

City Council

Special Meeting Minutes

February 12, 2019
City Hall, Council Chambers
749 Main Street
7:00 PM

Call to Order – Mayor Muckle called the meeting to order at 7:00 p.m.

Roll Call was taken and the following members were present:

City Council: **Mayor Robert Muckle**
 Mayor Pro Tem Jeff Lipton
 Councilmember Jay Keany
 Councilmember Chris Leh
 Councilmember Susan Loo
 Councilmember Ashley Stolzmann

Absent: **Councilmember Dennis Maloney**

Staff Present: **Heather Balsler, City Manager**
 Megan Davis, Deputy City Manager
 Nathan Mosely, Parks, Recreation, & Open Space Director
 Kurt Kowar, Public Works Director
 Katie Baum, Sustainability Specialist
 Meredyth Muth, City Clerk

PRESENTATION – GREEN BUSINESS PROGRAM

Mark Persichetti of the Sustainability Advisory Board (SAB) presented the 2018 green business awards. There were 29 award recipients. Persichetti read the business names and noted there will be a press release and awards reception for the winners. Next year there will be workshops set with the aim of saving money, cutting down on environmental impacts, and enhancing their images in the community.

Matt Hannon, Boulder County Partners for a Clean Environment (PACE), noted the new green business tracker program allows businesses to reapply each year very easily. He stated PACE provides advising services, rebates and other offerings for businesses to save on utility bills and cut environmental impacts. The savings in 2018 was over \$40,000. He thanked Louisville and the SAB for their investments in sustainability.

Mayor Muckle thanked Hannon and PACE for their work.

DISCUSSION/DIRECTION – SELECTION OF A 5-YEAR TRASH, RECYCLING, AND COMPOST HAULER

Director Kowar stated this is consideration of a solid waste contract for the services the City provides to the single family homes in the City. He reviewed the guiding principles of this project:

- Requirement of our Charter and Code to bid out contracts regularly
- Enable residents to dispose of their solid waste in a convenient, environmentally responsible, cost effective manner
- Sustainability Plan goal to support the environment and community in a responsible way
- Sustainability Plan aim to develop policies, programs and infrastructure to help residents and businesses with sensible resource management including recycling difficult materials, increased access to composting, seasonal leaf and branch drops and the safe management of hazardous materials

This project is a commitment to making sure our residents are getting the best value for their money.

Director Kowar reviewed the City’s solid waste diversion rates noting the amount of refuse has gone up slightly, recycling varies, and composting is up.

He noted the definition of Embedded: means the cost of 96-gallon Compost bin is included in the cost of the trash bin. Ala carte: means the cost of a 32, 64, or 96-gallon Compost bin is in addition to the cost of the Trash bin. In all scenarios a 96-gallon Recycle bin is built into the cost of the Trash bin.

Kowar reviewed the bid pricing compared to current prices noting there are numerous bin combinations and presented a chart of how customers would be affected:

Embedded Recycle & Compost	Embedded Recycle & Ala Carte Compost
Republic’s Bid 54% - \$2.00 Savings 17% - \$6.00 Savings 4% - \$10.00 Savings 19% - \$2.00 Increase 5% - \$6.00 Increase	Republic \$1.75 - \$2.00 Savings
Western’s Bid 41% - \$2.00 Savings 9% - \$6.00 Savings 49% - \$2.00 Increase	Western \$1.75 - \$2.00 Savings

He stated staff has been working on this Request for Proposal (RFP) for a year and a selection committee interviewed the vendors. The selection committee recommended for the best value a 5-year embedded contract with Republic Services or if prefer a 5-year ala carte to utilize Western Disposal.

He reviewed the timeline of the project noting the public meetings and how the RFP was released with addenda and interviews. Director Kowar stated tonight's task would be to provide direction to pick a vendor to further negotiate a contract or to give direction for more information.

He reviewed the bid tabulation results. He noted the two vendors bid different service days so those do not align. Western bid a Thursday schedule and Republic a Tuesday-Friday schedule. The Committee reviewed the pricing, services, the RFP, schedule, equipment and interview. The Committee felt both schedules are safe and don't burden neighborhoods with trucks on multiple days. Both had similar services and offer a variety of cart mixes.

Director Kowar reviewed the pricing which was based on the average customer and looked at the five-year value. The contract is worth almost \$7M. Republic offered the best cost for embedded and Western just slightly higher for ala carte, but not high enough for staff to recommend changing vendors. A 10-year contract was reviewed but not recommended.

