



## **Zero Waste Advisory Commission**

## **Regular Meeting Minutes October 10, 2018**

The Zero Waste Advisory Commission convened in a regular meeting on October 10, 2018, in Council Chambers in City Hall in Austin, Texas. The following are the meeting highlights. For detailed information, please visit [http://www.austintexas.gov/cityclerk/boards\\_commissions/meetings/97\\_1.htm](http://www.austintexas.gov/cityclerk/boards_commissions/meetings/97_1.htm).

### **CALL TO ORDER**

Chair Acuna called the Commission Meeting to order at 6:35 pm.

**Board Members in Attendance:** Gerry Acuna, Cathy Gattuso, Amanda Masino, Joshua Blaine, Melissa Rothrock, Jonathan Barona, Heather-Nicole Hoffman, Blythe Chriostopher de Orive (Left dais at 8:48 pm), Phil Howry. Kaiba White joined the dais at 6:39 pm.

Absent are: Kendra Bones.

**Staff in attendance:** Sam Angoori, Tammie Williamson, Richard McHale, Gabriel Gonzalez, Armelle Ouedraogo, Gena McKinley, Woody Raine, Jason McCombs, Ron Romero, Amy Slagle, Elizabeth Flores, Victoria Rieger.

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

#### **Item 1**

No citizens signed up to speak.

### **2. APPROVAL OF FEBRUARY 14, 2018 MEETING MINUTES**

#### **Item 2**

Commissioner Howry proposes a friendly amendment to change “sales tax” to “State sales tax revenue” in item 6C. A motion to approve the August 8, 2018 meeting minutes was made by Chair Acuna. Commissioner Hoffman moved for approval, Commissioner Howry seconded on an 8-0-1; abstention made by Commissioner Barona.

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

### **4. NEW BUSINESS**

#### **4a. Joint Sustainability Committee**

Commissioner Rothrock volunteers for the Joint Sustainability Committee. Chair Acuna moves for approval, Commissioner Gattuso seconds on 9-0-0, unanimous vote. Commissioner White and Bones absent.

### **3. OLD BUSINESS**

#### **3a. Council Working Group – Progress Report on the Parks Recycling Task Force**

Andrew Dobbs, TCE, chose to speak on this topic.

Commissioner White reports that Council had not yet approved the budget and \$2 million dollars was allocated to 2019 for recycling to be added to Park and Recreation facilities. Commissioner White also stated an RFP will be needed to have a recycling contract for this project. Commissioner White noted that it is a 2-year implementation plan and that there is no funding for staff to assist, but she believes that ARR staff will be assisting.

### **4. NEW BUSINESS**

#### **4b. Landfill Gas Collection RCA**

Richard McHale, ARR, seeking ZWAC recommendation to authorize a contract with Conrad Schmitt which will provide landfill gas collection services, control system operation maintenance, and repair services. A 5 year contract for a total of \$1 million. Commissioner Howry asks Mr. McHale if the contract was competed for; Mr. McHale responds that there were two bids.

Chair Acuna entertains a motion. Commissioner Masino moves for approval, Commissioner White seconds. Vote is 8-1-1. Against vote made by Commissioner Howry; and an Abstention vote made by Commissioner Barona. Commissioner Bones absent.

#### **4c. Hornsby Bend Bio-Solids RCA**

Andrew Bosinger, Synagro and Adam Gregory, TDS chose to speak on this topic.

Danielle Lord, Austin Water Utility (AWU), and Judy Musgrove, AWU, announce they are here to answer any Commissioner questions.

Commissioner Gattuso asks Mr. Bosinger how the current proposal is different from the last two proposals. Mr. Bosinger explains that it is an Invitation For Bid (IFB) and the requirements were listed in the contract.

Commissioner White asks staff why the TLM contract was given away. Ms. Lord states that staff looked at the protest by TLM and advised that there was no reason to hold up the process, but cannot speak to the specifics that happened, but it was public knowledge that the contract was inadvertently released. Commissioner Orive inquired that since it was a RFP, it was not against the law to release the contract to

a competitor. Ms. Lord responded that she does not know the law to give a proper response, but there were no pages marked as confidential.

Commissioner Gattuso asked AWU staff if they knew this was a complaint before coming to the meeting. Ms. Lord responds yes. Commissioner Gattuso asks in the future that if a similar event occurs, to have the corresponding staff write an explanation. Ms. Lord said she'll offer the suggestion.

Commissioner Blaine asks for the precedent of releasing of a RFP to a competitor. Ms. Lord responds that there was no determination to stop the process. Assistant Director Daryl Slusher, AWU, says it was an inadvertent release of information.

Commissioner Barona asks about the cost savings for ARR's grinding. Ms. Lord, says they consulted with ARR and those services were not included in the IFB. Chair Acuna asks if ARR is compensated for the grinding. Ms. Musgrove, says that it is a cooperative agreement between AWU and ARR. Commissioner White for ARR staff to speak on the grinding.

