

ZERO WASTE ADVISORY COMMISSION MEETING MINUTES

10/10/2012



Zero Waste Advisory Commission

Regular Meeting Minutes
10 October, 2012

The Zero Waste Advisory Commission convened in a regular meeting on 10 October, 2012 at 301 West 2nd Street, Council Chambers Room in Austin, Texas.

Co-Commissioner Rick Cofer called the Commission Meeting to order at 6:33 p.m.

Board Members in Attendance:

Rick Cofer, Cathy Gattuso, Faye Kazi, Jeff Paine, Brent Perdue, and Dave Sullivan

Staff in Attendance:

Bob Gedert, Tammie Williamson, Sam Angoori, Vidal Maldonado, Ron Romero, Jessica King, Charlotte Huskey, Gretchen Kingham, Vera Labriola, Ourana Cacho, Phil Tindall, Cherilyn Wadley, Aiden Cohen, Richard McHale, Keith Murray, Jimmy Miller, Elizabeth Corey, Dee Dee Quinnelly, and Amy Slagle

1. CITIZEN COMMUNICATION

3 citizens spoke during the opportunity for citizen communication.

- a. Ashley Hicks, Ecology Action, promoted Ecology Action services and upcoming event
- b. Robin Schneider, Texas Campaign for the Environment, inquired if City is not continuing partnership with Ecology Action. Board advised that City will continue partnership.
- c. Scott Johnson advised council to learn more about event recycling rebate and promoted 21 gal carts.

2. APPROVAL OF MINUTES

Minutes for the regular meeting of August 8, 2012 consisted of misspellings of Commissioner Jeff Paine's name, which will be corrected. The minutes were approved on a Commissioner Dave Sullivan motion; Commissioner Faye Kazi second on a 6-0-0 vote.

3. NEW BUSINESS

a. Discussion and Action - Election of Officers

A vote for Rick Cofer as Board Chair was passed on a Commissioner Faye Kazi motion, Commissioner Cathy Gattuso second on a 6-0-0 vote. A vote for Cathy Gattuso as Board Co-Chair was passed on a Commissioner Rick Cofer motion, Commissioner Faye Kazi second on a 6-0-0 vote.

b. Discussion and Action – Dirty MRF Resolution

Resolution was sponsored by Commissioners Cathy Gattuso and Brent Perdue. Commissioner Cathy Gattuso read the resolution opposing the use of dirty MRFs.

6 citizens spoke about the agenda item.

- a. Lee Kuhn, General Manager of Republic Services, spoke in opposition of the resolution and Commissioner Brent Perdue's involvement with Ecology Action as conflict of interest and recommended to postpone action. Mr. Kuhn also spoke with concern about the City's back-up material posting rules.
- b. Andy Perry, Bell Consulting Inc., spoke in opposition of the resolution.

- c. Barney Gorey, Organic Energy Corporation, spoke in opposition of the resolution.
- d. J.D. Porter, Austin Zero Waste Alliance, spoke in support of the resolution and opposed companies and technological advancements that are not in alignment with the City's diversion goals.
- e. Robin Schneider, Texas Campaign for the Environment, spoke in support of the resolution.
- f. Andrew Dobbs, Texas Campaign for the Environment and Austin Zero Waste Alliance, spoke in support of the resolution.

Gretchen Kingham, Austin Resource Recovery, addressed the public posting of backup documents prior to ZWAC meetings. ZWAC is legally required to post agenda items and whether or not action will be taken on them. There is no deadline for posting backup documents, thus, ZWAC was in full compliance. Requiring backup documents to be posted at certain amount of time prior to ZWAC will be discussed at the next ZWAC meeting.

Commissioners and Bob Gedert, ARR Director, discussed the resolution.

Commissioner Dave Sullivan recommended amendment to the second to last sentence of the resolution: *Therefore, be it resolved that ZWAC directs Austin Resource Recovery to see that all the department rules exclude dirty MRFS from consideration as a form of diversion until such a time as technology advances demonstrated in peer reviewed scientific literature show that 80% diversion rates can be achieved. However, a dirty MRF demonstration project can be applied to handle no more than 5% of Austin's municipal solid waste.*

The proposal as amended was approved on a Commissioner Cathy Gattuso motion; Commissioner Brent Perdue second on a 5-1-0 vote. Commissioner Faye Kazi opposed.

c. Discussion and Action – Residential Waste Disposal Resolution

Commissioner Brent Perdue sponsored and read the resolution for ZWAC to oppose disposal and transfer of any residential waste to North East Austin landfills, and support the closure of the North East Austin landfills.

