



Subject: Universal Recycling Ordinance Phase 2 – Administrative Rules Development
#11 Stakeholder Group Meeting – Mobile Food Vendors, Mtg. 2 of 2

Date: December 4, 2013 2 p.m. – 4 p.m.

Location: Austin City Hall, Room 1029; 301 W. 2nd St; Austin, TX 78701

Introduction

Austin Resource Recovery held a second stakeholder meeting intended for mobile food vendors to discuss the Universal Recycling Ordinance (URO). The purpose of this meeting was to educate stakeholders about the ordinance, to learn about recycling and food waste diversion in the food service industry, and discuss solutions to challenges with current requirements of the URO.

Stakeholders introduced themselves and provided brief information about their business and current experience with recycling and composting. Staff walked meeting participants through the meeting agenda and transitioned to the education component of the discussion.

Introductions

Participating Stakeholders shared their names and information about their business and experience with recycling and diversion of compostable materials. Please note, stakeholders who entered the conversation after the introductions took place are not noted below:

- Delario Flores – Ricos Taquitos, mobile food trailer utilizes two permanent containers from the City for trash and recycling and does not produce a lot of trash, just tacos.
- Felipe Suarez – Elisas Tacos, Uses two containers for trash and recycling from the City. It is not that much; it is just a small truck in the Williamson County area.
- Darien Clary – Austin Community College; Interested in learning about the requirements for mobile food because they have a lot of events.
- Marcus Elliot – Code Compliance, head of the Licensed Hauler program
- Gena McKinley – ARR
- Jason McCombs – ARR
- Matt Dowd – Watershed Protection
- Ryan Hebrink – Watershed Protection, Pollution Prevention and Reduction
- Alex Renc
- Heather Nicole Hoffman – Compost Coalition
- Ryan Hobbs – TDS
- Marie – Taqueria, two containers for trash and recycling
- Sara Kailer – Balcones Recycling
- Roger Chan – Food Trucks, provides food to bars, all wrapping is recyclable or compostable
- Ed Shuman – South First Food Court, utilizes the City's services for recycling and trash
- Cis Myers – Quick Service Food Industry





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- Stakeholder – Commissary kitchen owner
- Candelaria Zapata – Taco trailer, 969 and Nixon, starting up the business and would like to understand requirements
- Maria Duran – Small food trailer interested in learning more about recycling. They take the recycling and water to the commissary. The commissary is also a restaurant.

Summary of October 16 Meeting and Proposed Solutions

Staff provided an overview of the previous Mobile Food Vendor meeting to stakeholders

- Discussed how waste was managed in variety of mobile food settings. Some dispose of waste at commissaries, some dispose on-site, some take waste directly to a landfill.
- Discussed current challenges with conflicts in City Code.
- Three solutions presented at the previous meeting included: 1) Signed agreement with property owner to utilize waste containers; 2) Transporting waste to a commissary kitchen, 3) Contracting directly with a service provider

Mobile Food Vendor Experience with Recycling, Composting, and Materials Disposal

Stakeholders shared questions and comments on materials disposal

- Quick service food does not deal with commissaries. There is very little waste, it comes in pre-prepped, the profit margins are very small, there is not a lot thrown out. The food leaves the site.
- In the quick service food industry it is difficult to hold the consumer/customer accountable, people are taking goods and consuming them somewhere else.
- Private citizens should be held responsible for recycling.
- There is no composting in quick food service business.
- Compost Coalition worked with a sandwich shop and a coffee shop that do not generate a lot of compostable waste. Composting can work on a small scale with one 5-gallon bucket a day per business.
- Bananarchy food trailer has a composting service, unsure if they pay for it, they have a can and someone hauls it.
- Some of the smaller generators are being serviced by Compost Peddlers.
- Public-private partnership could be researched to help with recyclable and compostable packaging. The City could maintain an online shop for vendors to purchase materials at a discounted rate through bulk purchasing.
- Current code does not reference a composting requirement for mobile food vendors, it should be a food waste diversion requirement.
- Health Code prohibits onsite storage and waste containers must be attached to the vehicle
- The City should provide a variety of options for waste diversion and should not narrow solutions
- The recycling plan should adjust to businesses for individual requirements
- It is going to be more expensive the less waste you have, putting containers all on one site or putting multiples with coordinated times and containers could help reduce cost.





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- City has created an underground business with commissaries. Many mobile food vendors are registered as using a commissary but are not actually using it. The commissary is not an easy solution.
- Food court owners have to sign annual contracts and the trailers come and go throughout the year. The owner is still responsible for paying for the service when the trailers leave. service
- Most commissaries are receiving more money than they are servicing.

Conflicts with City Codes:

- Staff should revise current code with the Legal Department and see how the Code should be changed; the discussion should be changing the Code.
- There is precedence for overriding what the state says; we need a stakeholder process before discussing state law.
- The current code does not recognize the mobiles that sit in one spot; the closest city with a similar situation is Portland, Oregon.
- The City raised the costs on mobile food courts.
- The mobile “mobile” type of vendor cannot be on public land, they have to be on private land.

Proposed Solutions to Current Challenges

Staff asked stakeholders to comment on three proposed solutions for trash, recycling and organics diversion services. Do you think that one or more of these options would work? If so, which ones do you like the most? If not, what is another way?

1. Signed Agreement with Property Owner
2. Commissary Kitchen
3. Contract Directly with Service Provider

Stakeholders shared the following ideas and solutions:

- A signed agreement with the property owner; commissary would be good for those that want to use a commissary, but they would need to use it well
- An additional option might be creating zones to serve as drop spots for waste. Zones could be developed by geography instead of by businesses and the zones could have a regular service schedule.
- One and two would work for everyone, but not three. Used to have a restaurant and now going to a mobile food business. Number three would be tough for everyone because of high costs.
- Number one and two would work, the current containers are owned by the property owners
- Number one and two work
- Two is needed when you get a large number of customers; it is good to have options
- Some small businesses are not going to be able to pay for number one, it is not breaking the law but it may not be what they need; Number two works for graywater, pays for oil, trash and recycle. Number three seems to be very difficult because they need identification
- Number two would work best





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- Number three might work well for used cooking oil and blackwater wastes
- It costs a mobile food vendor \$50 to dump for wastewater at a commissary.
- There may be property owner issues for signing contract agreement for mobile food trailers because sometimes the property owners are not always present
- It seems like one of these three would work for someone
- Business could get an incentive if they hosted a transfer station/waste management containers
- Use City services or establish a City-controlled contract to service commercial accounts
- The City taking over commercial accounts would stifle competition
- The City should enforce diversion requirements on mobile food trailers, and they should meet URO requirements and we do not need to write another set of code; just remove one prohibition on the containers being attached to the vehicles.

City staff describe the Code as it pertains to Mobile Food Vendors:

Health Code

- Currently the option of using a commissary kitchen for waste diversion is permissible under code and is what a lot of vendors are doing. Collecting trash, recycling and or composting in or on a mobile unit and taking it to a commercial kitchen is allowed. The City understands that it is cumbersome, but the other option is having a brick and mortar restaurant which is a lot more expensive.
- Creating code language for mobile food courts is getting traction from the Zoning Commission and will make it easier to allow property owners to hold responsibility for waste diversion of the various mobile food trucks with a given food court.
- Health Code regulations are based on mobility. As a result containers must be attached.

Land Development Code

- Mobile Food regulations will need to be addressed within the LDC.

Conclusion

- City will discuss options and potential solutions with the Legal Department and present options to the URO Zero Waste Advisory Commission (ZWAC) Committee Meeting.

