

**CITY OF MILPITAS
RECYCLING AND SOURCE REDUCTION ADVISORY COMMISSION MEETING
APRIL 26, 2016, 6:00 P.M.
CITY HALL COMMITTEE MEETING ROOM
455 E. CALAVERAS BLVD, MILPITAS CA 95035**

I. ROLL CALL

II. PLEDGE OF ALLEGIANCE

III. SEATING OF ALTERNATES

IV. APPROVAL OF THE MINUTES OF THE JANUARY 26, 2016 MEETING

V. PUBLIC FORUM

Members of the audience are invited to address the Recycling and Source Reduction Advisory Commission on any subject not on tonight's agenda. Speakers must state their name and address for the Secretary's record, and limit their remarks to under three minutes. As an item not on the agenda, no response is required of City staff or the Commission; however, the Commission may place the item on the agenda for a future meeting.

VI. ANNOUNCEMENTS

VII. COUNCIL LIAISON REPORT

VIII. APPROVAL OF AGENDA

IX. NEW BUSINESS

1. RSRAC WORK PLAN AND COUNCIL PRESENTATION

X. OLD BUSINESS

1. FOOD WASTE LEGISLATION, REQUIREMENTS & CITY PROGRAMS

XI. STATUS OF DIVERSION PROGRAM ACTIVITIES

XII. REQUEST FOR FUTURE AGENDA ITEMS

XIII. ESTABLISH NEXT MEETING DATE

XIV. ADJOURNMENT

IX. NEW BUSINESS

1. RSRAC WORK PLAN AND COUNCIL PRESENTATION

BACKGROUND: The City Manager has requested a presentation from each commission by the commission's chair at a Council meeting this year. RSRAC's presentation is scheduled for August 16th. This item is an informational update that the commission's July meeting will be dedicated to creating a work plan for Fiscal Year 2016 (covering July 1, 2016 through June 30, 2017) which will be presented at the August 16th Council meeting.

RECOMMENDATION: Note receipt and file.

X. OLD BUSINESS

1. FOOD WASTE LEGISLATION, REQUIREMENTS & CITY PROGRAMS

BACKGROUND: Even in the best managed landfills, organic waste rots in an oxygen-deprived environment, which leads to the creation of upwards of 7 million tons of greenhouse gases each year, in addition to significant water and air pollution and long-term financial liabilities. Composting and anaerobic digestion not only avoid those impacts, but also build healthy soils through the introduction of organic matter, prevent soil erosion, reduce the need for chemical fertilizers and pesticides, and significantly increase water retention at a time when we need it most.

In Sept. 2014, Governor Jerry Brown signed two landmark bills expected to drastically cut down on the disposal of organic waste:

- * AB 1826, by Assembly Member Wesley Chesbro, will require businesses to separate their food scraps and yard trimmings for composting or anaerobic digestion.
- * AB 1594, by Assembly Member Das Williams, will eliminate a loophole in state law that allows yard trimmings, prunings, and other green waste that is used as landfill cover to count as being "diverted" from landfills.

AB 1826 requires businesses to recycle their organic waste on and after April 1, 2016, depending on the amount of waste they generate per week. This law also requires that on and after January 1, 2016, local jurisdictions across the state implement an organic waste recycling program to divert organic waste generated by businesses, including multifamily residential dwellings that consist of five or more units (multifamily dwellings are not required to have a food waste diversion program). Organic waste (also referred to as organics throughout this resource) means food waste, green waste, landscape and pruning waste, nonhazardous wood waste, and food-soiled paper waste that is mixed in with food waste. This law phases in the mandatory recycling of commercial organics over time, while also offering an exemption process for rural counties. In particular, the minimum threshold of organic waste generation by businesses decreases over time, which means an increasingly greater proportion of the commercial sector will be required to comply.

