



**To:** Jim Gustafson, City of Los Altos  
**From:** Richard Tagore-Erwin and Natasha Singh, R3 Consulting Group, Inc.  
**Date:** July 14, 2014  
**Subject:** Environmental Commission Questions and Responses

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1. Should Environmental Commission review and comment on draft ordinance?

*Response: Yes, if additional review will assist in moving the proposed ordinance closer to adoption with additional comment from representatives from the community.*

2. Regarding Parking Plazas – what should be done about containers in public view.

*Response: City Staff will continue to work with the franchised hauler and affected property owners to educate them on the current and proposed requirements for containers in public view. Possible solutions may reducing containers sizes to “fit” into the available container enclosures and increase collection frequency to ensure that trash, recyclables, or organics does not spill over the containers, “exempt” specific properties on a case-by-case basis if container reconfigurations not a viable solution, or “phasing” in enforcement of requirements to allow for modifications to existing enclosures or additional enclosures to be built.*

3. Construction & Demolition Waste: What is a covered project – Square Footage / \$ Value/% of square footage?

*Response: Any project that a) requires an application for a building permit, b) cost of the project is \$25,000 or greater, and/or c) any reroofing project.*

4. Should list of recyclable materials be expanded to include other items that non-franchised authorized recyclers should be allowed to be picked up for free. CA redemption value items?

*Response: No change is necessary in the proposed municipal code update. In the proposed municipal code update, “recyclable materials” is left very broad in order not to restrict those any specific materials that a “specialty” recycler could recycle. The list of recyclable materials in the franchise agreement is meant a the minimum types of materials that the franchised hauler must collect.*

5. Should the franchised hauler be allowed to stop service for non-payment?

*Response: Under the terms of the franchise agreement, the franchised hauler can not stop payment due to health and safety concerns. In the event of non-payment, the franchised hauler may reduce service to the lowest volume of materials offered (i.,e. 32 gallon collection of trash only. The franchised hauler is also required to notify the City of delinquent accounts*

*for follow-up by City Code Enforcement Staff.*

6. When should the increased compulsory recycling diversion requirements take affect?

**Response:** AB 341 was signed into law in 2011 and requires that by **July 1, 2012** each commercial and multifamily "generator" have recycling service if they produce four (4) or greater cubic yards of garbage per week. Recycling service can be done by 1) self-haul, 2) subscription via the franchised hauler, or arrange for collection recyclables by a non-franchised recycler.

The City's franchised hauler is required to a) meet a 78% diversion standard measured against the total of garbage, recyclables, and organics collected as part of the franchised services, and b) provide recycling service to all commercial and multifamily "generators". Franchised recycling is free of charge.

Under AB 341, the City's responsibility is to a) provide for public education, outreach and monitoring to commercial and multifamily generators ensure compliance. In addition, the proposed City's municipal is written to support AB 341 and the specific requirements in its franchise agreement.

7. What about the 50% diversion requirement in the Green Building Ordinance? Should it be 78% or 80% or ?

**Response:** *City Staff will review the Green Building Ordinance to consistency with the proposed municipal code update, and will modify as necessary. The proposed municipal code update does establish minimum diversion requirements for specific construction related materials types ranting from 75% to 95%.*

8. Who is the generator? The commercial/multifamily generator. But what about single family residence generator? The homeowner, or the contractor?

**Response:** *As drafted in the proposed municipal code update, "generator" refers to the owner or "responsible party" of a non-residential commercial facility or business, and the City. This is consistent with the language in AB 341. The revised draft ordinance will be modified to better clarify "generator" requirements as directly related to AB 341 compliance.*