



DEPARTMENT OF PUBLIC WORKS  
Solid Waste Management Division

**MINUTES**  
**SOLID WASTE MANAGEMENT COMMISSION**  
**Monday, September 26, 2005**  
**North Berkeley Senior Center, 1901 Hearst Street**

Chairman Peter Schultze-Allen called the meeting to order at 7:10 p.m.

1. Roll Call:

**Commissioners present:** Susan Blachman, Asa Dodsworth, Steen Jensen, Jay Miyazaki, Peter Schultze-Allen, Carrie Sprague, David Tam

**Commissioners absent:** Sankor Sridaran

**Staff:** Tom Farrell, Peter Holtzclaw, Tania Levy, Claudette Ford

**Members of the Public:** Jeff Belchamber, Nancy Skinner and Sara MacKusick , Community Conservation Center; Daniel Maher, Ecology Center; Dan Knapp and Mary Lou Van Deventer, Urban Ore; Frederick Douglass, Solid Waste Management Division employee; Billi Romain, Sustainable Development and Green Business, City of Berkeley.

2. Comments from the Public: none.

3. Announcements: The Commission gave a heartfelt thank-you to Tania Levy for her efforts as Commission Secretary over the past year. Tom Farrell introduced Claudette Ford, the City's new (as of 8/1/05) Director of Public Works. Blachman announced City staff and community members had met and have almost finalized wording for the Precautionary Principle. The Ordinance will be submitted to the SWMC next month to vote for approval. Blachman mentioned that the real work would come later in implementing it.

4. Approval of the Minutes of the August 26, 2005 Commission meeting: It was M/S/C Tam/Sprague to approve the minutes as written. 7/0/0.

5. Approval of Agenda: It was M/S/C Tam/Sprague to approve the agenda. 7/0/0.

6. Old Business:

**Construction and Demolition Ordinance:** Billi Romain from the City of Berkeley's Sustainable Development Dept. spoke about the Construction and Demolition Ordinance that she and Solid Waste Management staff have been creating. Romain stated the draft is based on ACWMA's model ordinance, with minor variations. Currently, recycling plans need submission with a use permit, but there is no minimum recycling requirements; the model ties minimum recycling amounts (100% concrete/asphalt; 50% other material) to a building permit (the draft exempts projects under \$100,000). Staff is discussing whether to charge a fee or not for the staff needed to enforce the ordinance. Another change from the County model is putting more emphasis on deconstruction/reuse, since Berkeley is home to so many small reuse-driven firms. Dan Knapp from Urban Ore stated he is seeing much more material coming to his reuse business. Blachman wondered the threshold will change over

time, like a cost of living adjustment; she also asked what materials are included in the ordinance, specifically dirt and landscape material. Staff replied those materials are included. Miyazaki questioned whether the Ordinance is coordinated with the Plan Update, with staff responding that it is. Jensen had a general question about costs, to the City as well as contractors. Romain replied staff is researching these issues, and an ordinance should be completed by early 2006. Schultze-Allen asked Urban Ore to make a presentation to the commission on how it judges deconstructed material for its business.

**Solid Waste Management Plan:** The SWMP Update discussion continued among the commission, staff and the public. The initial issue was whether the commission should agree with the draft staff report, and have it submitted to council as a joint resolution. Alternatively, should the commission draft its own resolution? The Berkeley Recycling Group, consisting of the City's three main recycling contractors (Community Conservation Centers, the Ecology Center, Inc., and Urban Ore, Inc.), stated to the commission it would submit its own comments on the draft staff report to the commission and hoped the comments would be attached to any resolution that went to City Council (BRG comments and Urban Ore comments are attached to these minutes). Miyazaki supports the idea of a joint report, but will defer to Jensen and Tam on the Plan Subcommittee. Jensen asked if the general timeline of taking the report to Council before the end of 2005 was in jeopardy, but Farrel replied that it probably was not. Dodsworth stated he would like to join the subcommittee, and Tam and Jensen welcomed him as the third member of the Plan Update Subcommittee. Schultze-Allen wanted to be certain of the process from here – the subcommittee will receive comments on the draft staff report and the Plan Update from interested parties, meet, and come back to the full commission. The full commission will then determine whether to draft its own report to Council or endorse the staff report. Comments are to be sent to Holtzclaw within one week, with the subcommittee meeting within the next two weeks. The commission will decide at the November meeting to join the staff report or write its own report to Council.

**Changing Commission Name to Zero Waste:** Levy distributed a draft Council item and the current ordinance establishing the Commission. Commissioners suggested as additional functions, making the City more livable and sustainable, and advising Council on regional and state legislation concerning waste reduction. The Council liaison representative in Section 3.40.030 should be the Council representative to the Alameda County Recycling Board. A general discussion of the definition of Zero Waste followed, as well as the definition of "Highest and Best Use". It was M/S/C Miyazaki/Tam (6/0/1 (Jensen abstains)) to adopt the wording as drafted approve the Ordinance for Council to consider. As of 10/12/05, the City Attorney has questions over the definition of "highest and best use". The term will need to be better defined by the commission if it wants to keep the wording in the Ordinance.

7. Staff Reports: Farrell mentioned that the new Public Works Director had toured the solid waste facilities and had met with many of the staff. An internal safety audit determined that the Solid Waste Division was an exemplary working unit within the city structure, scoring particularly high on the audit scorecard. Levy informed the commission about the Spice of Life event's attempt to do major recycling with compostable cups.

Blachman would like a list of biodegradable companies that offer these types of products. The discussion followed to the mayor's poll on plastic bags (were Berkeley resident supportive or opposed to a fee for plastic bags, like the San Francisco proposal), with the sampling coming in around 50/50. Schultze-Allen stated his desire to discuss this topic at the next commission meeting in October.

8. Future Agenda Items and Meeting Dates: The next meeting will be October 24 at the North Berkeley Senior Center. The top priority subject continues to be the Solid Waste Plan.
9. Adjourn: It was M/S/C Sprague/Jensen to adjourn at 8:57 pm. 7/0/0.

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Peter Schultze-Allen, Chair, Solid Waste Management Commission