

**CITY OF HUNTINGTON BEACH  
SUPPLEMENTAL COMMUNICATION  
Joan L. Flynn, City Clerk  
Office of the City Clerk**



**TO:** Honorable Mayor and City Council  
**FROM:** Joan L. Flynn, City Clerk   
**DATE:** March 18, 2013  
**SUBJECT: SUPPLEMENTAL COMMUNICATIONS FOR THE MARCH 18, 2013  
REGULAR CITY COUNCIL/PFA MEETING**

---

Attached are Supplemental Communications to the City Council (received after distribution of the Agenda Packet):

**Notice of Absence**

Notice of Absence received from Councilmember Dave Sullivan requesting permission to be absent pursuant to Resolution No. 2001-54.

**Study Session**

PowerPoint communication received from Janeen Laudenback, Acting Director of Community Services, entitled *Huntington Beach Senior Center*.

Communication submitted by Joan L. Flynn, City Clerk, dated March 18, 2013, entitled *City Clerk's Deadline for November 4, 2014 Election – Related to any City Council Initiated Ballot Measures*.

**Consent Calendar**

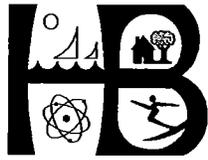
**#6.** Communication submitted by Fred A. Wilson, City Manager, dated March 18, 2013, entitled *Revised Recommended Action for Unaudited General Fund Balance Designations for FY 2011/12*.

**#7.** Communication submitted by Jennifer McGrath, City Attorney, dated March 14, 2013, entitled *Amendments to Massage Establishments Ordinance*.

**Public Hearing**

**#9.** Communications received regarding the banning of plastic bags:

Huntington Beach Environmental Board	Chris Wilson
Martha Flynn	Anne Burke
Huntington Beach/Seal Beach Surfrider Foundation	Susan Gross
California Grocers Association	



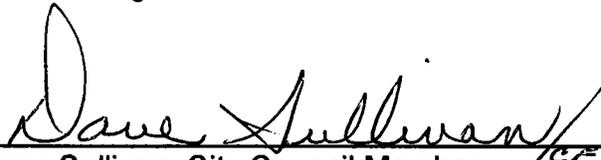
**CITY OF HUNTINGTON BEACH**  
**City Council Interoffice Communication**

**To:** Honorable Mayor and City Council Members  
**Attention:** Joan Flynn, City Clerk  
**From:** Dave Sullivan, City Council Member  
**Date:** March 13, 2013  
**Subject:** ***NOTICE OF ABSENCE***

---

I will be absent from the regular City Council Meeting scheduled for March 18, 2013.

Pursuant to City Council Resolution Number 2001-54, and there being no objection, the City Council's permission for this absence shall be expressed in the official minutes of this meeting.

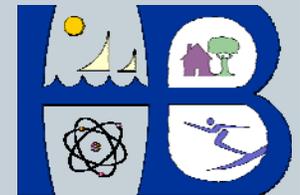
  
\_\_\_\_\_  
Dave Sullivan, City Council Member

xc: Fred Wilson, City Manager  
Bob Hall, Assistant City Manager

# Huntington Beach Senior Center



CITY COUNCIL STUDY SESSION  
MARCH 18, 2013



# Strategic Planning Workshop



- **January 25, 2013 – Senior Center Priority Sites**
- **Council Vote**
  - Approved Central Park Site – 5
  - Rodgers Senior Center – 4
  - Park, Tree and Landscape Yard – 3
  - Central Library – 1
  - Cove Property – 0
- **Top 3 Sites Selected For Further Study (no priority given to any one site)**



