



City of Portola
AGENDA

Infrastructure Committee
May 01, 2024 03:30 PM
35 Third Ave, Portola, CA 96122
<https://www.cityofportola.com/>

Mayor Pro-Tem Jim Murphy • Councilmember Bill Powers

REASONABLE ACCOMMODATIONS

The City Council welcomes you to its meetings which are regularly held the second and fourth Wednesday of each month at 6:00 p.m. at the City Hall Council Chambers. Your interest and participation is encouraged and welcome.

As a courtesy, the City Council meeting is also accessible to the public via live streaming at: <https://zoom.us/j/3583067836> or by phone at: Phone Number 1.669.900.6833; Meeting ID: 358 306 7836. **Online and telephonic access does not guarantee the public the ability to observe the meeting in the event there is a disruption or connectivity issues that affect broadcasting. Members of the public who want to be assured that they have the ability to observe the meeting and make comment during the meeting, should attend the meeting in-person.**

Any person desiring to address the City Council or any committee, commission or agency under the jurisdiction of the City Council, on any item not on the agenda may do so during public comment period. Public comment during the meeting will be accepted in person only.

Public Comment can be made by clicking on the "[comment](#)" section directly from the agenda, next to each agenda item.

Public comment will also be accepted via email sent to Deputy City Clerk, at admin@cityofportola.com which if received at least 24 hours prior to commencement of the meeting will be distributed to the Council and posted to the City's website prior to the meeting.

Meeting facilities are accessible to persons with disabilities. Reasonable efforts will be made to accommodate the participation of the disabled in the City's public meetings. If special accommodation for the disabled is needed, please notify the City at 530.832.6801 at least 48 hours prior to the meeting.

1. Call to Order

A. Roll Call

2. Public Comments

☒ Discussion  [Comment](#)

This section is intended to provide members of the public with an opportunity to comment on any subject that does not appear on this agenda. Please note that California law prohibits the City Council from taking action on any matter which is not on the posted agenda, unless it is determined to be an urgency item by the City Council. Any member of the public wishing to address the City Council during “**PUBLIC COMMENT**” shall first secure permission of the presiding officer, stand; may give his/her name and address to the Clerk for the record. Each person addressing the City Council shall be limited to three minutes ordinarily, unless the presiding officer indicates a different amount will be allotted.

3. Intermountain Disposal Customer Complaints

☒ Discussion ☒ Possible Action  [Comment](#) [View Item](#)

Discussion of customer complaints regarding Intermountain Disposal billings for solid waste and recycling services. Discussion with possible recommendations to the City Council.

4. Recycling Requirements

☒ Discussion ☒ Possible Action  [Comment](#)

Discussion of State of California recycling regulations, commingling of recyclables in curbside collection carts and possible changes to the CRV procedures.

5. Household Hazardous Waste Collection Event

☒ Discussion ☒ Possible Action  [Comment](#)

Discussion about holding a hazard waste collection event in the City of Portal. Additional discussion on possible funding options.

6. Changes to IMD Service Days

☒ Discussion ☒ Possible Action  [Comment](#)

Discussion about changing the Thursday residential collection day (Southside) to Mondays so all residents would be collected on Mondays. This would include recycling. Discussion with possible recommendations to the City Council

7. Adjournment

INFRASTRUCTURE AGENDA ITEM — 5.1.2023

1. IMD CUSTOMER COMPLAINTS



Public comments received though 4/29/2024 5:00 PM

Rebecca Carlson
316 E Loyaltan Ave
Portola, CA 96122
(916) 223-2769

RECEIVED

APR 17 2024

April 16, 2024

Intermountain Disposal, Inc.
185 N. Beckwith Street
Portola, CA 96122

Re: Account: CARR1

Dear IMD,

I received my quarterly billing statement via email on 4/14/2024. It shows a balance due of \$95.86. This invoice shows a rollover balance due of \$16.34 from 2023 - (I could not tell you when as I have no previous documentation).

I also received 4 OTHER invoices via email on the same day from you.

Date:	Invoice #	Description	Due Date:	Amount:	Balance Due:
1/1/2024	200569	Quarterly Billing	5/8/2024	95.78	\$9.72*
1/2/2024	375	½ Can Overage	2/1/2021	3.35	\$3.35
1/2/2024	374	½ Can Overage	2/1/2021	3.35	\$3.35
2/12/2024	Payment	Check # 104	2/12/2024	86.06	
4/1/2024	202311	Quarterly Billing	5/1/2024	79.44	\$95.86

I have not received any type of previous billing on ½ can overages for 2023 and your overage billing for 2024 does not indicate a specific date.

