin	49 inches	42 inches	72 inches
4-yard front-load bin	57 inches	50 inches	72 inches
5-yard front-load bin	60 inches	66 inches	72 inches
6-yard front-load bin	69 inches	66 inches	72 inches

Height is measured with the lid closed. Most enclosures are built only to a height of about 8 to 10 inches higher than the dumpster, since the lid must remain closed at all times except when the container is being loaded or unloaded. When lid is raised, the full height from the ground to the top of the lid may extend to 140 inches.

Twenty-five foot clearance of overhead obstruction shall be required where the vehicle will lift and empty the container. Generally, the driver will move the container out away from the enclosure about 8 feet before dumping. See Illustration C on page 12.

All projects shall provide clearance for front end loading vehicles, as defined below:

Vertical (approach and exit)	15' high
Vertical (when dumping bin)	25' high
Lateral	15' wide
Turning Radius	45' (large truck) 35' (small truck)

C. Roll-Off Containers (Debris Boxes)

1. Enclosures are not required for roll-off containers (debris boxes) so long as the containers cannot be viewed by the general public and cannot be seen from public streets.
2. This type of container is most frequently used at construction sites, but it also is designed for very high volume users. Container placement:
 - a. Roll-off containers may be placed directly behind a building where space is available at a loading dock to allow loading from above. See Illustration E on page 14.
 - b. Container should be on a level surface. If placed on an incline, roll-away protection is required. City of Elk Grove Integrated Waste staff will provide on-site inspections before the placement is final.

- c. Loading docks shall be equipped with bumper pads or 8" high curbs to avoid undue dock damage from heavy container.
 - d. Roll-off containers may be placed at a residence or business by an authorized commercial hauler for a maximum of seven (7) days without a building permit. When there is a building permit, the roll-off container shall be serviced, at a minimum, every fourteen (14) days.
3. All projects shall provide clearance for roll-off containers and vehicles as follows:

Vertical (approach and exit)	14' high
Vertical (rails raised with bin)	25' high
Lateral	10' wide
Service Area Length Minimum	75' long

4. Container dimensions shall be consistent with the following:

SIZE	LENGTH	WIDTH	HEIGHT (approx.)
"Lowboy," 10 to 12 cubic yard (used for concrete, dirt & other dense, heavy material)	14'	8'	4'
"Highside," 25 to 30 cubic yard	18 to 22'	8'	6 to 8'
"Highside," 40 cubic yard	22'	8'	8'

