



# Zero Waste Commission Regular Meeting AGENDA

Monday, July 23, 2018, 7:00 p.m.  
North Berkeley Senior Center  
1901 Hearst Avenue, Berkeley, CA

## PRELIMINARY MATTERS (40 minutes):

### 1. Call to Order and Roll Call

**Christienne de Tournay (Chair)**, appointed by Councilmember Sophie Hahn, District 5  
**Alfred Twu (Vice Chair)**, appointed by Councilmember Kriss Worthington, District 7  
**Annette Poliwka**, appointed by Mayor Jesse Arreguin  
**Alex Sharenko**, appointed by Councilmember Linda Maio, District 1  
**Katie McKinstry**, appointed by Councilmember Cheryl Davila, District 2  
**Antoinette Stein**, appointed by Councilmember Ben Bartlett, District 3  
**Anna Whitney**, appointed by Councilmember Kate Harrison, District 4  
**Elisabeth Watson**, appointed by Councilmember Susan Wengraf, District 6  
**Brazile Clark**, appointed by Councilmember Lori Droste, District 8

### 2. Approve Agenda

3. Public Comment, including public comment on the proposed  
Single Use Foodware and Litter Reduction Ordinance (30 minutes)  
*Speakers are generally allotted up to three minutes, but may be allotted  
less time if there are many speakers, at the discretion of the Chair.*

### 4. Announcements from Commissioners

*Commissioners may make general announcements; no action will be taken.*

### 5. Approval of Minutes from the June 25, 2018 Regular Meeting

## INFORMATION AND ACTION ITEMS (80 minutes):

*Items for discussion and possible action*

### 6. Staff Updates (20 minutes)

- Transfer Station Rebuild
- Contract Negotiations with Community Conservation Centers
- Zero Waste Strategic Plan
- Street Sweeping Improvement Plan

7. Foodware Subcommittee Update: The Foodware Subcommittee held  
a Public/Stakeholder Listening Session regarding the proposed  
Single Use Foodware and Litter Reduction Ordinance on July 12. (20 minutes)

8. ACTION ITEM: Discussion and possible action regarding the long-term  
marketplace changes that impact the marketability of non-bottle plastics #1-#7.  
Discuss and possibly recommend modifications to the types of plastic  
accepted in the City's commercial and residential recycling programs. (20 minutes)

9. Discussion regarding a potential deconstruction ordinance (15 minutes)
10. Future Agenda Items (5 minutes)

## ADJOURNMENT

## COMMUNICATIONS

Written communication included in agenda packet:

- Public Comment on the proposed Single Use Foodware and Litter Reduction Ordinance
  - June 25, 2018 Shira Leeder
  - July 3, 2018 Christina Tarr
  - July 4, 2018 Rainbow Rubin
  - July 4, 2018 Linda Zagula
  - July 8, 2018 Janet Byron
  - July 11, 2018 Victoria K. Williams
  - July 9, 2018 Lisa Dietz
  - July 9, 2018 Alison Piccoli/California Restaurant Association
  - July 10, 2018 Richard & Carrie Motamedi

Written communication available at the meeting or upon request:

- June 20, 2018 Urban Ore's 2007 Study of Salvaging from Construction and Demolition Debris Boxes submitted by Dan Knapp, Urban Ore
- June 20, 2018 SF Gate News Article "With plastic straws on way out, Bay Area bartenders face paper straw shortage" forwarded by Kieron Slaughter, Berkeley Office of Economic Development: <https://www.sfgate.com/wine/article/With-plastic-straws-on-way-out-Bay-Area-13007898.php?t=f5abe5de3d>

*Please refrain from wearing scented products to this meeting. This meeting is being held in a wheelchair accessible location. To request a disability-related accommodation(s) to participate in the meeting, including auxiliary aids or services, please contact the Disability Services Specialist at 510-981-6342 (V) or 510-981-6345 (TDD) at least three business days before the meeting date.*

