



DEPARTMENT OF PUBLIC WORKS
Solid Waste Management Division

MINUTES
ZERO WASTE COMMISSION
Monday, January 25, 2010
North Berkeley Senior Center, 1901 Hearst Street
Workshop Room B, 1st floor

Chair Kalil called the meeting to order with a quorum at 7:07 PM

1. Roll Call:

Commissioners present: Kalil, Jensen, Kirkpatrick, Smartt, Gomez, Moos, Tam (7:15)

Commissioners absent: Blachman

Staff: Andy Schneider – Recycling Program Manager; Ken Etherington - Division Manager; Claudette Ford – Public Works Director; Lisa Malek-Zadeh - Senior Budget Specialist; Tania Levy - Analyst.

Members of the Public: 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; Arthur Boone, John Beaumont, Lois Johnson, Francis Barfield, Gregory McConnell, Richard Siu, Ron Jones.

2. Welcome back, Commission Changes & Introductions: Chair Kalil introduced two new commissioners, Farrah Moos and Ricardo Gomez.

3. Approve Agenda: Jensen/Kirkpatrick M/S/C to approve the agenda 6/0/0

4. Comments from the Public: Various members of the public, representing letter carriers and direct marketing, spoke on the proposed Do Not Mail Registry. They asked that the commission consider potential job loss before recommending approval of the registry.

5. Announcements and Commissioner Comments: Tam reported that a coalition of small haulers have appealed the decision of a federal judge regarding Solano County Measure E's 95,000 ton per year limit on imports from other counties. Arguments for and against enforcement of Measure E will be heard on February 18 in Vallejo.

6. Approve Meeting Minutes of November 23, 2009: Jensen suggested a first-to-last name correction for Ken Etherington, as well as a clarification on our annual meeting schedule to say that we *typically* do not meet in August and December. Dan Knapp asked that his statement on the Zero Waste Conference in the Philippines be changed from “keeping organics out of the landfill” to “*passed a formal resolution to return all carbon based materials back to the soil*”. Tam asked that his statement be corrected to: “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*) which would reduce that landfill's annual tonnage to about 60,000 tons per year, from the current 800,000 tons.

M/S/C Tam/Jensen 6/0/0

7. Commission Charter & Work Plan Review for New Year: Chair Kalil clarified that the Commission's mission is to make recommendations regarding solid waste policies, goals and budget, as well as the commission's function as a liaison with City Council. She reviewed the commission's previous work plan, which included rate structure and proposed transfer station rebuild. She also discussed elements of the strategic plan including EPR, multifamily recycling, franchise fees, public space recycling, compostable take-out fare, UC and schools. She asked that commissioners choose some areas of interest that we will focus on over the year.

8. Brief on Single & Dual Stream Recycling - CRI Report: Commissioner Smartt overviewed the main points of the Container Recycling Institute's report on single vs. dual stream recycling. The report states that the economics of various recycling systems needs to be reevaluated. Although collection costs of single stream recycling are lower, they are outweighed by higher processing costs and lower market values.

9. Refuse Fund Budget Update: Lisa Malek-Zadeh, Senior Budget Specialist distributed a refuse fund update handout. She stated that revenues were declining citywide, not just in the refuse fund. In the refuse fund, the \$2.5 million deficit reported in September 2009 is now \$3.8 million in FY 2010. Revenues are down in all sectors, residential, commercial and transfer station. Franchised haulers and landfills are also reporting reduced revenue. Ms. Malek-Zadeh stated that the current \$4 million annual shortfall is projected to grow to \$11.6 million by 2012 unless balancing measures are enacted. A budget update will be presented to council on February 9th and proposed balancing measures will be presented to the Commission at the February 22nd meeting.

Motion to extend meeting of 20 minutes: M/S/C Kalil/Steen 6/0/0

10. Division Update:

- Split Cart IFB: Moving forward with split cart purchase for residential recycling. Anticipate program rollout in September 2010, with Ecology Center's assistance on customer counts and outreach materials.
- Organics RFP: RFP is out for a new organics processing contract with option for us providing our own hauling. Proposals are due back to the City on February 9th.
- Plant Debris Landfill Ban: Schneider reported that the Plant Debris Landfill Ban has been very successful. Most are complying to avoid the surcharge and City departments are adjusting operations in order to comply.
- Bag Reduction Ordinance: Schneider reported on the status of the Bag Reduction Ordinance process and the Council action date of Feb 23rd, 2010. New legal considerations have led to a suggestion from the City Attorney to target large stores only. Staff is preparing to include three options for Council to consider. Chair Kalil reminded staff that the Commission firmly insists that the ordinance apply to all retail. Kalil moved to create the following resolution:

The Commission's original draft ordinance applying to all stores, in phases, in the City of Berkeley to encourage reusables, eliminate plastic bags and to charge a fee for paper bags, is the preferred option that we wish Council to endorse.

M/S/C Kalil/Smartt 6/0/0

11. **February Officer Elections:** Officer elections will be held at the February meeting.
12. **Do Not Mail Registry:** Kalil reported that Council has requested that the Commission review and consider our own resolution of support for the proposed state-wide do not mail registry, which was unanimously passed by the County waste board. Numerous letters of support and opposition were forwarded through the Labor Commission, which the chair has agreed to compile and circulate to the Commission. Letter carriers and direct marketing groups are concerned with job loss. Kalil asked that all involved read all the supporting documents and look at the entire issue considering jobs, as well as climate change.
11. **Adjourn:** M/S/C Jensen/Gomez to Adjourn at 9:30 PM