

Greetings neighbors,

Let's talk trash! Initiated by neighbor's concerns when we were in leadership roles on the VVCA, we, Amanda Lee and Nancy Freire, have spent much time and effort exploring the Vista Verde and Los Trancos Woods garbage situation, starting in 2008. A complete history of service with GreenWaste (GW) from inception in 2002 to date is included so that all have a full understanding of the somewhat complex current situation. It is important to understand that we do not have, nor have we ever had, a "contract" with GW.

After exhausting all avenues of inquiry, we feel status quo is better than or as good as any alternative. We do not care to pursue this any further. The time and effort already spent is certainly much more than we bargained for. Additionally, we do not want to risk changing status quo for the worse on behalf of the community inadvertently.

These are our conclusions:

- GW services as they stand seem competitive (go online to look up GW and Recology rates and services for various similar and dissimilar areas in San Mateo and Santa Clara counties).
- The process for changing franchisees is arduous, would probably require mandatory full participation of services (roughly 47 households do not currently participate) and it is unclear from a legal standpoint if it is possible.
- It would be nice if GW formally included yard waste in the "Unincorporated Portola Valley" program and rate schedule, but informally they seem to be accommodating everyone very reasonably by currently requiring a yard waste cart rental fee of \$3.50/month with a max of 2 each 64-gallon carts/household – at least as near as we can tell. (Note that other areas are offered no yard waste or are charged at the same rate as for garbage. Be careful what one asks for!)
- It would also be nice if GW offered "cleanup days" so that residential service recipients could schedule up to two collection days/year at no additional charge with certain stipulations.
- It would not be so nice as to add the above two formally if it were to result in increased rates for everyone in order to accommodate, which we fear would be the case and thus have not pursued.
- GW weekly crew and pickup is steady as she goes and the workers are great. Things seem to be working well at the ground level.

The History of Garbage Service in Vista Verde and Los Trancos Woods since 2002:

- In July 2002, garbage collection service was transferred to GreenWaste (GW) from Los Altos Garbage Co. For a short period of time, many had no garbage pickup. Community volunteer and LTWCA Treasurer, Julie Duncan, worked with GW to restore service and GW agreed that VV & LTW service would mirror that of the Town of PV. **See 2002 "Special Notice – Garbage Collection Company"*
- In 2008, GW increased VV & LTW rates. Several concerned neighbors asked Amanda Lee, in her role as VVCA President, to look into the terms of our new "contract". Amanda discovered the informal nature of the 2002 agreement, that VV/LTW has no contract, and that VV & LTW are not, nor ever have been, included in

the Town of Portola Valley's formal contract with GW, and that the Town and GW had just negotiated a new 10-year contract.

Noting that the Town of PV, which experienced a rate increase similar to ours, had additional services that we did not enjoy, namely free recycling containers on wheels and 3 "cleanup days," Amanda contacted GW to explore. The President, Richard Cristina, handed inquiries over to Frank Weigel, the District Manager who negotiates all contracts (including PV's). Frank suggested we contact the Town of PV to see if we could be included in their "cleanup days". Amanda contacted Janet McDougal, PV Town Administrator in charge of their refuse contract, who responded after a query that a determination was made that the Town cannot legally negotiate on our behalf, that the contract is specific to their community and, because we are not located within town limits, there is no way that we can be included in their contract or participate in their "cleanup days".

Frank Weigel was contacted again to let him know that VV/LTW would like to explore the idea of a formal contract, including a "cleanup day" alternative. Frank sent a proposal addressing only "cleanup days" which, in short, stated that residential service recipients could schedule up to two collection days/year at no additional charge with certain stipulations. A proposal for a "contract" that would include parameters for garbage and recycling was never sent. Over time, nothing was pursued until...

- July 16, 2015: Nancy Freire, Co-President Vista Verde Community Association and Amanda Lee as past President and person with highest garbage IQ, met with Frank Weigel, COO at GreenWaste at their HQ in San Jose to discuss the existing status of GW relationship with VV/LTW area residents.

