

3-21-18 ARR Landfill Criteria Matrix Meeting (Carbon Footprint, Zero Waste, and Sustainability)

Sam Angoori: ... take the result of this meeting to ZWAC in May, May 9th, and then I'm hoping that maybe either we revise the resolution that we have or come up with a new resolution and then hopefully take it to the Council in May. That's really my goal. I really want all of us to be on the same page and see if we can get that done. The longer we wait, the more expensive it's gonna get. We have a bunch of contracts that are in a holding pattern and we cannot afford to continue to wait on this. So, we appreciate everybody's help, I want everybody to be on the same page. I want everybody to understand the same goal. We all are part of a team and everybody pretty much has, you know, you all have your own personal goals but here's team and our goals have to be the same thing and move towards the same goal as a team. I'm going to ask Gerry to talk for couple minutes. This meeting is going to be facilitated by Susan and so after Gerry talks for a couple minutes and not a whole hour, then we'll give it to Susan. I have a couple other meetings with councilmembers so I've got to be leaving. I'm gonna leave after Gerry starts. Well, after you're done. Thanks a lot guys.

Gerry Acuna: Thanks, Sam. And more importantly thank you guys for coming out. Brevity, to me, is important here. So anyway, Sam was beginning to discuss the purpose of this meeting is to hopefully set some guidelines as to how we as a community would like our landfills to operate. We are in no way, shape, or form telling a landfill how to operate their business. We're going to hopefully encourage a landfill to want to be included with our City's zero waste goals, with our Master Plan. My goal, and hopefully the goal of this meeting of this committee, is to ensure that we include more and more participants in this goal. If we have more participants, I guarantee you, we're going to find a way to accomplish this Master Plan that we set out ten years ago. Right now we're facing some challenges. My goal is to make sure that we have people who want to be involved with this. We have a preliminary set of guidelines that we set up here that has been circulated. That is our starting point and hopefully we can work on those today and over the course of the next few meetings to get a better idea of what it's going to take for this community to start working towards their zero waste goals again. And having said that I'd like to, again, have Susan begin this process so we can stick with the clock and get out of here in a timely fashion. Thanks, guys, for being here.

Susan Shultz: Okay. Good morning, my name is Susan Shultz. I'm a self-employed mediator and facilitator, at least as of last September. Before that I was 15 years with the University of Texas Center for Public Policy Dispute Resolution where we facilitated and mediated with various governmental entities and nonprofits over various issues such as mental health, environment, education. So stakeholder meetings are nothing new to me, but it's also your process and so I want to make sure that, as Gerry indicated, this is an inclusive process that you feel free to speak up. I know some of you have already been working on this with the Working Group and so are very familiar, and much more familiar than I am, with some of these issues. Basically my role is to facilitate discussion and to hopefully keep us on track and with that in mind we do have an agenda for today and if you haven't picked one up it's at that table at the front of the room. And so we're gonna go through some introductions as far as who is here, and when you do introduce yourself I would ask that you also indicate whether you're here to speak on behalf of yourself as an individual, or whether you're here to speak on behalf of an organization or a group, and whether you've participated in the Working Group meetings before. And then I'll do some process goals, we have a proposed meeting goal, and I think as Gerry already indicated, this is to really build on some of the work that's already been done, but to refine that work to the extent that we can, and hopefully find some consensus as to what those criteria and guidelines should look like. So at this point I would just like to go ahead and start with the introductions and let's start over here.

Alfonso Sifuentes: All right. Thank you. Good morning, my name is Alfonso Sifuentes and I'm also, I'm with Green Group Holdings and I'm also the project lead for 130 Environmental Park, a Type I MSW landfill that was permitted back in December 11th of last year and I'm here to participate as part of our organization and I have been involved with the Working Policy Group.

Susan Shultz: Great.

David Green: Good morning, my name is David Green. I'm president of Green Group Holdings and I've also had some involvement with Alfonso through the Working Group process. We're very interested in being a partner with the City of Austin and we, as part of this process, want to make sure that when our facility... we're in kind of a unique situation

because we have a facility that's been permitted that's being appealed right now, but we anticipate starting construction and being open within a couple of years. So we want to make sure that when we're ready to operate that we've done everything we can to be compliant with the matrix that's established by the City, and we're very specifically interested in identifying how we actually get approved when we don't have any operating experience for the site yet. So as we bring our facility online and we're ready to operate we want to make sure that we've done everything we can to be a resource and a partner to the City.

Susan Shultz: Thank you.

Mike Mnoian: I'm Michael Mnoian. I'm the owner of Central Waste and Recycling, a local trash hauler located in Cedar Park. I have not been a part of the Policy Working Group meetings. I'm just here to hopefully speak my mind and make sure that it's fair, whatever the City's doing, and make sure to keep it open for all the local haulers.

Victoria Fikes: Hi, I'm Victoria and I am VP of sales for At Your Disposal, an independent hauler in Austin. I'm here to listen and learn.

Susan Shultz: Great. Thank you.

Andy Andradi: Andy Andradi, Central Texas Refuse. I have been a part of the Working Group and we are an independent hauler and our concerns are that the process be open enough to where it doesn't restrict our ability to bid on City contracts based on destination of materials.

Susan Shultz: Thank you.

Steve Shannon: Good morning, my name is Steve Shannon. I'm representing Waste Connections. We are a prominent hauler in this marketplace. We've participated vigorously in the stakeholder and ZWAC proceedings. We operate a Type IV landfill here locally. We are also concerned with making sure that this process provides a fair and level playing field for haulers that perhaps do not own a disposal facility to be able to competitively bid on City opportunities. I had an opportunity to talk to Waste Management this morning on another topic and mentioned to them where I was going to be this morning and they wanted me to convey to this group that they did not receive notification of this meeting.

Susan Shultz: Okay. Were you able to send them the email?

Steve Shannon: No ma'am, this occurred about 15 minutes before the meeting occurred.

Susan Shultz: Okay, well, I know that there will be other meetings so we'll be happy to make sure that they're on the list.

Donna Gosh: I'm Donna Gosh. My husband owns Organics by Gosh and I'm here because he can't be here and so his heartbeat is for it to be healthy and fair and open to all. So I'm here to just represent him.

Susan Shultz: Okay. Thank you.

Cavian Merski: I'm Cavian Merski. I'm an analyst with the City of Austin's Office of Sustainability. I haven't been a part of the previous meetings but representatives from my office have, so I'll just inform the process with whatever I can about our climate goals and how things in this meeting might affect those.

Susan Shultz: Okay.

Heather-Nicole Hoffman: Heather-Nicole Hoffman, I'm on the Zero Waste Advisory Commission.

Adam Gregory: My name's Adam Gregory, representing Texas Disposal Systems. We're an independent hauler in the market. We also contract with the City of Austin. We receive 100% of the solid waste at our local Type I landfill that the residential operation of the City collects. We also receive a little over 40% of the recyclables at our single stream recycling facility. We operate numerous recycling, composting, and a disposal operation in southeast Travis County. And I have participated in each and every of the meetings leading up to this.

Susan Shultz: Thank you.

Andrew Dobbs: Andrew Dobbs, Texas Campaign for the Environment. I represent the environment and public interest. I also didn't get the email but I had it forwarded to me by somebody else... (*unclear*) with ARR staff about that, so it's all good.

Susan Shultz: Okay, and back here?

Richard McHale: Richard McHale, I'm the Assistant Director for Austin Resource Recovery and I've been involved with the meetings to date.

Emlea Chanslor: I'm Emlea Chanslor and I'm the interim information manager for strategic initiatives at Austin Resource Recovery.

Tina Bui: I'm Tina Bui, also with Austin Resource Recovery. I manage the Zero Waste Policy and Business Outreach business units.

Jason McCombs: Jason McCombs, Austin Resource Recovery, planner.

Elizabeth Flores: Elizabeth Flores, Austin Resource Recovery also.

Woody Raine: Woody Raine, Austin Resource Recovery. I'm also a planner and researcher.

Mark Nathan: I'm Mark Nathan with TDS.

Susan Shultz: Thank you. As far as the facilitation guidelines are concerned, I mean, basically what I have found works best is that we make a commitment to listening to each other. This is as much of imparting information as also hopefully understanding better where people are coming from, and the different views, and so sort of listening to that with a sort of questioning mind as to, 'I wonder why they feel that way or why they are proposing this particular option', and seeking to better understand that so that hopefully you can come to at least a better understanding if not common ground on how best to address some of these issues. And let's see, so for each of the issues, it's a question of really looking at whether it addresses what you think they should address. Seeing whether or not you need to generate other options to address those issues, and then finding solutions that you can live with. This is not, these meetings are supposed to be, at least in my understanding, informal discussions so that they're not going to be recorded or videotaped and my role is to capture some of the comments that you make so that during the meetings I will be making some writings on the easel pads and then looking at proposed solutions. And then in between meetings, to the extent that it's going to be helpful, I will have summaries of what went on during each of the meetings as far as just action items that we have for each of the meetings, so that we can see what progress we're making and keep moving forward with each meeting. There are some sticky pads on the tables so that if you have questions as things come up that may not be pertinent to the discussion currently but you want to keep track of them, or you have questions for staff that you want to make sure that you capture and record, then please go ahead and use those. If there's things that you want us to address that are not on the agenda, you can also post them, post your sticky notes up here, and then we'll take them up during the break and put them together and then see whether the group wants to take it up at that time, during this meeting or future meetings. So there are various ways for your voice to be heard, in other words, and as Gerry mentioned, this is to be inclusive as opposed to exclusive and so really avail yourself of all the different ways that your voice can be heard and make this a better process and make the result a better solution. Any questions about the agenda? Okay. Then if, unless there are any other things that I haven't covered yet that you have questions about, then we will start with the first issue which is about Carbon Footprint.

Adam Gregory: Um...

Susan Shultz: Yes?

Adam Gregory: I was hoping that before we jump into the topics we might discuss the, just unpack the recommendation from the Working Group a little and discuss the proposed structure, nuts and bolts, of how this process would work as

recommended by the Council Working Group and as vis-à-vis the current state of the recommended criteria. In particular, the discussion – is this an annual process, is this separate from other solicitations, is this something that would be a part of each individual solicitation that utilizes a landfill, would this be a pass/fail situation, would this be a scoring situation, if it's separate from each solicitation is it something that the staff will evaluate and make the decision of which facilities are eligible or it will be a scoring situation that will provide the Council further context and evaluation based on these criteria for them to make the decision. I think perhaps a lot of the conversations on the specifics of the individual topics as we go could be more productive and more specific if we could discuss and debate how those overarching logistical factors would go. And I know you don't have the answers to these questions.

Susan Shultz: Right, so in other words, how the individual elements are going to be used and how the matrix in general is going to be used?

Adam Gregory: Well, sure, yes, how the matrix is going to be used. When we get into the individual categories we'll obviously talk about sources of information and weighting and things like that, but I suppose it is how they're going to be used. How are the facilities going to interact with this process, on what timelines separate from typical solicitations, creating a totally new process that's gonna be administered by the Purchasing Office or the Austin Resource Recovery staff. These are all important questions.

Susan Shultz: Okay, I don't know whether the staff has answers to those questions yet.

