



Zero Waste Advisory Commission

Regular Meeting Minutes November 12, 2014

The Zero Waste Advisory Commission convened in a regular meeting on November 12th, 2014, at 505 Barton Springs Road, Room 325, in Austin, Texas.

Chair Rick Cofer called the Commission Meeting to order at 6:33 p.m.

Board Members in Attendance: Rick Cofer, Cathy Gattuso, Dave Sullivan (arrived 6:40 p.m.), Faye Kazi, Jeff Paine, and Rachel Hering

Staff in attendance: Bob Gedert, Michael Sullivan, Natacha Delusca, Ron Romero, Donald Hardee, Phil Tindall, Jessica King, Woody Raine, Gena McKinley, Christine Whitney, Amy Slagle, Mike Turner, Vidal Maldonado, Tom Fulmer, Richard Avila, Richard McHale, Dale Johnson, Raymond Benavidez, Erin Benoit

1. CITIZEN COMMUNICATION

No citizens signed up to speak during the opportunity for citizen communication.

2. APPROVAL OF AUGUST MEETING MINUTES

Minutes for the regular meeting of October 9, 2014 were adopted unanimously with a correction of a typographical error changing Eric Goff's last name from Dobbs.

3. OLD BUSINESS

a. Discussion and Action - Construction & Demolition Materials Recycling Ordinance – Intent Document, 2nd Round Review

Two citizens signed up to speak on this item. Eric Goff, Compost Pedallers passed on his time.

Woody Raine, Austin Resource Recovery, presented a revised draft intent document and slide presentation detailing input from stakeholders since last meeting.

Andrew Dobbs, Texas Campaign for the Environment and Austin Zero Waste Alliance, commented that his organizations support this version of the intent document and discussed policies to help spur markets to back up this effort – for instance by working with Planning and Development Review Department to get permits signed by contractors who utilize used materials. He asked that the City require recycling of materials resulting from demolition of City buyouts of properties and that ARR can play a role in educating on these matters. Mr. Dobbs asked that the City work with County, State, UT, etc. to prioritize spurring markets around used materials.

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 11th, 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.

- b. Discussion and Action - Private Hauler Program: Proposed Revisions to §15-6-41, §15-6-54, §15-6-56 and Administrative Rules**
- c. Discussion and Action - Compost Diversion & City Collection Services: Proposed Revisions to §15-6-11 and §15-6-13**

Items 3b&c were taken up together

One citizen signed up to speak on item 3b and 3c together. One citizen signed up to speak on item 3c.

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 who would provide which service.

Eric Goff, Compost Pedallers, discussed adding the clause “except as provided by rule” to the end of the language currently proposed for §15-6-13 (D) to assist in defining how community organics management collectors can operate and noted that any future changes must come through ZWAC.

Adam Gregory, Texas Disposal Systems, thanked the ZWAC and City staff for the process, noting that as long as the ZWAC was approving what he believes they are at this time, and all parties are on the same page, he is satisfied. Mr. Gedert agreed with language recommended by Mr. Goff and acknowledged the professionalism demonstrated by TDS and that if the current documents are approved, the agreement will work for all parties involved.

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.

4. NEW BUSINESS

- a. Discussion and Action - Adoption of 2015 Schedule of Meetings**

No citizens signed up to speak on this item.

The recommendation to approve the proposed schedule was approved on Commissioner Paine motion, Co-Chair Gattuso second. With all 6 commissioners present on dais, the motion passed unanimously.

Items 4b and 4c were taken together.

- b. Discussion and Action - Heavy Duty Vehicle Purchase Agreement**
- c. Discussion and Action - Vehicle/Equipment Purchase Agreement**

One speaker signed up to speak on these agenda items.

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 20th, 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.

d. Discussion and Action - Brownfields Professional Services Agreement

No citizens signed up to speak on this item.

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.

5. STAFF BRIEFINGS

a. Billing Reconciliation Project

No citizens signed up to speak on this agenda item.

Mr. Gedert described the project. Commissioner Sullivan inquired about billing processes and if ARR was the only one with this issue. Mr. Gedert responded that he was not aware of other Departments impacted but that fee separation resulting from the split ARR made from Code Compliance Department was hand calculated for several months before it became automated, was an example of a potential for programming errors that had existed. Commissioner Sullivan and Mr. Gedert continued to discuss past IT issues and billing.

Chair Cofer expressed concern that a memo from August 25th regarding the issue was not reviewed by ZWAC, and Mr. Gedert acknowledged that this was a mistake as he had agreed that memos of this nature would come to the ZWAC. Chair Cofer referenced the memo language regarding procedures adopted in city code that appear to state that back billing is mandatory, and requests that ARR examine the issue with Law Department to gain more information about Law's decision-making process. Chair Cofer stated that asking customers for their money back would be sensitive and does not advocate in favor of this, and asked that due to tight budgets there be an examination of where fault for this mistake should rest in order to prevent future mistakes. Mr. Gedert explained that beginning with October 1, 2014 bills ARR would honor back billing as detailed in the city code, but that the situation described occurred prior to October 1, 2014 impacting customers who were not official City of Austin customers and therefore is outside the scope of the regulation.

Mr. Gedert continued to discuss the issue with the Commission and agreed to review the situation and report back to the Commission at a future ZWAC meeting.

b. Director's Report - Bag Report, Recycling MRF Contract Update, Organics Study Update, Staff Hires and Promotions, Current and Upcoming Job Postings, Statistical Reports and Performance Measures.

No citizens signed up to speak on this agenda item.

FUTURE AGENDA ITEMS

STAR Ratings Update - February

Organics Pilot & City-Wide Expansion Report - January

USBCD/Yale Diversion Report - January

URO Enforcement Enhancement Report - January

Committees & Workgroups Renewals - January

Downtown Recycling Container Audit - February

Recycling Economic Development Program Update - February

Community Satisfaction Survey – February

Mattress Recycling – February

Green Purchasing – April

Safety Update – February

Billing Reconciliation – January

Chair Cofer adjourned the meeting at 7:56 p.m. without objection.