Director Kowar reviewed Common Topics from both providers:

- References were great for both
- City will maintain emerald ash borer quarantine best practices
- Both have local customer service
- Both will supply 500 cubic yards of compost for city distribution
- Both have extremely safe industry records
- Both proposers work in Louisville today
- Both will drive a similar number of miles on our roads
- Both management teams provided adequate RFP responses and interviewed well.

Director Kowar reviewed the pros and cons for Western

- Pros
 - Local Boulder County Company
 - Best Schedule – Thursdays
 - Known Quantity – City contract for 10 years
 - Equipment clean and serviced
 - Convenience – all compost can go in bins
 - Low employee turnover, long term experience
- Cons
 - May not bring same experience/depth as larger corporate company

- Equipment not brand new
- Not the least cost 5 year contract

Director Kowar reviewed the pros and cons for Republic

- Pros
 - Could offer experience/depth of larger corporate company
 - Brand new equipment
 - Significant cost savings for embedded option
 - Offers App for communications
 - Local Commerce City office
- Cons
 - Schedule – Tuesday thru Friday
 - Unknown quantity (but great references)
 - Convenience – woody branch debris needs to be bundled near bin
 - Service award would represent a community change process and will require team effort for transitions with Republic and City staff

Value added services:

Republic has an annual curbside 5 item bulk pickup event, bi-annual curbside leaf and branch pickup, 5 complimentary 30-yard roll offs per year and would offer programs to assist in serving multi-family customers (yet to be identified).

Western has free special event collection services for up to a 9 week Street Faire season, 1 free residential waste composition study, a \$3,000 credit towards outreach services, holiday recycling center for holiday lights and gift wrap, would work with HOA's to offer compost subscription, would complete a city facilities trash container size audit, do 1 free city facilities waste composition study, and offer free curbside Christmas tree collection.

Director Kowar reviewed in more detail the bid comparisons vs. existing prices including prices for combinations of carts, city facility services, and special event pricing. He noted the proposals include an annual increase and staff recommends using the Denver, Aurora, Lakewood consumer price index.

Councilmember Loo noted the Republic embedded cost for 32-gallon is \$3.91 which is a 30% price differential between the bids at that size.

Councilmember Stolzmann asked if woody material from bushes could be in the bin or must be separated in Republic's bid.

Mayor Pro Tem Lipton noted five years ago the discussion was if there is additional sorting needed for woody materials it will reduce the amount of participation. Director Kowar stated that was true and the Committee discussed this heavily and felt the difference in value outweighed the convenience factor.

Mayor Muckle stated the issue 5 years ago was centered on the emerald ash borer and where the woody material would be taken. Convenience was an issue, however, not the primary concern.

Mayor Pro Tem Lipton asked if woody material would need to be sorted. Director Kowar stated yes. Mayor Pro Tem Lipton felt extra effort may sway participation and could be significant. Director Kowar stated Lafayette uses this system and their rates are not significantly lower than ours and they only have a spring and fall pick up rather than a biweekly pickup we would have.

Director Kowar noted there are residents with a 32-gallon compost bin as it is the cheapest and then they put the rest in the trash as that is the cheapest way to go.

Mayor Pro Tem Lipton stated if people have to bundle many will simply put it in the trash so he would like more information on that.

Councilmember Keany stated he served on the selection committee and both proposals were very good. He stated there were discussions about the woody materials and both would meet the emerald ash borer quarantine.

Vendor Presentations

Bryce Isaacson, Western Disposal, stated Western is locally owned, the largest collector in Boulder County, and the majority of its employees live in Boulder County. He stated the average age of their equipment is 4.77 years and they are planning on replacing 6 of the 13 trucks in Louisville in spring 2020 which will drop the average age to 1.2 years. All decisions are made locally. Western owns and operates the only state certified processing site for Emerald Ash Borer materials. The average tenure of Western employees is nine years.

Mr. Isaacson gave some history of the company and noted the larger facility they are planning in Boulder to help increase diversion rates and they have a process to further separate recyclables from trash. He noted convenience is the greatest reason people participate in these programs and he feels they have the most convenient service for Louisville. He noted the vast majority of the compost waste is branches so removing the branches from the carts minimizes the effectiveness of the embedded program. He urged Council to consider value versus price.

Mark Petrovich, Republic Services, stated Republic tried to maintain pay-as-you-throw incentives and they feel it brings additional value to the City in achieving the diversion goals. He stated their experience with customer education, program roll out and implementation, as well as their general daily maintenance is second to none. They pride themselves on providing simple solutions and delivering on those solutions and operate in an environmentally responsible manner. The reasons to select Republic; embedded

system will be a key-driver to increase diversion. Will encourage residents to get larger compost bins by removing the cost barrier. Republic provides this service in other cities and saw large diversion rate increases by using embedded programs. Will provide new color coded carts for the residents. All vehicles will be purchased new and run on natural gas. Will have a dedicated customer service agent and phone line. Will have quarterly bulk pick-ups and have additional curb side pick-ups for large items and two curb side leaf and branch pick-ups. Republic will also allocate resources for city events.

