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At the suggestion of chairperson Pyle was that we take a few minutes, much like the City Manager does in regular council meetings, to talk a little bit about things that have gone on, with the staff work. And since we last were with you. So we've decided to do that, and council -- council gives me a few minutes and I'll tell you some things we think are of note. In terms of downtown, on July 1st, the new entertainment zone policing model went into effect. And we believe that the new system is working well. And we particularly focused in implementing the model in the sofa area, in looking at the ability to have staggered closings. In addition piece of good news is that our downtown coordinator Lee Wilcox along with police department has been providing ABC server trainings, for the downtown entertainment venues. We think that's an important step to talk about, move positively to what we want them to accomplish. Interesting enough, we want to share, we received a grant \$85,000 to support that. So that's additional resources to the city. And the training is going to focus on overserving, age verification, and bottle service. The second meeting of the city manager's downtown advisory committee is going to be on August 26th. That was another process and procedure we implemented from the hospitality study. That meeting on the 26th is going to cover the downtown zoning overlay, special event fees, and the live music strategy. In terms of arts and culture, good news. Cirque du Soleil is coming back. Office of Cultural Affairs, as you know, is part of Office of Economic Development, is working to implement the new show that is called Ovo, O-v-o. Scheduled for 60 performances in San Jose in February and March and so if they attract as they did last year we expect about 2500 employees -- 2500 attendees for per visit. Not 2500 employees. In terms of sort of one of the emphasis --

>> Councilmember Kalra: I had a question.

>> Councilmember Pyle: Sure, about that particular item.

>> Councilmember Kalra: Sure about that particular issue. I think it's great that Cirque du Soleil continues.

>> Excuse me, councilman, with all due deference. With regard to the report, the report is simply a report. It's not a discussion item. Because it wasn't itemized individually, so you can't have a discussion. But it can be to the extent that if the chief development officer would like to itemize all the items he is going to talk about then the public could --

>> Councilmember Kalra: I could withhold questions until the appropriate portion of the forum.

>> Paul Krutko: What we've been focusing on recently is raising San José's game in regional and national influence. One of the things that happened reasonably is we partnered with BAAQMD, for a Department of Energy grant, that would convert 30 hybrids that we have to plug-in electric and purchase 18 charging station and work on a CNG station at the central service yard. We are also tomorrow, at tomorrow's meeting we will be bringing forward for authorization from the council an application under the stimulus funding for a DOE grant of \$4 million for, as well -- \$4 million from EDA, \$5 million from DOE, it's a partnership with John's shop, John Stuffelbean's shop, in which we are conducting a clean tech environmental showcase incubator at Las Plumas. In addition to that application we are supporting the joint venture Silicon Valley's package that they're putting forward with Cypress Envirosystems for a DOE recovery smart grid project, and that one is focused on commercial property retrofits. We are also in partnership with PG&E for another smart grid application for home area network. So those are just a few I wanted to share with you. We are aggressively pursuing recovery act funding and as you know, much money is rolling out with very short time frame and we are very aggressive in responding to those applications. In terms of development facilitation, I want you to know that we are facilitating for Toshiba a consolidation of their Fremont and Sunnyvale locations to a new 50,000 square foot building on North First Street, that's a special tenant improvement project where we're helping them to move through the permitting process very quickly. There was another one I wanted to mention. In terms of the recovery act funding, there's two more that I'll mention. We were awarded \$2.7 million, a million of which, this is coming through the CDBG program, was for clean tech careers. That funding will provide support for capital equipment in companies that are creating new clean tech jobs. So that's another \$2.7 million. In terms of attraction, just to share with you, there are 10 clean technology companies that we're actively working with to find locations in San José. Some of the names: Harmonics, (inaudible) V Electric, Terranetics, Solar Tomorrow, Tech Shop, Q Alliance, and Echonectics. Those are all companies that we are helping to find space and locations and help them through the permitting process in San José. Work2Future, we sent out a memo to the council, we got significant funding dollars for summer youth, 900 summer youth are being supported this summer in employment. 150 of those will actually work for City of San José departments, others in governmental organizations throughout the valley. Work2Future held a significant job fair at HP Pavilion, 5,000 people showed up in terms of that.

And we also, Congressman Honda was able to get us an earmark from SBA for nearly \$250,000 to support the boss program, that is our web 2.0 platform in which we help small business. And then lastly, working with a number of federal departments, there will be a conference in San José, three day seminar that will have we think over 200 business and federal government representatives, how to partner for compliance, what that generally means is compliance under international trade rules. So this is a particular conference that is helping our companies know how to comply with international trade regulations as they start to sell abroad. So again, the purpose of this was, the chair said, if we could come forward, each meeting with these ideas, is that, I'll enumerate these and distribute them to you subsequent to the meeting. But I think that accomplishing what you were look for.

>> Councilmember Pyle: I appreciate that. And I do want to, with your permission, add this to my report for council, which will be coming up shortly. And will make sure everyone has copies. See all the good things you've been doing. So with that, we are -- I'm sorry?

>> Councilmember Herrera: Good addition, thank you.

>> Councilmember Pyle: Thank you. With that, we are ready to go on to something that I think the majority of the audience is waiting for, and that is, first of all, a report on the disposable shopping bags. Thank you.

>> Councilmember Kalra: Thank you. On the items that staff is requesting deferral on, we still have to make an action to defer the item.

>> Councilmember Pyle: Yes. We do, that's approve the work plan.

>> Councilmember Kalra: The reason I brought that up, I had a comment on deferrals. I don't know if the public had any comment on deferrals.

>> Councilmember Pyle: Did you want to make a motion to approve?

>> Councilmember Kalra: Prior -- I would like to make a motion, I guess we'll do it, there's two items, so first a motion on item B-1, report of the affordable housing outreach policy, I'll make a motion to defer that item.

>> Councilmember Herrera: Second.

>> Councilmember Pyle: All those in favor? [ayes]

>> Councilmember Kalra: Then on Item B-2, I'd like to make a motion to defer the competition policy.

>> Councilmember Herrera: Second.

>> Councilmember Kalra: However I would like to, as part of that motion, direct staff to --

>> Councilmember Pyle: And now you'd make your --

>> Councilmember Kalra: As part of that motion, direct staff to respond. There was a letter in detain from Working Partnerships U.S.A. which outlines several questions. I know that Ed Shikada is here and he's been very helpful in working with the community and the stakeholders. And so with Ed here I'd like to make the additional request that those questions be responded to, direct staff to respond to those questions, preferably prior to the next meeting so there's ample opportunity at least for us as council and as a committee to have an opportunity to review those answers as well.

>> Councilmember Herrera: Second.

>> Councilmember Kalra: And any other interest groups who have questions, I know the chamber wrote a letter last week with questions. Just to make sure these questions are responded to appropriately.

>> Councilmember Pyle: I've already had a discussion with Mr. Shikada, he's abundantly aware of the issues. It's ipso facto, following. .

>> Councilmember Kalra: The letter date August 21st, 2009, from work partners U.S.A, directly referred to in regards to staff to respond to the concerns from the community.

>> Councilmember Pyle: Absolutely, thank you. (inaudible).

>> Councilmember Pyle: Ready for the vote on that and all those in favor. [ayes]

>> Councilmember Pyle: That is unanimous and we're ready to move on to the next -- we did it separately. All right. So are we ready, Mr. Stufflebean to continue?

>> John Stufflebean: We're ready.

>> Councilmember Pyle: You look like you're ready.

