

Zero Waste Commission
Foodware Subcommittee Special Meeting
Saturday, June 16, 2018
North Berkeley Senior Center, 1091 Hearst Ave, Classroom A/B

Minutes

The meeting was convened at 10:35 am with Chrise de Tournay, Chair, presiding.

Roll Call

Present: Chrise de Tournay, Katie McKinstry

Absent: Annette Poliwka

Members of the public present: 21

Councilmembers present: 1

Public Comment: 17

Actions Taken (in Bold)

1. Overview of the Berkeley Single Use Foodware and Litter Reduction Ordinance, presented by Councilmember Sophie Hahn.

2. Presentation on background and context for the Berkeley Single Use Foodware and Litter Reduction Ordinance, presented by Martin Bourque, Executive Director of Berkeley Ecology Center.

3. Roll Call

4. Approval of June 16, 2018 Special Meeting Agenda

M/S/C (de Tournay/McKinstry) to approve the agenda for the June 16, 2018 regular meeting.
Ayes: Unanimous

5. Presentation on the opportunities for businesses to reduce single use foodware, by Samantha Sommer, Clean Water Action.

6. Public Comment on the proposed Berkeley Single-Use Foodware and Litter Reduction Ordinance.

7. Additional comments on Berkeley Single Use Foodware and Litter Reduction Ordinance, by Councilmember Sophie Hahn.

8. Adjournment: Meeting adjourned at 12:30 pm

M/S/C (de Tournay/McKinstry) to adjourn the meeting at 12:30pm.
Ayes: Unanimous

June 16, 2018

Special Meeting of the Zero Waste Commission Foodware Subcommittee to solicit public input

17 public comments.

Summary of Spoken Comments:

Peter Levitt

Owner, Saul's Deli

I have a restaurant Saul's Deli so obviously I think the goals are admirable, I am just unclear about whether you are attacking the most used materials.

I am always concerned about going at the lowest hanging fruit especially when it pertains to the mom and pop.

And I have a deep concern, again once I have confidence that you have used the garbage cans widely enough in other words are we looking at the household mix in the resident?

How do the four Safeway's, the Trader Joe's, and the two whole foods the waste stress compared to our mom and pop restaurant, that is a big concern that we have.

I don't know if you are aware of what we have done at Saul's. But we have gone 10 years without straws

We thought it was the right move a long time ago, and inconvenient.

We do glass mason jars for soup, we now use sippy cups for children instead of the single use plastic glass. We haven't used straws, well we used paper straws for about 6 or 7 years then moved to stainless steel straws. So we now almost purchase almost no straws.

For us this was low hanging fruit, no one asked us to do it we just did it. I am just concerned with that we are going to end incurring costs that will be difficult for us especially in the climate of having minimum wage going up all of the time

And really do t love the idea of having a single line item on every invoice. I actually do not know how to implement it. Each and every customer is different. Does an employee have to enter a single button every time? What is a customer comes in for a soup salad and sandwich does the employee have to hit the button 3 times?

It's going to open up Pandora's Box and I do not see the solutions are and it is of great concern to us that we won't be able to hit the button or

The difficulty we are already having with labor and quality of labor

And the last thing I will say is that you do have your work cut out for you because every time you raise minimum wage restaurants like ours disappear and smaller hole in the wall type restaurants with few employees with no place come into existence. It's getting harder and harder. No one will reopen Saul's in this town. If we go away one day, we will be replaced by two smaller stores, and they will use straws and it will be a takeout environment.

Lisa Brenners

Farmer, Berkeley Farmers Market

My name is Lisa

I am from Berkeley, I am currently a farmer and I sell at the ecology farmer's market in downtown Berkeley on Saturdays. So I know firsthand, how much this kind of use of packaging demand is customer driven.

I stand at the market. My stuff is loose I have paper bags, but I know there is a segment of the population that will not pick up my fruit. But if I put it in this little red mesh bag that 20% increase in sells. I am comfortable with the bags, but there are people who will just not buy something that is not in a bag. So this is demand driven and the restaurants feel this.