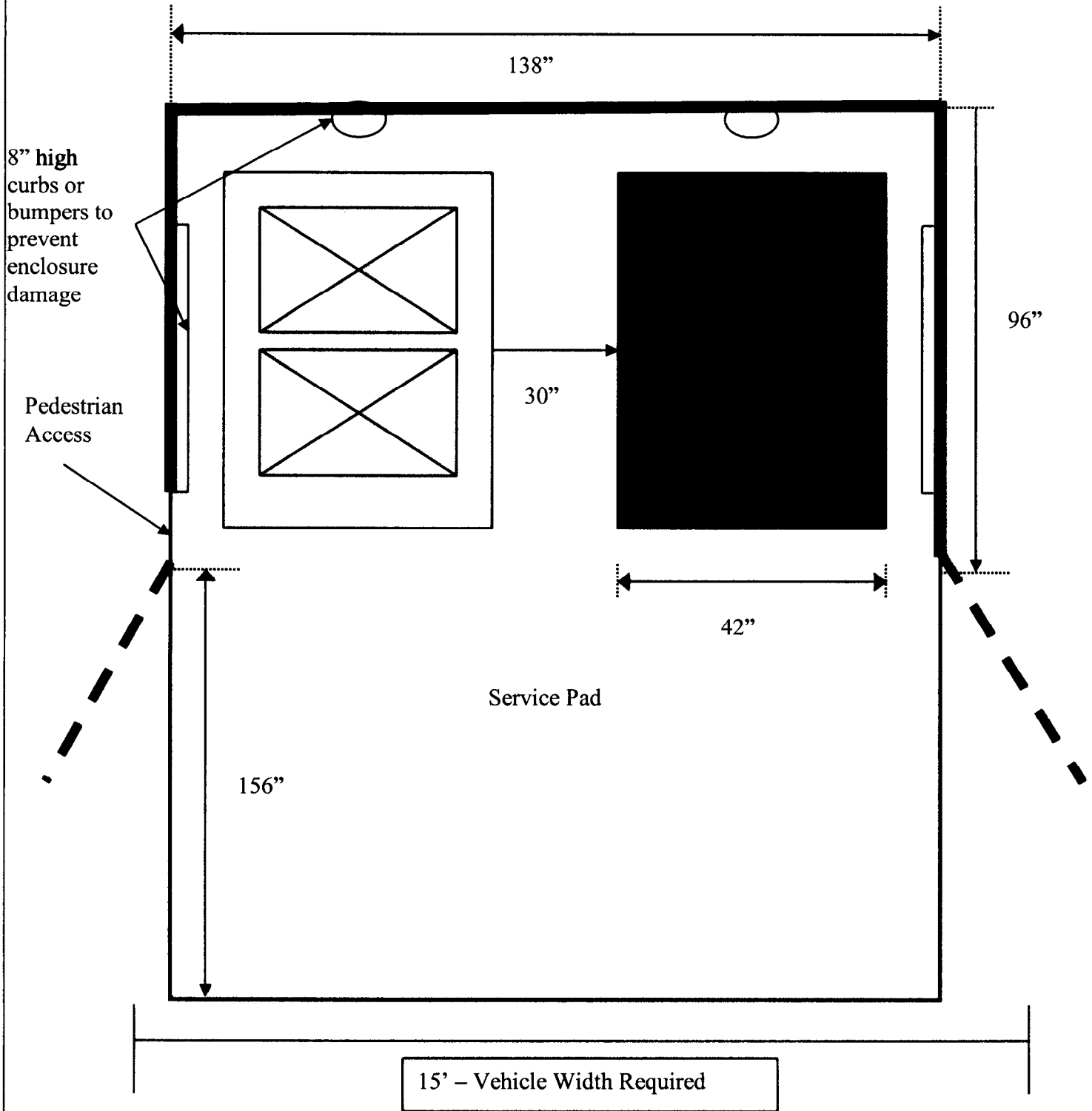
D. Compacting Units:

- 1. Enclosures are not required for compacters unless the compacters are viewed by the general public. Compactors vary in size and the manufacturer should provide capacity and the dimensions. Contact the hauler in the planning stage and before installing compacting units.

APPENDIX A: Enclosure and Facility Design Guidelines for Recycling and Trash Removal Service

Illustration A: Front-Loading Container Enclosures (not to scale)

