

# Denver Waste No More (WNM) Implementation Task Force Meeting #6

September 14, 2023 – 1999 Broadway RiNo Room (and virtually on Zoom)

## Meeting in Brief

The 26-member Task Force finalized its recommendations after discussing the outcomes from the public comment period in August. The Task Force reached its definition of consensus on all of the proposed recommendations, except for the recommendation on special events, which came to a majority vote.

## Where We Are in Process & What's Happened Since July

Note from Council Members Hinds and Parady: Council members are pleased to represent the Task Force recommendations to City Council, likely without additional changes. Stakeholder groups like this make the City Council process much easier and less likely to entertain amendments. As members of the Task Force and having witnessed the deliberative process firsthand, Councilmembers Hinds and Parady are committed to representing the Task Force and will fight for its recommendations.

Since the July Meeting, City and County of Denver staff conducted an intensive, one-month public comment period resulting in:

- Online Survey: 518 respondents, 1546 comments
- 20 city-hosted focus groups
- Virtual Town Hall
- Strong public support for all recommendations
- Pre-Meeting Task Force Briefing (9/6/23)

City staff shared that the City and County of Denver (CCD) will be hiring two additional full-time employees to support Waste No More implementation. As explained in the City's Fiscal Year 2024 Budget Announcement, funding is set aside for WNM education, outreach, program implementation, and technical solutions for annual recycling plans. \$500,000 will be allocated to an aggressive educational campaign. \$232,000 will be allocated towards developing information technology solution to support annual recycling plan requirement.

Task Force comments included:

- As evidenced by the lack of outreach responses from African American community members in particular, City Council clearly needs to improve engagement with and representation from Black and Asian residents. This is an ongoing issue with the City of Denver and is reflected in the survey results, which also point to the need for aggressive WNM outreach and education in Denver's communities of color.
- In the final report, please provide a breakdown on resident responses and non-resident responses, as it is useful to see the responses among voting residents as well as non-resident workers and business owners.

## Discussion of Proposed Recommendations

In the proposed recommendations shared with the public, most of the recommendations had strong support (respondents either agreed with the recommendation or had minor concerns). Based on the concerns shared about timing, infrastructure, education and compliance, and cost, there were some

proposed changes made by city staff to the recommendations to accommodate concerns from the public, focus groups, and Task Force members. The proposed recommendations that were changed included:

### Food Trucks

While the ordinance originally required food trucks to provide access to trash, recycle, and organics collection for every event, the City proposed to remove from this requirement based on the focus group conducted with food truck owners. Food trucks utilize commissary kitchens for their food preparation and disposal after they return from events, which will be covered under non-residential building requirements. Food trucks also have limited space to transport and carry waste generated during their service. Food trucks are typically servicing facilities like breweries or office buildings, which are entities covered by WNM, allowing food truck customers to have access to nearby recycling and organics, negating the need for food trucks to provide the access themselves. This change has been supported by the Task Force, including with input from Brian Loma (alternative to Ean Tafoya and Vann Fussell).

### Ensuring Success with Organics

The effectiveness of recycling and organics diversion has been a consistent concern throughout the Task Force and was frequently mentioned in the public comments as well. While WNM focuses on providing access rather than ensuring effective 'performance,' the City and Task Force are committed to minimizing contamination in the implementation of WNM. City staff proposed changes to the following recommendations to this end, with extensive input from Task Force members:

#### **Education**

- Promote food waste reduction and donation to a significantly higher degree
- Promote controlled access to containers as a best practice
- Promote best practices for front-of-house implementation versus back-of-house in food service businesses
- Create a best practice "how to" guide for haulers and businesses to manage contaminated streams
- Promote single-use plastic reduction by encouraging reusables

#### **Definitions**

- More clearly define "access" in the Ordinance and/or Rules and Regulations, allowing businesses more flexibility in collecting organics to avoid contamination of the organics stream
- Elaborate upon the multitude of ways businesses can provide access in educational materials

#### **Annual Recycling Plans**

- Design the annual diversion plan platform to guide businesses towards zero waste alternatives to provide more flexibility for compliance

