MINUTES



REGULAR MEETING OF THE ENVIRONMENTAL QUALITY COMMITTEE

Tuesday, June 11, 2013, 7:00 p.m.
El Cerrito City Hall - City Council Chambers
10890 San Pablo Avenue
This Meeting Place Is Wheelchair Accessible

Miner called the meeting to order at 7:09 pm.

Roll Call:

Chair Miner, Vice-Chair Goudey, Members Benjamin, Weinstein, Doan and Wildenberg

Absent: Krueger, Dandridge, Spitalnik, Pavel, Solari

Also Present: Garth Schultz, Environmental Analyst & Staff Liaison, Janet Abelson, Council Liaison, Maria Sanders, Environmental Analyst

1. Comments from the public on non-agenda items

No comments from the public.

2. Approval of the Minutes

<u>Weinstein</u> made the motion to adopt the minutes of the Regular Committee meeting from May 14, 2013 seconded by <u>Goudey</u>. Motion passed unanimously.

3. Public Comment on Draft Single-Use Bag and Food Ware Ordinances

<u>Garth Schultz</u> presented a draft ordinance for a single-use bag ban and a food ware ban. The public comment on these bans will run from May 15th through July 15th at 4pm. The next public meeting to discuss will be Tuesday, July 9th during the regularly scheduled EQC meeting at 7pm at City Hall. Comments are welcome in all forms.

Single-use bags and expanded polystyrene (EPS) foam food ware containers represent serious litter concerns on El Cerrito streets, in public spaces, in creeks and eventually in the Bay. The San Francisco Bay Municipal Regional Stormwater National Pollutant Discharge Elimination System (NPDES) requires local jurisdictions to address their major sources of stormwater pollution and litter. There are existing health concerns that when EPS foam is warmed it may become carcinogenic. Additionally, there is very limited recycling potential for these goods because it is not cost effective. Alternatives exist for plastic single-use bags and EPS food ware containers, such as plastic, compostable and recyclable food ware containers, do exist. The Food Ware Ordinance would apply to all food service businesses for food prepared and sold in El Cerrito. The Ordinance may be waived for those that can show undue hardship associated with the ban. The Single-Use Bag Ordinance was developed by RecycleMore as part of the regional solid waste Joint Powers Authority. They drafted a certified Environmental Impact Report (EIR) showing there is no significant impact associated with the ban. The City of San Jose and the County of Los Angeles have both implemented a similar ban

COMMUNICATION ACCESS INFORMATION

To request a meeting agenda in large print, Braille, or on cassette, or to request a sign language interpreter for the meeting, call Garth Schultz, Staff Liaison at 559-7684 (voice) at least FIVE (5) WORKING DAYS NOTICE PRIOR TO THE MEETING to ensure availability.

and have seen significant reductions in paper and plastic bags. The ordinance prohibits the distribution of single-use plastic bags at the point of sale and places a 5 cent fee on paper bags. The ban does not apply to restaurants and non-profits. Both bans are scheduled to take effect on January 1st, 2014. They will be enforced through a municipal citation.

The City has issued an article in the El Cerrito News & Views, has sent brochures to all businesses, has issued a press release in the West County Times and has already received coverage in the news. The ordinances are being considered separately. After <u>Schultz</u> completed the presentation, he opened it up to public comment.

Robin Mitchell, an El Cerrito resident and Parks & Recreation Commission member, explained that 380 billion plastic bags are used in the US every year representing 12 million barrels of oil; these bags photo degrade, create toxic contaminants and represent 1/12 of the debris found along coastlines where they harm mammals and birds, before winding up in the ocean. She is in support of the Single-Use Bag Ban and has been using the same reusable bag for 33 years. Julie, an El Cerrito resident, explained that she reuses "single-use" bags for other things because they're versatile and convenient; she expressed concerns about whether garbage bags would be banned as well, because they don't photo degrade either. She's not sure that it will eradicate litter altogether and wonders what other things are likely to be banned. Tobie Kirschman, an El Cerrito resident, supports the initiatives; she currently works in Point Richmond in a criminalistics office where they are developing their own internal policies to reduce waste and increase recycling. Cynthia Hilton, an El Cerrito resident, currently carries reusable bags in her car with her, though she reuses plastic bags to cleanup after her dog, line her garbage cans, bag cat litter, transport sewing projects to friends; she currently helps keep the storm drains clear near her home to reduce litter. She argued that the ban would not reduce the creation of plastic because people will now just have to buy plastic bags.