Amanda reviewed and confirmed the history and past understanding that VV/LTW rates and services have mirrored those of the Town of Portola Valley since the beginning of GW servicing both of our areas in 2002, when Los Altos Garbage discontinued services. Amanda reviewed communications with Frank in 2008, when she was VVCA President, regarding addition of "cleanup day" alternatives including a contract for such submitted by Frank for consideration. She shared having discussed with Frank that while VV/LTW had no formal contract, nor could be included in the contract between GW and the Town of PV for legal and liability reasons per the Town, Frank had said that it mattered little if we had a contract since our rates and services simply mirrored the Town's, but that if we wanted to enter into a contract, that would be fine. At that time, nothing was pursued and we assumed status quo would prevail ongoing.

Nancy shared that many old-time residents are very concerned that their existing rates and services, which do mirror those of the Town of Portola Valley, remain intact. When told that newer residents were being charged for yard waste at the same rate as garbage, Frank allowed how this did not seem correct and that he would speak with customer service to straighten this out, and would look into the billing for Lisa Smith specifically. Lisa brought the billing discrepancies to neighborhood attention in June.

Regarding yard waste, Frank said that the one truck that services our garbage and yard waste is routinely filled to capacity (one truck picks up garbage and yard waste, a second truck picks up recycling only), that adding a second truck for garbage/yard waste would be expensive since it would not reach capacity given the number of customers. Yard waste alone is expensive because it is transported to an offsite facility after the garbage is offloaded.

Frank shared that GW is losing money on our area, speculating @10-15%, on the existing 10- year contract with the Town of PV that ends in 2018, and that GW is losing money with many other contracts since they get less for recycling materials than in the past. We pointed out that our area does not charge a 7.5% franchise fee, as does the Town of PV, nor do we have the expense of a 2-3x/year cleanup day, nor have they supplied us free carts, thus making us more profitable. Frank said that our lack of commercial customers makes us less profitable than the Town along with the number of narrow and/or steep roads requiring smaller trucks that hold less be sent to our area. Frank felt that our area most resembles Los Altos Hills, which also has no commercial base and is in a hilly area. Additionally, there are currently only 230 GW accounts in the VV/LTW area (out of roughly 277 households).

Frank, aware of a July VVCA meeting, said that he would draft some ideas for an equitable contract to present at the meeting. However, no ideas or sample contract were submitted. Nancy and Amanda agreed it was inevitable that any contract would include increased rates and a possible reduction of services. We thought it unwise to accelerate a negative outcome in favor of waiting until late 2017 when contracts with the Town of PV were up for re-negotiation.

A few months after our meeting with Frank, we noticed on the GW website that a new neighborhood, "Portola Valley (Unincorporated)" <http://www.greenwaste.com/portola-valley-unincorporated>, had been added with a unique rate structure, different now than that of the Town of PV. The rate schedule includes only garbage and recycling with no inclusion of yard waste, though yard waste continued to be collected for most.

We left the garbage issue on the back burner until...

- 2017. Nancy and Amanda, aware that the Town of PV contract was up for re-negotiation, again reached out to the Town to see if they might consider adding VV/LTW area to their GW contract. Neighbor Mary Kiely helped with this outreach. As repeated communications with the Town went unanswered, Amanda explored what other options might exist to discover:
 1. Recology, the company that services Ladera and with whom the County of San Mateo has negotiated services in various unincorporated areas, informed Amanda that because VV & LTW are currently under GW's "franchise" (which they confirmed via address lookup) they could not consider servicing our area unless steps were taken to change the franchisee, a roughly 5-year process requiring community notification and buy-in (more on this below).

2. At the County of San Mateo's Office of Sustainability, which oversees garbage and recycling services, Amanda spoke with Deputy Director Danielle Lee who explained that it is common for a franchise to segment areas based on factors affecting serviceability and charge sub-rates based on serviceability (e.g.; terrain, proximity of location, number of customers in an area, commercial/residential mix, etc.); that individuals cannot enter into a franchise, only HOA's or service districts (VV & LTW have informal community associations but are not formal HOA's; it is not clear if either has authority to enter into a contract); that franchisees usually require mandatory participation of all residents in order to enter a contract, which tend to be 10 years or more, so that cost and income projections don't become skewed due to attrition (note that only ~230 of ~277 households are GW customers).

Danielle also said that the Town of PV was nearing the end of successfully re-negotiating their contract with GW for another 10-year period. For the Town to include VV & LTW, the Town would have to negotiate a new contract, a costly and arduous prospect that they would be unwilling to consider, understandably. This option is off the table, at least for the next 10 years.

