

THE CORPORATION OF THE
CITY OF WHITE ROCK
CORPORATE REPORT



DATE: October 4, 2021

TO: Mayor and Council

FROM: Jim Gordon, P.Eng., Director, Engineering and Municipal Operations

SUBJECT: Solid Waste Bylaw Update

RECOMMENDATIONS

THAT Council:

1. Receive the September 20, 2021, corporate report from the Director of Engineering and Municipal Operations, titled “Solid Waste Bylaw Update;”
 2. Approve the regular full time Solid Waste Coordinator position in advance of adopting the 2022 Financial Plan to enable recruitment for this position in Fall 2021;
 3. Direct staff to procure a contractor to provide solid waste collection services for multifamily (MF) and institutional, commercial, and industrial (ICI) properties, and user-pay bulky waste collection services for single family (SF), MF and ICI; and
 4. Approve the first, second, and third reading of the Collection, Removal, Disposal and Recycling of Solid Waste Bylaw which stipulates that MF and ICI properties can opt into the City managed collection services beginning January 30, 2023, and must transition by March 27, 2023, or the termination date of any private solid waste service agreement that was entered into prior to the Bylaw adoption date.
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EXECUTIVE SUMMARY

One of Council’s Strategic Priorities to manage the delivery of City services efficiently and effectively is to review multifamily and commercial waste pickup. Dillon Consulting (Dillon) was hired to carry out a comprehensive review of all solid waste services including bulky waste collection services.

On February 22, 2021, Council directed staff to conduct a financial analysis and review funding models that would enable a City managed contractor to provide solid waste collection for MF and ICI buildings and to obtain a legal opinion to determine if the City, through bylaw, can request private property owners to terminate contracts with private solid waste haulers.

The City’s legal counsel reviewed the Bylaw and *Local Government Act*. The transition to City managed solid waste model can occur by amending the Bylaw to City managed collection by a date set out in the Bylaw. Legal counsel recommends that the City provide extensive communication about this transition to all MF and ICI buildings owners so they can terminate their private waste collection services.

The City will need to retain a solid waste contractor through a competitive procurement process. A regular full time Solid Waste Coordinator is necessary because significant staff time is

required to coordinate the location and frequency of pickup with the building managers of over 252 MF and 96 ICI properties, procure the contractor, educate residents about the transition, and manage the contractor.

The purpose of this report is to obtain Council approval for a regular full time Solid Waste Coordinator position in advance of adopting the 2022 Financial Plan, seek Council direction to procure a contractor to provide solid waste collection for MF and ICI and bulky waste collection services for SF, MF and ICI, and introduce the "Collection, Removal, Disposal and Recycling of Solid Waste Bylaw, 2015, No. 2084, Amendment No. 4, Bylaw 2021, No. 2402," which is presented to Council for consideration of first, second, and third readings.

PREVIOUS COUNCIL DIRECTION

Motion # & Meeting Date	Motion Details
2021-084 February 22, 2021	<p>THAT Council:</p> <ol style="list-style-type: none"> 1. Direct staff to conduct a financial analysis and review funding models that would enable the City to provide solid waste collection for Multi- Family (MF) and Institutional, Commercial and Industrial (ICI) buildings by a City managed contractor; and 2. Direct staff to obtain a legal opinion to determine if the City through bylaw can request private property owners to terminate contracts with private solid waste haulers. <p style="text-align: right;">CARRIED</p>
2020-490 October 5, 2020	<p>THAT Council:</p> <ol style="list-style-type: none"> 1. Direct staff to prepare a 2020 Financial Plan Amendment that would include a \$985K adjustment for the purchase of the three solid waste vehicles discussed in this report; and 2. Approve the purchase of the three solid waste collection vehicles in the amount of \$1.131M (excluding GST) upon adoption of the 2020 Financial Plan Amendment Bylaw. <p style="text-align: right;">CARRIED</p>
2020-394 July 27, 2020	<p>THAT Council:</p> <ol style="list-style-type: none"> 1. Approves the purchase of two (2) recycling replacement vehicles from the 2020 Financial Plan in the amount of \$820K (excluding GST) from Rollins Machinery Ltd; and 2. Approves an increase of \$304K for the purchase of the two recommended vehicles that would be reallocated from funding that was to have been for the purchase of the three (3) residential collection vehicles. <p style="text-align: right;">CARRIED</p>
2018-395 November 19, 2018	<p>THAT Council receives for information the corporate report dated November 19, 2018 from the Director of Engineering and Municipal Operations titled "Solid Waste Management: Current Status of the Program".</p> <p style="text-align: right;">CARRIED</p>

2015-114 April 10, 2015	THAT Council endorses option three (3) as outlined in April 10, 2015 corporate report titled “Multi-Family Solid Waste Collection Additional Information” endorsing the City “Provide technical assistance to transition to private collection for multi-family properties.” CARRIED
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INTRODUCTION/BACKGROUND

The review of MF and ICI waste pickup is a Council Strategic Priority. Dillon was retained to conduct a Solid Waste Management Operations Review including a bulky waste pickup review.

