

Denver Waste No More Implementation (WNM) Task Force Meeting #5

July 13, 2023 – Zoom only

Prepared by the Consensus Building Institute (CBI)

For the current ordinance and all Task Force meeting materials, including meeting schedules, agendas, and presentations (**including today's presentation slides**), [please visit the WNM website at this link](#).

Meeting in Brief

The Task Force reviewed and provided input on draft recommendation concepts that will be circulated for public comment in August. The group also discussed and clarified expectations for the public input process. In particular, the Task Force reviewed the draft recommendations that have elicited substantive questions and suggestions from the Task Force – i.e., the compliance timelines for buildings, and provisions for C&D (Construction & Demolition) and special events. The September Task Force meeting was moved from September 7 to September 14 to allow sufficient time to consolidate public feedback.

Where we are in the Process

Ryan Golten (CBI) and Grace Rink (Director of Denver's Office of Climate Action, Sustainability and Resilience) reminded the Task Force of where we are in the process. Since the June meeting, the Signage/Education and C&D workgroups, in addition to a small group addressing Organics, met to draft and refine their respective recommendations. On June 29 the City held a pre-meeting Task Force Briefing on proposed recommendations to review the current package of draft recommendations, in preparation for the July 13 Task Force meeting. Task Force members then had opportunities to pose questions and suggest edits to all of the recommendations prior to today's meeting. This input was used by CBI and City staff to help shape today's meeting agenda to focus on recommendations needing the most discussion.

As a reminder, the City has begun collaborating with Task Force members to begin scheduling outreach meetings with their networks and constituents in August. The purpose of these meetings will be to share information about the WNM process and what recommendations the Task Force is considering, with opportunities to ask questions and provide input. The City will hold focus group meetings and recorded virtual meeting as well. The August input process was discussed at the end of today's meeting.

As final context prior to reviewing the recommendations, Blake Adams, Zero Waste & Circular Economy Manager, shared that an Organics working group met twice and that recommendations from the group will be shared after today's meeting for Task Force review. These recommendations would not impact the ordinance language but will suggest additional strategies to support implementation. Grace also reviewed the overall timeline for WNM implementation, starting with passage by City Council, as a reminder of the roll-out and outreach that will begin occurring immediately after City Council passage.

Review Proposed Recommendations

Survey Results

A survey was sent to all the Task Force members on which they could comment on each of the proposed recommendations, indicate their level of comfort or approval, and/or share additional comments on recommendations they felt needed further discussion or refinement. Of the 26 Task Force members, 15

responded to the survey, and over 80 percent of respondents indicated they were comfortable with 8 of the proposed 12 recommendations as is or with minor tweaks. The remaining 4 recommendations pertaining to the compliance timeline for residential and nonresidential buildings (recommendation 6 and 7), the compliance timeline for special events (recommendation 8), and phasing for C&D (recommendation 10). These four recommendations were the focus for the day's discussion. All recommendations will be open for comment, which will incorporate suggestions received from Task Force members who, in the meantime, supported these recommendations moving forward.

Recommendation 6 & 7 – Compliance Timeline for Residential/Non-Residential Buildings

Discussions on recommendations 6 and 7 revolved around what enforcement and compliance will look like for buildings. The purpose of the proposed recommendation is to update the ballot language on the timeline to ensure there is sufficient time for covered entities to comply while still meeting the intentions of the voters. Erica Rogers, Policy Director of Excise and Licensing, emphasized that enforcement and compliance will be pursued with a focus on 'education first' to avoid a punitive approach and ensure relevant stakeholders are well informed and adequately supported. The Task Force agree to go forward with this recommendation as is and see what questions and input we receive from the public.

