

To the Mayor and Members of the City Council

September 1, 2020

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**SUBJECT: RESPONSE TO CITY COUNCIL – FY2021 SOLID WASTE BUDGET PRESENTATION**

At the August 20, 2020, Budget Worksession with City Council, staff were asked to follow-up with answers to a number of questions that were posed by Council Members.

City Landfills

The City's Southeast Landfill is the only current/active Type I landfill within the city limits. However, a second site, Silver Creek Materials (Old Tarrant West Landfill), is permitted through the Texas Commission on Environmental Quality (TCEQ) through similar regulations as a Type IV (inert material in-fill only) site. Silver Creek Materials is operated as a composting and materials reclamation/in-fill site only. TCEQ has direct responsibility over inspecting and enforcing the State's regulations and restrictions. However, various City Departments (Water, Code Compliance and Stormwater) are also involved in enforcing the City's ordinances and regulations on a regulatory and complaint basis. Code Compliance followed up with Council Member Shingleton's Office. While there are no outstanding violations at Silver Creek Materials, Code Compliance (817.392.1234) stands ready to work with TCEQ and other agencies should violations be reported or discovered as part of the overall environmental quality process.

Recycling Program Advancements

Over the past several years and more recently due to China's recycling import policies, the nation has faced recycling challenges. In response, the City has implemented programs to help improve residential waste reduction/diversion and recycling efforts including:

- Working with the North Central Texas Council of Governments (NCTCOG) and more than 16 other key regional municipalities to develop and launch the "Know What To Throw" recycling education campaign on June 3, 2019. This ongoing campaign is designed to improve resident education and awareness of recycling, reuse, and reduction, and to promote behavioral change away from wasteful behavior and toward being more environmentally conscious. Through additional funding from The Recycling Partnership the campaign is scheduled to continue through 2021.
- The City's Recycling Blue Crew (recycling cart audit team) implemented a curb-based "Bag Tag" program. Under the program, contaminated and non-acceptable items are physically removed from a resident's Blue Recycling Cart, placed in a clear plastic bag and tagged with a \$10.00 per bag fee sticker. In addition, educational information is left attached to their recycling cart to help encourage future improvements.
- The City was awarded a \$400,000 grant through The Recycling Partnership to have the opportunity for a greater educational effort and implement a comprehensive "Feet On The Street" Recycling Cart auditing (targeting up to 150,000 individual homes within a 12 month period) program and expanding the City's current Blue Crew Program.
- Over the past year, the City has also moved towards increasing the awareness and educational efforts towards the benefits of creating less waste in the first place and to "rethink waste" at the point of discard; increasing residents' efforts to donate or give their materials a second chance with someone else instead of disposing them as trash. Working with the Fort Worth Bike Gang (repurpose discarded bikes) and Wellman Project (repurpose old office equipment) are two (2) examples of how the City is taking a leadership role in giving materials a second chance for the betterment of others and the community.

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The residential collections and recycling contracts are up for renewal in early 2023. Staff are working with a consultant and the City Manager’s Office to develop considerations/changes to improve the recycling program. City Council will receive an update on this effort in early 2021.

	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020 YTD*
Tons of Recycled Materials	51,732.76	53,620.32	54,628.91	56,608.39	47,257.55
*through June 2020					

Bulk Trash Program

The City’s Bulk Waste Program is a service offered to all residential rate paying customers and serves as a program to discard excessive materials that do not fit in the residential brown garbage carts on a once-a-month schedule. In addition, this program is used by residents that cannot or will not utilize one (1) of the four (4) Drop off Stations to dispose of their bulky materials on an as-needed basis.

Prior to switching to this program in 2005, Fort Worth neighborhoods were overrun with illegal dumping and residents demanded solutions such as the current program. This program has minimized that concern across the whole city, while leaving smaller individual chronic areas in the more mature sections of the city. Over the past two (2) years, teams have targeted these more specific “chronic” areas with broad-based educational efforts, adjusting staff priorities to increase timely monitoring and advanced enforcement activities to increase individual accountability such as:

- Enhanced enforcement activities at the curb with charging all non-compliant piles (out of cycle, contaminated, and exceeding the 10-yard allowance) which continue to occur after a documented annual educational communication is given and holds the individual resident more accountable in following established monthly program guidelines.
- Coordinating with Homeowner/Neighborhood Associations to help promote and encourage accurate Bulk Waste set-out guidelines with electronic flyers and suggested yard signs to promote only the correct collection week.
- Ensuring all Bulk Waste Routes are verified by the City’s Monitors in a more effective and efficient manner and through direct operational coordination with our Bulk Waste vendor, Waste Management.