The City of White Rock hosted an open house on February 19, 2020 and received 199 responses to the online survey. Of the survey responses, 67% of the respondents found their day-to-day living impacted or very impacted by hauler traffic.

Dillon reviewed municipalities in Metro Vancouver and found that solid waste collection for MF and ICI is typically retained privately. For ICI, of the municipalities reviewed, the City of Port Moody provides municipal collection for all three streams (garbage, recycling and green waste) and the City of Port Coquitlam provides municipal collection for recycling and green waste.

Dillon developed several operating models and after completing a qualitative evaluation, concluded that collection by a City managed contractor provides the most benefit to the City. This operating model reduces the number of waste haulers on City streets and would not require capital expenditures. Furthermore, the City does not have the space in its Operations Yard to house additional solid waste haulers.

On February 22, 2021, Council directed staff to conduct a financial analysis and review funding models that would enable a City managed contractor to provide solid waste collection for multifamily (MF) and institutional, commercial and industrial (ICI) buildings and to obtain a legal opinion to determine if the City, through bylaw, can request private property owners to terminate contracts with private solid waste haulers.

Transition to City Managed Contractor

The City’s legal counsel reviewed the Bylaw and the *Local Government Act*; it states that the bylaw is in effect when it is adopted, or on the date set out in the bylaw. This means that the City’s collection service will commence on the date set out in the Bylaw and it would be up to the private property owners to terminate their existing contracts on or before that date. The transition to a City managed solid waste collection model would require the following steps:

1. Amend the Collection, Removal, Disposal and Recycling of Solid Waste Bylaw;
2. Retain a regular full time Solid Waste Coordinator;
3. Conduct site visits with property managers of 252 MF dwellings and 96 ICI buildings to determine the container types, container location, and frequency of solid waste collection;
4. Prepare and issue a Request for Proposal (RFP) for solid waste collection contractor;
5. Obtain Council approval to award the solid waste collection contract to enable the successful contractor to purchase additional solid waste haulers, if required;
6. Update the Fees and Charges Bylaw to incorporate new collection fees for MF and ICI;
7. Educate and notify residents about the transition to City managed collection services; and

8. Coordinate the transition and new container purchases between the City managed contractor and the property managers.

Extensive staff resources are necessary to gather information and prepare the scope of work for the RFP (step 3 and step 4). If recruitment for the Solid Waste Coordinator begins in spring 2022, the earliest date that MF and ICI solid waste collection services can begin transition to City managed collection is March 27, 2023. If Council approves advance funding for recruitment to begin in fall 2021, solid waste services for MF and ICI can begin transitioning to the City managed contractor on January 30, 2023. It is not advisable to transition solid waste collection services on January 1, 2023, as residents may be away during the holidays.

Bulky Waste Pickup

Bulky waste includes items that are too large to be accepted in regular waste collection programs and require special handling (e.g., furniture and mattresses). Large, bulky item municipal pick up programs are implicitly associated with a reduction in illegal dumping and are often well received by residents because they help residents:

- Who do not/cannot drive;
- Who do not have a vehicle capable of transporting oversized items; and/or
- Who prefer not to deliver large individual items to final processing facilities for disposal/recycling.

The City retained Dillon to research various bulky waste collection programs within Metro Vancouver (refer to Table 1).

Table 1: Summary of Municipal Bulky Waste Programs in Metro Vancouver

Program Parameters	City of Langley	Port Moody	Surrey	Burnaby	Coquitlam	Township of Langley
Program Type	No Fee	User Pay	No Fee	No Fee	No Fee	No Fee
Number of Items	4	N/A	6	Unlimited*	4	4
Collection Type	City Managed Contractor	City Selected Private Contractor	City Managed Contractor	City Staff	City Managed Contractor	City Managed Contractor
Resident's Contact for Service	Contractor	Contractor	City Staff	City Staff	Contractor	Contractor
Annual Costs	\$54K to \$74K	\$0	Included in curbside collection contract	Unable to provide	\$250K to \$290K	\$150K to \$160K
Number of Single Family Homes	3,371	N/A	106,000	57,185	25,840	26,100
Number of Multi Family Properties	N/A	N/A	N/A	3,305	N/A	N/A**

*not advertised, **unknown but likely a very small number

At the City of Langley, the cost is incorporated in the solid waste utility fee. In Surrey, occasionally residents have to wait a long time (2-3 weeks) for a scheduled collection and at times residents call in to the City incorrectly assuming that their neighbour's large item placed curbside is illegal dumping.