Key questions and comments included:

- Whether the work groups have discussed potentially extending the **timeline for composting**, given the existing infrastructure gaps, other unique composting challenges (including for buildings and 'front of house' in restaurants), and the need to avoid cross-contamination and see WNM succeed. *Blake explained that the Organics working group did not recommend extending phasing for compost implementation, particularly given the number of vendors able to provide sorting and hauling services. Instead, these conversations focused on helping to fill infrastructure gaps, intensive education and outreach, and addressing contamination risks. Compost markets are still developing and the group wants to ensure strong systems are built.*
- In light of that, it will be important to ensure there are strong **supports from the City** (i.e., education to help avoid contamination of organics/compost) as well as efforts at the state level to support regional infrastructure and organics end markets.
- It may be helpful for the public to understand **90%** of buildings/businesses are covered by this policy. Ideally the City could share how many buildings are impacted by each WNM roll-out category. *Grace reminded folks that this is currently limited to the City's benchmarking data, so that information is limited, but the City will work to consolidate this data. WNM residential groupings are 75 units or more, 25-74 units, and 8-24 units. Non-residential groupings are 25,000+ SF, 5,000-24,999 SF, and under 5,000 SF. Details are available on the [WNM website](#).*
- Regulatory **exemptions** will be available for those showing they have made good faith efforts but have been unable to secure, or are in the process of securing, compost hauling services.
- Buildings will need to understand that many questions are addressed by how the ordinance **defines 'access'**. That section of the recommendations will need thoughtful explanation.

Recommendation 8: Compliance Timeline for Special Events

The crux of the Task Force discussion focused on competing interests of cost and impact. On the one hand, Task Force members would like to see the 'biggest bang for the buck,' which may mean starting the (education-first) enforcement process with large events, where early successes could have the greatest impacts and event budgets may enable zero-waste support services. On the other hand, it is important to ensure compliance timelines are achievable, which may support starting enforcement with

smaller events, which may be able to sort the smaller amounts of waste despite their typically smaller profit margins. (These often include community-based or non-profit organizations with smaller event budgets.) Regardless, all events are expected to comply with WNM now, since the ordinance is in effect. No permitted events are exempt. The City reminded the Task Force that special events under the ordinance are events that are permitted by the Office of Special Events, meaning they are held in public spaces, and some events permitted by the Dept. of Parks & Recreation.

The Task Force agreed to go forward with this recommendation as is and see what questions and input we receive from the public, including meetings with special events permit holders.

Comments included:

- Many Task Force members would like to see as much up-front **education for all events** holders as soon as possible. In other words, regardless of whether small or large events are required to be in compliance first, all events holders should know the ordinance is in effect and applies to all of them, and they should understand when enforcement begins for them.
- One suggestion is to **reward** events that are in compliance. Since the City still has no funding for WNM, for the time being this would need to be non-monetary.
- The City could offer **signage and stations for rent** to events them hit the ground running
- It's important to remember these recommendations do **not stand alone**, and that Recommendation #2 includes financial supports.
- One suggestion was to simply ensure **all** events comply by 2026.
- It will be important for the public to understand the **context** for these discussions and the concurrent interests we are trying to accommodate.
- One Task Force member also noted the City of Denver has a [grant program for reusable cups](#) to help reduce waste at events.

Anna Erickson from CASR encouraged participants to review the [WNM website](#) for the complaint form and link to share questions and comments.

Recommendation 10: C&D Phasing

The discussion acknowledged the challenges for C&D, particularly in terms of markets and infrastructure, and the significant opportunities for diverting C&D waste from landfills. The Task Force agree to go forward with this recommendation as is and see what questions and input we receive from the public.

Key points of discussion included:

- While alternative phasing was discussed, in light of the challenges, the current phased approach is generally **supported** by the C&D working group members with expertise in this space. *Grace reminded the group there will be a rulemaking process after the revised ordinance is passed. In other jurisdictions with C&D requirements, it is 50% of total waste, and contractors have to submit summaries from their haulers (which typically the haulers provide; otherwise they are made from the waste tickets). The ordinance does not require recycling of every type of C&D waste materials.*
- **Space** is always going to be something that urban buildings must figure out. Buildings typically have only one landfill dumpster, so this often requires staging the material on site and hauling waste off the premises daily. This is always case-by-case depending on the space available.

- Given the **capacity needs for storage and processing** of these materials, it may make sense for the City to explore helping to support and stand up potential solutions.
- The Task Force acknowledged the importance of **education** and supporting the development of **end markets** to make the C&D compliance timeline achievable and successful.
- The C&D work group and City staff noted the **three material minimum** to which these percentages apply, which will hopefully help drive more diversion. Also, reminder that the new Rules and Regulations will included an evolving, updated list of ‘recyclable materials.’