Mayor Pro Tem Lipton asked how the woody materials are handled. Petrovich stated they do not have a facility in the quarantine zone so ask residents to bundle materials and place it next to compost cart on normal compost pick up. He stated in their experience in Lafayette, people compost more this way as it allows more room in the container for other materials.

Mayor Pro Tem Lipton asked what is bundled. Petrovich stated they ask for branches to be cut to four foot lengths and tied with twine. It is taken to a facility in Jefferson for processing. He stated all smaller materials can go into the compost cart. Anything off of a tree needs to be separated.

Mayor Pro Tem Lipton asked why people would want a 96 gallon container if you can't use it for branches. Petrovich stated their experience is people used composting at higher rates if it is embedded in the cost of trash service.

Mayor Pro Tem Lipton asked what happens if large woody material goes into the compost bin. Petrovich stated the driver will see it in the camera and then process it accordingly.

Councilmember Keany asked what the diameter of the branches is that needs to be bundled. Petrovich stated if it is off of a tree it needs to be in the bundle.

Councilmember Keany asked what educational resources Republic has for the City to use and what app resources Republic has. Petrovich stated they do outreach with cobranding materials with the City and have a website residents can look at with many videos to help people know what can go in what cart. People like the videos rather than written materials. There would be a lot of outreach during implementation and they will continue to make sure they are sending a clean stream and don't have to eliminate items due to contamination.

Republic has an app "My Resource" which residents can sign onto and get timely information including scheduling bulk pickups, swapping out containers, updates on weather delays.

Councilmember Keany stated residents are used to one-day per week pick up. How will multiple day pick up work? Petrovich stated Republic will have two trucks for trash and two for recycle/compost each day in town, averaging about 670 drive bys per day where one day results in about 810. Having fewer drive bys with the same drivers every week

gives drivers a better feel for the community and any dangerous areas. It is an efficient day for drivers and gives them the right amount of time to complete routes.

Councilmember Stolzmann noted the RFI's include exploring potential synergies at City properties and asked if there is any possibility to chip all woody materials at a city property. Petrovich stated that could be a possibility to bring A1 Organics to that site to chip everything. It would still require a separate pile for chipping because food waste couldn't be disposed of at the City site.

Councilmember Stolzmann asked if the quarantine area is ever enlarged to include A1 Organics would the bundles still be needed. Petrovich stated that would allow for putting branches in the bins.

Petrovich added the four-day service allows for people to do extra stops if a resident forgets their day and needs service on an off day.

Mayor Muckle stated the goal is to provide good service for solid waste and to increase diversion to meet sustainability goals. The RFP encapsulated these principals and he thanked both companies for their proposals.

Public Comments

Mark Persichetti, from the Sustainability Board and a member of the selection committee, stated it was very close. They too had some of the same concerns about branches in the containers. He stated when comparing the value added items he likes Western. When looking at embedded costs he has some concerns there might be ways for people to add additional carts without a cost incentive to go bigger.

Director Kowar stated the embedded option does allow for increased cost for extra trash container size.

Mayor Muckle asked if once a person got to the 96-gallon can could he/she order another. The answer was yes.

Bryce Isaccson, Western, stated if a resident gets to the 96-gallon service with either trash, recycle or compost, they would charge the same for any size cart. He added picking up 850 homes per day is well within safety levels. Any calls before 3 pm that day they will come back to do what they need to do that day or the next day. One day service does not impact their level of service.

John Leary, 1116 LaFarge, stated he likes the idea of the embedded services and feels it would lead to better environmental outcomes. He felt bundling would be difficult to do.

Director Kowar stated he had two clarifications. He stated tried to keep it positive and the common topics show both companies are capable. He clarified the RFP language did ask for the 32 gallon increment cost.

Staff thinks the embedded option will be the better option. Staff is willing to bring more information back at a later date if needed.

Councilmember Loo stated residents trust her to make the right decisions. She stated Western must be gratified by the positive endorsements for keeping their services for another five years. That said, she was appalled Western put politics into the process and felt it was unethical. The bid process should provide a fair opportunity without political maneuvering. Council's job is the get the best value for our citizens. Most in the public don't know Western is the more expensive option, in some cases up to 30%. She supports the bid process and felt we should not stay with the same company all the time, but encourage competition to find the best value. We do not want a monopoly situation. We have two choices and both are good, but she will vote to support Republic with much better pricing.

