



## **Zero Waste Advisory Commission**

## **Regular Meeting Minutes November 9, 2016**

The Zero Waste Advisory Commission convened in a regular meeting on November 9, 2016, in Council Chambers in City Hall in Austin, Texas.

### **CALL TO ORDER**

Chair Acuna called the Commission Meeting to order at 6:52 p.m.

Board Members in Attendance: Gerry Acuna, Shana Joyce, Heather-Nicole Hoffman, Amanda Masino, Joshua Blaine, Kaiba White, Stacy Savage, Rick Rojo, Kendra Bones, Cathy Gattuso

Staff in attendance: Bob Gedert, Michael Sullivan, Erin Benoit, Jessica Frazier, Jessica King, Richard McHale, Aiden Cohen, Tony Davee, Tom Fulmer, Tom Gleason, Ray Benavidez, Ron Romero

### **1. CITIZEN COMMUNICATION: GENERAL**

One member of the public signed up to speak on this item.

Tyler Markham, Central Texas Food bank, spoke on picking up items not sold by food retailers and expressed a desire to establish outreach to people like farmers in community to work on testing the product. Posting a solicitation on craigslist has worked in the past for outreach. Commissioner Guidry suggested posting to the Austin Materials Marketplace. ARR Director noted he is working with Office of Sustainability on these issues and would be happy to include him in those conversations.

### **2. APPROVAL OF OCTOBER 2016 MEETING MINUTES**

A motion to approve the October 12, 2016 meeting minutes was made by Commissioner Hoffman and seconded by Commissioner Joyce. The minutes from the October 12, 2016 meeting were approved unanimously. Commissioners White and Jampietro absent for the vote.

### **ITEMS FOR DISCUSSION AND POSSIBLE ACTION**

#### **NEW BUSINESS**

**3d. Organics Processing** - Contract for organics processing to accommodate the expansion of the residential curbside organics collection program

Six members of the public signed up to speak on this item. This item was taken up out of order.

Jessica Frazier, ARR, presented the item and asked for a favorable recommendation from the Commission.

Andrew Dobbs, Texas Campaign for the Environment, spoke to the commission regarding concerns with the item, noting challenges experienced with the pilot program using the vendor proposed, and expressing desire to avoid negative press that may come from issues with the vendor being able to manage the volume. Mr. Dobbs asked where the compost will go, where the end product would be marketed and the location of the facility to avoid nuisance issues that might arise.

Commissioner Blaine asked what specific problems he was referencing, and Mr. Dobbs said he had heard of significant litter issues and contamination issues that were mentioned.

Commissioner Blaine asked why Mr. Dobbs did not want the food waste comingled with the yard waste at Hornsby Bend. Mr. Dobbs said the curbside material was higher quality than the waste product used in Dillo Dirt, citing highest and best use is the zero waste standpoint he advocates.

Bob Gregory, Texas Disposal Systems, spoke on the item. Ryan Hobbs and Gary Newton donating time.

Mr. Gregory handed the commission a set of documents and asked that the contract, or at least the RFP responses be made available for review. He noted three locations that the proposed vendor had, and that there was no variance listed in records for one of them. A current location noted is not in Mr. Gregory's opinion large enough to handle the volume involved. He referenced the annotated items he had handed the commission and asked that they consider recommending that Council direct staff to negotiate with TDS, so there is an alternative vendor. Mr. Gregory said his company's existing contract could accommodate the services listed in the proposed contract. Mr. Gregory asked that the commission note the scope of work raises more questions than it answers. He asked that the ZWAC recommend delay of the contract so further review may occur so all options are explored.

Commissioner White arrived at 7:10pm.

Mr. Gedert noted that staff honors rules and policies set forth by the Purchasing Department. He noted that he signed a non-disclosure agreement about the contract. Referencing the comment from Mr. Gregory he did not know of an existing contract the material involved in this proposed agreement could accommodate. Mr. Gedert noted that giving the contract to a non-competitive bidder violates the procurement rules of the city.

Chair Acuna expressed discomfort in not knowing answers to questions and asked the commission to defer the item to January meeting.

Jessica Frazier, ARR, responded to Chair Acuna that this meeting was an appropriate forum to provide questions to utilize in negotiation of the contract, that the bid will stay confidential, but if there are points of concerns staff cannot address those until they receive confirmation from the vendor.

Chair Acuna noted he would like to send questions to purchasing but then have them answered at a future meeting.

Mr. Gedert clarified that they are seeking questions about the current bid and also have questions regarding issues in the final contract, and asked if they could address the bid questions here at the current meeting.

Chair Acuna asked for a time frame to implement in a timely basis.

Bob noted June of 2017 is target launch date with 3 month education campaign in advance of the deployment. A January decision doesn't delay us but a February decision does, and again asked for questions to be raised here in this forum, and if it causes a delay then staff can accept that.

Chair Acuna noted the importance of the program and stated he has concerns about the program. The rate increase of \$5.40 over a period of time raised a concern with him if this contract honors that budgetary figure. Mr. Gedert said it does.

Chair Acuna asked if 2.5 times the material coming in can be managed by a company that has had multiple problems.

Mr. Gedert noted that he could address how staff addresses the contamination issues: with a public education program with specific info learned from the pilot, working on teaching the public what is acceptable and what is unacceptable, and use of routing tools to pinpoint what route section has problems.

Chair Acuna asked what is different now from the pilot. Mr. Gedert noted many different approaches garnered from learned lessons from the pilot.

Commissioner Blaine stated that this was opportunity to give feedback but that this is recommendations on policy which should have occurred at the RFP stage.

Mr. Gedert noted this is opportunity to state what might be included in the contract, that staff have brought these concerns to ZWAC many times and are following concepts and policies brought forth in these discussions. Mr. Gedert believes redesigned education efforts address the concerns raised.