If you are going to bill me for overages, might I suggest you add a date to the invoice? I am not denying that my can lid was open a couple of times or even a few by any means. Another suggestion would be to email the invoice for the overage once you receive the overage log since you are able to do that.

I have called previously and spoken to Ricky about your billing cycle invoices coming in back-to-back and was told you were short staffed. Okay, I get it. However, that was MONTHS ago.

When I received my last quarterly billing statement in January 2024, I paid the statement balance of \$86.06 on 1/30/2024.

Now I have this rollover balance, and you have the audacity to put me in a 61-90 days past due category? We may be a small town, HOWEVER, you are a business. You have been in business for years and this should not be happening.

I am paying the full balance on my account. It is not about the money as it is more about your business practices and how you do business.

Since I recently saw a social media post stating that your company was unaware of complaints, I am writing this letter and CC'ing the City of Portola as well as City Council members so everyone is currently aware.

Thank you for your time,

A handwritten signature in black ink, appearing to read "Rebecca Carlson", with a long horizontal flourish extending to the right.

Rebecca Carlson

CC: City of Portola & Portola City Council

Intermountain Disposal, Inc.

185 N. Beckwith Street
Portola, CA 96122

(530) 832-4879

Invoice

Date

4/8/2024

REBECCA CARLSON
316 E. LOYALTON
PORTOLA, CA 96122

Rep

NR

Due Date

Account #

5/8/2024

CARR1

Amount Due

Amount Enc.

\$95.86

Date	Transaction				Amount	Balance
12/31/2023	Balance forward					16.34
01/01/2024	INV #200569.				79.44	95.78
	— CRWC9, 1 @ \$79.44 = 79.44					
01/02/2024	INV #200374.				3.35	99.13
	— CREX.5, 1 @ \$3.35 = 3.35					
01/02/2024	INV #200375.				3.35	102.48
	— CREX.5, 1 @ \$3.35 = 3.35					
02/12/2024	PMT #104.				-86.06	16.42
04/01/2024	INV #202311.				79.44	95.86
	— CRWC9, 1 @ \$79.44 = 79.44					
CURRENT	1-30 DAYS PAST DUE	31-60 DAYS PAST DUE	61-90 DAYS PAST DUE	OVER 90 DAYS PAST DUE	Amount Due	
79.44	0.00	0.00	16.42	0.00	\$95.86	

RECEIVED

APR 02 2024

Dear City Council,

We received these IMD complaints over the weekend. The Interim City Manager has been given a copy and is planning to bring these complaints up at the next Infrastructure Committee meeting in May.

Regards,

Jason Shaw
Deputy City Clerk, City of Portola

Admin

From: Streamline <noreply@specialdistrict.org>
Sent: Monday, April 1, 2024 7:11 AM
To: Admin
Subject: New form submission received: Contact Us

RECEIVED

APR 02 2024



Contact Us

Contact Us Form:

Name: Mike Swofford
Email: mikeswofford@icloud.com
**Phone
Number:** 5308321651

Service Address (if applicable):

Message:

The cost of dumping green waste at the transfer site is ridiculous. City residents have to pay \$5/yard when people outside of city limits can burn. Ricky Ross charges and has it chipped and sells the chips and burns the rest, he's getting paid both ways. I only received one bill over the last year and nobody is ever available in the office at Intermountain disposal. Also I thought the building across from the transfer site was a recycling center but you can't recycle cardboard or cans anywhere in the area. The contract needs to come up for bid because they are fleecing us.

[Reply / Manage](#)

Powered by Streamline



Admin

From: ckwilmer <ckwilmer@sbcglobal.net>
Sent: Sunday, March 31, 2024 2:48 PM
To: Admin
Subject: IMD Complaint

RECEIVED

APR 02 2024

To whom it may concern,

My family and I have lived in Portola for 9 years and during that time we have had several issues with Intermountain Disposal. The billing is never correct and each time I have tried to reach out, I've either gotten no response or told that there is nothing they can do. It's very frustrating that we HAVE to use their services if we live in the city limits. I'm hoping there will be some major changes soon.

Thank you,
Kim Wilmer

Admin

From: Christina Baggott <yogasoul.namaste@gmail.com>
Sent: Sunday, March 31, 2024 5:13 PM
To: Admin
Subject: Complaints - IMD

RECEIVED

APR 02 2024

Dear Portola Officials,

It was recommended that residents voice their concerns about Intermountain Disposal for an open discussion between City Officials and the company. I am writing to bring awareness to some concerning issues my husband and I experienced pertaining to Intermountain Disposal Inc.

