



DEPARTMENT OF PUBLIC WORKS
Solid Waste Management Division

MINUTES
ZERO WASTE COMMISSION
Monday, September 22, 2008
North Berkeley Senior Center, 1901 Hearst Street
Workshop Room B, 1st floor

Chairwoman Nashua Kalil called the meeting to order with a quorum at 7: 10 p.m.

1. **Roll Call:**

Commissioners present: Blachman (7:15), Dodsworth (7:25), Jensen, Kalil, Kirkpatrick, Nava, Schultze-Allen, Tam

Chair Kalil welcomed new commissioner Kelly Kirkpatrick for District 5, appointed by Laurie Capitelli.

Commissioners absent: Sadigh (excused absence)

Staff: Claudette Ford, Public Works Director and Acting Division Manager; Tania Levy, Acting Recycling Manager

Members of the Public: Martin Bourque of the Ecology Center; Sara MacKusick and Jeff Belchamber of Community Conservation Centers; Mary Lou Van Deventer and Dan Knapp of Urban Ore, and citizens Heather Abrams and Sloan Vasques.

2. **Approve Agenda:** M/S Tam/Nava to approve the modified agenda, 5/0/0 (note three commissioners absent at time).

3. **Comments from the Public:** Martin Bourque reported trip sponsored by the Alameda County Source Reduction and Recycling Board, to tour non-profit recycling operators around the U.S., including Ann Arbor MI, Boulder CO, and others to assess recycling center success with presentation and white paper to follow. Chair Kalil requested Bourque present his findings to this commission, likely November meeting. Dan Knapp related attendance and presentations at the California Resource Recovery Association's Statewide conference held in Burlingame, and tour of a resource recovery park consisting of 14 acres with 5 acres built. He reflected upon a 1990's study (Kirkpatrick et al) of assisted buy-back at MRFs and increased participation/reclamation. This study will be of use in upcoming City facility rebuild study.

4. **Announcements and Commissioner Comments:** Peter Schultze-Allen reported on annual Coastal Commission-sponsored clean up at Berkeley/Emeryville shoreline with an upcoming analysis of collected debris. Schultze-Allen distributed copies of the EcoMetro Guide for Berkeley, Emeryville and Oakland. David Tam reported on state Legislature: AB 1016 (Wiggins) and AB 2357 (banning mercury disposal) are moving forward, but most other refuse bills are stalled as State budget debate continues.

5. **Approve Meeting Minutes of 7/28/08:** Two small corrections noted. M/S Schultze-Allen/Nava to approve 7/28/08 meeting minutes as corrected: 6/0/2 (Kirkpatrick and Dodsworth abstain due to absence at July meeting.)

6. **Welcome Back – Review of Strategic Plan Framework:** Chair Nashua Kalil handed out copies of framework which has provided guidance as commission work plan since March of this year. Goal was to review and prioritize next policy/program research efforts and arrange knowledgeable speakers for upcoming meetings. Subject areas include 1) Zero Waste Operations and Facility with focus upon rebuild, functions, and surrounding land use/transportation plans; 2) Potential New Program Elements including Extended Producer Responsibility (EPR), multi-family recycling, commercial recycling/franchise fee, compostable take-out fare program, and potential partnering with UC; and 3) Strategic Plan/Policy Development/Coordination with subcommittee and commissioner assignments linking with other commissions. Commission agreed that following EPR resolution this Fall, multi-family recycling policy and new program efforts will be focus of next subcommittee -- members to be determined, but led by Kalil and Nava with Kirkpatrick participating. As reported at last meeting by Levy and followed up by Kalil, StopWaste.org is crafting a multi-family recycling protocol that will act as a guide for municipalities. Kalil will arrange for StopWaste presentation. Commissioners were asked to meet with their council members to update them on current efforts and to follow other commission agendas as noted in the Framework.

7. **Greenhouse Gas Reduction Plan Update and City's Comments on State's Climate Change Draft Scoping Plan:** Tania Levy reported her work with Tim Burrough's completion of Sept. 08 Draft 2, *City of Berkeley Climate Action Plan* and workshop presentation to City Council next day, Sept 23. Nava requested status of timing for comments due November 9. Kalil asked for presentation to Commission to hone draft *Chapter 5: Waste Reduction & Recycling*. Climate Plan staff also requested to present for public comment. Agreed they will do so at October meeting. Bourque reported his work on City's committee and noted draft plan's focus on residents with need for larger scope. Levy next reported Division participation in City comment letter to California Air Resources Board's (CARB) *Climate Change Draft Scoping Plan*, with handout of City's letter dated August 1, 2008 signed by Dan Marks, Berkeley's Planning Director. City joins others in contending that CARB's strategy does not capitalize on opportunity for state and local government collaboration to reduce greenhouse gas emissions, and how technological improvements alone cannot achieve the goal of AB 32 or long-term targets established by the Governor. The letter states that significant plan improvement must include focus on reduction of vehicle miles traveled (VMT), which is under the purview of local government's land use planning, and a focus on local level measurements. Highlighted comments include 1) aiming targets that exceed the AB 32 goal; 2) separation of targets associated with regional land use/transportation planning from local government actions; 3) Failure to include recommendations for waste reduction and recycling, and their potential for greenhouse gas reduction, 4) need for state provision of planning assistance and infrastructure funding; 5) setting of firm regional targets and proactive support to achieve them; 6) state incentives for local governments and regional agencies for planning and implementation to reduce VMT; and 7) local government and regional agency assistance by the state in the measuring and tracking of greenhouse gas at the community level.