>> John Stufflebean: John Stufflebean, director of Environmental Services. It's a pleasure to be here today to talk about a really important issue, the issue of single use disposable shopping bags. I'll start by introducing a couple folks that are up here with me. This is an issue that cuts across several environmental areas. Melody Tovar is here she's deputy director of our watershed protection, and this issue impacts greatly our storm water permit. Our new storm water permit, which has been six months away for three years, I think, but it's going to come along some day, and this is going to require a lot more

work, especially in terms of trash in creeks. And one of the major obviously components of trash in creeks is the blowing bags that end up here. Also with me up here with me is Joe Zintek, deputy director of integrated waste management, and of course this is the big issue with respect to keeping the city clean, as well, so it's one of these issues that crosses both the water and the waste area, and it also relates to our urban environmental accords where we talk about having a clean city. So I'm going to go through this presentation quickly. I think the issues have been pretty well brought out in the memo and in the letters and so on, but I'll just quickly kind of go through this. Where do plastic bags come from? Paper bags, of course, come from trees. Plastic bags come from oil, and oil is a, as you know, a nonrenewable resource, and the equivalent amount of oil that is used to make the 38 billion disposable bags is enough to power about 500,000 cars. So a lot of oil that goes into making these bags. When you hear that they're only .5% of the waste stream, my reaction is that's the problem. That they're very, very light. And if you measure the waste stream by weight, what you find is, that not much of it is plastic bags, but the light bags do blow around and obviously cause the problems. And kind of the issue in terms of life span, the average useful life of a bag typically is 12 minutes between when it's picked up in the store and when it used at home. Obviously some of them are reused, but most of them are not. In contrast, the life span of a reusable bag is many, many years it can be used over and over again. We have been work on this issue on a regional basis. Been work with all the cities in Santa Clara County and the county itself and the commission as I'm sure you recall reading about recommended a plastic bag ban and a fee on paper at their meeting last earth day in April and their recommendation would have excluded food establishments and restaurants and also exemption was made for nonprofit organizations. We're also work on the other Berryessa cities, on bay rock, bring your own bag, and San Francisco county on educational milk e-publicity effort. As I mentioned it is a very significant issue for or storm water permit. All the rivers in San José essentially are impaired by bags, plastic bags are part of that, stringent requirements something on order of 40 or 50% reduction. That is a major effort we'll have undertake to deal with that. One of our sister cities, Palo Alto, has already taken action, they voted on March 18th to ban plastic bags in the seven large grocery stores. The ban will be effective just in a few weeks, and plastic bags in produce and meat sections are not affected, and they did have some litigation that was settled to make this able to take effect. And you've also heard about the Pacific gyre, something to me fairly recently, but there's -- apparently the currents swirl around the Pacific Ocean and in the middle it just goes around and around, and so that's where everything collects. And you may have heard about a voyage that's on its way to look at the plastic again. And what we've -- what evidence seems to indicated that there are a lot of small pieces of plastic out there, maybe five or six times more plastic than plankton. So it's becoming a serious issue in the oceans. There is also actions that have been taken on this issue internationally. There are countries, China has bagged thin plastic bags, India has banned thin plastic bags, and there are countries in Africa that have done that. There are recently actions taken in Mexico city to ban plastic bags. So a lot is happening around the world on this. Of course there was a fee implemented in Ireland and fees in Germany and Taiwan. So there's kind of a lot of activity going on around the world on this issue. And there is certainly a role for recycling. We have experienced difficulty in recycling plastic bags in our recycle program, and one of the messages that we're getting out now is we're not taking it anymore in our curbside program. It's too much trouble. It gums up the machines, and by the time you get a plastic bag all bailed up, really there's no market for it, especially in the contamination that you typically find in a curbside program. So that's really not working out for us or really for anybody. But there is certainly recycling for bags that are -- particularly bags that are not single use bags. Bags that would be required for products, that sort of thing are appropriate for large grocery stores, dry cleaning bags, (inaudible) so on. Other thing to note about, it's just certainly better to recycle than to dispose, but even better not to generate in the first place. And this gets down to our famous solid waste hierarchy, which is the worst thing you can do is dispose, recycling is better than that, reusing is better than that, and reducing is the best of all to reduce the waste to begin with and not even generate it.

That's always at the top of our solid waste hierarchy. Here's some of the cities that have implemented bans or fees, and again, this is outlined in the memo. I won't go into much detail about it, but there are kind of some cutting edge cities that have already taken action. Some students who were over at Roosevelt community center and thought they would go over to the creek and see what they found. This is what they found, quite a few plastic bags. Just a 300 foot section of Roosevelt creek, Coyote center, they are plate much ubiquitous. San José of course is a city with a million people and 135 miles of creeks so this is where nature meets people and plastic bags are -- have a big impact where that happens. One of our zero waste goals is to eliminate waste and we feel that that includes eliminating plastic and also

eliminating litter and so as we move ahead with our zero waste goals we see litter prevention as a key element of that and certainly single use plastic bags with an average life of 12 minutes is something that we really are focusing on in our early efforts. We have done a lot of outreach on this issue. We've been work hard to get out to the community. We purchased blue bags, reusable bags, getting them out work with RDA staff and work at the flea market. We will continue to work no matter what action is taken by the council to get the word out that reusable bags are better. These are just some of the groups that we have been outreaching with. Business associations senior associations community associations and again there is a very extensive list in the memo. I won't be going through that but we have been doing a lot of outreach in getting generally a positive response that this is a problem and something we need to take action on. We also have a pledge that we've been using that basically when you give someone a reusable bag we just don't give it to them. We make them take a pledge, and we are sure they follow through on their pledge, their pledge is that they will use their reusable bag. One of the hardest things to remember is to bring the bag into the store. Once you get into that habit ask something that happens automatically. Once you go to the grocery store, you got your grocery bag, put them in there, it's easy to do. Okay. Council asked us at T & E committee asked us earlier this year to present all the options for this -- for what to do about these plastic bags. And so the first strategy that we talked about and again I'll just go briefly through the pros and cons is the fee. The pros of that are it's found to be effective. Ireland is kind of the case study where it was really, really effective, they did a comprehensive fee country-wide. It's avoidable, nobody has to pay the fee if there's a fee, because they can simply use reusable bags, and it retains customer options, consumer options.. The cons are that the fees are difficult to sell in the current economy certainly and there would be a significant every involved with planning a fee. With respect to a ban this is maybe the most effective thing we could do, it addresses the marine day brie and there would be a lot less administrative effort. There would be less effort to administer a ban rather than a fee. But the con is that the customers then would not have the option of a plastic bag, as a single-use plastic bag, so that would be the con of a ban. The third option we talk about is public education and the advantage of that of course is it does raise awareness. We think that's really important to do. As we explained in the memo we do think that public education only would be fairly costly and it's generally proven not to be that effective for a change in behavior, that it really requires a major, major campaign over many years and typically something else to goes along with it there's a law or something to make it work. Just public education alone has not been shown very effective in change behavior. That certainly is an option in the short term or in the long term. Again our final slide here, our next steps as we certainly propose to continue with public generation and we will respond to council direction as to what direction you would like to head and then obviously have to prepare a CEQA document depending on the action taken by council.

>> Councilmember Pyle: Thank you. I have quite a few cards, we will be hearing you after we have a discussion with committee members. I would begin by asking, who would -- if you don't have your yellow card in please do fill one out and we'll get you up here. So Sam would you like to begin?

>> Councilmember Liccardo: Thank you, Madam Chair. If it's appropriate I'd like to be able to put a motion on the table before public comment, is that possible?

>> Councilmember Pyle: Sure, we can speak to that.

>> Councilmember Liccardo: Okay. Well I guess I first wanted to speak to -- ask a very focused question of John because I know that we had a lot of conversation at our T&E committee hearing about whether or not there is a secondary market out there for recycled bags. Specifically, knowing all the issues with contamination and the challenges of actually getting and recycling them here in the United States as opposed to shipping them to foreign countries which is not environmentally preferable. Based on what staff has been able to learn including what other recent letters have come in, what's staff's conclusion about the existence of a secondary market out there for a recycling plastic bags?

>> John Stufflebean: Our conclusion is that it's very problematic. The markets are volatile, prices go up and down and contamination is a major issue. So in most cases it is very problematic. In many cases it doesn't happen even when the bags are collected separately, the contamination is too high where it doesn't get recycled so our conclusion is it's very problematic.

