

# AUSTIN MONITOR

Monday, August 7, 2017 by Jack Craver

## CITY HALL

### Council to consider changes for waste disposal contracts



A series of recommendations made by a City Council working group seeks to address concerns from environmentalists and private waste haulers about how the city chooses the companies it pays to pick up and dispose of waste generated by its own employees and departments, from wastepaper bins at City Hall to giant piles of sludge created by wastewater treatment facilities.

For now, the main outcome of the Waste Management Policy Working Group, which included four Council members and a number of industry stakeholders and environmental activists, is a proposal to make changes to the city's Anti-Lobbying Ordinance.

Council Member Leslie Pool, who chaired the working group, said that she plans to bring forward a draft ordinance in the coming weeks that will clarify the types of communications that haulers with existing contracts are allowed to have with city staff and city officials if they are also bidding on new contracts.

In addition, the proposed ordinance will reduce the penalties imposed on contractors found to have violated the policy. Currently, violators can be barred from bidding for city contracts, a consequence that some have argued is far too harsh a punishment for what in many cases could simply be a mistake or misunderstanding by an employee of what in many cases are small businesses.

"The idea of locking people out of city business because of a couple of mistakes is a dangerous thing," said Andrew Dobbs, an organizer for Texas Campaign for the Environment.

Texas Disposal Systems, a prominent waste hauler, has declined to bid on a number of waste contracts recently, arguing that the Anti-Lobbying Ordinance prevents it from effectively making its case to be awarded the deal. Texas Disposal Systems representatives have nevertheless attended Council meetings to argue against approving contracts with other companies, earning it criticism for bullying and obstructionism from those other companies.

In response to the lobbying concerns, Council voted in April to temporarily suspend the anti-lobbying ordinance for waste contracts. The working group recommends that the suspension remain in place until Council revises the ordinance.

The working group also suggests the city tweak its solicitation policies to favor small, local businesses. Currently, a major national company with operations within city limits may be getting more credit for being “local” than a small business based just outside of the city.

Other recommendations from the working group focused on getting waste contracts back in line with Council’s stated environmental policy objectives. Over the last year, Council has rejected a number of contracts after objections were raised by the Zero Waste Advisory Commission, the citizen panel charged with guiding the city toward its goal of dramatically reducing the amount of landfill waste it generates.

In February, for instance, Council unanimously rejected a \$7.7 million contract with Republic Services, a Phoenix-based hauler, despite its recommendation by city staff.

One of the principal objections was that the company proposed dumping the waste in the Austin Community Landfill, a site in Northeast Austin that has been a longtime target of complaints from nearby residents and whose controversial expansion Travis County tried unsuccessfully to block in court.

In addition, Texas Disposal Systems objected to the size of the contract, arguing that the city was trying to consolidate a number of different waste services under one contract, departing from the tradition of divvying up the city waste hauling business among a number of different companies.

The working group did not issue a recommendation on the merits of consolidating more contracts but instead called for more analysis of the costs and benefits of such a move.

“Consolidation may create economies of scale and better reporting capacity; however, it also may have undesired effects on the ability of small vendors to compete,” the document stated.

One option that nobody at City Hall appears to be considering is letting the city deal with its waste on its own, rather than contracting with private haulers. The city’s own garbage collection service, Austin Resource Recovery, only serves single-family residences. As a result, the city has to hire private haulers to pick up its trash, just like commercial and multifamily properties.

Kaiba White, a member of the Zero Waste Advisory Commission who works on energy and environmental policy for Public Citizen, a progressive advocacy group, noted that the city would have to make a big capital investment in equipment and vehicles if it wanted to do its trash collection in-house or to expand its services to apartment buildings and private businesses. But in the long term, she said, the city might be better off, financially and environmentally.

“Right now people in single-family housing receive various educational outreach about recycling and composting,” she said. “Whereas people in multifamily housing, it’s up to the company. You’re lucky if you have the service and you’re lucky if (the Dumpster’s) not filled up right away.”

Dobbs said an expansion of Austin Resource Recovery’s current responsibilities would be a non-starter politically. The balance the city has currently struck with private haulers was “the

product of years of stakeholder engagement,” he said. For the city to change course would be seen as a “rollback of all the efforts.”

Pool also dismissed the idea, noting the upfront cost to the city and the prospect of undercutting local businesses.

“Frankly there’s an industry in Austin that’s been doing it for decades,” she said, “and it would have a significant impact on their livelihood.”

*Photo by David Villa made available through a Creative Commons license.*