Over the past several months, there have been recurring problems with the accuracy of billing, leading to confusion and frustration.

One of the most prevalent issues is the inaccuracy of their quarterly billing statements. To begin, invoices do not arrive on a regular schedule. They often arrive late, leaving one day for payment. In addition, my husband and I have received invoices with our current billing cycle amount appearing on the past due section of their invoice, which had led to great confusion. Invoice 11/30/22 is the prime example of this. Our current amount of \$53.61 appeared on the 61-90 days past due line instead of on the current cycle line.

Furthermore, late fees seem to be added to invoices arbitrarily, without clear justification or notification, creating additional frustration. For instance, Invoice 4/1/23 was for \$60.96, zeros were in all past due boxes. Total amount due remained \$60.96. I paid the bill on 4/26/23, the same day it arrived in the mail. Mind you, the past due date was 5/1/23. Although my husband and I paid on time, having the invoice arrive on 4/26/23 did not provide us with much time to turn a payment around. Nonetheless our payment was received on time and credited to our account.

The next quarter, Invoice 7/31/23, we had a current quarterly amount of \$60.96 but also a \$2.86 charge on the over 120 days past due. When they are questioned about it, their customer service is rude and will simply read the amounts from the invoice without providing an explanation as to why this charge randomly appeared.

I have been quite frustrated with Intermountain Disposal when it has come to their billing for years. If residents had a city portal to access utility information, that would be helpful, but I don't know if it would solve the problem of IMD tacking on random fees.

The main takeaway frustrations:

- Late mailing of invoices
- Misaligned amounts on invoices
- Random fees tacked on without explanation
- Confusing invoices to follow and understand

Thank you for letting us voice our concerns before your meeting with IMD. I'm sure you have many letters/emails to read. I have tried to resolve some issues concerning invoicing with IMD, but have been

unsuccessful so I appreciate the City taking active steps towards resolving invoicing confusion and improving services offered to residents by Intermountain Disposal Inc.

Kind Regards,

Christina Baggott

797 Main Street

Admin

From: Jaelynn Rose <rosejaelynn@gmail.com>
Sent: Sunday, March 31, 2024 7:39 PM
To: Admin
Subject: IMD concerns

RECEIVED

APR 02 2024

To whom it may concern,

I am writing this letter in hopes to bring light to an issue going on within the city of Portola. I have been a customer of Intermountain Disposal for approximately 4 years and have had nothing but several issues of dishonesty from the business. Below are examples of interactions of the issues I have had and called the main office for which every time the phone is answered by a "Rick" who I can only assume is the owner.

There have been several instances where my bill has been a different amount than usual although nothing physically had changed. The charge on the bill shows as a code that only the business knows how to depict and has no plain text on what the charge is for so the public eye can understand. When I called the office the first time I noticed the discrepancy, I was told the charge is for either "an extra can" or "an overflowing can" both of which I have never had. I expressed to the man on the phone that this is not possible because I have only ever filled my can to the appropriate amount and know what overflowing or an extra can means. This issue was never resolved, I just paid the bills because trash pick up is an essential need for me.

More recently, on my trash pick up day (Monday) afternoon, I noticed my trash was not picked up. I looked into the other 3 trash cans that belong to my neighbors and realized their trash was not picked up either. I called the office and was told they had a note from the driver that my trash was not on the curb before 7 am like they require. It should be noted every Monday myself and my neighbors all have our trash out either Sunday night or early Monday morning well before 7 am. I let the man on the phone know I watched my husband put the trash out at 6 am before he left for work, and it was definitely out. He then told me that my neighbor's trash was picked up- which I informed him that was false. I had just looked at their trash cans and they were still full. The man on the phone then told me "oh well, all I have is the notes from the driver to go off. just double your trash up next week" When I expressed that this isn't a realistic thing to do his response was "the truck isn't coming back to your house today so I don't know what to tell you". He offered no alternative to his own company's mistake and dishonesty. This is a huge environmental issue due to the location where we live. My husband and I both work hard to keep our trash contained and to a minimum due to wildlife activity like bears and other animals that are attracted to and get into trash. Not only are the IMD drivers being dishonest, the man who answers the office phone is extremely rude and dishonest as well.

When I brought my issues to a public social media forum I was informed I am very much not alone with IMD issues. I had HUNDREDS of responses from other Portola residents who have experienced the same issues or worse.

It is very unfortunate that Portola residents have no other options besides IMD for trash service. They are being dishonest, stealing money and offering no alternatives when they make mistakes.

