



## **Annual Internal Review**

**This report covers the time period of 1/1/2014 to 12/31/2014**

(This report is due in the first quarter of each calendar year for the previous year.)

### **Zero Waste Advisory Commission** **(Official Name of Board or Commission)**

**The Board/Commission mission statement (per the City Code) is:**

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. The commission may provide assistance to the city council to protect the public health and quality of the environment through efficient collection, recycling, and disposal of municipal solid waste.

#### **1. Describe the board's actions supporting their mission during the previous calendar year. Address all elements of the board's mission statement as provided in the relevant sections of the City Code.**

*(Reference all reports, recommendations, letters or resolutions presented to the City Council on mission-specific issues. If some of the elements of the mission statement were not acted on by the board in the past year, the report should explain why no action was taken.)*

#### **January**

- 1. Approved Toter Cart Master Agreement** – Ms. Elizabeth Corey, Austin Resource Recovery, presented a proposal to authorize execution of an award and execution of a contract with Toter, LLC, in an amount not to exceed

\$6,693,602 for the purchase of 49,872 residential garbage carts, 20,000 recycling carts, and 2,248 organics carts, including lid graphics and ultra-high frequency RFID tags. Mr. Richard McHale, Austin Resource Recovery, answered Commissioners' questions. The proposal was approved on a Commissioner Cathy Gattuso motion, Commissioner Dave Sullivan second, on a 5-0-0 vote. Commissioner Daniela Ochoa Gonzalez was absent.

2. **Approved Award and Execution of Contract with U.S. Business Council for Sustainable Development** - Ms. Elizabeth Corey, Austin Resource Recovery, presented a proposal to authorize award and execution of a contract with the U.S. Business Council for Sustainable Development to develop and administer the City of Austin Materials Exchange Program with an initial term of 24 months in an amount not to exceed \$415,899 and with four 12-month extension options not to exceed \$156,577 per option. The total potential contract amount, including extension options, was not to exceed \$1,042,207. Director Gedert answered Commissioners' questions. The proposal was approved on a Commissioner Cathy Gattuso motion, Commissioner Dave Sullivan second, on a 5-0-0 vote. Commissioner Daniela Ochoa Gonzalez was absent.
3. **Approved 2014 Committees and Workgroups - Chair Rick Cofer** suggested keeping the existing committees and workgroups and establishing a North Service Center Workgroup. Commissioner Dave Sullivan suggested establishing Austin Resource Recovery Facilities Workgroup instead, which would allow for broader responsibilities. The proposal to keep the existing committees and workgroups and add Austin Resource Recovery Facilities Workgroup was approved on a Commissioner Faye Kazi motion, Commissioner Cathy Gattuso second on, a 5-0-0 vote. Commissioner Daniela Ochoa Gonzalez was absent.

## **February**

1. **Approved 2013 ZWAC Annual Internal Review** – Chair Rick Cofer discussed changes to the draft of the Annual Review of the Zero Waste Advisory Commission that was presented to the commission at the January 8, 2014, meeting. The Zero Waste Advisory Commission approved the Annual Review of the Zero Waste Advisory Commission on Commissioner Cathy Gattuso motion, Commissioner Dave Sullivan second, on a 5-0-0 vote. Commissioner Jeff Paine was absent.
2. **Approved Changes to 2014 ZWAC Committees and Workgroups** – The Commission discussed changes and additions to the committees and workgroups. The changes to committees and workgroups were approved on Commissioner Daniela Ochoa Gonzalez motion, Commissioner Sullivan second on, a 5-0-0 vote. Commissioner Jeff Paine was absent.

3. **Approved Contract for Emergency Roll-Off Services for Flood Cleanup** – Mr. Phil Tindall, Austin Resource Recovery, presented a proposal to approve the ratification of an emergency contract with BFI Waste Services of Texas, LP, for emergency roll-off refuse container services in support of flood cleanup efforts in the Onion Creek area in an amount not to exceed \$75,768. The proposal was approved on Commissioner Faye Kazi motion, Commissioner Cathy Gattuso second, on a 5-0-0 vote. Commissioner Jeff Paine was absent.

