



DEPARTMENT OF PUBLIC WORKS
Solid Waste Management Division

MINUTES
ZERO WASTE COMMISSION
Monday, September 23, 2009
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 PM

1. Roll Call:

Commissioners present: Kalil, Kirkpatrick, Nava, Oatfield, Smartt, Tam

Commissioners absent: Blachman, Jensen

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

Members of the Public: Martin Bourque of the Berkeley Ecology Center (EC); Jeff Belchamber and Sara MacKusick of Community Conservation Center (CCC); Mary Lou Van Deventer of Urban Ore; residents Asa Dodworth, Mark and Nancy Gorrell, Adam Heffler, Jessica Karadi, and Leila Khatapoush.

Chair Kalil introduced new Commissioner Janet Smartt, appointed by Mayor Tom Bates, and welcomed back Commissioner Natalie Nava, re-appointed by Kriss Worthington.

2. Approve Agenda: M/S Tam/Kirkpatrick to approve the agenda 4/0/0

3. Comments from the Public: Martin Bourque stated that the Ecology Center is ready to help multi-family buildings implement recycling, if the Governor signs AB 473 (mandatory multi-family recycling.)

4. Announcements and Commissioner Comments: Kalil administered the Oath of Office to Ms. Smartt. Ms. Smartt is a graduate of the Presidio School of Management, and works for StopWaste.org in business assistance program. Tam attended the Joint meeting of the Alameda County Waste Authority and Source Reduction and Recycling Board to review their ten-year strategic plan for all aspects of their program, including financial stability. He distributed copies of the meeting packet. Related staff reports are on-line at StopWaste.org. The next Strategic Plan meeting is November 12. He also reported that StopWaste contributed to the Green Cities Coalition's Master Environmental Assessment, which will help cities respond to lawsuits against plastic/paper bag ordinances. Nava announced that UCB reduced the recycling coordinator's hours to 20 per week. She also reported that UCB architecture students are redesigning Cal's recycling bins.

5. Approve Meeting Minutes of July 27, 2009: M/S Kalil/Kirkpatrick to approve the July 27, 2009 minutes 4/0/1; Smartt abstains.

6. Refuse Fund Budget Update: Ken Etherington distributed a 5-Year Forecast prepared by the Senior Budget Analyst, who could not attend the meeting. Despite the residential rate increase, the fund balance deficit of \$2.5 million still exists, and staff expects the shortfall for 2010 to reach \$2.9 million. Although transfer station rates also increased August 1, revenue is still below

projections. The last quarter of FY 2009 showed a drop in transfer station customers, with revenue \$164,000 under projections for July and August. Volume is up but revenue is down. Residential revenue is also below projections, partially due to residents reducing the size of their refuse carts.

The Division is focused on cutting costs across the board, and enhancing revenue where possible. Increased expenses include landfill maintenance expenses, increased from \$30,000 to \$500,000 per year for the next four years due to required upgrades and monitoring. The \$1 million increase in landfill contracts was predicted and already included in the 2010 budget.

The Division is working to increase revenues and reduce costs. Revenue options include soliciting business from local trade groups, and soliciting organics from nearby cities when they begin residential food scrap collection.

Cost reduction is mainly through labor efficiencies. Etherington will eliminate two Saturday commercial routes where customers can shift to larger containers and use fewer pickup days. Commissioners questioned how restaurants, which need weekend service, would respond. There will be sufficient Saturday service for restaurants and others who need six-day/week collection. Following purchase of the necessary routing software, staff will rebuild routes to use labor and trucks to maximum efficiency, and consolidate routes with low payload, especially where residents have shifted to recycling. The Department has postponed the feasibility study to rebuild the transfer station. Dual stream residential recycling carts remains in the 2010 budget.

Kalil asked for the actual cost savings of these actions. Tam asked for the percentage of overtime compared to total personnel. Etherington responded \$900,000, but that includes holiday pay and special events, for 104 FTE. Kalil noted that OT is usually under budgeted, and that City should budget OT rationally and have it part of cost containment. Tam commented that OT as a percentage of the total wages did not seem high compared to, e.g., San Francisco Public Safety personnel.