Thank you for your time.

Jaelynn Pace

IMD Comment

Admin

From: Susan Scarlett <scarlettbiz@yahoo.com>
Sent: Monday, April 8, 2024 10:49 AM
To: Admin
Subject: Fw: Invoice 196224 from Intermountain Disposal, Inc.

RECEIVED

APR 09 2024

Confidentiality Statement:

This message, together with any attachments, is intended only for the use of the individual or entity to which it is addressed. It may contain information that is confidential and prohibited from disclosure. If you are not the intended recipient, you are hereby notified that any dissemination or copying of this message or any attachment is strictly prohibited. If you have received this item in error, please notify the original sender and destroy this item, along with any attachments.

----- Forwarded Message -----

From: Jim Murphy <jmurphy@cityofportola.com>
To: scarlettbiz@yahoo.com <scarlettbiz@yahoo.com>
Sent: Saturday, April 6, 2024 at 12:01:18 PM PDT
Subject: FW: Invoice 196224 from Intermountain Disposal, Inc.

Here's the latest.

Jim

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Mark Schwyer <markern2@gmail.com>
Date: 4/6/24 11:54 AM (GMT-08:00)
To: Jim Murphy <jmurphy@cityofportola.com>
Subject: Re: Invoice 196224 from Intermountain Disposal, Inc.

Jim,

After reflecting on the IMD issues over the last few days and additional feedback I have received from Portola residents, I am thinking about how to request a meeting with the Plumas County District Attorney. I understand from direct communications with Portola residents that there have been a number of other concerns and complaints about IMD's billing practices that now appear as fraud.

When I directly questioned Mr. Ross during a telephone conversation about why I was being billed for recycling even though I had never received any recycling receptacles, his response was "Well that is because some people wanted them and some didn't." It really appears to me that they have knowingly billed for services that residents did not receive. This in my mind rises to the level of fraud. Imposing a charge for a receptacle that was never provided further illustrates this concern.

I don't know the process around initiation of a Grand Jury investigation/proceeding but given the fact that there have been a number of concerns, it really seems time that IMD's billing practices are investigated.

I am happy to reach out to the District Attorney's office to inquire how and if this process is appropriate and how it is started.

Thanks,

Mark
Sent from my iPhone

On Apr 4, 2024, at 4:50 PM, Jim Murphy <jmurphy@cityofportola.com> wrote:

I've passed this on to Susan Scarlett and she's contacted the City Attorney and Consultant. Your next contact will be from Susan. If you haven't heard anything by next Wednesday let me know.

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Mark Schweyer <markerrn2@gmail.com>
Date: 4/4/24 4:47 PM (GMT-08:00)
To: Jim Murphy <jmurphy@cityofportola.com>
Subject: Re: Invoice 196224 from Intermountain Disposal, Inc.

Jim,

Thanks. I really meant driving the trash to Quincy rather than Waste Management collecting here in IMD's service area.

I look forward to hearing back from you after your discussions with the City Attorney, et al. I will hold off on proceeding with any actions until then.

Have a great evening.

Mark
Sent from my iPhone

On Apr 4, 2024, at 1:06 PM, Jim Murphy <jmurphy@cityofportola.com> wrote:

I agree with your assessment. Other Solid Waste vendors are prohibited from collecting inside the City under authority of the ordinance.

I will ask the City Manager and Tom Valentino if the City can require IMD to continue service while the dispute is being resolved. In my mind they can't have it both ways. Require mandatory service and refuse service?

I'll get back to you on this after I run it by the CM, City Attorney, and City Solid Waste Consultant.

Jim

----- Original message -----

From: Mark Schweyer <markerrn2@gmail.com>

Date: 4/4/24 12:55 PM (GMT-08:00)

To: Jim Murphy <jmurphy@cityofportola.com>

Subject: Re: Invoice 196224 from Intermountain Disposal, Inc.

Jim,

Ms. Ross' response was really very disappointing and quite alarming. At this juncture, I do not see any recourse or resolution to this matter without proceeding to small claims court. As part of my nature and personal finance management with all services that I am being billed for, I have saved all of my IMD-related documents and invoices religiously since moving into my current home in 2006. I have no records of any service contracts/agreements or signing for any IMD property. I have not received any invoices by snail mail or email since July of 2023.

In spite of multiple emails and requests to provide a credit card for payment over the past year, Ms. Ross' response again did not address this request.

With a suspension of trash collection services, the only option that I see available to me is to drive to Waste Management in Quincy to dispose of my household trash as IMD obviously manages the transfer station in Delleker. I will be calling and inquiring if drop off services are available to individuals residing outside of their contracted service area.