## Approved Project

**Address: 18041  
Goldenwest Street**

**Site Area: Approx. 5  
acres**

**GP Land Use: Open  
Space – Park (OS-P)**

**Zoning: Open Space  
– Park and  
Recreation (OS-PR)**





## Rodgers Senior Center

**Address: 1706  
Orange Avenue**

**Site Area: Approx. 2  
acres**

**GP Land Use: Public  
(P)**

**Zoning: Open Space  
– Parks &  
Recreation (OS-PR)**





## Park, Tree & Landscape Yard

**Address: 17581  
Gothard Street**

**Site Area: Approx.  
4.5 acres**

**GP Land Use: Open  
Space – Park (OS-P)**

**Zoning: Open Space  
– Park and  
Recreation (OS-PR)**



## Senior Center Alternative Project Matrix – City Council Study Session March 18, 2013

	Approved Project	Rodgers Senior Center	Park Tree and Landscape Yard
<b>Description</b>	5-acre site includes 37,563 square foot one-story building; 227 surface parking spaces, landscaped outdoor areas	2-acre site includes demolition of the existing senior center building and construction of a new 25,000 square foot two-story building with one level of subterranean parking in addition to surface parking (218 spaces total)	4.5-acre site includes 37,563 square foot building and similar site layout, building height, parking and landscaping as approved project
<b>Cost Estimate<sup>1</sup></b>	<u>Construction:</u> \$14,086,125 <u>Soft Costs, FF&amp;E:</u> \$4,218,750 <u>EIR:</u> N/A	<u>Construction:</u> \$13,375,000 – \$18,375,000 (includes \$4-\$9 million for subterranean parking) <u>Soft Costs, A/E, F,F&amp;E:</u> \$4,681,250 - \$6,431,250 <u>EIR:</u> \$216,500	<u>Construction:</u> \$14,086,125 <u>Soft Costs, A/E, F,F&amp;E:</u> \$5,906,250 <u>EIR:</u> \$252,896
<b>Opportunities</b>	<ul style="list-style-type: none"> <li>• Approved Entitlements/EIR</li> <li>• Measure C complete</li> <li>• City-owned site</li> </ul>	<ul style="list-style-type: none"> <li>• Zoning and General Plan Land Use in place</li> <li>• City-owned site</li> <li>• Some preliminary design work exists (not code compliant)</li> </ul>	<ul style="list-style-type: none"> <li>• Zoning and General Plan Land Use in place</li> <li>• City-owned site</li> <li>• Similar setting to approved site (within Central Park)</li> <li>• Existing developed site (no reduction in existing open space or current park use)</li> </ul>
<b>Constraints/ Additional Cost Considerations</b>	<ul style="list-style-type: none"> <li>• Pending Litigation – could delay or require changes to project</li> <li>• Court decision could require costs for new/revised EIR</li> </ul>	<ul style="list-style-type: none"> <li>• Voter approval required – entitlements/EIR approval required prior to vote<sup>2</sup></li> <li>• Requires existing building/site demolition and temporary relocation of senior services during construction increasing project costs</li> <li>• Only 25,000 s.f. facility</li> <li>• Potential residential neighborhood compatibility issues</li> <li>• No outdoor component</li> <li>• Likely most costly alternative</li> </ul>	<ul style="list-style-type: none"> <li>• Voter approval required – entitlements/EIR approval required prior to vote<sup>2</sup></li> <li>• Limited site information available</li> <li>• Requires site/building demolition, relocation of existing City maintenance yard and removal of existing USTs increasing project costs</li> </ul>

### Notes

<sup>1</sup> Approximate estimates include on-site improvements only (excludes off-sites) and are based on \$/sq. ft. construction costs adjusted for CCI and projected construction year inflation. EIR costs do not include implementation of mitigation measures.

<sup>2</sup> Entitlement/EIR process must commence by April 2013 in order to meet deadline for November 2014 ballot.

# Tentative Schedule

## Rodgers Sr. Ctr. & PT&L Options

<b>Task</b>	<b>Date</b>
CC Study Session	March 18, 2013
CC Directed Action	April 2013
EIR Contract Approval	May 2013
EIR/Entitlement Process (includes Initial Study, NOP, 30-day public review, scoping meeting, technical studies and EIR analysis preparation, 45-day public review, comment meeting, Draft EIR)	June 2013 – February 2014
Final EIR Publication	March 2014
PC Public Hearing	April 2014
CC Public Hearing/ NOD Filing	May 2014
30-day statute of limitations concludes	June 2014
Council approval of ballot language	By June 2014

# Next Steps



- **SELECT A SITE**
  - **Approved Site**
    - ✦ **Proceed with lawsuit (next Court date: April 13, 2013 status conference)**
    - ✦ **Litigation Costs: Approx. \$200,000**
  - **Rodgers Site**
    - ✦ **EIR Contract (by May 2013)**
    - ✦ **Immediate Costs: Approx. \$216,500 for EIR**
  - **Park, Tree & Landscape Yard**
    - ✦ **EIR Contract (by May 2013)**
    - ✦ **Immediate Costs: Approx, \$253,000 for EIR**

# **Discussion/Questions**

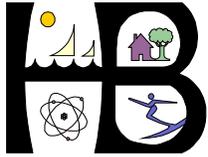


## Inter Office Memo – Supplemental Communication

To: City Council  
From: Joan L. Flynn, City Clerk  
Date: March 18, 2013  
Re: 3/18/2013 City Council Meeting Study Session Item #1

