

SOLID WASTE ADVISORY COMMISSION FEBRUARY 9, 2011, 6:30 PM CITY HALL, COUNCIL CHAMBERS 301 WEST 2ND STREET AUSTIN, TEXAS 78701

CURRENT COMMISSION MEMBERS:

Gerry Acuna, Chair Bob Schafer Rick Cofer, Co-Chair Maydelle Fason Fayez Kazi Rahm McDaniel Brent Perdue

AGENDA

CALL TO ORDER

1. CITIZEN COMMUNICATION: GENERAL

The first four speakers signed up prior to the meeting being called to order will each be allowed a threeminute allotment to address their concerns regarding items not posted on the agenda.

2. APPROVAL OF JANUARY MINUTES

3. OLD BUSINESS

Discussion and Action – Approval of New SWAC Bylaws

4. NEW BUSINESS

- a. Discussion and Action Review the SWAC 2010 Work Plan
- b. Discussion and Action Develop the SWAC 2011 Goals

5. STAFF BRIEFINGS

a. Discussion and Action – Request for Council Action

Authorize award and execution of a contract through the Texas Procurement and Support Services Cooperative Purchasing Program administered by the Office of the Texas Comptroller of Public Accounts (CPA) with TOTER INCORPORATED of Statesville, NC for the purchase of residential garbage carts and single-stream recycling carts in an amount not to exceed \$1,117,044.24.

b. Discussion – Director's Report

- UT Partnership
- Department Renaming
- Glass Recycling Options
- City Department Partnerships
- Department Business Plan
- Horizon Issues
- Long Term Recycling Processing Agreement
- Performance Measures
- c. Announcement: A Public Meeting on the Master Plan will be held on March 8, 2011 at 5:30pm at the Mexican American Culture Center (MACC)

6. FUTURE AGENDA ITEMS

ADJOURNMENT

The City of Austin is committed to compliance with the American with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request. Meeting locations are planned with wheelchair access. If requiring Sign Language Interpreters or alternative formats, please give notice at least 4 days before the meeting date. Please call Annette Moreno at Solid Waste Services Department, at (512) 974-1987, for additional information; TTY users route through Relay Texas at 711.

For more information on the Solid Waste Advisory Commission, please contact Annette Moreno at (512) 974-1987.

SOLID WASTE ADVISORY COMMISSION MEETING MINUTES

01/12/11



Solid Waste Advisory Commission Minutes Regular Meeting 12 January, 2011

The Solid Waste Advisory Commission convened in a regular meeting on 12 January, 2011 at 301 West 2nd Street, Council Chambers Room in Austin, Texas.

Chair Gerry Acuna called the Commission Meeting to order at 6:40 p.m.

Board Members in Attendance: Gerry Acuna, Rick Cofer, Maydelle Fason, Bob Schafer, Brent Perdue, Rahm McDaniel

Staff in Attendance:

Bob Gedert, Jessica King, Annette Moreno, Roshanda Smiley, Phillip Tindall, Vidal Maldonado

1. CITIZEN COMMUNICATION

No citizen communication

2. APPROVAL OF SEPTEMBER MINUTES

Minutes for the regular meeting of 12/08/10 were approved on Commissioner Bob Schafer motion, Commissioner Rahm McDaniel second on a 6-0-0 vote. Fayez Kazi was absent from the meeting.

3. **NEW BUSINESS** – Bottle Bill Legislation: SWAC Commissioner gave an overview of the legislation. The commission would like to discuss the item further in the future.

4. STAFF BRIEFINGS

- a. FM 812 Landfill Change Order RCA: A motion to authorize execution of change order #7 to the construction contract with RANGER EXCAVATING, L.P., Austin, Texas for FM 812 Landfill Final Closure and Erosion Control Improvements project in the amount of \$93,093.87, for a total contract amount not to exceed \$6,290,577.37 was approved on a Commissioner Rahm McDaniel motion, Commissioner Rick Cofer second on a 5-0-1 vote. Commissioner Bob Schafer recused himself from the item.
- b. Big Belly Purchase RCA: A motion to authorize the Solid Waste Services Department to purchase 20 (twenty) Big Belly Kiosks was approved on a Commissioner Rick Cofer motion, Commissioner Bob Schafer second on a 6-0-0 vote.
- c. Greenstar Contract Memo: Director Bob Gedert discussed a memo given to Greenstar from the City regarding the past recycling services contract.
- d. Plastic Bag Cost Findings Memo: Director Bob Gedert discussed a memo sent to Council regarding plastic bags.
- e. Identify SWAC Committees for 2011: The 2011 SWAC committees were approved on a Commissioner Brent Perdue motion, Commissioner Bob Schafer second on a 6-0-0 vote.
- f. Director's Report: Director Bob Gedert gave an overview of the following items: Performance Measures, Master Plan Update, Renaming Process, Long Term Recycling