Do you see any other options for disposal of my household trash until this issue gets resolved through court action?

In preparation for the small claims action, is there any publicly available correspondence or documentation of the need to amend the City's contract due to IMD telling Portola residents that recycling was a required service after the ordinance changed?

Please include me, where appropriate and permitted to bring forth the variety of issues that I have outlined in any public forum. I will be collecting letters and now have a quite sizable file of evidence of similar concerns that have been posted to Portola-related Facebook feeds. I intend to submit copies of the similar and numerous complaints that I have saved over the past several months during the small claims proceedings.

Additionally, I am investigating any assistance from organizations that are available to me such as the Beter Business Bureau. I am also considering posting a sign in my yard asking individuals who have encountered issues

with IMD to contact me so I can include this feedback with my small claims filing.

Again, I thank you for all of your assistance with these issues and understand the City's inability/limited role in becoming involved in individual consumer complaints.

That said, please let me know if you think a phone would be of value to either of us.

Kindly,

Mark Schweyer
775-313-7817

From: Jim Murphy <jmurphy@cityofportola.com>
Sent: Thursday, April 4, 2024 11:49 AM
To: Mark Schweyer <markern2@gmail.com>
Subject: FW: Invoice 196224 from Intermountain Disposal, Inc.

Mark,

It's apparent that this is going no where fast. It looks like your only and best recourse is Small Claims court. I can't see anything the City can do in our meeting with IMD other than chastise them for their work ethic. We certainly can't enter into a private business billing dispute.

Your complaint will be on the top of our list in our meeting. It looks like starting immediately your service is interrupted. Her next action will be to try to get the City to enforce the mandatory collection ordinance. I don't see her getting anywhere with that.

Please keep me in the loop on where this goes. It will certainly be part of the discussion in our meeting and when IMD applies for a Franchise renewal.

Best regards,
Jim Murphy

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Candice Ross <candiceross@intermountaindisposal.com>
Date: 4/4/24 11:16 AM (GMT-08:00)
To: 'Mark Schweyer' <markern2@gmail.com>
Cc: Jim Murphy <jmurphy@cityofportola.com>, Jon Kennedy <CityManager@cityofportola.com>, rickycross@intermountaindisposal.com, Richard Ross <richard@intermountaindisposal.com>
Subject: RE: Invoice 196224 from Intermountain Disposal, Inc.

Mr. Schweyer,

Your residential account is past due in the amount of \$ 170.78 and service has been interrupted due to non-payment on your account.

The last payment received on March 27, 2023 in the amount of \$ 65.11 check number for the 1st quarter billing 2023.

In regards to your request for a refund for the period of \$ 326.09 will not transpire. You discontinued your recycling subscription in March of 2023.

Your account was credited the amount of \$ 15.90 for the period of January – March as per your request at that time.

To date, the 64gl waste cart # 190500 has not been returned, to avoid an additional charge in the amount of \$ 88.24.

We appreciate your cooperation in returning company property, by setting the 64gl waste cart out for removal on the curb next Monday, April 8, 2024.

Thank you,

Candice Ross, CEO/CFO

Intermountain Disposal, Inc. County Division - Sierra Division - Portola Division

185 N Beckwith Street Portola, Ca 96122

(530) 832-4879 ext. 311 Business (530) 832-4934 Fax

candiceross@intermountaindisposal.com www.intermountaindisposal.com

<image002.png>

~ John 3:16

Confidentiality Notice

This electronic mail transmission and any accompanying documents contain information belonging to the sender (Intermountain Disposal, Inc.) which may be confidential and/or legally privileged. This information is intended only for the use of the individual or entity to which this electronic mail transmission was sent as indicated above. If you are not the intended recipient, any disclosure, copying, distribution, or action taken in reliance on the contents of the information contained in this transmission is strictly prohibited. If you have

received this transmission in error, please call collect at 530-832-4879 and delete this transmission. Thank you.

From: Mark Schweyer <markern2@gmail.com>
Sent: Tuesday, April 2, 2024 3:26 PM
To: rickyross@intermountaindisposal.com; candiceross@intermountaindisposal.com
Cc: jmurphy@cityofportola.com; citymanager@cityofportola.com
Subject: Re: Invoice 196224 from Intermountain Disposal, Inc.

Mr. and Mrs. Ross,

Good afternoon. I am following up once again as I have not received any communication aside from the invoices you emailed on Thursday, March 28, 2024. The last correspondence that I received regarding these issues was the email dated April 26, 2023 which can be found in the email string below. This is my fourth email since your initial response below. These issues are still unresolved after nearly one year.