Mr. McHale said ARR has done the grinding at Hornsby Bend but there is no charge to AWU for the service since they are assisting in taking care of yard waste. Commissioner White asks if there is a cost to ARR, Mr. McHale says there is a cost in operating the equipment. Commissioner White asks if there would be less money spent for grinding. Mr. McHale said that City decided to take over the grinding.

Commissioner Howry inquiries about the RFP process. Ms. Lord says that Synagros pricing were released, the second RFP was released but cancelled due to the release of inadvertent release of information. Commissioner Howry says that the integrity of process has been violated. Commissioner Howry proposes to reject the current offer and include a new scope of work. Ms. Lord said that for this IFB, an entirely new scope was offered.

Commissioner White motions that the commission recommends to Council to hold off on moving forward with the contract until the body can receive more information from purchasing by having them attend the meeting to answer these question to gain understanding. Commissioner Blaine seconds. Commissioner Gattuso offers a friendly amendment: wants information as to how the cost of grinding fit in.

Ms. Musgrove says that contract needs to be in place because the funds are running out from the current contract.

Chair Acuna asks if it is possible to bring this item to the November meeting. Mr. Slusher, says this item is scheduled for the November 1<sup>st</sup> meeting, but council can consider the motion.

Commissioner White motions that the commission recommends to Council to hold off on moving forward with the contract until the commissioners can receive more information from purchasing by having them attend the meeting to answer these question to gain understanding. Commissioner Blaine seconds. Commissioner Gattuso offers a friendly amendment: wants information as to how the cost of grinding fits in to the contract. Vote: 8-0-2; Abstentions made by Commissioners Barona and Hoffman. Commissioner Bones absent.

#### **4d. Landfill Criteria Matrix RCA**

Marisa Perales, FPAR; Lauren Ice, District 1 Citizen; Roy Waley, Austin Sierra Club; Melanie McFee, Barr Mansion; Steve Shannon, Waste Connection; Gary Newton, TDS; Bob Gregory, TDS; Adam Gregory, TDS; Robert Kier, Robert Keir Consulting; Andrew Dobbs, TCE; Rajiv Patel, TDS/Greenthink; chose to speak on this topic.

Presentation by Sam Angoori, ARR. Mr. Angoori advised that drafted documents were sent to stakeholders on August 13<sup>th</sup>, and staff received some comments. Mr. Angoori advised that the information that is being presented to ZWAC will also be presented to Council. Council will make the final policy decision on the Staff recommended Landfill Criteria RCA.

Mr. Angoori discussed several options: Stakeholder Version, City Staff recommendation, a combination of the two matrices, take no action, or go for a bid. This criteria is going to Council on November 15th.

Commissioner Barona would inquired about missing criteria from the Stakeholder document that has been omitted on the Staff version. Richard McHale, ARR, advised that there are sticking to the scope and added recommendations from the working group members for landfill calculations. Mr. McHale advised that the document will be updated periodically.

Commissioner Blaine is concerned that Staff omitted stakeholder concerns, city demographics, and landfill histories. The purpose of the matrix is to make sure that the stakeholder's needs are being met. Commissioner Masino has concerns about some of the legal ramifications of the matrix. Commissioner Gattuso wanted to know if they have reviewed any recommendations like what TDS proposed. In 1999 there was a report that the city paid for and she believes it was not considered in this process. Mr. McHale advised that it was not part of the requested scope. Commissioner Gattuso is not comfortable with either matrix and recommended not to move forward.

Commissioner Acuna entertains a motion to extend 30 minutes. Commissioner Hoffman motions to extend meeting another 30 minutes, Commissioner Blaine seconds on an 8-1 vote. Against vote made by Commissioner White.

Chair Acuna entertains a motion. Commissioner Blaine moves to reject (not approve) all the matrices. Commissioner Howry seconds. Vote: 6-1-2. Commissioners: Howry, Blaine, Rothrock, Gattuso, Masino and White vote in favor of the motion. Commissioner Hoffman votes against the motion. Chair Acuna and Commissioner Barona abstain. Commissioner Orive left the dais at 8:48 pm. Commissioner Bones absent.

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

### **5. STAFF BRIEFINGS**

#### **5a. Director's Report**

Sam Angoori, ARR, suggests that the Director's Report move to November. Chair Acuna decides to move the Director's Report to November along with the Affordability Study.

### **6. FUTURE AGENDA ITEMS**

Affordability Study.

**ADJOURNMENT** A motion to adjourn the meeting was made by Commissioner Howry seconded by Commissioner White on a unanimous decision. The meeting was adjourned by Chair Acuna at 10:18 pm to no objection (Unanimous).