Dillon found that Port Moody previously managed its curbside large item pick-up program prior to switching to a user-pay system. The City managed program was challenging operationally and came at a high cost. In its current program, the Port Moody has an agreement with a contractor for set prices; residents call the contractor to schedule a pickup and are invoiced the cost.

The benefits of the 100% user-pay based program include:

- No direct cost to the City to implement, including no additional staffing or purchase of additional assets;
- No additional taxes or utility fees for residents required;
- The City agrees upon set pricing with the contractor and through promotion of the same contractor is providing a viable option for residents;
- Residents have an option to choose the City-selected contractor or shop around publicly for alternate bulk collection options; and
- Little coordination of bulky item collection.

Dillon found that the provision of bulky waste collection service by White Rock staff may be cost prohibitive. If this service is desirable, City can procure an externally selected contractor to provide user-pay options for its residents, similar to Port Moody. Therefore, it is recommended that a user-pay bulky waste collection service be included in the City's RFP for a solid waste contractor.

FINANCIAL IMPLICATIONS

The consultant estimated that the annual contract cost for solid waste collection services would be \$164 per unit for MF (approx. 5,500 units), and \$4K per property for ICI. The approximate total cost would be \$1.3M to \$1.5M. A survey with responses from 257 MF properties and 12 ICI properties suggests the total contract cost could be approximately \$1.5M. It is important to note that the actual costs will only be available after the City receives competitive bids through an RFP for the solid waste contractor and that new City staffing costs would be in addition to the costs estimated above.

It is recommended that the costs of the contracted collection service be administered through the Solid Waste Utility and recovered through quarterly fees similar to the process with water utility billing.

The consultant anticipates the cost of the Solid Waste Coordinator position is \$100K per year, including salary and benefits. In 2023, this position can be funded from MF and ICI property fees. It is anticipated that quarterly billings will be similar in execution as the water billings, and this may also require an additional Financial Services Clerk.

In the interim, until the new service is in place in 2023, a Financial Plan Amendment may be required for the Solid Waste Coordinator position if hired in 2021 and could be funded from reserves. If needed, the Financial Services Clerk would start in 2023.

LEGAL IMPLICATIONS

The Bylaw requires amendments to ensure that the City respects existing private contracts and that the Bylaw is consistent with the operational requirements for curbside collection services for multifamily buildings and industrial, commercial and institutional buildings. The following amendments to the bylaw are recommended by the City’s legal counsel:

Section	Proposed Amendment	Rationale
<p>Part 2, Section 1</p>	<p>Delete: the definition of “dwelling unit”, “eligible property” and the definition of “garbage”</p> <p>Insert: “dwelling unit” means all residential dwellings in the City, including every single family home, single family homes plus one suite, each single family unit in a duplex, triplex or other multi-family building, or each townhouse in a townhouse development; “eligible property” means all premises in the City of White Rock, including all dwelling units and all premises containing an ICI building; “garbage” means solid waste that is not banned materials, recyclable materials or organic waste; “ICI building” means a building, or part thereof, which contains one or more of an industrial, commercial and institutional land use; “multi-family building” means a building or part thereof, which contains two (2) or more dwelling units, excluding secondary suites;</p>	<p>Updates the definition of eligible properties to include MF and ICI. Updates the definition of garbage to include recycling and organic waste.</p>
<p>Part 2, Section 3</p>	<p>Delete</p>	<p>Removes provision to for MF buildings to opt in</p>
<p>Part 2, Section 5</p>	<p>Delete</p>	<p>Removes provision to enable MF properties to be exempt</p>
<p>Part 3, Section 6</p>	<p>Deleted and replace with the following: “For the purposes of garbage collection service, an eligible property is a single family dwelling, with or without a suite or bed and breakfast, each dwelling unit in a duplex, triplex or other premises containing a multi-family building (including townhouse complexes) and any premises containing an ICI building. The owner or occupier of an eligible property must use the garbage collection service provided by the City, subject to Section 60.”</p>	<p>Includes MF and ICI as eligible for garbage service</p>