Commissioner Blaine noted that he appreciates the education efforts but this particular item did not come to ZWAC before, and our concerns are related to the details of the contract.

Ms. Frazier stated that some items can be brought forth, but that many items are public.

Commissioner Blaine noted acceptable rate, location, pricing competitiveness and stated that the commissioners aren't being asked to choose from very much here.

After many questions were posed, Chair Acuna suggested the ZWAC members write down questions and go through central purchasing and come back with answers in January.

Chair Acuna said he would entertain a motion to postpone this item until January.

Commissioner Blaine made a motion to postpone review of this item until the ZWAC can get answers to particular questions in advance of January ZWAC meeting. Commissioner Joyce second.

Discussion ended and the motion to postpone was unanimously approved 10-0. Commissioner Jiampietro absent.

The staff liaison noted he would circulate a call for questions and requests regarding the RFP to the group to compile for answers to be provided at the next meeting.

a. **2017 Calendar** - Approve schedule of ZWAC meeting dates for 2017 calendar year

Vice Chair Gattuso made a motion to adopt the schedule, Commisisoner White second. The motion was unanimously approved on 10-0 vote, Commissioner Jiampietro absent.

b. **Committee Assignments** – update current committee assignments

Commissioner Savage resigned and a committee slot opened on the Universal Recycling Ordinance Committee. Vice Chair Gattuso agreed to chair the committee, with Commissioner Bones remaining and Commissioner Rojo joining as members. A motion was made by Commissioner White to accept the changes to the committees as noted, seconded by Commissioner Hoffman. The motion was unanimously approved on 10-0 vote, Commissioner Jiampietro absent.

**3c. Vehicle and Equipment Purchases** – Contract for light, medium and heavy duty vehicles and equipment

Ron Romero, ARR, presented the slideshow and background information on the item and asked for a favorable recommendation from the Commission.

Commissioner Blaine asked about using used vehicles. Mr. Romero noted we try to stay in an 8 year replacement cycle, that ARR has leased vehicles before, and vehicles are turned into Fleet and are auctioned when their life cycle has ended.

The commission discussed cost and life cycle analyses and environmental impact on upstream communities.

Commissioner Rojo discussed E85 fuel. Discussion ended and a motion was made by Commissioner Hoffman, with a second from Commissioner Bones, to recommend approval of the item. The motion was unanimously approved 10-0 with Commissioner Jiampietro absent.

**e. City Facilities Dumpster Collection Services - Contract to provide dumpster collection services for City of Austin facilities to include non-hazardous class 2 waste collections**

Five members of the public signed up to speak on this item.

Andrew Dobbs, Texas Campaign for the Environment, referenced a document given to the commission earlier and spoke on this being another example of staff crafting policy by RFP. Mr. Dobbs cited standards on environmental performance, emissions, and landfill concerns. Mr. Dobbs said he hoped the commission would not recommend the agreement.

Bob Gregory, TDS, spoke on the item with donated time from Adam Gregory, Ryan Hobbs and Gary Newman. Mr. Gregory was granted 12 minutes of speaking time to no objection from the Chair or commissioners. Mr. Gregory referenced a document earlier provided to the Commission.

Mr. Gregory noted that this was not a broad RFP, rather a policy setting attempt. Mr. Gregory noted how the contract has sections in it that allow for an expansion of the control the city has over the solid waste industry in Austin, and asked that the commission vote to deny this item.

Jessica King, ARR, answered questions from the commission on city events, waivers provided in some instances, and stated there is no intent to provide service to all events in this city, rather there is an attempt to provide the option to use the city services if requested.

The commission and staff and Mr. Gregory discussed city sponsored events, special events rebate, and how other contracts work and options to award the contract to the detriment of competition.

Commissioner Joyce asked about Commissioner Savage's question that there was not a stakeholder process on this.

Ms. Frazier noted that this forum is the public meeting for discussion of the item.

Commissioner Savage asked how does the "everyday Joe" know about this? Ms. King noted that commissions and council serve as the public forum for these discussions.

Commissioner Blaine made a motion to not recommend the item based on rationale in a recommendation to accompany the motion, Commissioner Bones second. The motion was unanimously approved 10-0, Commissioner Jiampietro absent.

A friendly amendment was made by Commissioner Masino and accepted by the maker of the original motion Commissioner Blaine, to add rationale language to the reason for not recommending the item. Commissioner White noted that she abstained from voting on the points made in the rationale.

The following reasons were listed for not recommending the proposed agreement:

- Lack of diversion policies/goal
- Inclusion of the Austin Energy waste which is problematic for reasons that date back to original version of the contract rejected by Council
- Expansion of services
- Tripling of cost
- Lack of information about location of the landfill
- Lack of information about carbon footprint
- Concern about the impact of special events services

### **3. STAFF BRIEFINGS**

- a. **Universal Recycling Ordinance Update** – staff noted due to lack of time that they could present at a later date

One speaker signed up to speak on the item. Andrew Dobbs, Texas Campaign for the Environment, thanked staff for their work on the Universal Recycling Ordinance. Commissioner Hoffman made a motion to extend the meeting thirty more minutes. The motion received no second, and discussion of the item ended.

- b. **Director's Report** – Office of Performance Review Update, [re]Manufacturing Hub Update, City Hall Organics Pilot, Parks Recycling and Composting, City Council Actions, Statistical Reports and Performance Measures

## **5. FUTURE AGENDA ITEMS**

### **ADJOURNMENT**

A motion to adjourn the meeting was made by Commissioner White, seconded by Commissioner Bones, and the meeting was adjourned by Chair Acuna at 10:27 pm to no objection.