

June 14, 2017 Water and Wastewater Commission

Item B: Citizen Communication

William Moriarty: Our second speaker is Mr. Adam Gregory. Good evening, Mr. Gregory. You've got three minutes.

Adam Gregory: Good evening, thank you. Adam Gregory with Texas Disposal Systems. I just wanted to talk on, I forget what Item it is, but it's your review of the biosolids policy recommendations from the Joint Work Group and from ZWAC. I wanted to take the opportunity to encourage you to adopt the revisions to the joint recommendations that were adopted by ZWAC, primarily so there can be one set of recommendations that informs the next solicitation for biosolids processing. I believe the revised policy will result in a more environmentally protective process while still providing flexibility in the market and innovation, innovative, processes in the future. It will also help to avoid controversy and conflict related to the Travis County Siting Ordinance for Solid Waste Facilities. So that's my recommendation and encouragement is to adopt those revisions to the policy recommendations. And I'm happy to answer any questions.

William Moriarty: Yeah, I don't think we ask you questions but we appreciate your time this evening and your statement. Thank you.

Adam Gregory: Thank you.

Items F1 & E1: F1. WWWC representative to the City Council Waste Management Policy Group – Susan Turrieta. E1. Review and approve the Zero Waste Advisory Commission (ZWAC) amendments to the recommendations of the Joint Working Group of the Water & Wastewater Commission and ZWAC, per request of City Council Waste Management Policy Group. (Related to Item F1)

William Moriarty: Moving on, what we're going to do to get to this E1, I'm going to go a little out of order to make logical sense. So I'm gonna ask Commissioner Turrieta to give her F1 report and then that will give all of us information which we could use in addressing Item E1. Are you okay with that?

Susan Turrieta: Yes.

William Moriarty: Commissioner Turrieta, the floor is yours.

Susan Turrieta: I've attended the Water and Wastewater, well, the Working Committee that was put together. Councilmember Pool, Garza, and Alter were the Councilmembers. And it was to address some very specific things on the Zero Waste Committee and also biosolids management, which is the primary reason that I was there, is to review the biosolids management area. What I'd like to do, the discussion on biosolids was extremely limited. The majority of it was on lobbying and procurement procedures for Zero Waste contracts and that's not necessarily something we get that into. That's not our area of expertise. The small discussion that did happen around biosolids, where it came out is, Councilmember Pool asked the Commission to review the edits that were made to the Joint Working Group's recommendation on managing biosolids. And to explain that a little better, because it's been a while since everybody went through this and some people are new to it, is last year the Zero Waste Committee and the Austin Water and Wastewater Committee had four members each and we sat down together and had a series of meetings and came up with a policy to manage biosolids for the City of Austin. Once the Joint Working Group, which Nhat Ho was a member of, Melissa Blanding was a member of, I was a member of, and Chien Lee was, on the Water and Wastewater Commission side. When we came back to Austin Water Utility Commission with the recommendations of the policy, the same night the Zero Waste Committee reviewed it. We passed it as is. The Zero Waste Committee made several changes. What Leslie Pool asked is we review those changes and make recommendations to Council on whether we should accept those changes or not. So that's one of my goals tonight. And so one of the things that I had Felicia provide you with is a document that has the Zero

Waste policy and it has the tracked changes so it shows the changes that the Zero Waste Commission made, and then underneath that has a comment that me, and, I shared this comment individually with the members that were on the Joint Working Group to make sure they were in agreement with it. And so, each of the changes they made, there's a comment on whether that'd be a good or bad thing for the Austin Water Utility to handle that comment. And we can go down that one by one if you want, if that would be helpful, I think we could be fairly quick. Or not. But my goal is to come up with a recommendation to City Council on whether we should or should not accept all or any of the changes here that were made by the Zero Waste Committee and also there's a few other things that have come up that I think we should discuss to add to that recommendation to Council. If that makes any sense.

William Moriarty: This has been a thorny issue.

Susan Turrieta: Yes.

William Moriarty: So, I've got this document with blue and red but I have very little red.

