



Subject: Universal Recycling Ordinance Phase 2 – Administrative Rules Development
#2 Stakeholder Group Meeting – Associations / Organizations

Date: July 17, 2103 2 p.m. – 4 p.m.

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

Introduction

Austin Resource Recovery held a stakeholder meeting intended for associations and organizations to discuss the Universal Recycling Ordinance. The purpose of this meeting was to educate stakeholder about the ordinance, develop ways that to collaborate with associations and organizations on outreach, and ultimately work together to amend the Universal Recycling Ordinance Administrative Rules

Stakeholders were provided with information on Austin Resource Recovery's Strategic Initiatives' planning an business outreach teams. Stakeholders then introduced themselves. Staff walked meeting participants thru the meeting agenda and transitioned to the education component of the discussion.

Part One – URO Education Presentation

Staff made a presentation to stakeholders on the City's Zero Waste goals, the Universal Recycling Ordinance, the Universal Recycling Ordinance Phase 2 amendments, defined ordinances, and defined administrative rules.

- (stakeholder) Is presentation available online?
(staff) Presentation can be sent via email
(staff) We will need to post all presentations online. It is critical to have online.
(stakeholder) Would prefer the meeting to be posted before the meeting
(staff) Last minute changes restrict that. We will do our best. What we can guarantee is that we will post the presentation by the end of the next business day.

Staff then asked stakeholders how Austin Resource Recovery could engage associations and organization members in the rules process. Staff contact information was given to stakeholders.

- (stakeholder) ARR attending existing meetings of associations would aide in communications
- (stakeholder) The City does not coordinate with other staffs in the City with other disciplines. For example East Riverside rules do not coordinate. All high rises do not include recycling chutes. These should be mandatory if you mean business as a City.
(staff) Staff is currently working with Planning and Development to amend the land development code. The LDC is going thru a massive re-write. Staff is participating in that re-write.
- (stakeholder) Let stakeholders know where staff might need help
- (stakeholder) Another example is food trailers are not currently allowed to compost
(staff) We are researching this issue. This will be a key component in the Committee's responsibility.





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- (stakeholder) Do you have a list of conflicts with the current LDC?
(staff) When URO came into place that came with a recommendation to amend the land development code. When the new re-write came into place – it was advised that many of these issue be withheld until the new re-write came into place so that we are not mixing too many issues up. So they have recommendations. In terms of conflict, we will have to go thru that process due the large size of the LDC. It will take time. Staff is working to make sure any changes to the rules sync with the LDC.
- (stakeholder) There is more than the LDC because the LDC is being trumped by east riverside and airport.
(staff) Staff will look at all of that -- neighborhood comp plans – all of that. The LDC re-write does include neighborhood comp plans.
- (stakeholder) In terms of staff on the LDC rewrite are they aware of the recommendations in these meeting?
(staff) Staff is aware that PDRD is taking LDC issues into consideration
- (staff) Let get back to the key question: How do we engage key stakeholders within associations and organizations and make sure you are here helping us write these rules?
- (stakeholder) Every association blast emails to members. ARR could reminder organization leaders to send blurbs out as part of their mailings?
(staff) Who here is a association representative? Does that work for you? Would it be helpful we got the dates you were sending these email blasts out so ARR can send you information before hand?
(stakeholder) Yes, we just need a link where the information is already self-contained and you can just go to it.
(stakeholder) Make sure it is posted on the eco-calendar
- (stakeholder) What online tools are available? Are there online tools so they do not have to physically attend a meeting? Can they participate online for a survey?
(staff) There are tools the City has that we can explore.
(stakeholder) Speak Up Austin is one that I remember
(staff) There is another one we are kind of looking at as well.
- (stakeholder) Can you clarify the August 28 meeting?
(staff) It is for retail and general property management
(stakeholder) That will be a key date for us

Staff then encouraged stakeholders to reach out directly to ARR.

(staff) Does advertisement in print help get the word out to association member?





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(stakeholder) [shaking heads, no]
(staff) I love that you are shaking your heads. Save the City money.

Part Two – URO Phase 2 Facilitated Discussion

Staff outlined the facilitated discussion portion of the meeting and described the questions they would be asking.

