



City of Berkeley ZERO WASTE COMMISSION Regular Meeting

Tuesday, March 28, 2023 at 7:00 p.m.
City of Berkeley Corporation Yard (Ratcliff Building, Willow Room)
1326 Allston Way, Berkeley

MEETING AGENDA

PRELIMINARY MATTERS:

- 6:00 pm 1. Call to Order by Chair and Roll Call by Secretary
- **Christienne de Tournay (Chair)**, appointed by CM Sophie Hahn, District 5
 - **Steven Sherman (Vice Chair)**, appointed by CM Rashi Kesarwani, District 1
 - **Natalie Calhoun**, appointed by Mayor Jesse Arreguin
 - **Rachel Doughty**, appointed by CM Terry Taplin, District 2
 - **Antoinette Stein**, appointed by CM Ben Bartlett, District 3
 - **Holly Scheider**, appointed by CM Kate Harrison, District 4
 - **Sandra Curtis**, appointed by CM Susan Wengraf, District 6
 - **VACANT**, appointed by CM Rigel Robinson, District 7
 - **VACANT**, appointed by CM Mark Humbert, District 8
- 7:05 pm 2. Approve Meeting Agenda and Order of Agenda Items
- 7:10 pm 3. Approve Draft Action Minutes:
- February 28, 2023 Regular Meeting*
- 7:15 pm 4. Public Comment on Items Not on the Agenda
Speakers are allotted up to two minutes. Speakers may be allotted less time at the discretion of the Chair.
- 7:25 pm 5. Commissioner Announcements
Commissioners may make general announcements; no action will be taken.
- 7:30 pm 6. Staff Updates:
- Progress Report on Zero Waste Strategic Plan
 - SB 1383 Implementation
 - SUDs Ordinance Enforcement

DISCUSSION AND ACTION ITEMS:

Members of the public may provide comments at the end of each discussion item and prior to the vote of the Commission on any action items. Speakers are allotted up to 2 minutes.

- 7:45 pm 1. Discussion and Action on Proposed 5 Year Zero Waste Rate Schedule set for April 11, 2023 City Council meeting

- 8:05 pm 2. FoodWare To Go Presentation
- 8:20 pm 3. Commission Officer Elections
- 8:25 pm 4. Commission Work Plan Discussion
- 8:50 pm 5. Discuss Future Agenda Items
- 9:00 pm 6. Adjournment

INFORMATION ITEMS:

Information items may be moved to discussion but no action will be taken.

- Look into funding for SB-54 dual stream recycling
- Zero Waste USA Certification courses are in progress

COMMUNICATIONS:

Communications from the public are included as links or attachments in the agenda packet.

- San Francisco Environment [Refuse Separation Law](#)

*Indicates material included in the agenda packet

** Indicates material to be available at the meeting



ADA Disclaimer: This meeting is being held in a wheelchair-accessible location. To request a disability-related accommodation(s) to participate in the meeting, including auxiliary aids or services, please contact the Disability Services Specialist at 981-6418 (V) or 981-6347 (TDD) at least three business days before the meeting date. Please refrain from wearing scented products to this meeting.

SB 343 Disclaimer:

Any writings or documents provided to a majority of the Commission regarding any item on this agenda will be made available for public inspection at the Public Works Department located at the address below.

Communications Disclaimer:

Communications to Berkeley boards, commissions or committees are public record and will become part of the City's electronic records, which are accessible through the City's website. Please note: e-mail addresses, names, addresses, and other contact information are not required, but if included in any communication to a City board, commission or committee, will become part of the public record. If you do not want your e-mail address or any other contact information to be made public, you may deliver communications via U.S. Postal Service or in person to the secretary of the relevant board, commission or committee. If you do not want your contact information included in the public record, please do not include that information in your communication. Please contact the secretary to the relevant board, commission or committee for further information.

Commission Secretary:

Julia A. Heath, Recycling Program Manager,

Internal

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Zero Waste Commission

INFORMATION CALENDAR
DATE TDB

To: Honorable Mayor and Members of the City Council
From: Zero Waste Commission
Submitted by: Christienne de Tournay, Chairperson, Zero Waste Commission
Subject: Zero Waste Commission Fiscal Year 2022-23 Work Plan

INTRODUCTION

The Zero Waste Commission (ZWC) is responsible for making recommendations on City solid waste policy and goals, including commercial and residential garbage, and recycling services, budgets, and other decisions relating to solid waste in the City of Berkeley. The ZWC adopted the FY 2022-23 Work Plan on May 23, 2022.

M/S/C: de Tournay/Curtis; Ayes: de Tournay, Sherman; Nelson, Curtis; Abstain: None; Absent: Doughty; Stein.

CURRENT SITUATION AND ITS EFFECTS

Over the last two years, the City of Berkeley, along with the rest of the world, has made its best efforts to survive during Covid-19, and operations/staff have been running as usual following the initial lock-down period. The City of Berkeley is enacting important changes and improvements to its Zero Waste services and long-term plans, including:

- Continuing the process to design the replacement of the Solid Waste & Recycling Transfer Station (SW&RTS), which is currently going through the CEQA process,
- Adapting to changes in the recycling export markets,
- Implementing the Single Use Foodware and Litter Reduction Ordinance,
- Implementing new state legislation SB 1383 to reduce landfilled organics, and
- Expanding collection services for hard-to-recycle materials.

ZWC is supporting the development of a Zero Waste Division Strategic Plan, and the SW&RTS replacement, as well as evaluate new proposed legislation or programs targeting some of the larger remaining components of avoidable waste.