>> Councilmember Liccardo: Thanks, John. It seems in accord with what I've been hearing with the folks in the industry. There's a memorandum that's been assembled, signed by Vice Mayor Chirco, Councilmember Chu, Councilmember Campos and myself and contains several recommendations. And I wanted to -- before I make a motion I just wanted to explain the rationale going into this recommendation. I don't think any of us pretend to know for certain whether the fee or the ban is precisely

the best course. This is one that reflects sort of the reality of the situation we're in, particularly in the economy we have today. But I think there's one clear message here today which is that we need to overcome a myth that is out there. That particularly is propagated by folks in the industry. Which is somehow or another these single use bags because they're given away free to consumers are free. In fact they're not free because consumers are paying for those bags every single day. The grocery retail business spends about \$4 billion a year to purchase those free single use bags and you can be sure that that cost is passed on in the price to consumers. Recyclers as I think we're going to hear, a couple of folks from greenwaste, recyclers incur additional cost, because they cannot, as John mentioned, recycle those plastic bags easily along with all the other recyclables at curbside. The bags jam up the machines, put workers' hands into heavy machinery to pull the bags out, it increases the cost for recyclers, and guess what? We pay the difference in the rates. So the notion that somehow or another the bags are free is one we need to dispel right away. We it obviously has considerable cost, that is, the use of single use bags has enormous use in our environment. And I think what we've heard in prior hearings and some of the materials that it's not immediately apparent that just because some businesses feel one way that this is an approach which is bad for business. I think we'll have representatives from California grocers association that will be able to speak to that. Clearly, the local recyclers are not crazy about having these plastic bags in the curbside waste stream, and so we clearly need to make a change. This memorandum continuing the four recommendations, I'm sure everybody on the committee has had an opportunity to see the most recently revised version. I'd like to make a motion at this time to move those recommendations along with the staff recommendations.

>> Councilmember Pyle: You made a motion, I need a second.

>> Councilmember Kalra: Second.

>> Councilmember Pyle: All those in favor? To move it along. Just for discussion. Okay. That was a good memo, Sam, and I think kind of gets everybody started, and in gear. And I just want to go on record as saying I am not a bag lady, unless it's canvas! And I have to tell you that canvas or some other similar material, we've gotten a start up on the 18th floor. These are just the only ones that I could collect in a very short period of time. But they're in various sizes for different functions. So we're ready to do our particular civic duty.

>> Madam Chair.

>> Councilmember Pyle: Yes.

>> Just in case the members of the public who are here and at home who haven't seen the memo. Because I'm not sure whether we got it in time to post it. Maybe the councilmember could read the recommendation.

>> Councilmember Liccardo: Sure, I'll do that. So the recommendations are, first, direct staff to return to the full city council with an ordinance to prohibit the use of single use carryout plastic and paper bags.

Second, the ordinance shall apply to all retailers, but exclude restaurants, exempt nonprofit and social service organizations, exempt the use of green paper bags, that is, bags containing at least 50% recycled content, direct staff to work with the retail industry and return to council with a recommendation on whether a ten or 25 cent fee for retailers will help cover additional cost of green paper and whether or not that's appropriate. Fourth, I'm sorry, within point number 2, the ordinance shall be effective no earlier than December 31st, 2010, to allow for sufficient consumer education and ramp up time. If the California legislature passes legislation relating to a fee or ban on single-use bags before the date of December 31st of next year, this item should return to council to determine whether to maintain, alter, or eliminate the municipal ordinance, and it will exempt bulk or off-the-shelf purchases of plastic or paper bags as anyone can typically buy a hundred plastic bags off the shelf today. Third, it will direct staff to continue to support legislation that would implement a statewide program that would significantly reduce the use of single use carryout bags and finally fourth, it will direct staff to continue its aggressive outreach program to promote the use of reusable bags in collaboration with similar regional initiatives prior to the implementation of the ordinance. And I should note that the earlier version of this memo was online I think on Friday. There were minor revisions that have been made and we'll certainly make sure we weed that out.

>> Councilmember Pyle: Yes.

>> Councilmember Kalra: Thank you. And just to the second, I think that this certainly needs to be discussed. As I have said to folks that have been asking about it and have met with, I think it is reality really, really ultimately about behavior change and to get to what that behavior change is. Do I have a

couple of questions with regard to Councilmember Liccardo's memo. I think I'll wait until after public comment and get the public and the stakeholders an opportunity to speak before I ask those questions.

>> Councilmember Pyle: Rose.

>> Councilmember Herrera: Thank you. I too think that I very much support the idea of reducing the use of single plastic bags and that we should be using recyclable bags. We should be using the kind of bags that Councilmember Pyle has in front of us. It is about the behavior change. I did vote along with the transportation and environment committee to support those recommendations. I'm very interested in what this memo has to say. I'm interested in what the community has to say, and would like to, you know, encourage our discussion and make a decision on that.

>> Councilmember Pyle: I had a couple of questions and they were in reference to your presentation, if I might refer to that for a minute. Of the cities such as Palo Alto, for example, that did only seven grocery stores, was there some reason why they only picked seven or are there only seven ones there?

>> John Stufflebean: They did the major grocery stores and there are just seven grocery stores. It's just a little town up the way there.

>> Councilmember Pyle: It's up the way there. Of the other one, of the cities that have taken action, did they -- was either plastic or paper, some did both, for example, San Francisco did not do paper which I think is a huge problem, would you speak to that issue? Because Sam, you were referring about -- referring to only plastic or plastic and paper?

>> Councilmember Liccardo: The ban would be plastic and paper. It would be an opt-out for paper containing high levels of recycled content.

>> Councilmember Pyle: Got it. So since we were talking about both, can you tell us why it's so important to ban paper at the same time?

>> John Stufflebean: Sure. I guess from the staff perspective there are environmental negatives about paper. In some case there are bigger negatives. For example, paper is heavier than plastic. The cost for truck is higher, which causes additional greenhouse gases from the trucking. And of course papers as I mentioned uses trees so that also uses up a valuable natural resource. So different environmental groups have looked at paper versus plastic. It's been the kind of almost comic question for years and years, paper or plastic, renewables. Both paper and plastic have their issues, in some ways paper is actually worse.

>> Councilmember Pyle: You said there wasn't a third option. I beg to differ. In Costco I don't see paper or plastic bags. I see the bottoms of cardboard boxes to take out whatever needs to be taken out. So is that a model that you think is doable?

>> John Stufflebean: In some case, that could be. I mean, there are -- if there's again cardboard also uses resources to make. But there is a lot of cardboard out there and it is made from recycled material, generally. So that is certainly an option to some types of stores.

>> Councilmember Pyle: Just about everything in the store comes in a cardboard box which are recycled. But if the bottoms were cut first to be used as serving trays if you will that seems to make a little sense, too. But then I don't want to monopolize all the questions so I'm going to refer to you.

>> Councilmember Kalra: Thank you, chair. And I have a question John but I'd prefer you answer it after comments and I'd lay it out before. It goes to the memo, the newest version. It's a comment, on it, after public comment, and perhaps you could respond in kind to public comment and analyzing the memo overall and how you feel it is going to be effective towards the goals that are most important to the city. I'd like you to sit on that.

>> John Stufflebean: And what's the question?

>> Councilmember Kalra: Just respond to the memo. Respond to the most recent memo but wait until you hear from public comment first so you can incorporate any response to the public in regards to these items in your analysis of the memo.

>> John Stufflebean: Yes, sir.

>> Councilmember Pyle: Other questions? Rose.

>> Councilmember Herrera: You had a slide up there that listed several different cities that had adopted these owners. I didn't find it in your memo. You said it was in the staff memo.

>> John Stufflebean: Okay, I guess you're right. Of the last -- let's look at that time last slide that shows -

>> Councilmember Herrera: Keep going back. Had you a list of those not international but --

>> John Stufflebean: Here are the U.S. and California cities where it's under consideration.

>> Councilmember Herrera: So where are the -- I guess I want to understand. I'm concerned about make sure what we adopt is going to stick. I'm concerned about what the experiences are with other cities in terms of what we potentially might adopt. So that whatever we do we can make sure that it's going to be supported and that we can really make that policy hatch. I was intrigued by Palo Alto and I had kind of the same question Nancy did about why seven stores? I know it's a smaller community but they seem to be able to work out some issues that kept that policy in place. So I'm concerned about what we enact and that it -- that it work, and that we don't, you know, we don't potentially set ourselves up for automatic litigation that would tie us up. So I don't know if you want to comment on that or wait until after the public discussion. That's one of my concerns.

>> John Stufflebean: Yeah, I think I can wait.

>> Councilmember Pyle: As a point of information, Seattle recently introduced this as part of their council agenda. And I understand that the fee component of it was denied. And as a matter of fact --

>> Councilmember Liccardo: Went to the voters.