Richard McHale: Well, a lot of that still remains to be determined, I mean, that's why we're meeting here is to come up with that but originally we had sent out our draft document which answers a lot of those questions, if you just look in there. We looked at this being an annual process separate from solicitations. It'd be renewed annually. Staff, between ARR, Sustainability Office, Equity Office, would do the evaluations...

Adam Gregory: Okay, we can go into those. I'll just express a position that the separate process, annual, is it a pass/fail thing?

Richard McHale: We were looking at pass/fail.

Adam Gregory: Yeah, so I would have a problem with that. I think maybe this is something we could all agree on that in a situation like that it would basically take the decision-making authority out of Council's hands and potentially have the problem of limiting which independent haulers might be able to respond to certain solicitations. If it was a solicitation-specific thing that had a scoring criteria for each solicitation that required the use of a landfill, it could allow the facilities to be viewed through this criteria while maintaining the ability of Council to make the decision and maintaining the ability of everyone to respond to solicitations regardless of the facility they're proposing to use.

Richard McHale: Well, Council will still have an opportunity to look at our recommendation and judge whether they suffice or not. The problem with us trying to attach this to each solicitation is there's a lot of work going into this and if a company has to produce all this work every time they solicit a document, then that's going to become quite burdensome and that's the input that we've received from some of the stakeholders.

Andrew Dobbs: Sure.

Richard McHale: But again, this is y'all's process and if that's something that you want to see then put it on the table.

Adam Gregory: What do you guys think?

David Green: I think Adam raises a really good point. It's kind of a foundational point to the whole exercise here. How do you get approved, and once you are approved, what does that make you eligible for? I think an annual renewal is a mistake, myself. Haulers enter into contracts with customers that have anywhere from 3-5 year terms and so under that contract it usually goes to a specific disposal site and there's pricing that's built into that, so I think, so what happens is, let's just say CTR has a customer and they built their pricing for that waste to come to Green Group's site, 130 Environmental Park. A year into that, we don't get renewed for some reason and we're no longer an eligible disposal site

for the City. Then that waste now has to be redirected to some other place and will have a cost impact to the customer and may, depending on the contract terms, it can be complicated. So the point I would make is, I think having... once you are approved, I think a longer than annual cycle would make more sense for our sake, unless there's some triggering event that would give rise to reconsideration and enforcement action, or something along those lines.

Richard McHale: I'm sure there's a mechanism we can do to do that. So again, if y'all want to run with that or have that type of scenario, that's fine. Like I said, our job is to put some information down there for y'all to comment on.

David Green: And I think having it tied to specific solicitations each time is also very messy.

Gerry Acuna: Can I suggest, we have talked about this, the annual renewal. The annual renewal has nothing to do with a 3-year or 5-year contract. What we were trying to do is make sure that, again, the facilities are adhering to the City's goals of Zero Waste, the Master Plan, whatever. We want to make sure that we're all working towards that. Baby steps or maybe big steps. You get a 3-year contract. Well you sign that contract January 1st, 2018. You stumble 2019, you don't pass. Well guess what, you've got a year or so to fix up the mess or, the way I envision this, you wouldn't be eligible to rebid on that contract, if that makes any sense. This is, again, a starting point, a conversation we're having today to figure out what works for these facilities, these contracts. I mean, the City's contracts are usually what, 3-, 5-year agreements with extensions? So, yeah, you're signing a contract today. Hopefully the goal is for you to continue operating in a responsible manner. And if that's the case, then wonderful, you're gonna keep this agreement. But if we stumble, again, you... Dobbs?

Andrew Dobbs: Thanks, Gerry. I'm looking at this and it says they're looking for guidance from this, they're not looking for dictates from this process. I think that there's a kind of hybrid solution here which is, as much as I would like a pass/fail type system I think that there are significant challenges for independent haulers in particular that I get concerned with on that. It makes sense to me to have a score and to do the scoring on an annual or biannual basis, something of that nature, to have a score and then that score is just the score to that facility. Kind of like we do with the certification of C&D processors, right, where there's just like this list of certified places. You have this evaluation on an annual or biannual basis. The score is there and then whenever a contract comes up, in the scoring criteria for that contract one of the lines would be the landfill score, you know, and the best one would get all the points, the second one would get half, and the worst one would get none, or something like that, right. Then we'd go into the scoring matrix of each contract. Does that make sense to everybody? So that like each facility would have a score associated with it on an annual or biannual basis, and then each contract would consider it so if in the instance that there's other factors that outweigh that, it may end up going somewhere and we'll deal with that on a case by case basis but it seems to me that that seems like a hybrid solution that enables everybody to compete while also making sure that Council's directive of guidance is accomplished.

Andy Andrasi: I'd like to just back up a little bit. I'm a little unclear as to what we're actually going to be doing in these meetings. If they're not being recorded and they're not being documented, are we just here to talk amongst ourselves or, how are all these ideas are being recorded?

Adam Gregory: I'm recording the meeting. I'd be happy to provide a transcript.

Andy Andrasi: I'm just saying, I'm a little concerned that obviously Waste Management apparently did not get any communication about the meetings, and they certainly have influence in this. Others didn't get it as well...

Andrew Dobbs: Where's Republic?

Andy Andrasi: As I look around the room these are all the same faces we see at the monthly ZWAC meeting, so I guess I'm concerned that we're not getting greater participation and I just want to understand the process more because we're taking up valuable time and I don't want it to just be...

Susan Shultz: Sure, so as far as I'm concerned and as far as the recording is to capture – I was just about to start capturing some of the issues that are raised and some of the options to address those issues, and then to the extent that

you all can reach a consensus on what your best solution is or your recommended solution is, then those recommendations are also going to be captured and the final report will be given to ZWAC, is what I understand. Am I wrong?

Emlea Chanslor: No, I think, our suggestion anyway, is that we cover the topics we have on the agenda for today and then the next meeting, and then we can see the schedule for the third meeting we suggested that focus on the scoring methodology and how that would work to get your input and see if there's consensus on that. And then the fourth meeting, we would bring a revised version of the criteria with everything we've heard and then we would get feedback at that point from you all on that. If you have edits or discussion or changes, that's what we would hope to take to ZWAC, and so that's how we've suggested the structure, and there's obviously opportunities to give us input between meetings if you need to. Susan will be putting together a summary of the input and any consensus that comes out. So that's how we're trying to make progress to get to that ZWAC meeting.

Susan Shultz: Steve?

Steve Shannon: Yes, ma'am. I'd like to echo Andy's concerns that the first and second largest solid waste management companies in the nation are not here. I think that's significant. The other thing I would like to say to Mr. Acuna's point, and I know we're all just working this out, but you had made a comment, Gerry, that well, 'if a hauler's using a particular facility and for some reason that facility becomes not qualified, then you can't bid on that contract next time around.' We would have a real concern with that. Let's just say that we have a contract to haul waste with the City and it's going to Landfill A. All of a sudden Landfill A, for whatever reason, through no fault of ours as the hauler, is disqualified and then the bid comes around next time and we can't bid again because that happened through no fault of our own, well we might bid it next time to go to Landfill X. So, I would take issue with the idea that if that particular disposal facility sometime during the term, or whatever agreement it is, becomes disqualified that the hauler is penalized.

Gerry Acuna: Very good point, Steve. I would hope that you would encourage the landfill to continue down the right path.

Steve Shannon: Well, certainly. I would, but they make their own corporate decisions.

Gerry Acuna: Of course they do.

David Green: Hey, Gerry, can I also just have a conversation about the proposed scope of this?

Gerry Acuna: Okay.

David Green: One of the things that I'm trying to understand is the expected scope of this and so you obviously have a situation where you have City of Austin, or agencies of the City, that have contracts and disposal is part of it, so you have that situation. And then, is the scope of this also intended to apply to commercial businesses, office buildings, other people, and they want to take, they can still decide, they can have their waste hauled to any landfill they want, regardless of whether they qualify for this matrix or not.

Gerry Acuna: Correct.

David Green: So that's very important to understand so that if you're an independent hauler and you've just got... because in a lot of cities that could take a more aggressive approach, through almost a flow control kind of thing, saying that 'if waste is generated from the City it can only go to these sites.' You're not saying that. If it's a City of Austin related contract...

Gerry Acuna: A City managed contract or a City facility, the City wouldn't be able to say, 'Hey let's take this trash over to Landfill A.'

Andrew Dobbs: Yeah, the biggest contract which would be the curbside collection.

Adam Gregory: It's only in the context of the City awarding contracts and...

David Green: That's big and I wasn't sure.

Adam Gregory: And we haven't talked about the question of whether this would apply to existing long-term contracts, because there are legal issues with existing contracts and trying to retroactively apply terms and conditions or criteria that didn't exist at the time of the contract.

Andrew Dobbs: You got a contract, you got a contract, right? I mean...

Adam Gregory: I hope staff agrees.

David Green: If it's a change in law there's a question. You can terminate contracts if there's a change in law. There's provisions that deal with it, so let's just say, let's just throw that out, what would the City's position be if Texas Disposal Systems landfill failed? Could you terminate your existing contract they have?

Gerry Acuna: That's a good question.

Richard McHale: We could terminate the contract with cause.

Susan Shultz: Okay, but as far as your question, as far as the matrix...

Adam Gregory: I would disagree with that.

Donna Gosh: If I were you, Chair, I would disagree too...

Susan Shultz: Would it be applicable to City managed contracts, is that the term?

Gerry Acuna: City managed contracts...

Andrew Dobbs: I still don't think that there's a mandate for that here, and I don't think that's what anybody's actually talking about or really concerned with....

Adam Gregory: It's the only thing the City has the authority...

Andrew Dobbs: What?

Steve Shannon: I think there is a concern.

Andrew Dobbs: No, I mean, come on Steve, what I mean is that that's the only thing we're talking about in this meeting. Not that you have no reason to worry about it or something like that. I'm saying that this is what we are talking about.

Susan Shultz: City managed contracts. Okay, any other issues? Not that we're going to resolve them but, that you want to capture at this point that you may want to discuss whether today or at the third meeting as far as how the matrix is going to be used?

Donna Gosh: I think Adam's point is a really good one that should be resolved and addressed. You know, if you have a contract and all of a sudden you can't haul to the landfill that you were hauling to, you know, does that terminate that contract? Or does that force you to go to a different landfill? So, how does it affect existing contracts? Whatever is decided here, how does that affect the existing contracts, whether they're 3-year, 5-year, 100-year. How does it affect them?

Andrew Dobbs: Another thing, it also says 'future solicitations.' Right? So that's what they're looking for, it's about decision making for future solicitations. And I would think that that could be said 'in perpetuity' so that this is about upcoming, it's about solicitations as they come in. Not, you know, operations once a solicitation has been granted. You know, I think that obviously, in some worlds, I could see, you know, I'm the guy on the other side of these things. Right? But I think that we have to recognize that this is a private market for the vast majority of our hauling. That we have a lot of smaller haulers that provide really important services that small businesses, and family, you know, renters and families depend upon affordable service to be able to pay their bills. And so we don't want things getting completely out

of hand or having a market where people can't predict what's going to happen. So, this is about future solicitations. This is about when the City is making a contract decision about where to send City-generated waste, how our values are reflected. Ultimately, it's not even about changing the market that much, right? The amount of the materials that we're talking about for all of these are pretty minimal in the grand scheme of things. You know, the largest of these contracts is one that most of the haulers and processors don't have and they seem to be doing fine for themselves, right? So, the point is, that this is about reflecting values as I understand it. How are we going to reflect those values in future solicitations so that the City can make sure that its resources are being spent on facilities that they think are the best possible? Not about shutting people down.