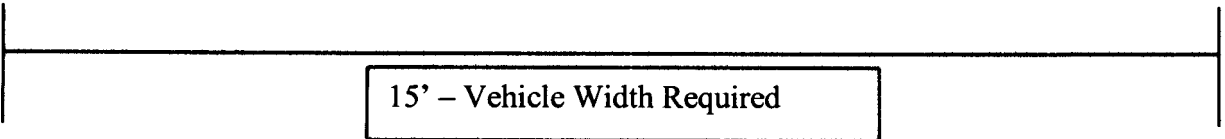
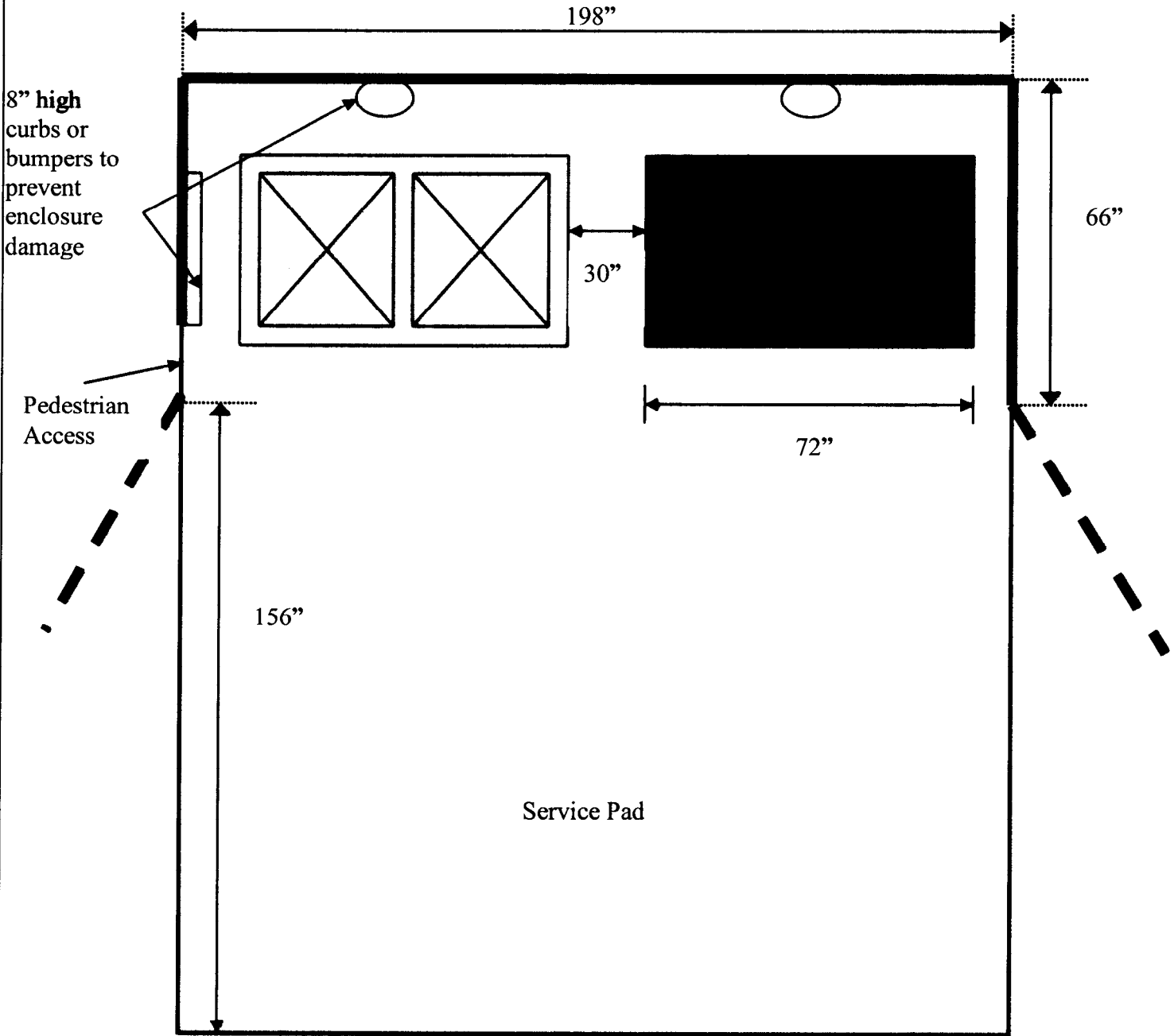
This illustration shows one 3-yard recycling bin and one 3-yard trash bin.