8. **Division Update:** Public Works Director Claudette Ford reported departure of Division Manager Peter Holtzclaw and taking over as Acting Division Manager. Her onsite presence has provided opportunity to become familiar with daily operations, meeting

with supervisors/key staff to identify issues and assess needs. She also implemented a variety of facility operations changes such as spot checks for toxics.

- a. **Division Manager & Recycling Manager Recruitment:** Department retained a Recruiting officer familiar with Department, for Division Manager position; releasing job announcement in October with goal of January 09 hire. . Kalil will attend Recycling Manager interviews September 29 as commission presence.
 - b. **Rate Analysis:** Budget Manager and Senior Budget Analyst are working on completion with unknown date. Commission requested understanding of how rate changes are being addressed given budget implications. Kalil asked status of contracts with Ecology Center, CCC and Urban Ore. Ford reported work on 3-year extensions. Blachman asked about split-cart roll out hampered by rate analysis completion. Ford reported this was under review as part of contract extensions and would clarify at next commission meeting. A Solid Waste Task Force was mentioned.
 - c. **FY 09 Division Workplan Priorities and Progress:** Ford requested patience as key management positions are filled and that this was main priority.
 - d. **Facility Rebuild:** Ford reported the Facility Rebuild “Feasibility Analysis” Request for Proposal (RFP) would come out mid-October with a due date of mid-December. Kalil related working with Holtzclaw to include zero waste policies, reference to principle of highest and best use informing facility design, and need for consultant analysis of site accommodation for single vs dual stream recycling operations as well as extended financial outcomes with new facility. Dodsworth asked if commission would be consulted on hiring decisions. Ford related that recruiter and HR would determine process and she would report on progress.
9. **Extended Producer Responsibility Subcommittee Report:** Steen Jensen and Emily Sadigh continued work with Sara MacKusick of CCC, also a member of the Environment Commission as a subcommittee of the ZWC to review EPR issues, model ordinance language, and suggested reforms. The subcommittee held a publicly noticed meeting and drafted a revised resolution. Previous elements of concern with new draft more Berkeley-specific with clarity on city responsibilities. Remaining are review with Purchasing Department and Environment Commission, and inclusion of numerical data by Levy. After next subcommittee meeting and review, final resolution language will be provided at next commission meeting as an action item. City funding of a \$1,000.00 membership in the California Product Stewardship Council Association (CPSC) is still under debate. Asa Dodsworth pointed out that division with a \$30 million franchise could certainly afford this membership. Ford stated she would take that into consideration.
10. **Plastic Bag Ordinance:** Kalil requested update of proposed ordinance review by the Acting City Attorney, Zach Cowan. Commission feels frustrated after performing work as mandated by Mayor and Council and submitting to staff January 08. Staff reported they have not met with Cowan. Kalil stated she would contact him directly if that were necessary. Staff stated they would follow up on legal review and report at next meeting.
11. **Future Dates, Upcoming Workshops and Training Opportunities:** Next commission meeting is October 27.
12. **Adjourn:** The meeting was adjourned at 9:15 pm.

Summary of prior comments from Commissioners and the Public on the Draft Climate Action Plan, July 23, 2007

- Include waste composition data, need to include greenhouse gas impacts of waste, or city's waste reduction activities.
- Identify rebuilding of Transfer Facility as a priority for waste reduction.
- Add right-of way power (solar street lights) and reusable energy generation on public buildings.
- More actions to engage multi family buildings and businesses to reduce waste and use reusable packaging and products.
- Specifics are missing, including strategies cost/benefits and timelines.
- Promote repair shops.
- Track recycled materials to their end use to make sure they are used wisely.
- Consider waste to energy possibilities.
- Set aside land for waste reduction/material use/composting.
- Integrate permaculture and local food production.
- Integrate Climate Action Plan with the General Plan; set priorities and do smaller strategic actions. Change building and planning codes that stop us from using conservation technologies like grey water and membrane wind power. Installation of solar panels should not require an administrative use permit.
- Examine green house gas implications of replacing industry with consumptive uses,
- Focus on exporting resources and importing product with measures at local level.
- Make refuse rate structure an incentive to recycle and compost; "Pay as you throw"
- Include a program of carbon audits for residences and businesses.
- Place a stronger emphasis on education including training kids. Focus on community involvement – goals and activities at block and neighborhood levels.
- Note jobs created by each strategy.
- Add Berkeley Unified School District to the plan with a list of actions and policies District could enact.
- Identify cost/benefit analysis of single vs. dual stream recycling processes.