Processing Negotiations, Dare to Go Zero – Social Media Education Campaign, Universal Recycling Ordinance Update, Best Managed City

5. FUTURE AGENDA ITEMS

What is happening Todd Lane? Overview of the 2010 Goals/Workplan and setting goals/workplan for 2011. Discussion on glass.

ADJOURNMENT

Chair Gerry Acuna adjourned the meeting at 9:00 p.m. without objection.

BYLAWS OF THE SOLID WASTE ADVISORY COMMISSION

ARTICLE 1. NAME.

The name of the board is Solid Waste Advisory Commission.

ARTICLE 2. PURPOSE AND DUTIES.

- (A) The commission is empowered to review and analyze the policies and resources relating to solid waste management in the city, and to advise the city council on solid waste management policies and resources. The commission shall provide assistance to the city council to ensure its citizens that the City provides an economical and environmentally safe system of waste reduction, recovery and disposal.
- (B) The commission shall act as an advisory body to the city council and shall review programs and make recommendations regarding:
 - 1. the City's waste stream;
 - 2. minimization of environmental impacts due to waste disposal; and
 - 3. implementation of programs that achieve the city's goals and objectives relating to solid waste management, including recycling, composting, alternative methods of waste disposal, and garbage collection.
- (C) The commission shall hold public hearings, initiate studies, review and make reports and recommendations to the city council, or other appropriate boards and commissions, concerning:
 - 1. solid waste capital improvement project proposals;
 - 2. solid waste bond programs;
 - 3. hazardous waste materials management;
 - 4. waste-stream planning and reduction of the waste-stream;
 - 5. citizens' evaluation on solid waste matters;
 - 6. incentives for participation in waste recovery programs;
 - 7. air quality as it relates to or is affected by waste disposal;
 - 8. alternative methods of waste disposal;
 - 9. City's annual budget proposal for solid waste services, transportation and public services department;
 - 10. cost effectiveness and financial impact of solid waste programs;
 - 11. proposed and existing solid waste facilities within the city and outside the city if they have the potential to affect the city;
 - 12. solid waste collection and disposal, and solid waste programs which have the potential to affect the city and make recommendations to the city council;
 - 13. effectiveness of solid waste programs on an annual basis;
 - 14. inventory of the City's solid waste systems;
 - 15. use or disposition of equipment purchased for the resource recovery plant;
 - 16. contractual obligations relating to the resource recovery plant; and

- 17. creation of a diversified short and long term solid waste management strategy pending federal legislation.
- (D) The commission may also exercise the following oversight functions:
 - 1. work with staff to develop programs to implement the commission's duties and responsibilities;
 - 2. evaluate the economic feasibility and impacts of its goals and objectives programs;
 - 3. coordinate with the staff for utilization of staff time and resources for liaison activities with the commission;
 - 4. make policy and budget recommendations to the city council relating to solid waste program implementation;
 - 5. review waste disposal program implementation strategies as they are developed;
 - 6. review staff progress toward successful implementation of solid waste management on a periodic basis;
 - 7. review staff reports and studies relating to commission programs, including economic and rate impacts and environmental effects; and
 - 8. review the results from the monitoring of solid waste programs and facilities.
- (E) The commission shall maintain and promote close cooperation and open communication between the city council, other City boards, commissions, and committees, City departments and individuals, institutions and agencies concerned with the policies and procedures and operation of the Solid Waste Services Department and the maintenance and construction of the solid waste disposal facilities so that all similar activities in the City may be coordinated to secure the greatest public welfare.

ARTICLE 3. MEMBERSHIP.