## **April**

1. **Approved Recommendation for Sanitary Requirements for Food Trucks** – Chair Rick Cofer introduced his recommendation on Sanitary Requirements for Food Trucks. Mr. Eric Goff, Compost Peddlers, expressed his concerns about food truck operators not being able to sign up for composting services due to the restrictions in the current Health Code. Mr. Marcel Elizondo, Health and Human Services Department, provided comments on the topic and concerns about trash/recycling/composting bins placed on the ground rather than attached to the body of the vehicle. Mr. Elizondo answered Commissioners' questions. Mr. Greg Guernsey, Planning and Development Review Department, addressed the issue of food trucks, land use, and applicable codes and answered Commissioners' questions. The recommendation was approved on Commissioner Dave Sullivan's motion, Commissioner Daniela Ochoa Gonzalez's second on a 6-0-0 vote. Commissioner Faye Kazi was off dais.
2. **Approved Trash and Recycling Collection and Hauling Services Contract for Central Business District** – Mr. Phil Tindall, Austin Resource Recovery, presented a proposal to authorize award and execution of a 36-month requirements service contract with Texas Disposal Systems, Inc., or another qualified bidder, to provide refuse and recycling collection and hauling services within the Downtown Central Business District of Austin in an amount not to exceed \$6,234,879, with three 12-month extension options in an amount not to exceed \$2,078,293 per extension option, for a total contract amount not to exceed \$12,469,758. Mr. Jonathan Dalchau, Purchasing Office, and Phil Tindall, Austin Resource Recovery, answered Commissioners' questions about the evaluator matrix. Phil Tindall and Bob Gedert, Austin Resource Recovery, addressed questions about the increase in price to customers. The proposal was approved on Commissioner Dave Sullivan's motion, Commissioner Cathy Gattuso's second on a 5-0-0 vote. Commissioner Daniela Ochoa Gonzalez abstained. Commissioner Faye Kazi was off dais.
3. **Approved Amendment No. 4 to Current Trash and Recycling Collection Services Contract for Central Business District** – Mr. Phil Tindall, Austin Resource Recovery, presented a proposal to authorize award

and execution of Amendment No. 4 to the current contract with Waste Management of Texas, Inc., for refuse and recycling collection and hauling services within the Downtown Central Business District of Austin, to increase the current contract period in an amount not to exceed \$250,000, for a revised total contract amount of \$2,475,380. The proposal was approved on Commissioner Dave Sullivan's motion, Commissioner Cathy Gattuso's second on a 5-0-0 vote. Commissioner Daniela Ochoa Gonzalez abstained. Commissioner Faye Kazi was off dais.

4. **Approved Electronics Recycling Services Contract** – Mr. Phil Tindall, Austin Resource Recovery, presented a proposal to authorize award, negotiation, and execution of a 24-month revenue contract with ECS REFINING, LLC, or another qualified offeror, to provide electronic recycling services with estimated revenue of \$76,436, with four 12-month extension options with estimated revenue of \$38,218 per extension option, for total estimated revenue of \$229,308. Mr. Tindall and Donald Hardee, Austin Resource Recovery, answered questions about the contract requirements. Ms. Robyn Schneider, Texas Campaign for the Environment, offered additional information on e-Steward certification. The proposal was approved with the recommendation to add language specifying that the companies have to be e-Steward certified to standard, on Commissioner Cathy Gattuso's motion, Commissioner Daniela Ochoa Gonzalez's second on a 6-0-0 vote. Commissioner Faye Kazi was off dais.

## May

1. **Approved Proposed Changes to Private Hauler Program Ordinance and Rules** – Matthew Christiansen, Code Compliance Division Manager, spoke about licensing and fees as well as language modification for clarity. Marcus Elliot, Code Compliance, spoke about administrative rules and specific language of sections of the ordinance and what sections of the city code is referenced by said language. Commissioner Paine asked Mr. Elliot about ordinance section 10.1.2.4 (§15-6-42) methods of compliance and issues around vehicle sidewalks rendering many vehicles involved illegal, and whether many haulers driving said vehicles would even know that their vehicle was not up to code. Mr. Christianson responded about alternate methods of compliance and how this could help mitigate issues and that alternate methods would be applied as they are in building codes. Commissioner Paine asked what an appeal process would look like and Mr. Christianson and Mr. Elliot gave a description of how the process works.

Bob Gedert, Austin Resource Recovery Director, discussed the ordinance with language provided by the City Attorney. Commissioner Sullivan questioned the language of §15-6-11-C and asked for clarification. Chair Cofer asked why the ordinance language cannot just state that properties with more than 4 units will not be served by the City. Mr. Gedert said that he didn't recommend a change to more restrictive language because it could result in impacting over 6000

properties that currently receive services from city. Chair Cofer and Mr. Gedert continued to discuss specifics around scope of city service in the language of the ordinance and importance of maintaining safety.

