

City of Berkeley ZERO WASTE COMMISSION Regular Meeting

Monday, February 22, 2021 at 7:00 p.m.

PUBLIC ADVISORY: THIS MEETING WILL BE CONDUCTED EXCLUSIVELY THROUGH ZOOM VIDEOCONFERENCE AND TELECONFERENCE

Pursuant to Section 3 of Executive Order N-29-20, issued by Governor Newsom on March 17, 2020, and to ensure the health and safety of the public by limiting human contact that could spread the COVID-19 virus, this meeting of the City of Berkeley Zero Waste Commission will be conducted exclusively through video and teleconference, and there will be no physical meeting location available.

To access the meeting remotely: Join from a PC, Mac, iPad, iPhone, or Android device, please use this URL to join the meeting:

<https://us02web.zoom.us/j/87051994628>

If you do not wish for your name to appear on the screen, then use the drop-down menu and click on "rename" to rename yourself to be anonymous. To request to speak, use the "raise hand" icon by rolling over the bottom of the screen. **To join by phone: Dial 1-669-900-9128 and enter Meeting ID: 87051994628.** If you wish to comment during the public comment portion of the agenda, Press *9 and wait to be recognized by the Chair. Note: Your phone number will appear on the videoconference screen.

MEETING AGENDA

PRELIMINARY MATTERS:

- 7:00 pm 1. Call to Order by Chair and Roll Call by Secretary
- **Christienne de Tournay (Acting Chair)**, appointed by CM Sophie Hahn, District 5
 - **Annette Poliwka**, appointed by Mayor Jesse Arreguin
 - **VACANT**, appointed by CM Rashi Kesarwani, District 1
 - **Rachel Doughty**, appointed by CM Terry Taplin, District 2
 - **Antoinette Stein**, appointed by CM Ben Bartlett, District 3
 - **Margo Schueler**, appointed by CM Kate Harrison, District 4
 - **VACANT**, appointed by CM Susan Wengraf, District 6
 - **Nicole Ulakovic**, appointed by CM Rigel Robinson, District 7
 - **David Grubb**, appointed by CM Lori Droste, District 8
- 7:05 pm 2. Approve Meeting Agenda and Order of Agenda Items
- 7:10 pm 3. Approve Draft Action Minutes:
- February 24, 2020 Regular Meeting*

7:15 pm 4. Public Comment
Speakers are allotted up to two minutes. Speakers may be allotted less time at the discretion of the Chair.

7:25 pm 5. Commissioner Announcements
Commissioners may make general announcements; no action will be taken.

7:30 pm 6. Staff Updates:

- Zero Waste Staffing/Vacancies
- Solid Waste and Recycling Transfer Station CEQA Study
- Mattress Recycling Pilot Program Grant
- Treated Wood Waste State Legislation
- SB 1383 Rulemaking
- Single Use Foodware & Litter Reduction Ordinance Implementation

DISCUSSION AND ACTION ITEMS:

Members of the public may provide comments prior to the vote of the Commission on any action items. Speakers are allotted up to 2 minutes.

7:45 pm 1. Community Conservation Centers Update Regarding Mixed Plastics

7:55 pm 2. Elections for Commission Chair and Vice Chair

8:10 pm 3. Approve Zero Waste Commission 2021 Work Plan

- Council Direction for Work Plan*
- FY19/20 Work Plan for reference*
- DRAFT FY21/22 Work Plan for discussion/action*

8:50 pm 4. Approve 2021 Regular Meeting Schedule

8:55 pm 5. Discuss Future Agenda Items

9:00 pm 6. Adjournment

INFORMATION ITEMS:

Information items may be moved to discussion but no action will be taken.

1. Memo Re: Commission Meetings Under COVID-19 Emergency (Item 20)*
2. Memo and Council Item Re: Commission Subcommittee Meetings*
3. Alfred Twu's summary of major Zero Waste issues during his 8-yr Commission term*
4. Annette Poliwka invite sent Re: Congressional Hearing on Plastics & COVID:
<https://www.facebook.com/events/577050279669618/>
5. October 13 Council Agenda Item #10 Contract Award: First Carbon Solutions, Inc. for CEQA Compliance for the Solid Waste & Recycling Transfer Station Replacement Project:
https://www.cityofberkeley.info/Clerk/City_Council/2020/10_Oct/City_Council_10-13-2020_-_Regular_Meeting_Agenda.aspx (pp. 169)

6. Solid Waste and Recycling Transfer Station CEQA RFP:
<https://www.cityofberkeley.info/uploadedFiles/Finance/Level 3 - General/20-11390-C%20-%20SWRTS%20CEQA%20FINAL.pdf>
7. Notice from HHCS: City of Berkeley's Consolidated Annual Performance and Evaluation Report (CAPER) for Program Year 2019
<https://www.cityofberkeley.info/ContentDisplay.aspx?id=15574>
8. City of Berkeley Redistricting Commission:
<https://www.cityofberkeley.info/ContentDisplay.aspx?id=9882>
9. Draft Initial Study and Negative Declaration for the City of Berkeley Transfer Station Solid Waste Facilities Permit Revision Project:
<https://www.cityofberkeley.info/uploadedFiles/Planning and Development/Level 3 - ZAB/Berkeley%20Transfer%20Station%20Permit%20Revision%20Project Draft%20IS-ND.pdf>
10. Article Sent from Staff: Can the Zero Waste Movement Survive the Coronavirus
https://grist.org/climate/can-the-zero-waste-movement-survive-the-coronavirus/?utm_source=Sailthru&utm_medium=email&utm_campaign=Issue:%202020-03-11%20Waste%20Dive%20Newsletter%20%5Bissue:26147%5D&utm_term=Waste%20Dive
11. Communication from the Parks and Waterfront Commission: Online Survey for the Citywide Restroom Assessment Project:
<https://www.cityofberkeley.info/uploadedFiles/Parks Rec Waterfront/Level 3 - General/Citywide%20Restroom%20Assessment.pdf>
12. Chrise de Tourney sent email re: Recycling Update and Zero Waste Week 2020:
www.ncrarecycles.org
13. Chrise de Tourney invite to Introduction to Zero Waste Course:
<https://zerowasteusa.org/?page=CiviCRM&q=civicrm%2Fevent%2Finfo&id=54&reset=1>
14. Zero Waste Division Staff Response to Questions from the Zero Waste Design Guidelines Subcommittee*
15. Margo Schueler Sent Article Re: National Geographic Circular Economy:
https://www.nationalgeographic.com/magazine/2020/03/how-a-circular-economy-could-save-the-world-feature/?cmpid=org=ngp::mc=crm-email::src=ngp::cmp=editorial::add=Science_2020219&rid=D6932DA8C757E1297E2C0988FCF167F

COMMUNICATIONS:

Communications from the public are included as attachments in the agenda packet.

1. Vetri Velan: Thoughts on textiles recycling for Zero Waste Commission*
2. Laura Babitt: Laura Babitt for School Board*
3. Martin Bourque: Special Invitation: Story of Plastic Screening and Panel*

***Indicates material included in the agenda packet**

**** Indicates material to be available at the meeting**



ADA Disclaimer: 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 981-6418 (V) or 981-6347 (TDD) at least three business days before the meeting date. Please refrain from wearing scented products to this meeting.

SB 343 Disclaimer:

Any writings or documents provided to a majority of the Commission regarding any item on this agenda will be made available for public inspection at the Public Works Department located at the address below.

Communications Disclaimer:

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.