>> Councilmember Pyle: Went to the voters and it failed, right. So that's one example. At this point are we ready to hear from the public, we are. And we'll begin with, let's see, Christine, I think it's Dendia. Apologize if I mispronounce any names.

>> Here we go. Hi, I'm Christine Dendia, and I'm here from the diocese of San José. I'm part of the steering committee for the Catholic green initiative of Santa Clara County. The diocese of San José has partnered with Catholic Charities, Santa Clara University in the presentation and retreat and conference center to form the Catholic preinitiative to help Santa Clara County. In this effort we're identifying and encourage green initiatives in the valley of St. Clair and are asking all Catholics of Santa Clara County to make a difference in an organized and sustainable way. I represent a community of 600,000 Catholics, encompassing 53 parishes and missions, 31 elementary schools, six high schools and three college and university campus ministries. We support the countywide efforts to significantly reduce and some day eliminate single-use carry out bags and the efforts to encourage shopping with reusable bags. On October 4th the diocese will be distributing 10,000 reusable bags to our parishioners. The green bag projects is one of our initiatives as the Catholic green initiative. Accompanying this distribution is an outreach and distribution component that involves bulletin announcements and talking points from the pulpit on the impact of these single use bags. And also encouraging and the reasons why to use reusable shopping bags. We're very open to and would like to work with you on the community engagement process via messages distributed in the parishes and schools. You mentioned that was very costly to do. 600,000 Catholics out there bunch of schools we're finally ready to join efforts on that and work together. The diocese of San José and our initiative are from favor of legislation that also favors acting in ways that care for God's creation. In this case, that is by the use of these reusable bags. Thank you.

>> Councilmember Pyle: Thank you very much. Sounds good to me. The next person is David Wall. And I'll tell you the next person, after him is Steve Jones.

>> David Wall: Following his holiness's representative, I'm remiss to do anything but obviously ban the plastic bags for fear the trapdoor opening and my going into perdition. And indulgences don't in this particular aspect. My snippet of the river is well know to you all. When you see plastic bags used as nesting materials for birds that's a bit much. We all see them everywhere. They are ubiquitous, they oar sign of ghettoness throughout the nation, actually. They need to be banned in their entirety. Every single one of them. But because of this educational business and litigation business, and behavioral change business, we look back in times where we saw the aluminum cans, used to have those pull tabs and industry raised up and said com we're going to perish without these things. Well, they changed the cans. Well, here is a special solution. Can you license the ability to regionally sell these bags? City of San José, we will charge the industry up front \$50 million a year. You collect it through your education. We take the \$50 million, pro rate it over time, just an idea. And of course, you give your 10% to his holiness and everything is good. [Laughter]

>> Councilmember Pyle: After Steve Jones would be Glen Didette. Hi Steve.

>> Hello, members, Steve Jones with Garden City sanitation. I want to congratulate you on that memo. That's the right way to go. I sat on the integrated waste board for seven years. I said to T&E is the hardest thing you would like to do is negotiate with the American plastic council, called the American chemistry council. I was taken back to the T&E that it became obvious that a certain A people may not be able to comply. I think that does disservice to every one of us, irregardless of color or nationality we are. I think we all have the ability to make change. It's obvious in California when we were at 3% recycling and now we're up to 54 that we do know how to make change and I think that this shows real leadership on

the part of San José and I think it goes with your green procurement and your green vision that you have. And I think it's important also to realize that as Councilmember Liccardo pointed out, these bags are paid for every day by stores. They're paid for every day by us. The citizens. Also, I don't have a MURF in San José but my partners do. And the time and effort that is spent ends up driving up garbage rates. They end up driving up rates and you get people hurt when you do these things. Cleaning up the sewer system plants, the storm water runoff plants, when those bags get into digesters, people don't think about that stuff. All of that adds up to the deficit that you face every day. So if you were ever going to stop deficits then we've got to go to the source of what the problem is and in this case, there is a lot of attributable cost that are directly related to these bags and I think people will be able to make the change with the usable bag, with the reusable bag and they'll put them in their truck. Hell, I'm a garbage man. I got four of them in my truck and I'm not the smartest guy in the room but they're so that when I do stop I got something to put them in. So congratulations, thanks. I hope you all support them.

>> Councilmember Pyle: Thank you, Steve. And Mr. Liddett.

>> I'm Glen Lidet. I'm with California waste solutions. We do recycling with 100,000 residents in San José in district A and district C. We can testify to the fact that these plastic bags jam up the machines. We spend an awful lot of time trying to separate them from the recycled material that has increasing value, diverts waste from our landfills in the City of San José to recycling, and the plastic bags are more of a nuisance than anything else. I also manage our public outreach department for California waste solutions, and I just have a few statistics here. Only about 1 to 3% really gets recycled. The rest of it's contaminated, can't do much with it. It's breaking down, it winds up in our creeks and streams. In California, we throw away 600 plastic bags every second. And the EPA estimates we use 380 billion of these a year. If we just cut back half what we use in California, just half, we would divert 73,000 tons of waste from our landfills. That's a lot. That's a big number when you start to add it all together. And that's just in a year. We've been doing it for year after year after year. So we support the ban completely. We use canvas bags in our work. We distribute them constantly, we tell the kids about this every day, we tell them to tell their parents to stop using the plastic bags, we have books on it so they go home and teach their family. An outright ban would be very helpful.

>> Councilmember Pyle: Thank you. We're ready for Trish Murvy and following her will be Tim James. Trish, are you here?

>> Yes, coming.

>> Councilmember Pyle: Okay, got you caught in the corner didn't we?

>> Thank you, Madam Chair and councilmembers. I am Trish Mulvey, from Palo Alto, and I was part of the city's stakeholder process here and from Palo Alto. I'm from the group called clean South Bay. I'm here to comment, the article in Mercury News about people who don't see plastic bags on the street a lot, I think that's probably true. I think you don't see them on the street a lot is because they blow away and they end up in the creeks and I hope John has more of those horrible awful pictures when it goes to council. They're real problem in the creeks and in the creeks they're most expensive things to remove that you can imagine. My request is that you -- oh, I totally support the total ban. Thank you for your memo and your support for that. I would particularly request that you use the state definition for a reusable bag. And it's just two sentences so I'll read it. A reusable bag means either a bag made of cloth, or other machine-washable fabric that has handles, or a durable plastic bag with handles that is at least two and a quarter mils thick and is specifically designed and manufactured for multiple reuse. And the bag I have right here is one of those types of bags, they're made in Northern California which I particularly like, and they're available for only a quarter. So when I think about the needs of low-income people, if this could be accord starter bag, many grocery stores, pay like a nickel if you use a reusable bag. So it would pay for itself in just five reuses. And then people start making money and can afford to upgrade to the cloth and canvas bags which I totally love. But I think they're a good beginning. And I'll leave a copy with the clerk of state legislation, that's AB 2449 that I quoted that definition from. Thank you for your attention and thank you for your interest.

>> Councilmember Pyle: Thank you, Trish. We appreciate you coming tall way down here to talk to us. Tim. There he is.

>> Thank you very much, Tim James, California grocers association. Representing a majority of both large and small stores here in San Jose. Real quickly on the education and outreach part, at the risk making a competition out of it, CGA was just able to verify last week that grocery stores in San José will be offering 31,000 reusable bags to their consumers for free just this month of August.

So that's a number we're very, very proud of and that's something that we continue to do throughout the

year every day of the year. Speaking about some of the issues that are contained in the memo, we too agree that it's very important to place the emphasis on the reusable bag. The paper versus plastic argument is one that quite frankly there is no winner so whatever we can do to move as many consumers as possible to the reusable bag is key. We do not actually support legislation to regulate bags, not necessarily encouraging the city to do that however, if it's the City's choice to move forward with a regulation on bags we think there's two really good points to look at that. One of them being all bags, the second being all retailers. The concept kind of all bags, is that if you were just to ban or place as a disincentive on one bag type, consumers will just move to the other and use that without any second thoughts or any additional consideration. We saw that in the San Francisco example, where consumers just moved from plastic to paper. And we didn't see any actual movement towards reusable bag. On the all retailer side when you talk about both paper and plastic bags, they're all made out of the exactly same material. So at a certain point if one of those bags is deemed to be detrimental, then regardless whether it's at a grocer or general merchandiser it's the same bag. So including all of those is very key to avoid any business disadvantages in that scenario. Additionally we really appreciate the recognition of statewide legislation. We are work on both the bills currently AB 68 and AB 87. Actively engaged with that as we have been with the city here for several years. Finally, we'd like you to consider the grocery industry and the California grocers association, a partner, in whichever decision the city chooses to take, we've had the pleasure of working with your staff for several years now, Skip and Emmie and Joe and the rest of the gang, and would like to give them a thanks and continue to offer ourselves as a partner in regard to what you're going to do next.