Susan Shultz: Okay, Steve.

Steve Shannon: Yes ma'am. To counter Mr. Dobbs' point, just because we all seem to be getting along fine now without the biggest City contract, doesn't mean we wouldn't like to have it. I would also like to say that, I don't know that I've seen anything, and perhaps, help me out to understand, has there been a declaration on the part of the City that this deals with *future* solicitations, not existing solicitations?

Adam Gregory: I would say that Mr. McHale gave an alternate point, a different position to that just now that it could very well in fact apply to existing contracts. So I would request that we... and this would be...

Susan Shultz: I thought that I read in here that it would not be retroactive. No?

Richard McHale: We actually changed it so that it would not affect the current disposal contract. But that's not to say that if a landfill, if something catastrophic or potentially seriously happened then we would not continue with that...

Adam Gregory: Of course, every contract is going to have termination for cause things. But you said that if we failed the pass/...

Susan Shultz: That's what he said, for cause.

Adam Gregory: ...but he said failing this new developed criteria, pass/fail, developed by the staff would be *cause* at that point that's...

Richard McHale: I said we can terminate any contract with cause.

Adam Gregory: You can with cause, but this does not cause-make necessarily. Anyways, I think we should add a legal discussion to meeting 4 and request City attorneys be there and we don't have to belabor the legal points at this point. But I would request we have more legalistic discussion at one point.

Andy Andradi: I think another thing, to David's point, how do we safeguard against the City ultimately getting into a position where they do have flow control? Obviously we're talking about things today, but going forward, what if the City adopts a different mindset?

Adam Gregory: Well, I will say that, I've been fighting it, I've been on the front of that for years and years and the City can't enact flow control without owning their own facilities. Now, they can do certain things through contracts, they can do what LA did, franchise, and through franchise agreements and contracts they could implement a level of flow control. But, I can assure you that I will remain on the battle for the open market like I always have been and I'm trying to go through this process with, you know, with the same eyes as I do everything else and ensure that this doesn't... isn't a heavy-handed government control of the market. I just, this is a means to, a lens to look through that includes the specified values of the City, the history and everything and give policymakers further information and context on their decision making. I am never going to advocate for taking decision making out of the hands of the elected officials and putting it into a dense, multifaceted criteria that you can't see the results of going into it. You don't know what this is going to be. So, as we've talked before, I'll continue to advocate for this simply, being giving further information to policymakers as opposed to being a pass/fail determined by the staff. Because that's where you get your real market shake-ups, when there is no recourse to the policymakers on the decision on each contract. But, I am all for them having

more information and specifically viewed through the lens of our City values. And I think that's what we are trying to do here.

Susan Shultz: Okay. So, if I'm hearing you correctly, I mean I think the context has been established as far as this is a process by which you can consider some of these criteria with the understanding that first of all the criteria is going to be approved by City Council at some point, and that the criteria should reflect what the City values are at this point, as far as landfills are concerned. But that the criteria, and how the criteria is going to be used, is something for ongoing discussion and with input from the staff as well as you all. Mike?

Mike Mnoian: I really, I understand what this group is trying to do, but in the end, in five, seven, ten years, there's going to be two landfills left standing and they're both in this room. Austin Community Landfill will be closed. What do you do then? The City will paint themselves into a corner. You need to think regional, you need to think not landfill, you need to think different facilities, different models. You're going to paint yourselves to two landfills. You will. There's only two. They're going to be the only two left. It is in writing from Waste Management, that, that landfill will be closed within eight years. Eight years.

Susan Shultz: Because of this matrix?

Mike Mnoian: No, because it's going to be full.

Adam Gregory: I would take any statement to that effect with a grain of salt.

Mike Mnoian: It's not on our letterhead. That's on their letterhead.

Adam Gregory: Yeah, well.

Andrew Dobbs: We asked them at the deal, at the stakeholder meeting, point blank: "Are you going to not look for an expansion," there was a lot of not answering that question. So, I mean like, if they want an expansion it'll be hard for them *not* to get it. So, maybe you're right.

Steve Shannon: There could be a third or fourth or fifth facility developed, we don't know that. I get what you're saying but, somebody else might apply for a permit.

Mike Mnoian: I'm just saying. I look at the long game.

Susan Shultz: Again, correct me if I'm wrong, but isn't the purpose of this group to come up with some way to evaluate any landfill? Whether it's a new landfill or an existing landfill?

Gerry Acuna: Correct.

Mike Mnoian: The goal is zero waste. That's it. That is our goal. So, why are we not trying to put facilities in to assist with that? You know...

Andrew Dobbs: It does.

Mike Mnoian: I get it, I get it. The landfill, you can do a lot with the landfill because ultimately you have to have them for waste disposal. That's not an argument. But, we need to be more creative. Like, why can't my company bid on a contract and say 'I don't need a landfill, I got a different idea to dump all your waste, to not incinerate.' Or why can't Waste Connections say 'We can transfer this stuff, we don't have to have a landfill in the region. We can go x, y and z.'

Susan Shultz: I don't think (unclear) doing that, right?

Mike Mnoian: So you could potentially eliminate them from competing.

Susan Shultz: I don't think this would preclude you, this process, would preclude you from doing that.

Mike Mnoian: Right, but if in the bid they say ‘we’re going to go to this landfill and it’s not in the region,’ and that landfill isn’t on their list, on the City’s list, then they potentially lose.

Gerry Acuna: Well, there’s an item on here... I’m sorry, go ahead.

Andrew Dobbs: Why wouldn’t they just, why couldn’t they just go score that facility too?

Mike Mnoian: I don’t know. Why does every landfill in the state have to be scored?

Andrew Dobbs: So that we can make decisions, because a.) City Council asked for some sort of criteria for being able to make these decisions, the policymakers that we elected to make decisions like this have asked for this criteria, and then we want to make sure that wherever we are sending it reflects the values of the City, and that we’re using, putting our resources in a place that’s going to benefit the ultimate goals of Zero Waste.

Mike Mnoian: I get it.

Adam Gregory: And I would go so far as to say, that in the event like that, if there was a hauler that wanted to propose taking material to a landfill that’s distant enough to not have considered getting Austin approved or scored, then the hauler would be perfectly, able to propose that and explain it, and it would be presented to the Council as a not-scored facility and the Council would still have the ability to consider the pros and cons of that situation. So, that goes back to my desire to have this be an evaluation that provides information to the policymakers so they can take as much or as little of it as they want.

Susan Shultz: Right, and that’s going to be an issue for further discussion as more people will be informed to address that. So, are there any other issues, overall issues that you would like to capture so that people are prepared to talk about it in future meetings?

David Green: Hey Susan, can I follow up on what Adam was just saying? So, Adam is your point... your position would be that this matrix, even though you go through it and it may be pass/fail, even if you fail, that doesn’t mean you’re disqualified from being considered?

Adam Gregory: I would say, the Council should have the authority if in a certain instance, and I can’t think of what all those instances would be, to award a contract using a facility that failed. They should have the authority to do that, they should not abdicate the authority to make any range of decisions that are legal to this process. So, yes, I think the Council should have the authority to do that if in some instance that happened, and I will continue to advocate against a pass/fail situation.

Andrew Dobbs: Yeah, that’s what I think this score is better. Also because I think that, it’s the other direction too, right? You might have a situation where, you know, maybe other criteria end up weighing more and now we’re arguing about sending it to a less environmentally friendly place for other reasons and now I want to argue other direction, right? I think that you’re right that like, under no circumstances should appointed staff be able to essentially dictate the outcome of a competitive bid process, right? I don’t think that anybody here favors that or that benefits the public interest, the environment, anybody’s bottom line, period. So, we don’t want that. I think that like, as I understand it, having criteria that provide a score that they can see, that’s included in the consideration of a contract so they can sit there and say, ‘Okay well, you know, this place is you know, this facility is a little bit better than this facility, but the other one’s offering, you know, significant savings or something innovative, or something like that, and so we’re going to go with them.’ I mean that makes, like, that benefits the public as well.

Adam Gregory: And if you failed at something, you ought to be, and someone proposed to use your facility, you ought to be able to get up at your three minutes at Council and explain why. And Council is the one that should be able to make these decisions. This should be providing information to them, rather than... this should give them more information, not less choices. That’s the headline of today.

David Green: That’s the sound bite.

Adam Gregory: Yeah.

Susan Shultz: So, this whole evaluation process and how it will be used whether it's scoring or pass/fail and whether this is just a recommendation to City Council who ultimately can override whatever recommendations, that's all going to be captured in the notes for this meeting.

Andrew Dobbs: I mean, could you capture that last statement of like of it's about more information, not fewer choices? I feel like that's a point of consensus, I would imagine. Right?

Adam Gregory: Yes, with me.

Andrew Dobbs: Consensus of one.

David Green: Is that where the staff was coming from?

Andrew Dobbs: Not fewer choices. David's got a question.

Susan Shultz: Go ahead.

David Green: I think that's a big breakthrough, if you can even get that clarified. Because I was coming into it thinking that this was going to be something that is gonna either you're qualified or not, as a disposal facility, and if you're not qualified you're not even eligible to participate in the procurement. And I'm asking the question: is that where the staff was coming from with this process? Is that what...?

Woody Raine: Well, the staff's assumption was if you weren't on the list, you weren't going to be able to accept any waste, hence, why would you apply for it? But, again, this is something that's up for interpretation, and we're fine with that too.

David Green: Okay, well that's good. That's a big breakthrough.

Mike Mnoian: It's just what I said, backed into a corner. That's just right out of staff's mouth. If that landfill isn't on the list, you can't go there.

Susan Shultz: But that's going to be up for consideration.

Mike Mnoian: There you go.

David Green: Does anybody in this group feel differently about it being used as just another criteria of many, on whether you would be awarded or not? Or a gatekeeper? It's a gatekeeper thing otherwise.

Andrew Dobbs: I mean like, obviously we want to see this as a pretty substantial like part of the scoring criteria, right, of these decisions. It shouldn't just be an afterthought or you know, we're going to give five points out of a hundred for this. We want it to be meaningful. But, this is, like I said, I think that there's, you know, when we're assessing where the public of interest lies, you know there are a lot of competing factors here, one of which is the environment is really important but so is the ability for smaller haulers to be able to compete to provide the jobs that they do to be able to provide the benefits that they do for their clients as well. So, yeah we're very...

Mike Mnoian: It doesn't affect their clients. It's only City of Austin contracts.

Andrew Dobbs: Right, but what I'm saying...

Mike Mnoian: It doesn't matter about every other business in the whole city, it's only those hand full of contracts that that affects.

Andrew Dobbs: Sure, but there might be some, but the point being that, you're absolutely right, but you know, I think that like y'all are telling us, I'm hearing from other folks that if this thing goes the wrong way that it could screw y'all. Right?