### City Clerk's Deadline for November 4, 2014 Election – Related to any City Council Initiated Ballot Measures

Date	Action
June 16, 2014	Suggested Last City Council Meeting to adopt Resolution placing Measure on the Ballot and setting forth criteria for Arguments and Directing the City Attorney to prepare an Impartial Analysis
June 30, 2014	Suggested Last Day to File Arguments and Impartial Analysis
July 1-10, 2014	10-Day Public Review Period of Argument and Impartial Analysis
July 10, 2014	Suggested Last Day to File Rebuttal Arguments
July 11-21, 2014	10-Day Public Review Period of Rebuttal Arguments
August 13, 2014	Last Day to Withdraw Measure from Ballot
November 4, 2014	Election Day



# CITY OF HUNTINGTON BEACH

## Interdepartmental Memo

**TO:** Honorable Mayor and City Council Members

**FROM:** Fred A. Wilson, City Manager

**DATE:** March 18, 2013

**SUBJECT:** Item Number 6 – Revised Recommended Action for Unaudited General Fund Balance Designations for FY 2011/12

---

**Summary:**

Upon further analysis of the City's General Fund budget performance, it is clear that the uncertainties regarding the dissolution of Redevelopment Agencies, and upcoming CalPERS Board actions, will likely impact the City's budgets going forward. As such, staff is revising its year-end fund balance allocations to recommend the creation of a Budget Stabilization Fund.

Due to the dissolution of redevelopment and upcoming CalPERS Board actions that will significantly increase the City's retirement obligations, it is recommended that a Budget Stabilization Fund be established. Please note however, that the amount recommended below falls far short of amounts needed to address all issues.

**Revised Recommended Action:**

1) Approve the FY 2011/12 General Fund Year-End Fund Balance allocations as follows:

- A) The deposit of \$1.7 million to the Capital Improvements Reserve (CIR);
- B) The deposit of \$3.1 million into a Budget Stabilization Fund with commensurate appropriation authority up to that amount, as needed ;
- C) The deposit of \$600,000 into the Economic Uncertainties Reserve (exact amount to be determined upon completion of the City's audit).
- D) The deposit of \$698,000 into a Retiree Medical Unfunded Liability Reserve and an equivalent appropriation in FY 2012/13 to allow for payment into the Plan.

2) Increase budget appropriations by \$3,174,000 in the Non-Departmental FY 2012/13 General Fund Budget to expedite and complete the two remaining years of payments for the PARS Early Retirement Incentive program.

# LATE COMMUNICATION



## **CITY OF HUNTINGTON BEACH** **Interdepartmental Communication**

**TO:** HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

**FROM:** JENNIFER McGRATH, City Attorney

**DATE:** March 14, 2013

**SUBJECT:** AMENDMENTS TO MASSAGE ESTABLISHMENTS ORDINANCE

---

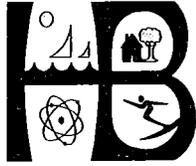
Staff has been working with the California Massage Therapy Council, CAMTC, regarding concerns raised with proposed amendments to the Massage Establishment Ordinance. Based upon the progress made, it is requested the second reading of the Ordinance be taken off the March 18, 2013 Agenda and be placed on the Agenda for the first meeting in April instead.

This request is being made so that our office may do additional work on this item.

Thank you for your courtesy and cooperation in this matter.

JENNIFER McGRATH  
City Attorney

cc: Fred Wilson, City Manager  
Joan Flynn, City Clerk  
Ken Small, Police Chief



# CITY OF HUNTINGTON BEACH

## ENVIRONMENTAL BOARD

PO Box 190 • Huntington Beach, CA 92648



### Letter to City Council: Reusable Bag Policy and Ordinance

This letter is offered in support of the Reusable Bag Ordinance under discussion at the Huntington Beach City Council Meeting on March 18<sup>th</sup>, 2013.

The following analysis is divided into four components for review and consideration, including:

- (a) Environmental and Economic Impacts of Single-Use Plastic Bags;
- (b) The Ordinance Promoting Reusable Bags;
- (c) Concerns Regarding Compostable Bags; and
- (d) Public Health Concerns.

The analysis concludes with the recommendations from the Huntington Beach Environmental Board.