Commission Secretary:

Heidi Obermeit, Recycling Program Manager,
Zero Waste Division, 1201 2nd St. Berkeley, CA 94710
510-981-6357
hobermeit@cityofberkeley.info

MINUTES

The meeting was convened at 7:00 p.m. with Chrise de Tournay, Chair, presiding.

ROLL CALL

Present: Chrise de Tournay, Alfred Twu, Annette Poliwka, Ilana Golin, Marilyn McCartney, Antoinette Stein, Margo Schueler (7:03pm arrival)
LOA: David Grubb
Absent: None

STAFF PRESENT: Greg Apa, Heidi Obermeit

MEMBERS OF THE PUBLIC PRESENT: 7

PUBLIC COMMENT: 3

ACTIONS TAKEN:

- 1. Approval of the February 24, 2020 Regular Meeting Agenda**
M/S/C (de Tournay/Twu) to approve the agenda for the February 24, 2020 regular meeting.
Ayes: Unanimous; Abstain: None; Absent: Schueler, Grubb
- 2. Approval of the January 27, 2020 Meeting Minutes**
M/S/C (Stein/de Tournay) to approve the January 27, 2020 regular meeting minutes.
Ayes: de Tournay, Twu, Golin, McCartney, Stein, Schueler;
Abstain: Poliwka; Absent: Grubb
- 3. Nomination of Zero Waste Commission Chair**
M/S/C (Schueler/Poliwka) to nominate Alfred Twu as Chair of the Zero Waste Commission.
- 4. Nomination of Zero Waste Commission Vice Chair**
M/S/C (de Tournay/Stein) to nominate Chrise de Tournay as Vice Chair.
- 5. Action to elect the Zero Waste Commission Chair and Vice Chair**
M/S/C (Poliwka/Schueler) to elect Alfred Twu as Chair and Chrise de Tournay as Vice Chair of the Zero Waste Commission.
Ayes: Unanimous; Abstain: None; Absent: Grubb
- 6. Adjournment at 8:55 p.m.**
M/S/C (de Tournay/Golin) to adjourn the meeting at 8:55 p.m.
Ayes: Unanimous; Abstain: None; Absent: Grubb

The next regular meeting of the Zero Waste Commission will be held on Monday, March 23, 2020 at 7:00 p.m. at the City of Berkeley Corporation Yard (Ratcliff Bldg, Willow Rm), 1326 Allston Way.

Respectfully Submitted:

Heidi Obermeit, Secretary

Council Direction Regarding Work Plan Development

To assist commissions with the development of their work plan and to provide the City Council with a consistent framework to review the work plans, the City Manager has developed the following items to consider in developing the work plan that is submitted to the City Council agenda.

Prompts for Commissions to use in work plan:

- What commission items for 2021 have a direct nexus with the COVID-19 response or are the result of a City Council referral pertaining to COVID-19?
- What commission items for 2021 are required for statutory reasons?
- What commission items for 2021 are required for budgetary or fund allocation reasons?
- What commission items for 2021 support council-adopted or voter-adopted mission critical projects or programs?
- What are the anticipated staff demands (above and beyond baseline) for analysis, data, etc., to support commission work in 2021? (baseline duties = posting agendas, creating packets, attend meetings, minutes, etc).

INFORMATION CALENDAR

July 23, 2019

To: Honorable Mayor and Members of the City Council
From: Zero Waste Commission
Submitted by: Christienne de Tournay, Chairperson, Zero Waste Commission
Subject: Zero Waste Commission 2019-20 Work Plan

INTRODUCTION

The Zero Waste Commission (ZWC) is responsible for making recommendations on City solid waste policy and goals, including commercial and residential garbage and recycling services, budgets, and other decisions relating to solid waste in the City of Berkeley. The ZWC adopted the FY 2019-20 Work Plan on May 28, 2019.
M/S/C: Poliwka/Schueler; Ayes: Unanimous; Abstain: None; Absent: de Tournay, Stein

CURRENT SITUATION AND ITS EFFECTS

Over the last year, the City of Berkeley has made a number of important changes to its Zero Waste services and long-term plans, including:

- Beginning the process to redesign and rebuild the municipal Transfer Station
- Shifting collection of refuse recycling from franchisees to in-house City staff
- Adapting to changes in the recycling export markets
- Implementing the Single Use Foodware and Litter Reduction Ordinance

ZWC is currently looking at ways to follow through with developing the Zero Waste Strategic Plan and Transfer Station rebuild, as well as evaluate new proposed legislation to target some of the larger remaining components of avoidable waste.

These projects advance the City’s Strategic Plan goals to:

1. Provide state-of-the-art, well-maintained infrastructure, amenities, and facilities
2. Be a global leader in addressing climate change, advancing environmental justice, and protecting the environment

The following goals have been identified for the upcoming year:

Goal	Resources	Program activities	Outputs	Outcomes
Transfer Station Rebuild	RFP issued for consultant for Feasibility Study	Consultant presentation at ZWC June 24 Gather public input	Develop preliminary Commission recommendations to City Council in July	Ongoing Commission feedback

Goal	Resources	Program activities	Outputs	Outcomes
Zero Waste Strategic Plan	RFP to be issued for consultant in Q3 2019	Consultant presentation at ZWC Gather public input	Commission recommendations to City Council	Ongoing Commission Feedback
Food Recovery and Organics Diversion	Assistance from Community Health Commission and Berkeley Food Network	Continue updates with Berkeley Food Network Consider compost quality and SB 1383 compliance 15 day comment period 6/18-7/3, 2019	Provide recommendations as needed to Council and other stakeholders	Reduce volume of food waste disposal in black bins from current 35% - single largest item in Alameda County waste stream
Reduce Use of Single-Use Foodware	Zero Waste Berkeley (which includes the Ecology Center)	Follow implementation of Single-Use Disposable Reduction Ordinance including stakeholder and public feedback Ecology Center pilot of reusable cup program Fall 2019	Content for educational materials Identify preferable compostable product options	Provide feedback to Council on Ordinance Implementation Phase II all prepared food vendors change materials Jan 1, 2020
Reduce Landfilling of Construction Debris	Deconstruction Subcommittee	Work with builders, material resellers, CEAC, Community Health, Landmarks, Disaster/Fire Safety and Planning to increase reuse of old growth wood debris	Recommendations for Council	Recommendations for Council by end of year 2019 Bay Area Deconstruction Working Group recommendations
Annual Updates	Culture of Repair - (Fix it Clinics), Urban Ore, Community Conservation Centers, Ecology Center, CAW, NCRA, CPSC, Budget Review, Status of Export Markets	Presentations at ZWC Review and recommend relevant legislation Review ZW division budget and tonnage/metrics with City staff	Commission feedback to organizations and to Council	Commission feedback to organizations and to Council
Public Education and Communication	Subcommittee	Develop educational articles for Berkeleyside, Daily Cal; How to recycle in Berkeley; Single use foodware; How to recycle holiday trees	Improve community understanding and compliance with recycle and trash pickup	Commission articles to local publications and social media

Goal	Resources	Program activities	Outputs	Outcomes
Cal Sustainable Moveout	UC Berkeley	Support UCB sustainable moveout Provide outreach for Cal Yard Sale		Work with UCB Zero Waste Department to identify community support needs

BACKGROUND

- Transfer Station Rebuild: Community meetings have been held in past several months. The EIR will study two conceptual plans.
- Zero Waste Strategic Plan: Current plan is for RFP to be issued later this year.
- Food Recovery: Berkeley Food Network is starting its Food Recovery operations.
- Reduction of Single-Use Foodware: The new Foodware Ordinance's first phase has started, 2nd phase starts 1/1/2020, will require all disposable foodware to be compostable and includes a 25 cent charge for disposable cups. 3rd phase (reusables for dine in) begins 7/1/2020.
- Reducing Landfilling of Construction Debris: Carpet recycling program is starting up at the Transfer Station. Due to multi-city operations of the construction industry, Deconstruction Ordinance likely to be introduced at regional level.
- Public Education and Communication: There is still room to improve in getting existing recyclable and compostable materials into the blue and green bins.
- Cal Sustainable Moveout: In the last few years, there have been small and medium scale efforts to manage Cal Moveout. A larger citywide program could divert additional materials.

