

Meeting Minutes

Subject: Zero Waste Design Guidelines for New Construction Special Meeting

Tuesday, February 13, 2020, 6:30pm-7:30pm at Au Coquelet Café, 2000 University Ave. Berkeley, CA 94704

The meeting was convened at 6:30 p.m. with Antoinette Stein co-Chair, presiding together with Alfred Twu.

ROLL CALL & Introductions

Present: David Grubb, Alfred Twu, Antoinette Stein

Absent: NA

MEMBERS OF THE PUBLIC PRESENT: 3 -Glen Kohler, Tajmal Payne , Marilyn McCartney (Marilyn is a ZW Commissioner but she wished to participate for this meeting as a member of the public)

STAFF PRESENT: 0

PUBLIC COMMENT: The Subcommittee decided to allow public to make comments inserted throughout the meeting discussions with no motions to close off public comments.

ACTIONS TAKEN:

1. **Approval of the February 13, 2020 Special Meeting Agenda** (no changes made) M/S/C (Stein/Grubb) to approve the agenda for the February 13, 2020 Special Meeting.
Ayes: **Unanimous**; Abstain: None;
2. **Discussion of Zero Waste Division 2018 Metrics Staff Presentation from November 2019 meeting:**
https://www.cityofberkeley.info/uploadedFiles/Public_Works/Level_3_-_Solid_Waste/2019%20November%2025%20Agenda%20Packet%20Zero%20Waste%20Commission.pdf
 - 2.1. There was important consensus concern by the subcommittee (regarding 2019 Metric slide deck especially slides 7,10,) that we want to highlight to the full commission. There is consensus concern that:
 - 2.1.1. **Berkeley's Refuse Landfill Tonnage is very high;**
Commission should consider this fact and try to make future City Council recommendations to reduce Berkeley's waste. At a minimum there is consensus that actions should be taken to reduce the amount of recyclables especially organics from Berkeley's Refuse in accordance and in concert with the new SB 1383 requirements of Berkeley (slide 7) and

2.1.2. Berkeley has not made progress in increasing recycling, or in reducing Waste/Refuse; *there has been no increase in Diversion for Berkeley since 2013*

Commission should consider this fact and try to make future City Council recommendations to increase recycling from the refuse.--Committee questions for Staff response arose:

- **Does the city save any money on Recycling (recycling and compost market price + compost and recycling hauling costs) vs Landfilling Tonnage (tipping fee + hauling costs)**
- **Are there any City of Berkeley profits made on Organics self-hauled to BTS?**
- **Are there known profits made by Organics franchise contractor (Recology) for what Berkeley is charged to Compost Berkeley Organics? If so what is the % Profit on the enterprise?**
- **What is the Plastics Recycling, Organics Composting, and C&D recycling Transfer Station tipping fee relative to transfer costs ie financial profit/loss for Berkeley?**
- **Are there any actual Berkeley profits made for Out of Jurisdiction Self-Haul Refuse, Recycling, Composting or C&D? Or are we using Berkeley taxes to process the 28,438 Tons (30%) What are the city profits on these tons?**

2.1.3. Berkeley's Commercial Refuse does not meet State of California (AB 939) diversion requirements of 50% (slide 11)-hence its worth focusing on the 4000 commercial & Large MFD accounts. Plus the AC "What's in our Trash" Pie Charts confirm that recyclables make up more than 50% of the current tonnage.

There was consensus that sub-committee should report back to full Commission that it might be worthwhile to focus attention on the 4000 commercial & Large MFD accounts because we think it might be most feasible to make progress.--Committee questions for Staff response arose:

- **Does the city ZW Department or Tenants Authority have more specific information on the 4000 accounts to enable staging an ordinance to address the largest tonnages first?**
- **Are we able to sort the large accounts by tonnage to make any focus?**

2.1.4. Public comments were made that the findings on Berkeley's Metrics are valuable to cover in the local media: newspapers and news shows to engage residents to become more educated and to give possible creative ideas that can be a WIN-WIN FOR ALL!! (Glen is a journalist and expressed interest in writing some future news stories)

3. Discussion of Berkeley's existing building code and best practices for Commercial and Multifamily Dwelling (MFD) Large refuse generators. In City of Berkeley "New Construction Guidelines for Waste Containers" (need a URL link to it on the city or B ZW website)

3.1. Valuable Public Comments were made that:

There is exceptional need to provide EDUCATION TO LARGE MFD LANDLORDS on what goes in what bin because its very confusing and chaotic the bin colors are both blue and the guidance is not being transmitted from the city to the MFD units.