APPENDIX A: Enclosure and Facility Design Guidelines for Recycling and Trash Removal Service

Illustration B: Front-Loading Container Enclosures (not to scale)

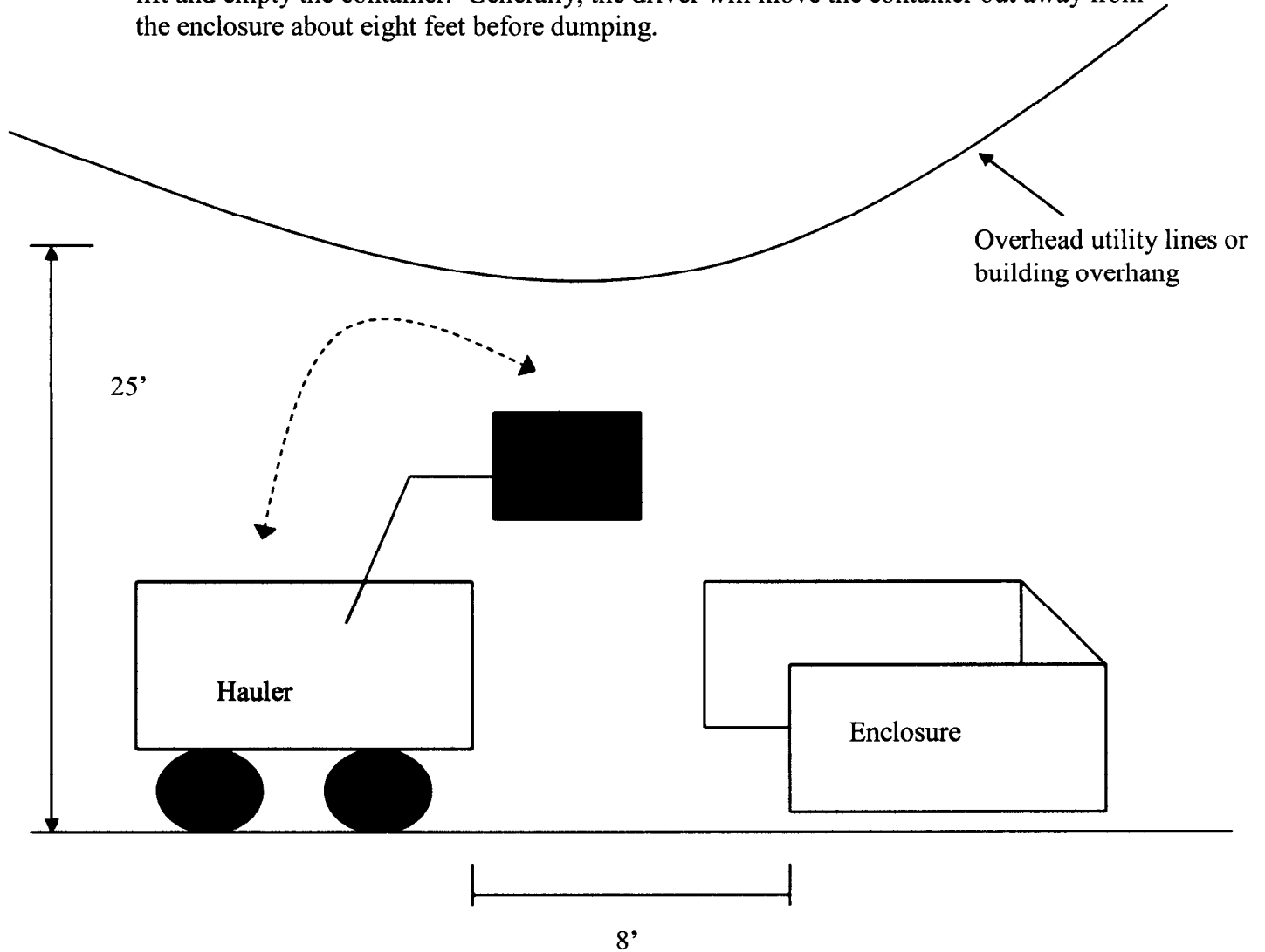
This illustration shows an alternative alignment for one 3-yard recycling bin and one 3-yard trash bin.



