

Good morning, Chair Packard and Ballot Simplification Committee Members:

Upon cursory review of the draft digest for the measure titled "Refuse Collection and Disposal," I would like to register a few preemptory objections (or suggestions, as they may be).

First and foremost, in "The Way it is Now," the draft digest is fundamentally misleading in that ***the Rate Board does not actually have the authority to set and change refuse rates.*** Under current law, any party or member of the public can submit a rate application *to the Director of the Department of Public Works*. The Director then sets the rate based on that application. *If any only if* someone objects to or appeals the rate set by the Director is the matter heard by the Rate Board.

Second, the "rate" is more than just the dollar amount. It also includes extensive logistical details about how trash is picked up in San Francisco. To that end, an appeal of the "rate" need not touch the dollar amount at all, and in fact, more recent appeals have not objected to the dollar amount of the rate. Further, ***the Rate Board can only consider the specific issues raised in the appeal, which - again - may not even include the dollar amount.***

Third, under "The Proposal," the draft digest would be greatly improved - and voters better served - if the second paragraph was made the first paragraph, starting with "*Instead of serving on the Refuse Rate Board, the Controller would serve as the Refuse Rate Administrator.*" Starting the proposal with "the Controller would be removed from the Rate Board" strikes me as at odds with the larger role that the Controller would actually play in overseeing the entire process, which is set forth in the second paragraph.

Finally, it is important to note under "The Way it is Now" that the City does *not* have authority under current law to set commercial rates. Adding that fact to this section would also provide a baseline and parallel construction to the statement in The Proposal, which states, "*The Rate Board could also set refuse collection rates for commercial customers.*"

Thanks for your consideration of these points.

Aaron