Recycling Services for Five Materials

Staff described what five material are and alternative compliance. Staff then asked stakeholders for ideas on materials that should be eligible for alternative compliance.

(stakeholder) Packaging materials, packing peanuts, scrap metal, Styrofoam packaging (clean)

(staff) ARR is especially interested in the retail world is anyone from the retail world?

(stakeholder) Small business and retail given the capacity more often than not they will contract for single stream. It is easier to meet your five requirements by contacting for single stream. It should be noted that corrugated board and scrap metal are already being recycled because of their intrinsic value

(stakeholder) Reuse should be part of diversion rate. Furniture and food are an example.

(stakeholder) I know in retail they deal with a lot of film plastic

(stakeholder) For apartments - construction waste
(staff) Construction waste will potentially be dealt with in a future ordinance

(stakeholder) It is really a food waste diversion requirement rather than a composting requirement. Most will go to composting, but credit should be given if food is diverted higher up the hierarchy.

(stakeholder) It should be called food recovery
(staff) Yes and no because there could be properties without a food service permit and would not be required to compost. Let's keep both composting and food recovery.

(stakeholder) Glass is a safety concern at multifamily facilities – glass gets scattered all around the service area

(stakeholder) If you are requiring a property to divert 75% or more, why do we care how we get there?
(staff) 75% is an alternative compliance option. So you have either the five material or the 75%.





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(stakeholder) Along those lines, it is reduce, reuse, and recycle. A combination of reducing and reusing could get you to the 75%. I do not think we pay enough attention to reduce and reuse.
(staff) You are right. But that is due to measurements. We will need recommendations on way to measure reduce and reuse.

(stakeholder) What is the baseline if they change the process? Reduce will not show up as going into the recycling. For example if they re-negotiation a contract to eliminate extra packaging – that is a reduction. That is something they should be given credit for.

(stakeholder) That is what everyone is trying to figure out at a high level.

(staff) Yes, we understand this and it is something we as the City are attempting to figure out

(stakeholder) As a side note, on the recycling plan you can request a specific material to divert. So if we are missing something – you can write in that you want a material to replace glass bottles, for instance.

(stakeholder) Along those lines, if they are cleaners and they have fluids

(stakeholder) The ordinance has a case by case waivers are available for odd materials.

Staff informed stakeholders to take a look at their waste streams and figure out what are the major contributing materials to that waste stream and can it be covered as an alternative compliance material

(stakeholder) Textiles is another alternative compliance material

Sufficient Recycling and Composting Capacity

Staff explained current capacities to stakeholders. Staff then explained what the ordinance states in capacities.

(stakeholder) Do you know off hand what staff is seeing on plan forms on multifamily in regards to capacity?

(staff) We are seeing about 40% of multifamily and office.

(stakeholder) Over 75 units and 100,000 square feet.

(staff) We are getting close to 50% reporting so far. What they are reporting is size and frequency of pick up. It is about 10 gallons on multifamily per week per unit and it is about 28% recycling on the office.

(staff) Remember that the end goal is to get to a point where we are diverting items that would have gone to a landfill, so you capacity for diversion has to increase over time. We started at 25% but the ordinance has been significantly re-written so we are giving time for everyone to adjust. But, we are looking at 50% the following year and increasing as we go. So we are looking to you to tells us what are the concerns in how to measure that and whether or not those are realistic.





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(stakeholder) I would like to expand the conversation it should be as little as possible going anywhere. What could not be reused and could not be prevented. We need to incentivize waste diversion

(staff) Who here is representing small properties?

(stakeholder) Bars and restaurants downtown will have space challenges. They need to use small containers. Most bars and restaurants downtown are converted properties. They do not have a lot of space. Capacity is a huge challenge.

(staff) What do you think -- in terms of percentage of recycled or composted material diversion instead of it going to the landfill?

(stakeholder) Well it definitely could. Who foots the bill?

(stakeholder) Where is it going now?

(stakeholder) Some are diverting. It is just very expensive.

(stakeholder) I represent clients who are already separating and it is very expensive to do. It takes a whole alley full of containers

(staff) Anyone concerned about the 25% diversion currently in place?