4 citizens spoke about the agenda item.

- a. J.D. Porter, Austin Zero Waste Alliance, spoke in support of resolution.
- b. Lee Kuhn, General Manager of Republic Services, spoke in opposition of the resolution and Commissioner Brent Perdue's involvement with Ecology Action as conflict of interest, and spoke with concern about the City's back-up material posting rules.
- c. Robin Schneider, Texas Campaign for the Environment, spoke in support of the resolution.
- d. Andrew Dobbs, Texas Campaign for the Environment and Austin Zero Waste Alliance, spoke in support of the resolution.

The resolution was approved on a Commissioner Brent Purdue motion; Commissioner Cathy Gattuso second on a 4-2-0 vote. Commissioners Faye Kazi and Jeff Paine opposed.

d. Discussion and Action - Toter Incorporated (Carts)

Phil Tindall, ARR Contract Compliance Manager, and Richard McHale, ARR Operations Services Division Manager, presented a proposal to authorize award and execution to increase funds for the purchase of additional 64-gallon residential garbage carts for the Austin Resource Recovery Department in an amount not to exceed \$189,252.

The proposal was approved on a Commissioner Faye Kazi motion; Commissioner Jeff Paine second on a 6-0-0 vote.

e. Discussion and Action - A-1 Service

Phil Tindall, ARR Contract Compliance Manager, presented a proposal to authorize award and execution to provide truck scale inspection, maintenance and repair services for the Austin Resource Recovery Department, to increase the final 12-months of the original contract term in an estimated amount not to exceed \$20,000, and add three 12-month extension options in an estimated amount not to exceed \$20,000 per extension option, for a revised estimated total contract amount not to exceed \$120,000.

The proposal was approved on a Commissioner Faye Kazi motion, Commissioner Dave Sullivan second on a 6-0-0 vote.

f. Discussion and Action - Truck Purchase Request

Phil Tindall, ARR Contract Compliance Manager, and Ron Romero, ARR Operations Division Manager, presented proposals to authorize award and execution of 1. a contract through the Houston-Galveston Area Council of Governments with Santex for the purchase of four roll-off chassis in an amount not to exceed \$484,922; and 2. six contracts through the Texas Local Government Purchasing Cooperative (BuyBoard) for the purchase of multiple vehicles in an amount not to exceed \$7,496,111.

2 citizens spoke about the agenda item.

a. Ryan Hobbs, Texas Disposal Systems, spoke in opposition of the roll-off equipment purchase request.

b. Ron Torrey, Captain Hook Roll-Offs, spoke in opposition of the roll-off equipment purchase request.

Commissioner Rick Cofer recommended the following friendly amendment: *ZWAC recommends the action and that the equipment [roll-off chassis] never be used for commercial purposes or to provide services to property types not currently served by Austin Resource Recovery.*

The proposal was approved on a Commissioner motion Dave Sullivan, Commissioner Brent Perdue second on a 6-0-0 vote.

h. Discussion and Action - Single Use Bag Education/Outreach Contract

Phil Tindall, ARR Contract Compliance Manager, presented a proposal to authorize award, negotiation, and execution of a service agreement with Sherry Matthews Advocacy Marketing to develop and implement a public education campaign to inform business establishments and citizens of the requirements of the City Ordinance regulating the use of single-use carryout bags for the Austin Resource Recovery Department, in an amount not to exceed \$1,750,000.

1 citizen spoke about the agenda item.

a. Kenneth Thompson encouraged initiatives to include minority communities.

The proposal was approved on a Commissioner Dave Sullivan motion, Commissioner Brent Perdue second on a 6-0-0 vote.

i. Discussion and Action - URO Outreach Contract

Phil Tindall, ARR Contract Compliance Manager, presented a proposal to authorize award and execution of a 12-month service requirements agreement with Great Communicate, LLC and Concept Development and Planning, LLC, for universal recycling public outreach services for the Austin Resource Recovery Department in an estimated amount not to exceed \$151,923, with five 12-month extension options in an estimated amount not to exceed \$159,519, for a total estimated contract amount not to exceed \$949,518, each and combined.