Commissioner Paine, Commissioner Sullivan, and Chair Cofer suggested refining language to support entrepreneurial efforts. Mr. Gedert noted that the intent of the proposed changes is to support and preserve an existing chain of authority. Commissioner Kazi noted that the purpose of this item is to clarify and codify the ordinance. Mr. Gedert restated the need for preservation of existing authority.

The motion was approved to recommend the proposed ordinance and rule changes except: 1. Clarify §15-6-11-E and §15-6-11-F to state “the City of Austin shall not directly provide non-cart based service to properties of 4 or more dwelling units unless subcontracted through a private hauler.” And 2. Amend §15-6-11-C by adding “but may use a private hauler for services not universally provided by the City which may be defined by rule and include organics.” with the following friendly amendment on motion by Commissioner Kazi, seconded by Commissioner Hering on a 6-0-0 vote. The friendly amendment from Commissioner Sullivan was made to strike “may include organics” from the motion. This was accepted by the maker of the motion and commissioner Hering, who seconded the motion.

**2. Approved Proposed Changes to Universal Recycling Ordinance and Rules** – Gena McKinley, Austin Resource Recovery Program Manager, presented an ordinance formation process and history and asked for support from commissioners for amendments to URO and implementation of organics diversion timeline. Chair Cofer is off the dais 9:17-18. Mr. Gedert presented a set of fiscal impact statements that detailed resources needed to implement the ordinance over varying timelines.

Commissioner Paine discussed being conflicted over 2019 schedule and believes that earlier implementation can work. Commissioner Hering agreed with Commissioner Paine. Commissioner Gattuso positioned that starting early is important, and doesn’t count on early adaption on volunteer basis. Gena McKinley, ARR, detailed the rebate that is in place now for early adopters. Jessica King, Austin Resource Recovery said incentives couldn’t be applied once the ordinance is adopted.

Chair Cofer discussed how the first year of an ordinance is an educational one, not a year for citing and that the 2nd year employs a “three touch” approach where three chances are given. Chair Cofer advocated for 2018 implementation, noting the two-year buffer that is built in. Aiden Cohen, ARR, discussed education and outreach effort and notes that nothing prevents hard enforcement and that it would be employed only for serious disregard of the mandate. He recommended a longer phase-in for the most effective approach with staff

recommendation being 2019 or 2020, not before 2019. Commissioner Kazi discussed distribution with Ms. King, and Mr. Cohen discussed economic incentives. Discussion of business size related to scheduling continued between Ms. King, the Commission and Mr. Cohen.

The motion to adopt the staff recommendation, including the administrative rules and ordinance, with the final organics diversion implementation phase ending October 1, 2019, was approved with the following friendly amendment on motion by Commissioner Sullivan, seconded by Commissioner Kazi on a 4-2-0 vote. Commissioner's Cofer and Gatusso opposed. The friendly amendment from Commissioner Kazi was to move food permit holders with properties of 15,000 square feet or greater to be implemented starting October 1, 2016. This was accepted by the maker of the motion and Commissioner Kazi, who seconded the motion.

## **May**

**1. Approved Proposed Recommendation No. 20140611003h: Conflict of Interest Investigations** – City Auditor Kenneth Mory and Chief Investigator Jason Hadavi with the Office of the City Auditor (OCA) answered questions about the City Auditor's Integrity Unit Report released April 18, 2014 titled Report on Allegations Involving a Zero Waste Commissioner.

Chair Cofer proposed discussion of an amendment to reinstate the final "be it further resolved" to use language below:

THEREFORE BE IT RESOLVED that the Zero Waste Advisory Commission disputes the City Auditor's conclusions and objects to the process followed to arrive at these conclusions, and

BE IT FURTHER RESOLVED that the Zero Waste Advisory Commission recommends that the Austin City Council reform the reporting, investigatory and ruling process of the City Auditor's office in order to prevent similar actions against other members of this commission or other Boards or Commissions in the future, and

BE IT FURTHER RESOLVED that the Zero Waste Advisory Commission recommends that the Austin City Council direct the Ethics Review Commission to assess this Recommendation Number (20140611-003h): ZWAC Response to City Auditor Integrity Unit Report on City Auditor Integrity Unit Report regarding a former ZWAC Commissioner.