- (A) The board is composed of seven members appointed by the city council.
- (B) A member serves at the pleasure of the city council.
- (C) Board members serve for a term of three years beginning August 1st on the year of appointment.
- (D) An individual board member may not act in an official capacity except through the action of the board.
- (E) A board member who is absent for three consecutive regular meetings or one-third of all regular meetings in a <u>"rolling"</u> twelve month <u>timeframe</u> automatically vacates the member's position subject to the holdover provisions in Section 2-1-27 of the City Code. This does not apply to an absence due to illness or injury of the board member, an illness or injury of a board member's <u>immediate family member</u>, or the birth or adoption of the board member's child for 90 days after the event. The board member must notify the staff liaison of the reason for the absence not later than the date of the next regular meeting of the board. Failure to notify the liaison before the next regular meeting of the board will result in an unexcused absence.
- (F) At each meeting, each board member shall sign an attendance sheet which indicates that the member does not have a conflict of interest with any item on that agenda, or identifies each agenda item on

which the member has a conflict of interest. Failure to sign the sheet results in the member being counted as absent and his/her votes are not counted.

(G) A member who seeks to resign from the board shall submit a written resignation to the chair of the board, the staff liaison, or the city clerk's office. If possible, the resignation should allow for a thirty day notice so the city council can appoint a replacement.

ARTICLE 4. OFFICERS.

- (A) The officers of the board shall consist of a chair and a vice-chair.
- (B) Officers shall be elected annually by a majority vote of the board at the first regular meeting after $\underline{\text{October } 1^{\text{st}}}$. In the event a current officer becomes ineligible to serve as an officer, the board may hold an emergency election as needed.
- (C) The term of office shall be one year, beginning <u>November 1st</u> and ending <u>October 31st</u>. An officer may continue to serve until a successor is elected. A person may not serve as an officer in a designated position of a board for more than three consecutive one-year terms. A person who has served as an officer in a designated position of a board for three consecutive terms is not eligible for re-election to that designated office until the expiration of two years after the last date of the person's service in that office. <u>The board may override the term limit provision for an officer by an affirmative vote of two-thirds of the authorized board members.</u>
- (D) A member may not hold more than one office at a time.

ARTICLE 5. DUTIES OF OFFICERS.

- (A) The chair shall preside at board meetings, appoint all committees, represent the board at ceremonial functions <u>and approve each final meeting agenda</u>.
- (B) In the absence of the chair, the vice-chair shall perform all duties of the chair.

ARTICLE 6. AGENDAS.

- (A) Two or more board members may place an item on the agenda by oral or written request to the staff liaison at least five days before the meeting. After first consulting with and receiving input from the staff liaison, the chair shall approve each final meeting agenda.
- (B) <u>The board liaison shall submit the meeting agenda through the online agenda posting system for</u> <u>each meeting</u> not less than 72 hours before the meeting.
- (C) Posting of the agenda must comply with Texas Government Code Chapter 551 (Texas Open Meetings Act).

ARTICLE 7. MEETINGS.

(A) The board meetings shall comply with Texas Government Code Chapter 551 (Texas Open Meetings Act).

- (B) Board meetings shall be governed by Robert's Rules of Order.
- (C) The board may not conduct a closed meeting without the approval of the city attorney.
- (D) The board shall meet monthly. <u>In November of each year, the board shall adopt a schedule of the meetings for the upcoming year, including makeup meeting dates for the holidays and cancelled meetings.</u>
- (E) The chair may call a special meeting, and the chair shall call a special meeting if requested by three or more members. The call shall state the purpose of the meeting. <u>A board may not call a meeting</u> in addition to its regular scheduled meetings as identified in its adopted meeting schedule, more often than once a quarter, unless the meeting is required to comply with a statutory deadline or a deadline established by Council.
- (F) Four members constitute a quorum.
- (G) If a quorum for a meeting does not convene within one-half hour of the posted time for the meeting, then the meeting may not be held.
- (H) To be effective, a board action must be adopted by an affirmative vote of the number of members necessary to provide a quorum.
- (I) The chair has the same voting privilege as any other member.
- (J) The board shall allow citizens to address the board on agenda items and during a period of time set aside for citizen communications. The chair may limit a speaker to three minutes.
- (K) The staff liaison shall prepare the board minutes. The minutes of each board meeting must include the vote of each member on each item before the board and indicate whether a member is absent or failed to vote on an item.
- (L) <u>The city clerk shall retain agendas, approved minutes, internal review reports and bylaws</u>. The Solid Waste Services Department shall retain <u>all other board documents</u>. The documents are public records under Texas Local Government Code Chapter 552 (Texas Public Information Act).
- (M) The chair shall adjourn a meeting not later than 10 p.m., unless the board votes to continue the meeting.
- (N) Each person and board member attending a board meeting should observe decorum pursuant to Section 2-1-48 of the City Code.