Mike Mnoian: It could.

Andrew Dobbs: So, I'm trying not to screw you.

Mike Mnoian: It could just prevent smaller haulers or a big regional hauler from getting a contract.

Andrew Dobbs: Well, I would prefer that smaller haulers be able to stay competitive in all these processes so that we don't see the... I don't think that anybody's going to argue that having two or three companies that have gobbled everybody up, has been beneficial for the environment or the public interest. So, I'm trying to like make sure that, you know, that smaller haulers aren't getting screwed, okay? Y'all are saying that if y'all are shut out of processes, it screws y'all. So, anyway, to use technical terms here.

Mike Mnoian: If we're shut out of options to take material to, if it comes down to one...

Andrew Dobbs: Right.

Mike Mnoian: Then we potentially, could not, coming from a contractual obligation...

Adam Gregory: I'm trying to envision a situation where anybody can bid using... and propose going anywhere. We shouldn't preclude options.

Gerry Acuna: When we originally discussed this a couple of years ago, if I recall, and please correct me, this was going to be eventually used as part of the RFP, not the RFP, but part of it. Pass/fail or score, whatever we decide on here, would be used, that was included in your RFP evaluation. Price is obviously going to be a consideration. The company's reputation, all the other stuff, doesn't go away. This is just included in that evaluation process. It helps staff. Affordability, again guys, is important. The only way that we stay affordable is with you guys.

Mike Mnoian: The cheapest way to get rid of anything is a landfill, and that's a fact. That is a *fact*.

Adam Gregory: But it all depends on the criteria and what kind of cost you're talking about.

Mike Mnoian: You're talking about affordability, the cheapest thing to do is to throw it all away. Ask the guys on the west coast what they're doing with all of their recyclables because China won't take it anymore. It's in the landfill because they don't know what to do with it. Right or wrong, it's a fact.

Adam Gregory: Okay, in an effort...

Susan Shultz: And we can certainly argue values all day long...

Mike Mnoian: I'm just saying as far as the affordability...

Susan Shultz: I think as far as, to make your time as efficient as possible, again, going back to what should be on the matrix. So, we will continue the discussion about how the matrix will be used and how it may affect the bidding process. But, let's go back to the matrix itself.

Adam Gregory: Yes, ma'am. I was going to make an effort to get us in there and kind of tie the conversations together. The first topic we were going to talk about is Carbon Footprint. Well, in terms of options and things like that versus pass/fail, we limit ourselves here to Carbon Footprint of the facility. When you're talking about a contract by contract basis and the amount of tons in, that is part of these contracts, the contribution to the Carbon Footprint I believe is significantly greater on the transportation side than those limited tons will be as contributing to the facility emissions. And if it was a scored thing, it would allow on a case by case basis, Council to consider perhaps a more accurate level of Carbon Footprint of this particular contract because you can consider transportation when looking at a particular contract, because you know where that material starts and you know how far it is to one facility versus another facility. So, it has to do with where it goes and which facility is used, but the biggest chunk of Carbon Footprint, which is the transportation, isn't reflected in these two.

Susan Shultz: Okay. So, how do the other people feel about including transportation in the Carbon Footprint?

David Green: I like it if I'm the closest facility.

Adam Gregory: What I'm saying is they're probably going to consider that regardless, but having a pass/fail that measures Carbon Footprint of just the facility that happens separately from the solicitation could potentially have, you know, a really great facility that doesn't have emissions, but if they're super far away, the Carbon Footprint could be greater using a landfill that passed than one that's maybe, if we were precluding certain facilities from having an option to be part of a proposal, then we could create a situation when you don't consider transportation that ends up using, having a greater Carbon Footprint in an effort to reduce your Carbon Footprint. So, I just wanted to point out and make sure we keep a realistic perspective here.

Susan Shultz: Comments? Woody.

Woody Raine: And that was a comment that the Office of Sustainability made to the Council Working Group early on when the Carbon Footprint was originally proposed as a criteria category. And as staff looked at that, that was taken off the list because we realized it was associated more with the collection contract rather than the actual criteria for the landfill. And so that may be something that future solicitations from the City on collection, that they could include that criteria based on where that collector or where that hauler is proposing to deliver...

Mike Mnoian: Wait, is that based on distance? Or you can start breaking it down to the vehicles...

Woody Raine: If I could finish my thought Mike...

Mike Mnoian: Okay.

Woody Raine: And the only reason for that was because we didn't know what the origin of the material might be. It might be the downtown contract, it might be the citywide, or it may be just the north or south, and so it would be hard to come up with that distance factor. And also the method of hauling, it could be a transfer operation with hauling vehicle so it's too complicated, we felt, to include it in this.

Andrew Dobbs: Donna's had her hand up for a second.

Donna Gosh: I was just going to say what Woody is saying. To me, that Carbon Footprint of the trucks seems to be a separate component of an RFP. It has absolutely nothing to do with the landfill.

Heather-Nicole Hoffman: You could be using electric vehicles for transport.

Donna Gosh: Yes, all kinds of things. So, I don't think that's a landfill criteria. I think that is more part of RFP criteria in a scoring matrix.

Woody Raine: It's still very important.

Donna Gosh: It is very important. I don't discount that all. That's why I'm saying it should be in the RFP scoring matrix, but not on the landfill criteria.

Andrew Dobbs: That should be in every RFP.

Donna Gosh: Yes, yes.

Adam Gregory: And, I'm sure it will be considered in every instance, but it should be, you know, presented in a way that you can consider them in conjunction with each other because there is a net effect and the proposals, generally, on the vast majority of these things, have a hauling and facility component. And the hauling component is affected by where the facility is. The net needs to be considered.

Susan Shultz: So, what I'm hearing is that everybody agrees that transportation is an issue with Carbon Footprint but that as far as the matrix is concerned, that's really focused on the facility. But certainly transportation should be included and considered in the RFP?

Adam Gregory: Yeah, if the matrix is coming up with a score just for the facility, then by all means you can't add transportation into the facility's score. But that's just more along my thought of it being on a case-by-case, a solicitation, the Council having the ability to consider on a solicitation.

Susan Shultz: That will be captured in the notes. Okay, anything else on Carbon Footprint? Yes?

Andy Andradi: I think that the two things you've listed here relating to gas collection and beneficial use of gas are extremely valuable and important, but I think there's probably some other ones that, if you're on the landfill specific Carbon Footprint, you might want to consider when you look at, and I'm not an expert on Carbon Footprint, but there are other potential impacts from the operation of a landfill other than the two that are listed here. How you handle and use your leachate could be something to consider. Do you do recirculation, do you do onsite treatment, do you truck it offsite? You know, those, how you handle your leachate is something to potentially consider when you're doing the scoring on the impact. Same thing might be said for...

Susan Shultz: Correct spelling?

Andy Andradi: That's l-e-a-c-h-a-t-e, I believe is how it's spelled.

Andrew Dobbs: Yeah, 'leach' and 'ate.' Trash juice.

Adam Gregory: That's what it is.

Andy Andradi: Same thing with are you doing, what's your maintenance protocol onsite? Meaning are you maintaining your equipment properly. The better you maintain your equipment, the less emissions they may have. What kind you are using...

Susan Shultz: Hold that thought. So what about the handling and leachate?

Adam Gregory: Along those lines, the handling of leachate is one of the very local and facility specific activities that are not considered in the formulas that are proposed for measuring facility emissions in the criteria. There's a number of things...

Susan Shultz: Do you think that should be included?

Adam Gregory: Yes, in a very general sense there needs to be a method of evaluation or estimation that takes into account local characteristics and facility-specific operational practices, just like David said, that affect these things. He didn't mention the amount and type of daily cover you use. The organic diversion programs you have that affect the waste going in. There's a number of things, and that was certainly something I was going to bring up, is the accuracy and usefulness of the EPA models that are proposed here for determining a facility's landfill gas emissions. Because they do come up with some absurd results because of the very limited, the ability to consider limited variables, and there are limited variables and we, luckily, we're blessed with geology around here that actually very much so reduces the amount of landfill gas emissions for any landfill relative to the base landfills they use to create these models.

Susan Shultz: Okay, so any other comments on leachate in particular?

Alfonso Sifuentes: I think not only that, but to add on to what you were saying David also too, the waste streams. Even though you're limited to certain waste streams, even though you're permitted as a Type I to accept general waste streams, you know, limiting the aspect of some, for example not accepting coal ash, again, that's one of the things that I think will definitely reduce your carbon footprint.

Andrew Dobbs: Sludge.

Adam Gregory: Sludge. Sewage sludge.

Susan Shultz: So is there a way to capture that that would include all of that? How would you capture that?

David Green: I would just think from terms of a criteria, are there certain waste streams that are otherwise permitted to be taken into the site that you decided not to take? I guess the point is there's a number of other things, we're just kind of touching on some of them, that impact the Carbon Footprint of a landfill other than just the two that are listed.

Adam Gregory: Yes, and if they do, and if we include these, the EPA models and stuff, there need to be opportunities to evaluate things that are not considered there, that would have a significant real impact on what the landfill gas emissions would be, like daily cover, type of soil, waste characterization...

Susan Shultz: So do you think it would be helpful to have that sort of open-ended? 'What else is a facility doing to reduce' or however you want to phrase it, the Carbon Footprint within the gas emissions or whatever...

Andrew Dobbs: I think there's...

Susan Shultz: Or do you think to give examples as to what the facility should provide as far as information?

Andrew Dobbs: I think the only problem with an open-ended criteria is that it invites subjectivity and I think that one of the things that we've sought to do as we've gone through this process is to minimize subjectivity so that you don't have, because the last thing we want to is for this to be something that we settle, and then every time something is scored on it, we fight about it.

Susan Shultz: Okay.

Andrew Dobbs: Right? So to the extent that it can be, I think, that to what the Green Group folks are saying, a kind of criteria to the effect of 'are there, do they exclude permitted waste streams'? Because that would actually be a good thing to have, right? If we have landfills... I think if one landfill just is saying, 'Yeah, screw it we'll take whatever' and the other landfill is saying, 'You know what, we have a little bit higher standards, we're not taking this, this, and this', I think that we would want to recognize that second one. I don't know if that goes under Carbon Footprint or under 2. I think you could make arguments for either. In terms of leachate collection, or leachate handling, I think that that is maybe a number 2 thing also. The point is, is that literally everything has a carbon impact, right, more or less. Where do these things go, you can maybe put them here but I think it probably better goes under 2. But yeah including these things is a good idea.

Susan Shultz: Okay.

David Green: There's also the type of fuel that the equipment uses, is another category.

Heather-Nicole Hoffman: That was in there somewhere at one point.

Andrew Dobbs: Onsite use of alternative fuel. 2B.

Susan Shultz: Okay.

David Green: That's under Environmental.

Andrew Dobbs: Yeah, 2B.

David Green: Yeah, so like you said, everything has an impact on the Carbon Footprint, so I'm fine.

Susan Shultz: Okay.