As of January 1, 2020, **AB 1594** changes the use of green material as alternative daily cover (ADC) so that this will no longer constitute diversion through recycling and will instead be considered disposal in terms of measuring a jurisdiction's annual 50 percent per capita disposal rate. In the 2017 Electronic Annual Report (due August 1, 2018), jurisdictions will include information on plans to address these new requirements and divert green material that is being used as ADC. Beginning with the 2020 Electronic Annual Report (due August 1, 2021), if a jurisdiction does not meet its 50 percent per capita disposal target as a result of

not being able to claim diversion for the use of green material as ADC, it must report additional information (e.g., barriers to recycling green material, capacity at facilities that recycle green material, a plan to address those barriers).

AB 2725 was heard in Assembly Health Committee on April 12 and is not yet approved for consideration by the legislature:

- * AB 2725 by Assembly Member Chiu will standardize date labels on food, creating one standard label for "best if used by" and one standard label for "expires on."

Confusing, misleading, and cryptic food labels lead many consumers and stores to throw out perfectly healthy food every day. Date labels on food come in a dizzying variety of forms including "use by," "best before," "sell by," and "enjoy by" dates, yet these simple markers are both poorly understood and surprisingly under-regulated, such that their meanings and time frames are generally not defined. **AB 2725** relates to the Retail Food Code, and the State Department of Health. It requires the Department to identify a list of ready-to-eat foods that have a high level of risk associated with consumption after a specified date and to post that list on its website. It also requires a food manufacturer that elects to include an elevated risk date on products to provide time/temperature control information on the package or container to identify the elevated-risk date.

RECOMMENDATION: Receive staff presentation and discuss changes needed to City recycling programs. Provide comments and ideas for residential and commercial services.

XI. STATUS OF DIVERSION PROGRAM ACTIVITIES

Highlights of February 26 – April 2016 program activities:

- a. Single Family Recycling & Waste Reduction: Update flyers and online information about e-waste recyclers; update residential rates effective January 1, 2016 on website.
- b. Multi-family Recycling & Waste Reduction: Update residential rates effective January 1, 2016 on website; conduct site checks of Cerano Apartments and work with resident manager to improve trash handling and illegal dumping at parking level trash rooms including provide 385 reusable bags, flyers and newsletter information for distribution by management.
- c. Commercial Recycling & Waste Reduction: Coordinate with Republic to target problem trash enclosures and follow-up with site inspection to enact code enforcement procedures where needed; continue field marketing.
- d. Compost Giveaway, April 2: Monitor Republic's event development and outreach including advertising, flyers, City website and KMLP-15 placements and coordinate DPW assistance. A total of 1,204 households participated with a total of 2,408 bags distributed (two bags per household). A crew of Public Works personnel provided assistance at this event.
- e. Neighborhood Cleanups, April 9: Monitor Republic's event development and outreach including advertising, flyers, City website and KMLP-15 placements and

coordinate DPW assistance. A total of 77 residents dropped of 5.27 tons at two sites. Public Works personnel provided assistance at each site.

- f. Milpitas Post Online Advertising: Provide art and links to City website for Compost Giveaway and e-waste recycling information.

RECOMMENDATION: Note receipt and file.

XII. REQUEST FOR FUTURE AGENDA ITEMS

XIII. ESTABLISH NEXT MEETING DATE

The next regular meeting of the Commission is July 26, 2016 at 6 pm.

XIV. ADJOURNMENT

KNOW YOUR RIGHTS UNDER THE OPEN GOVERNMENT ORDINANCE

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and the City operations are open to the people's review.

Materials related to an item on this agenda submitted to the Recycling and Source Reduction Advisory Commission after initial distribution of the agenda packet are available for public inspection at the Utility Engineering department at Milpitas City Hall, 455 E. Calaveras Blvd., Milpitas during normal business hours.

For more information on your rights under the Open Government Ordinance or to report a violation of the ordinance, contact the City Attorney's office at Milpitas City Hall, 455 E. Calaveras Blvd, Milpitas, CA 95035 Phone : 408-586-3040
E-mail: cdiaz@ci.milpitas.ca.gov

The Open Government Ordinance is codified in the Milpitas Municipal Code as Title I Chapter 310 and is available online at the City's website www.ci.milpitas.ca.gov by selecting the Milpitas Municipal Code link.