



AGENDA REPORT

DATE: June 7, 2011
TO: Members of the City Council
FROM: Mayor McLaughlin, Vice Mayor Butt and Councilmember Ritterman
SUBJECT: PROPOSED SINGLE-USE BAG ORDINANCE UPDATE

STATEMENT OF THE ISSUE:

City staff has been exploring a City-wide single-use bag ordinance. This is a progress update and presentation of options to implement a City-wide or regional ordinance.

RECOMMENDED ACTION:

ADOPT a resolution encouraging the West Contra Costa Integrated Waste Management Authority (WCCIWMA) to complete a single-use bag ordinance initial study and to fund the development of a regional Environmental Impact Report (EIR).

FINANCIAL IMPACT OF RECOMMENDATION:

There is no financial impact at this time.

DISCUSSION:

Background

Single-use bag ordinances have been implemented by many cities to reduce plastic bag litter and to achieve other environmental benefits. Richmond City Council members directed City staff to explore the option of pursuing a City-wide single-use bag ordinance similar to those of several California cities (See Attachment 1). The Save the Plastic Bag Coalition has challenged the adoption of single-use bag ordinances in several cities that have not completed EIRs. Completing an EIR is a costly option for cities. WCCIWMA/RecycleMore is considering creating a regional ordinance for West Contra Costa cities. Staff recommends encouraging RecycleMore to complete a single-use bag ordinance Initial Study and to fund the development of a regional EIR.

Current bag ordinances typically prohibit the use of plastic bags, apply to all retail establishments, and require stores to charge the customer a minimum of \$0.05 for the use of paper bags. This fee stays with the store to help cover the costs of switching from plastic to paper.

Preparing a Single-Use Bag Ordinance EIR

In April 2011, the City of Richmond released a Request for Qualifications for the preparation of an EIR and received three responses. Staff selected Rincon Consultants, Inc. as the most cost-effective and qualified applicant. Development of the EIR is estimated at \$46,352. Including review and processing fees by the Planning Department, the proposed cost for the City of Richmond to develop a stand-alone single-use bag ordinance is \$57,940. The other two firms submitting proposals to develop an EIR provided an estimated cost of \$66,500 and \$87,341.

RecycleMore is gauging each member city's interest to pursue a regional ordinance. All four other West Contra Costa member city councils have adopted resolutions supporting RecycleMore exploring of the feasibility of a regional ordinance, following the example of Stopwaste.org, Alameda County's solid waste authority, in their development of an EIR for member cities. RecycleMore is considering a number of options for moving forward with a regional ordinance (See Attachment 3), one of which is to fund a regional ordinance.

Staff recommends encouraging RecycleMore to fund the development of an EIR to support the adoption of a regional single-use bag ordinance:

- A coordinated effort leveraging the partnership of cities under the Joint Powers Agreement will be most beneficial to Member Cities
- A regional ordinance to limit the use of single-use bags has the most environmental benefit
- This will be the least costly option for the City
- A regional ordinance is more likely to gain support from industry than a Citywide ordinance - because businesses can comply with one regional ordinance instead of piecemeal legislation of various cities (The California Grocers' Association was in favor of AB 1998, a statewide bill to ban plastic bags)

Potential drawbacks to this approach are that City staff may have less control over the ordinance requirements, timeline, and approach.

On June 9, 2011, RecycleMore staff will receive direction from the Board on pursuing a regional ordinance. Adoption of the attached resolution is intended to encourage the Board to 1) pursue a coordinated effort to develop a regional ordinance; and to 2) fund a regional EIR to relieve the cost burden on Member Cities.

Community Engagement

The City Manager's Office Environmental Initiatives Division staff conducted outreach to inform businesses about the proposed ordinance and to obtain feedback (See Attachment 2). Outreach has been conducted and feedback solicited from the following associations and stores:

- Richmond Chamber of Commerce
- 23rd Street Merchants' Association
- Hilltop Mall Association
- Main Street Initiative
- Pacific East Mall/Ranch 99
- Foods Co
- Safeway

Thus far, 18 completed the single-use bag ordinance survey. Twelve businesses were opposed and six were in favor of a single-use bag ordinance, with most businesses responding that 5 cents or less would be an appropriate customer fee for a paper bag. Businesses were generally concerned about the cost increase even though the customer charge for paper bags would go back to the store.

Additionally, staff solicited feedback from community members through one City-wide community meeting and one parents' group at Peres Elementary, which was selected because it is one of the General Plan Health and Wellness Element pilot implementation neighborhoods and because staff had existing relationship with the group from this work. At the City-wide community meeting held in February 2011, 12 were in favor and 3 were opposed to an ordinance. At the Peres parents' group meeting in April 2011, 17 were in favor and 2 opposed to an ordinance, although 10 of 18 said that they would have difficulty paying a 5 cent fee per paper bag.

Attachments:

1. Status of California single-use bag ordinances
2. Summary of business and community surveys
3. WCCIWMA bag ban feasibility study
4. Green Cities California model ordinance
5. Resolution to encourage WCCIWMA to complete a single-use bag ordinance Initial Study and to fund the development of a regional EIR