>> Councilmember Pyle: Thank you, Tim. You say those bills are AB 66 and 87?

>> And 87.

>> Councilmember Pyle: We are ready for Virginia Palafox and just Patricia Madsen.

>> Good afternoon, my name is Virginia Palafox. I'm currently the materials recovery facilities manager for Greenteam of San José. We currently serve San Jose, Saratoga, Los Gatos, Monte Sereno and Campbell. Currently we process approximately 250 tons of residential and multifamily recycling per day. I'm glad to have this opportunity to share with you some of the issues we currently face with plaster bags at our facility. Due to the low density of the plastic bags, this fools our sorting system and creates a problem in how our sorting system sorts materials efficiently of various grades. One example is plastic bags wrapped around bearing shafts and screens which cause them now to function as conveyor belts. Because of these issues we face down time increased labor cost and decreased production. In 2008, Greenteam paid \$180 a ton to be able to move and get rid of the plastic bags. The market has been very inconsistent, which makes it very difficult to find a home for it whether it be export or domestic. We oftentimes have to stockpile material, which you've seen in the slide, I did see that it showed green team. We currently market the plastic bags anywhere between 9 and \$28 a ton. The experience that I have had with the marketing of this commodity has been that many companies will say that they will take it, but once the material has been evaluated and it gets to their facility due to the contaminants they are not able to work with that kind of material. In summarizing briefly we definitely support the legislation of banning plastic bags. Thank you very much.

>> Councilmember Pyle: Thank you. And we're ready now for Felicia. And after Felicia, Brian Schmidt.

>> Good afternoon. My name's Felicia Madsen, and I'm the deputy director for policy at save the bay, but I'm also a district 6 resident here in San José, so I have two reasons to be interested in this issue. Save the bay is a nonprofit organization that's been working on protecting San Francisco Bay for nearly 50 years and plastic pollution is a major problem for the bay, it's a emerge problem globally, and locally here in San José. As director Stufflebean's slide show showed. We encourage the committee to adopt the memo that Councilmember Liccardo and others pulled together. We were very happy to see that. It laid out the issue very clearly and directly and I think it gives a great road map for the staff to look at some next options that we think will be significant. The reason save the bay supports this approach is because it really addresses the three principles that we think will make a difference on reducing plastic bags. It looks at both paper and plastic, it's applied broadly to across retail outlets and not just on the largest stores in the city. And if we adopt a fee if you take that change that you put in at just today, people will actually move to reusable bags and in the end that's really what we want them to use, a actual behavior change. Public education alone is not going to get us to people changing their behavior. It's going to be about \$4.5 million in the staff report to have any significant type of public education campaign and without a regulatory approach connected to it, it probably won't make much difference. That's unfortunate, but we think there needs to be a stronger approach taken. San José can make a difference

and be a leader in the Bay Area. We've been working with lots of cities and frankly, many cities are nervous to be the first ones to make a really major step forward on this issue, and we're looking at San José to be the leader. And I think if San Jose can move forward an strong ordinance, I think we'll see many Bay Area cities follow. Thank you.

>> Councilmember Pyle: Thank you very much. And next would be Brian and after him, Laura Rinehart.

>> Good afternoon, Brian Schmidt for the committee for a green foothills. I'm also chair of the environmental subcommittee for the Santa Clara Valley Water District. I'm speaking for the committee for green foothills but we wanted to speak in favor of the motion in front of this committee today. I would view this motion as a good compromise, a reasonable compromise. It is however still a compromise. There is more that could be done. The idea of looking at a fee for paper bags I think is a good one. And why this is not adopted, reconsider it several years down the line. Another possibility would be at some future monetize to consider a higher recycled content for requirement for paper bags. But these are things that are necessary to be done. There is a significant problem. That was an excellent picture that we saw for Coyote creek, 300 linear feet of Coyote creek was covered by plastic bags. It is a significant issue. In your staff report it said that cost for complying with waiter board regarding trashy believe it's that \$2 million for five years. That's not a ceiling. If problems of trash have not gone away after five years that cost is going to go up. So it needs to be addressed. And I'd also point out that if the committee members have ever got an chance to see the wild flowers, Kirby ridge is a landfill and almost every time I've walked past that landfill I've seen plastic bags get blown out of that landfill. From the highest points to the lowest points in the bay, it's a problem that needs to be addressed. For paper bags, I also point out a problem two years ago. San José water company had proposed a permanent logging program for its land above Lexington reservoir. When groups like ours oppose that idea of a permanent logging ban, permanent log permit that allowed them to log in perpetuity. When we opposed that, they said we need fiber for things like paper. Doing things like this, requiring O&M why three need to log mature redwoods and mature Douglas firs and for this reason we're in support of this. Thank you.

>> Councilmember Pyle: Thank you, Brian. And Laura. Will be followed by Evelyn thorne.

>> Thank you. Given the number of people here, and the fact that I'm also from save the bay I'm actually going to withdraw myself.

>> Councilmember Pyle: You can say ditto. Thank you, that's very thoughtful of you. So we have Evelyn. Ready to go. And after her will be long Nguyen.

>> Hello, I'm Evelyn thorne. I'm a San Jose State student. Representative of environmental club on campus, I'm here to talk about how I support action on a the paper or plastic bags, whether a fee or ban. We have talked about many of the things I'm going to bring up, one is the waste or trash that it accumulates in the creeks. I personally have been down to William street park and cleaned out the creek and myself have cleaned out a lot of those plastic bags. Anybody can really see that. I know the statistic already mentioned only about 1% so possibly 3% are actually recycled, the plastic bags themselves so we need to find some solution and what's great is that there is one. Canvas bags. I mean, there are many problems we face with the environment such as the energy crisis and we have to find efficient, reusable cheap way to fix that cries but we have one for this. It's a canvas bag. So we can just do that. It's a fairly easy fix. And I know you talk about education as a way to encourage that. But I don't think it's enough because it's about change habits, people in general are fairly lazy. It takes a lot of effort to change a habit, remembering to bring a bag, or to the clerk or the bag boy behind the counter remember to offering a bag, you know, for that one thing of toothpaste. You know it's not necessary. So a ban or a fee would really encourage people, it would wake them up, instead of, you know, that something they don't care about, they would notice for once maybe in their life or they would actually take action. So I really think that we need your help to help us towards a sustainable future. Thank you.

>> Councilmember Pyle: Thank you. And long, are you ready? Following him will be Patty Moore.

>> I totally feel like myself here. I'm actually against the bag tax. I feel that that's not necessarily the way to change somebody's behavior. If you look throughout history we go on diet plans because we know it's bad for us, you know. We kind of stop smoking because we know it's bad for us. And we do things because you know we're educated to do certain ways. A 25 cent tax won't really change our behavior at all. It won't change my behavior or a lot of people's behaviors. When you're carrying milk and groceries and stuff, I'm going to pay for the 25 cent tax regardless. It's educating me and showing me these behaviors that would actually educate me the ouse these canvas bags. That's the right approach. I'm a normal guy telling you I really don't want to be charged for 25 cents tax, you guys want to ban it help us

kind of figure out a way to carry our bags home, you signed and I take that pledge carry the canvas bags. I don't think the tax is the right way to go.

>> Councilmember Pyle: Thank you. Patty, are you ready, and following Patty will be Eshok Komar.