*Communications to Berkeley boards, commissions or committees are public record and will become part of the City's electronic records, which are accessible through the City's website. **Please note: e-mail addresses, names, addresses, and other contact information are not required, but if included in any communication to a City board, commission or committee, will become part of the public record.** If you do not want your e-mail address or any other contact information to be made public, you may deliver communications via U.S. Postal Service or in person to the secretary of the relevant board, commission or committee. If you do not want your contact information included in the public record, please do not include that information in your communication.*

*Please contact the secretary to the relevant board, commission or committee for further information. Zero Waste Commission Secretary: Heidi Obermeit, 1201 2<sup>nd</sup> St. Berkeley, CA 94710, 510-981-6357, [hobermeit@cityofberkeley.info](mailto:hobermeit@cityofberkeley.info)*

## **(DRAFT) MINUTES**

The meeting was convened at 7:02 p.m. with Chrise de Tournay, Chair, presiding.

### **ROLL CALL**

Present: Chrise de Tournay, Alfred Twu, Annette Poliwka, Alex Sharenko, Anna Whitney, Elisabeth Watson (7:06 p.m. arrival), Brazile Clark

LOA: None

Absent: Katie McKinstry, Antoinette Stein

**MEMBERS OF THE PUBLIC PRESENT:** 19

**STAFF PRESENT:** 2

**PUBLIC COMMENT:** 10

### **ACTIONS TAKEN:**

**1. Approval of the June 25, 2018 Regular Meeting Agenda**

M/S/C (Clark/Sharenko) to approve the agenda for the June 25, 2018 regular meeting.

Ayes: Unanimous; Abstain: None; Absent: McKinstry, Stein, Watson

**2. Approval of the May 21, 2018 Regular Meeting Minutes**

M/S/C (Twu/Poliwka) to approve the minutes from the May 21, 2018 regular meeting.

Ayes: Unanimous; Abstain: de Tournay; Absent: McKinstry, Stein

**3. Action to revise the timeline for public and stakeholder input sessions and recommendations to Council regarding the proposed Berkeley Single Use Foodware and Litter Reduction Ordinance**

M/S/C (de Tournay/Poliwka) to approve an extended timeline for public and stakeholder input sessions and Zero Waste Commission recommendations to Council:

- Foodware Subcommittee will schedule a public input session July 12
- Zero Waste Commission will schedule an extended public comment session at the July 23 regular Commission meeting
- Foodware Subcommittee will schedule a public input session in late August
- Zero Waste Commission will discuss and possibly approve recommendations to Council at the September 24 regular meeting

Ayes: Unanimous; Abstain: None; Absent: McKinstry, Stein

**4. ADJOURNMENT: Meeting Adjourned at 8:57 p.m.**

M/S/C (Watson/Clark) to adjourn the meeting at 8:57 p.m.

Ayes: Unanimous; Abstain: None; Absent: McKinstry, Stein

The next meeting of the Zero Waste Commission will be held on July 23, 2018 at 7:00 p.m. at the North Berkeley Senior Center.

Respectfully Submitted:

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Heidi Obermeit, Secretary

## Zero Waste Commission Public Comments on Its Planned Ordinance Banning Plastic Straws and Charging 25 cent for Cups and Lids

My name is Shira Leeder and I am long-time disability advocate and Berkeley resident. I am here to discuss my concerns and solutions regarding plastic straws and cups with lids.

Most people with disabilities live on a low fixed income, such as Social Security Disability, so 25 cent per cup and lid adds up to a punishing percentage of their monthly budget. My biggest objection, however, is not the cost. People with certain disabilities cannot eat, drink, or take medications without the help of straws. Children and the elderly also rely on straws.

I am one of those people whose disability requires me to use straws and cups with lids.

If I have to carry a reusable cup with a lid, I will be less independent in my daily life, because I will have to either ask a stranger to help me fill up the cup, or I will have to pay someone to stay with me all day to make sure my reusable cup is filled up at all times. Of course, the cost of the latter course is prohibitive.

While I am all for creating an environmentally conscious City of Berkeley and reducing the amount of plastic that land and sea animals are exposed to, I do not want to do so at a cost to the disabled, the elderly, and children. It is simply not realistic to expect these groups to carry plastic straws with them at all times. We at the Center for Independent Living therefore feel that it is essential that plastic straws continue to be available at coffee shops and restaurants.

