

Single-use Carryout Bag Matrix by City

City	Comments	Position
Campbell	At its regular meeting of February 3, 2009, the Campbell City Council reviewed the draft model single-use Carryout Bag ordinance referred from the Santa Clara County Recycling and Waste Reduction Commission. The City Council provided general direction indicating Campbell's support for a regional approach to the problem for single-use carryout bag pollution, and suggested a cautious "wait and see" approach pending the outcome of current State legislation. It was also suggested that cities and stakeholders continue to dialogue and brainstorm solutions that would be incentive based, rather than punitive in nature.	Wait and See
Cupertino	Still considering and will wait for results of February 25 Recycling and Waste Reduction Commission meeting before moving forward; staff recommends public outreach and incentive program precede any ordinance to first motivate change. Key concerns included the need for quantifying the City's actual cost and determine the structure of an enforcement program within the City; determine the overall impact on local businesses, including methods and cost to incorporate the bag-fee line item on their sales receipts; assess the potential of a lawsuit if the City of Cupertino does not conduct an EIR prior to passing an ordinance (as in the case of the City of Oakland).	Public Outreach before Fee or Ban
Gilroy	No information received	No Info Received
Los Altos	The city council rejected explicit support for the association's ordinance but unanimously directed Councilman David Casas to report that while Los Altos supports a regional approach, it objects to a bag fee. The council voted 3-2 to ask the City of Los Altos Environmental Commission to consider developing a bag-use recommendation for the city.	Sent to Los Altos Environmental Commission to Consider
Los Altos Hills	No information received	No Info
Los Gatos	Last November the Town Council adopted a resolution supporting regional efforts to eliminate the use of disposable, single use carry-out bags.	Public outreach before fee or bans; desire for consistency across jurisdictions
Milpitas	<p>On October 20, Milpitas City Council discussed a possible ban on single-use plastic bags and decided to take the following actions:</p> <ul style="list-style-type: none"> • Directed staff to work with City's Recycling and Source Reduction Advisory Commission to research this subject; • Include a review of San Jose's EIR before completing the research; • Conduct public outreach to the business community; and • Study other single-use items that may be also regulated or banned such as Styrofoam containers. 	Consider possible ban

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Monte Sereno	No information received	No Info Received
Morgan Hill	The City Council declined to comment on the proposed ordinance.	No comments
Mountain View	Voted 5 to 2 to do adopt a resolution for the Santa Clara County Cities Association with regard to having a regional approach to single-use carry out bags. However the Council did NOT take action on the proposed ordinance at this time. Issues discussed if an ordinance were to be passed included the following: would like to see a phased-in approach; regional effort is desirable; should not exempt Food Stamp/WIC recipients; clarification as to applicability of an ordinance at Farmer's Markets; have business retain fee in order to avoid collection process; doubtful that a fee would change behavior; in favor of outreach to residents as well as store employees encouraging reusable bags. Council Environmental Sustainability Committee will receive an update from staff and consider alternative approaches to single-use bags at a meeting in early November.	Public Outreach before Fee or Ban; desire for consistency across jurisdictions
Palo Alto	<p>The elimination of single-use checkout bags in Palo Alto's large grocery stores is now complete. The stores completed the phase out prior to the 9/18/09 effective date of the Ordinance.</p> <p>Palo Alto Staff are scheduled to report back to City Council on 11/9/09(a delay from 10/19) on a fee system for paper bags. This will be a status report. More staff work needs to be done and a program will not be ready for adoption on 11/19. Further Involvement of stakeholders would also occur before any proposal to adopt.</p> <p>The next step in expanding the single-use plastic bag restriction to other Palo Alto stores is the completion of an Environmental Impact Report. Palo Alto and other California cities have jointly commenced work on this. We'll be involving stakeholders in coming months.</p>	Banned Plastic bags effective Sept. 18, 2009