#### **Financial Supports & Incentives**

- Establish non-competitive food waste systems and containers grants for businesses
- Consider provision of tax credits as an incentive for donating to zero waste businesses
- Establish reuse and food donation grant programming
- Consider provision of zero-interest loans for emerging small businesses
- CASR to partner with other CCD Departments to leverage opportunities for further financial support/incentives

#### **Infrastructure**

- CCD to identify ways to establish more local organics recycling options with an emphasis on organics screening, pre-processing (sortation), and transfer infrastructure

#### **Technical Assistance**

- CCD to conduct an ongoing study to measure citywide contamination rates in years 1-3
- Data collection will be used to continuously inform education and outreach strategies

### Phased Implementation for Permitted Events

Going into the Task Force meeting, based on the composite feedback received from the survey and focus groups, City staff had recommended all events, regardless of size, must comply within 24 months from the adoption of the rules but no later than **January 1, 2026**. This proposed timeline had originally been proposed at the July meeting, after concerns were expressed about an even longer timeline (2027) for special events. The proposed 2026 deadline was discussed by the Events workgroup, shared with the public, discussed at the September 6 Task Force briefing, and included in today’s meeting materials. However, new concerns were raised today about waiting two years before requiring events to comply, and a Task Force member proposed an alternative deadline of **January 2025** for permitted events. He emphasized that the community clearly did not want delay, based on public feedback received, and that residents voted for WNM with the understanding that events would be among the first to comply with WNM.

In continuing to advocate for the 2026 deadline, a Task Force member representing events holders reminded the Task Force of the significant practical challenges for events in complying with WNM, including the short nighttime windows for picking up waste and the frequent lack of haulers. She emphasized many events do comply and are committed to complying but additional time will help build the systems to do so successfully. Without this in place, there is a concern about ‘greenwashing’, resulting in organics and recycling from events being contaminated and ending up in the landfill. Some Task Force members also urged the City to consider how to support compliance by events, given these challenges, e.g., by providing infrastructure and incentives.

After lengthy discussion and acknowledging that this has proven to be among the trickiest issues for the Task Force, Task Force members could not reach a consensus and agreed to take a majority vote on this particular recommendation (as permitted by the Task Force Charter).

## Approval of WNM Recommendations

To reach closure on the recommendation, the Task Force went through all of the recommendations and approved them – in accordance with the Task Force Charter – by consensus (either full consensus or ‘consensus minus 1’) or, in the case of Special Events, by majority vote. This was documented in a [shared Google sheet](#) and as set forth below.

Recommendation Name	Task Force Decision	Rationale/Final Task Force comments
Recommendation 1: <b>Clarify Annual Recycling Plan Requirement</b>	Consensus	
Recommendation 2: <b>Add Definitions to WNM Ordinance</b>	Consensus	
Recommendation 3: <b>Develop compliance and enforcement system to encourage voluntary compliance with WNM Ordinance</b>	Consensus	
Recommendation 4: <b>Clarify Education Section of the Ordinance</b>	Consensus minus 1	Chris Chiari believes this should be more specific

Recommendation 5a: <b>Universal Implementation for Permitted Events by January 2025</b>	Received majority vote	11 votes yes, 2 no (rest of Task Force abstaining)
Recommendation 5b: <b>Universal Implementation for Permitted Events by January 2026</b>	Did not receive majority vote	5 yes, 7 no (rest of Task Force abstaining)
Recommendation 6: <b>Construction &amp; Demolition (C&amp;D) Phasing</b>	Consensus minus 1	Chris Chiari does not feel this is aggressive enough, despite discussions about this in past TF and workgroup meetings; it was also noted that each project's waste plan will be a mechanism to help guide contractors on what diverted waste is expected
Recommendation 7: <b>C&amp;D Clarifications</b>	Consensus	
Recommendation 8: <b>C&amp;D Compliance</b>	Consensus minus 1	Chris Chiari reiterated his comments above; workgroup members and City staff noted this will be further specified in rules and regs, which have the flexibility to change as new markets for materials become available; while diversion will currently be required of 3 types of materials at a minimum, the goal is to encourage diversion of more streams.
Recommendation 9: <b>Compliance Timeline for Residential Buildings</b>	Consensus minus 1	Marguerite Harden would like to see a more aggressive timeline in light of the voters' decision and public input received.
Recommendation 10: <b>Compliance Timeline for Non-Residential Buildings</b>	Consensus minus 1	Same reason as #9 above.
Recommendation 11: <b>CCD Purchasing Requirements for Finished End-Products</b>	Consensus	
Recommendation 12: <b>Policies to Support Solid Waste Infrastructure &amp; Private Sector Investment</b>	Consensus	Clinton Sanders emphasized the importance of end markets for organics processing and recycling.
Recommendation 13: <b>Additional Support and Best Practices for Education and Outreach</b>	Consensus	
Recommendation 14: <b>Create Financial Support Programs</b>	Consensus	

