

DATE ISSUED: March 9, 2005

REPORT NO. 05-070

ATTENTION: Natural Resources and Culture Committee
Agenda of March 16, 2005

SUBJECT: Extended Commercial Refuse Collection Hours of Operation in
Downtown

SUMMARY

Issue– Should the City of San Diego authorize extended hours of commercial refuse collection in downtown San Diego on a permanent basis?

Manager's Recommendations –

1. Extend the permitted hours of commercial refuse collection in specified areas of downtown San Diego on a permanent basis.
2. Direct City Manager to amend the existing Waste Management Regulation to reflect extension of commercial refuse collection hours on a permanent basis.

Fiscal Impact – None.

BACKGROUND

The Natural Resources and Culture (NR&C) Committee approved the City Manager's recommendation to convene a task force of stakeholders and directed City staff to evaluate the issues related to commercial refuse collection in the downtown area. A Refuse Collection Task Force was formed on April 24, 2003. The Task Force included residents, waste haulers, Business Improvement Districts, food and beverage businesses, and City staff. The Task Force met on a regular basis until June 27, 2003, identifying issues and formulating recommendations to improve commercial refuse collection services in the downtown area and mitigate associated impacts on downtown residents.

The Task Force recommended a pilot program extending the hours of commercial refuse collection for a one-year period. The pilot program area encompassed the entire area

bound by Laurel Street on the North, I-5 on the East, Imperial Avenue to 8th Street on the South and San Diego Bay from 8th Street to Laurel Street on the South and West. The refuse collection start time was adjusted from 7:00 am to 4:30 am for selected commercial zones and 6:30 am for mixed use areas containing a high concentration of residents. Additionally, in defined areas with a higher ratio of commercial to residential use, the collection of bins and roll off boxes was allowed to begin at 4:30 am on weekdays. Mitigation measures to reduce noise impacts were included as a requirement for the haulers operating within the pilot program area. The Environmental Services Department (ESD) Customer Services Center was identified as a point-of-contact to file complaints.

The City Council approved the Task Force's recommendations on September 2, 2003, and the resulting Waste Management Regulation implementing the pilot program took effect on October 15, 2003. Direction was given to ensure standard trash area designs that facilitate expedient entries and exits were taken into consideration by various city agencies involved with new development within the downtown area. ESD staff continues to address the trash area issue as they meet with City and non-City agencies involved with new development. The Task Force was also directed to provide the NR&C Committee a six-month update and, at one year, revisit the pilot program by evaluating its effectiveness and make a recommendation on continuing, modifying or ending the extended hours of commercial refuse collection.

DISCUSSION

Task Force Recommendation

After six months, the consensus of the Task Force was that the pilot program was a resounding success and that it should continue for the remaining six-month time period. On October 14, 2004, the one-year pilot program period ended. Members of the Task Force met on October 21, 2004 to evaluate the effectiveness of the pilot program. The Task Force recommends continuation of extended commercial refuse collection hours of operation within the downtown area on a permanent basis, with the extended hours of refuse collection remaining in effect per the guidelines set forth in the existing Waste Management Regulation.

Noise Variance

A one-year noise variance authorizing adjusted hours of operation for the collection of refuse in the designated downtown area was granted. The variance is established to be in alignment with the pilot program. Therefore, if the pilot program is permanently set in-place, the noise variance will be adjusted accordingly.

Code Enforcement

ESD has one Solid Waste Code Enforcement Officer (Enforcement Officer) that is assigned to code enforcement issues relating to the pilot program. The Enforcement

Officer performs random patrols within the pilot program area to enforce the rules and guidelines established per the Waste Management Regulation. From the inception of this pilot program in October 2003 through October 2004, the Enforcement Officer has performed a total of 100 patrols. This effort translates into approximately 26 labor hours per month for random patrols of the pilot program area during early morning hours, at an estimated cost of \$9,000 dollars for personnel and non-personnel expenses.

A proactive approach to monitoring the haulers' activity during this pilot program period resulted in a total of twenty-one (21) Notices of Violation being issued. All of the violations were for operating within the pilot program boundaries before the designated collection start times. Two of the franchised haulers received \$100 fines for multiple violations, with violations tapering off as drivers employed by the franchised haulers became more familiar with the collection start times in their route areas.

CONCLUSION

This pilot program has been in place for an entire year. There has been no indication that earlier hours for refuse collection by private haulers operating within the designated pilot areas have had an adverse impact on the quality of life within the downtown area. The apparent success of this program can be viewed as a potential model for managing the challenges of refuse collection within mixed use areas throughout the City of San Diego. The consensus of the parties involved in this collaborative effort is that the extended refuse collection hours for the commercial haulers operating within the designated program boundaries in downtown San Diego be instituted on a permanent basis.

ALTERNATIVE

Do not authorize extended hours of commercial refuse collection and revert back to 7 am start time throughout downtown area.

Respectfully submitted,

Elmer L. Heap, Jr.
Environmental Services Director

Approved: Richard Mendes
Deputy City Manager

HEAP/SM