3. Below information was sent to Amanda by Lilian Clark, Solid Waste Special Districts, San Mateo County Office of Sustainability, following up on the conversation with the Deputy Director (see 2 above):

The first step for the Association would be to send a letter of interest to your residents in the Association to estimate how many would be willing to be part of a new formal contract, and most likely mandatory curbside services.

The next step, cited in Public Resource Code Section 49520, (http://leginfo.legislature.ca.gov/faces/codes_displayText.xhtml?lawCode=PRC&division=30.&title=&part=8.&chapter=6.&article=3), which requires a five year notification be sent to the current service provider in the area; in this case Green Waste Recovery. This will take five years unless you negotiate with Green Waste (current provider).

Here are some options:

1. The Homeowner Association** could negotiate its own contract with Green Waste for services for the residents in the Association (formalize it), we can help advise, this is similar to what the Ladera residents have for services the County doesn't manage the Ladera area I believe they negotiated with Recology.
2. The Homeowners Association could ask Portola Valley to be part of their Franchise Agreement, but I believe LAFCO would need to be consulted, and five year notification to the current provider.
3. Do you have a community service district in which you can add in garbage collection services?

4. The closest Unincorporated Franchised district for Recology services in your area is the West Bay Sanitary District service area, not sure if your area could be added to this district, again LAFCO would need to be consulted for the process.

Here is the recent West Bay Sanitary District evaluation of their garbage rates to see get an estimate of what your rates would be if Recology was the service provider and you were part of the West Bay Sanitary District service area https://westbaysanitary.org/wp-content/uploads/2017/10/Final-4-SR.-Solid-Waste-Rates-2018_10-05-2017-SXR.pdf .

Here is the contact info for LAFCO; <http://www.sanmateolafco.org/>

**Note: It is unclear (doubtful we think) if VVCA & LTWCA are “Associations” with legal ability to enter into a contract.

Where do things stand as of January 2018?

If either VVCA or LTWCA finds champions who feel strongly about pursuing any of this, we are happy to share what we have learned in further detail.

In the meantime, happy recycling!! Stuff those Christmas trees in your yard waste bin, if you’ve rented one, to save a whopping \$7.62! Or follow good advice for using as mulch.

Amanda Lee
Nancy Freire

Below see July 2002 garbage service notice for Los Trancos Woods Community Association newsletter “Special Notice – Garbage Collection Company”



LOS TRANCOS WOODS COMMUNITY ASSOCIATION

Special Notice - Garbage Collection Company

In late May Jay Wilson, Vista Verde, and Julie Duncan, Los Trancos Woods, became aware of Los Altos Garbage Company's plan to drop our service as of 1 July 2002. Julie quickly responded by calling Los Altos Garbage Co. to find out what was up. Yes indeed, they were dropping us and also pulling out of their service to the Town of Portola Valley. Somehow Los Trancos Woods and Vista Verde had fallen through the cracks and our households had not been notified. With lightening speed Julie was on the phone investigating our garbage service options. After much back and forth Julie had the information that was needed to decide on a service provider. Here in Julie's words is the outcome of her tremendous effort:

Dear Residents of Los Trancos Woods and Vista Verde.

A big thank you goes to residents from both of our communities who actively participated in resolving our garbage situation before it became a problem. I am writing this letter to let you know that starting July 1, 2002, our household waste, recyclables, and yard clippings will be collected each week by our new garbage collection provider, **Greenwaste Recovery, Inc.**

Los Altos Garbage Co. has transferred their customer list and service information as to the location and number of cans, etc., to Greenwaste. We hope it is a smooth transition and minimal adjustment period, as their staff becomes familiar with us and their new route.

As has been historically the case, garbage services will be provided to us at the same rate as the Town of Portola Valley. This rate was recently set during the Town's contract negotiations with Greenwaste Recovery, Inc. There will be a change in the service provided, since Greenwaste will collect household waste, recyclables and yard clippings from our homes each week.

Greenwaste Recovery, Inc. will be sending each household a letter confirming our new service.

Submitted by: Julie Duncan, Treasurer LTWCA

Editor's note: Julie and the others that helped her deserve a huge THANK YOU from our community. Where would we be without their dedication to serving our community?!