## Wrap Up & Next Steps

City staff thanked Task Force members for their extremely thoughtful input, time and service over the past seven months. The City Councilmembers reiterated their appreciation for the process and the fact that the Task Force reached its nearly unanimous consensus outcome. They also acknowledged the particular nuances and complexities associated with WNM compliance by special events, and that while a vote was taken for purposes of reaching closure, they understand this is a difficult issue and will

require close attention by the City to support effective implementation among event. They look forward to supporting the Task Force recommendations when they reach City Council.

City staff walked through the following next steps, as outlined in the meeting presentation:

- Mayor's Office Briefing
- City Staff to draft ordinance revisions guided by Task Force recommendations
- Task Force Check-In (TBD) – to review the draft report with Task Force recommendations and help ensure the ordinance (and rules/regs) language is consistent with the recommendations
- Focus Group with WNM Marketing Firm to Inform Citywide Campaign
- City Council Legislative Hearings (TBD)
- Quarterly Stakeholder Working Groups - 2024-2025
  - Organics Recycling
  - Construction & Demolition (C&D)
  - Solid Waste Infrastructure
  - Education & Enforcement
- Rules & Regs Public Comment (likely in early to mid 2024)

**Thank you, Task Force members!**

## Meeting Attendees

The meeting was attended by the following Task Force members and City staff:

### City of Denver staff

Blake Adams - CASR  
Natalie Lana - CASR  
Anna Erickson - CASR  
Becky Goyton - CASR  
Rose Watts - OSE  
Meghan Sullivan - OSE  
Erica Rogers – EXL

### Facilitator (CBI)

Ryan Golten  
Micaiah Palmer (on line)

### Public Attendees

Becky Migas  
Erica Wood  
Kristi Hatakka  
Mark Petrovich  
Nate Hayden  
Nathan Batchelder  
Stefan Stathopoulos  
Dan Dewaard (Republic Services)

## Task Force Members

Present	Last name	First name	Affiliation
X	Aghababian	Jessy	Unico Properties
X	Panzer	Peggy	Laramar Group/AAMD
X	Shepard	Stephen	Denver Metro BOMA
	Adinoff	Holly	Sullivan Scrap Kitchen
X	Gutierrez	Allyson	Colorado Rockies Baseball Club
X (Proxy Nick Hoover)	Riggs	Sonia	Colorado Restaurant Association
X	Woodburn	Chris	Denver Public Schools
	Furness	Andrea	Classic Events Co
X	Ortiz	Renee	Eventful Productions Inc
X	Galvan	Erwin	Waste Management Recycle America
X	Sander	Clinton	A1 Organics
(Virtual)	Turner	Christi	Scraps Ltd
X	Chiari	Chris	Patterson Inn
	Houser	JW	Taylor Morrison/Homebuilders Association
X (Virtual)	Nichols	Maggie	Iron Woman Construction
X	Perks	Anna	Perks Deconstruction
X	Parady	Sarah	At- Large Councilmember
X	Hinds	Chris	District 10
X	Fussell	Vann	Compost Colorado
X (Virtual)	Tafoya	Ean Thomas	Green Latinos & Waste No More Petitioners
X	Call	Ryan J	Eco-Cycle
(Virtual)	Ponce	Luis	SEIU
X	Harden	Marguerite	Resident & HOA Board Member
	Jackson	Joshua	NAACP
X (Virtual)	Johnson	Laurie	Circular Colorado