Adam Gregory: And those were, and you're right, a lot of things we talked about will show up in other parts of the criteria however, and it might come down to when we talk about weighting these things and how much it contributes to the score, if we can all agree that certain things are the best or the only way to estimate but they're not very good

results then we would reduce the weighting on that and allow the transportation impact to be the more guiding principle if that was appropriate. I will just say, and I've provided these comments to the Working Group and the Board and the Commission and the staff, the EPA models that are proposed to be used can actually, you're somewhat penalized for the very things that you do to reduce landfill gas emissions. So I'll be advocating for a low weighting of... excuse me?

Mike Mnoian: Could you give us an example of that?

Adam Gregory: Absolutely.

Susan Shultz: Okay, hold on. One thought. Steve, you had a comment?

Steve Shannon: Yes and I appreciate, there's different types of landfills. Type I, which takes garbage and putrescible waste which have the potential to generate more methane gas, generally speaking. There's things you can do to minimize that or aggravate it or in some cases even being stimulated so that the gas is created to create energy and utilize it. Our facility is a Type IV, construction and demolition debris. We can't take putrescible waste. C&D landfills generate very little gas to the point where I'm not aware of a C&D landfill anywhere that's generating enough gas to make it economically feasible to tap it, ever. So I just want to make sure that when we talk about gas, we remember not all landfills create a lot of gas.

Susan Shultz: Okay. And so you don't want to be penalized for that?

Steve Shannon: Correct.

David Green: Can I also just, and I'll be done with these two things. I'm sorry to cut in here. But our facility, because we are going to be brand new when maybe some contracts come up with the City and we want to otherwise be qualified, I think that, you know, a new facility, it takes time to generate gas and to be in a position where you can beneficially reuse it and so for the first let's just say maybe ten years of operations where we're gonna be in a situation where we're not able to commercially capture and beneficially reuse gas, I wouldn't want to be penalized in this matrix because we just happen to be in a different life cycle in our existence as opposed to somebody else.

Steve Shannon: That's a good point.

Alfonso Sifuentes: We've made a conscious decision not to recirculate the leachate too and aggravate it.

Andrew Dobbs: One of the things and this is related to points that I've made. It's why I said that we wanted the 1B to just be a pass/fail criteria on that one, because we didn't want to encourage gas production, right, we want to say either you're using it beneficially or not. I think there's one of two options here. One is that we don't take this, actually, I'm gonna walk it back. I think that the best option may be to have these criteria and then to have some way for people to, for facilities to, offer some sort of alternative evidence or alternative compliance. So on 1A, TDS can be like the EPA model doesn't reflect this because of our very different practices and geography, on 1B, Green Group, if it opens, is able to say we're...

David Green: What do you mean 'if'?

Andrew Dobbs: We can talk about that some other time.

David Green: I doubt that. We'll be open.

Andrew Dobbs: Well, we'll see what the courts have to say.

David Green: We'll be fine.

Andrew Dobbs: They can say that they're brand new so that they are able to get an exception from that or alternative compliance.

Steve Shannon: I'd like to say that I don't know that this notion that it is always in the best interest to not produce landfill gas. It can be used as an energy source. I daresay there's an energy crisis in the world. Just because certain technologies that may not exist today can't come along to where you could stimulate the generation of gas, capture 99.9% of it, so that you're not contributing to global warming and use that gas. So the notion that 'Oh, we don't ever want to produce landfill gas,' I think, is erroneous.

Susan Shultz: Okay. Yes sir.

Andy Andradi: I've been trying to think of, going back to the handling of other waste streams and based on a comment that Andrew made, I think if we get to, the City could get in a bind if they've got this list of materials that some can go here and some can't, that could make things very expensive or even just not attainable to have it all under one contract, one RFP. I don't know how it would play out but I'm not really sure what that is but it seems like if we're going to get into this laundry list of...

Adam Gregory: What I think they were talking about there was not the City directing different types or preventing different types of the City's waste from going somewhere. It would be in the context of considering a landfill's greenhouse gas emissions. Whether or not they were a facility that took a great deal of sludge versus a facility that chose not to take sludge 'cause there are type – you can take Class B sludge at a Type I landfill. It causes odor problems, compaction issues, there's a lot of stuff, but there's some landfills that choose, 'cause you can make good money on it, but some choose to not take it at all and some choose to take a whole lot of it. So and that is certainly a real factor in determining what their likely landfill gas emissions are because the moisture and organics in sludge is one of the things that creates the most of that so I don't think...

Susan Shultz: Yeah, correct me if I'm wrong but I think what you intended was simply for the facility to be providing information on how they handle other waste streams, so that, for example, are they permitted to handle other waste streams and then they're excluding them. So that would be part of the information that the facility will be providing under the Carbon Footprint.

Andy Andradi: So how does that help in the decision-making process?

Andrew Dobbs: I think, and this is what we were saying, this may not go under Carbon Footprint. It may be better in the second section because I think that if there's one, like, the basic point is if a facility is going out of its way to prevent the collection of certain potentially environmentally harmful waste streams and to divert those into other pathways I think that's something that we should take into consideration. The facilities that do that should benefit from those higher standards.

Andy Andradi: If there were alternatives, there is a likelihood they wouldn't be landfilled in the first place. The reason we have landfills is there's no alternative.

Andrew Dobbs: That's not necessarily true. I mean like sludge in particular there's lots of alternatives. There's several different alternatives for sludge, most notably composting the stuff, which is what the City does, which is not great for other reasons. It's not a great solution. There's no great solution for the stuff. But it's better than landfilling it and the reason that people landfill instead of compost is because it's easier, you know.

Steve Shannon: I daresay that the methane gas produced from composting isn't captured for beneficial utilization at all.

Andrew Dobbs: It's an aerobic process as opposed to an anaerobic process.

Steve Shannon: Not necessarily. Because we know from the thing catching on fire down there at Hornsby Bend for how many months, it's not aerobic. It's a complicated situation, no doubt about it, but I think that just because gas is being generated if it is being utilized to the best attempt, an attempt to utilize it the best, that should be not a penalty; that should be a bonus.

Susan Shultz: Consideration. Okay. Anything else on Carbon Footprint? Would you like to take a five minute break?

Andrew Dobbs: No.

Donna Gosh: Would *you* like to take a five minute break?

Adam Gregory: Garbage is a full contact sport, Susan. Welcome to the show.

Susan Shultz: Feel free to go to restrooms and water, and there's some water over here too. So just feel free to move about if you need to. Okay. With the understanding that some of these elements may best fit under number 2 anyway, what other elements, or would you want to refine some of the current elements, that are under number 2? Environmental, Zero Waste, and Sustainability.

David Green: What was the thought process behind only looking at five years of compliance history?

Cavian Merski: We were going back and looking at – the TCEQ maintains their compliance record for a rolling five years.

Andrew Dobbs: The point that I've made is you can ask the applicants to provide the data and they're gonna have to sign and say that they're telling you the truth, right, so you can say give us lifetime or ten years or 15 years or whatever you want, because you don't have to rely upon TCEQ. You can actually get the applicant to provide you with that data which they...

Andy Andrasi: My problem with that is that if you have a compliance history that's poor in the past and you've made improvements to your facility, you can be held accountable for past wrongdoings.

Andrew Dobbs: This was brought up as well and I think the point is that you can weight that score, right, you can sit there and say that violations from ten years ago count less than ones from five years ago, count less than ones from last year, right, but I think that we should definitely take consideration of the lifetime operations of a facility. Especially if it's the same owner.

Susan Shultz: What do others think about the timeframe?

Andy Andrasi: I think first of all Waste Management, who is not here, would definitely have something to say about it. They did mention last time why are they being penalized when they bought a facility that had a less than satisfactory track record. That's my point. I think that would have been a good time for them to answer that question. That was a big point of contention for them.

Mike Mnoian: So what about you guys, you have no history.

David Green: We're fine.

Donna Gosh: I mean, if anything, if you're going to go all the way back then I think you should reward somebody with *extra* points because you were here and now you're here, and you've done a whole lot to improve. So if you're gonna penalize for past failures I think if they really transitioned and made a change, they should be rewarded for that.

Susan Shultz: Do you think it makes sense to consider more than five years?

Adam Gregory: I think so. I would, and there's a lot of issues that are gonna come up that are, that we ought to have Waste Management in the room to discuss. So a lot of that, a lot of the timeframe and history and what from the past is considered and what isn't, I've got a lot to say on it but I'll wait 'til they're here to talk about it.

Susan Shultz: Okay.

Gerry Acuna: Yeah, the elephant's not in the room right now.

Susan Shultz: Okay. So to be continued.

Gerry Acuna: Correct. And again, it's unfortunate that we're not able to cover that topic today because that's probably the most important item.

Susan Shultz: Okay. Wow.

Adam Gregory: I'll tell you why, to give you, Susan, a little context and anybody else who doesn't understand how we got here on landfill criteria, is because the Council chose not to extend or award certain contracts that had proposed to use the Waste Management ACL. And then that's how we got discussing it in the Working Group and that's how they decided to recommend coming up with a criteria, but that was the history of that facility and the City's policies towards that facility and how to continue applying those, that was the impetus behind this, so that's why we need them here to talk about a lot of this stuff.

Susan Shultz: Okay and without arguing the pros and cons, as far as framing the issue is concerned, is it just about whether you would consider the history or you cut it off at five years?

Gerry Acuna: The history's really important. Back to Donna's point, you know, again, Adam is alluding to situations that occurred in, gosh, the 70's, 60's, 70's, 80's and then 90's.

Adam Gregory: I'm talking about conditions that exist today.

Andrew Dobbs: You don't live next to it right now.

Gerry Acuna: Let me finish here. You know, these are conditions that were there. We had a wonderful study that was done back in 1999 that identifies some of these issues. The company at one point and I'm gonna believe, or I should say, I'm gonna take their word that they remediated some of this, they no longer... the point is, I want to make sure that they're here to answer the questions that were alleged and are alleged, so that again we can get beyond this topic of...

Susan Shultz: Right, but from a matrix perspective, going forward, I guess, is the issue as to whether or not you would consider, or in the best practice context, whether the history should be considered or whether there should be a cutoff.

Andrew Dobbs: The other big question that was besides how long of a history should be considered, the big controversy was whether or not complaints should count towards the score or whether it should just be judgments.

Susan Shultz: Okay.

Andrew Dobbs: We have been - I guess he's trying to show you this - we are of the opinion that complaints are a valuable source of information about a facility's operation. We should know about judgments and it shouldn't count - we can work that out - but the way that the state environmental agency actually enforces these things is pretty, it leaves a lot to be desired so that, you know, if you call in a complaint and they take two weeks to come check it out and it's not stinking anymore that day, nothing happens even though they violated the law. They don't get penalized for it because they weren't violating at the right time.

Steve Shannon: The problem with complaints is that they can be generated for any number of reasons, legitimate or otherwise, and that's why the courts, when they're making a judgment, or the TCEQ, or a legislatively authorized agency makes a judgment or applies a penalty, that has validity. But complaints can come from anybody for any reason. 'Hey, I'll give you 20 bucks and I want you to make ten phone calls in the next week complaining about this.' This happens. So I don't think that complaints should be part of it. That verifiable documented judgments made by statutorily authorized agency should have weight, not complaints.

Adam Gregory: Do you think we should consider the official positions of the City of Austin vis-à-vis facilities in the past?