Susan Turrieta: Mhm. Well, that's just a...

William Moriarty: Blue is the Zero Waste, their comment, and you've only taken exception in one case?

Susan Turrieta: No, I could not get that red to turn to blue. Because it was in track change mode and because I did it I guess on one computer I did that change and on another computer I did another, and so the comments are...

William Moriarty: Ah, so there's lots of comments. They're just not red.

Susan Turrieta: Yeah. Mhm. And then the blue that's underlined is the changes that the...

William Moriarty: All right, here's kinda, I'm approaching this because you and other members of the Commission spent a lot of time with this. The rest of us have not. And of course, as we all know, because we all have these secondary assignments, it allows the Commissioners to get deeply involved and I'm not gonna sit here and second guess the work ya'll have done. So, and again, we can dig in as deep, but do all four of you universally agree on what oughta happen?

Nhat Ho: I personally agree with a lot of the comments that was made so...

William Moriarty: Okay. So maybe you could quickly take us through.

Susan Turrieta: I'll do it at the 10,000-foot level just to be respectful of everybody's time. And then if someone wants to dig deeper into something we can go ahead and do that.

William Moriarty: How did you get the one thing to go red and not everything else?

Susan Turrieta: I don't know, I tried changing it the other day and I just gave up. So the first comment, and I'm actually gonna ask Judy to add some backup to this, is that the change that they wanted to make it that instead of using the biosolids wastewater sludge to its highest and best use, they wanted to limit it to compost only. And the challenge that we have with that is there currently in Texas, is not a market for compost. We're having a terribly difficult time selling it.

William Moriarty: So Comment Number 1 we're rejecting.

Susan Turrieta: Yes.

William Moriarty: Okay. Maybe do it that way, go through, and "here's the comment" and "we are agreeing or not."

Susan Turrieta: Okay.

Melissa Blanding: May I say one thing?

Susan Turrieta: Mhm.

Melissa Blanding: A lot of the changes, most of the changes that they made, we did discuss in our, when we had the Joint Task Force. So we did discuss them and we rejected them then. And then it was after we both, representatives from both commissions approved the document, that they then went to the Zero Waste Advisory Commission and added several of the things we had rejected. So that may help you to know, that it's not like we have never seen these before. We did see them and we discussed them, some of them at length, before we came up with the wording that we thought we had all agreed to. Sorry. Please.

William Moriarty: So this is a little bit of a surprise, these changes.

Melissa Blanding: I mean they're not, because we talked about them and rejected them. It was surprising that they...

William Moriarty: But you thought you had achieved some consensus in that discussion, or not?

Nhat Ho: Yes.

Melissa Blanding: Yes.

William Moriarty: But then, no consensus. The changes are still wanting to erupt.

Melissa Blanding: That appears to be the case.

William Moriarty: Take us through. We've got a long agenda, so take us through.

Susan Turrieta: Yeah. Well, instead of reading each of 'em, a lot of 'em, the modifications were a little ambiguous and a lot of them dove into the means and methods of coming up with a policy. And it just isn't, in my world as an engineer in particular, if we want water treated to a certain way, we put in the permit that we want only so much TSS and so much this and so much that. We do not want to tell 'em they have to use a specific filter. And so, to dumb it down to that level, a lot of their changes were to specifically make 'em do something a certain way, which I don't believe is best practices of policy...

William Moriarty: A bit prescriptive than end-of-pipe, permit-limit type thinking.

Susan Turrieta: Mhm.

William Moriarty: Okay.

Susan Turrieta: So instead of going over the rest of the comments I can direct you to that first page that's on that handout that you got. And those bullets basically summarize the response to all of the comments.

William Moriarty: And who wrote this?

Susan Turrieta: I wrote it and I sent it to the people that are on the Commission for their review. On the Working Group, for their review. Individually.

William Moriarty: So just to get this thing along, is that what you want us to vote on, this first page?

Susan Turrieta: I would like that to, with input from the group, yes, I'd like that to be the recommendation.