ENVIRONMENTAL SUSTAINABILITY

Potential to reduce quantity of material sent to landfill and reduce consumption of new materials.

POSSIBLE FUTURE ACTION

Future Action Items that ZWC may send to City Council include:

- Resolution to support a Regional Deconstruction Ordinance
- Resolution to support creating a new Zero Waste Strategic Plan
- Resolution to support a Citywide Reusable Food Container program
- Resolution to support a citywide yard sale during Cal moveout

FISCAL IMPACTS OF POSSIBLE FUTURE ACTION

Reusable Food Container program and citywide yard sale may require funding. The Zero Waste Strategic Plan will require hiring a consultant.

CONTACT PERSON

Heidi Obermeit, Recycling Program Manager, Public Works, (510) 981-6357

DRAFT FY 21/22 Zero Waste Commission Work Plan

Goal	Resources	Program activities	Outputs	Outcomes
Transfer Station Rebuild	(First Carbon Solutions)	Consultant presentation to Commission TBD	None	N/A
Zero Waste Strategic Plan	RFP to be issued for consultant in Q2 2021	Consultant presentation at ZWC TBD	Commission recommendations to City Council	Ongoing Commission Feedback
Food Recovery and Organics Diversion SB1383	City staff	Continue updates, review proposed County model ordinance for Berkeley ordinance adoption.	Provide recommendations as needed to Council and other stakeholders	To help achieve state SB1383 requirements.
Single-Use Foodware & Litter Ordinance	Ecology Center, City staff	Follow implementation of Single-Use Disposable Reduction Ordinance, review through lens of Covid-19 repercussions. Ecology Center pilot of reusable cup program resumes TBD	Provide recommendations as needed to Council and other stakeholders Reusables Pilot program recommendations	Provide feedback to Council on Ordinance Implementation
Reduce Landfilling of Construction Debris	Deconstruction Subcommittee	Work with builders, material resellers, CEAC, Community Health, Landmarks, Disaster/Fire Safety and Planning to increase reuse of old growth wood debris	Recommendations for Council	Recommendations for Council by end of year 2019 Bay Area Deconstruction Working Group recommendations
Annual Updates	Urban Ore, Community Conservation Centers, Ecology Center, CAW, NCRA, CPSC, Culture of Repair - (Fix it Clinics), Budget Review, Status of Export Markets, City staff	Presentations at ZWC Review and recommend relevant legislation Review ZW division annual budget and tonnage/metrics with City staff	Commission feedback to organizations and to Council	Ongoing Council communications
Cal Sustainable Moveout	UC Berkeley	Support UCB sustainable moveout operations/Covid-19 fallout. CoB Mattress program to coordinate with UC.	Recommendations for Council	Work with UCB Zero Waste Department to identify community support needs

October 22, 2020

To: Berkeley Boards and Commissions
From: Dee Williams-Ridley, City Manager
Subject: Commission Meetings During COVID-19 Emergency

This memo serves to provide a summary and update of the status of meetings of Berkeley Boards and Commissions during the COVID-19 emergency declaration.

On March 10, 2020, the City Council ratified the proclamation of the Director of Emergency Services for a state of local emergency related to the COVID-19 pandemic. The emergency proclamation has been renewed twice by the Council and remains in effect.

On March 17, 2020, the City Council adopted Resolution No. 69,331-N.S. which placed limitations of the meetings of City legislative bodies, including all boards and commissions. The resolution allows for commissions to meet to conduct time-sensitive, legally mandated business with the authorization of the City Manager. Since that time, several commissions have obtained this approval and held meetings; many other commissions have not met at all since March.

The City Manager has periodically reviewed the status of commission meetings with the City Council Agenda & Rules Committee. Recently, at the October 12, 2020, Agenda & Rules Committee meeting, the City Manager presented a proposal to allow all commissions to meet under limited circumstances. The Committee voted to endorse the City Manager's recommendation.

Effective October 12, 2020, all City boards and commissions may meet once to develop and finalize their work plan for 2021 and to complete any Council referrals directly related to the COVID-19 pandemic response. A second meeting may be held to complete this work with specific authorization by the City Manager. It is recommended that the meeting(s) occur by the end of February 2021.

Commissions that have been granted permission to meet under Resolution No. 69,331-N.S. may continue to meet pursuant to their existing authorization, and may also meet to develop their 2021 work plan.

Commissions that have not requested meetings pursuant to the Resolution No. 69,331-N.S. may meet pursuant to the limitations listed above.

To assist commissions with the development of their work plan and to provide the City Council with a consistent framework to review the work plans, the City Manager has developed the following items to consider in developing the work plan that is submitted to the City Council agenda.

Prompts for Commissions to use in work plan:

- What commission items for 2021 have a direct nexus with the COVID-19 response or are the result of a City Council referral pertaining to COVID-19?
- What commission items for 2021 are required for statutory reasons?
- What commission items for 2021 are required for budgetary or fund allocation reasons?
- What commission items for 2021 support council-adopted or voter-adopted mission critical projects or programs?
- What are the anticipated staff demands (above and beyond baseline) for analysis, data, etc., to support commission work in 2021 (baseline duties = posting agendas, creating packets, attend meetings, minutes, etc.)?

The limitations on commission meetings are due to the need to direct staff resources and the resources of city legislative bodies to the pandemic response. Many of the staff assigned as commission secretaries are engaged in work with the City Emergency Operations Center or have been assigned new specific duties related to the impacts of the pandemic.

Meeting frequency for boards and commissions will continue to be evaluated on a regular basis by the City Manager in consultation with Department Heads and the City Council. More frequent meetings by commissions will be permitted as the conditions under COVID-19 dictate.

Thank you for your service on our boards and commissions. The City values the work of our commissions and we appreciate your partnership and understanding as we address this pandemic as a resilient and vibrant community.

Attachments:

1. Resolution 69,331-N.S.
2. List of Commissions with Meeting Data

cc: Mayor and City Councilmembers
Senior Leadership Team

RESOLUTION NO. 69,331-N.S.

RATIFYING THE RECOMMENDATIONS ISSUED BY THE DIRECTOR OF EMERGENCY SERVICES AND THE PUBLIC HEALTH OFFICER REGARDING MEETINGS OF BERKELEY LEGISLATIVE BODIES IN RESPONSE TO THE COVID-19 (NOVEL CORONAVIRUS) PANDEMIC

WHEREAS, on March 3, 2020, pursuant to Berkeley Municipal Code section 2.88.040, the City Manager, serving as the Director of Emergency Services, proclaimed the existence of a local emergency; and

WHEREAS, the proclamation was warranted by virtue of the extreme peril to the safety of persons and property in the City caused by pandemic in the form of the global spread of a severe acute respiratory illness caused by a novel (new) coronavirus ("COVID-19"), including confirmed cases in California and the San Francisco Bay Area, and presumed cases in Alameda County prompting the County to declare a local health emergency; and

WHEREAS, the proclamation of the Director of Emergency Services was ratified by the City Council on March 10, 2020; and

WHEREAS, the continued spread of COVID-19 and increase in community transmission cases in surrounding counties warrant further measures be taken by the City to protect the community; and

WHEREAS, the Public Health Officer has issued guidelines for limiting mass gatherings; and

WHEREAS, certain limitations on the meetings of legislative bodies in the City of Berkeley is warranted; and

WHEREAS, the continued essential functions of the City and certain legislative bodies must continue for time-sensitive, legally mandated actions; and

WHEREAS, the Director of Emergency Services presented recommendations to the Agenda & Rules Committee on March 12, 2020 regarding the meetings of legislative bodies; and

WHEREAS, the Agenda & Rules Committee recommended that said recommendations be forwarded to the City Council for acknowledgement and ratification.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the following recommendations issued by the Director of Emergency Services and the Public Health Officer regarding limitations and practices for legislative bodies of the City of Berkeley are hereby acknowledged and ratified:

Section 1. Boards and Commissions

Commissions listed below may continue to meet only if they have time-sensitive, legally mandated business to complete, as determined by the Director of Emergency Services. The City may consider teleconferencing for these commissions, if feasible.