APPENDIX A: Enclosure and Facility Design Guidelines for Recycling and Trash Removal Service

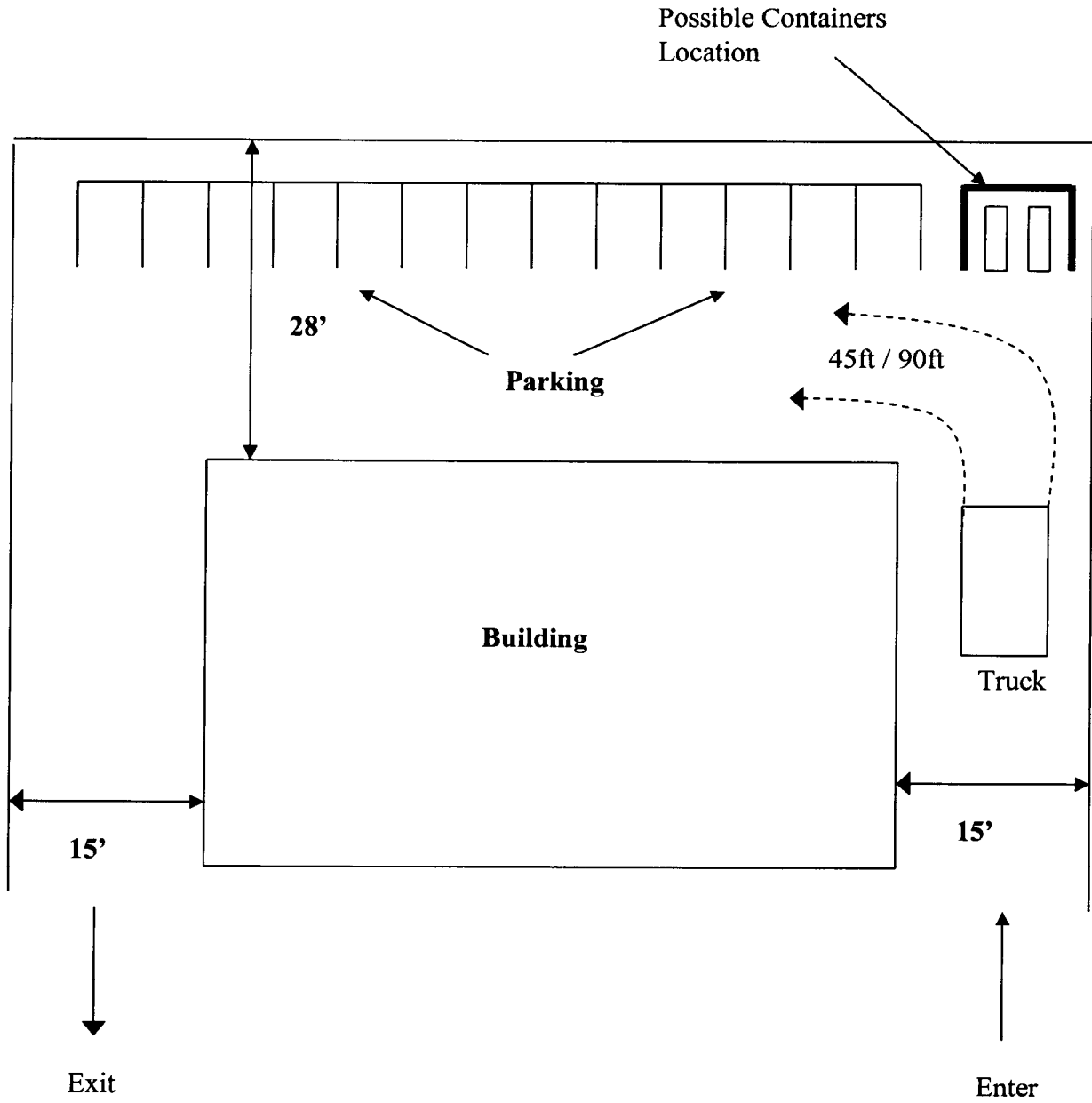
Illustration C: Clearance

Twenty-five foot clearance of overhead obstructions is necessary where the vehicle will lift and empty the container. Generally, the driver will move the container out away from the enclosure about eight feet before dumping.