Chair Cofer suggested two edits to the wording of the body of the recommendation prior to the "Therefore" statements.

Chair Cofer asks City Attorney staff if ZWAC can recommend to Council to refer the matter to Ethics Review Commission. Ms. Romero says it is within the power of ZWAC to do so. Chair Cofer apologized to City Auditor staff for any misunderstanding of their absence from a previous meeting, and explained the novelty of the issue and its impact on lives, stating that it was traumatic to Ms. Ochoa Gonzalez and her family, which is why the issue has merited such scrutiny.

Mr. Kaplan proposed that the ERC make a recommendation to City Council on changes to COI provisions and invites less than a quorum of ZWAC Commissioners to attend the next ERC meeting. Mr. Kaplan said the ERC is interested in making rules as clear as possible and offers to place an item on the agenda for the ERC that addresses this.

Commissioner Sullivan read the revised language again for clarity and the Commissioners unanimously vote yes to adopt Recommendation No. 20140611003h: Conflict of Interest Investigations, on Commissioner Sullivan's motion, Commissioner Gattuso second on a 6-0-0 vote.

**2. Approved Proposed Recommendation No. 20140611003i: Waste to Energy STAR Rating** – Lucia Athens, Chief Sustainability Officer, was invited by ZWAC to discuss the item. Ms. Athens disagreed with the language, and detailed her experience with rating tools, including LEED. She discussed history with LEED and STAR and mentioned some prerequisites that were debated early on that had far reaching exclusions when examined. She noted the thousands of hours invested in STAR and warned not to let perfect be the enemy of good in this matter. Commissioner Sullivan referenced a previous resolution against incineration that ZWAC had voted unanimously for. ARR Director Bob Gedert suggested that waste energy as a term is evolving, and can involve multiple technologies.

Commissioner Gattuso questioned Ms. Athens and Mr. Gedert about the wording. Chair Cofer discussed history of ZWAC and how its origins were tied to a debate about incineration. Commissioner Gattuso mentioned that part of the goal is to raise visibility of zero waste and suggested that the issue of Waste to Energy be placed on a future agenda.

Motion to adopt the recommendation with changes was made by Commissioner Sullivan, Commissioner Paine second, was unanimously approved on a 6-0-0 vote using the language below:

THEREFORE BE IT RESOLVED that the Zero Waste Advisory Commission recommends that the Austin City Council direct the Office of Sustainability to advocate against the consideration of waste to energy incineration as a benefit to communities, and BE IT FURTHER RESOLVED that the Zero Waste Advisory Commission recommends that the Austin City Council direct the Office of

Sustainability to engage with the STAR Technical Advisory Group to provide input and expertise.

**3. Approved Marking Collateral Supply Agreement** –Elizabeth Corey, ARR, requested a favorable execution of the agreement and explained the expenditures are for hats, pens, shirts and other items to support Austin programs for recycling Commissioner Hering asked if the City of Austin gives preference to recyclable/biodegradable items in purchasing. Jessica King, ARR, responded to the question by stating that ARR intends to include recycled materials in the vast majority of all promotional items they seek to procure. The recommendation to execute this agreement was approved on Commissioner Kazi's motion, Commissioner Gattuso's second on a 4-2-0 vote, with Commissioners Cofer and Paine voting no.

**4. Approved Agreement for Direct Mail Services for ARR Brush and Bulk Collection** – Elizabeth Corey, Austin Resource Recovery, describes the agreement and the dollar amount involved. Commissioner Kazi asks why the lowest bid wasn't selected. Ms. Corey responded that Print Mail Pro was evaluated as most suitable under metrics involved. The recommendation to execute this agreement was unanimously approved on Commissioner Kazi's motion, Commissioner Hering's second, with all Commissioners present.

**5. Approved Supply Agreement for Indoor Recycling Containers** – Elizabeth Corey, ARR, discussed container purchases for on-site recycling encouragement. Composting would also be encouraged by giving the containers provided via this purchase for no charge to ARR customers who take a free composting class. Chair Cofer inquired about price of the products, and why a Canadian company was chosen, not an Austin one. Ms. Corey replied that because this was issued as an invitation for bid the financial consideration was the only qualifier that could be used in vendor selection. The recommendation to execute this agreement was unanimously approved on Commissioner Kazi's motion, Commissioner Gattuso's second, with all Commissioners present.