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San Jose	<p>Recommendation: As referred by the Community and Economic Development Committee on August 24, 2009:</p> <p>(a) Direct staff to return to Council with an ordinance to prohibit the use of single-use carryout plastic and paper bags.</p> <p>(b) The ordinance shall:</p> <p>(1) Apply to all retailers but exclude restaurants;</p> <p>(2) Exempt non-profit and social service organizations;</p> <p>(3) Exempt the use of “green” paper bags, containing at least 50% recycled content and direct staff to work with retail industry and return to Council with a recommendation on whether a .10 or .25 cent fee for retailers to cover additional costs of “green” paper is appropriate;</p> <p>(4) Be effective no earlier than December 31, 2010, to allow for sufficient consumer education and “ramp-up” time;</p> <p>(5) If the California legislature passes legislation relating to a fee or ban on single-use bags before the date of December 31, 2010, this item should return to Council to determine whether to maintain, alter, or eliminate the municipal ordinance;</p> <p>(6) Exempt bulk or off the shelf purchases of plastic or paper bags.</p> <p>(c) Direct staff to continue to support legislation that would implement a state-wide program that would significantly reduce use of single-use carryout bags.</p> <p>(d) Direct staff to continue its aggressive outreach campaign to promote the use of reusable bags in collaboration with similar regional initiatives prior to the implementation of the ordinance.</p> <p>(Chirco/Liccardo/Chu/Campos)</p> <p>Approved, as amended.</p> <p>The memorandum from Mayor Reed, Council Members Campos, Liccardo and Chu, dated September 18, 2009, adopting the reduction of single use carryout bags recommendations as noted above in 7.2(a)(b)(c)(d), with the following amendments:</p> <p>(1) Finish environmental review of the ordinance before adoption.</p> <p>(2) Develop a method for measuring success and establish a baseline of data.</p> <p>(3) Obtain acceptance and support from both the Santa Clara County Cities Association and Santa Clara County Recycling and Waste Reduction Commission.</p> <p>(4) Amend Item (2)(c) exempting “green” paper bags that contain 50% recycle content to exempting “green” paper bags that contain 40% recycle content to conform with industry standards.</p> <p>(5) Additional outreach to include the ethnic Chambers of Commerce and small businesses.</p>	<p>Public Outreach before Fee or Ban; desire for consistency across jurisdictions, and bring an ordinance to Council as soon as the environmental review process is complete.</p>

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	Noes: Constant.	
Santa Clara	Many questions still need to be answered before they can make a determination. Some of the questions were about the legality of such an ordinance and whether it preempts AB 2449. There was also concern about CEQA review, implementation of a fee during this economic climate, not a clear nexus between fee and enforcement, and believes hard data still needs to be compiled. Santa Clara City leaders would like to see more work done with regard to public input and other stakeholders. Santa Clara Chamber of Commerce opposes ordinance as does California Grocer's Association. Other options might include Countywide curbside recycling of plastic bags, more education and outreach and incentives or statewide redemption program.	Wait and See
Saratoga	At this point the City Council doesn't want to bring this issue forward for discussion. They will discuss sustainability issues at their upcoming Council retreat. According to staff, Saratoga typically doesn't get "out front" on these types of issues. If there is a groundswell to adopt an ordinance, they would likely follow.	Wait and See
Sunnyvale	Draft model ordinance coincides with City policies in the areas of water quality and solid waste management, including Zero Waste Policy. Outreach and education will be handled by City. Ordinance should allow City to use generated revenue for related outreach and education, enforcement and administration. Fee revenues should also be used for litter removal and related administrative costs. Ordinance should be structured so that each jurisdiction has option to provide its own enforcement or to participate in regional approach through County Weights & Measures. City will assure compliance with CEQA and encourages cooperative regional approach via sharing of initial study, negative declaration, etc.	Model ordinance aligns with City's goals and policies; desire for consistency across jurisdictions
Unincorporated County	The County of Santa Clara is requesting staff to consider other alternatives to a fee for bags and would like to see as much consistency between jurisdictions on any ordinance that is passed. Concern continues in the areas of enforcement, administration, potential litigation, and how funds would be received if a fee were enacted. Encourages support of state legislation.	Recommend Tiered Approach

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West Valley Cities	The (West Valley Solid Waste Management Authority (WVSWMA) Board discussed the proposed model ordinance at their meeting. The consensus direction given to Recycling and Waste Reduction Commissioner Evan Low was to ask the RWRC to delay a decision pending: 1) the outcome of proposed State legislation regarding single-use carryout bags, 2) the outcome of current litigation involving similar ordinances, and 3) additional research regarding the adequacy of the proposed \$0.25 fee. Each West Valley Board Member was going to have further discussions with their City and Town Councils. There is reluctance among all of the cities to move ahead with the ordinance at this time.	Wait and See
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