While staff does not recommend major changes to the current schedule/system of things as it will lead to increased illegal dumping, blight and costs, this too is being looked at along with the recycling process. Similar to recycling, City Council should expect an update in early 2021.

	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020 YTD*
Residential Brush & Bulk Tons	73,067.19	65,582.64	59,084.65	75,107.70	71,942.81
Illegal Dump Clean-up Tons	3,961	4,342	3,997	2,923	2,854
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Environmental Collection Center

The City's Environmental Collection Center is now in its 23rd year of operation collecting household hazardous waste from the residents of Fort Worth and surrounding communities on a year-round basis. In order for non-Fort Worth residents to participate at the center, each entity is required to enter into an Interlocal Agreement with the City of Fort Worth and pay the City \$50.00 per visitor. The City has reviewed multiple options including: a per visit charge (currently being used), a charge based on material weight (outside residents contribute 43% more weight than Fort Worth residents), a charge based on type of materials and a charge based on material volume. In the end, staff found that keeping the per visit charge was the most cost efficient and was the most widely accepted process for member cities. In addition, staff reviewed similar programs operating in the region to establish a baseline rate for the market range (see table below). After the cost of equipment, type and volumes of material received and the related disposal, administration and labor costs were taken into consideration. The current method was found to be the best balance of cost vs. revenues. Staff are currently working with a consultant to complete a final fee recommendation for mid-2021 or FY2022.

Texas Household Hazardous Waste Collection Program Benchmark – Cost per Visit		
City of Austin - \$43.20	City of Denton - \$62.32	City of Frisco - \$45.00
City of Mansfield - \$50.00	Upper Trinity Regional Water District - \$93.10	Dallas County - \$68.45

Will a \$5.00 Landfill Fee Lead to an Increase in Illegal Dumping?

While it is possible that illegal dumping would increase in the short term due to implementing this landfill surcharge, it is very unlikely. A \$5.00 per ton fee will be spread across many customers (haulers) and would set the gate/tipping fee more in line with the local market; thus, it is not being set so high that disposal would no longer be affordable. The risk would be mitigated by the Environmental Investigation Unit and Neighborhood Code Officers. This unit has staff and surveillance resources including cameras around the city. In addition, Code Compliance has illegal dump and litter abatement crews to address illegal dumping and litter so it doesn't get out of control. In addition, the Environmental Investigation Officers work closely with the police to document and prosecute major offenders. Finally, as a part of the monthly residential solid waste rate, the City operates four (4) Drop-Off Stations that allow residents to dispose of excess garbage, recycling, brush, yard waste, bulky items, household chemicals, scrap metal, and tires. These Drop-Off Stations provide a no-cost option for residents and will help mitigate the potential for illegal dumping of residential materials.

Is \$5 the Maximum Fee that the City Can Charge at the Landfill

No, this is not the maximum fee that can be charged. However, based on the consultant's evaluation of market rates and balancing landfill revenues and life of site, implementing the \$5 per ton fee for non-city waste disposal is the best starting point for the next fiscal year as it balances the collection of a commercial fee with the fees collected from residential customers. In addition, this is a fee; thus, the City must be able to tie actual costs to the fee charged. In this case, landfill replacement, illegal dumping, litter abatement and other current costs will be off-set by the new landfill fee (will no longer be paid primarily by residential customers). Moving forward, staff will evaluate this fee on an annual basis and make recommended changes as part of the budget process.

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10% Grant of Privilege Fee

The 5% Grant of Privilege fee increase was identified and supported by the consultant’s evaluation. In evaluating best practices, the City’s current rate of 5% (last set in the late 1990s) was identified as an outlier and should be considered for adjustment. While other Cities would still have a fee higher than 10%, all fees have to be taken into consideration as well as unique economic and business practices. In this case, both staff and the consultant felt that 10% was the right number for Fort Worth.

Grant of Privilege/Franchise Fee (% of Gross Revenue) Comparisons			
Pearland – 18%	Allen – 15%	Coppell – 15%	Forney – 10%
Mesquite – 10%	Plano – 7.5%	Arlington – 5%	Corinth – 5%
Murphy – 5%	Garland – 5%	Fort Worth – 5%	Dallas – 4%
Houston – 4%	Grand Prairie – 4%	Grapevine – 2%	

For questions regarding this information, please contact Brandon Bennett, Director of the Code Compliance Department, at (817) 392-6322.

David Cooke
City Manager