As the article in Berkeleyside makes clear, there are various ways that Berkeley could reduce or eliminate disposable plastic straws while simultaneously accommodating the needs of those for whom straws are not a luxury. "Soft bans," new biodegradable disposable straws, and reusable steel straws are some possible solutions mentioned by Berkeleyside. Also worth considering is the old-fashioned paper straw (assuming these are still being manufactured).

Perhaps coffee shops and restaurants could make plastic straws available only on request, as they did with glasses of water during the drought.

Thank you all for listening and thinking over this important issue.

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Sincerely,

Shira Leeder

Disability Advocate and Berkeley Resident

More Alternative Solutions:

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### **Reusable Plastic Straws:**

For those for whom it is practical to carry around a straw, it's time to bring back the curly, brightly colored plastic straw from your childhood. Cleaned and stored properly, they can last for years.

### **Collapsible reusable straw: £14.35, lifetime use**

Some of us already have our own glass or paper straws at home, but what happens when you're out and about?

Created by Emma Cohen and Miles Pepper of Canada, the FinalStraw is the world's first collapsible, reusable straw that folds down into a case small enough to fit on your keychain.

## Public Comment on the Single Use Foodware and Litter Reduction Ordinance

**From:** Michael Katz

**Sent:** Friday, June 22, 2018 12:23 PM

**To:** Obermeit, Heidi <hobermeit@cityofberkeley.info>; Berkeley Mayor's Office <mayor@cityofberkeley.info>

**Subject:** Single-use food container ordinance: Please exempt compostable containers from surcharges

Dear Mayor Arreguin, Councilmember Hahn, and City Staff,

I've received several invitations for "input" sessions and opportunities regarding this proposed ordinance, but almost no details from the City on what would be considered "disposable." Here's my best attempt to respond with usable input:

I strongly support incentives that would discourage the distribution of materials that cannot be composted or recycled. Plastic straws definitely fall into this category. To my knowledge, so do most plastic lids for take-out containers: Although they're stamped with plastic grades (like "/1\" or "/6\"), this is misleading, because they're too flimsy for recyclers to process.

(The above information comes from a friend who used to run a plastics-recycling company. Please excuse any errors.)

I urge caution in establishing incentives rewarding "compostable coffee stirrers." Wooden coffee stirrers make some contribution to deforestation, and I have that (given cost pressures) many are sourced from tropical hardwoods. If there's a corn-based compostable alternative here, that's what Berkeley should really be encouraging.

Most importantly, I strongly oppose the prospect of a \$.25 charge on compostable take-out containers. Given contemporary pressures on working people's time (from always-on employers, housing costs, etc.), take-out food containers have become a de-facto necessary part of our lives.

It's not practical to expect people to have the forethought or carrying space bring their own take-out containers to restaurants. People doing so might also trigger sanitary concerns or violations for the restaurants. (I'm saying this as someone who used to routinely bring my own plastic "Chinese take-out box" to my favorite take-out spot, and who gradually talked them into filling it instead of a single-use container.)

For these reasons, I think it's valuable for the City to create incentives for single-use containers to be compostable. But slapping a \$.25 charge on compostable containers strikes me as the kind of action that exposes Berkeley to ridicule rather than respect: It would change hardly anyone's behavior, except to perhaps discourage patronizing Berkeley restaurants. But it would impose one more regressive tax on people who are already economically stressed.

Thank you for considering these comments.

Respectfully yours,  
Michael Katz  
Berkeley, 94709

## Public Comment on the Single Use Foodware and Litter Reduction Ordinance

**From:** Christina Tarr

**Sent:** Tuesday, July 03, 2018 9:30 PM

**To:** Obermeit, Heidi <hobermeit@cityofberkeley.info>

**Subject:** single use plasticware

Dear Commissioner,

I am writing to express my strong support of the proposed Disposable Foodware and Litter Reduction Ordinance.