August Outreach and Soliciting Public Input

Grace Rink reviewed the City’s plans for soliciting public input during the month of August. City staff will convene focus groups for affordable housing residents, non-English speaking communities, and small businesses. In addition to focus groups, the City plans to utilize social media, press releases, and earned media to direct the public to the draft recommendations and online public comment form. The City will hold a virtual public meeting and post the recording online. Grace underscored the importance of Task Force members helping spread the word to their stakeholders and, where useful, convening a meeting to share information and hear their input. City Staff will support Task Force members by providing text for email outreach and a PowerPoint presentation explaining the initiative and draft recommendations. City staff person will also join members’ outreach efforts where requested. The input received from the public, via the public comment forms, will be synthesized and provided to the Task Force, along with initial suggestions for how the suggestions are or may be addressed. The City will summarize this in a pre-meeting Task Force Briefing in early September. The Task Force will be asked to attend or watch the briefing, review the public comments and any suggestions for addressing feedback, and provide final input at its September meeting.

September Task Force Meeting – 9/14

The Task Force agreed to move the meeting from September 7, as originally planned, to September 14, in order to provide time to integrate public input into final recommendations and clarify next steps for the ordinance process.

Attendees

City Staff

Grace Rink - CASR
 Blake Adams - CASR
 Anna Erickson - CASR
 Erica Rogers - EXL
 Gregg Thomas - DDPHE
 Jessica Lally - DOTI
 Leslie Basesens -DDPHE
 Rose Watts - OSE
 Tom Gleason - CASR
 Robert Peek – CPD
 Nina Waysdorf - DOTI
 Elizabeth Babcock - CASR
 Eric Browning - CPD

Facilitators

Ryan Golten - CBI
Micaiah Palmer - CBI

Public attendees:

Cynthia Pollard
Scott Gilmore
Becky Migas
Brandon Rhea/Native Roots
Emma Eckenhouse
Jill Coffman
Kristi Hatakka/DUG
Mike Newhouse/Green Doorstep
Nate Hayden
Sheila Urban
Jeff Englund
Jason Bryant
Erin Meyer

Task Force Members

Present	Last name	First name	Affiliation
X	Aghababian	Jessy	Unico Properties
X (proxy)	Panzer	Peggy	Laramar Group/AAMD (<i>Andrew Hamrick</i>)
X	Shepard	Stephen	Denver Metro BOMA
X	Adinoff	Holly	Sullivan Scrap Kitchen
X	Gutierrez	Allyson	Colorado Rockies Baseball Club
X	Riggs	Sonia	Colorado Restaurant Association
	Woodburn	Chris	Denver Public Schools
X	Furness	Andrea	Classic Events Co
X	Ortiz	Renee	Eventful Productions Inc
X (substitution)			Seat formerly GFL Environmental which is now Republic Services (<i>Dan Dewaard/Mark Petrovich</i>)
X	Galvan	Erwin	Waste Management Recycle America
X	Sander	Clinton	A1 Organics
X	Turner	Christi	Scraps Ltd
X	Chiari	Chris	Patterson Inn

X	Houser	JW	Taylor Morrison/Homebuilders Association
X	Nichols	Maggie	Iron Woman Construction
X	Perks	Anna	Perks Deconstruction
X (substitution / proxy)	Clark	Jolon	District 7 (<i>Zack Burley, proxy for Councilperson-elect Sarah Parady, in place of Councilman Clark</i>)
X	Hinds	Chris	District 10
X (proxy)	Fussell	Vann	Compost Colorado (<i>Brian Loma, for ballot sponsors</i>)
X	Tafoya	Ean Thomas	Green Latinos & Waste No More Petitioners
X	Call	Ryan J	Eco-Cycle
X	Ponce	Luis	SEIU
X	Harden	Marguerite	Resident & HOA Board Member
X	Jackson	Joshua	NAACP
X	Johnson	Laurie	Circular Colorado