Umm so I am going to go really fast I have a lot of points here. I think there might be a flaw if your goal is to reduce waste. You're changing the packaging, mandating it and charging for it. But the customer is still taking it home. They are responsible for disposable. If they do not dispose of it properly then it's in the landfill anyway. So that's just procedural thing. If the goal is that how have we improved?

The second point is that the ordinance may be unintentionally calls out and targets food that is produced on premises, locally if food is not produced locally it is trucked in... free pass. It's free and you can put it in anything you want. But if it is produced here're you having the rules there is a clarification I would like about conforming food ware. If a person used reusable food ware must they both meet the regulations and charge?

And the doggy bag loophole which I shouldn't mention because you will probably try to close it up, but right now it seems that if you go and have something on premises then ask for a doggy bag you can have any container you want and it is free.

So will the city commit to disposing properly of all these newly mandated disposable ware items?

Jim Maser

Owner, Picante

Hi my name is Jim and I own picante

In Berkeley on 6th street I have been there for 24 years, my colleague Peter couldn't make it, ditto on everything he has to say.

Since I am having a question-answer session, but it is one sided I am just going to throw some questions out there.

In regards to the containers themselves, has a container been come up with that can take a 180 degree food, because that's my biggest challenge. Peter has met it with glass bottle I am unable to meet that with chili rellenos or .. or anything that came off of the stove at 180 degrees it burns through anything tested and right into the upholstery of my guests cars.

The receipt issue. I want to reiterate what Peter said, using social guilt on that is works, it worked in SF for our colleagues for health programs for our colleagues over there. However the cost benefit analyses. I am not sure what business were looked at, where the dishwashers were bought from. But we look at that 25 cents as the differential between the products that you are going to recommend and conventional products that are used now and that is not going to bridge the gap for the increased cost. These 25 cents does not drop to the bottom line it is taxed and if you take the 35 percent tax out we really are going to end up with 16 cents and will that really be differential. I have tried to use the highest quality products that are available and with minimum wage hitting us the way it has been we have had to make compromises that doesn't sit well with my heart.

For all the big gulps, is theater popcorn being charged, but the one it get for coca cola will not because it is not manufactured in the theater?

The ordinance is very confusing in regards to who it is going to apply to. My recommendations are that from your test study at café Strada that you use disposable cups and

I want to finish up, if paper cups are major problem implement the charge for the cups also please do the straw ordinance right away, other cities in California have already done, the restaurant association is going to do it, and it's a small step towards curbing our reliance on these convenience products which we will hopefully contribute to the change of attitudes and usage but please take one step at a time, regardless of the request of the city council, that seems lazy because in my book change takes time.

Heliya Izadpanah

Cal Dining Services

So I work at Cal Dining on waste reduction, and over the past year I've been trying to get more reusable products in our campus that are breaking down. We just switched to paper straws, and PLA clamshells that aren't breaking down.

I am curious to how this policy is going to impact our campus and if it still pertains to it, also curious about the utensils that need to be either compostable or recyclable, because in my experience compostable utensils do not actually break down because their plastic is too thick at our local facilities. And if they are recyclable, people do not want to sort them out of the rest of the food waste and containers and so the recycling bin gets contaminated or the compost gets contaminated.

Helen Walsh

Disability Commission

My name is Helen Walsh, I'm on the commission of disability Berkeley. I am speaking on the behalf of the diverse community with people with disability, people with medical conditions and anyone with a disability.

So my focus here is the ordinance of single straws and utensils, which would have to be compostable and be provided only by request. Persons with disabilities who use straws, are also deeply committed to protecting the environment, I am one. Disability rights and environmental protection have long been compatible. People with disabilities want to save the planet but they also need to be able to drink and eat, our food is pureed sometimes. As more and more cities are banning straws, they do not think about the unintended consequences these bans will have on people with disabilities. How will we drink if straws are no longer available? Some might have suggested providing reusable or compostable straws as answers, however metal and wood straws can be dangerous, uncomfortable or ineffective with people with disabilities.