I oppose disposable plastic food ware because globally, single-use disposable foodware is contributing to plastic pollution in the world's [oceans](#), [drinking water](#), and [food](#). According to the Ecology Center, 80% of plastic found in the ocean comes from land-based sources. [Shoreline Cleanup](#) volunteers collected 5,826 food wrappers; 2,156 straws and stirrers; 1,577 forks, knives, and spoons; and 3,269 foam packaging items from Berkeley, Albany, and Emeryville shorelines in 2016. The [World Economic Forum](#) estimates that 150 million tons of plastic are already floating in the world's oceans – with an additional eight million tons entering the water each year. It is [estimated](#) that by 2050 there will be more plastic than fish in our oceans by weight. Worldwide, single-use packaging is the biggest source of trash found in or near bodies of water, according to the Ocean Conservancy, which also says that plastics are believed to threaten at least [600 different wildlife species](#). Ninety percent of seabirds, including albatross and petrels, are now eating plastics on a regular basis. By 2050, that figure is expected to [rise to 100 percent](#). In addition, evidence suggests that humans are consuming plastics through the seafood we eat.

In addition, plastic is created from petroleum products, and to combat climate change, the less petroleum we use, the better.

The proliferation of plastic is a horrible problem, and in this case, completely unnecessary. There is no need to use plasticware for dine-in use, and for take-out, compostable is available. Many restaurants I frequent have already implemented this, so clearly it is possible.

With the current federal administration, we need to step up our game at the state and local levels. We can't count on the federal government to lead the way, and we also can not afford to wait for a better administration. We need to act quickly to protect our environment.

Thank you very much,

Christina Tarr  
Berkeley, 94709

## Public Comment on the Single Use Foodware and Litter Reduction Ordinance

**From:** Rainbow Rubin

**Sent:** Tuesday, July 03, 2018 9:57 PM

**To:** cdetournay@comcast.net; Obermeit, Heidi <hobermeit@cityofberkeley.info>; City Clerk <clerk@cityofberkeley.info>

**Subject:** Ban Single Use Plastic

Dear Sir or Madam,

There is both a local and global plastics crisis. We must do more to remove single-use plastics from the waste stream, and Berkeley should be a leader. As a consumer and as someone who cares about the oceans, wildlife and the safety of our food and water, I support the proposed Disposable Foodware and Litter Reduction Ordinance.

Thank you,  
Rainbow Rubin

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Rainbow Rubin, PhD MPH  
Berkeley, CA 94703

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**From:** Linda Zagula

**Sent:** Wednesday, July 04, 2018 11:05 AM

**To:** Obermeit, Heidi <hobermeit@cityofberkeley.info>

**Subject:** Support Single-use Foodware and Litter Reduction Ordinance

Hello,

We are in the midst of both a local and global plastics crisis. It's crucial that we do more to remove single-use plastics from the waste stream, and Berkeley should be a leader. As a consumer and as someone who cares about the oceans, wildlife and the safety of our food and water, I support the proposed Disposable Foodware and Litter Reduction Ordinance.

Thank you,

Linda Zagula  
Berkeley, 94702

## Public Comment on the Single Use Foodware and Litter Reduction Ordinance

**From:** Janet Byron  
**Sent:** Sunday, July 08, 2018 8:13 AM  
**To:** Obermeit, Heidi <hobermeit@cityofberkeley.info>  
**Subject:** Reducing single-use food waste

Hi Heidi,  
I strongly support the proposed ordinance.  
Thank you for receiving my opinion.  
Janet Byron  
Berkeley, CA

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Sent from Gmail Mobile

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-----Original Message-----

**From:** Victoria K. Williams  
**Sent:** Monday, July 09, 2018 2:06 PM  
**To:** Obermeit, Heidi <hobermeit@cityofberkeley.info>  
**Subject:** Support Disposable Foodware and Litter Reduction Ordinance

Dear Heidi Obermeit,

I'm writing to you as Secretary of the Zero Waste Commission say that there is both a local and global environmental crisis because of the persistence of plastics in our rivers and oceans. We must do more to remove single-use plastics from the waste stream, and Berkeley should be a leader in this effort. As a consumer and as someone who cares about the oceans, wildlife, and the safety of our food and water, I urge you to support the proposed Disposable Foodware and Litter Reduction Ordinance.