<p>Part 3, Section 7</p>	<p>Delete and replace with the following: “The owner or occupier of every: (a) Dwelling unit and multi-family building with 6 units or fewer to which City garbage collection service is provided may place for collection on the specified pick-up day no more than two garbage containers bi-weekly (every two weeks), each container consisting of a metal or plastic garbage can with a lid on it or a sealed, weather-proof bag. Each container shall not exceed 4 cubic feet (110 liters) in size and shall not exceed 50 pounds in gross weight (23 kilograms); (b) Multi-family building with more than 6 unites that receives City garbage collection services will be evaluated by the owner or occupier and the City Engineer to determine what garbage container are necessary to properly service such multi-family building; and (c) ICI building that receives City garbage collection services will be evaluated by the owner or occupier and the City Engineer to determine what garbage containers are necessary to properly service such ICI building.”</p>	<p>Defines garbage container and frequency of pickup for MF and ICI</p>
<p>Part 3, Section 9</p>	<p>Add: “or ICI building” in the first line after the words “dwelling unit”.</p>	<p>Includes ICI properties in the fee schedule</p>
<p>Part 3, Section 12</p>	<p>Delete</p>	<p>Removes ICI from being ineligible for service</p>
<p>Part 4, Section 14</p>	<p>Delete and replace with the following: “For the purposes of recycling materials collection service, an eligible property is a single family dwelling, with or without a suite or bed and breakfast, each dwelling unit in a duplex, triplex or other premise containing a multi-family building (including townhouse complexes) and any premises containing an ICI building. The owner or occupier of an eligible property must use the recyclable materials collection service provided by the City, subject to Section 60.”</p>	<p>Includes MF and ICI for recycling services.</p>
<p>Part 4, Section 17</p>	<p>Delete and replace with the following: “The owner or occupier of every:</p>	<p>Defines container types and pickup frequency for MF and ICI</p>

	<p>(a) single family dwelling and multi-family building with 6 units or fewer that receive City recyclable materials collection service shall ensure that metal and plastic recyclable material are contained in the blue box, glass recyclable material in the red box, and newsprint, cardboard and mixed paper products in the yellow or blue bag for pick-up. Each dwelling unit is entitled to have once weekly collection of their blue box, red box, and yellow or blue bag;</p> <p>(b) multi-family buildings with more than 6 units that receive City recyclable materials collection services will be evaluated by the owner or occupier and the City Engineer to determine what garbage container are necessary to properly service such multi-family building; and</p> <p>(c) ICI buildings that receives City recyclable materials collection services will be evaluated by the owner or occupier and the City Engineer to determine what garbage container are necessary to properly service such ICI building.”</p>	
Part 5, Section 22	<p>Delete and replace with the following: “For the purposes of organic waste collection service, an eligible property is a single family dwelling, with or without a suite or bed and breakfast, each dwelling unit in a duplex, triplex or other premises containing a multi-family building (including townhouse complexes) and any premise containing an ICI building. The owner or occupier of an eligible property must use the organic waste collection service provided by the City, subject to section 60.”</p>	Includes MF and ICI for organics collection.
Part 5, Section 26	<p>Insert: The word “premises” in the first line in place of the words “dwelling unit”</p>	Includes ICI properties in the fee schedule
Part 6, Section 34	<p>Insert: The word “premises” in the first line in place of the words “dwelling unit”</p>	Includes ICI properties in the fee schedule
Part 9	<p>Add: “PART 9 – TRANSITIONAL PROVISIONS FOR MULTI-FAMILY AND ICI BUILDINGS 60. All occupiers or owners of multi-family buildings and ICI buildings: (a) which, as of the date of adoption of this Bylaw are not receiving City solid waste collection</p>	Adds provisions for the transition to City service

	<p>services may opt-in to the City solid waste collection services any time after January 30, 2023;</p> <p>(b) must commence using the City’s solid waste collection services on the latter of March 27, 2023 or the termination of any private solid waste service agreement that was entered into prior to the date of the adoption of this Bylaw; and</p> <p>(c) shall pay the solid waste collection service fee specified in Schedule A on the earlier of that occupier or owner of the multi-family building and ICI buildings commencing using the City’s solid waste collection services or January 1, 2024.”</p>	
<p>Schedule A</p>	<p>Add:</p> <p>“per dwelling unit”, following the words “Solid Waste Collection Services” in the first row of the Table” and further by adding a third row to the Table stating “For Solid Waste Collection Services for multi-family buildings and ICI building, see the City’s Rates and Charges Bylaw, as amended or replaced from time to time.”</p>	<p>Adds reference to the City’s Rates and Charges Bylaw for MF and ICI fees</p>

COMMUNICATION AND COMMUNITY ENGAGEMENT IMPLICATIONS

The City of White Rock hosted an open house on February 19, 2020. Over 70 residents attended the open house and the City received 199 responses to the online survey. Of the survey responses, 72% of the respondents were satisfied or very satisfied with their current collection services and 67% of the respondents found their day-to-day living impacted or very impacted by hauler traffic.

