



## **Zero Waste Advisory Commission**

## **Meeting Minutes**

**May 15, 2020**

The Special Meeting of the Zero Waste Advisory Commission convened through Video Conference on Friday, May 15, 2020, due to COVID-19 Disaster Declaration for all Texas Counties. 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 10:03 a.m.

**Board Members in Attendance:** Gerry Acuna, Cathy Gattuso, Ian Steyaert, Kaiba White, Lisa Barden, Amanda Masino, Jonathan Barona, Melissa Rothrock

**Absent:** Melanie Scruggs

**Staff in attendance via WebEx:** Ken Snipes, Jaime Germany Terry, Victoria Rieger, Gena McKinley

**Staff in attendance over the phone:** Tammie Williamson, Richard McHale, Mike Turner, Brent Paige, Andy Dawson, Marcus Gonzalez

**Speakers:** Adam Gregory Item 2b. Discussion and Action-Collections in the Central Business District RCA

Jeffrey Jacoby Item

Chair Acuna opened with comments,

### **1. APPROVAL OF FEBRUARY 19, 2020 SPECIAL MEETING MINUTES**

Vice-Chair Acuna entertained a motion. Commissioner Amanda White moved for approval. Seconded by Commissioner Cathy Gattuso. Item passed Unanimously

### **2. NEW BUSINESS**

#### **2a. Discussion and Action—ZWAC Officer Election of 2021 officers**

Chair Acuna thanked Commissioner Gattuso for being Vice-Chair and the entire Commission for support.

Chair Acuna entertained a motion. Commissioner Masino moved for approval of Commissioner Gerry Acuna as Chair. Seconded Commissioner Gattuso Chair Acuna stepped back to allow Commissioners to vote. Vice-Chair Gattuso to over for voting. Motion approved Unanimously

Chair Acuna motioned and nominated Commissioner Gattuso to remain as Vice-Chair. Seconded by Commissioner Kaiba White. Item approved Unanimous

## **2b. Discussion and Action-Collections in the Central Business District RCA**

Victoria Rieger, ARR, presented the item. We are seeking the favorable recommendation of a multi-term contract with Texas Disposal System Incorporated to provide trash and recycling and organics collection services for the Central Business District, as well as provide services for daily cleanup and maintenance of alleys in the service area for up to five years for a total contract amount not to exceed 8.3 million.

Adam Gregory, TDS discussed the same request as the Residential Dumpster Contract back in February, for the Commission to recommend approval of the CBD Contract while recommending the Council reaffirm their rejection of the Landfill Criteria Matrix as you unanimously voted to do for the Residential Dumpster Contract. Previously staff requested to seek council approval of the LCM through the solicitation process. The CBD contract is the last remaining solicitation that incorporates the LCM. It's the last contract that could be used by staff to achieve Council approval of the LCM through the purchasing process. ARR staff issued a memo regarding the Residential Dumpster Contract. Mr. Gregory stated they hope that staff will issue a similar memo that applies to the CBD Contract. They are requesting that staff provide a similar memo that applies to CBD contract and clarification and hope that the Commission will make a recommendation consistent with all of their past votes regarding the LCM and include in that recommendation the caveat that approval of the CBD contract in no way affect the approval of the LCM. Mr. Gregory also acknowledged that he would answer any question regarding the proposed CBD contract.

ARR staff acknowledges that the matrix does not currently reflect the Council's policy and that ARR does not intend to apply it without further direction.

Commissioner White raised the question making sure that Council approved the last contract, explicitly stating that it did not constitute for approval of the Landfill Matrix?

Adam Gregory, TDS stated the Council did not give that specific instruction but only because, before their vote, the staff issued a memo. They are hoping staff issues similar memo for the CBD Contract, then the Council won't have to act. Absent of that clarification from staff, for this contract, Council will need to give direction.

Commissioner White asks, is this staff's interpretation as well? If this contract is approved without an additional memo from staff or statement from Council, that the Landfill Matrix is approved or whether that previous memo applied to these contracts in general?

ARR Director Ken Snipes responds, in general, I wouldn't say that it applies. We plan to address the Landfill Criteria Matrix at an upcoming meeting and more detailed plans on the Landfill Matrix.

Commissioner White commented, let's say that Council adopts approved this contract. Is the matrix approved?

ARR Director Ken Snipes asks Richard McHale to respond: Their approval of the contract would not mean they are validating the Landfill Criteria Matrix.

ARR Director Ken Snipes states we will follow-up and get back to you on that question.