For example, metal and bamboo straws can be dangerous to people with Parkinson's disease because they are too strong, likewise paper straws become soggy over time and can become a choking hazard. Useable straws are generally more expensive than plastic ones. Which is important to note because poverty is more prevalent with people with disabilities. In 2016, nearly 27% of people with disabilities lived below the federal poverty level compared to 10% of non-disabled people according to the census bureau.

Until someone creates an appropriate alternative to plastic straws, they must continue to be made available to people with disabilities. They are a simple but necessary accommodation.

Elizabeth Jordan

Recently Peet's started offering reusable cups, no straw needed and there less than \$3 and they can also be used at Starbucks. But what they're doing, they're offering discount so every time you go to Peet's and buy something there is a 10 cent discount at the downtown Peets and now it changed. Peet's at the downtown is changing more than the other Peet's, and depending on the neighborhood prices go up or down, so depending on the Peet's you'll get a 5 or 10 cent discount. So I guess why not work on something that will benefit you.

Clark Mosher

Hi everyone I was a volunteer and I want to thank everyone for being here. The one concern I have from business owners is that how will they track this, I think there was an assumption that might be refunded by the city, but I think this is just an amazing chance for Berkeley has a chance to lead because our leaders aren't leading. Trump just refuse to sign the G 7 this week I believe which over rules the plastic in the ocean. The midline estimate is 5.3-14 million plastic waste in our ocean each year the visualization that hit home was, imagine 5 plastic grocery bags filled with trash sitting on every foot coast of the world, that's how much plastic is going into the ocean. Berkeley is trying to eliminate any plastic that uses from an average from 0 to 20 min, and I think about all the plastic utensils that we don't even use.

So I'm going to end on a positive note, McDonald's yesterday, announced that its getting rid of all the plastic straws in the UK and Ireland this year, and change is coming. I'm really happy Berkeley has a chance to lead.

Floy Andrews

Bay Area CoRoasters & CoRo Coffee Room

I am the CEO of a little company called Bay Area coRoasters & CoRo Coffee Room. We are opening next week, on 5th St. Our cafe is aesthetically beautiful, and so there are a few things that occur to me with this proposal, first I want to say that CoRo is very focused on stability and the goals that the council is working on we totally support. Just sort of listing to the comments, there are a few things I would like to comment on, in high end coffee it's about the amazing coffee flavor and aesthetics of presentation, when you go in and order your drink, the barista is going to do beautiful latte art or pour over or watch them make it, it's all about the full experience. So I don't think that if you're bringing in your mug or Peet's cup or whatever, you'll not be getting the coffee experience that we are providing. I also want to talk about the signage, as we build out this restaurant all these plastic signs that don't really go with what they call exit or here's the all gender bathroom, so the fewer the required signs the better. I also want to ask about is there any outreach to Oakland because I can imagine consumers saying "oh am I going to Berkeley or Oakland for coffee this morning." I do think that plastic is something that we as a species need to tackle for sure, I am wondering if the compostable coffee cups stops the ability to do beautiful latte art, is really the piece of trash that is stopping us to do beautiful latte art?

Aladdin Sammakieh

Owner of both Berkeley McDonald's locations (1:14:00)

I'm Aladdin Sammakieh, I recently purchased the two McDonalds restaurants in Berkeley. So I first would like to say your right about the plastic straws In McDonalds in Europe. We are trying to that in the US as well. McDonalds can push the entire industry in one direction, like what they did with cage free eggs, and Styrofoam.

Frances Schultz

Indivisible Berkeley

It's clear that we have a plastic crisis, both globally and locally that our plastic footprint in the world is much bigger than we deserve. I support wholeheartedly the efforts of the city, the ecology center, the big water action, everything that you're doing to put together a local solution to that and hopefully one that can be a model for different places that can be used in other places. I applaud the work that you've done already to work with businesses and get their input, I appreciate the input from the businesses that are here today, I know none of these changes are going to be easy for any of us and particularly with businesses, and these are places that are important to us as Berkeley Like local restaurants and stuff. But I also feel confident, with everyone's input we can come up with something that will be minimally difficult for all of us but it can make a big difference in our environment. I really am here to support the effort wholeheartedly, thank you.