Commissioner Rick Cofer expressed concern that 1. Great Communicate may have only one employee and 2. Concept Development and Planning's Vice President Pete Peters may have received criminal and ethical misconduct accusations. Phil Tindall, ARR Contract Compliance Manager, and Aiden Cohen, ARR Environmental Conservation Program Manager, responded with bidder selection procedures.

1 citizen spoke about the agenda item.

a. Erin Gray, majority owner of Concept Development and Planning, addressed the comments concerning Pete Peters, offered to provide background information on the company, and stance on the URO.

The proposal was approved on a Commissioner Faye Kazi motion, Commissioner Cathy Gattuso second on a 5-1-0 vote. Commissioner Rick Cofer opposed.

j. Discussion and Action - URO Decal Contract

Phil Tindall, ARR Contract Compliance Manager, presented the proposal to authorize award and execution of a service agreement with ACP International (SA-SO) to provide decals as a part of the URO outreach. Commissioner Brent Perdue moved for a motion to approve, Commissioner Jeff Paine second on a 6-0-0 vote.

k. Discussion and Action - URO Quick Service

Director Bob Gedert reported on the waste composition study of fast food restaurants and its findings and recommended alternative compliance measures for URO to reach the 50% and 75% diversion goals.

4 citizens spoke about the agenda item.

a. Cis Meyer, Hey Cister! Consulting, spoke in support of the recommendation.

b. Tim Laudadio, Whataburger, spoke in support of the recommendation.

* At 9:54 p.m., Commissioner Dave Sullivan moved for a motion to extend meeting 30 minutes to 10:30 p.m., Commissioner Faye Kazi second on a 6-0 vote.

c. John Patton, Director of Development of Sonic Drive-In, spoke in support of the recommendation.

d. Jimmy Ferguson, McDonald's franchisee, spoke in support of the recommendation.

Commissioner Dave Sullivan moved for a motion to approve, Commissioner Brent Perdue second on a 5-1-0 vote. Commissioner Jeff Paine opposed.

g. Discussion and Action - Single Use Bag Rules

Bob Gedert, ARR Director, presented and requested approval of the Single Use Carryout Bags Regulations - Draft 3. The regulations will be brought before Council for approval upon approval by the Commission.

* At 10:28 p.m., Commissioner Dave Sullivan moved for a motion to extend meeting 30 minutes to 11:00 p.m., Commissioner Faye Kazi second on a 6-0 vote.

5 citizens spoke about the agenda item.

a. Cis Meyer, Hey Cister! Consulting, assisted in the wording and spoke in support of the draft.

b. Skeeter Miller, The County Line Owner and Greater Austin Restaurant Association President, spoke in support of the draft and offered a revision to 10.7.3: *Restaurant bags, such as bags used to take away prepared food, limited to paper bags but allowing single use plastic carryout bags for soups, sauces, salads with dressings, liquids, and other foods with moisture or oils to prevent spills that may damage vehicles or clothing.*

c. Barrett Fontenot, Creative Retail Packaging, stated concern for companies that may have to dispose of their current single-use bag inventory to comply with the ordinance and problems that may arise from different states having different regulations.

d. Robin Schneider, Texas Campaign for the Environment, spoke in support of the ordinance but opposed some exemptions for possible loopholes.

e. Andrew Dobbs, Texas Campaign for the Environment and Austin Zero Waste Alliance, spoke in support of ordinance but opposed some exemptions for possible loopholes.

Commissioner Dave Sullivan moved for a motion to approve, Commissioner Brent Perdue second on a 5-1-0 vote. Commissioner Jeff Paine opposed.

4. STAFF BRIEFINGS

a. Director's Report

Bob Gedert, ARR director, referred audience to Director's Report handout.

5. FUTURE AGENDA ITEMS

9 Zones Report – November

Routing Efficiencies – December

Food Trailer Recycling – January

ADJOURNMENT

Chair Rick Cofer adjourned the meeting at 11:05 p.m. without objection.