**6. Approved Agreement for Recycling Processing for City Building Collection** – Commissioner Kazi inquires why there was only one bid. Chair Cofer provided some background on possible legal reasons for this. Commissioner Paine inquired about pricing differentiation between private and public entities. The recommendation to execute this agreement was approved on a 4-1-1 vote on Commissioner Sullivan's motion, Commissioner Kazi second. Commissioner Hering recused herself from the item and was off dais for discussion and vote.

**7. Approved Appointment of Commissioners to Fill Current Committee Vacancies** – Commissioner Hering accepted Chair Cofer's invitation to be on the Construction and Demolition committee. There were no volunteers to be on the



Food Waste Prevention and Recovery Working Group. Commissioner Sullivan made a motion to appoint Commissioner Hering to the Construction and Demolition Committee, Gattuso second. All commissioners present, approved on 6-0-0 vote. Chair Cofer requested that the item be on agenda for a future meeting to fill the one vacancy left.

**8. Approved Proposed Recommendation No. 20140611003j: URO Enforcement** – Mr. Gedert responded to commissioner questions. Commissioner Gattuso asked for report on compliance on a fairly frequent basis, how many site visits, enforcement actions, letters sent, metrics, etc. Gedert said this could be appropriate for August ZWAC meeting. Commissioner Gattuso agreed and asked if ARR targets apartment dwellers and office workers to inform them that recycling is something they have a right to. Mr. Gedert discussed efforts toward identifying non-compliant entities. Chair Cofer said enforcement is a core competence of the city, it can be done, and is a cornerstone program of zero waste, and asked that ARR please get it done. Motion to adopt the recommendation with “and future budget years” added to the last Commissioner Sullivan made sentence of the language, Commissioner Gattuso second, was unanimously approved on a 6-0-0 vote.

## **July**

**1. Approved Heavy/Light Duty Vehicle and Equipment Purchase** – Richard McHale, ARR, presented an overview of the vehicles involved in the agreement, requested a favorable execution of the agreement and explained the expenditures. The recommendation to execute this agreement was approved on Commissioner Sullivan motion, Commissioner Gattuso second on a 4-2-0 vote, with Commissioners Kazi and Paine absent.

**2. Approved Industrial Clothing, Supplies and Service Agreement** – Elizabeth Corey, ARR, requested a favorable execution of the agreement and explained the expenditures are for uniforms, supplies and alterations to support Austin programs for recycling as well as for multiple other City of Austin departments. Commissioner Paine arrived late and was seated on the dais at 6:42 p.m. Commissioner Kazi arrived late and was seated on the dais at 6:43 pm. The recommendation to execute this agreement was approved on Commissioner Gattuso motion, Commissioner Haring second on a 5-0-1 vote, with Commissioner Paine abstaining.

**3. Approved Trash and Recycling Receptacles Agreement for Downtown Central Business District** –Elizabeth Corey, ARR, requested a favorable execution of the agreement and explained the expenditures are for outdoor trash and recycling containers for Austin’s downtown business district. Chair Cofer asked if these would replace old containers. Vidal Maldonado, ARR Division Manager, responded that they will replace all existing containers in the area, but will convert half of the current ones to recycling containers. Commissioner

Sullivan commented that this was a very positive project and suggested that since transit lanes are moving we may consider that for next phase. Andrew Dobbs, Texas Campaign for the Environment, Austin Zero Waste Alliance, had a concern that the expense per container was excessive and asked that ARR look at local manufacturers for a better price. Commissioner Paine agreed that the price was excessive but acknowledged the design standards. Commissioner Sullivan said these containers were focused on making downtown more pedestrian friendly.

The recommendation to execute this agreement was approved on Commissioner Sullivan motion, Commissioner Kazi second on a 6-0-0 vote, with all six commissioners on dais.

**4. Approved Storm Debris Removal Agreements** – Elizabeth Corey, ARR, requested a favorable execution of the agreement and explained the expenditures are related to events such as the Onion Creek flood that occurred in October of 2013. She described the four firms involved in the bid and the terms and pre-qualifying measures of the agreement. Commissioner Paine asked if this service was only used in the event of disaster. Ms. Corey replied that this agreement was only for backup. Kazi asked if there was a similar contract in the past. Ms. Corey was not aware of one. Commissioner Paine inquired about the unique nature of this service, since there were no local waste haulers involved. Phil Tindall, ARR, described that these RFP's were put out to take advantage of the competitive bidding process that was already established. Commissioner Kazi asked that local haulers be considered for these types of services in the future, and Ms. Corey noted that local haulers were not excluded from this bid. The recommendation to execute this agreement was approved on Commissioner Kazi motion, Commissioner Hering second on a 6-0-0 vote. Commissioner Mariel was absent.