Of the respondents that reside in multifamily buildings, 45% are not satisfied with their current waste collection program and 72% would be very interested in having the City complete their waste collection.

The transition to City-managed contractor for MF and ICI properties will require extensive communication. The Solid Waste Coordinator will be required to coordinate with property owners to determine the pickup frequency and day, pickup location, and type of solid waste container. The Solid Waste Coordinator will work the Communications Department to develop a communications plan including a webpage, social media notification, pamphlets, and letters.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS

The Finance Department will be extensively involved in setting up the fee collection process as part of the Solid Waste Utility and ongoing billing.

CLIMATE CHANGE IMPLICATIONS

The transition to City managed contractor for MF and ICI properties will result in fewer trucks on the road and less greenhouse gas production.

ALIGNMENT WITH STRATEGIC PRIORITIES

The review of solid waste operations, specifically multifamily and commercial pickup, is a 2018-2022 Council Strategic Priority.

OPTIONS / RISKS / ALTERNATIVES

The following alternative options are available for Council's consideration:

1. Not approve the regular full time Solid Waste Coordinator position in the 2022 Financial Plan and not direct staff to procure a contractor to provide solid waste collection services for MF and ICI, and user-pay bulky waste collection services for SF, MF and ICI. If this option is selected, the City will not be able to provide solid waste collection for MF and ICI properties and bulky waste collection service options. Solid waste collection for MF and ICI properties will remain as status quo, by privately managed contractors.

CONCLUSION

On February 22, 2021, Council directed staff to obtain a legal opinion to determine if the City, through bylaw, can request private property owners to terminate contracts with a private solid waste hauler. Legal counsel reviewed the Bylaw and the *Local Government Act*; it states that the bylaw is in effect when it is adopted, or on the date set out in the bylaw. The private property owner is responsible for terminating their existing contracts on or before that date. The transition to the City managed services requires a Solid Waste Coordinator to coordinate bin location, pickup frequency, and container size with the private properties, and to procure and manage the solid waste contractor.

The City's consultant also reviewed the feasibility of providing bulky waste collection services. After reviewing Metro Vancouver municipalities, it was determined that Port Moody's model of a 100% user-pay program using a City selected private contractor provides the best benefit.

As significant staff time is required to transition solid waste collection for MF and ICI, and create and manage the bulky waste collection program, it is recommended that Council approve the regular full time Solid Waste Coordinator position in advance of adopting the 2022 Financial Plan to enable recruitment for this position in Fall 2021. If this position is filled before December 2021, the transition of solid waste collection for MF and ICI to the City managed contractor can begin on January 30, 2023. Further, it is recommended that Council direct staff to procure a contractor to provide solid waste collection services for MF and ICI, and user-pay bulky waste services for SF, MF, and ICI, and approved the amendments to the Collection, Removal, Disposal and Recycling of Solid Waste Bylaw. If Council supports these recommendations, MF and ICI properties may begin transition to a City managed solid waste collection service on January 30, 2023, and must complete transition by March 27, 2023 or the termination date of any private solid waste service agreement that was entered into prior to the Bylaw adoption date.

Alternatively, Council may consider approving the regular full time Solid Waste Coordinator position in the 2022 fiscal year. If this option is selected, the transition of solid waste collection for MF and ICI to the City managed contractor can begin on March 27, 2023.

The Bylaw will need to be amended with the new dates and a new Financial Services Clerk position may be needed to support ongoing billing.

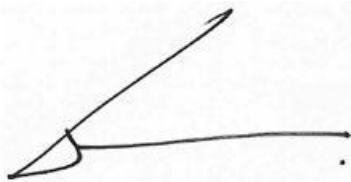
Respectfully submitted,

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Jim Gordon, P.Eng.
Director, Engineering and Municipal Operations

Comments from the Chief Administrative Officer

I concur with the recommendations of this corporate report.

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Guillermo Ferrero
Chief Administrative Officer
Appendix A: February 22, 2021 Corporate Report – Solid Waste Review