ARTICLE 8. COMMITTEES/WORKING GROUPS.

COMMITTEES

(A) The Solid Waste Advisory Commission shall have the following committees:

(1) Universal Recycling Ordinance Committee: the duty of the committee is to review the Commercial and Multi-Family Recycling Ordinance, Austin City Code Article 5;

(2) Bylaw Committee: the duties of the committee are to review the Solid Waste Advisory Commission Bylaws, Austin City Code, Title 2, Chapter 2-1-182;

(3) Hauler License Fee Committee: the duty of the Committee is to review the fees associated with private haulers hauling within the City, Austin City Code, Title 15, Article 3;

(4) Product Stewardship Committee: the duty of the Committee is to review producer take and product stewardship.

- (B) Each committee must be established by an affirmative vote of the board. <u>A committee cannot meet until its creation is approved by the Council Audit and Finance Committee</u>. Each committee shall consist of at least three board members appointed by the chair. A staff member shall be assigned to each committee by the director of the Solid Waste Services Department.
- (C) The board chair shall appoint a board member as the committee chair, with the member's consent.
- (D) A majority of the total number of appointed committee members constitutes a quorum.
- (E) Each committee shall meet on a regularly scheduled basis at least quarterly.
- (F) Each committee shall make an annual report to the board at the January board meeting.
- (G) Committee meetings must be posted in accordance with Texas Government Code Chapter 551 (Texas Open Meetings Act).
- (H) At each committee meeting, a committee member shall sign in on a sheet provided and shall indicate that the member has no conflict of interest with any item on the committee meeting agenda, or identify each agenda item on which the member has a conflict of interest.

WORKING GROUPS

- (A) <u>The board can determine the size of a working group but the number of board members serving on the working group must be less than a quorum of the board.</u>
- (B) <u>A working group may designate a chair, with the member's consent, but is not required to do so.</u>
- (C) Quorum requirements do not apply to working groups.
- (D) <u>Staff support will not be provided for working groups.</u>
- (E) Working groups are not required to post their meetings in accordance with the Texas Government Code Chapter 551 (Texas Open Meetings Act).

ARTICLE 9. PARLIAMENTARY AUTHORITY.

The rules contained in the current edition of Robert's Rules of Order shall govern the board in all cases to which they are applicable, except when inconsistent with these bylaws or with special rules of procedure which the board or city council may adopt.

ARTICLE 10. AMENDMENT OF BYLAWS.

A bylaw amendment is not effective unless approved by the Council Audit and Finance Committee.

The bylaws were approved by the Solid Waste Advisory Commission at their meeting held on February 9, 2011.

(Signature of Executive or Staff Liaison)

(Insert – Title -- Executive or Staff Liaison)

Solid Waste Advisory Commission 2009-2010 Work Plan

Monitor the following ongoing programs/projects and make recommendations to City Council as needed:

A. SWS Master Plan – The Commission has been an important part of the Master Plan. They have provided comments to staff regarding the scope of the project and participated in public meetings held by HDR. Some of those recommendations made by the commission are hazardous waste material drop offs, eco-industrial parks, and curbside composting.

B. Zero Waste Strategic Plan Implementation – Since the passing of the plan, the Commission has made recommendations to the Solid Waste Services Director regarding possible zero waste projects for the city.

C. Composting Program – SWAC Subcommittee members worked with stakeholders to make sure this program is part of the Universal Recycling Ordinance. In addition this program is also a part of the Master Plan. The operation impacts are being planned in this year's budget in order to ramp up for this important program.

