

# AUSTIN MONITOR

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## RESOURCES

### Council denies controversial waste disposal contract

City Council voted unanimously last week to kill a garbage collection contract after outcries from both environmentalists and waste hauling companies that claimed they would be hurt by the proposed deal between the city and Republic Services, a Phoenix-based waste disposal firm.

Council's decision followed a recommendation by the Zero Waste Advisory Commission earlier this month to deny the three-year, \$7.7 million contract for Republic to collect and dispose of waste from city facilities and at special events. Among the chief concerns expressed by commissioners about the contract was that it proposed dumping the waste in the Austin Community Landfill, which has long been the target of complaints and litigation by neighborhood groups and environmentalists over what they say is persistent odor and safety hazards.



Council members echoed those concerns during the Thursday meeting.

"I thought we as a community had decided to stop that mountain from growing," said Council Member Leslie Pool, referring to the landfill located in Northeast Austin.

Jim Nias, an attorney representing Republic, suggested the contract should be a "no-brainer" because the firm received a better score from the city purchasing office than the only other bidder for the contract, Waste Management of Texas, in terms of cost effectiveness and regulatory compliance. In addition, he argued, Republic had a "track record" of providing the city high-quality services.

Andrew Dobbs of the Texas Campaign for the Environment, however, urged Council to reject the contract, accusing Republic of "greenwashing" plans that directly conflict with the city's environmental goals. He recounted a recent invitation from a neighbor to check out the site "to see how bad it reeked."

Dobbs urged the city to send its waste elsewhere, suggesting sites operated by Waste Management in Williamson County or one run by Texas Disposal Systems southeast of the city.

Indeed, TDS expressed vehement opposition to the contract as well. Although it did not put in a bid for the contract, its representatives told Council that it was deeply concerned that the extent of the waste collection services that Republic would gain from the contract would hurt the many other waste collection companies in the city.

In an interview with the *Austin Monitor*, Michael Whellan, an attorney representing TDS, said that the Republic contract was an attempt by city staff to “consolidate” a variety of waste collection services under one company.

“It is convenient and natural for us to believe that consolidation is less expensive,” he said. “It’s not.”

Speaking to Council, Nias suggested that TDS’s objections were geared toward forcing the city to direct waste to its own landfill.

In addition, argued Nias, the complaints about the Austin Community Landfill were overblown. It has 13 additional years of capacity, he said, and has not been cited for any environmental violations “for a good while.”

Council Member Ellen Troxclair had prepared a motion directing city staff to develop a new request for proposal that would be less expensive (\$6 million over six years), would be more limited in scope and would prohibit waste from being diverted to either the Austin Community Landfill or the Sunset Farms Landfill. It would also divert the additional \$1.7 million that staff had proposed for the contract to the city’s budget stabilization fund.

However, interim City Manager Elaine Hart voiced concerns about Troxclair’s proposal, including that the proposed spending would not cover the services needed in the coming years and that transferring money from Austin Resource Recovery, the city’s waste management department, is not in keeping with “best practices” because, unlike most other city departments, it is an enterprise fund that is financed directly by fees paid by customers.

In response, Troxclair agreed to shelve her proposal while the Zero Waste Advisory Commission comes up with an alternative recommendation.

James Scarborough of the city Purchasing Office assured Council that the city would be able to continue disposing of its waste without a contract on “an interim basis,” but that Council should have a new long-term proposal ready in the next few months.