**5. Approved Medical Surveillance Agreement** – Elizabeth Corey, ARR, requested a favorable execution of the agreement, explained the expenditures are for medical testing of employees and described the terms of the agreement. Chair Cofer asked if the tests were drug tests. Ms. Corey replied that they were post-offer, pre-employment tests, to determine, for instance, if an employee could lift a certain amount of weight and baseline measurements of health for later comparison. The recommendation to accept this award was approved unanimously, with all six commissioners on the dais.

**6. Approved Acceptance of EDA Grant** – Natalie Betts, ARR, presented information seeking a favorable recommendation of the acceptance of a grant for the Recycling Economic Development Program. Ms. Betts detailed the FM 812 Landfill site of the [re]Manufacturing Hub and its goals, targeted industries, and details of the award, which is intended to fund water and wastewater infrastructure to the site. Commissioner Paine asked about the permitting process and how companies have not had good experiences in the past with it. Mr. Gedert

answered that this site is actually zoned for the types of activity that has been denied permits in the past, and this is a private industry locale, not one for City of Austin entities. The recommendation to accept this award was approved unanimously; with all six present Commissioners on the dais.

**7. Approved Final Recommendation of Board/Commission Transition Task Force** – Commissioner Sullivan described the objectives and aims of the task force in their review processes in shifting to a 10-1 Council. There were no objections to the current plan and all Commissioners were in support which will be noted as the message directed to the City Clerk.

### **August**

**1. Approved Proposed Revisions to ARR Ordinance and Rules –**

Commissioner Mariel recused himself and was off dais for this topic.

Commissioner Sullivan inquired as to why the Commission was voting again on §15-6-41, §15-6-54, §15-6-56 since it was voted on in May and why couldn't the Commission instead pass the language agreed upon in May meeting to City Council with §15-6-11 and §15-6-13 excised. Mr. Gedert replied that this could be done, cited minor cosmetic changes to §15-6-41, §15-6-54, §15-6-56 and said those could progress forward without ZWAC input, but that this latest review was meant to be a transparent action.

Commissioner Kazi asked specific issue was noted by the Law Department in their review. Mr. Gedert said the previous language did not address issues that Compost Pedallers brought up, and asked the Commission to adapt the hauler portion of the draft ordinance, but to continue to transparently discuss the "city service" network language in §15-6-11.

Commissioner Paine proposed the question of whether it is a logical practice to first make certain haulers technically illegal and then to address issues and violations as they arise with Austin Code Department.

Commissioner Kazi made a motion, seconded by Commissioner Paine, to vote on adopting previously voted-on ordinance draft from May ZWAC meeting, and amends the motion to include new cosmetic changes in current draft. The motion as amended was passed on a 5-0-1 vote, with Commissioner Mariel recused.

### **October**

**1. Elected Commission Officers** – A vote for Chair Cofer to continue as ZWAC Chair was unanimously passed on a Commissioner Sullivan motion, Commissioner Cathy Gattuso second. A vote for Faye Kazi as ZWAC Co-Chair was unanimously passed on Commissioner Sullivan motion, Co-Chair Gattuso second.

**2. Approved Construction & Demolition Materials Recycling Ordinance**

**Intent Document** – Woody Raine, Austin Resource Recovery, presented a draft intent document and slide presentation detailing the process and input from stakeholders that led to the development of the ordinance's intentions.

Commissioners Mariel, Paine and Gattuso discussed the item with Mr. Raine. Commissioner Sullivan inquired about phases and timeline related to the ordinance. Gena McKinley, ARR, discussed a plan to return the issue to ZWAC in November to seek a favorable recommendation after further review of the intent document by Law Department, with a goal to send the item to City Council in December, 2014. Ms. McKinley said the item for Council vote in December will likely be a resolution requesting an amendment to the Land Development Code incorporating the intent of this ordinance. Jessica King, ARR, described the LDC amendment process, which could take 3-6 months.