It appears that I was charged for recycling on the attached 5/1/2023 invoice after notifying you that I had not ever received any recycling services nor was I ever supplied any recycling receptacles. Notably, the invoiced amount lists a total of \$50.36 with a balance due of \$34.46.

In summary, the issues that are still not unresolved and associated facts are:

1. I have been billed from 2012 to 2023 for recycling charges. These services were never provided nor was I provided any receptacles.
2. The City of Portola ordinance changed in 2012 after which time recycling was not required and yet I continued to be billed for services that were not provided.
3. I discovered that in August 2017, City of Portola required and amendment to your contract with your firm due to the fact that

you/your company continued to tell customers that recycling was a required service.

4. I have assembled a number of individuals including some of your ex-employees that are able to provide written confirmation that they have never seen me utilize Intermountain Disposal for recycling services.
5. In an email on April 26, 2023; Ms. Ross acknowledged there was an error in billing for the recycling that was not provided, offered a refund of 4 months of service and drew my attention to a clause on IMD's invoices that states that your company is not responsible for refunding for 60 days of service. Notably, I was being invoiced on a 90-day cycle at that point.
6. As I have conveyed before, Intermountain Disposal had no authority to continue to bill me for services beyond 2012 when recycling was no longer a minimum service and not being supplied to me.
7. To assert that you are not responsible for any billing errors beyond 60 days even after acknowledging that you were responsible for the error is alarming and unacceptable.
8. I have not received any invoices from IMD since July of 2023. The last invoice that I received (prior to the emails on 3/28/2024) was on or about 7/2/2023 and is attached for your reference.
9. I have repeatedly requested information on how to file a credit card number for billing at your office which I have not been provided with. I no longer utilize paper checks to pay bills.

To resolve this matter, I am again notifying you of the following:

1. I am notifying you in writing via this email of my complaint that I am not being provided with clear, accurate and timely invoices for your services. As indicated above, I have not received an invoice from your company for over 9 months.
2. As noted above, I have previously requested an explanation for the discrepancy between the "Total Amount" and the "Amount Due" in the attached invoice but have not received any phone call, email or written communications in over 9 months.
3. I am again notifying you that due to the billing errors/discrepancies and lack of communication/follow-through, I expect a written acknowledgment that I do not have any nor ever had any recycling receptacles in my possession.

4. I am due a refund of \$326.09 for services that were not provided. Attached is a spreadsheet that outlines these fees. These figures came directly from IMD invoices that I have kept since moving to my current home in 2006.
5. I can either remit payment for future services once this overcharge amount is met or you can mail a check for the amount owed to 747 Ellen Ave. Portola, CA 96122. If you choose the latter option, I will remit payment for all outstanding charges via credit card once I receive the check, the previously requested explanation of the invoicing discrepancy, written acknowledgement that I do not and have never had IMD recycling containers in my possession and information on how to remit payment by credit card.

Sincerely,

Mark Schweyer

From: Mark Schweyer <markern2@gmail.com>

Sent: Monday, July 17, 2023 8:17 AM

To: rickyross@intermountaindisposal.com <rickyross@intermountaindisposal.com>;
candiceross@intermountaindisposal.com <candiceross@intermountaindisposal.com>

Cc: jmurphy@cityofportola.com <jmurphy@cityofportola.com>;
citymanager@cityofportola.com <citymanager@cityofportola.com>

Subject: FW: Invoice 196224 from Intermountain Disposal, Inc.

Mr. and Mrs. Ross.

Good morning. I hope you had a great weekend. I am reaching out to you again in hopes of resolving the matter of being billed for recycling services that I have not received. I have obtained assistance from the City Manager and City Council and was notified that recycling became non-mandatory for Portola City residents starting in 2012. Again, asserting that I have never received recycling services from Intermountain Disposal, I would like to request a meeting with you to discuss this matter.

As a proposed settlement, I am willing forgo any charges for the year of 2012 and any interest on monies paid from 2013 until current. These charges are outlined in the attached spreadsheet. This would total a sum of \$326.09 and also be contingent on receiving a letter acknowledging the billing errors and that I do not have any of Intermountain Disposal's property (other than one garbage receptacle/cart) in my possession.

Relevant to the additional items I am requesting to settle this matter, I still have not heard back from you regarding an explanation of current charges as outlined in the email below which was sent over 2 months ago. I am unable to pay my current bill without an explanation of the charges incurred as well as instructions on how to make payment using a credit card. Once these are provided, I will make immediate payment.