Smartt inquired if City was providing any services without direct charge. Etherington responded that 2500 businesses have free commercial recycling. City is considering a different pricing model, while taking care not to reduce participation in recycling. Kirkpatrick asked about the planned residential rate restructuring, with a flat fee to include baseline costs of recycling and refuse collection.

Tam inquired about the anticipated franchise fee increase from 26% to 33% of gross revenue. Etherington expects it to move forward in FY 2010. Kalil pointed to City Manager's strategic plan to reduce the \$9 million General Fund budget deficit in 3 years, and asked to see a similar strategic and financial plan for the Refuse Fund deficit.

Leila Khatapoush questioned if services would be reduced for commercial food scrap outreach and overtime for events. Kalil noted that the Division had discontinued the grant-supported contract for outreach and training for commercial recycling and food waste diversion, and is concerned that the commercial food program will deteriorate. Etherington stated that there is adequate staff to continue the program. Van Deventer suggested shredding garden trimmings to reduce transportation cost for organics. Etherington said that shredding would not help because loads are already at maximum legal weight.

7. Plastic Bag Ordinance Review and Public Hearing Date: Staff recapped the ordinance and its goal to promote reusable bags and reduce overall environmental impact of bag use. Kalil recapped the Commission's work with merchants in 2007-08 and their request to make it easy – neither costly nor complicated to implement. The Planning Department and City Attorney have approved the Initial Environmental Assessment and Negative Declaration prepared by staff. The public comment period for the Negative Declaration will be October 2 to November 2, and will include a public hearing. Staff is preparing an Information Report for Council agenda on November 17, with earliest Council adoption not possible until the January 19th or 26th, 2010, Council meetings. Meanwhile staff will reach out to community groups, merchants associations, and other stakeholders to solicit comments on the Ordinance. Berkeley's ordinance is timely, as 3500 plastic bags were collected on the Berkeley shoreline at the September 19 Coastal Cleanup.

Kirkpatrick pointed out that implementation of a bag ordinance should be coordinated with the split cart roll-out, so that residents would no longer need paper bags to set out curbside recyclables.

MSC Tam/Kalil to hold a Special Zero Waste Commission meeting on October 19, 2009, for public comment on the Negative Declaration and the Ordinance. Approved 5/0/0. Kalil will invite the Chair of the Environmental Commission to co-chair the meeting.

8. Division Update: Schneider reported that the Transfer Station is on schedule to comply with the Plant Debris Landfill ban implemented by Alameda County. If a load is more than 10% plant debris, customers must separate it from other trash, or pay a 50% surcharge on transfer station fees. The education program runs November through December, and surcharges begin on January 1 2010 if a customer refuses to sort. If the City then sorts the load, City keeps the full surcharge; otherwise remits half to StopWaste. StopWaste has approved the transfer station's protocol, and the surcharge will go to Council for approval in December. Etherington reported that a new sample of Construction and Demolition debris from the transfer station was sent to Davis Street for sorting, with a new 85% diversion rate.

9. Legislation: Levy reported that three recycling bills await the Governor's signature. AB 473 which requires multi-family buildings over 5 units to have recycling service as of July 1, 2010, looks promising because property managers withdrew opposition after amendments established practical exemptions. Tam added that SB 402 (Wolk) is critical to restore the Beverage Container Redemption fund, which provide grants and subsidies for City's recycling programs. The Fund was depleted by loans to the State budget, and by higher container recycling rates. AB 1173 (Huffman) addresses compact fluorescent bulbs.

10. Future agenda items and meeting dates:

Special meeting October 19

Regular meeting, October 26

Next regular meeting will be November 23

No December meeting

Agenda items include

A focused discussion on the Budget

Bag Reduction Ordinance

Multi family recycling

M/S/C Kalil/Kirkpatrick to Adjourn at 9:25 PM