Thank you,

Victoria K. Williams  
Berkeley and Richmond

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On Jul 9, 2018, at 12:44 PM, Lisa Dietz <[lgdietz@yahoo.com](mailto:lgdietz@yahoo.com)> wrote:

Dear Chairperson,

I wanted to let you know that I support this ordinance. I am unable to attend Thursday's meeting to tell you this in person, but I would be very happy to pay more for compostable take out foodware and would hope that Berkeley could be one of the leaders in this endeavor to stop the explosion of plastic waste.

We all learned how to bring our bags with us to the grocery store. I think we can learn to carry our sporks in a pocket and wipe them clean with a (small) paper napkin.

Lisa Dietz  
Berkeley, 94705

## Public Comment on the Single Use Foodware and Litter Reduction Ordinance

**From:** RICK MOTAMEDI

**Sent:** Tuesday, July 10, 2018 10:31 AM

**To:** Obermeit, Heidi <hobermeit@cityofberkeley.info>; City Clerk <clerk@cityofberkeley.info>; cdetournay@comcast.net

**Subject:** In SUPPORT of the Disposable Foodware and Litter Reduction Ordinance.

Ms. Obermeit and Ms. De Tournay,

We are writing in support of a ban on single-use plastic products. There is both a local and global plastics crisis and most of these plastic products are convenience items that are not necessary. We must do more to remove single-use plastics from the waste stream, and Berkeley should be a leader. As consumers who will support Berkely businesses who step up and as parents who care about the oceans, wildlife and the safety of our food and water, we support the proposed Disposable Foodware and Litter Reduction Ordinance.

Thank you,

Richard & Carrie Motamedi



June 9, 2018

City of Berkeley  
Zero Waste Commission  
Berkeley, CA

Dear Commissioners,

The California Restaurant Association is the definitive voice of the food service industry in California and is the oldest restaurant trade association in the nation. On behalf of our restaurant members in Berkeley, we respectfully submit this letter to voice our strong concerns regarding a proposed ordinance to ban all single-use food ware for dine-in patrons.

Not allowing food service establishments to use disposable food service ware would negatively impact the ability of restaurants, cafeterias, delis, coffee houses, and other food/beverage establishments to offer many recyclable or compostable options for food ware. We believe this ordinance could result in unintended environmental impacts. Presumably, with increased use of reusable food service ware we would then see an increase in other utility usage and associated costs. Since reusable food service ware must be cleaned and sanitized, this results in increased water and energy usage.

Furthermore, encouraging the use of reusable food packaging poses serious health and safety concerns. If a customer were to bring in a reusable cup, straw, or Tupperware container to a restaurant that isn't properly sanitized, it encourages the transfer of foodborne illnesses through these products and can spread throughout the entire restaurant.

In this ordinance, there is a clause that grants a restaurant with space limitations for installing extra dishwashing and sanitizing appliances a three-year grace period to accommodate the necessary appliances to handle a change in dishwashing and sanitizing. Most restaurants operating in the City of Berkeley are small businesses that lease older buildings with limited square footage. Square footage of established buildings will not change, no matter how much time is granted. Since square footage is fixed and cannot fluctuate, attention must be paid to those who do not have room to install extra appliances.



In addition, imposing a take-out tax on cups and to-go containers is a regressive tax with larger implications for consumers. A take-out tax will negatively affect low income residents of Berkeley which sets a concerning precedent in a forward-thinking City Council.

We agree that manufactures and end users of disposable food service products certainly play an important role in reducing waste and addressing litter abatement. However, once the product leaves the restaurant establishment, it is up to the consumer to ensure that it is disposed of – or recycled/composted properly. A shared responsibility approach is necessary if the City of Berkeley is to make a real and lasting impact on the amount of material that is used.

Thank you for considering these points. Should you have any questions regarding our objections to elements of this proposal, please contact me at (650) 288-8235 or [apiccoli@calrest.org](mailto:apiccoli@calrest.org).

Sincerely,

Alison Piccoli

A handwritten signature in black ink that reads "Alison Piccoli". The signature is written in a cursive, flowing style.

Director, Local Government Affairs – Bay Area Region  
California Restaurant Association