Commissioner Paine asked for clarification on the path that code revision will take. Ms. King responded that only Planning Commission or City Council can amend the LDC and discusses the framework and methods around the process.

Bob Gedert, ARR, further described the timeline, concepts and processes that were undertaken since 2010 and that he was directed by Council to report back on this ordinance by end of 2014.

Chair Cofer proposed a timeline of diversion increases to get to zero waste regarding this proposed ordinance with full compliance by 2020, and noted that home sizes would incentivize compliance. A motion was made by Co-Chair Gattuso with Commissioner Mariel second, to adopt the draft C&D material recycling ordinance intent document with the following amendments:

Section 1.1 – Add single-family in 2020

Section 1.2 – Add all construction or renovation projects greater than 1000 sq ft by 2020

Section 2 – Rewrite to express the scheme of:

50% & 2.5 lbs/sq ft to begin with

65% & 2.0 lbs/sq ft in 2017

75% & 1.0 lbs/sq ft in 2020

95% & 0.5 lbs/sq ft in 2030

The commissioners discussed market variables, aspirational goal-setting, and influencing and creating marketplaces through ordinances. Chair Cofer acknowledged related pass-on costs, and requested another stakeholder meeting with discussion and review of the phasing schedule described here to be held prior to next ZWAC meeting. With all 6 commissioners present on dais, the motion passed unanimously.

### **3. Approved Tire Recycling Agreement –**

Phil Tindall, ARR, described the procurement process and requests a favorable execution of the agreement. Commissioners and staff continued to discuss illegal dumping activity, bidding processes, and vendor locales impacting carbon footprint in relation to the item. Commissioner Sullivan asked the Commission and staff to think about the definition of “local” in relation to procurement decision-making, and mentioned “regional” as a possibly more suitable term to consider in procurement decisions.

The recommendation to execute this agreement was approved on Commissioner Paine motion, Commissioner Sullivan second on a 5-1-0 vote, Commissioner Kazi opposed.

## **November**

**1. Approved Construction & Demolition Materials Recycling Ordinance Intent Document** – Woody Raine, Austin Resource Recovery, presented a revised draft intent document and slide presentation detailing input from stakeholders since last meeting.

Bob Gedert, ARR, described the materials recovery process that is required in contracts between the City and demolition contractors, noting that what Mr. Dobbs described is possible within the language of City agreements. Mr. Gedert described the process that the Land Development Code amendment process will take and noted an approximate 12 months before it would be complete. Chair Cofer asked if this process could be expedited. Mr. Gedert responded that there could be some opportunities for this.

Commissioners Paine and Sullivan discussed market studies and economic evaluations that will be undertaken to address and examine the entire process and lifecycle regarding the materials involved. Chair Cofer asked when this item would be reviewed by City Council – Mr. Raine answered that December 11<sup>th</sup>, 2014 was the anticipated City Council meeting date.

Commissioner Sullivan made a motion to recommend the proposed intent document, Commissioner Kazi second. The motion unanimously passed with all 6 Commissioners present on the dais.

**2. Approved Final Revisions to Private Hauler Program §15-6-41, §15-6-54, §15-6-56 and Administrative Rules and Compost Diversion & City Collection Services: Proposed Revisions to §15-6-11 and §15-6-13** – Mr. Gedert discussed a document under review that contained stakeholder input and existing code items and changes discussed in previous meetings. Mr. Gedert stated that in his opinion the language proposed delineated and solved any lack of clarity on whom would provide which service.

A motion was made by Co-Chair Gattuso, Commissioner Hering second, to adopt the proposed amendments and changes with inclusion to amend §15-6-13 (D) with “except as provided by rule”. With all 6 commissioners present on dais, the motion passed unanimously.

**3. Approved Heavy Duty Vehicle Purchase Agreement and Vehicle/Equipment Purchase Agreement** - Phil Tindall, ARR, requested a favorable execution of the agreements and explained the terms involved. Richard McHale, ARR, read through a slide presentation describing the equipment being proposed for purchase for 2015 fiscal year, and said that ARR anticipated a review of these items at the November 20<sup>th</sup>, 2014 City Council meeting.

Co-Chair Gattuso inquired about what happens to units being replaced by new vehicles. Mr. McHale responded that other City Departments would get to choose if they needed them and remainder would be auctioned off with the proceeds of that sale returning to ARR

Commissioner Sullivan referenced Complete Streets impact on truck size, and asked if the new vehicles would be the same size as old, noting the Fire Department had bought larger vehicles in the past, with facilities then requiring retrofitting. Vidal Maldonado, ARR, noted that new equipment would be smaller.

