



DEPARTMENT OF PUBLIC WORKS
Solid Waste Management Division

MINUTES
ZERO WASTE COMMISSION
Monday, May 24, 2010
North Berkeley Senior Center, 1901 Hearst Street
Workshop Room B, 1st floor

Chair David Tam called the meeting to order with a quorum at 7:03 PM

1. Roll Call:

Commissioners present: Bartlett, Jensen, Kalil, Kirkpatrick, Tam, Gomez (7:20), Blachman, (7:25)

Commissioners absent: Moos.

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

Members of the Public: Daniel Maher of the Ecology Center (EC); Sara MacKusick & Jeff Belchamber of Community Conservation Center (CCC); Dan Knapp of Urban Ore; Miguel Martinez – Solid Waste Driver; Marilee Mitchell – Berkeley resident.

2. Approve Agenda: M/S/C Kalil/Jensen to approve the agenda as amended, adding Plastic Bag Ordinance to Division Updates, and adding discussion of the RFP for a Division assessment as part of item 6. **Approved 5/0/0**

3. Comments from the Public: Dan Knapp described recent Planning Commission meeting and expressed concern for maintaining space for material recovery enterprises, in face of a 7/2 vote to allow other uses.

4. Announcements and Commissioner Comments: Levy provided a notice from Lawrence Berkeley Laboratory to the ZWC, announcing an EIR scoping meeting for new construction.

5. Approve Meeting Minutes of April 26, 2010: M/S/C Jensen/Kirkpatrick to approve the minutes as written. **Approved 7/0/0**

6. Subcommittee: Budget Balancing Plan Recommendations: Kirkpatrick reported that the budget subcommittee met on May 10, 2010 and proposed a resolution including the following recommendations:

1. Create a comprehensive solid waste management rate structure that covers and breaks out the costs for refuse, recycling, organics, and Clean Cities services;
2. Limit the proposed regulatory fee to one year, to be replaced by the comprehensive rate structure;
3. Minimize job losses in FY 2011, eliminating only positions superfluous to current operations, while leaving positions unfilled that support ongoing programs and are necessary for the future recovery of the Solid Waste and Recycling Division.

After discussion, it was **M/S/C Kirkpatrick/Jensen to adopt the Budget Balancing Plan Resolution, and forward it to Council. 7/0/0**

Staff reported that an RFP has been issued to assess the Solid Waste and Recycling Division. This assessment will inform how the Division can improve efficiency and operate in a more cost effective manner. Tam announced that as Chair, he would represent the Commission on the selection panel.

7. Subcommittee: Poaching of Recyclables:

On April 20, Council requested that the ZWC inform a poaching strategy. Bartlett described the May 4 meeting of the Poaching subcommittee. The subcommittee drafted a Council report, including the following recommendations:

1. That Council direct staff and Police to establish a clear enforcement policy that targets trucks and other organized poachers;
2. Examine and adjust the citation system to ensure that penalties are sufficient to discourage large scale illegal collection;
3. Charge the Zero Waste Commission (ZWC) or other suitable body to formulate policy and amend or create ordinances to this end.

M/S/C Bartlett/Blachman to approve the draft Council report with amendments, to be conveyed to Council at a June meeting. 7/0/0.

At 9:00 p.m. M/S/C Tam/Jensen to extend the meeting for 20 minutes

8. Division Update:

Organics Contract: Schneider reported that on May 4th, 2010 Council approved the selection of Grover Landscape Services, Inc. (Grover) to transport and compost the plant debris and food scraps collected by the City. Grover was the low bidder. Grover has recently been purchased by Recology to be Grover-Recology Environmental Products. The City has the option to transport material to the processor using City staff, but that option is currently not cost effective.

Residential Recycling Cart Program: Schneider reported that city expects to distribute dual stream recycling carts to residents in October. Residences of 3-9 units will receive two non-split carts, for containers and papers with distinctive colors. City is processing a contract amendment for Ecology Center to add this program and cover the Ecology Center's costs of public education and a temporary project manager.

Acceptance of Additional Plastics: Schneider reported that City is considering adding other plastic containers to materials accepted from residents and businesses. Commissioners requested a presentation at the June meeting to better inform these decisions.

Plastic Bag Ordinance: Schneider reported that the City Attorney is advising the City to prepare an environmental impact report (EIR) due to the recent court ruling against Manhattan Beach's ordinance. Staff is researching other cities' CEQA processes and contractors, in an effort to limit the City's cost of an EIR. Levy reported that San Jose is completing its EIR, at the cost to date of \$70,000 and expects it to survive challenge by the plastic industry and be a model for other cities.

Blachman leaves at 9:20.

9. Adjourn: At 9:30 p.m. M/S/C Kalil/Jensen to adjourn. 6/0/0