Councilmember Stolzmann thanked people for their emails and comments. People care about customer service, reliable pick up, and environmental sustainability. Both companies can do this. People were concerned about large-item pick up and it is included in both. Pay-as-you-throw is important so people are rewarded for reducing trash. Both have great add ins.

Councilmember Stolzmann stated the Utility Committee talked a lot about extra bins and pricing and ways to encourage people to reduce the waste stream overall. There is a clear incentive for the Republic bid to do this. Western did not bid a 100% increment. We want to meet sustainability goals and provide good prices. She supports the embedded structure with Republic. The bid that scored the highest in the embedded service was Republic.

Mayor Pro Tem Lipton stated he agreed the embedded strategy will advance sustainability goals. He has concerns with asking people to bundle their woody materials separately but is not doing this important enough to pay more. How will people react to that change? He thinks asking for bundling is a detriment to composting. People put all woody materials into the compost and don't want to bundle and some of it will end up in the trash. Based on what we have here he is not sure this is the best option or worth changing the process.

Mayor Pro Tem Lipton was disappointed in getting lots of emails based on limited information. We need to do a better job getting the information out. It was a missed opportunity. We can do a better job on these types of issues.

Councilmember Keany stated he is a proponent of the embedded system; he thinks it will get a better diversion rate if people can get larger carts for no charge. He thinks making a

switch will be difficult and there will be a need to educate the public on the change and why the decision was made. We talk about watching prices and Republic's bid reduces cost for 45% of the residents. He felt it makes more sense to go with Republic.

Councilmember Leh stated this is one of the services that touches everyone every week for a long time. We are trying to be careful with our money and other people's money. There is great concern customer service would be affected if we change providers. If we go with Republic we have to make the transition a good one and have oversight to make sure we get what was promised. He supports going with Republic.

Motion: Councilmember Stolzmann moved to give staff direction to negotiate a final contract with embedded pricing with the candidate with the most bid points which was Republic. Councilmember Loo seconded.

Mayor Pro Tem Lipton stated he would abstain from the vote as he is not ready to vote on this. Right now we have single-stream composting and this is suggesting dual-stream composting and he needs more information notwithstanding price.

Councilmember Loo stated one could look at it as a positive opportunity because you can spend a lot of time cutting up the woody material to fit items in the bin. Now don't have to do that. The large items will be bundled and there will be more room in my bin.

Councilmember Stolzmann stated she can see how for some people bundling might be a detriment, however leaving larger sections of trees and knowing large items will be composted along with the two branch and leaf events will be well used and increase diversion. It will be a tough transition and will require education, but it can be a positive.

Vote: Motion passed 5 voting yes and Mayor Pro Tem Lipton abstained.

DISCUSSION/DIRECTION – LOUISVILLE SPORTS COMPLEX

Deputy City Manager Davis stated this item is to discuss a proposal from Rough Riders Sports Club and Lafayette regarding the Louisville sports complex. The City staff was approached by Rough Riders for a public/private partnership with the City of Louisville and Lafayette.

Staff met with Rough Riders and Lafayette to discuss the concept and talk through some of the issues. Lafayette City Council asked Rough Riders to move forward with additional design but wanted to know if Louisville is interested before pursuing that.

Deputy City Manager Davis reviewed the history of the property. This concerns the 24-acres of the Harney-Lastoka open space adjacent to the Louisville sports complex on which Lafayette is allowed to build ball fields. The original IGA was amended in 2014 to allow for more specific details for how the ball fields could be developed and how it might

be managed, maintained, and for cost sharing. That IGA does not include any provisions around a private partner.

She stated the Rough Riders proposal is very conceptual and many details are missing. Rough Riders is proposing to develop Lafayette's fields; it would include baseball, soccer, and football fields. They would also update Louisville fields and the parking and amenities on site. Rough Riders could manage all of the fields in one partnership, possibly including Miner's Field and other Lafayette fields. It could include scheduling and maintenance.

Rough Riders and staff would like to see if Council has interest in continuing to explore this and if so what the concerns might be.

Staff identified issues: at capacity and utilization of the existing fields, currently at maximum utilization at Miners also. The City is the primary user and rent out to other users; we have approximately 200 city baseball games serving over 500 residents each year and also rent it out for practices, games, and tournaments.

Staff feels it is important to maintain these fields for public access and keeping it affordable for residents. Staff feels City programs are more affordable than what Rough Riders would provide. Staff would like to maintain the current level of programming and consider some program growth there as well. The City's branding identity would need to be maintained.