APPENDIX A: Enclosure and Facility Design Guidelines for Recycling and Trash Removal Service

Illustration D: Facility Design

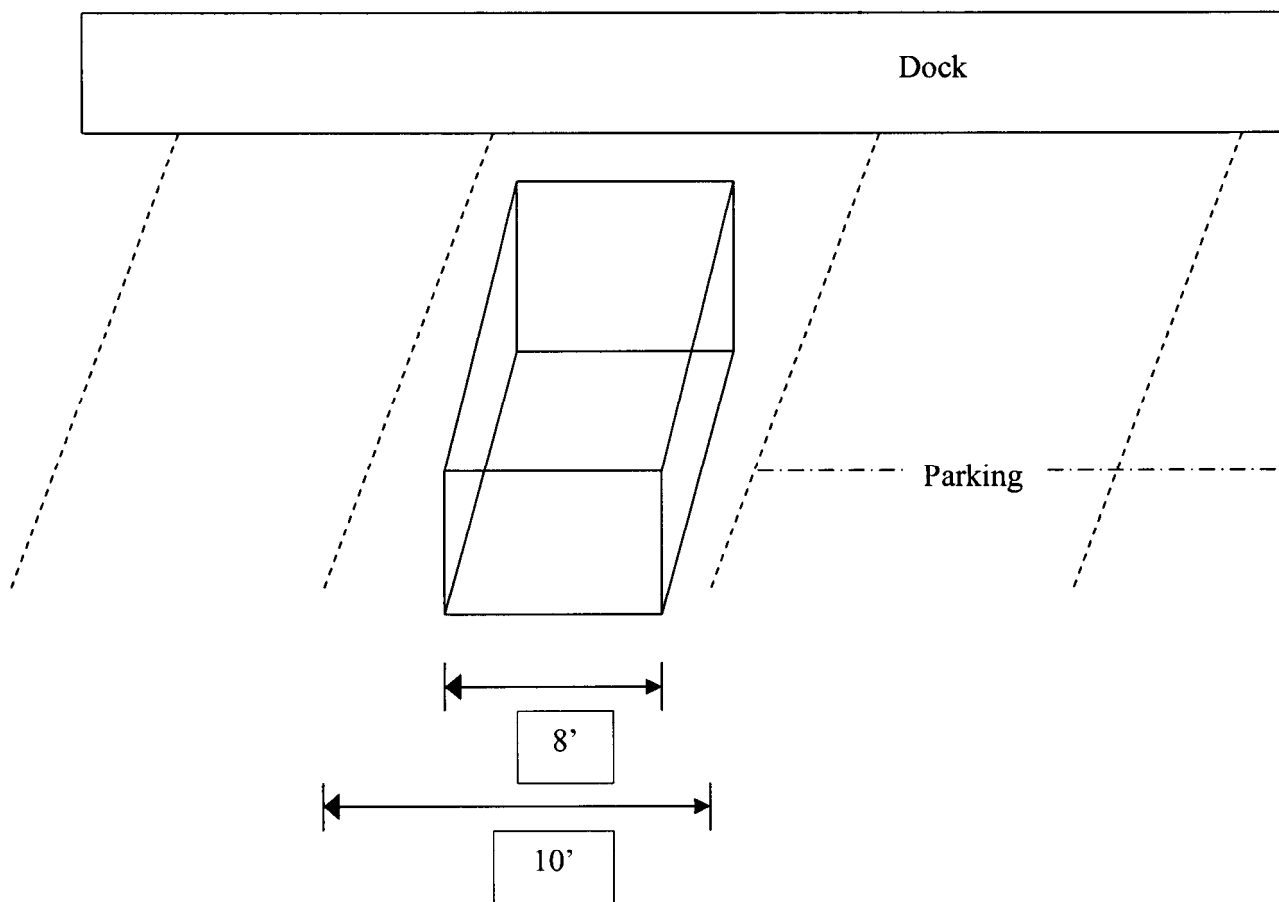


APPENDIX A: Enclosure and Facility Design Guidelines for Recycling and Trash Removal Service

Illustration E: Roll-Off Container Placement

Allow 10' wide access for driver to check the rear of the bin before loading onto vehicle.