Again, I am hopeful this issue can be resolved and the proposed settlement offer is considered fair and equitable to you.

Sincerely,

Mark Schweyer

747 Ellen Ave.

Portola, CA 96122

(775) 313-7817

Sent from [Mail](#) for Windows

From: [Mark Schweyer](#)

Sent: Tuesday, May 16, 2023 9:38 AM

To: candiceross@intermountaindisposal.com; citymanager@cityofportola.com

Subject: Re: Invoice 196224 from Intermountain Disposal, Inc.

Candice,

Good morning. Following up on this email.

Thanks,

Mark

On May 8, 2023, at 12:57 PM, Mark Schweyer <markerrn2@gmail.com> wrote:

Candice,

Good morning. Thank you for your response and acknowledgment that Intermountain Disposal has billed me inappropriately for recycling services that were never delivered. However, I am unwilling to accept your offer of a refund of a total of 4 months of the nearly 17 years of recycling charges that were billed in error.

I have analyzed Intermountain Disposal invoices since 7/1/2006, the month following my purchase and move into my home on 747 Ellen Ave. Portola, CA 96122

There have been \$460.64 in charges for services that were never provided. Please see the attached spreadsheet summary of the review of recycling charges that were listed on the Intermountain Disposal invoices sent to me. I am making a demand for a full refund.

I want to re-iterate, I have never received any recycling containers or recycling services from Intermountain Disposal over the nearly 17 years that I have lived in Portola. Intermountain Disposal knew or should have known that I never received these services through sound record-keeping and ethical and accurate billing practices. I brought the billing issue to your attention as soon as I discovered it. Acknowledging that I was billed incorrectly then asserting that I am not due a full refund of services that were never provided because I didn't discover the discrepancy, limiting your refund to me to 4 months of incorrectly billed services is unacceptable to me.

I remain hopeful for an amicable resolution of this issue as quickly as possible but am prepared to avail myself to all available resources to ensure a fair and equitable resolution. These resources include but are not limited to:

1. The City Council of Portola
2. Portola's City Attorney
3. The Plumas County Board of Supervisors
4. The Federal Trade Commission
5. California's CalRecycle Division

6. The Better Business Bureau
7. Small claims court action
8. Participation in any class-action proceeding that may arise on behalf of the residents of Plumas County that Intermountain Disposal services

Lastly, to bring this matter to an acceptable resolution:

1. I demand a full refund of \$460.64 for services that were never delivered.
2. I am again requesting a written acknowledgement from Intermountain Disposal that I do not currently have nor ever had any Intermountain Disposal recycling carts or containers in my possession.
3. I am again requesting a written explanation of the apparent "off-cycle" latest billing statement with charges that I do not understand and did not anticipate.
4. I am requesting Intermountain Disposal's acknowledgement that I will not be billed further for any collection of recycling or use of recycling carts or containers.
5. I will need instructions on how to arrange to pay future invoices by credit card so as to have additional resources to formally dispute any further overcharges or charges for services not rendered.

Respectfully,

Mark Schweyer

Sent from [Mail](#) for Windows

From: [Candice Ross](#)
Sent: Wednesday, April 26, 2023 7:59 PM
To: [Mark Schweyer](#)
Cc: [Ricky Ross](#)
Subject: RE: Invoice 196224 from Intermountain Disposal, Inc.

Good evening Mark,

We have reviewed your correspondence and our response is as follows:

You contacted Intermountain Disposal office on April 24, 2023 to discontinue the recycling service and a revised billing was issued to you.

In the Billing Rights Summary on the bottom of your invoice has the procedures that we must hear from you no later than 60 days after we sent you the first bill in which the error or problem appeared. Bill shall be deemed correct unless disputed within 60 days from receipt.

You have notified our office in regards to this error through email presentation and we will adjust your recycling charges for the period of January through April 2023.

We appreciate you bring this matter to our attention.

Thank you,

Candice Ross,
Intermountain Disposal, Inc. County Division -
Sierra Division - Portola Division
185 N Beckwith Street Portola, Ca 96122
(530) 832-4879 ext. 311 Business (530) 832-4934 Fax
candiceross@intermountaindisposal.com www.intermountaindisposal.com

<image001.png>

~ John 3:16

Confidentiality Notice

This electronic mail transmission and any accompanying documents contain information belonging to the sender (Intermountain Disposal, Inc.) which may be confidential and/or legally privileged. This information is intended only for the use of the individual or entity to which this electronic

mail transmission was sent as indicated above. If you are not the intended recipient, any disclosure, copying, distribution, or action taken in reliance on the contents of the information contained in this transmission is strictly prohibited. If you have received this transmission in error, please call collect at 530-832-4879 and delete this transmission. Thank you.