Commissioner Paine commented on price of new vehicles being high. Mr. McHale noted that maintenance cost on used vehicles is higher than on new vehicles. Commissioners and staff continued a discussion of cost variables and evaluation on this item.

Ryan Hobbs, TDS, discussed previous purchase discussion from 2012 and asked that restrictions imposed from 2012 be applied with this purchase. The restriction states that the equipment shall never be used for commercial purposes or to provide services to property types not currently served by Austin Resource Recovery. Mr. Gedert agreed with this restriction language.

The recommendation of the agreement noted in item 4b, (Heavy Duty Vehicle Purchase Agreement) with above restrictions included was approved on Commissioner Kazi motion, Commissioner Sullivan second. With all 6 commissioners present on dais, the motion passed unanimously.

The recommendation of the agreement noted in item 4c (Vehicle/Equipment Purchase Agreement) with above restrictions included was approved on Commissioner Kazi motion, Commissioner Sullivan second. With all 6 commissioners present on dais, the motion passed on a 5-1 vote with Commissioner Paine opposed citing a basis that used vehicles be evaluated for this purchase.

**4. Approved Brownfields Professional Services Agreement** – Christine Whitney, ARR, requested a favorable execution of the agreement and described its terms. Chair Cofer asked if this agreement was funded by federal grant funds and what the broad purpose of the expenditure? Ms. Whitney responded that \$400,000 of the funds are from a current federal grant, \$40,000 come from a previous grant, and approximately \$110,000 will come from current ARR operating budget. Ms. Whitney stated that the purpose is to complete environmental assessments of properties in order to redevelop them with the goal of encouraging community benefit and continued to describe the stakeholder process and criteria and steps in evaluation of potential contractors. Ms. Whitney referred to three previous grants from 1998, 1999, 2001 and 2005 and noted that this is a three-year grant.

The recommendation to execute the agreement was unanimously approved on Commissioner Hering motion, Commissioner Sullivan second with all six Commissioners present on dais.

**2. Determine if the board's actions throughout the year comply with the mission statement.**

*(If any of the board's actions were outside the scope of the mission statement, the report should explain the non-compliance issues.)*

The 2014 actions of the Zero Waste Advisory Commission were in full compliance with the Commission's mission statement.

**3. List the board's goals and objectives for the new calendar year.**

*(Make sure the goals and objectives fall within the mission statement of the board/commission.)*

- Master Plan Implementation - The Commission will collaborate with staff by making recommendations to the Austin Resource Recovery Director regarding project implementation.
- Master Plan Implementation - Review and improve communication strategies in all areas of Austin to increase and track recycling rates in all ten city council districts and citywide.
- Master Plan Education - ZWAC will receive regular updates on the interlocal agreement between the City of Austin and Travis County regarding expansion to zero waste initiatives, strategies, benefits and costs.
- Master Plan Implementation - The Commission will consider a Styrofoam ban and make recommendations.

- Zero Waste Economic Development - ZWAC will ask for reports on efforts to attract companies that reuse resources and participate in economic development associated with zero waste goals.
- Universal Recycling Ordinance - The Commission will continue monitor implementation of URO ordinance and rules.
- Producer Responsibility - This ongoing program is a part of the Master Plan. The Commission's Producer Responsibility working group will collaborate with staff by making recommendations to the Austin Resource Recovery Director regarding collaboration with its regional partners to target non recyclable, non-compostable materials or hard to - handle materials across the region.
- Construction and Demolition Recycling - the Commission's C&D Ordinance committee will monitor and report on the progress of the C&D Ordinance Intent Document.
- Food Waste Prevention & Recovery – ZWAC's liaison to Food Shift Austin – an organization focused on the prevention and reuse of waste consistent with the Zero Waste Master Plan will provide updates to ZWAC and ARR staff.
- ZWAC will make recommendations regarding STAR ratings process and procedures as regards to incineration and zero waste goals.
- ZWAC will lead stakeholder input in developing a citywide expansion of organics diversion, collection and composting.
- ZWAC will closely monitor the development and finances of the [re]Manufacturing Hub project.
- ZWAC will work with staff and stakeholders for the contracting of Austin's single stream recycling services.