



DEPARTMENT OF PUBLIC WORKS  
Solid Waste Management Division

**MINUTES  
ZERO WASTE COMMISSION  
Monday, March 10, 2008  
North Berkeley Senior Center, 1901 Hearst Street  
Workshop Room B, 1<sup>st</sup> floor**

Chairwoman Nashua Kalil called the meeting to order at 7: 20 p.m. once a quorum was achieved.

1. Roll Call:

**Commissioners present:** Blachman, Jensen, Kalil, Nava, Sadigh, Schultze-Allen, Tam

**Commissioners absent:** Dodsworth

**Staff:** Peter Holtzclaw, Tania Levy

**Members of the Public:**

*Organizations/Businesses:* Jeff Belchamber of Community Conservation Centers; Mary Lou Van Deventer and Dan Knapp of Urban Ore; Marin Bourque and Daniel Maher of the Ecology Center; David Tucker of Waste Management.

2. Comments from the Public: Chair Kalil explained the new agenda structure and requested that comments on agenda items be made during the item. Mary Lou Van Deventer provided an aerial map of the West Berkeley Area and is concerned about the West Berkeley Plan update allowing flexibility to negotiate non-industrial land uses in manufacturing and industrially zoned properties and spiraling land costs that may push businesses like Urban Ore from the area. A forum sponsored by WeBIAC is upcoming Thursday March 20. Dan Knapp read from an article by soil scientist Professor Sally Brown advocating using compost to increase organic matter in soil, because soil is largest single storage bank for carbon. Martin Bourque announced that the Ecology Center is recruiting a deputy director.
3. Announcements and Commissioner Comments: Levy announced that Pete Seeger wrote a song dedicated to the Berkeley Zero Waste Commission, using and inspired by a definition of zero waste written by Martin Bourque. The recording will arrive shortly, and will be presented to Council and to the Commission at their next meetings. Kalil announced potential new commissioner candidate for position vacated by Jay Miyazaki (District 5 appointee by Laurie Capitelli), also that a resolution of thanks to Miyazaki for years of dedicated service will be presented at the next meeting. Tam related he will be attending the NCRA legislation and policy committee meeting on Thursday March 20 and will report at the next meeting.
4. Approve Meeting Minutes of 2/25/08: Tam requested that public comments on green house gas plan include his comments on diversion rates and calculation in more detail before approval. Agreement that secretary will append comment to draft minutes and bring it back for approval at April meeting. Schultze-Allen requested that all Zero Waste Commission documents include a footer "printed on Recycled Paper."
5. Review and Approve Final Minutes of 2007 Meetings for posting: Commissioners were asked to review draft minutes in advance of meeting, with result of various small corrections noted. Minutes for January 29, 2007, February 20, 2007 and March 25, 2007 read through and

discussed. Final minutes for February 26, 2007, April 30, 2007 and June 25, 2007 are pending by secretary and will be presented at next meeting. **MS Tam/Jensen to approve final minutes of 1/29/07, 2/20 and 3/25 as corrected. M/S Tam/Jensen. 6/0/1 Sadigh abstaining.**

6. Approve Agenda: **M/S Tam/Blachman to approve the agenda, 7/0/0.**
7. Commission Liaison Appointments and Activities\*\*: Chair Kalil related history of Zero Waste Commission “building bridges” with other commissions over last two years. Three commissions; Energy, Environmental Advisory, and Transportation, all have permanent liaisons to Zero Waste. Staff provide handout showing various commissions, secretaries, meeting dates/times, appointed liaisons to ZWC (if any) and suggested Zero Waste commissioner liaisons. Liaison activities and responsibilities include agenda review, reporting, and occasional attendance where there is a topic of concern to ZWC, or a future concern such as facility rebuild. Tam asked that commission also consider coordination with school board. **M/S Jensen/Sadigh to have formal liaisons to peer commissions and other vital City groups. 7/0/0.** Commissioners volunteered as follows: Energy/Sadigh; Environment/Jensen; Public Works, Planning/ Kalil; ZAB & Rent Board/Nava & Dodsworth; Transportation/Tam; Youth/Blachman(Tentative); UCB/Nava; and City Council/Schultze-Allen
8. Solid Waste Division Work Plan Overview & Calendar\*: Holtzclaw provided a handout detailing Division activities, including both policy and operations elements. He discussed the list of operational goals with anticipated dates and pressing issues related to contracts, department software updates, and equipment purchases. A staff priority is the division budget and revenue targets/expense amounts. This was followed by issues of program rollouts affected by 218 *Bighorn* rate analysis. As currently understood, collection rates for property owners cannot change, thus split carts will not be able to be implemented until 2009 which is over one year later than anticipated. While fees at the Transfer Station can change, the freeze on collection rates affects capital expenditures, such as new trucks already contracted by the Ecology Center and long-term contracts in general. One-year contractor extensions will be completed in the next months, which will allow truck purchases and other capital expenses to proceed.

Another division priority currently out to bid is the software upgrade to replace the patchwork of custom programs that does not meet Division’s needs. New program will be off- the-shelf technology, integrating weigh master, billing, and service databases with data analysis capability. A GIS element will facilitate efficient routing. Goal to select and implement fall 2008.

The Construction and Demolition sorting contract will be awarded in April, likely brought to Council at their meeting of April 22. As for the facility rebuild, intention is to release RFQ/RFP for feasibility analysis (including funding mechanisms) late summer of this year. Also discussed was staff support for policy and legislation matters including finalizing the interface with the Greenhouse Gas Reduction Plan, plastic bag ordinance, facility needs coordination in the West Berkeley Plan update tied to the impending rebuild project, and new policy elements developed by the commission over the coming 2009 fiscal year.