Chair Acuna asks for other questions.

Speaker Jeffrey Jacoby—Greets Commissioners, and states over the course of the coming months there will be numerous challenges including the format of these meetings. He appreciates the Commissioners' service. With a shared vision for the City of Austin, now it's clear that plotting the course forward with immense challenges including the budget. With the vision and leadership of the people on the Commission, we will move the environment forward, including myself and the Texas Campaign for the Environment.

Point of Clarification by Commissioner White: Staff said you were come back to this item, during this meeting or another day?

ARR Director Ken Snipes responds during this meeting.

Commissioner White requests to postpone the item until an answer is provided to the question.

Chair Acuna acknowledges the request and asks to defer the item.

## **2c. Discussion and Action-Budget Presentation: Clean Community Fee & Organic Challenges-Presentation by ARR Staff**

Victoria Rieger, ARR, started the presentation by acknowledging Brent Paige, ARR, and Budget staff. Discussion follows on ARR's overall process, key performance indicators, 5-year forecast, a summary of residential rates, forecast in the Capital Improvement Program, the Clean Community Fee, and proposed current year budget amendment.

The City's budget timeline is compressed this year with the passage of Senate Bill 2, capping on property taxes (this doesn't apply this year). The ARR proposed budget was submitted May 8th and will go to Council July followed by budget readings in August

Key Performance Indicators represent the past three years of results and projections for where we expect to land at the end of this fiscal year. We expect performance in these major areas to remain stable in the upcoming budget year. We are proposing a slight uptick in our Diversion with the full implementation of the Curbside Compost Collection Program,

The high-level summary of our forecast budget starting with our current fiscal year 20 at 102.2 million. We plan to go to Council early next month with a budget amendment for the Clean Community fee. Operating impact is 1.7 million, cost drivers are an additional 2.1 represents cash funding, capital needs such as fleet replacements and fuel maintenance. This also includes plans to co-locate administrative and management staff to the technology center in South Austin.

The 5-year forecast includes an increase to base rate when the Curbside Compost Collection program was approved by the Council. The estimated costs of the program are around 4 dollars per month. ARR delayed increasing rates until the program was fully implemented. The forecast budget includes a \$4.25 increase to the base rate to fully fund the program. ARR used our ending balance for the past several years to fund the program. As its fully implemented we plan to propose an increase in the base rate to cover ongoing expenses.

In FY21 we're forecasting 11 new FTE's with a cost at approximately \$800,000 over next for years. An important area to highlight is the impact of our forecast rate increase for FY21 will balance our budgets.

Residential rates comprise 97% of total revenue. A cost of service is performed every year, with an in-depth analysis performed every three to five years. The last in-depth analysis was performed in 2019. With the completion of the Curbside Compost Collection program ARR is going to increase the base rate and through smaller incremental increases over a five-year forecast to maintain a balanced budget. ARR will join the Customer Assistance Program by offering eligible customers on lower fixed incomes participating in a certain state, federal, or local assistance programs. A monthly discount of \$5.10 or equal to the cost of a 32-gallon trash cart. We estimate 6% of customers should qualify for the program and impacts FY21 budget by about \$700,000

Our Capital Improvement plan includes \$14 million in spending over 3-5 years ARR CIP plan is largely devoted to ongoing purchase of vehicles and equipment and completion of the Vehicle Fleet Technology Upgrade spending on new and replacement vehicles expected to range from 11.6 to 14.8 million per year.

The Clean Community Fee funds litter and nuisance abatement, street cleaning, household hazardous waste, and the implementation and enforcement of the URO. It's billed to all residential and commercial customers in the city including apartment complexes and multifamily customers. In FY20 ARR proposed a decrease in the Clean Community fee but Council decided to maintain the Clean Community Fee at its current level. We propose to amend this year's current budget to utilize the Clean Community Fee funds to expand programs within the department and form partnerships with other city departments. This will go to Council June 4<sup>th</sup>.

Chair Acuna opens the floor for questions.

Commissioner White asks the question: Would the budget amendment be an increased Clean Community Fee, or would it just be an amendment that would direct the funds elsewhere potentially?

Victoria Rieger, ARR states: The amendment does not increase the Clean Community Fee. We proposed to decrease the fee, Council chose to not decrease the fee. The amendment is to put those funds to use.

Commissioner White asks a follow-up question: Is it the departments finding that the funds currently being collected are enough to meet all the needs throughout the city?