Weinstein commended Cynthia for cleaning up her neighborhood and taking care of the environment; he added that Cerrito Creek is currently completely littered and wishes that the ordinance could be even stronger. Vu-Doan shared that he also uses plastic bags for his groceries so that he can reuse them for other purposes; he added, though, that the ordinance was designed to address the other 95% of people who do not reuse their bags or properly dispose of them. Miner explained that the ordinance started with a 5 cent fee for paper bags for the first 2 years, with a 10 cent fee after, though he wondered if the ordinance could start at the higher 10 cents. Schultz explained that this wouldn't be in keeping with the EIR, as the City can only weaken the draft ordinance to remain in compliance with the EIR. Furthermore, San Jose has found their original fee effective. Goudey thanked the public for coming and sharing their comments; he greatly appreciated resourceful reuse, but thought that this represents a small part of a much larger system that may be the problem, explaining that the access to free materials tends to negatively affect behavior. Julie asked about recycling education in schools, believing that this is where behavior change starts. Goudey explained that El Cerrito, as a community, have pioneered recycling, but that there is always room for increase education and outreach. Hilton asked what retailers will give their consumers in the rain. Goudey responded that it will transfer the responsibility onto the consumer.

<u>Miner</u> asked whether people renting City-owned facilities would be banned from using EPS, since the ordinance includes a provision that City facilities will no longer use any EPS. <u>Schultz</u> said yes, it would apply to renters as well. <u>Mitchell</u> will bring it up to the Parks & Recreation Commission to begin discussing education for potential renters. <u>Julie</u> recommended that a notification be sent out in the Recreation Brochure. A <u>resident</u> who used to live in San Jose described the first two weeks of their ban, when people weren't sure what to do, but they quickly learned and it has been very effective; if there was an ability to increase the ordinance, he would recommend an even higher fee.

<u>Schultz</u> also added that roughly 7 yards of plastic bags go through the Recycling Center every few days that will remain available for salvage for those who have use for them. Another <u>resident</u> added that he's been bring reusable bags to Raley's for years because they were giving a 5 cent credit; he wondered if there was some way to positively incentivize behavior change. <u>Schultz</u> added that businesses were free to create programs on their own and that they were required to sell bags for 5 cents or more and provide occasional reusable bag giveaways.

Public comments may be issued to Garth Schultz at gschultz@ci.el-cerrito.ca.us or 510-559-7684 or 10890 San Pablo Avenue, El Cerrito, CA 94530. More details, including the text of the Draft Ordinances are online at www.el-cerrito.org/bagsandfoam

4. Contra Costa County Supervisor John Gioia

The Committee received a presentation from County Supervisor John Gioia, who commended El Cerrito's leadership on environmental issues and the existence of the Committee as a tribute to that leadership. Supervisor Gioia grew up in El Cerrito and Richmond. He has been working on issues of climate change, sea level rise and air quality since 1999. He serves as vice-chair of the 7-member Restoration Authority, which has been studying the feasibility of a tax measure for wetland restoration in the Bay Area. The study has found that residents are willing to pay fairly large amounts to maintain the Bay and do coastal cleanups; Gioia will do a community walk sometime later this summer to highlight restoration projects in west Contra Costa County, so people can better understand this scope of work. Gioia also serves on the Joint Policy Committee in charge of developing an Adaptation to Sea Level Rise Plan. This plan will help cities and counties understand the policies that are needed to adapt to rising sea levels: where to develop and how, what financing will be available to protect communities, how impacts will be felt regionally and how everyone can work together to plan for them. He was recently appointed to the California Air Resources Board (CARB) where they are discussing the investment plan for the new Cap & Trade Revenues. 10% of these revenues are to be spent directly in disadvantaged communities and 25% are to benefit these communities through transportation and energy-efficiency initiatives. Gioia would like to collaborate with the EQC to educate the community about these initiatives. Miner explained that the City is developing an Urban Greening Plan that hopes to better connect El Cerrito to the Bay Trail along Cerrito Creek. Gioia mentioned that restoration funds may be made available for creek work. Weinstein discussed the Trail Trekkers' mapping project that highlights all the connections from the Bay to the Ridge. Wildenberg asked how Cap and Trade revenues will get to local governments. Gioia explained that the details were still being worked out, but that an El Cerrito resident Michael McCormick is working to determine whether the funds will go directly to cities and counties or through regional agencies such as MTC and ABAG to ensure equity and local flexibility. Sanders added that this year the funds will be used to balance the State's budget. Gioia explained that the State would take a \$500 million loan from the revenues to balance the budget, since currently there are no projects ready and eligible for funding; Cap and Trade revenues are expected to go up over time. Gioia discussed the One Bay Area Plan, which is scheduled for approval on July 18th; currently there are 3 or 4 alternatives that focus on social justice, business development, and environmental justice. On June 20th, ABAG held a meeting to receive public comments in Oakland. The Plan will delegate transportation funding for infill development. There was discussion of the well-organized opposition to the plan that fear population growth and too large an increase in housing. Priority Conservation Areas will be created with additional funding. Benjamin wonders if a Green Team project might be appropriate that emphasizes the connection to the Bay. Gioia expressed interest in working with the EQC to plan a walk that starts in Richmond and makes its way upstream to illustrate the connection between the communities and the opportunities for restoration and adaptation; Mitchell added that there had been a discussion as part of the Urban Greening Plan to do a community walk/bike ride that looks at the City's green