Michael Goldhopper

Chair of the community Environmental Advisory commission

Hi my name is Michael Goldhopper, I'm the Chair from the community Environmental Advisory commission

We didn't have a good look at this, but on Thursday we had our regular meeting we did approve a letter that has come out to you indicating our support. However personally listening to some of the items and thinking it through, I have a couple thoughts the first one is purely administrative, I think some folks on the panel spoke way too long and this is a very educated group, and knows what's going on, it was unnecessary to give such long introductions. Secondly, I do think that there's a problem, with the fee as it is presently constructed. I know that Alameda County passed the grocery bag fee, which gives everyone the opportunity not having to pay the fee very clearly if they bring something or don't use a bag at all. It is less clear in this ordinance if you choose to not use a cup or whatever that you will have to pay 25 cents, also there is a problem about having it on a receipt because receipts are something that the environmental and others would like to get rid of because they contain PCP, and the danger is especially the workers that have to use them are in jeopardy because they have to use it. Let's put an end to receipts. People mostly throw away or don't want is a sensible solution. I do think that it has to be rethought based on what has said so far including an eliminating the requirements in the case of items that cannot be properly handled because they're too hot. I think trying to get larger restaurants to use reusable's should be absolutely mandatory for in-house dining and should be the main thing that you should start with obviously using compostable materials when they are affordable is a good idea but the details of the charge has to be rethought I think.

Victoria

I came in a little late so I don't know if this was addressed. I shop at Berkeley Bowl and Whole Foods, and I don't know if this ordinance takes this to account but what's the point of going to the market and bringing a reusable bag and filling it up with 20 plastic bags? I just feel like somehow that has to be addressed. I mean no one really talks about that, I see it all the time. And I don't know if this hearing addresses it or not when you go to the restaurant and they throw in those packets of condiments, little plastic spoons and hot sauce and I have so many of those I don't know what to do with them. I am asking to kind of open your minds to addressing some other things that are really important plastic bags and peoples groceries carts are incredible.

Anet Howard

Hi my name is Anet Howard.

15 years ago I went to a trip to the Bahamas. Every single beach was totally clear and beautiful. I never saw one piece of trash and I spent a couple years there. A lot of wonderful places to explore, not one piece of trash. Well it is pretty discouraging when I looked in a magazine and found this article about purging plastic in the Bahamas. They now have a movement called "Bahamas plastic movement" and what they're doing is getting volunteers and all the beaches are cluttered with plastic and they're trying to get rid of it. There gathering and trying to do something with it, but we really need to do something about it. I came across this article, in Japan they have this machine, which distributes to different islands in Japan, and what you do is shove the plastic in the machine and it turns it into gas, then there's this

tube that goes out of it into a tank of water, well that cools the gas and the gas turns into oil. What I'm saying is, it might be easier for us to take all this plastic, heat it up and make oil and somehow make something else with it. Plastic comes in different shapes, sizes, weights and colors, it's really hard to get rid of and I think we need to try to do something about it. That's all I have to say.

Eun-soo yin

County of San Mateo

Hello everybody. My name is Eun Soo Yin, I'm actually here representing the county of San Mateo.

I heard about what you guys are doing, congratulations, I commend you on your efforts you guys are doing amazing things. The county is kind of researching about how to dispose of plastic but straws in particular, and so I started doing research about what other cities in the Bay Area are doing. Berkeley came on top of the list as always. Alameda is doing something great, County of Santa Cruz, City of Santa Cruz, Davis, so a lot of movement in this area. Berkeley is definitely not alone but you guys are pioneers in all of ways. And there's a reason I think why a lot of local governments are addressing these issues, as a lot of you guys already know, these are critical issues that we have to really address. So I wanted to come up here to commend you guys and I'm really looking forward to seeing how the ordinance rolls out and I really appreciate the feedback that the public sacrificed your Saturday morning to come here to listen to everyone speak, it was an eye-opening experience for me.