(stakeholder) This is only affecting properties over 100,000 square feet. Everyone else is not going to have worried about it. I think most facilities over 100,000 square feet were already contracting and diverting over 25%. Those type operations typically generate a lot of cardboard. The recycling of cardboard is happening already without people asking due to the value of the material. Most will have a compactor for cardboard and that will have more capacity than trash. They were the easy one. The hard ones have yet to come.

(stakeholder) If residents are not recycling at multifamily properties, will they be penalized?

(staff) No, the owner must provide access. The Owner must provide education. The owner will not be responsible to make residents recycle.

(stakeholder) If there is contamination in a recycling bin it could fall on the property manager to resolve the issue.

(stakeholder) What do you consider contamination?

(stakeholder) It depends on situation.

(stakeholder) Will you give notice to property?

(stakeholder) It is business relationship they need to work thru and find solutions. Hauler needs material to be clean and is willing to find ways to make it work.

(stakeholder) If there is a contamination issue is it dumped out or cleaned?

(stakeholder) It depends on the hauler. It will only be dumped as trash in rare instances. Typically it is processed by hauler. The hauler will try to find perpetrator and will have that discussion with them.





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(stakeholder) It is not a common problem – haulers will try to find the source in all cases and work with their business partner.

(staff) Please talk to you members who have business with small footprints and do not have a lot of space. Ask them what the impact to you is, so when they come to the meeting they have an idea of how much space they can allot and how that relates to frequency of service.

(stakeholder) I think you have to bear in mind that if you are starting from scratch and building a new building, you need to talk about those things, but if you are talking about a building that is thirty years old you really don't have much room for discussion. You really don't have much space. It is not just an issue of capacity; it is an issue of cost.

(staff) Correct, that is what was intended by the term frequency of service.

Recycling Plan Forms

Staff explained to stakeholders what the ordinance states in regards to Recycling Plan Forms. Staff pulled the online plan form up for stakeholders to view on the screen. Staff asked stakeholder if there is anything ARR should look to change on the plan form? What can be done to simplify form? Should ARR be asking small properties that may not have property managers available to fill out this form?

(stakeholders) Are alternative compliance materials on plan form?

(staff) They will be added as part of this process.

(stakeholder) The cost impact the business to retrofit should be on plan form.

(staff) Cost impact is not part of plan form, but this is something that can be discussed at future meetings?

(stakeholder) That should be an optional part of the form

(stakeholder) From the business perspective there is a cost impact to business and housing. I am concerned about what it is going to cost them. Are we people out of Austin as we force additional expenses on them.

(staff) We are looking at minimum requirements. I would not like to add a section that is required. It can be a discussion item. Not everyone will have it.

(stakeholder) I would suggest it perhaps be looked at as an exemption

(stakeholder) That is already in the ordinance

(stakeholder) Maybe a check box on the plan form to request an exemption

(staff) A variance process is provided for in the rules

(stakeholder) McDonalds figured around \$50000 in cost at each site to retrofit screening for dumpster. East Riverside Ordinance requires pick up during the day which poses a safety concern for restaurants.





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- (stakeholder) We would like a hauler license number required on the plan form.
(staff) Staff is in the process of adding this to the plan form. Concurrent ordinances, such as the haulers ordinance, are slowing the implementation process down.
- (stakeholder) You may have unlicensed haulers on the current list on your plan form.
(staff) We will double check the list on the current version of the plan form
- (staff) The most important thing is submitting a plan form annually to ARR
- (stakeholder) Does the form ask what the five materials are?
(staff) At the end there is a section for requesting alternate materials
(stakeholder) It seems like form should educate while you are filling it out
(staff) We will take a look at that
(stakeholder) There should be a selection for single stream to make things easier
(stakeholder) If you click off everything you have to recycle that will reinforce what should be recycled
(staff) This is an interim form. The long term goal is to have a contract and have someone control the information.
- (stakeholder) How will people know it is time for them to fill out the form again?
(staff) Forms are due on February 1 of each year. Post cards and letters will be sent to business as part of outreach. Staff also sends out past due reminders.