Victoria Rieger, ARR states: Yes, the current level of the Clean Community Fee does meet the current need. If additional citywide needs are proposed and we have a need to raise the rate, we'll look at that. The forecast does not include an increase to the Clean Community Fee currently.

Commissioner White asks a follow-up question: When you say meet the need, how are you defining the need?

Victoria Rieger, ARR states: As we develop partnerships and enhance partnerships with various departments and things come up, these are identified not by us but by other departments. If we keep the lines of communication open with partner departments, we can potentially provide funding or assistance in other areas.

Commissioner White states: The Clean Community Fee is charged to commercial customers but when I have called in about trash issues that happen to be in front of commercial properties I've been told that there is no service provided in front of commercial properties (other than street sweeping).

ARR Director Ken Snipes responds: As I understand the questions there are guidelines about where the city can clean litter and we are not allowed to go on private property to clean.

Chair Acuna asks for other questions.

Commissioner Steyaert asks: Why did the estimate for FY20 drop to 80% of URO affected properties reporting access to recycling for employees and tenants? Maybe I'm not understanding the difference between estimated and amended.

Gena McKinley ARR asks to repeat the question

Commissioner Steyaert clarifies: The estimate of 80% of URO affected properties reporting access to recycling for employees and tenants, why is there an estimated drop of 5% or so and what does the amended number mean in this case?

Gena McKinley, ARR responds: These are our performance metrics related to the Universal Recycling Ordinance and the number you see is the percentages based on the number of properties that are reporting access. That access is reported through their annual diversion plan. Historically our target is 85%. Of course, we want to see 100% but there are several factors for the reason businesses come and go change. We are constantly trying to make sure that all affected properties understand what compliance means and what the requirements are of the Universal Recycling Ordinance. The reason we estimate a little bit lower is related to the pandemic. Right now, it is when we would see that uptick. We're currently a little over our target. The number I got was 81.6% of properties reporting access. We are doing well, and we still may exceed and hit our target, but that's the reason for the drop this year.

Commissioner Steyaert responds I didn't realize it had been updated with the pandemic already so that's great.

Commissioner Gattuso: With the Community Fee since it also funds URO does that stay intact the way it was before? Do the partnerships take away money from the URO?

Victoria Rieger, ARR responds: It should stay the same we are not proposing any changes to funding for the URO.

Commissioner Gattuso asks: And, the pilot we never got to put in place for multi-family. DO we have the money for that?

Gena McKinley, ARR responds: We do plan to proceed with that pilot in the next fiscal year and have planned for that as soon as we can.

Commissioner Gattuso states Good news.

Commissioner Amanda White asks the question: One question about the 11 FTEs that were planned for, could you give more detail on where the FTE's are going to what divisions or departments?

Victoria Rieger, ARR responds 6 for the Curbside Compost Program.

ARR Director Ken Snipes responds 6 for the Curbside Compost Program. We didn't have the program fully implemented at the time so now we're catching up to the service, to be able to collect those materials. The other half of the positions are for various needs in the department that have needed to take place over time. One position for HR. They've had an employee request for 5 years or more. Other positions would help with other litter abatement activities. I do not have the breakdown in front of me, but we will get that back to you shortly.

Victoria Rieger, ARR provides clarification: We have 11 positions most of those are going to the Curbside Compost program. They are all Operators or Operator Seniors. Also, one person to add to our CARTS program to also keep up with the Curbside Compost Program.

Chair Acuna asks the question: I'm assuming if the forecast includes some of the challenges we are facing today as far as major increases in delinquencies. Some of the other departments have already reported less revenue coming in, greater consumption. I'm assuming our forecast ludes those possible challenges.

Victoria Rieger ARR responds: The forecast was developed early in the calendar year due in February. This was before the current situation with the pandemic. We have since updated our forecast number with the submission of the proposed budget recently submitted in May. Once the proposed budget makes it to Council, you'll see a slight decrease in revenue. The department is waiving fees for extra trash and that's less than a million-dollar impact to the department. In terms of other financial impacts of the pandemic, a lot of the expenses that were incurred now or unbudgeted we don't have anything in the budget. We don't have a budget for a future pandemic, but we have money in the budget to cover existing needs.

Chair Acuna asks: And the money that's in the budget are those what we identify as the ending from previous years that we would use to fund any unforeseen needs?

Victoria Rieger, ARR responds: Yes, correct, and to speak to the bad debt that we expect, we were notified that we will see some additional uncollected accounts. We expect to be able to cover that with our ending balance.

