



DEPARTMENT OF PUBLIC WORKS
Solid Waste Management Division

MINUTES
ZERO WASTE COMMISSION
Monday, November 23, 2009
North Berkeley Senior Center, 1901 Hearst Street
Workshop Room B, 1st floor

Vice Chair David Tam called the meeting to order with a quorum at 7:12 PM

1. Roll Call:

Commissioners present: Dodsworth, Jensen, Kirkpatrick, Smartt, Tam, Blachman (7:25)

Commissioners absent: Kalil, Nava

Staff: Andy Schneider – Recycling Program Manager; Ken Etherington - Division Manager; Tania Levy - Analyst.

Members of the Public: Martin Bourque and Daniel Maher of the Ecology Center (EC); Jeff Belchamber and Sara MacKusick of Community Conservation Center (CCC), Dan Knapp and Mary Lou Van Deventer of Urban Ore; resident Adam Heffler.

Asa Dodsworth (reappointed) was sworn in by Secretary Schneider 7:10

2. Approve Agenda: Jensen requested addition of Extended Producer Responsibility. Jensen/Kirkpatrick M/S to approve the agenda 5/0/0.

3. Comments from the Public: Dan Knapp reported that Urban Ore sponsored Nancy and Mark Gorell to attend the International Zero Waste conference in the Philippines where they passed a formal resolution to return all carbon based materials back to the soil. Van Deventer stated that the City needs to clarify their interpretation of the Urban Ore transfer station reuse collection contract as it relates to non-ferrous metals. She also announced Northern California Recycling Association Winter party 12/6 at 5 pm.

4. Announcements and Commissioner Comments: Smartt announced three StopWaste grant programs with pending deadlines; for non-profit organizations due December 11, and mini-grants of \$3000 or \$5000 to businesses and non profits for recycling start-up supplies. Smartt reported that the recent StopWaste stakeholder session about a Strategic Plan for the next 10 years, had 175 attendees from many sectors, and an effective exchange. Director Gary Wolff questioned whether StopWaste should focus on discard management, or a broader sustainability focus. Extended Producer Responsibility is high on the legislative priority list. Tam announced that the EIR for Potrero Hills Landfill expansion was upheld on November 3rd; a federal suit to stop enforcement of a waste import limits initiative (Measure E November 1984) would reduce that landfill's annual tonnage to about 60,000 tons per year, from the current 800,000 tons. Landfill expansion was upheld, and that a flow control case, pending at the U.S. Supreme Court, could affect California landfills.

5. Approve Meeting Minutes of October 26, 2009: M/S/C Jensen/Blachman 4/0/2, Kirkpatrick and Smartt abstaining due to absence at that meeting.

6. Division Budget: Division Manager Ken Etherington stated that Lisa Malek-Zadeh, Senior Budget Specialist, will present updated budget information at the January Commission meeting. Etherington said that the deficit is projected to grow to \$3.8 million by 2012. He described his proposed budget cuts to improve operational efficiencies. He anticipates eliminating four positions as well as considering changing commercial recycling collection to single stream and sending the materials to a different facility. He explained how this change would reduce commercial recycling collection vehicles from 4 to 1.5. Sara MacKusick asked if the ramifications of redirecting this commercial material away from the City MRF had been discussed. Etherington replied that this is just a proposal and that City Manager would need to approve any change to our collection or processing. Etherington also listed other recent cost savings measures like reduced Saturday collections, better control of C&D loads, reducing the fleet size and keeping capital projects on hold. There was a discussion of the split-cart program implementation and who will purchase the carts. Etherington also mentioned that the City is considering purchasing two fully automated side-loader trucks for a collection pilot. Staff reductions would be discussed with the Union. Bi-weekly refuse residential collection and franchise agreement timeline were discussed. Vice Chair Tam stated that many of the proposed budget cuts are problematic and suggested that the Commission state their position through a resolution.

The following resolution was drafted by the Commissioners and presented at the end of the meeting:

The redirection of commercial recyclables from the City's dual stream MRF to a single stream processor will increase contamination and reduce the value of materials, and so is at odds with the Highest and Best Use principles of the City of Berkeley. Secondly, we are concerned by the further delay of the split-cart rollout. The Commission is concerned with what may prove to be sweeping policy changes driven by what are likely temporary financial concerns. We would like to encourage creative suggestions to be submitted by Department staff regarding ways to cut costs and generate revenues. The Commission thanks the City Manager and staff for bringing these proposals before the Commission and asks that further action on these items be presented to the Commission for input. M/S Blachman/Smartt 6/0/0

7. Division Update:

- Bag Reduction Ordinance: Schneider reported on the status of the Bag Reduction Ordinance with details of the public comment process and the new Council action date of Feb 23rd, 2010.
- Organics RFP: Schneider reported the Contract with Grover Landscaping ends July 31st 2010 and that we are currently writing the RFP for a new organics processing with a hauling option contract. Martin Bourque asked about end product quality and how we are addressing that in the RFP.
- Plant Debris Landfill Ban: Schneider reported that the Plant Debris Landfill Ban outreach campaign has begun and rate amendment goes to Council on Dec 8th. The surcharge rate begins on January 1st, 2010.
- EC & CCC Contracts: Etherington gave the status of the two contracts. EC will go to Council on December 8th and contract discussions have begun with CCC.
- Construction & Demolition Ordinance Amendment: Levy reported that our ordinance will need to be amended to make the thresholds more realistic and effective.
- EPR: Schneider reported that our plate is too full of variables to begin work on EPR at this point. We agreed that it is a Commission goal for 2010.

Motion to extend meeting 10 minutes: Dodsworth/Jensen M/S 6/0/0

8. Do Not Mail Registry: Blachman reported that Councilmember Wozniak has requested that the Commission review this proposal and advise by March of 2010. The only anticipated protest would be on labor issues.

9. 2010 Work Plan: The Commission should start to consider issues and topics, like EPR, to be covered in 2010.

10. Meeting Dates For 2010: No religious holidays conflict with our normal fourth meeting of each month schedule. Typically, we will not meet in August or December. Schneider agreed to send out schedule of meeting dates.

11. M/S Tam/Blachman to Adjourn at 9:15 PM