Informational Signage in English and Spanish

Staff explained signage requirements in ordinance. Staff informed that the City provides signage to service providers to choose to use. Staff explained that all signs must meet minimum standards

- (stakeholder) Do they have to have words?
(staff) Yes, the rules state they have to show accepted materials, English and Spanish, be labeled for landfill trash and recycling. If you only have pictures, then what is the Spanish version of a picture? So there is some interpretation of that.
- (stakeholder) Difference communities exist within in Austin can Spanish be substituted for a local area of Austin if a different primary language is spoken within that area?
(Staff) We have two contractors reaching out -- we have Arabic and Vietnamese currently online on pamphlets.
(staff) ARR is very interested in expanded language, but Austin has a large Spanish speaking population. We are taking everything step by step.





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(stakeholder) But pamphlets are not signage.

(staff) Correct.

(stakeholder) We want to make sure from a hauler perspective we do not have to have 75 different languages on a diversion container.

(staff) That is a good point. We need to remember these are minimum requirements.

(stakeholder) Is the signage the City is offering for free – is it useable?

(staff) Signage is a choice offered to the haulers

(stakeholder) Some haulers are particular about their brand

(staff) It is important that all signage must comply with minimum standards

(stakeholder) Would it make sense to just provide the graphics?

(staff) Graphics are currently available to haulers.

(staff) Keep in mind that signage is interior and exterior – please let us know concerns.

(stakeholder) Are ordinance revisions going to happen in this rule process?

(staff) None have been identified – ARR will notify stakeholders if this happens.

Staff asked stakeholder to go back to their members and ask what concerns they may have about signage.

(stakeholder) The rules state that all signs must be in English and Spanish and then another language can be added.

Tenant and Employee Education

Staff explained what the ordinance says about tenant and employee education.

(stakeholder) How would a property management how would you know if a tenant employee gets the proper education?

(staff) We have talked about this at great detail. Please bring this up at later meetings.

(stakeholder) Could it be something in the initial contract?

(staff) This will need to be discussed in focused meetings.

Composting





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Staff explained what the ordinance says about composting requirements. They informed the stakeholders that the rules do not currently contain any language on composting. Staff explained that the health department will at all meetings.

(stakeholder) Most in food industry are supportive of composting. But space is an issue. Capacity is an issue. Vermin is an issue. Separating proteins is a big issue. Safety due to weight of containers. Expense is an issue.

(stakeholder) Keep definition of compost broad and keep landscaping as part of composting

(stakeholder) Can a business count landscapers waste part of a diversion?

(stakeholder) Define it as organics diversion. There is technology that can aide in composting. Leave an out for technology. Composting has been found to not be cost effective in other cities. Openness is important if Austin is going to lead the way.

(stakeholder) Keeping it broad is important. Every customer will have a different stream. Some haulers will not be able to take all types of compostable materials such as meat because they do not have the authorization to process it. New types of service providers are adapting to provide services and a capacity requirement of compost will be very difficult. There might be a service where there is a guy on a bike that comes by three times a day. There will need to be a general idea of what constitutes a food diversion program. You might even been signed up for a program where your food is donated to animal shelters you do not want that to be ineligible.

(staff) We want to make sure food recovery in included

(stakeholder) Technology is changing quickly. It is different for the service provider and the generation side. Putting bracket on an ordinance is losing game. It is going to take trial and error in the field to get it right and we have not had enough of that, yet.

(stakeholder) Perhaps we just put a number on it for percentage of diversion. Each property could report annually for diversion.

(stakeholder) Do we have a base line – is reduction taken into account?

(staff) Reduction is hard to calculate – if you have research or resources that can help ARR devise language to recommend this as a measurable please bring it to meeting

(stakeholder) Do haulers have weights available?

(stakeholder) No. It is a double edged sword. If you want credit for it, the City is going to want to verify it.

(stakeholder) Fast food did not generate compost – everything is prepackages - only food is dropped on floor is able to be composted. Being too definitive that everyone has compost. You don't need to tell them to five types





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to compost. They need to show a percentage of reduction in output and not be so prescriptive. Keep it flexible. Go for the output.