Deputy City Manager Davis noted there are logistical pieces to work out such as scheduling and making sure it would still meet the City's needs. Benefits could include higher use plan, more tournaments, and other economic development opportunities.

Lafayette could move forward without Louisville in the agreement but the City could still see some improvements to the site. Louisville could wait to see or move forward in exploring this proposal. We don't yet know all the financial implications.

If Council is interested in moving forward staff would like to know what principles Council would like to include in such an agreement. The following are some principles staff has identified that could help address concerns raised in conversations with Rough Riders and the City of Lafayette:

- The partnership would be limited to development, management, operations and use of the City's existing ball fields located at the Sports Complex, and not include other City facilities such as Miner's Field, the Louisville Recreation and Senior Center or surrounding fields. If the City identified interest in developing future fields in other locations around the City, a separate agreement could be considered for the development and management of new fields.
- The current level of public benefit of the fields must be retained. The City would retain its ability to program recreational sports use at the current level, and with the currently-anticipated level of growth for the use of fields. This could include

spreading out the use across any newly developed fields, or within the existing City-owned fields at the Sports Complex.

- There would be no additional cost (beyond inflationary costs) for the City to utilize, maintain or manage the fields. The City would not be charged rent for the use of its own fields.
- Consistent with current practice, the City would generate revenue from the non-public use of its publicly owned facilities.
- Consistent with current policy/practice, assure maintaining program pricing that supports equity in recreational opportunities for broad socio-economic group participation.
- Consistent with current policy/practice, assure program offerings that encourage all ages and abilities have access to Louisville fields, such as maintaining learn-to and non-tryout based teams.
- The City of Louisville would continue to brand, administer and operate its programs and recreational sports.
- A traffic study should be completed to determine impacts on State Highway 42, and a plan for addressing impacts would need to be developed.
- Honor the current IGA adopted by the existing communities.
- Balance the need for local access to fields with the desire to attract tournaments drawing visitors to the community.

Mayor Muckle asked if the City's use of their portion is at the full 24 acres. Deputy City Manager Davis said that could be verified.

Public Comments – None

Mayor Pro Tem Lipton stated this is difficult as it is an unsolicited proposal and it is a timing issue. We have always heard people want more playfields, but it is not a high priority for the community. Would like to know what our unmet need is and what our options are, there may be other ways of doing it we need to consider. We have an aging population and a stable population so he's not sure if we have an unmet need and if it would grow.

Mayor Pro Tem Lipton felt there is an inherent problem to this public/private partnership if we give up control and live with that for the life of the contract. He is not sure we want to do that. This is not a critical service, but may fall under the category of we want to retain control and do it ourselves. He noted when we privatized the golf course it did not go well and most of those issues would be the same here. This may not get us to where we want to be on playfields. We need a better needs assessment before going too far down this path.

Councilmember Leh stated the lack of soccer fields in town has always been maddening. The community has needed a place to play soccer. He thinks the need is fairly clear, but it needs to be studied. He is intrigued by the idea of working with a private entity. Some

exploratory discussions would be worthwhile. He noted staff time is limited and we have many important things that would take priority over this, but should at least explore a little.

Mayor Muckle stated he is intrigued by the idea of collaboration but need to know what the problem is we are trying to solve. He is not willing to give up branding or control and the ability to offer programs to people of all backgrounds and socio-economic levels. This is not enough as presented; want to see more investment in Louisville possibly in other locations and perhaps with other options for an underpass and access issues to be addressed. Just more fields is not enough but there is potential.

Councilmember Stolzmann stated she does hear from residents they want more multi-purpose fields. We should talk to Lafayette to see if this is something they can manage on their own and can come to us if they need our help. We need to know community needs for field time. We didn't get any feedback from the soccer teams on this so we don't know if they are supportive of this. We should get some public feedback on the proposal.

Councilmember Loo agreed with Mayor Pro Tem Lipton that we need to determine our own needs.

Councilmember Keany stated he was concerned about loss of control of our fields and facilities and the possible lost revenue. He would recommend getting more information but be cautious. We want to make sure the site is properly parked without using our area.

City Manager Balser summarized that there is some interest but this is not on the top of the City's priority list so analysis may be slow. Lafayette has some of the same concerns. Staff will continue to have conversations and get more details but it will probably be a few months out.

Mayor Muckle noted we agree with the principles but know Lafayette can do what they want to do so it would be beneficial to stay engaged to some degree.

ADVANCED AGENDA & IDENTIFICATION OF FUTURE AGENDA ITEMS

Members reviewed the advanced agenda.

ADJOURN

Members adjourned at 9:38 pm.

Robert P. Muckle, Mayor

Meredyth Muth, City Clerk