Design Review Committee
Fair Campaign Practices Commission
Housing Advisory Commission (limited to quasi-judicial activities)
Joint Subcommittee on the Implementation of State Housing Laws
Landmarks Preservation Commission
Open Government Commission
Personnel Board
Planning Commission
Police Review Commission
Zoning Adjustments Board

Commissions in Category B shall not meet for a period of 60 days. This will be re-evaluated at the Agenda & Rules Committee meeting on April 13, 2020. A Commission in Category B may convene a meeting if it has time-sensitive, legally-mandated business to complete, as determined by the Director of Emergency Services.

Category B

Animal Care Commission
Cannabis Commission
Civic Arts Commission
Children, Youth, and Recreation Commission
Commission on Aging
Commission on Disability
Commission on Labor
Commission on the Status of Women
Community Environmental Advisory Commission
Community Health Commission
Disaster and Fire Safety Commission
Elmwood Business Improvement District Advisory Board
Energy Commission
Homeless Commission
Homeless Services Panel of Experts
Housing Advisory Commission
Human Welfare and Community Action Commission
Measure O Bond Oversight Committee
Mental Health Commission
Parks and Waterfront Commission
Peace and Justice Commission
Public Works Commission
Solano Avenue Business Improvement District Advisory Board
Sugar-Sweetened Beverage Product Panel of Experts

Transportation Commission
Youth Commission
Zero Waste Commission
Loan Administration Board

Section 2. City Council Policy Committees

The Agenda & Rules Committee and the Budget & Finance Committee may continue to meet to fulfill their legislative and advisory responsibilities. All other Policy Committees (Facilities, Infrastructure, Transportation, Environment & Sustainability, Public Safety, Land Use, Housing & Economic Development, and Health, Life Enrichment Equity & Community) are suspended indefinitely. The 120-day deadline to consider an item will be tolled during the suspension of business.

Section 3. City Council


For City Council meetings, the City will continue to advise and implement social distancing by limiting the capacity of the Council Chambers, providing an overflow room, attempting to limit the duration of the meeting, only conducting essential business, and limiting or suspending ceremonial items. The City will adhere to and implement the provisions of the Governor's Executive Order #N-25-20 related to the Brown Act and the utilization of technology to facilitate participation.

The foregoing Resolution was adopted by the Berkeley City Council on March 17, 2020 by the following vote:

Ayes: Bartlett, Davila, Droste, Hahn, Harrison, Kesarwani, Robinson, Wengraf, and Arreguin.

Noes: None.

Absent: None.



Jesse Arreguin, Mayor

Attest: 

Mark Numalville, City Clerk

Boards and Commissions	Meetings Held Under COVID Emergency (through 10/11)	Scheduled Meetings in October	Regular Mtg. Date	Secretary	Department
Zoning Adjustments Board	10	1	2nd & 4th Thur.	Shannon Allen	PLD
Police Review Commission	9	1	2nd & 4th Wed.	Katherine Lee	CM
Fair Campaign Practices Commission	8	1	3rd Thur.	Sam Harvey	CA
Design Review Committee	5	1	3rd Thur.	Anne Burns	PLD
Landmarks Preservation Commission	5	1	1st Thur.	Fatema Crane	PLD
Open Government Commission	5	1	3rd Thur.	Sam Harvey	CA
Homeless Services Panel of Experts	4	1	1st Wed	Brittany Carnegie	HHCS
Disaster and Fire Safety Commission	3	1	4th Wed.	Keith May	FES
Parks and Waterfront Commission	3	1	2nd Wed.	Roger Miller	PRW
Planning Commission	3		1st Wed.	Alene Pearson	PLD
Public Works Commission	3	1	1st Thur.	Joe Enke	PW
Civic Arts Commission	2		4th Wed.	Jennifer Lovvorn	OED
Solano Avenue BID Advisory Board	2		Contact Secretary	Eleanor Hollander	OED
Elmwood BID Advisory Board	1		Contact Secretary	Kieron Slaughter	OED
Joint Subcom. on Implementation of State Housing Laws	1		4th Wed.	Alene Pearson	PLD
Mental Health Commission	1		4th Thur.	Jamie Works-Wright	HHCS
Personnel Board	1		1st Mon.	La Tanya Bellow	HR
Transportation Commission	1	1	3rd Thur.	Farid Javandel	PW
Animal Care Commission	0		3rd Wed.	Amelia Funghi	CM
Cannabis Commission	0		1st Thur.		PLD
Children, Youth, and Recreation Commission	0		4th Monday	Stephanie Chu	PRW
Commission on Aging	0		3rd Wed.	Richard Castrillon	HHCS
Commission on Disability	0		1st Wed.	Dominika Bednarska	PW
Commission on Labor	0		3rd Wed., alternate mo	Nathan Dahl	HHCS
Commission on the Status of Women	0		4th Wed.	Shallon Allen	CM
Community Environmental Advisory Commission	0		2nd Thur.	Viviana Garcia	PLD
Community Health Commission	0		4th Thur.	Roberto Terrones	HHCS
Energy Commission	0		4th Wed.	Billi Romain	PLD
Homeless Commission	0		2nd Wed.	Brittany Carnegie	HHCS
Housing Advisory Commission	0		1st Thur.	Mike Uberti	HHCS
Human Welfare & Community Action Commission	0		3rd Wed.	Mary-Claire Katz	HHCS
Loan Administration Board	0		Contact Secretary	Kieron Slaughter	OED
Measure O Bond Oversight Committee	0		3rd Monday	Amy Davidson	HHCS
Peace and Justice Commission	0		1st Mon.	Nina Goldman	CM
Sugar-Sweetened Beverage Product Panel of Experts	0		3rd Thur.	Dechen Tsering	HHCS
Youth Commission	0		2nd Mon.	Ginsi Bryant	PRW
Zero Waste Commission	0		4th Mon.	Heidi Obermeit	PW

February 1, 2021

To: Commission Secretaries

From: Mark Numainville, City Clerk

Subject: Temporary Suspension of Certain Provisions of the Commissioners' Manual for Subcommittees

On January 19, 2021, Council adopted Resolution No. 69,681-N.S., authorizing temporary suspension of provisions of the Commissioners' Manual that require ad hoc subcommittees of City boards and commissions follow State open meeting procedures. Specifically, the creating and posting of agendas, providing for public attendance and comment during subcommittee meetings, and other associated scheduling and noticing requirements is temporarily suspended. This will allow subcommittees to meet and conduct business without support from city staff, thus allowing staff to continue emergency response efforts related to the COVID-19 pandemic.