#### a) Environmental/Economic Impacts of Single-Use Plastic Bags

Plastic is the fastest-growing component of the wastestream and plastic pollution, such as single-use bags are among the most commonly found item collected at beach and coastal cleanups. City of Huntington Beach residents and business owners take pride in their beaches. They are also acutely aware of the economic benefits that clean beaches and a healthy ocean provide in their communities.

The Master Environmental Assessment (MEA)<sup>1</sup>, funded by Green Cities California, targeted single-use, or disposable, grocery shopping bags (i.e., bags used at checkout in grocery stores).

The MEA indicated that reusable bags, on a per use basis, have substantially lower environmental impacts than single use bags. The study finds that with a minimum of just three uses, reusable bags can result in less atmospheric acidification, ground level ozone formation, water use, and greenhouse gas emissions. Some primary findings include:

- **Single Use Bags** - 20 billion single-use high density polyethylene (HDPE) plastic grocery bags are used annually in California; most end up in landfills or as litter. Of the four types of bags considered, plastic bags had the greatest impact on litter.

**SUPPLEMENTAL  
COMMUNICATION**

- **Reusable Bags** - Reusable bags can be made from plastic or cloth and are designed to be used up to hundreds of times. Assuming the bags are reused at least a few times, reusable bags have significantly lower environmental impacts, on a per use basis, than single-use bags. Some of the reviewed LCAs indicate that use of the non-woven plastic reusable bag results in particularly large environmental benefits.
- **Effects of Policy Options on Single-Use Bags:** In other regions of the world, fees and bans on bags have resulted in dramatic drops in consumption. For instance, the Irish plastic bag tax immediately resulted in a greater than 90% reduction in use. Due to California law AB2449, no fee program on plastic bags can be introduced. However, bans on single-use plastic bags, as well as fees on other single-use bags, may be implemented to minimize use.

An "icon of the convenience culture"<sup>ii</sup>, the plastic bag—produced on a worldwide scale in the trillions—is the most ubiquitous consumer product in the world. Unfortunately, the immediate convenience of plastic bags comes with long-term economic and environmental costs for all Californians.

Every year, Americans throw away some 100 billion plastic bags after using them approximately 17 minutes to carry products from the store to their home. That is equivalent to dumping nearly 12 million barrels of oil. In fact, Californians use an estimated 12 billion plastic bags a year. According to CalRecycle, the State's primary recycling agency, only 3% of the bags distributed are being recycled.

Over 50 city and county jurisdictions in California have instituted plastic bag bans (i.e., reusable bag policies) to protect California's waterways and marine resources such as beaches, streams and rivers while safeguarding local marine life and ultimately protecting human health. Plastic breaks down into smaller pieces that absorb toxic chemicals, are ingested by marine life, and enter the food chain that we as consumers depend upon.

Laguna Beach launched its program in January 2013. This makes it the first Orange County city to ban plastic bags; while Dana Point expects that their ban to go into effect in April 2013. Neighboring Los Angeles County cities such as Long Beach, Manhattan Beach and Los Angeles have already implemented plastic bags bans, and as a result have witnessed a reduction in bag costs to retailers.

Litter collection, street sweeping and storm water protection mandates of the State continue to increase the costs to the City of Huntington Beach. The costs for these services curtail the City's ability to provide other City services to local residents. Coupled with the cost of ongoing coastal cleanups sponsored by local citizens and environmental groups dealing with pollution and plastic bags in particular is having a definite economic impact on the Huntington Beach community.

In Washington D.C. a bag fee was placed on plastic bags and the five cent fee shifted consumers from an estimated 270 million bags per year to 55 million bags per year. The businesses that reported, estimated a range of bag use down by 50%-80%. With the pass-through costs borne by the individual shopper, this business-friendly ordinance allows businesses to reduce overhead costs while reducing the impact of plastic bags in the environment.

## **b) The Ordinance Promoting Reusable Bags**

We live in a society where the decisions consumers make are based upon cost. By instituting an ordinance that discourages the use of plastic disposable bags, and assigns a pass-through cost for paper bags, the City is ultimately encouraging the community to increase the use of environmentally-friendly reusable bags when shopping.

According to the **National Oceanic and Atmospheric Administration (NOAA)**, the key to ending ocean pollution depends directly on the public's awareness of its causes, sources and impacts. The City of Huntington Beach may now join the ever-increasing list of city and county jurisdictions in California which have taken the opportunity to take action directly addressing this important issue. The reusable bag ordinance is a vital opportunity to deliver the only salient answer to the spiraling problem of plastic bag pollution, and encourage and motivate citizens that have not already done so to use reusable bags.