>> My name is Patty Moore, I'm the president of Moore liking. I've been in recycle business since 1983. I started Moore recycle associates in 1989. We're celebrating our 20th year of business which I'm pretty proud of I'll have to say. I work with a variety of organizations primarily, I work with the association of post consumer plastic recyclers, I work with NAPCOR, national trade source for PT containers. But I'm here because the American chemistry council asked me to come talk to you about the recycle bags. I wanted to agree with you that reduce is best, no question about it. And reuse is second and I point out that a lot of these bags get reused over and over again. But I'm obviously here today to promote recycle as a needed way to deal with these -- this material. I really think we need to correct some of the statements that have been made about recycle and the value of this material. You heard that there is no value, that it's very contaminated. And you heard that from your curbside operators and MURF operators and I would agree with you that curbside is not the way to go with plastic bags. It's not the way to go with a number of materials including plastic bags. What you need is a very aggressive retail base drop-off program. The reason you don't want to go with curbside is because it does get dirty. It gets dirty stinky and you don't know whether that person put that bag in there by mistake and it had trash in it. I've seen those bales come out of MURF and they're disgusting. Do sell them to somebody is horrible, personally. But retail dropoff material is clean, because people have made a conscious effort to put it in there as a recyclable material, not as -- there's two bins and I don't know which one's recycle and which is trash so I just pick one, turns out it's the recycling one. It happens all too frequently. I'm sure you would agree with me on that one. So this material that's used in dropoff does have value, it has strong value to both domestic and export buyers and the value is higher than that of many other materials. So obviously, I think that a ban is the wrong way to go. And you have a -- you have missed a very important pawn with a ban in here on bags, and that ban is you are going to lose the one recycle effort you have for plastic film and bags. You no longer take them curbside which I applaud. But you do have a recycle infrastructure for film and bags at the retail dropoffs. The grocery stores are mandated to take this material back. And what I would suggest instead of just banning and giving up on a very small percentages of what film is out there, is that to push for strong recycle. Because bags, it would be naive to think that if we banned some retail bags, that it would clean up the environment, magically, that all of the MURFs would no longer get any film and bags in them. It's just, that's really, it's not that big a percentage of what film is out there. So instead of just trying to make a feel-good proposition of banning bags at some Israeli establishments, why not promote the recycling of these and not just the grocery bags-

>> Councilmember Pyle: I'm sorry your time is --

>> But also the bread bags, the retail --

>> Councilmember Pyle: Your time is up. We have two minutes and that's the only fair way to do this. Okay, no, two.

>> Well, if you'd like to hear more about this I'd be happy to tell you about it.

>> Councilmember Pyle: Thank you. Ashak and Christine carr.

>> Good afternoon, I'm Ashas Amar. I'm a franchisee of 7Eleven. I also represent over 290 stores as the political action committee subchapter of the 7Eleven owner associations from Monterey bay to San Francisco Bay Area and most of the members are from San José city and Santa Clara city. Away I want to share with you is the retailer small business other than's perspective. If I may ask any of you being a small business owner? One, okay. Where at least, you Mo, that is the I think perspective that the rest of the committee needs to understand. And the point I want to address is the taxation aspect of these small bags. We are all from an environmentally -- being sensitive and supporting all of the City's effort, individual and regulatory and legislative level, are for acts that promote recycle and education and so on. But I think what I want to bring to your attention is that if you do decide to do the taxation, how perilous it can be to small business. The business is down 15 to 20% in the stores that I have personally spoken to. And the workload is constantly increasing. So there is a tremendous amount of pressure to reduce the amount of work the store employees are expected to do. And if we provide any additional workload in terms of counting the behalf and computing taxes and doing this and then on top of it have an audit from a regulatory agency, I can see the picture immediate of this growing completely out of proportion to what the original item at hand. And who eventually is going to be impacted is all of us, the business owners, the consumers, did legislative body, and I'm not sure -- the legislative body and I'm not sure all of these aspects have been taken into consideration from the point of view of taxing it to solve the

problem. So please keep that in mind, that there are a lot of alternatives and I'm sure you're aware of some of the other effort at the capitol in Sacramento about the state level approaches taxing at a manufacturing level, and then there are many other ideas, and I would request the councilmembers to think very seriously about not overburdening a small business with additional workload that may reality not solve the problem. Thank you.

>> Councilmember Pyle: Thank you, and you came all the way from Fremont to tell us that. And the previous speaker was all the way from Sonoma. Christine, you came from Pleasanton.

>> My name is Christine Carr I'm a marketing manager for 7Eleven. I have 104 stores in my territory, and that includes almost 50 stores that are in the San José area. And several of my franchisees are here today, I appreciate their support because I think they're a very important part of the San José community. As we talked about earlier you know this is really to support the small business owner. And I think sometimes we don't take into consideration how this impacts that small business owner. And in an economy where you know our customers are unemployed, or their hours have been cut, they already don't have too many pennies to rub together. And make their shopping experience inconvenient, even in a convenience store, can hurt that small business person because we build our business on customer service and customer frequency. As I see my customer counts across the board and stores go down obviously my sales are going down as well. And if I'm creating an inconvenience to my customers by either putting a tax on it or by bang it so they're having to find other alternatives to carry their \$5 purchase out of my store, and respectfully, the recycled bags would be great for grocery but I can't see putting my snickers bars and my Frito-lay chips in that huge bag. I think there's got to be a better alternative to that. Currently we do not participate in any kind of recycling program and I'd be willing to put that on the table as far as something that I would be interested in participating in, in the San José area. Some kind of recycle program inside our stores. I brought with me today as I did last time over 1400 petitions that we put out into our stores in a matter of a week's period of time and these are from people that live and shop in San José and they're saying to to a bag tax. I'm sure I could do the same thing for a ban and probably get just as many responses from the customers as they would feel extremely inconvenienced about this in a time when the economy is not good. So we're asking that we need to put more efforts behind recycling and we're willing to be part of the solution. Thank you.

>> Councilmember Pyle: Thank you Christine and next would be Eugene imperado and following him would be Syl Cornish.

>> We would be asked if we could recycle plastic bags, the answer was clear, the answer was yes. We have been working on Salvation Army on the bags and have been able to pick them up bale them and recycle them. And also I'd like to say that a loved other things are thrown in the trash, shrink wrap, mattress pads, et cetera, et cetera that could be recycled along with the plastic grocery bags and would help the recycle industry, me, my employees, other companies, and also concerning the Pacific gyre, one of the organizations I belong to is one of the major sponsors of the (inaudible) San Francisco Bay earlier this month and also we've told them we would work with them on recycle (inaudible) Pacific. Just like I said, you know, recycle industry would be -- is an important industry in the United States. Plastic (inaudible) since 1982. (inaudible).

>> Councilmember Pyle: Thank you, Mr. Imperado and Phil Cornish is ready after Phil would be James Duran.

>> I'm Phil Cornish with friends of Guadalupe river park and gardens. Education advocacy and leadership. We do a lot of river cleanups and we see these bags firsthand. One thing people might not realize when we do river cleanups. We can't go in the water. A lot of those bags are wrapped and branches from the winter storms. Those might come loose later or they might stay forever. Paper will biodegrade so as far as that goes, that isn't as big of a problem. However, the friends of Guadalupe do support a ban or a fee. We don't care which one. We don't think public education is enough. If it is a fee, we think that any fee is collected from the program should go back into cleaning up litter and waterways and rivers such as the Guadalupe river, but of course, the Coyote and the Los Gatos and all the others as well.

>> Councilmember Pyle: Thank you, Mr. Cornish. Mr. Duran and would you see what the name is on this one?

>> Hello, I'm James Duran the only green jobs I'm seeing out of this is for the environmental services of the City of San José. I'm concerned about that. We are in an area of unprecedented unemployment, 11.8% right now, and that's really severe. That's when people are having less money and less jobs and you're talking to us about how to pay more out of our pockets when we have no money doesn't work for

me. Staff recommendations that are coming to you do not speak for me nor for my constituency. I ask you to look at the petitions that the lady from 7Eleven referenced. Looked to people in San José and say what are they saying to you, have you done the engagement activity to know this is who they want because I do not think this is what they want. This is what you want because it feels good and it sounds good today. So I'm very concerned about the process that's going on right now and what happened earlier on this ordinance when you were talking about it in early January when transportation and environment was discussion it and suddenly now it's back again and now it seems like it was going down and now it's stronger than ever. Seattle voters did not like this, we don't like it anymore than they do. Thank you.

>> Councilmember Pyle: Thank you Mr. Duran and next would be Carrie Hamilton followed -- is Carrie here? There she is followed by Michael Gross followed by Emily Hanson.