(staff) Current rules allow for that – but there may be room to clarify that a little bit more
(stakeholder) If they have a lot of compost we don't need to be telling them to recycle glass or tin because they do not produce it. When we are told we have to compost, we do not have the material to do it.

(stakeholder) In restaurants there is an assumption than we have more waste than we do. The production side has very little waste. The waste comes from the consumer side and we have zero control over them. We have two separate waste streams from the backhouse (production) and the front house (retail).

(stakeholder) Food Shift Austin has a survey for food establishments they would like to make stakeholders aware of. Foodshiftaustin.org. The goal is to get a baseline on education and attitudes on composting and donating of food, etc.

(stakeholder) Are fats, oils, and greases considered part of the ordinance?

(staff) It could potentially be considered as an alternative material. We need to be clear on the types of grease. There is Yellow Grease and Brown Grease and neither is regulated very well.

(stakeholder) People will buy your Yellow Grease

(stakeholder) We have to decide if this counts toward their diversion rate

(staff) Be aware that yellow grease is not currently going landfill. Staff would like to divert materials that are currently going to the landfill. It is a difficult group to regulate.

(stakeholder) The director has told us we can do yellow grease

(staff) Yes. ARR is going thru a regulatory discussion on yellow grease but right now it we have to devise a lot of that. There is a lot of discussion on yellow grease that still has to happen.

(stakeholder) Can it be an amendable provision?

(staff) Yes.

(stakeholder) Employees picked it up very easily, but the customers took a lot of education. Space was a major issue. Retrofitting space took a lot of money. The hauler service level could not handle the amount of composting coming out of facility. The dumpsters leaked. The wheels broke off many dumpsters due to weight. Want to make sure there are enough service providers and competitiveness. It cost restaurant \$7000 a year more to compost over a year.

(staff) City wants to commit to a competitive service environment. Current haulers believe that they have currently have capacity and infrastructure – but this will be an ongoing dialog. Julie Rhodes is economic development and will be looking into this.





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#2 Stakeholder Group Meeting – Associations / Organizations

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- (stakeholder) When it comes to writing the rules, is there a trigger that checks to see if the City and infrastructure is where it needs to be. Is there an out clause if infrastructure does not fall into place?
(staff) That will be a conversation with the service providers in our area.
- (stakeholder) Is economic development looking at cost impact? Are people leaving town. Is an economic impact study being done?
(staff) It is not currently within scope of economic development staff
- (stakeholder) You need to know you return on investment, how it impacts business, and affordability.
(staff) If you can bring information on economic impact we can share that with Council.
(stakeholder) Are these comments shared with council?
(staff) Yes, when we present to the commission and to council we share the input we receive. So it is important to share that, but to actually perform that work ARR does not have staff to do this research.
- (stakeholder) There are companies that would say that business is money. Not all the facts are available to the public.
- (stakeholder) We need to have an affordability discussion in our community – not just amongst the poor but at all levels needs to be taken into account. That conversation needs to happen and put it out in the public.
- (stakeholder) That is fine to say other companies are going to save money, but are they going to save \$50,000 a year?
- (stakeholder) That is they type of information that is typically generated by interested stakeholders and I recommend you present them to council. They are the ones that make the decision.
(staff) Staff has limitations. There is information that we need for ARR to calculate those numbers that we do not have access to because it is private information. ARR relays on stakeholders to give us that information.
- (stakeholder) Has anyone chose to take the exemption due to economic hardship?
(staff) No. Most waivers taken into account so far have been for restricted space for container placement
(stakeholder) They are big business, so they have a big footprint

Staff asked stakeholders to go back to their members and ask them to thin about managing organics in such a way that either you divert from the landfill or recover it and give it to another group. What are your concerns and please bring those concerns a stakeholder meeting and if you have solutions, we definitely want to hear them.

- (stakeholder) We asked that these meeting be recorded. Is this meeting being recorded?
(staff) Yes.





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Staff called the meeting to a close and asked if they had any further questions.

(stakeholder) With the growth of Austin this is important ground work to be lying.

(stakeholder) In a future meeting can we discuss if small business or residents be part of a cooperative service? Can that share diversion containers?

END