Danielle Bafone

Hi my name is Danielle, I'm from Berkeley and lived here for about 25 years. I've had 2 businesses, one a shop and one a school. The last 4 years, I transitioned my work teaching to learning about the marine environment and I do plastic free advocacy, and it feels wild to speak to residents to hear from them what their concerns were. I wanted to thank the City of Berkeley zero waste commission and the ecology center where I've been leading a once a month book group on plastic free and many people know were moving into plastic free world next month. The streets are pretty clean around here but this is still something I was able to pick up. What I wanted to say was, I want to find a way to promote Berkeley zero waste coordinates and my goal as a community is to move towards that, I think this is a individual thing for people to say I don't want use plastic but I think we need to understand as a community that this is a mandate think we're working towards, and not an option thing. This is what's expected of us as citizens. Arguing over paper and plastic straws is not going to be the answer but we all just need to move on.

Molly Hicks

Hi my name is Molly Hicks, I'm sorry I missed most of the meeting, all my kids are sick, but I've been doing a lot of volunteer work in the schools about reducing their packaging. Both of my kids go to the newly renamed Silvia Mendes school formerly Le Conte and I've bought in that magazine over there and set up a green team for the kids to work on reducing the amount of plastic, educating each other. So one of the prizes they got was from that same website, I think it says landfill, I gave them a metal cup and a metal straw because kids love to use straws and a lot of the kids told me that they use them, they bring them to the restaurants and show them that we don't want to use plastic, it makes me feel good

that these kids are getting the message and it's so quick for them to understand that they see all the trash on the school yard, they try to clean it up and teach each other. But I don't know if, I just wanted to make everyone aware that the Berkeley schools I feel like are kind of separated from the zero waste ordinance, they don't necessarily comply with the plastic free message. There twice a week, they get cereal individual portion in plastic cereal bowls, most schools don't even recycle them, and our school got 25,000 this year and that's 1 out of the 11 elementary schools. So my daughter went and filled out an entire bag, one of those large garbage bags in one day and she brought it to the school board on Wednesday and showed them and told them "we don't want this anymore" and explained that can't we just use regular bowls? we can wash them ourselves or even at best use paper and so getting the plastic message its slower because I feel like there's a disconnection that the school board can put a little more pressure on the schools themselves. The custodians kind of feel like it's not their job to do this extra work that they see and were trying to help make the kids see that yes we all have some extra work to do, but it's worth it, because I don't know if that is something you guys already discussed when I was gone, the restaurants for sure but the schools are putting a lot of trash into Berkeley, the plastic cream cheese containers they get every Friday, littering around too, that's all recyclable that's just the little message I wanted to say, thank you.

Peter Schultze-Allen

My name is Peter I work in the stormwater field.

Sorry I'm late. Have you already talked about the litter requirement tonight?... (1:35:01)

That's a big regulation that most of the cities in the Bay Area have to deal with. It's from the Regional Water Board stormwater permit and it says that all the cities have to reduce the amount of litter that's going out into ocean by 2022. The permit is just one of the drivers for the city - it has to do more. The City has installed trash capture devices and has banned plastic bags and Styrofoam so this is another thing that is pushing the City to do more.

I also wanted to mention that I helped draft the ordinance that you all have in front of you, so all this summer we were trying to do outreach to the business community and talk to them about it in various different ways; the survey was a very big effort. I talked to just one business - a cafe owner in Berkeley who also serves coffee at the farmers market. He says that he pays 30 cents for each of these special disposable and compostable hot cups and that he wanted these cups because they are the best; it is a double walled cup with a compostable bio-plastic liner so it's basically the top level, most compostable, disposable paper cup that you can get but it's very expensive - 30 cents each. So since this ordinance can help him cover the expense for these cups, he was in favor for the ordinance. Of course he prefers everyone to drink the coffee in the store where he can provide a reusable ceramic and washable cup. He doesn't want people using the to-go cup - the in-house dining option is more sustainable. If other businesses are paying 5 cents for a non-compostable single use paper cup, that's not sustainable and they are kind of getting away with that right now. Under the proposed ordinance there would be a level playing field because everyone would have to use a similar compostable to-go cup, so I think that's one of the benefits.