4. There is need to disseminate model lease language to transmit the landowners penalties to renters when they violate the recycling rules.
5. Commissioners had consensus that camera devices might help in finding violators to identify who needs to be educated.
6. Discussion on NYC -See AIA ZW Guidelines
<https://www.zerowastedesign.org/about-the-guidelines/>
7. Discussion on SF 2013 Administrative Bulletin on Adequate Space Requirements Guidelines for new developments
https://sfenvironment.org/sites/default/files/fliers/files/sfe_zw_ab088_010114.pdf
8. Discussion on San Francisco's NEW (ie. JULY 1, 2019) Refuse Separation Compliance law/Ordinance (No.180646):
<https://sfenvironment.org/zerowastefacilitator>
9. Discussion on possible actions to recommend for Berkeley to best improve diversion and recycling especially for organics that create methane GHG emissions when landfilled. Discuss if there are code changes or best practices that may make reduce refuse generation and diversion/source-reduction, reuse, recycling such as:
 - **What are other progressive cities doing that Berkeley can follow and not reinvent any wheels. What about Toronto, Switzerland? SF onsite Composting at Laguna Honda?**
 - **Are there any attractive financial methods to provide incentives like the seismic retrofit program.**
 - **Sub-Committee would like to schedule a tour of one of the large MFD accounts to see how recycling is being done.**
- 9.1. Recommend that the City Council refer to the City Manager a proposed building code for indoor and outdoor "adequate space requirements" inside of buildings and outside for bins and storage for pick up for ZW recycling and reuse work.

9.1.1. **There was some Sub-committee support to update the city's "adequate space requirements" especially for the two new known BART Large Affordable housing Projects underway is but additional research is needed** to find science that can be used to define a useful Berkeley calculation equation for adequate space based on building square footage and occupancy.

9.1.2. Need data to check if current best practice: "...reasonable **rule of thumb is to provide 50 gallons (or ¼ cubic yard) of container capacity for every three residents.** It is good practice to provide 20% to 35% excess capacity for seasonal variation and other surges in volume. Follow the 40-40-20 guideline for MFD container sizes. For weekly collection services, 40% will be trash, 40% will be recycling, and 20% will be organics (not including landscape debris)..."

9.2. Recommend that the City Council refer to the City Manager a ZW "Separation Ordinance" similar to SF's Ordinance (No. 180646) that requires Large Refuse Generators including MFDs to have a recycling, composting, and refuse/trash audit every X/3 years to ensure compliance with the County's Mandatory Recycling and Composting Ordinance.

9.2.1. **There was some Sub-committee support for this but additional research is needed to see if the Berkeley FTE manhours to do the audits will be paid for by the Landfill tipping fees currently paid . Does it save dollars to do it? Does it create Berkeley Employment for the ZW Facilitators? Need template model lease language to pass through the cost of hiring the ZWF to the renters that violate the recycling rules. Need to set it up so that the landowner has the option to pay high penalty or hire a ZWF to write the ZW Plan for the account.**

9.3. **Comments came up repeatedly on Homeless encampment refuse and recycling. There was consensus that this sector was probably not the LARGE refuse tonnage for Berkeley as a whole but that the mess looks unhealthy) and is very visible creating citywide negative perceptions and consensus that our Commission should recommend to the City Council that like Oakland that the city provide free pick up to make Berkeley the Cleanest most environmentally sustainable city! One idea was to provide a mobile vehicle (ask for grant funding from Caltrans) that the homeless can engage in Climate Change work and there are possible training opportunities through Berkeley City College and to help the encampments gain profits on recyclables to support their road to recovery out of homelessness.**

ADJOURNMENT: Meeting Adjourned at 7:30 p.m. The next sub-committee meeting of the Zero Waste Commission will be held on March 26th, 2020.