In response to the emergency proclamation due to the COVID-19 pandemic, staff resources have been directed to the pandemic response. Staff, including commission secretaries, are not able to provide support to boards and commissions at pre-pandemic levels, while also supporting the efforts of the pandemic response and Emergency Operations Center.

At the November 30, 2020, Agenda & Rules Committee meeting, the Committee discussed options for enabling City boards and commissions to conduct work, given the limitations on staff resources. Under the State's open meeting law (also known as the Brown Act), ad hoc subcommittees are not legislative bodies, and are not required to post agendas or allow for public participation.

Agenda posting and public participation requirements for subcommittees are specific to Berkeley and are adopted by resolution in the Commissioners' Manual. The Agenda & Rules Committee requested that city staff introduce an agenda item to the City Council for consideration to temporarily suspend these local noticing and participation requirements for ad hoc subcommittees, and Council approved the recommendation.

The other provisions in the Commissioners' manual regarding ad hoc subcommittees remain unchanged. Key points still required for subcommittees include:

- Creation of ad hoc subcommittees and appointments must occur at meetings of the full commission
- Recommendations from the subcommittee must be adopted by the full commission before they are forwarded to Council
- A subcommittee cannot represent the commission before the Council unless it has received permission to do so.
- Composed of less than a quorum of the parent body.
- Composed of only members of the parent body (no members of other commissions or any other persons may be included).
- Have a finite purview established by the parent body.
- Have a set target date to report back to the parent body.
- Must terminate within one year, unless the parent body reviews and extends the timeline.
- Have no regular meeting schedule set by the parent body (all subcommittee meetings are "special meetings").
- Have no alternate commissioner assigned to attend meetings, even as an observer, if his or her presence would create a quorum of the parent body.

Staff resources to support City boards and commissions will continue to be evaluated on a regular basis by the City Manager. Provisions of the Commissioners' Manual that are temporarily suspended may be reinstated at any point by action of the full Council.

Attachments:

1. Council Agenda Report from January 19, 2021: Temporarily Suspending Certain Provisions of the Commissioners' Manual that Apply to Meetings of Subcommittees
2. Resolution No. 69,681-N.S.



Office of the City Manager

CONSENT CALENDAR
January 19, 2021

To: Honorable Mayor and Members of the City Council
From: Dee Williams-Ridley, City Manager
Submitted by: Mark Numainville, City Clerk
Subject: Temporarily Suspending Certain Provisions of the Commissioners' Manual that Apply to Meetings of Subcommittees

RECOMMENDATION

Adopt a Resolution temporarily suspending the provisions of the Commissioners' Manual and Resolution No. 69,063-N.S. that ad hoc subcommittees of City boards and commissions follow State open meeting procedures, thereby enabling ad hoc subcommittees to meet and conduct work while allowing City staff to continue emergency response efforts related to the COVID-19 pandemic.

FISCAL IMPACTS OF RECOMMENDATION

There are no direct fiscal impacts associated with this recommendation. Temporarily suspending the application of State open meeting procedures to ad hoc subcommittees will decrease the amount of staff time required to coordinate and support the functions of City boards and commissions. This will enable staff that are currently assigned to the COVID-19 pandemic emergency response to continue their assignments and efforts with the City's Emergency Operations Center, and at the same time allow the work of ad hoc subcommittees to resume.

CURRENT SITUATION AND ITS EFFECTS

On March 10, 2020, the City Council ratified the proclamation of the Director of Emergency Services for a state of local emergency related to the COVID-19 pandemic. The emergency proclamation has been renewed several times by the Council, most recently on December 15, 2020, and remains in effect.

In response to the emergency proclamation, staff resources and the resources of City legislative bodies have been directed to the pandemic response. This includes staff assigned as commission secretaries, many of whom are engaged in work with the Emergency Operations Center or are fulfilling new duties related to the impacts of the pandemic. Staff are not able to provide support to boards and commissions at the pre-pandemic level, while also supporting the efforts of the pandemic response and Emergency Operations Center.

At the November 30, 2020 Agenda & Rules Committee meeting, the Committee discussed options for enabling City boards and commissions to conduct work, given the limitations on staff resources. One of the options considered is to temporarily suspend the requirement for ad hoc subcommittees of City boards and commissions to notice their meetings and require public participation. Ad hoc subcommittees are temporary single-purpose advisory committees composed of less than a quorum of the members of a commission or board. Under the State's open meeting law (also known as the Brown Act), ad hoc subcommittees are not legislative bodies, and are not required to post agendas or allow for public participation. These requirements are specific to Berkeley and are adopted by resolution in the Commissioners' Manual.

The Agenda & Rules Committee requested that staff prepare an item for the City Council's consideration to temporarily suspend these local noticing and participation requirements for ad hoc subcommittees. Temporary suspension of these requirements will allow ad hoc subcommittees to meet as needed, and without significant additional staff resources, in order to develop recommendations that will be presented to the full board or commission. Staff resources to support City boards and commissions will continue to be evaluated on a regular basis by the City Manager and the Health Officer in consultation with Department Heads and the City Council. Provisions of the Commissioners' Manual that are temporarily suspended may be reinstated at any point by action of the full Council.

BACKGROUND

The Commissioners' Manual is a compilation of state and local laws, and local policies and best practices that apply to City boards and commissions. The Commissioners' Manual is a valuable resource for commissioners, commission secretaries, City staff, and the public, and is provided to new commissioners, new commission secretaries, and is accessible to the public via the City website. The Manual was last updated on September 10, 2019 with Resolution No. 69,063-N.S.

ENVIRONMENTAL SUSTAINABILITY

There are no identifiable environmental effects or opportunities associated with the subject of this report.

RATIONALE FOR RECOMMENDATION

At the November 30, 2020 Agenda & Rules Committee meeting, the Committee requested that staff present an item to the full City Council that would allow for the temporary suspension of the local requirement that ad hoc subcommittees of City boards and commissions adhere to State open meeting procedures.

ALTERNATIVE ACTIONS CONSIDERED

The City Council could leave the existing provisions in place. Under the existing provisions, if ad hoc subcommittee functions were to resume, staff resources would need to be reallocated in order to fulfill the open meeting requirements in the Commissioners' Manual.

CONTACT PERSON

Mark Numainville, City Clerk, 981-6900

Attachments:

1: Resolution

RESOLUTION NO. ##,###-N.S.

TEMPORARILY SUSPENDING CERTAIN PROVISIONS OF THE COMMISSIONERS' MANUAL AND RESOLUTION NO. 69,063-N.S. THAT APPLY TO MEETINGS OF SUBCOMMITTEES

WHEREAS, the Commissioners' Manual is a compilation of state and local laws, and local policies and best practices that apply City boards and commissions; and

WHEREAS, pursuant to the Commissioners' Manual, ad hoc subcommittees of City boards and commissions are required to follow State open meeting procedures, a requirement that is specific to Berkeley and adopted by resolution in the Commissioners' Manual; and

WHEREAS, ad hoc subcommittees are not legislative bodies under the Brown Act and are not required to post agendas or allow for public participation; and

WHEREAS, due to the emergency response to the COVID-19 pandemic, staff resources are not currently available to support the open meeting requirements of the Commissioners' Manual as they pertain to ad hoc subcommittees; and

WHEREAS, the City Council may take formal action to temporarily suspend the provisions of the Commissioners' Manual that pertain to open meeting procedures for ad hoc subcommittee, thereby allowing ad hoc subcommittees to meet without the need for significant additional staff resources.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Council hereby temporarily suspends the provisions of the Commissioners' Manual and Resolution No. 69,063-N.S. that require ad hoc subcommittees of City boards and commissions to follow State open meeting procedures, thereby enabling ad hoc subcommittees to meet and conduct work while allowing City staff to continue emergency response efforts to the COVID-19 pandemic.