spaces. Gioia discussed the recent move at CARB to begin discussing climate change concerns and how local governments can start funding these projects; they are starting to discuss electric vehicles and charging stations throughout the Bay Area. Sanders stated that the City had just installed its first charging station at City Hall with help from an incentive from ChargePoint. Gioia explained that the Bay Area Air Quality Management District is developing a model ordinance to encourage charging stations. Mitchell asked about a regional Property-Assessed Clean Energy program that Contra Costa County was choosing not to join. Gioia explained that ABAG is working to get financing on property assessments, but there is some concern that these assessments will become senior to a property's first mortgage. He encouraged someone to follow-up with John Crapo, Contra Costa County, who has been developing solar leasing programs. Gioia asked what the EQC's priority projects were for the coming year. Miner explained that the Climate Action Plan had just been adopted and that the Committee would be choosing one item to focus on in the coming year, potentially an exploration of Community Choice Aggregation.

5. Green Team: Updates and Action Items

Weinstein stated that on July 20th there would be a Cerrito Creek clean-up at Creekside Park, which is currently very littered, adding that Belmont Creek at Central is essentially an informal dump with potential for neighborhood involvement. He will propose an agenda item to have a regular cleanup, especially given the Municipal Regional Permit, but that the City needs to devote more resources to these cleanups. Goudey asked whether we had access given the fence. Schultz said that the City would put together a flyer in time for the 4th of July, and added that staff have been in the midst of budget season, that maintenance generally responds to concerns on an emergency basis and has very little funding for recurring cleanups. Weinstein argued that this was a safety issue with some environmental justice concerns, since the parks in the hills appear to be much cleaner than those in the flats; he wonders whether there might be some additional funds elsewhere. Goudey added that it should be discussed as part of the Urban Greening Plan. Weinstein asked whether Goudey was still interested in putting together an ivy-pulling project. Mitchell explained that if the EQC didn't have funds, that the garden network could help and that she could work directly with Stephen Prée.

6. Eco Film Series: Updates and Action Items

Goudey explained that the subcommittee met in the last month, but that the coming dates didn't provide sufficient lead time, so they plan to look at Fall dates. Schultz sent out an email about issues with Cerrito Theater scheduling, explaining that we can use the Council Chambers when the Theater is not available; there is a 6-8 week maximum lead time at the Theater, which makes it difficult to book filmmakers and other speakers. Pavel added that there are dates in June and July in the City Council Chambers if people had specific films they were interested in showing. Mitchell recommended "Rebels with a Cause", which she'd just seen at the Rialto Theater, as it is a well-made film about local issues; she added that one of the producers attended the screening and may be available to speak. Pavel made a motion to have the City show "Rebels with a Cause" on July 13th in the City Council Chambers, adding that they were trying to build regularity with screenings, so low attendance would still be acceptable. Weinstein seconded. Goudey agreed to take the lead

7. Announcements and future agenda items

<u>Abelson</u> announced that Council adopted the Climate Action Plan unanimously. June has been designated Gay Pride Month and the City will fly the Pride Flag for the entire month. The City's annual budget process will be complted in June.

<u>Miner</u> announced that he attended the Contra Costa County Green Business Partnership meeting, where they discussed City fees. The City's fee was lowered to \$474 this year. At the meeting they discussed the new, more stringent requirements of the program; the need for 24 of the City's

businesses to get re-certified. The Partnership discussed advertising those businesses that go above and beyond. There will be a recognition event in September during Pollution Prevention Week.

<u>Schultz</u> announced that <u>Maria Sanders</u> will be the new EQC Staff Liaison, as he becomes the City's new Public Works Operations and Environmental Services Manager and the City reconfigures its services. The Climate Action Plan and energy-efficiency programs will now be part of the Community Development Department.

<u>Sanders</u> announced that the City has installed a new Electric Vehicle Charging Station at City Hall, which is available for public use at \$1.25 per hour. The City will be working to expand infrastructure and is taking suggestions for other possible locations. The Public Safety Building solar installation is complete and is waiting on permission for interconnection from PG&E. The Community Center installation is underway and the parking lot is closed and scheduled to reopen on Monday. The City is simultaneously constructing improvements on Ashbury and Moeser that will narrow medians, take out juniper bushes, improve pedestrian access with bulbouts, install bike lanes and will include Bay Friendly, drought tolerant landscaping.

<u>Weinstein</u> said that the City Council met to discuss acquisition of a property near the Hillside Natural Area to complete access gaps. The Trail Trekkers will be hosting Sizzling Summer Hikes. The Stiege Sanitary History Book is available for download now on their website.

<u>Miner</u> explained that the Local Clean Energy Alliance was scheduled to present to the Albany Sustainability Committee.

8. Adjournment

Miner adjourned the meeting at 9:28 pm.

Any writings or documents provided to a majority of the Environmental Quality Committee regarding any item on this agenda will be made available for public inspection at the El Cerrito Recycling Center Offices at 7501 Schmidt Ln., El Cerrito, Monday - Friday from 9 a.m. to 5 p.m.