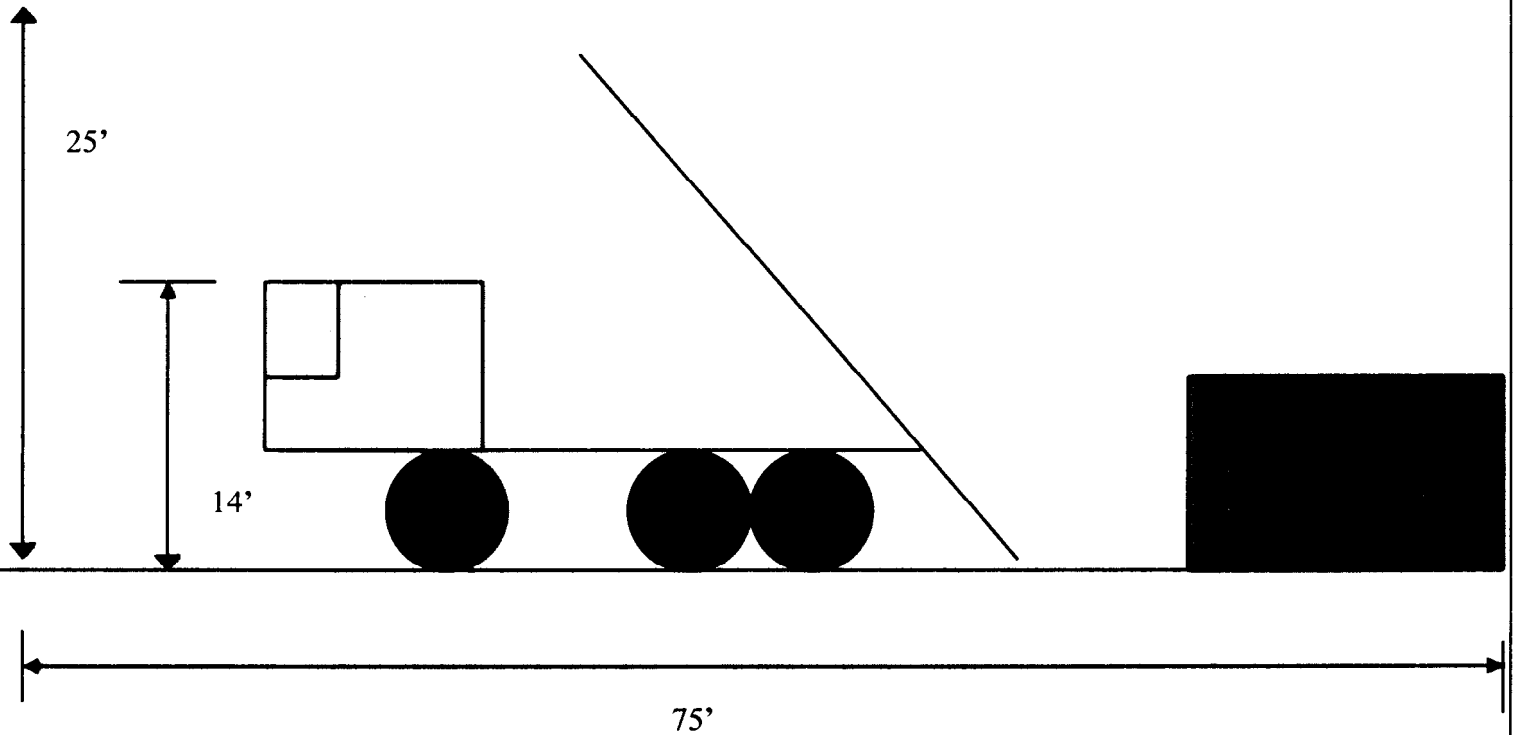
This illustration depicts top loading of container. Container gates are at rear of container (next to dock). If container is to be loaded from ground level, allow a minimum of 5' to open the gates.