RESOLUTION NO. 69,681-N.S.

TEMPORARILY SUSPENDING CERTAIN PROVISIONS OF THE COMMISSIONERS' MANUAL AND RESOLUTION NO. 69,063-N.S. THAT APPLY TO MEETINGS OF SUBCOMMITTEES

WHEREAS, the Commissioners' Manual is a compilation of state and local laws, and local policies and best practices that apply City boards and commissions; and

WHEREAS, pursuant to the Commissioners' Manual, ad hoc subcommittees of City boards and commissions are required to follow State open meeting procedures, a requirement that is specific to Berkeley and adopted by resolution in the Commissioners' Manual; and

WHEREAS, ad hoc subcommittees are not legislative bodies under the Brown Act and are not required to post agendas or allow for public participation; and

WHEREAS, due to the emergency response to the COVID-19 pandemic, staff resources are not currently available to support the open meeting requirements of the Commissioners' Manual as they pertain to ad hoc subcommittees; and

WHEREAS, the City Council may take formal action to temporarily suspend the provisions of the Commissioners' Manual that pertain to open meeting procedures for ad hoc subcommittee, thereby allowing ad hoc subcommittees to meet without the need for significant additional staff resources.


NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Council hereby temporarily suspends the provisions of the Commissioners' Manual and Resolution No. 69,063-N.S. that require ad hoc subcommittees of City boards and commissions to follow State open meeting procedures, thereby enabling ad hoc subcommittees to meet and conduct work while allowing City staff to continue emergency response efforts to the COVID-19 pandemic.

The foregoing Resolution was adopted by the Berkeley City Council on January 19, 2021 by the following vote:

Ayes: Bartlett, Droste, Hahn, Harrison, Kesarwani, Robinson, Taplin, Wengraf, and Arreguin.

Noes: None.

Absent: None.



Jesse Arreguin, Mayor

Attest: 

Mark Numainville, City Clerk

Alfred Twu's summary of major Zero Waste issues during his 8-yr Commission Term:

Commissioners:

Tonight concludes my 8 year term on the Zero Waste Commission. Here is a summary of some of the notable issues from the last 8 years.

Thanks
Alfred Twu

alfredtwu@gmail.com
January 22, 2021

Who's who

The Zero Waste Division is under the city's Public Works Department. It is responsible for collecting garbage and compost in the city, as well as recycling from everything EXCEPT houses and apartments with up to 9 units. It also provides some roll-off (construction dumpster) and trash compactor collection services. The ZWD is an enterprise fund, which means that it does not rely on taxes to operate. Instead, it relies on garbage service fees.

The Ecology Center is a nonprofit that collects recycling from houses and apartments with up to 9 units. They also run the farmers markets and other programs.

Private haulers provide additional roll-off (construction dumpster) and trash compactor collection services.

UC has its own zero waste program that collects garbage, compost, and recycling from buildings on campus and other buildings owned by UC, such as the dorms.

The Transfer Station is a two-block City facility in West Berkeley where collection trucks unload materials collected from homes and businesses. Private haulers, contractors, and the general public also drop off materials here for a fee. These materials are sorted and transferred into larger trucks that take them to off-site privately operated landfills, privately operated composting facilities, or the port (recycling).

Community Conservation Centers / Berkeley Recycling is a nonprofit that runs the recycling center, which is located at the transfer station. CCC employees sort and sell the recycling.

Urban Ore is a store that sells salvaged materials, including construction materials such as doors. In addition to dropoffs and materials that they pick up directly themselves, they also have employees that salvage stuff brought to the transfer station, diverting it from the landfill.

Getting to zero waste - the last 25%

In the early 2000s, many cities and organizations set a "zero waste by 2020" goal. However, after a rapid rise 1990-2010 in the percent of waste diverted from landfills as recycling became mainstream and composting was introduced, Berkeley and other cities have hit a plateau at around 75%. Major challenges being tackled now are:

- Businesses and apartments that don't have compost or recycling. Some places did not sign up for service until it was mandatory in 2014, and there are some that still don't have it. Recent laws such as the Foodware Ordinance have focused on making sure that there are compost and recycling bins next to trash cans in businesses.
- Food waste in the garbage. Food and paper foodware (napkins, pizza boxes, etc) is the largest single category of things in the trash that shouldn't be, making up 1/3 of the total. The county has made this a priority through their StopWaste public outreach program.
- Single use disposable foodware. While these lightweight plastics make up a small percentage of the tons of waste, they are the biggest part of the litter problem, which then becomes a water pollution problem (that's why straws were such a big issue). Berkeley's foodware ordinance recently went into effect in 2019. It has several parts, such as requiring disposable products to be compostable, requiring reusables for dine-in customers.

Mixed Plastics

Until 2013, Berkeley officially only accepted #1 LDPE and #2 HDPE plastics for recycling, since in the early days of recycling, those were the only ones for which there were buyers. However, as plastics started being exported to China, surrounding cities started accepting them, and people visiting or moving to Berkeley started putting plastics #3-7 into the bins in Berkeley, and the recycling center started sorting them.

It was decided that Berkeley should formally accept mixed rigid plastics. Unfortunately, the launch of this program coincided with the start of China ending recycling imports, which caused the recycling center to have to pay to have plastics #3-7 taken by processors. Many of these plastics are used for food, which led to the focus on foodware.

Foodware Ordinance

Foodware became a focus in recent years because it is a litter problem. Organizations such as Clean Water Action were involved in getting many cities to pass ordinances to reduce the use of disposable plastic in restaurants.

Berkeley was an early leader in foodware ordinances, passing the first styrofoam ban in 1987. In the

2010s, other cities caught up and passed stronger ordinances, requiring compostables as more compostable products became available. City Council first asked the ZWC to look at foodware in 2014, in the context of catching up to San Francisco and El Cerrito. In 2019, with strong backing from the City Council, Berkeley passed an ordinance that put us back in the front, not only requiring compostables, but also with an emphasis on reusables. Significant outreach was done to local businesses, some of which did not have facilities for washing reusables. Off-site dishwashing services now exist.

Recycling Export Markets

Starting in the 1990s, as China industrialized, it needed lots of materials and became the main destination for recyclables collected by cities on the West Coast. However, this had two side effects for them. First, the huge amount of American recyclables caused their own recycling rates to fall, and there was also a lot of pollution from processing contaminated bales of recyclables. Often these bales contained trash, and the trash got illegally dumped into rivers in China.

By the 2010s China's government decided to clean up the industry, and started with the 2013 Green Fence program, which limited some recycling exports from the US, and then when that wasn't enough, the 2019 National Sword program, which banned many recyclables entirely, and raised the purity requirements for others very high. Exports shifted to other countries in Southeast and South Asia, some of which also passed bans after realizing all the problems that came with it. Some processing of recycled materials is starting to return to the US.

During this time, Berkeley was one of the few cities still able to sell its recycling, since our separation of papers from containers kept both materials cleaner, though at some times the price of some plastics dropped below zero, meaning that our recycling center had to pay for plastics to be taken away.

Recycling Center Budget and Business Model

(Community Conservation Centers / Berkeley Recycling)

In Berkeley, City workers pick up recycling and it is taken to the recycling center, where an independent nonprofit sorts the materials. Until the mid-2010s, the nonprofit earned enough money from selling the recycled materials to cover its costs. However, with the drop in material prices due to the recession and China ending imports, the recycling center started running a large deficit and came close to going bankrupt.