9. Commission Work Plan\*: Kalil provided a handout of proposed framework for both the Commission’s work plan and proposal to craft a *City of Berkeley Zero Waste Strategic Plan* over the 2009/2010 fiscal year (handout was provided to commissioners by e-mail week prior). This proposed plan would be coordinated with the City’s *Greenhouse Gas Reduction Plan*. She described the City of Oakland’s 2006 *Zero Waste Strategic Plan* as a model for review by

commissioners, and that the intent is to include adopted policies such as organics diversion and the construction and demolition ordinance with clearly defined strategic implementation plans and also to develop new policies over the next year for elements such as plastic bags, take-out fare, multi-family recycling, commercial recycling/waste reduction, extended producer responsibility, etc. The commission discussed how the 2005 draft plan created by ESA for the commission would provide understanding of policy options, but does not substitute for a strategic defined plan for Berkeley. Staff will find out if a strategic plan can be posted on the Commission web site. Kalil asked commissioners to pick a topic of great interest to them as individuals, define policy needs and opportunities, conduct outreach with experts, help bring presentations to the commission on their selected topics and present recommendations to the full commission over the next year. Jensen has chosen extended producer responsibility and Nava is interested in pursuing multi-family recycling, potentially with Dodsworth. Other policy elements will be described and discussed at future meetings. Blachman had questions on overall need to define objectives for 75% reduction and zero waste, most importantly defining priorities and obstacles. Jensen related need to set clear policy goals and find leadership to see them into programs. Nava discussed how specific goals will need task definition and had questions about procedure. Tam related need to address zero waste infrastructure in the *Strategic Plan* and also wants to have methodology like San Francisco's for defining diversion rates to achieve zero waste. Martin Bourque stated that he saw this as the true work of the commission and bringing clear directives through such a plan to Council is greatly needed. Kalil will work with individual commissioners to connect them to persons of interest and structure the commission calendar with policy-specific presentations.

#### 10. On-going Business:

- a. Draft Plastic Bag Reduction Ordinance update and activities: Kalil asked for update on legal review. Levy reported that the acting City Attorney is concerned about the legal challenge to Oakland by a consortium of plastic bag manufacturers and other associates who claim a CEQA (California Environmental Quality Act) analysis is required. Schultze-Allen described Mayor's concern that the draft ordinance move forward. Levy stated she would move legal review ahead and report at next commission meeting.
- b. West Berkeley Plan Update: Kalil reflected on Urban Ore's comments during public comment period. She described attending Planning Commission tour of sites and discussions about Transfer Station issues with some Planning Commissioners. Future updates will follow as the Planning Department and Commission proceeds with its work.
- c. Status of Contracts and RFP's/RFP Review Procedures: Holtzclaw reported that five bids had been received by the Division for the Construction and Demolition contract. Staff recommendations will be presented to Council at an April meeting. The software update RFP is out and will close soon. In general, RFQ/RFP's are not meant for public disclosure until they are released. The commission can work with staff and publicly discuss and review portions of them that are policy directives and provide background information relevant to achieving zero waste policy goals. As an example, the RFQ/RFP for the Transfer Station Facility Rebuild feasibility analysis includes zero waste goals, policy points and directives developed by the commission.

#### 11. Staff Reports:

- a. City and Division Budget Issues: Holtzclaw reported projected revenue of \$29.5 million. SWM Division spends \$24.25million, with the remainder used mostly to fund the Clean Cities program. There is currently \$3 million in Fund Balance. Under prop 218, it may

not be legal for the refuse fund to pay for Clean Cities. Staff is analyzing the content and curb-miles of street sweepers to see what portion of it may be property-based. City is negotiating new contracts for FY 09 with Union locals.

RFQ for the transfer station rebuild is under review by purchasing, administration and city manager. Further Zero Waste Commission recommendations can be included as an addendum to the RFP. Kalil suggested using the zero waste subcommittee to review the RFP.

- b. The first official analysis of residential food scraps participation was complete, and is very encouraging. Berkeley is up with the top performing cities (Albany and Alameda) in participation and cleanliness of the material. The surveyors thought residents were indeed putting most of their food and paper in the green carts. This was true of high, medium and low-income routes. Levy distributed a chart showing the annual tons and diversion at the transfer station. City diverts 34% of the materials it controls through collection and the transfer station. The City Control diversion does not include refuse, recycling, waste reduction, reuse and composting by independent haulers, businesses and the public. Commissioners asked for a chart showing the change over previous years. The
  - c. Legislation: Tam reviewed some of the many bills relating to discards,. He requested City support of AB2640 (Huffman), to phase out recycling credits for green waste used as ADC, and to add a surcharge to any ton so used, to help fund compost facilities. Opposition from Southern California cities who depend on ADC for their diversion rates, and for whom it is cheaper than using a compost facility. **M/S Schultze-Allen/Kalil to support AB2640 in concept**, ask the City lobbyist to track it, and ask the representative in the East Bay Division of the League of California Cities to support. Passed 7/0/0.
12. Agenda items and meeting dates: After a poll, Commissioners agreed on April 7 and April 28 meeting dates. Lisa Bauer, recycling coordinator for UC Berkeley, will make a presentation at one of these meetings.
13. Adjourn: 10:30p.m.