>> Thank you, Carrie Hamilton for beach which is citizens for environmental and economic justice. we wholeheartedly support the motion that is on the floor. We think we can be responsible citizens and do more. I'd like to challenge the comments of other speakers calling this attack. First of all this is not attack. We do not see any environmental -- pardon me -- economic justice in this. In fact this in some way shows people how to reduce their cost of purchases because we all have the ability to get these bags. They're given away free practically everywhere now. Every the dollar store, you can get them everywhere. And the gentleman in front of knee in line the other day was 83 years olds and he had three bags with him, he had no problem remembering to bring them to the store and toting them into the store. The last time we used a plastic bags to carry a gallon of milk it broke and made a big mess and that was it. That was enough to get my husband to remember the reusable bags. I think we need do this. Public education just isn't enough to make changes. We all remember to bring our money to the store we all remember to bring our car keys into the store. We certainly can remember to bring these brightly colored, wonderful bags with us so thank you very much.

>> Councilmember Pyle: Thank you very much. Michael Gross followed by Emily followed by Ricky Tatum.

>> Good afternoon, Michael Gross representing Greenwaste Recovery, Zanker Road landfill and the Zebest composting facility in Gilroy. We have always kind of stayed in the middle on this argument. We were recycling some bags, we had problems, but we were reselling some of them. And then last year when the economy tanked, so did the ability to recycle these materials. Currently on our site we have 41 tons sitting there since September waiting for a market. We don't recycle plastic bags anymore at our Zanker facility or our Zebest facility. Our Greenwaste recovery facility does have a little bit left, they still have some quality materials. But once again quality is the issue when it comes to recycle plastic bags. If they're dirty no one is going to buy them. They'll promise you the world and they'll end up in another land fill being someone else's problem. If the cost associated not with all the consumers, because I bring my bags, but to our company, we did a little study. And currently 68 man hours per day, for our facilities, go into pulling plastic bags for recycling, for recycle and for disposal. Which is -- that's a lot of jobs, a lot of people doing certain things. We also have 71 man hours per day pulling up litter, pulling plastics out of our other recyclables, fix machinery, cleaning screens and grinders. Start adding all this time up, that is a little over \$400,000 a year in cost just to our company. I'm not talking about disposal. That is just true labor cost. So it's a pretty good sized impact. And it was a lot more than I had actually anticipated. We actually do really support the ban. We think it's going to be good for both the economy, ourselves and the citizens. Thank you.

>> Councilmember Pyle: Thank you very much. Emily who will be followed by Rickey who will be followed by Eric Haas.

>> Good afternoon thank you for hearing our talking points here today. My name is Emily Hanson with Greenwaste recovery. I actually want to echo all of Michael's comments. I want to commend Councilmember Liccardo and your supporting councilmembers for taking the next step. Staff did a ready great job on the report that was presented to you today and I really commend you for taking that next step and director Stufflebean I want to echo one of the things you said, which is one of the challenges we see with film plastics in particular is we can't quantify them significantly in terms of weight. The bulk of the material is hugely significant but unfortunately because they are so light weight, light weight enough to be airborne it is very hard to quantify, from an operation perspective, from a environmental significant, and the recovered material is significant. At our material recovery facility in San José we process both recyclable materials side by side with municipal solid waste. We process all of the city's multifamily garbage so one of the things in San José I'm sure you guys are familiar with but I'll say it just for the record is we were having trouble with behavioral changes and getting multifamily apartment complexes

and dwellings to be able to make that distinction that behavioral changes to get them to separate out those recyclable materials. If we can't do it on the front end can we do it on back end? And Green waste was able to set forth a municipal solid waste processing facility and we recently got the audit results bang. We recover 75% of the garbage that is thrown away in multifamily complexes. I will say I'll leave you with this the irony is the plastic contaminates the garbage. Thank you.

>> Councilmember Pyle: Thank you very much. Vicky.

>> Yes, my name is Ricky Tatum, and I'm a 7Eleven owner on North First Street in San José. I oppose the 25 cent tax because it doesn't really make a difference on the people's changes the way they behave. You know, just the education, I graduated San Jose State. And obviously there was no education whatsoever about recycling or any of this. I never even heard the problem was this big through education system. So we fail as a society in the system itself. So you know, like a lot of people have been saying before, there is not enough education. There is no education, so ican -- how can you make that distinction there? I got to live with the fact that for the safety of my clerks, we're prompting encouraging people the customers to come in with their own bags. Some are customers, are going to come in with back packs, we don't know what's in those back packs. They say you know we pay 25 cents per bag now? We got death threats just two nights ago, now, we face the reality that somebody is going to come in shoot us because we're thinking they'll take our money. there's a lot of things I got to live with that something really happens that bad. I got to, you know, people don't see that, you know, and that's why I'm here to let you guys know. Thank you.

>> Councilmember Pyle: Thank you. And Jamie Contreras. Jaime, I'm sorry, don't mind me.

>> Good afternoon, Jaime Contreras. I'd also like to disclose that I'm a City of San José housing commissioner but I'm only speaking on behalf of generation engaged. So generation engaged is in support of this ban or fee. This provides the opportunity for San José to illustrate its leadership to surrounding areas and to participate in the global effort to ban use and production of plastic bags. As leaders of technology and innovation more green tech and clean tech to build a hub for this industry in the coming years. Therefore, it's not only a matter of environmental stewardship but one of dollars or cents to provide for citizens and businesses of beacon of 21st century thinking. The EPA illustrates that the plastic bags are only recycled only one-third less the source plastic bags. And plastics are the largest source of ocean litter. I'm sure you are all away of the Alaska-sized island of garbage in the Pacific ocean. In China, for example, China's ban of plastic bags has saved 1.6 tons of petroleum. The key here I think and what Seattle -- the reason why Seattle failed was that they came at -- came in at the wrong price point. 25% is obviously too high. Something at 10 cents or less will be more amenable to citizens. And a ban of large grocery retailers would be what we would support. Small retailers we should seek alternatives because it would impact them more greatly because reusable bags -- accumulate is, yes, reuse -- excuse me, yes, reusable bags, it's less likely you'll go to a grocery store but more likely you'll go to a convenience store.

>> Councilmember Pyle: Last but certainly not least, Jamie McLeod from they're. Did you fill in a card? Your name please.

>> My name is Ryan Kenny, I work for the American chemistry council. I represent a broad contingent contingency. Whoops we don't think that targeting plastic bags which are only .5% of the litter composition at best is going to make any difference. I know that director Stufflebean is the weight but it's actually the amount. If you look through the San Francisco streets litter audit, they did a scientific study before and after their ban and they found out that plastic bag litter is only .6% of the overall litter composition. We are also here to offer our support for an alternate program, focused on public education, it is important to note that Councilmember Chu had actually pushed the same policy of bang both bags through the recycling and waste reduction commission and it was rejected. Ultimately they decided to recommend a ban on plastic be on paper. It is also important to note that Milpitas and the county Board of Supervisors also rejected the bag tax in favor public education. I notice that your chart here, I have to disagree with that that chart? Only ten cities makes wide has banned plastic bags. They actually have a plastic bag recycle policy much like we have in California under AB 2449. Phoenix has a plastic bag recycling facility and we know what happened to Seattle, and in Santa Clara County, with the RWRC, many of the cities didn't have much interest moving forward or they wanted to sigh what happened going on. It's still bag tax, you have one less option for consumers and you still have a bag tax. We don't think bans will work as we have seen in San Francisco and other jurisdictions. We don't have a lot of information because those that we have seen just have not work. Our organization has provided our council with a public private process recycle annual and reusability of plastic bags as well as increasing residents' use of reusable bags. This public-private partnership program would be a good example of

what our coalition was suggesting a better policy, but for consumers and businesses alike. We are pleased that the city has actually embraced public education, they have held many forums promoting reusable bags, we have just launched the keep California beautiful, get your bag campaign and the city was very interested in moving forward with that. I know Councilmember Liccardo, you mentioned public education would be important. We appreciate your interest in public education, perhaps we can replace public education with reusing plastic bags and paper bags as the way to go instead of a punitive measure. We would appreciate the opportunity to work with you your colleagues and on a public education program. Thank you.

>> Councilmember Pyle: Thank you, Ryan. And now Jamie, is last but not least. Thank you Jamie.