William Moriarty: But ultimately we'd need a motion, which, do we have a motion that contains this already or we need to make that? Assuming we do this.

Felicia Cancino: It's part of E1.

Susan Turrieta: We would modify this...

William Moriarty: We would modify E1 to take that in, is what you're saying. And you're agreeing with that, Felicia?

Felicia Cancino: Yeah, it's a part of it.

William Moriarty: It's already part of it, okay. All right, well, by four Commissioners that went off and did this job, you're all in agreement with this first page?

Nhat Ho: For clarif-, so if you vote *for*, that means that you would reject all of these changes per the recommendation, correct? Yes.

Melissa Blanding: Yes.

William Moriarty: Who's the fourth? You're agreeing with that too? Unanimity here? Okay.

Mickey Maia: I'm sorry, could you say that one more time so I don't vote the wrong way.

William Moriarty: What I said is if we vote for this, we are rejecting the changes that were brought forward by the Zero Waste Advisory.

Mickey Maia: Which our four Commissioners are recommending that we do.

William Moriarty: Yes they're saying reject. These four are saying reject based on their multiple meetings and stuff.

Nhat Ho: If I may just add a real quick background. I mean I hate to, it sounds like we are disregarding all the work that they have done but I mean my attitude towards this is a lot of these changes are not even, one we discussed...

William Moriarty: I'd be less editorializing on that just because of this. I'm sorry, I'm gonna –

Nhat Ho: I'm just saying the intention here is we just want to make sure there's a Joint Working Group on this or a future issue, I would only agree to serve on it if the intention is to adopt a joint recommendation. That's all I'm gonna give.

William Moriarty: Good point. Commissioner Turrieta.

Susan Turrieta: So that's kind of the cards on the table. But I would also like to invite Judy Musgrove and Daryl Slusher up because there's been some instances that happened over the last month or so that I think you need to know about as a Wastewater Commission and the urgency to handle the biosolids, I guess it's compost...

William Moriarty: This is the piles catching on fire?

Susan Turrieta: Yes. Yeah.

William Moriarty: I lived through the other fire, so you don't have to scare me, I'm already scared. Scare the rest of 'em.

Susan Turrieta: To turn it over to Judy to give a little update on the urgency and the compost situation we have at Hornsby Bend.

Judy Musgrove: On May 19th we had another fire out at Hornsby. It was small; it was one of our youngest, or newest piles that the City forces had made so it was running hotter than the other piles. But we saw a fire, a flame, and we got right on it to put it out. But we started testing temperatures of nearby piles and they were pretty high so we were breaking them up. We've since taken care of it, everything's fine, but it just kind of scared

us a little bit about how much we've got taking up space out there, and how we don't have room to break the piles up; that's how you keep them cool is you break them up, spread them out, put them back together, and we just don't have the room to do that so we did an emergency sale of two piles. I think it was June 5th we did that. And so we're now in the process of trying to sell two more through the proper bid process. We didn't have any bidders on it. It was to be opened last week so we extended another week. We still don't appear to have any bidders on those next two piles. So, it seems to be that compost isn't selling that well right now plus our requirement is that it has to be screened before the end use and that is bothering people because screening's very expensive – labor wise, renting the screen if you don't have one – and so we're looking at other options to handle that. But, anyway, we really need to get rid of two more piles because of the space concerns and so we're gonna be either working on trying to get bidders for that or figuring out a way to screen it or something. But I just wanted y'all to know about the fire and the urgency.

William Moriarty: I was already scared, now I'm double-scared. I would say this to my fellow Commissioners, the last time this thing caught on fire...

Mickey Maia: Millions of dollars.

William Moriarty: ...we set money on fire. To the tune of six million dollars to put the fire out and then there was more money to truck the cinders away. So if this thing gets going it is like, a bad deal. But I mean all we can do tonight, assuming this body approves this, we approve this; but you still have a lot further to go with all this I think, right?

Judy Musgrove: Right. And we're much, much better prepared for a fire now than we were.

William Moriarty: How so?

Judy Musgrove: We have a truck onsite now, we don't have to call for...