D. Commercial/Multi Family Reform/Recycling Ordinance – The Commission developed a committee to address the City's Ordinance. They held multiple meetings with multiple stakeholders representing what constituencies to present Phase I recommendations to Council. The Commission will continue to hold meetings, beginning on February 23, 2011, with food service industry stakeholders and develop Phase II of recommendations to Council.

E. COA Material Recovery Facility/Single Stream Recycling – The Commission actively participated in the selection of the City's new recycling contractor. SWAC held public meetings on the matter and provided to Council a resolution with their recommendation.

F. Northeast Landfills – The Commission provided a resolution to Council regarding the landfills. The resolution recommended Council oppose the State granting an expansion on the landfills.

G. Revised Hauler Fee Ordinance – The Commission developed a committee to solicit the input of stakeholders regarding the ordinance. Multiple meetings were held, and several ideas were given to the SWAC Subcommittee. Staff continued to research the topic to include what other cities have on their books regarding Hauler's Fee Ordinances. The staff will come back to SWAC in early 2011 with the research and an action plan.

H. Green Building/C & D Recycling. This is an ongoing item. The item will be presented to Council in the form of the memorandum from staff of the preliminary findings in March, 2011. The memorandum will be a collaborative effort from Austin Energy's Green Building Program, Solid Waste Services, Planning and Development Review and Public Works.

I. Solid Waste Management Districts – The Commission developed a committee to research the possibility of having districts in Austin and surrounding areas. Recommendations were forwarded to Council.

The remaining items still require additional work. Some of them may be explored in depth in the City's Master Plan or may be underway as a part SWS expanding services as part of their commitment to zero waste.

Please feel free to contact, Annette Moreno at 974-1987, if you have any questions.

- J. Conversion Technologies
- K. Landfill Development Options
- L. Electronic Waste and Recycling

<u>CITY OF AUSTIN</u> <u>RECOMMENDATION FOR COUNCIL ACTION (RCA)</u>

Title: 03032011

Subject: Authorize award and execution of a contract through the Texas Procurement and Support Services Cooperative Purchasing Program administered by the Office of the Texas Comptroller of Public Accounts (CPA) with TOTER INCORPORATED of Statesville, NC for the purchase of residential garbage carts and single-stream recycling carts in an amount not to exceed \$1,117,044.24.

Amount and Source of Funding: Funding in the amount of \$1,117,044.24 is available in the Fiscal Year 2010-2011 Operating Budget of the Solid Waste Services Department.

Fiscal Note: A fiscal note is attached.

Agenda Category: Solid Waste Services

For More Information: Steve Cocke, Buyer II/974-2003

Boards and Commission Action: Solid Waste Advisory Commission consideration scheduled for February 9, 2011.

Purchasing Language: Cooperative Purchase

MBE/WBE: This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). This contract is a Cooperative Purchase; therefore, it is exempted under Chapter 791 of the Texas Government Code and no goals were established for this solicitation.

This contract is for the purchase of 17,796 residential garbage carts and 8,232 recycling carts, including lid graphics, for the Solid Waste Services Department (SWS).

The garbage carts are to be issued for the SWS Pay-As-You-Throw Program, which requires SWS customers to use a City-issued cart for the removal of residential garbage. The purchase of garbage carts is necessary to provide SWS with a sufficient supply of 32-, 64- and 96-gallon garbage carts readily available to replace existing customers' broken carts and to issue new carts to new customers on an as-needed basis.

The recycling carts are to be issued for the SWS Single-Stream Recycling Program, which was initiated in October 2008. The purchase of recycling carts is necessary to provide SWS with a sufficient supply of 64- and 96-gallon recycling carts readily available to replace existing customers' broken carts and to issue new recycling carts to new customers on an as-needed basis.

Toter Incorporated is under contract with the CPA to supply various types of refuse containers (two-wheel carts) and services statewide as a result of a competitive bidding process. Utilizing CPA contracts provides for volume discount pricing as well as the earliest opportunity to get the City's equipment on order.



То:	Solid Waste Advisory Commission
From:	Bob Gedert, Director, Solid Waste Services Department
Date:	February 9, 2011
Subject:	Director's Report

Master Plan Update

Staff has received a first draft of the Zero Waste Master Plan, and is preparing comments for revisions to HDR. A second draft will be issued in early March for public review. The next public meeting to comment on the Master Plan is scheduled for March 8th, 5:30 pm at the Mexican American Culture Center (MACC). Although the date is not secured, it is the intent of staff to present the Master Plan to City Council on April 21st.