Fixing this required shifting from a "recycling as a commodity business" to a "recycling as a service" model. Under their new contract, in addition to money from selling recycled materials, the recycling center now also receives a fee from the city for sorting services. This fee is built into the rates that customers pay.

Rates

(or the zero waste = zero revenue dilemma)

Currently, residential customers pay for collection services based entirely on the size of their garbage can. For example, someone with a 96-gallon cart pays exactly 3 times what someone with a 32-gallon cart pays. Compost and recycling is "free". Commercial customers pay for garbage and compost, with a 20% discount from the rates for garbage cans.

As more and more materials get recycled, people switch to smaller garbage carts. However, the main cost to providing the full services - from collection to sorting to disposal - does not change that much, since the bulk of the cost, especially for houses, is the cost of the 3 trucks and drivers stopping at each house 3 times a week, and that cost is the same whether it's a small or big cart being collected. Rates are still set as based on size of cart to encourage conservation.

Each time rates are adjusted, the per-gallon cost increases. People who are keeping up with their neighbors in reducing garbage have had stable rates even as their carts have gotten smaller, those falling behind pay more.

Extending the line all the way, it suggests that if we do get to zero waste, there will be zero revenue to run the program. Obviously before we get there, the rate structure will need to change. Some places have started switching to a flat fee for basic service (a set of 32 gallon carts) plus a surcharge for larger or additional carts.

Rates are adjusted every few years and the process involves a consultant doing a rate study that looks at costs and what rates are needed to cover those costs. (a requirement of Proposition 218)

Bringing all recycling collection in-house

(Commercial Service Expansion)

Currently, the Ecology Center collects recycling from small residential customers (houses and apartments with up to 9 units), while City staff collect all other recycling, as well as all garbage and compost. This was not always the case. Before 2018, about 400 commercial customers had recycling collected by 3 different private haulers holding franchises. This commercial franchise system had inefficiencies, and also confused the public as some of these businesses had paper & containers in the same bin, while others had 2 separate bins.

In 2011, the city notified the franchises that they were going to phase them out. In 2015, a consultant, HF&H, was hired to study 5 different options, including:

- City collects all garbage, compost, and recycling.
- City collects all garbage, compost, and recycling, allow franchises for roll-off bins and compactors.
- One franchise collects all garbage, compost, and recycling.
- One franchise collects all recycling, city collects all garbage and compost.
- Multiple franchises for all services.

It was decided to go with "City collects all garbage, compost, and recycling, allow franchises for roll-off bins and compactors." Roll-off bins are typically used in construction, and the large changes in volume from month to month make it hard to match demand with the city's fixed number of staff.

The changeover was completed in 2018. Most customers were satisfied. There were a few that complained about higher rates. Previously the franchises had been making a profit even with lower rates by choosing customers that were cheaper to serve.

Issues on the horizon

- Take out foodware. City of Alameda is currently testing out a program where take out customers can request reusable stainless steel takeout containers, and then leave them out for curbside collection. Their long term plan is to scale it up to where people have an additional cart for reusables.

- Construction and demolition waste. Most recently Berkeley joined a program for carpet recycling. Some cities such as Portland, Oregon also have Deconstruction Ordinance for salvaging lumber and other building materials from renovations and demolitions. These ordinances require that some buildings be taken apart instead of bulldozed. The ZWC has discussed Deconstruction Ordinances but no action has been taken yet by the City Council.

- Transfer Station rebuild. the Transfer station is currently in the middle of a redesign process that will rebuild the facility to improve the sorting process and traffic flow on site. It is currently in the design and approval phase. The facility will remain in operation during construction.

- Extended Producer Responsibility (EPR). This is a model where manufacturers become responsible for taking back and recycling materials. It can be useful for specialized materials (such as carpet) but is controversial for packaging. The concern is that manufacturers would focus on the easy-and-profitable materials first, leaving recycling centers with less revenue and the hard to sort stuff.

- State Recycling Mandates

The state government has passed laws that require further reductions in plastics, as well as food in garbage. Food in garbage is a source of methane, which causes climate change.

- Zero Waste Strategic Plan. Some cities have a strategic plan for how to get (closer) to zero waste. Berkeley created a plan in 1986 with an update in 1992, and had another update in 2005 that was not formally adopted. The commission has recommended that the city hire a consultant to create a new one.

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).

The City does not “save” any costs on recycling versus landfilling. The cost of curbside collection of any material (refuse, fiber or containers and green/food materials) are somewhat dependent on the type of collection vehicle (frontend, rear or side loader) but the cost of the crew and vehicle are essentially the same. That is, a single or two person crew drives the truck to the community members’ locations, collects the materials and then delivers the materials to either the Transfer Station or Material Recovery Facility.

Cost of composting organic materials = organic materials (green and food materials) curbside collection truck and crew + transport of collected materials to transfer station + loading into transfer trailer and hauling (1 operator and wheel loader) + cost of sorting and composting of materials (45 to 60 day process).

Cost of recycling = curbside collection truck and crew + transport of collected materials to Material Recovery Facility + cost of sorting (addition labor and equipment) + baling and loading to transport to remanufacturing facility + cost of remanufacturing process into new product + cost of recycling into a new product (time frame varies significantly depending on the material).

Cost of permanent disposal (landfill) = refuse curbside collection truck and crew + transport of collected materials to transfer station + loading into transfer trailer and hauling (1 operator and wheel loader) + cost of landfilling (permanent).

Many studies document for every ton of material that is collected for recycled, an additional 2 -3 jobs are created. With the addition of labor and equipment to support labor efforts costs increase.

Are there any City of Berkeley profits made on Organics self-hauled to BTS?

The City of Berkeley Zero Waste Division (ZWD) operated as an enterprise fund. Enterprise fund means it is a government owned fund that sells goods and services (such as, curbside collection of refuse, recycling and green/food materials) to the general public. These funds must abide by the same generally accepted accounting principles that private companies must that provides similar services.

In addition and in California and per Proposition 218 process, the fund limited to what it can charge for, such as:

- costs to support all staff and operation,
- equipment and facility maintenance and replacement, such as, collection truck replacement,
- Operation and capital reserve to fund ZWD operations and building replacement.

For the Transfer Station, the general public is charged for all operations related to the transfer station. Presently the rates at the Transfer Station are being reviewed because the third party (general public) rates will need to increase to support these costs proportionally. As an enterprise funded operation, these rates don't generated "profits."

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?

In the City's requests for proposals for the hauling and composting of the City's organic materials, Recology Inc. was the successful lowest and responsive proposer on this RFP. There was no requested line item in the RFP to detail what is "profit." Therefore, this information is not available.

What is the Plastics Recycling, Organics Composting, and C&D recycling Transfer Station tipping fee relative to transfer costs, i.e. financial profit/loss for Berkeley?

The transfer station does not accept Plastic for recycling, those customers are directed to the Material Recovery Facility.

The posted refuse rate is \$126 per ton.

This same rate is applied to C&D. Presently the rates at the Transfer Station are being reviewed because the third party (general public) rates will need to increase to support these costs proportionally.

Clean organic materials are discounted and charged at a rate of \$67, which does not cover the cost of collection, transfer and composting. The City Council approved this discount to refuse rates to encourage clean loads of organic loads, primarily green materials, at the Transfer Station

As an enterprise funded operation, these rates don't generated "profits."

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?

The rates at the Transfer Station are the same for Out of Jurisdiction and City of Berkeley self-haul refuse, recycling, composting or C&D. ZWD includes in the scale house charge for the costs of collection, handling, transport from Transfer Station and handling, recycling, and composting of refuse; accepted recyclables and organic materials respectively. Presently the rates at the Transfer Station are being reviewed because the third party (general public) rates will need to increase to support these costs proportionally.