William Moriarty: Like a firetruck?

Judy Musgrove: Well it's a water truck that can...

William Moriarty: You can water it down.

Judy Musgrove: We are more vigilant. Now that we know what can happen we've stepped up our...

William Moriarty: Got a thermometer in each pile so if it gets super-hot you know and you're ready to hit...

Judy Musgrove: Well no, but we've been watching those piles. We don't build the piles as high anymore as we used to. They're easier to break up once they, if they do catch on fire. We've just done a lot of preventative things and we've got more water cannons out there to put out fires. So we're in better shape but still, it is scary when a fire erupts out there.

Daryl Slusher: Mr. Chairman, in response to another part of what you said about the schedule and us still having a lot of things left to do; that's true, we have made that clear to the Council both in meetings with councilmembers and their staff, and at the Council Working Group and they're, what I've been told by the Council offices is, they're trying to get their recommendations on this done, the Working Group's recommendations, by June 22nd. So that would give 'em, you've still got time to get your recommendation into the hopper for that.

William Moriarty: So if you get something to Council, that's to get your permanent disposal contract approved, June 22nd?

Daryl Slusher: No that's for them, to keep on our schedule which would be – what is that, March next year we have to have it done?

Judy Musgrove: Our current contract is up the end of March.

William Moriarty: So you've got til March.

Daryl Slusher: But in order to do that and to do what we're directed by the Council to do: take it to this Commission, the ZWAC, and take the RFP there to look at before we issue it. That's all those steps we need to get their recommendations by June or July and so they're going to try to make those, at least the Working Group, by June 22nd.

William Moriarty: Let me show you how serious I am. I'm going to try to get this thing voted on right now. I don't know if I can. But I'm going to try. Ladies and gentleman if you have questions for Commissioner Turrieta or any of the other members that participated, now is the time to ask those questions.

Mickey Maia: Then maybe someone can let the Budget Committee know, when we meet next. Back in, whenever it was, 2014, whenever the Utility cut 30 million dollars out of the budget, the one thing that got cut that made me really nervous had to do with something that was gonna be spent to deal with possible fires. I don't know if it ever went back in the budget but that would be my question and maybe David's here or somebody...

(Inaudible)

Mickey Maia: I'm sorry?

Melissa Blanding: We could put it on the Budget Committee.

Mickey Maia: Right, just to know if, because I know you all tried to start with a baseline starting at minus 30 million and go forward but that's the one that made me really nervous and so...

Daryl Slusher: I'll have to look for that particular one and see for sure.

Mickey Maia: Okay, thank you.

William Moriarty: Other questions? If not, Commissioners...

Annie Kellough: I have a question – just on the vote: are we voting, could I get a little more clarification because... so Zero Waste Advisory Commission did the original blue line and then for...

William Moriarty: No, the colors...

Melissa Blanding: Tracked changes.

Annie Kellough: Well okay the original within tracked changes.

William Moriarty: Where there's a word "comment", that's Susan.

Annie Kellough: But then there's "comment" – that's Commissioner Turrieta. So is our vote under E1 to approve the Zero Waste Advisory Commission edits or is it to approve the Water and Wastewater edits to those, which seem to be rejecting those comments.

William Moriarty: I think we're approving this cover sheet which basically explains that Susan Turrieta and her group are rejecting all the Zero Waste comments.

Susan Turrieta: Correct.

William Moriarty: Which they had previously discussed, seemingly to consensus but they seemed to have come back...

Susan Turrieta: Correct.

William Moriarty: So we're rejecting the Zero Waste comments.

Susan Turrieta: The simple version is that we're approving what we have previously approved.

Annie Kellough: So E1 is not actually a "review and approve the Zero Waste Advisory Commission amendments."

Mia Parton: I think the verbiage of E1 is...

Susan Turrieta: The verbiage of E1 is incorrect, yes.

Daryl Slusher: Can I add, the way I understand Commissioner Turrieta's motion is that if you approve her motion you would be supporting the Joint Working Group's recommendations and not the add-ons of the ZWAC after that. Is that correct Commissioner Turrieta?