APPENDIX A: Enclosure and Facility Design Guidelines for Recycling and Trash Removal Service

Illustration F: Roll-Off Container Placement

Allow minimum of 75' to load/unload container safely. Truck rails may extend to 25' high when servicing container.



APPENDIX B: Space Allocation Guidelines

The minimum space allocation requirements for recycling and trash containers shall be as follows:

LAND USE	MINIMUM SPACE REQUIRED	INTENDED USE FOR THIS SPACE
Single-Family and Multi-Family Residential	<p>Each residential unit must provide a minimum of 11' for placement of trash, greenwaste or recycling containers in front of the unit or in an easily accessible location for the material to be collected by automatic trucks. This space may not be located in the driveway or sidewalk. When carts are not placed out for collection they must be stored out of public view from the street.</p> <p>If such space is not provided, centralized bins must be used, meeting the following guidelines: 138" x 96" or 198" x 66" space for the first 20 dwelling units, additional 99" x 66" for each additional 20 dwelling units.</p> <p>Locations with limited space may not be offered the same level of solid waste service (i.e second cart) as other residents of the City that have adequate space for the same standard price paid by all residents. Such program variations must be approved and conditions established by the City of Elk Grove Integrated Waste Program Manager.</p>	Two side-by-side 3 cubic yard bins (one for trash and one for recycling) for first increment 20 units, one additional 3 cubic yard bin for trash or recycling for each additional increment
Office and General Commercial	138"x 96" or 198"x 66" space for first 20,000 gross building square feet; additional 99"x 66"space for the next 20,000 gross building square feet; or two 288" x 120" spaces	Two side-by-side 3 cubic yard bins (one for trash and one for recycling) for first increment of 20,000 gross building square footage, one additional 3 cubic yard bin for trash or recycling for each additional increment; or space for collection of trash and recyclables from two separate 40 or 20 cubic yard bins

Retail	138"x 96" or 198"x 66" space for each 8,000 gross building square feet or one space of 288" x 120" and another 99" x 66" for each 8,000 gross building square feet.	Two side-by-side 3 cubic yard bins (one for trash and one for recycling) for each increment of 8,000 gross building square feet or one 3 cubic yard bin and one 4 cubic yard bin
Industrial	138"x 96" or 198"x 66" space for first 20,000 gross building square feet and 99" x 66" for each additional 10,000 gross building square feet or one space of 288" x 120" and another 99" x 66".	Two side-by-side 3 cubic yard bins (one for trash and one for recycling) for first increment of 20,000 gross building square footage and one 3 cubic yard bin for each additional increment, or one 3 cubic yard bin and one 4 cubic yard bin (one for recycling, one for trash)
Institutional (schools, hospitals, cemeteries, military bases, religious institutions, etc.)	Varies by building use rather than land use	Sufficient space for separate collection of trash and recyclables

CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2010-118

STATE OF CALIFORNIA)
COUNTY OF SACRAMENTO) **ss**
CITY OF ELK GROVE)


I, Jason Lindgren, Interim City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on June 9, 2010 by the following vote:

AYES : COUNCILMEMBERS: *Scherman, Detrick, Cooper, Davis, Hume*

NOES: COUNCILMEMBERS: *None*

ABSTAIN : COUNCILMEMBERS: *None*

ABSENT: COUNCILMEMBERS: *None*



Jason Lindgren, Interim City Clerk
City of Elk Grove, California