The Zero Waste Fund does not receive any other funding from the City or community members via property taxes or bonds. As an enterprise funded operation, these rates don't generated "profits."

Communication from Vetri Velan sent to Zero Waste Commissioners 11.18.20:

From: Vetri Velan

Sent: Monday, November 16, 2020 4:26 PM

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

Subject: Thoughts on textiles recycling for Zero Waste Commission

Hello Heidi,

My name is Vetri Velan, and I am a resident of Berkeley. A couple months ago, I was trying to get rid of some old clothing. The clothing was torn and definitely not in reusable condition, so I couldn't donate it to a thrift store, for example. I wanted to recycle it, but I couldn't figure out how. I called every thrift shop in Berkeley, and they all said they wouldn't accept non-wearable clothing, and that they didn't know where textile recycling is available. I tried the Berkeley Recycling Center, but I couldn't get through. I tried Berkeley's 311 service, and finally someone there confirmed that Berkeley does not have options for textiles recycling. I had no choice but to throw the old clothes in the trash.

This is a shame, in my opinion. Berkeley is such a progressive city; we should have recycling for textiles, fabrics, and bedding! I see that [El Cerrito](#) does have such an option, but unfortunately I don't have a car, so it would be expensive and inconvenient to Uber there. There also appear to be some [private options](#), but those are inconvenient or expensive.

I called my councilwoman, Rashi Kesarwani, about this, and someone from her office suggested contacting the Zero Waste Commission to propose this as something for them to look into. If nearby cities like El Cerrito have this available, Berkeley should too! I found your contact on the City of Berkeley, so I hope I'm contacting the right person. Is textiles recycling something that the Zero Waste Commission can look into? Thanks for your time, and I'm looking forward to hearing back from you!

--

Regards,
Vetri Velan

Communication from Laura Babitt sent to Zero Waste Commissioners 9.18.20

From: laura@laurababitt.com [<mailto:laura@laurababitt.com>]

Sent: Monday, August 17, 2020 3:42 PM

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

Subject: Laura Babitt For School Board- Please forward to your commission members

WARNING: This email originated outside of City of Berkeley.

DO NOT CLICK ON links or attachments unless you trust the sender and know the content is safe.

Dear Zero Waste Commission,

My name is Laura Babitt and I am running for the Berkeley School Board. My endorsers include the Berkeley Federation of Teachers (BFT), Senator Nancy Skinner, Supervisor Keith Carson, Mayor Jesse Arreguin, Current and Former School Board Directors, City Council Members, the Alameda Labor Council, and a host of other Unions, Community Leaders, Parent & Student Leaders, Organizers, Advocates, and Faith Based Organizations.

As leaders of the Berkeley Community, I would also be honored if you would consider me as your candidate for the Berkeley School Board. Here is a brief bit of my experience in Berkeley, and what I plan to do.

My history making change in Berkeley Unified:

I am the parent of three daughters who attend/attended Berkeley schools and a seasoned organizer who understands the inner workings of Berkeley Unified School District.

As a BUSD Oversight Committee Member over the last 10 years, I have championed:

- Support over Discipline
- Social-Emotional Counselors
- Extended Day & Summer Learning Opportunities
- Expanding the Office of Family Engagement & Equity
- Special Education Support/Reform
- Anti-Racism Task Force
- Educational Parenting and Empowerment Workshops
- Young Gifted and Black- Berkeley
- 30 Minutes a Day of Dedicated English Language Learner Support
- Restorative Justice/Welcoming School Climates
- Hiring and Retention of Teachers of Color
- Development of the Berkeley Schools Excellence Program (BSEP) Parcel Tax Measure
- Stopping Budget Cuts for Educators

How will I help BUSD going forward?

Our current Board of Directors is comprised of lawyers, administrators, and educators. I will add my finance and accounting skills to team which will help BUSD successfully navigate the financial crisis brought on by COVID-19. I have successfully led million to billion-dollar entities through two recessions in my 25 year career in finance and accounting.

Combining my professional background with my hands-on BUSD experience, positions me to be of great value and service to Berkeley Students, Families, and Educators.

I am committed to addressing the equity challenges BUSD faces as it reengineers its schools, and continues to strive to overcome the opportunity gap. Through the lens of equity for all Berkeley students, I am committed to:

1. Create **accountability** structures so that our programs and special education services are implemented effectively and with fidelity to its researched based results.
2. Provide **outcome-oriented budgeting**
3. **Cut** red-tape
4. Build **collaborative welcoming** school environments

I understand deeply why BUSD failed to reach its 2020 promise of closing the achievement or opportunity gap. I am also convinced that it is possible to serve all students in BUSD well. I am ready to help make that vision a reality.

Please contact me at laura@laurababitt.com or (925) 238-5239. I would love to meet with your commission board or individual members to further discuss how we can partner together to move Berkeley Schools forward.

Thank you for your time and consideration.

Sincerely,
Laura Babitt
Leadership for Changing Times
www.laurababitt.com
Laura Babitt for School Board- Facebook page
[@laurababitt](https://www.facebook.com/laurababitt) all social media

ELECT
Laura Babitt
BERKELEY SCHOOL BOARD

Leadership for Changing Times ~ Our Kids Can't Wait

As a Proud Parent & Advocate for Equity, What Will I Do?

- ✓ Out-Come Oriented Budgeting
- ✓ Special Education Reform
- ✓ Support for All Students
- ✓ Welcoming School Environment
- ✓ Accountability
- ✓ Outdoor Classrooms
- ✓ Anti-Blackness/Implicit Bias Training for All

www.laurababitt.com [@laurababitt](https://www.facebook.com/laurababitt) on all social media

Paid for by Laura Babitt for Berkeley School Board 2020 FPPC #1427037 **VOTE LAURA BABITT**

RSVP HERE

EVENT DETAILS:

Date: Sunday, March 15, 2020

Doors 11AM; FILM 11:30-1:00PM (94 minutes); 1:00-2:00PM PANEL

Location: Freight & Salvage

2020 Addison Street

Berkeley, CA 94704

SPEAKERS:

Sophie Hahn, City of Berkeley Vice Mayor

Shilpi Chhotray , Break Free From Plastic (Moderator)

PANEL DISCUSSION :

Stiv Wilson, Executive Producer, The Story of Plastic

Yvette Arellano , Texas Environmental Justice Advocacy Services

Jackie Nunez, Plastic Pollution Coalition

Martin Bourque, Ecology Center

About THE STORY OF PLASTIC:

THE STORY OF PLASTIC is a searing expose, uncovering the ugly truth behind plastic pollution and the false solution of plastic recycling. Different from every other plastic documentary you've seen, THE STORY OF PLASTIC presents a cohesive timeline of how we got to our current global plastic pollution crisis and how the oil and gas industry has successfully manipulated the narrative around it. This film introduces audiences to the heroes and the villains behind one of the world's most pressing environmental issues, from the extraction of fossil fuels to plastic disposal and the global resistance fighting back.

"The Story of Plastic is a seething expose uncovering the ugly truth behind the current global plastic pollution crisis. Striking footage shot over three continents illustrates the ongoing catastrophe: fields full of garbage, veritable mountains of

Martin Bourque, MA

Executive Director, Ecology Center

(510) 548-2220x234 | ecologycenter.org

2530 San Pablo Ave., Suite H | Berkeley, CA 94702



Inspiring and building a sustainable, healthy, and just future for the East Bay, California, and beyond. Follow our work on [Facebook](#) and [Twitter](#) and [subscribe](#) to our email updates, and [donate](#) today.