Susan Turrieta: Correct.

William Moriarty: So, Commissioner Turrieta, then you are saying E1 is flawed...

Susan Turrieta: Yes.

William Moriarty: We need to make a new motion correcting those flaws and I will let you be in charge of that. Do you know how you want to phrase that?

Susan Turrieta: Let's see.

William Moriarty: You need to reference this thing somehow.

Susan Turrieta: I think I'd put "review and recommend approval of the Zero Waste Advisory amendments" and then the recommendation that we have here in front of us is to not approve them.

William Moriarty: Okay you need to do better than that. That's not good enough.

Susan Turrieta: So "review and recommend" or "not recommend," I don't know what word you'd use for that.

Melissa Blanding: What if you just take out that altogether and just say "review the Zero Waste amendment..."

Susan Turrieta: Because you have to have "review and approve" in the act— to make it an action, don't you?

Melissa Blanding: But, wait, so just take out "and approve" right there.

Susan Turrieta: Mhm.

Melissa Blanding: So it just says "review the amendments" and make a recommendation...

William Moriarty: Why couldn't it just be the recommendation here? Why couldn't that be the motion? Or something along those lines.

Melissa Blanding: "Review and approve the recommendations of the Joint Working Group?"

Susan Turrieta: I think I kinda like where Melissa's going because it's real simple. "Review the Zero Waste Advisory Commission's amendments to the recommendations of the Joint Working Group of the Water and Wastewater Commission and Zero Waste per request of the other policy group and make recommendations."

Melissa Blanding: And then “this is our recommendation...”

Susan Turrieta: And then “this is our recommendation” which is I’d like to add this paragraph that you guys have. Clear as mud.

Melissa Blanding: No.

Nhat Ho: That seems more confusing to me.

Susan Turrieta: Yeah okay, so what was your recommendation?

William Moriarty: This is what I’d like to do. I’m gonna get these other things going and I’m gonna write something. I’ll go in the corner and try to write something and work with you on it.

Susan Turrieta: Okay.

William Moriarty: All right. Sorry but we gotta get this right. It’s important. So we’re gonna hold on E1 and unfortunately... do you have much to say about the Impact Fee Advisory Committee?

[Return to Item E1, between Items F4 and F5 (minute 14:32)]

William Moriarty: And I guess, do we want to go back and try to vote this biosolids thing? Because I think there’s some people that would like to go home that don’t have to stay here for everything. So I’m gonna try that. Is that okay?

Nhat Ho: Yeah.

William Moriarty: All right. Let us go back to E1, and I have crafted a motion and I’m gonna read this, I’m gonna make the motion since I’m the writer but I consulted with Commissioner Blanding, Commissioner Turrieta and they seemed to think it was okay. So this new Item, not what’s written down, we’re gonna call it E1, “The Water and Wastewater Commission reviewed the Zero Waste Advisory Commission’s amendments” – so this is the motion – “to the biosolids policy recommendations of the Joint Working Group and recommends that all of those amendments be rejected and the policy document generated by the Joint Working Group remain as originally authored.” And then “See,” the next sentence is “See Attachment E-1”, and E-1 is this cover page that Susan Turrieta explains why we did that. I have made a motion, do I have a second? Commissioner Maia seconds. All those in favor please – oh sorry, questions?

Chien Lee: I got one friendly amendment; if like, if we can put the date of the originally authorized date, that way it would make things more clear.

William Moriarty: All right what is that date?

Chien Lee: I don’t know.

Susan Turrieta: It was last year.

Jesse Penn: It might be this October 12th.

Travis Michel: Yeah, I would pick the October 12th date.

William Moriarty: Okay let’s insert that October 12th, 2016 date. That friendly amendment, I accept that amendment. Felicia, you’re absorbing all of this? Okay. We have a motion, we have a second, we have an amendment. All those in favor please indicate. And that is unanimous. And to those Commissioners who worked on this, thank you so much. Okay. Now we are onto the Joint Sustainability Committee, and that is Nhat Ho.