Chair Acuna asks: Of the 170 million that COA was able to receive from the federal government will ARR receive any of that?

Victoria Rieger, ARR responds: The budget office will go to Council on the 21<sup>st</sup>. they've identified 3 areas of funding we have not been notified that we will get any of those funds.

Chair Acuna asks: Will the funds or future items that will be divided up later?

Victoria Rieger, ARR responds: That's correct.

Commissioner Amanda Massino asks: In terms of pandemic response, do you get your PPE does that come from another city department, or does that come from ARR Budget?

ARR Director Ken Snipes responds: The city set up the protocol that all PPE would travel through the Emergency Operation Center. Any PPE that the city receives goes through that center. Then we submit our needs and we receive PPE. That was put in place when N95 masks were an issue. That's settled down to some degree so that front line workers who were most in harm's way would get those items first before the other departments did. We had some PPE items, hand sanitizers, and some things we have in our normal supply. To answer the question certain items do go through the Emergency Operation Center.

Commissioner Amanda Massino asks: You don't have to budget for them because that's considered or is the city covering that expense?

ARR Director Ken Snipes responds: We are working through the cost structure for that. Any charges associated with the pandemic would qualify for reimbursement.

Commissioner Amanda Massino asks: Have they given you a timeframe when those expenses will be reimbursed for financial reasons?

ARR Director Ken Snipes responds: Not yet

Chair Acuna asks: Any other questions

Chair Acuna asks: Can you give us an update on the timeline, in July we're going to present this to Council. What is our opportunity to respond to this? How can we make adjustments, or will we be able to make adjustments to the budget forecast or the budget?

Victoria Rieger, ARR responds: What we submitted on May 8<sup>th</sup> will stay the same unless something major happens between now and then. The Budget office does base on the work sessions they have with the Council after the budget is presented to them in July. It's possible that the Council may not want to see a rate increase or maybe something less. That will impact our numbers. Between now and August, numbers will always change hopefully not substantially. It is at the will of the Council after July.

Chair Acuna responds: You've done a good job with the preliminary presentation.

Chair Acuna raises Point of Clarification: Do we have 15 additional minutes? If we are done with item 2C with the budget presentation with the understanding that future questions will be addressed through email and staff communication.

ARR Director Ken Snipes requests to respond to Commissioner White's questions, that council's approval of the CBD does not constitute the will of events.

Chair Acuna: We are looking for a motion to approve Item 2B the RCA contract approval for the Central Business District Commissioner White moved Commissioner Steyaert 2<sup>nd</sup>. Unanimous

### **3.STAFF BRIEFINGS**

#### **3a. Director's Report: ReVerse Pitch, and ReCollect App, Chair and Fleet FY20**

ARR Director Ken Snipes introduces Gena McKinley, ARR. She gave a summary of the ReVerse Pitch and ReCollect App. Detailed information can be found in the Director's Report. We were able to move forward virtually with our ReVerse Pitch competition. large attendance online for our final pitch event on April 27<sup>th</sup>. You have the details of the two winners. We're excited to see where their companies go. We had a kickoff meeting with both winners last week to go over the details and requirements of the prize. The first group will be making recyclable planters out of records from a local record shop. The second group will be making collapsible helmets from a handful of different materials that were pitched PVC, PVC sandals from the Travis County Jail, and some fabric samples from the International Interior Designers Association of Austin. We are excited to move forward with the two businesses.

The Austin Recycles App can download from both Apple and Google. You can verify the schedule, ask questions on how to dispose of materials, and play a game. The tool is a great way to connect with customers directly

Director Ken Snipes: We will hold off on the Fleet discussion in the interest of time.

### **4.FUTURE AGENDA ITEMS**

C&D Working Group Sub Committee, The URO Multi-Family Pilot Update, Landfill Criteria Matrix, and Plastics in Waterways any other ideas please speak up.

Commissioner Kaiba White asks: I would like to get a briefing on the Clean Community Fee Analysis before it goes to Council.

Chair Acuna states: I think that's going to be part of the overall budget discussion.

Chair Acuna: Speaking for Commissioner Gattuso was wanting to put a hazardous waste discussion back on the agenda also. Talking about the reopening plans and future expansion of HHW

**ADJOURNMENT** Chair Acuna entertains a motion to adjourn the meeting. Commissioner White moves for adjournment. Seconded by Commissioner Steyaert. The meeting was adjourned by Chair Acuna at 11:38 am.