From: Mark Schweyer <markern2@gmail.com>
Sent: Tuesday, April 18, 2023 5:45 PM
To: candiceross@intermountaindisposal.com;
info@intermountaindisposal.com
Subject: RE: Invoice 196224 from Intermountain
Disposal, Inc.

Re: Account Number: SCHM1

Candice,

Greetings. Thank you for your email response to my inquiry about my bill that I made to Rick through a phone call to your Portola business address yesterday 4/17/2023 at 1:47 pm.

I am protesting the invoice attached to your email for the following outlined reasons and have bolded my expectations for resolution of this matter.

1. It has become confusing to me what I am being billed for. In the interest of clarity, I am outlining the various most recent invoices:

1. On 2/27/2023 by United States Postal Service mail. This is a bill for \$95.11 with a past due date of 3/29/2023.

2. 4/1/2023 by United States Postal Service mail. This is a bill for \$60.96 with specific charges for "CRWC3" in the amount of \$45.06 and "CRRECYL" in the amount of \$15.90. Contained in this invoice are "credits" payments totaling \$95.11 which were received by IMD and credited to my account on 3/24/2023.

3. 4/18/2023, 11:53 am by email. This appears to be an amended version of an invoice dated 4/1/2023. This invoice is an attempt to collect \$45.06 for "Residential Waste Cart 32 Gal. (Quarterly Billing)" There is also a charge for "Residential Recycling Charge (Quarterly Billing)" in the amount of \$5.30.

4. I do not understand the unexpected bill that was "off-cycle" for \$60.96 without a clear explanation of why these additional charges were incurred. In speaking with Rick, the explanation I received was that the bills were not paid on time and the additional charges were to "catch up". Given the total previously charged amounts were paid – nothing additional – and the bill is off cycle for a random amount, it is unclear if this is a billing error or not. **Please provide a written explanation of why I am receiving this unanticipated bill at this juncture of the billing cycle and what the charges are specifically for.**

2. I have paid Intermountain Disposal for recycling for several years under the presumption that recycling was required by city ordinance. Through Portola social media channels and a review of City of Portola ordinances, I discovered yesterday that this is not true. When I questioned Rick regarding about the previous charges, Rick did not dispute that I was billed in error but replied that even though Intermountain Disposal had charged for this services for several years, all he could do is refund the amount charged on the last invoice. **Please review your records and refund all recycling fees charged since I started solid waste trash collection services with Intermountain Disposal in June, 2006.**

3. You request in your email below: "Please have the 64gl recycling waste cart - blue lid out for

removal on Monday 4/24/23". I do not have and have never had any Intermountain Disposal recycling waste carts or containers to return to you. **Please send a written email documenting acknowledgement that I do not have any recycling containers that belong to Intermountain Disposal in my possession.**

By way of this email, I am officially notifying you that on 4/17/2023, I discovered that I have been billed for several years for services never received. Again, I have not ever had recycling containers or recycling carts nor have I ever utilized Intermountain Disposal to collect recyclables. Therefore, I am making a demand for a refund of all billed recycling charges going back to the first date I was billed in error. Limiting a refund to one month of charges is unacceptable to me. These invoices were paid in good faith with the understanding that these services were required by ordinance whether used or not. Intermountain knew or should have known through sound record keeping and ethical business practices that services and recycling containers were never delivered. Thus, Intermountain Disposal had no province or authority to charge me for these items/services.

Please do not hesitate to contact me if you have questions or need any additional information to process the refund and send a supplemental invoice clearly explaining the additional/off-cycle charges.

I look forward to resolving this matter as soon as possible.

Thank you,

Mark Schweyer

747 Ellen Ave.

Portola, CA 96122

775-313-7817

Sent from [Mail](#) for Windows

From: candiceross@intermountaindisposal.com
Sent: Tuesday, April 18, 2023 11:53 AM
To: markern2@gmail.com
Subject: Invoice 196224 from Intermountain Disposal, Inc.

Intermountain Disposal, Inc.

Invoice *Due 05/01/2023*
196224

Amount Due: **\$50.36**

Attached is the adjusted billing for the 2nd Q April through June 2023.

Please have the 64gl recycling waste cart - blue lid out for removal on Monday 4/24/23.

Thank you,

Candice Ross,
Intermountain Disposal - Portola Division

<~WRD0002.jpg>

<IMD Recycling Charges 07.01.2006 through 03.31.2023.xlsx>