These projects advance the City's Strategic Plan goals to:

1. Provide state-of-the-art, well-maintained infrastructure, amenities, and facilities
2. Be a global leader in addressing climate change, advancing environmental justice, and protecting the environment

The following goals have been identified for the upcoming year:

Goal	Resources	Program activities	Outputs	Outcomes
Transfer Station Replacement	Feasibility Study (completed Nov. 2019) First Carbon Solutions retained for CEQA	Consultant presentation to Commission TBD	None	N/A
Zero Waste Strategic Plan	RFP was issued for consultant in Q2 2022	Consultant presentation at ZWC TBD	Commission recommendations to City Council	Ongoing Commission Feedback
Food Recovery and Organics Diversion SB1383	City Staff	Continue staff updates	Provide recommendations as needed to Council and other stakeholders	Help achieve state SB1383 requirements
Single-Use Foodware & Litter Reduction Ordinance	City Staff, Ecology Center, UC Berkeley/Cal Zero Waste	Follow implementation of Single-Use Foodware Ordinance, review through lens of Covid-19 repercussions	Provide recommendations as needed to Council and other stakeholders	Provide feedback to Council on Ordinance Implementation
Reduce Landfilling of Construction Debris	Deconstruction Subcommittee, Bay area Deconstruction group, Urban Ore	Work with builders, material resellers, CEAC, Community Health, Landmarks, Disaster/Fire Safety and Planning to increase reuse of old growth wood debris	Recommendations for Council	Recommendations for Council by end of year 2022
Clarify/Define/ Revisit what is acceptable for program acceptance/ recycling of all plastics	City Staff, Community Conservation Centers, Ecology Center, StopWaste	Listen to experts, gather information, receive updates from City partners	Recommendation to Council	Economically viable and environmentally responsible collection operation for recyclable plastics (Highest and best use)

BACKGROUND

- **Transfer Station Replacement:** Community meetings were held in 2019 for design of replacement input. First Carbon Solutions has been retained to conduct the CEQA certification process for the replacement project.
- **Food Recovery & Organics Diversion SB 1383** requires reduction of organic waste disposal 50% by 2020 and 75% by 2025. Starting in 2022, all CA jurisdictions will need to provide organic waste collection services to all residents and businesses. Berkeley will be required to use products made from this recycled organic material, such as renewable energy, compost, and mulch. Food

service businesses must donate edible food to food recovery organizations. This will help feed the almost 1 in 4 Californians without enough to eat. California has a 2025 goal to rescue 20% of edible food currently thrown away, and redirect it to those in need.

- Single-Use Foodware & Litter Reduction Ordinance: All of the Foodware Ordinance phases have been enacted. Phase 2, requiring all disposable foodware to be compostable and includes a .25 cent charge for disposable cups, took effect on 1/1/20 (just before the mandated Covid-19 *Shelter in Place order*). Phase 3, mandating reusables for dine-in, began on 7/1/2020. Enforcement of all phases has been relaxed due to the pandemic, but is now increasing with addition of new staff positions.
- Plastics - Feasibility of Recyclability: Due to declining infrastructure/operations and unreliable markets for many grades and compositions of plastics, the City's municipal collection program will require reassessment of which plastics are acceptable in its stream.
- Reduce Landfilling of Construction Debris: Carpet recycling program was established at the Transfer Station in 2019. Due to multi-city operations of the construction industry, Deconstruction Ordinance may be introduced at regional level. Recommendations for Council will likely be proposed by end of year 2022.

ENVIRONMENTAL SUSTAINABILITY

Potential to reduce quantity of material sent to landfill and reduce consumption of new materials.

POSSIBLE FUTURE ACTION

Future Action Items that ZWC may send to City Council include:

- Resolution to support a Regional Deconstruction Ordinance
- Resolution to support a Citywide Reusable Food Container program
- Resolution to support an expanded coordinated effort with UCB during Cal moveout months
- Public information available for transparency in materials being recycled based on markets and destinations.

FISCAL IMPACTS OF POSSIBLE FUTURE ACTION

Reusable Food Container program and City/UCB collection efforts require funding.

CONTACT PERSON

Heidi Obermeit, Recycling Program Manager, Public Works, (510) 981-6357

Zero Waste Commission Recommendation

Staff's five-year, approximately quarter-billion dollar proposal does not appear to us to reflect the public's best interests. We suggest that Council direct staff to take the time necessary to develop a more customer-focused proposal (see below); it needs more work before it will be ready for a thumbs-up or thumbs-down vote by the City's customers.

We recommend that Council should direct staff to develop rate schedules now for the following three reasonable approaches to optimize waste collection efficiency while rewarding resource conservation and preserving a modicum of social equity in the rate structure:

- Use of a 32-gallon residential trash cart as the standard (priced at the cost of service, per Prop 218), with optional additional service (priced according to a per-gallon rate structure as currently used) for larger or additional 32-gallon trash carts.
- Every-other-week collection of residential trash (and potentially recycling), with compostables collected weekly. Should law-abiding residents who properly keep compostables separate from the trash be forced by the City to pay perhaps double for unneeded and unwanted weekly trash collection?
- Zone-based residential rates that reflect differentials in the cost-of-service between zones (e.g., taking into account flat and/or dense areas near transfer station, hilly areas far from transfer station).

The City's rate consultant can and should develop these rate schedules now. However, if the City decides to align the rate-setting process with adoption of a zero waste strategic plan that will be completed next year, then the City should consider only the first two years of this or a modified rate proposal, in the interim.