Steve Shannon: I'm not sure I understand what you're saying.

Adam Gregory: Well the City of Austin has been engaged in the legal process over expansions with landfills and with mainly the expansions and the City has taken various positions directing their legal department to do things, taking overarching positions in opposition to certain facilities. Those could be classified as some type of complaints against the facility, and I will point back to the recommendation to staff, a very crucial line is 'per previous Council priorities' and I just want to make sure that this process does not in any way deviate from accepted and past policies of the Council.

Donna Gosh: I think to Gerry's point, we ought to table this until next time and move on because we're gonna have a very redundant conversation.

Susan Shultz: I just noted the issues. So the timeframe, question mark, the consideration of judgments and complaints, question mark, and so those are the issues that we can take up.

Woody Raine: Can I just weigh in on that. And that is that just in general about the criteria for criteria, is that you've got something things that are very specific, like in a contract: 'thou shalt do this, what are you gonna charge us' and we're talking a little bit about how are you gonna reach certain objectives for the City, you know, and saying 'well there are a lot of ways to get there.' The other sort of a criteria is more performance based. This is what the values of the City are, however you're gonna get there counts, and in this case it may be that whatever it is that's being measured through the leachate, through groundwater monitoring, or all these other things, are the measures to look at now, no matter what the past history has been. So I think we need to look at what is the immediate or current impact no matter what the history might be. I think ought to be thrown out as criteria – the impact rather than process.

Andy Andrasi: I want to go back to what I said earlier at the beginning because the values of the community keeps coming up yet we don't have any participation other than the folks that are here. I mean, how do we broaden the scope of people that are involved? We don't even have the other major player in the room. We're gonna have to go through this entire meeting again...

David Green: Correct, so if we can begin this process...

Andy Andrasi: Plus the timeframe is so short to come up with something that's gonna have a far-ranging, over the longer time horizon, and it seems like it's being fast-tracked through.

Susan Shultz: Well there's been already a Working Group, right? Over the last year?

Andy Andrasi: Yeah, but we have these discussions at every meeting.

Susan Shultz: Right. And so what would make it more efficient for you?

Andy Andrasi: I don't know if 'efficient' is the best word. I think there needs to be some new voices and perspectives and people that aren't included.

Gerry Acuna: Are you talking about the actual residents themselves, neighborhood associations?

Andy Andrasi: The public. I mean we've got Andrew representing the values and that voice but...

Gerry Acuna: We've done that in the past. We have had public hearings where...

Andy Andrasi: I know, but obviously word doesn't get out.

Gerry Acuna: No, I'm sorry. Not today, you're right. This was a challenged meeting obviously but having said that in the past we have had some public input. We've invited the community to come out and discuss their challenges with a facility.

Andy Andrasi: Those are the ones that were filing complaints...

Gerry Acuna: Correct.

Alfonso Sifuentes: Also too, I'd like to add on that, we're mentioning TCEQ, I would like to see representatives...

Donna Gosh: Yeah, TCEQ should be here.

Alfonso Sifuentes: Or even CAPCOG. They have a performance review process.

Emlea Chanslor: Susan, is this an okay time for me to chime in kind of umm...

Susan Shultz: Sure.

Emlea Chanslor: So during the meeting I checked our notification for this series of meetings. We sent it out to 175 individuals, stakeholders who previously participated. All of the major stakeholders you're mentioning are on that list. So they missed it in their inbox or something happened. So I think it would be helpful for us as staff, 'cause our goal is definitely to be inclusive, we posted this also on the City's website, so it's listed on the City's website for meetings related to the City. This meeting today and all future ones are already there on the website. So we are open to your suggestions of other stakeholders to reach out to. The major ones you've mentioned, we can definitely place calls to them to make sure they see a notice they've received, and make sure they have notice of future meetings on their calendar. Also at ZWAC they mentioned maybe wanting to get an academic perspective, so we have also been reaching out to folks at UT to try to find if there's folks who have done research in this area who are interested. Of course, spring break happened last week so I think, you know, we've done some reaching out to contacts we have, but if you have others we're very willing to follow through on those.

Andrew Dobbs: We have three other universities right here and a community college district so...

Donna Gosh: ACC has a very large sustainability department.

Andrew Dobbs: Yeah and you've got St. Ed's, Texas State, and Huston Tillotson, so I'd encourage you to include those.

Adam Gregory: Concordia too.

Andrew Dobbs: Yeah, Concordia also.

Emlea Chanslor: We also reached out to Commissioner Masino to see if she had any suggestions...

Gerry Acuna: Exactly.

Emlea Chanslor: We've reached out to her a couple times but we haven't gotten any leads. So we're willing and working on it to get more voices in here. If you have specific leads or suggestions then we will be glad to contact them to try to get that.

Adam Gregory: I think it's always good to have more voices come in and we obviously need the main players here, but as far as community values goes and what we're trying to accomplish, we're not starting from scratch here and trying to reach out to find things. There are some baseline things that we can point to as the adoptive policies from Council and the City. We've got Zero Waste Master Plan, Climate Protection Plan, we've got the Strategic Plan. Love 'em or hate 'em or like parts of 'em or not, we can point to those as the policy of the City and go by that stuff for as much or as little as we can. So we've got stuff to point to.

Susan Shultz: Right, and I think again the goal here is to really have as many voices as possible but you are operating within certain parameters. It's not like you're starting from scratch, right. As far as the purposes of these meetings it really to come up with some matrix or some measure of evaluating a landfill going forward. So I know, I don't know if as a member of the public I would have any, other than maybe just concerns and making sure that landfills are being evaluated. I don't know that I would have any particular expertise to add but...

Mike Mnoian: You don't but you pay the bill, and that's where this all goes to. You can recycle and divert anything. How much do you want to pay every month? That's the public. That's every resident in this city. You want to pay \$150 dollars a month and then build that facility and do what they need to do to minimize that flow of garbage and waste...

Susan Shultz: Even if this is limited to the City managed contracts?

Mike Mnoian: Well, same thing. The City pays the bill. How technical, you know, you could break it down all the way down and there's facilities in this country that do that. They are very expensive.

Donna Gosh: So, it was mentioned a minute ago that the things on here should be very, very objective and not subjective. So I know part of this is discussing the items on here but I know on Item 1, they mentioned the EPA scoring

somehow, but on Item 2 where does the objectivity...? I mean, on permit compliance obviously TCEQ is very objective. So not that one, but some of these other ones on Item 2, what is the objective criteria where it isn't kind of a subjective thing? Is there some way to measure each of those things with numerics and then... I apologize because I don't really know a lot about landfills so maybe those things are measurable with a number, but I do think that objectivity is important because, as Mr. Dobbs said, the last thing you want is every time this thing comes up to have a battle every single time. The point is to make this where we don't have what we've had the last few years with constant battles over solicitations. That it's just here's their number and it's objective.

Gerry Acuna: To your point, Donna, I think meeting 4 is where we were going to attempt, I should say, to set a numerical value on some of these items.

Andrew Dobbs: That's not what she's asking.

Donna Gosh: So is that the last meeting where we talk about the scoring, meeting 3 where we talk about the scoring matrix, that's where we'll get into that? Okay.

Gerry Acuna: Correct.

Andrew Dobbs: What you're also asking about is, are these things measurable, and the answer is yes. Like you're either using alternative fuels or you aren't...

Donna Gosh: So some of them are yes or no answers.

Andrew Dobbs: Right, like beneficial waste...

Donna Gosh: Okay. Cool. That's what I was asking.

Andrew Dobbs: Yeah, all these things are clear decisions. Yeah.

Donna Gosh: Okay. Appreciate that. Thank you.

Andy Andradi: Yeah but like alternative fuels aren't subjective, is it just a vehicle or your whole fleet?

Andrew Dobbs: That's a good point.

Donna Gosh: So maybe it's a volume as well as a yes or no.

Heather-Nicole Hoffman: A percent, maybe?

Donna Gosh: A percentage, yeah. Heather, that's good. So when we get to that third meeting I guess those are things we all need to start thinking about for that third meeting on the scoring matrix is, how would we actually score these things.

Susan Shultz: I think that's two different issues, is the way I understand it. You're asking whether each of these individual elements have a numerical value or a measurement at least, an objective measurement?

Donna Gosh: Yeah.

Susan Shultz: As opposed to how these elements are going to be weighed in an evaluation of a landfill. In other words, whether some of, like the Carbon Footprint, is going to be weighed more heavily in the evaluation than the number 2.

Donna Gosh: I think they all should be weighed fairly the same, I mean, if you have four points...

Susan Shultz: Right, but did your question first go to how...

Donna Gosh: No, it's like on the alternative fuel, I mean, how do you objectively weight that, or give it a score so you can...

Susan Shultz: Okay, so it did have to go to the scoring.

Donna Gosh: Yeah.

Susan Shultz: Okay, I'm sorry. I understood it, I think, the way Andrew did as far as how do you measure a particular... so on 2B, Andy, you were talking about whether that's like a vehicle or your whole fleet or...

Andy Andradi: Yeah...

Donna Gosh: So like Heather was saying, it'd be kind of a percentage. Okay, well 2% of our vehicles use alternative fuel or 90%. So obviously if you have 2% then you get 1 point. If you have nine you get five or something. I mean there needs to be some kind of objective...

Andy Andradi: But then you have all these divisions within. CNG, LNG...

Andrew Dobbs: This is something that is not like super beloved by commissioners, by the way, an accurate way of putting it, because what their term 'alternative fuels' are not necessarily, like LNG is probably better than diesel...

Adam Gregory: I get confused on this because recently we've had some folks that seem to know a whole lot about it saying that diesel is better than natural gas, and very passionate about not awarding natural gas, so in this criteria I don't know what's gonna be good and what's gonna be bad.

Andrew Dobbs: Frankly I'm not sure that it's like...

David Green: Why do we even have it then?

Gerry Acuna: This is what we're here for. To determine what is good, what is not good, what we need to keep, and what we don't need to keep. And that's why we're sitting here.

Adam Gregory: Okay, well then this is good discussion because think about a landfill. We're talking about the facility, transportation considerations are gonna happen somewhere else. There's no such thing as an electric landfill compactor. Oh, Elon's working on it? I don't know that there's an electronic bulldozer. I don't think the battery technology's there yet for those things.

David Green: In other words, it's limited, what you can do.

Adam Gregory: It's limited. And I don't think they have heavy equipment that runs on CNG. I mean, forklifts and stuff, but all forklifts run on propane. But the main equipment that operates a landfill is going to be diesel and I guess you could say if you're using red diesel or not. Most landfill operations are gonna use red diesel.

Susan Shultz: So is the issue on the table whether 2B is helpful or not?

David Green: Is it material in making the decision? For me it's doesn't seem that material.

Adam Gregory: It would amount to counting how many forklifts you're using.

Andrew Dobbs: Let's come back in five or ten years when the technology...

David Green: Putting solar panels on your admin building or something, it's gonna be such a minor...

Gerry Acuna: So are we in agreement to remove 2B?

Heather-Nicole Hoffman: I think you'd probably have some fight, to some degree, because we want to encourage people to use alternative... now if everyone is using diesel, then everyone gets the same score, right?

Donna Gosh: But if it's not even available why even have it as a criteria?