>> Thank you, councilmembers, good afternoon also to staff. My name is Jamie McLeod. As you know the recycling combination fee ban and the two against only said they were against because it afford with some solution with what ire looking here today. We made that decision after a year of review working with county wide staff, technical staff, here They did a wonderful team on that. And I know that all cities have made some effort to educate and move forward and we haven't gotten to where we need to get at that point. So obviously we can always do more education but we aren't moving fast enough really taking care of the situation at this point. I thought the memo was thoughtful and well considered and I want to urge you to support it. The delay in the implementation deadline is a concern raised by the businesses to help them gear up and address the issues they need to address and also frankly for the industry to retool and move forward. We know it's a matter of moving forward, it's a matter of time. What this really comes down to frankly the leadership, is there's an opportunity for to you move forward. You're under a lot of pressure and I appreciate that, I know what it's like. I think it's important for San José to move forward. You 92 it sticks in my craw to say this this is an opportunity for you to move ahead and the fact of the matter is, they moved forward before the formal recommendation to come out and at that point some of the conversation they picked the conversation we had at the time but they did take the action before our formal recommendation came out so I think it's an important point. The Bay Area is falling behind in this area, Mexico city just moved ahead and again we're all being left behind. I think it's important to move forward. I strongly recommend you don't take away the opportunity for the full council to debate and discuss the important issue and to consider it. I strongly urge you even if you're not 100% there yourself move it forward, let's pull council aside, I want to urge you to support the memo.

>> Councilmember Pyle: Thanks, thank all of you for your very thoughtful concerns and comments. We really support them all. At this point I need to remind everybody. This is not debate time for the council. We can debate whether to sends it to council or not but it's not the time to make the ultimate decision. That's for the full coin. And I believe Sam, that would be in November.

>> Councilmember Liccardo: I'm not sure exactly.

>> Councilmember Pyle: That is part of what your memo recommended.

>> Councilmember Liccardo: Yeah.

>> Councilmember Pyle: And so we have plenty of time to do more thoughtful -- make more thoughtful time for consideration of this. So with that, Sam -- Ash, would you like to go first.

>> Councilmember Kalra: Well, just to follow up. I do have a question, last comment for Councilmember Liccardo but first John if you can follow up in terms of the memo that the most recent version of the memo, and comments from the public, whether you feel that it appropriately achieves the goals from your perspective at least.

>> John Stufflebean: Yes, do I. And I guess I would add that we have got two major efforts that we're going to be embarking on, we are embarking on, one of them is we'll be complying with the storm water permit and if I see this as just an important component of both of those programs that we will devote our staff resources and time into implementing. So yes, I think it's consistent with our existing programming and we would look forward to implementing it.

>> Councilmember Kalra: Thank you. Councilmember Liccardo, in regards to, A, the exclusion of restaurants, do you think it might be appropriate to ask staff to further clarify the definition of restaurant? I only bring that up because obviously we know what a restaurant is. However, oftentimes certain grocery stores act as restaurants in some areas. You can go in there and get a hot meal so there aren't establishments who deal with a health issue as to why you don't want to use reusable bags for prepared foods and so would that be something you'd be amenable to?

>>> Certainly. With regard to definitions I know we don't want to get into the minutiae of deciding which is and which is not.

>> Councilmember Kalra: Sure I wanted to restaurants are exempted for the health reasons and so I appreciate that and if I can just make a couple comments. In regards to comments that were made by the public. Firm first of all, thanking the Catholic diocese for being proactive, in terms of education, above and beyond giving away 10,000 bags is quite commendable. Certainly if we go the direction that the nome suggests we're going to need help from all quarters, that includes the faith based community to really help and not just educating but making sure the folks have the bags available and in case people want the bags that would be helpful. Also appreciate the different companies, the Garden City sanitation, California solutions for being here not staying on the fence but actually expressing their opinions as to the memo and the suggestions made in the memo. And I do appreciate the memo from Vice Mayor Chirco, Councilmember Liccardo, Chu and Campos, and some of the concerns that I had coming into this meeting prior to the memo being released I think have been adequately addressed and I think Tim James from the California grocers in association, 41,000 bags is not a number to smirk at. So I appreciate just that effort but the sentiment from the grocery store organization he, no marts what ways I go, they are going to be, I don't don't think it's fair to the grocers to be just grocery stores. I don't think it's fair that it just be plastic bags and not paper bags, as suggested by Ryan Kenny, that they shouldn't just target plastic bags. I agree, I don't think we're achieving all that we should be achieving if we just spoke of some plastic bags. The issue is greater than that, and I don't think we achieve as much as, different time of problem and different resources being used but it doesn't get us where we need to be. And so I do believe that behavior changes ultimately the goal and ultimately what we should strife for and I think that this memo effectively states that, allows for time to do that. Right now we have smokers who have to go out and smoke in the middle of the winters. We have cell phone users who have to wear a Bluetooth to be able to talk. About one toiletry item, in a grocery store, they through in a large bag. I said no. Certainly sympathize with the small business owners. With I think this actually -- first of all you don't have to buy bags anymore. As we continue to, you know the idea of convenience, when I go to convenience, whether it be 7Eleven. I always refuse that bag. Really it's the largest store to be concerned about it, their willingness to take part of in and try and make an effort I think should offer some incentive and some inspiration for the smaller stores also to get on board and find out ways to really help educate the community on this. I like the fact that since it's all retailers it doesn't just target, it targets retailers, stores also give items in plastic and I think that this will certainly start a very vigorous debate but ultimately I think it helps us really start on a behavior change that can have long lasting impacts to the next generation, where the next generation won't even know what it means to get a plastic bag at the store or a paper bag. Thanks.

>> Councilmember Pyle: Good wrapup. Rose.

>> Councilmember Herrera: Yeah, in addition I'm not going to -- I support much of what councilman Kalra just said. I'm very concerned about the issues the small businesses raised but I think it's very important that we move this to the council and have full consideration of the council on this. I think it's the beginning of -- it's the beginning and the continuation of education for our community. We need to move this forward but we also all need to work together to educate as has already been set. So I will be supporting the motion.

>> Councilmember Pyle: Sam.

>> Councilmember Liccardo: Thank you, Madam Chair. I want to thank Jamie McCloud for coming down. I our Ken Yeager and our own Kansen Chu. I want to thank him. I want to thank Regan Henneger on my staff, to see how we can formulate something we can work with and Tim and Greenteam, CWS, Garden City. This is not an antibusiness effort, this is something that's going to make the entire community move forward as Jamie McLeod said. with all the bag give aways we're seeing now and obviously what's been described just at this hearing alone. The community is going to get a lot of information about what's coming. They're going to get a lot of opportunity about free bags and cheap reusable bags I think this is all the bang that everyone's worried about is really going to go by with a whimper with December 31st comes along if council approves this. Because I think we'll be ready, retailers will be able to anticipate this. Trader Joe's has banned plastic bags, whole foods, am in all its retail stores. So this is a case where business has been taking the lead. It's juice matter of City of San José to catch up. With that I'd just like to thank all of my colleagues for their thoughtful comment.

>> Councilmember Pyle: And I'd like to say Sam, congratulations on the memo too. One of my biggest concerns has been the small businesses. I'm pretty much opposed to the ban. However, by the time 2010 rolls around we may not need to do that. I'm hoping that by then, people will have gotten into the habit. And I'm banking on one of the best resources any of us has, and that's our kids. Do you recall the

time when no matter where you went, people were smoking? I'm old enough to remember that. Thank you for being so young that you wouldn't remember. [Laughter]

>> Councilmember Pyle: I'm old enough to remember. The thing that turned it around more than anything else were the student. They let you know, this is the way to ruin your planet by continuing to do things the way we are doing now. They will jump on board so big-time and they will truly help to make a difference. So with that I'd like to propose-well, I don't want to do the proposing --

>> Councilmember Liccardo: We already did the motion.

>> Councilmember Pyle: We already did that. I'm so into this. Where that I would like to go ahead and move for motion. All those in favor? [ayes]

>> Councilmember Pyle: Those opposed? This is unanimous. This will be moving forward to council sometime in November, hopefully in the early part of the month. Thank you all very much for being here today. And with that, I believe there is announcements. No other items on the agenda. We are adjourned. Thank you.