Department Renaming

The City of Austin held several focus group meetings that included internal and external stakeholders which helped develop three names:

Austin Resource Recovery,

Austin Resource Collection and Recovery,

Austin Recycling and Waste Reduction Department.

The public on-line comment period is from January 24 – February 10. Staff asked for public input on the names and even offered citizens the opportunity to suggest their own name. As you may be aware, Austinites are very creative. Fred Durst's Society for the Humanities and the Arts is in the lead. The on-line suggested titles are amusing and laugh-provoking, demonstrating the humor and fun that Austin is known for. The on-line vote is non-binding, and is a strategic process to gain public input. Voting concludes Thursday, February 10th.

The SWS Director will recommend a selection of names to the City Manager Office, as the City Manager has sole discretion for the final selected department name. Unveiling of name/logo to Council is scheduled for April 21st in conjunction with Master Plan presentation.

UT Partnership

I met recently with Jim Walker, Sustainability Director at the University of Texas. Our primary discussed included the pursuit of an interlocal agreement that provided:

- Researching information gained from previous UT-Austin waste audit,
- Providing a UT-Austin campus audit to 12 Market Categories of materials that comprise the entire stream of materials discarded.
- Submitting detailed report on the amounts, types and value of materials currently being discarded on the UT-Austin campus.

Providing recommendations on how UT-Austin can perform future studies in-house.
This campus waste audit will be performed this summer. Legal agreements are being discussed at this time.

In addition, On February I spoke to the BDP 101 seminar class, "Environmental Change and Sustainability" taught by Christopher Bell and part of the Bridging Disciplines Program at UT. This energetic class of 30 students presented very thought provoking questions about zero waste for two hours.

That same evening, I presented a Zero Waste PowerPoint to the UT Campus Environmental Center. This group of college students are actively interested in actions they can engage in to promote recycling and zero waste on campus.

Glass Recycling Options

I am exploring dual collection options in the downtown business district, at multi-family complexes and college campuses. Glass generated through the single-stream program has limited market value, yet source separated glass has strong markets. We are integrating these thoughts in the Master Plan proposed programs.

Possible local end-use for glass cullet includes the use in road base and sidewalk construction.

There are economic development conversations regarding locating a major glass reprocessor in Austin. More details will be available by April.

City Department Partnerships

As a department director within the City of Austin framework, I have the intention to meet individually with all the major city departments within the next month. These meetings are scheduled throughout February and March, with the intent to brainstorm the integration of the Zero Waste Master Plan within various city operations. I have recently met with Watershed Protection, the Aviation Department, and Neighborhood Housing & Community Development.

My upcoming meetings will be with Fleet Operations, Planning and Development, Convention Center, Public Works, Parks and Recreation, Transportation Department, Austin Energy, and Water Department.

Department Business Plan

SWS staff have been busy developing the FY12 Department Business Plan. This plan is utilized as a foundation for the development of our five-year forecast and our FY12 annual Budget.

Our designated FY12 measurable Goals include:

- Diversion Rate for Curbside and HHW Operations: 41.5% for FY12
- Pounds of Recycled Material collected/household/collection week: 24.4 lbs for FY12
- Decreased pounds of Trash collected/household/collection week: 25.06 lbs for FY12
- Increase customer service satisfaction in citizen survey to 90%
- Decrease lost time injury rate to 0.0
- Increase Zero Waste public education presentations

Our budgetary challenges include:

- Integrate the Master Plan into the budgetary process.
- Integrate the transportation of recyclables from the routes to the contracted facilities.
- Present a five-year forecast that may require a rate adjustment.

Our Horizon Issues include the following:

- Implementation of the Zero Waste Master Plan
- Initiate the new Single Stream Recycling Processing Contract
- Implementation of the Universal Recycling Ordinance
- Increase diversion at all city facilities and operations
- Reduce SWS operational impact on the City's Carbon Footprint through Fuel Efficiencies.

Long Term Recycling Processing Agreement

Negotiations are still underway with an estimated presentation date to Council of March 10th.

Performance Measures

See attachments for detailed Performance Measures.