Heather-Nicole Hoffman: Because it will be available. We're seeing technology increasing.

Andy Andradi: What I'm thinking is, this goes beyond, this goes to all operations.

Heather-Nicole Hoffman: Associated with the landfill? Right, it's the office and...

Mike Mnoian: It's a hybrid compactor. I don't know how well it is, but it is available. I'm not saying it's good, bad, cheap, expensive, doesn't work, I have no idea.

Gerry Acuna: Yeah, Andy, this doesn't include your fleet. This is the landfill operation.

Mike Mnoian: Yeah.

Heather-Nicole Hoffman: it's not the transportation to the landfill.

Andy Andradi: Landfill operations. It doesn't include the admin buildings?

Heather-Nicole Hoffman: It would be the admin buildings but not the transportation to the landfill.

Susan Shultz: Gerry, are we talking about 2B?

Gerry Acuna: 2B, yes.

Susan Shultz: It says landfill fleet.

Donna Gosh: Well the landfill fleet is the other one, it's like heavy equipment.

Heather-Nicole Hoffman: That's the stuff that stays in the landfill.

Adam Gregory: It's compactors and dozers and...

Andrew Dobbs: You ought to get out to a landfill or two and see how they operate. It's quite a sight. What I'd say is that like you're saying, I think that there is a lot of questions about whether these various forms of hydrocarbons are better or worse than one another and I think that the kind of consensus from Kaiba is you know, if you ask me to tell you something about the environment or about climate, I'd tell you to call Kaiba. What she says is that some of these things are better, really we should not be favoring any one of these over the other. So we want to say use of non-carbon energy or something like that? Then we talk about putting this back up to the first one and so people are using wind, solar, hydrogen, electric, hybrid, or something like that for vehicles for offices, for whatever, that's something to be considered.

Susan Shultz: Is that a better criteria?

Heather-Nicole Hoffman: I would go along with that if we just pull petroleum based. Use of alternative fuels, non-petroleum based.

Andrew Dobbs: Or non-hydrocarbon.

Heather-Nicole Hoffman: Non-hydrocarbon.

Alfonso Sifuentes: Alternative energy.

Emlea Chanslor: Can I highlight something? When we as staff put it together there is a 2B and a 2D and on B our intention was to focus more on fleet and equipment, and 2D could include things like the panels on buildings, etc.

Andrew Dobbs: See, the thing about that, I appreciate that but like, sorry to interrupt. That's valuable and I see that and whatnot but that also strikes me as super potentially subjective on 2B. Right? So like, 'Oh we've got, you know, the birdfeeders out here or whatever and so yeah this is an environmental technology. We used Purple Martins on this part instead of spraying it down so therefore give us more points.'

Adam Gregory: Butterfly gardens.

Andrew Dobbs: Butterfly gardens, yeah, whatever. All that stuff is nice but I worry about the subjectivity of it and allowing people to do window dressing and green washing and counting that towards their score. It makes more sense

to say objectively are you using non-carbon-based energy on your site in some ways. How much of that are you using? Okay, that's an objective score. Yes, this much. Yeah...

Heather-Nicole Hoffman: Percent energy used that comes from...

Andrew Dobbs: Yeah, exactly. This percentage of our energy that we use onsite is coming from this, and then if they're, some people are using a lot and if somebody can figure out the electric compactor, it's like you got to watch out for the cord like when you're vacuuming but you know, like, then we got that.

Susan Shultz: So Andrew, does that capture what you were saying as far as use of non-carbon-based energy as...

Andrew Dobbs: Yeah.

Heather-Nicole Hoffman: Add percent use.

Susan Shultz: What'd you say?

Heather-Nicole Hoffman: Percentage use.

Susan Shultz: Percentage used?

Andrew Dobbs: Yeah the point being we don't, again, like...

David Green: Percent of what?

Heather-Nicole Hoffman: Total energy use.

Gerry Acuna: Total energy use.

David Green: I don't know how you would calculate that.

Andrew Dobbs: I mean what you could do is...

Adam Gregory: Joules.

Andrew Dobbs: Joules. Or slugs. Don't slugs have something to do with energy?

Susan Shultz: Is there a way or capturing what the intent here is...

David Green: I think the intent is they're trying to see if you're using creative alternative energy uses. The reality of our industry is there's very little of it happening. And so we're struggling with it because it's like we're having a theoretical discussion.

Adam Gregory: Well, if you drive the golf cart to the compactor and then get in the compactor there is gonna be a percentage, it's gonna be very, very low, of that golf cart ride.

David Green: I think encouraging it is great. Finding out whether or not a facility is using any of these, is great.

Susan Shultz: Okay.

David Green: I would make this 1% of the total grade...

Adam Gregory: A lot of things...

David Green: It's what weight do you give this. It shouldn't have any...

Susan Shultz: Just report whether you're using it?

David Green: Yeah, it's information. This is helpful information.

Adam Gregory: Yeah.

Heather-Nicole Hoffman: No I think he's saying how much we're weighing that in the total matrix.

David Green: Yeah, in weighing it in terms of the total matrix, I would give this hardly any weight because it's immaterial.

Donna Gosh: So he's saying make it a yes or no and then just give it a very small percentage of the score.

Andrew Dobbs: In terms of the total impact of a facility like this, yeah, the difference between using solar panels on the roof or plugging it into the grid is pretty small. I get where you're coming from. The point is that we don't want some one facility to be like sitting there doing really cutting-edge stuff and bringing in all kinds of cool machinery and everything else that's non-carbon-based or whatever, and then one other place being like 'Yeah we put a solar panel on the roof' and getting the same score. But I mean at the same time I think the point is that how much of a difference are we really talking about in the grand scheme of things?

Heather-Nicole Hoffman: Which is why you don't weigh it heavily in the matrix.

Susan Shultz: Okay, so would you replace 2B then just with a category of 'use of non-carbon-based energy'?

Andrew Dobbs: Yeah and I think if we can keep it from being super heavily weighted then it can be something...

Gerry Acuna: The grades will come in later at meeting 3, but yes.

David Green: I just wanted to get it out there while we're talking about it.

Susan Shultz: Okay. How does everybody feel about that? Replacing 2B with this? Okay, any concerns?

Unknown Speaker: So it's just, you're using it or you're not using it?

Susan Shultz: Yeah.

Adam Gregory: I think, I feel like that will find a better expression in the, I think there's a category somewhere for innovative things you're doing for sustainability. Because if you're doing something it's gonna be new and you're gonna be describing it as opposed to quantifying it and that will give policymakers the ability to evaluate its impact or how much that indicates your commitment to doing something that's different, so a lot of it comes down to weighting, weighing. But things with like a yes or no, if you say yes cause we've got golf carts out there that move people around, you don't know, and someone else says yes because they added batteries to the compactor, it doesn't allow you to judge the differences. So a narrative description of these innovative practices, which is what they will be for a long time if they occur will be, a narrative description would allow people to make a value-based judgment as opposed to seeing a yes or a no.

Susan Shultz: Are you saying that's captured in some other criteria as far as innovation?

Adam Gregory: Other environmental sustainable practices, sure.

Andrew Dobbs: I think that's kind of subjective. That's the butterfly garden thing, man.

David Green: I don't think it should be yes or no either. I think there should be a description of what you do. Yes or no is too easy to just say – you're always gonna say yes.

Heather-Nicole Hoffman: Does the percentage of total not work?

Donna Gosh: Well just, that's what they were laughing about. It's very hard to measure what is the total. That's very cumbersome.

David Green: It's less than 1%.

Heather-Nicole Hoffman: Then everyone will be less than 1% and you're all uneven until somebody breaks through that and then they get credit for it.

Andrew Dobbs: I think that as long as we have a subjective thing, as long as that narrative is available to policymakers so that they can see what it is, right, it's not just bare numbers. 'Cause this happens all the time where they're looking at a thing and it's like interview performance and this guy got 30 points and this guy got 20, and it's like what's the difference? That guy did a better job. It's like well what does that mean? I think that they need to be able to see that for themselves so that they can assess 'well yeah, they gave us this many points but I'm looking at this and think it's better in this way.'

Susan Shultz: So do you think that this should be included under 2D as an example or as a specific element that should be included in 2D when you give that narrative of what else you're doing for sustainability?

Cavian Merski: Yeah, I'm not sure how much you report this but calculating total energy usage would be as simple as looking at your inventory reports for fuel and your Kwh on your electric bill and converting it to btu. That's something I do a lot. It's not difficult and it's usually numbers you have anyway. I don't think that should be the reason...

Gerry Acuna: But you're talking landfill operators.

Cavian Merski: Right.

Adam Gregory: What is that supposed to mean?

Andrew Dobbs: They pay their bills, right?

Gerry Acuna: I'm being silly. That is the way Austin Energy would do it and that is how it could be done. Are you guys committed to something like that?

Woody Raine: Do we have to establish a baseline?

Gerry Acuna: Yeah if you...

Woody Raine: If the landfill brings in more equipment because if operations dictate it, how do you...

Donna Gosh: Well it'd be the percentage of the non-carbon to your total. So if you had more total then it'd still be a percentage of that.

Mike Mnoian: So I'll play devil's advocate for Adam. They've got several operations on their landfills. How do they separate equipment? A for landfill, B for compost? You blur the lines with his equipment when he buys diesel fuel because he's just buying a thousand gallons of red diesel fuel. He can't then say I put five gallons in this truck that runs at the landfill but then that went over to this... so you could blur those lines on an operation such as theirs.

Adam Gregory: Yeah, and I don't think you would want to compare gross numbers among facilities because your first ton is gonna use less fuel to landfill that first ton than you are your millionth ton. So I think we're kind of in agreement that this is gonna have, it's so marginal, the ability to excel, even the option to excel in this category is so marginal that we've determined that it's probably gonna be a very, very low weighting that maybe we're...

Susan Shultz: We need to move on.

Adam Gregory: Yeah, maybe we're spending too much time on it.

Andrew Dobbs: To answer your question, no, it shouldn't be under 2B. 2B should be a separate thing that's maybe a simple and relatively marginal scoring criteria whereas 2D would be a narrative based thing that we just want to make sure it available to Council or other policymakers so that they can assess the outcome for themselves.

Susan Shultz: Okay.

Andrew Dobbs: Or so they can compare their assessment to staff's.

Donna Gosh: But any narrative like that that's subjective should just be an add-on after the score is determined. It shouldn't be part of determining the score, because what you value, I may not, or Andy may not.

Adam Gregory: But there's gonna have to be narratives that are scored because there's, I mean, a lot of this stuff is gonna be – if we're gonna do a periodic proposal of this information, you're going to have to have narratives that are scored similar to any other solicitation. Now, it's hard to find complete objectivity but there will be some subjective scoring but I assume if we're using similar purchasing guidelines, you know, there would be multiple people scoring these things and you would have the opportunity to appeal your score and do different things like that, those are all nuts and bolts issues that we probably won't fully understand until we get to the final product.

Donna Gosh: What Gerry was saying is we're trying to avoid all that. We're trying to get this where it's fairly black and white so there isn't any appeal, there isn't any nonsense, it's just simple...

Adam Gregory: Well appealing and getting to what's right isn't nonsense but if you read these things, the vast majority of them are gonna require a narrative that someone's gonna have to read and score.

Andrew Dobbs: I don't know about that. Some of these are yes or no questions. You're doing it or you're not. That's what we tried to get to. That's why we objected to a lot of things that used to be on here, you know, over the course of this process. We are just a couple minutes 'til 12:30...

Susan Shultz: Yes. Yes.

Andrew Dobbs: And I know that we all have other things on our deal but I think that Donna's point, I think both of y'all made good points but I do like Donna's point of let's score everything objectively that we can score objectively and then if we have narrative elements let's add that on top of that and I say have that either if staff is gonna score it, or not, those narratives have to be in the package presented to Council so that they can assess it for themselves.

Andy Andrasi: So who evaluates the narratives though?

Andrew Dobbs: That's what I'm saying is like if it's staff that's doing it then we would still have Council being able to say... I'm okay with not doing scored, right, and just having those narratives available for Council or other people to see so there's all the objective scores plus they say that they're doing A, B, C, D, E, and F...

Andy Andrasi: I could write anything in my narrative. Who's going to investigate the veracity of my...?

Donna Gosh: Andrew Dobbs.

Andrew Dobbs: At the end of the day there should be a sign on this that says... yeah, I'm happy to do that. At the end of that day there should be a sign on this that says are you telling the truth thing at the end of the application where you sign and say yeah I'm telling the truth and you face criminal charges if you're lying about this.

Heather-Nicole Hoffman: Provide some documentation.

Andy Andrasi: I'm just saying but then you're gonna have to have someone that's gonna be able to say okay this narrative outweighs this narrative. There's still subjectivity.

Andrew Dobbs: I think maybe that's the narrative. We're talking about listing things that you're doing. I don't know. You're right. You're right.

Donna Gosh: One may say I have five hybrid vehicles and another may have 30...

Susan Shultz: Okay, so the last couple minutes that you have, are there other critical issues in 2 that you want to put on the list for consideration?

Gerry Acuna: 2E.

Susan Shultz: Just to highlight for people to think about for the next meeting.

Andrew Dobbs: I mean, the answer to this is if Waste Management were here, they would want to fight about 2E for the next 45 minutes. Okay, and some of these other things like 2F would be, is a really big deal that people want to talk about, so I think that these meeting topics were imposed upon us and it was pretty clear that when we came in here that we wanted, the people involved wanted to talk about other things instead because those are actually the primary issues, all the stuff that's up there. So I think it might be a good idea to finish 2.2 in the next meeting and rearrange from there.

Susan Shultz: Oh yeah...

Adam Gregory: We're gonna need to remain flexible.

Susan Shultz: ...I'm just saying is there anything, any questions or any issues that you want to put out there so people can think about it and we can come back to next meeting. So in other words be prepared to talk about it.

David Green: I have one thing because I'm not gonna be at the next meeting because of a scheduling conflict...

Susan Shultz: Okay.

David Green: ...that I would like to put out there related to 2C for consideration.

Susan Shultz: Yes.

David Green: This says 'landfills are credited for onsite activities that reduce, dispose of, etc., etc.' For a facility like ours, I think we should also be given credit for those same activities that occur through a processing facility or transfer station before they arrive.

Susan Shultz: So offsite?

David Green: Yeah, it shouldn't be just onsite. If we through either ownership or through other arrangements have already caused recycling of material to occur at a transfer station or processing facility before it gets to our site, we should be given credit for that. This says onsite only.

Susan Shultz: Okay, so your suggestion would be to not limit to onsite.

David Green: Yes.

Susan Shultz: We can talk about the wording later. Okay. Any other specifics that you would like people to consider?

Adam Gregory: I just want to be clear on that and I totally understand that on a contract by contract basis when you're talking about a specific waste stream. But I was talking about similar to what you are, but on just the facility if that's what we're scoring, that would be more like an additional thing like the transportation Carbon Footprint that ought to be considered in the context of the award of a particular contract...

Heather-Nicole Hoffman: For not accepting certain waste.

Adam Gregory: Yeah. It wouldn't necessarily go into the landfill's facility score but obviously should be considered in the context of a specific solicitation.

Susan Shultz: Does that make sense?

David Green: I don't agree with that.

Susan Shultz: So to the extent that you're scoring the facility itself as opposed to what the organization is doing...

David Green: What's the purpose of this criteria?

Heather-Nicole Hoffman: Your landfill. Landfills that we do not approve of because they're leaching stuff, because they're not supporting our communities, because they're not paying the people, they're not safe...

David Green: I'm talking about this particular criteria. I'm talking about recycling.

Adam Gregory: Which criteria?

David Green: We just want to make sure the material's been recycled, whether it happens onsite...

Andrew Dobbs: That we're not landfilling valuable materials.

David Green: Yeah. Because we happen to have a situation where we either have through contract or ownership undertake that same activity, but it's not at the landfill. I want credit for that.

Susan Shultz: Oh, I see. So if a landfill is to be credited for reducing disposal of reusable and recyclable...

Andrew Dobbs: I mean if the landfill owner and operator that's the one that's taking the initiative to do that, I mean, ultimately it's not about the physical facility... we're not doing the contract with the facility. We're doing the contract with the company that owns the facility. If that company is taking the steps to do these things then why shouldn't they...

Adam Gregory: It absolutely should be on a contract by contract basis. I see it absolutely being considered just like the transportation emissions, but say if you have a landfill and a transfer station that does significant amounts of recovery at the transfer station. You can have a contract where the subject waste stream does go through the transfer station and then goes through the landfill, in the award of that contract it should certainly be considered, the landfill score and the benefit of the recovery at that facility. However if it's a contract where the material, you have these two facilities but the waste stream goes straight to the landfill, there shouldn't be any scoring benefit from that existing there. But I get the same point because we are a co-located facility and if there's... it should be utilized... a contract should be evaluated by the facilities that waste stream is gonna use, not necessarily...

Susan Shultz: Okay, if I'm summarizing your point accurately, you're saying that if landfills are to be credited for activities that reduce disposal of reusable blah, blah, blah, then they shouldn't be limited to onsite.

David Green: That's my only point.

Susan Shultz: Okay.

Andrew Dobbs: I mean, we can hash that out I think. I get both of your points. I get what he's saying. If you're doing a contract say for City facilities, right, and y'all get that contract and you're not driving and that's not going to go to a transfer station first, it's going to go directly to the landfill, then why should you get credit for the transfer station options or processes that you undertake if it's not going to be relevant to this particular contract?

David Green: But that's not what this does. This is for your operation as a whole not...

Andrew Dobbs: That's the other side of it and I agree. I get that too.

David Green: I think when you get to a specific solicitation, then yeah there's a lot of factors.

Susan Shultz: Okay.

David Green: But for this part I think I would like to have offsite recycling and reduction also be given credit.

Susan Shultz: Noted. Any other issues that you want to highlight so that people are ready to talk about?

Andrew Dobbs: I mean, like I said, if Waste is at the next one, they're gonna want to talk about 2E.

Adam Gregory: We have to have that conversation. I will bring up another foundational question and I think staff has envisioned this being a separate process where in this type of instance when you're proposing for to get a score that's based on your adherence to a list of community values, when you use the solicitation process your evaluation is typically limited to the four corners of the paper that you get from the proposer, should there be, which will always be in the best possible light, and I understand you can ask for lots and lots of things and make them certify that it's true and correct

and complete, but should there be a mechanism for gathering information from the public sphere? I know that's a loaded question.

Andrew Dobbs: Meaning that staff can go in and Google...

Adam Gregory: Staff can evaluate things...

Andrew Dobbs: I think that was the whole point of a five-year TCEQ compliance was that they were gonna do that. So I mean I don't know that's something that we should talk about.

Adam Gregory: Yeah, it's just a question I didn't want to resolve or anything but I think is the source of the material 100% that's being evaluated, 100% provided by the company or is there an investigation that goes on. And that's just a question.

Andy Andradi: Richard, can I just ask a general question I guess of what just struck me. The City of Austin, do they understand how much of their material as a percentage actually has to be landfilled? Because if they're going towards zero waste and your process and your behaviors are being modified, how quickly are you going to get to a point where you're only truly disposing in the landfill what needs to be?

Richard McHale: That's certainly gonna be some legacy waste. That's always gonna happen in a landfill, whether it's wood that may have lead in it or whatever so I mean you talk about that 5-10% in the future, obviously our goal is for 2040. We're way behind that curve right now.

Andy Andradi: So where does the actual City operations or facilities, where do they fall as far as a diversion procedure?

Heather-Nicole Hoffman: City contracts or City...

Andy Andradi: No, not city-wide. This is only applying to waste generated by the City of Austin.

Emlea Chanslor: Let's take that back and something to look into and report at the next meeting. We don't know that off the top of our heads.

Heather-Nicole Hoffman: Are you saying City contracts or City facilities? 'Cause those are two different things.

Andrew Dobbs: Well the facilities are a contract.

Heather-Nicole Hoffman: Well the residential service is not a facility.

Adam Gregory: There is City generated waste and City controlled waste. Those are different.

Andy Andradi: So does this apply to City generated and City controlled?

Andrew Dobbs: Anything that they would be doing...

Adam Gregory: City controlled.

Donna Gosh: It depends on if they are residents or facilities. If it's a City contract that you're bidding on, whether it's for residential or commercial or a City of Austin building, this applies.

Adam Gregory: And the residential stuff the City hauls, so there's not a hauling component in there. That's just the use of the facility.

David Green: I'd be interested in knowing this too. Of the City contracted waste, meaning City collected waste, how are you doing toward the goals?

Andrew Dobbs: I mean that's tracked on a monthly basis.

Gerry Acuna: What are we, 37%?

David Green: I didn't think about the residential in this...

Susan Shultz: Okay, my job is to get us out on time and we're out of time. Next meeting will not be here. You know that. It's gonna be at the Twin Oaks library. We've had to juggle between the two libraries. Just make sure that you look at your agendas.

Adam Gregory: Wait, I'm sorry, what...

Susan Shultz: The Twin Oaks library next time. Not this...

Andrew Dobbs: It's the one over in Bouldin.

Adam Gregory: Oh, okay.

Susan Shultz: Yeah, so I will capture these notes from our meeting today and then it will be distributed to you before the next meeting. And then at the next meeting we certainly will have opportunities to review the issues that we highlighted in addition to...

Steve Shannon: How will these be distributed to us, ma'am?

Susan Shultz: Email.

Steve Shannon: That we sent over here? That we signed up when we signed up over here?

Susan Shultz: The notes will be distributed by email and the emails will be taken from the email address book.

Emlea Chanslor: I'm gonna suggest it be distributed to the email that we sent the meeting invitation to and we will definitely add anyone who signed in today who wasn't already on our list.

Steve Shannon: All right. May I suggest that a couple players that weren't here you might make a follow-up call to?

Emlea Chanslor: Sir, we will definitely contact Waste Management and Republic. Like I said they were on the list and notified of this meeting.

Steve Shannon: I get 200-something emails a day...

Emlea Chanslor: Right, we will call those two.

Steve Shannon: Susan, did you learn anything about solid waste?

Adam Gregory: Thank you for putting up with us.