The ordinance alone, however, is only one-half of the solution for decision makers and residents in Huntington Beach. The second is the introduction of a community education campaign focused on "Bring Your Own Bag." Fortunately, this outreach campaign is already supported by the Surfrider Foundation, Rainbow Environmental Services and the Environmental Board, and is similar to successful campaigns in cities and counties throughout California.

Together, the ordinance and outreach are a comprehensive solution to the plastic litter in our oceans, beaches and waterways.

## **c) Concerns Regarding Compostable/Biodegradable Bags**

There are many plastic bags on the market claiming to be "biodegradable" or environmentally preferable due to a variety of attributes. According to the Washington D.C. based research organization, The Institute for Local Self Reliance (ILSR), these claims "often cannot be verified or are misleading". Companies eager to sell their products are relying on the fact that most consumers are unaware of the difference between certifiable compostable and biodegradable products.

The American Society of Testing and Materials (ASTM) define 'biodegradability' as:

*"capable of undergoing decomposition into carbon dioxide, methane, water, inorganic compounds, or biomass in which the predominant mechanism is the enzymatic action of microorganisms, that can be measured by standardized tests in a specified period of time, reflecting available disposal conditions."*

According to Ramani Narayan, a professor of chemical and biochemical engineering at Michigan State University, "This word 'biodegradable' has become very attractive to people trying to make a quick buck on it," explains Narayan, who helped develop biodegradable corn-based plastic. Some companies, he says, are making conventional plastic that degrades quickly and then throwing around claims about biodegradability that are unproven or just too good to be true.

Moreover, there are new generations of biodegradables emerging that have inconsistent outcomes when faced with ASTM testing requirements. Oxo-degradable plastics, for instance, does not meet any

standards when it comes to biodegradability and should not be considered biodegradable or compostable.

While many bioplastics are certifiable as compostable in commercial compost facilities, it should not be assumed that they can be composted at home, and more specifically that they would be capable of biodegrading in various marine environments.

Further, a number of petrochemical-based polymers have been certified as both biodegradable and compostable, which further complicates the issue for consumers. In addition, compost operators do not have the ability to properly differentiate a fossil-based polymer from a biobased polymer. Since biobased bags are not visually distinguishable from the traditional fossil-based plastic bag this is problematic once they enter the refuse or recycling stream. As a result, many compost operators do not want to introduce biobased or fossil-based bags into their operational feedstock because plastic bags damage equipment, increase downtime, and impact the bottom-line.

The ASTM introduced definitions determines biodegradability in various disposal environments. Those bioplastics that meet ASTM D6400, for instance, can be certified as biodegradable and compostable in commercial composting facilities. With International standards and certifications on the rise, these certifications will ensure that a product can be composted in an industrial or home composting site.

In addition, manufacturers have acknowledged that biobased content is currently relatively low in bags. Bags are known to lose strength as the biobased content increases. As the industry grows and more research goes into creating biobased resins and additives, improvements in both performance and environmental attributes will certainly be made. But at the current time, there are a number of concerns as regards bio-based plastics. For example, in North America, many of the biomass crops currently in production have been genetically modified (GM) primarily to increase resistance to herbicides or insects. In the United States, 85% of all field corn planted, and 91% of the soybeans planted in 2009 were genetically modified. This profusion of GM crops makes it difficult to directly source non-GM crops for industrial production despite concern among consumers about the environmental and health impacts of GM crops.

Since the primary purpose of using compostable bags is to divert organic materials, such as food scraps and yard trimmings for composting; it is essential to ensure the safe and effective compostability of bags. According to the research, existing tests and standards should be third-party-certified by the Biodegradable Products Institute (BPI) in the United States. Certification requirements and compostability standards will ensure the product will break down in industrial facilities.

It should also be remembered that the word “biodegradable” does not equate to compostable. Compostable means that the product will decompose in commercial compost facilities within a time frame of 180 days. The negative impact of bioplastics on our aquatic ecosystem is also of increasing concern. For those beach communities that rely on tourist revenue, the increase in biobased polymers in addition to fossil-based polymers that enter our waterways and ocean is increasingly detrimental.

In California, bags claiming compostability must now be labeled with a third party certification logo indicating the bags meet ASTM D6400, and one of the following: bag is a uniform green color with the word “compostable” in 1-inch high letters on one side of the bag, or labeled “compostable” on both sides of the bag in at least 1-inch high green letters or in a contrasting color on a 1-inch high green band. It has been further recommended by CalRecycle, that no traditional recycling logo compete with this labeling.

Currently consumers and purchasers are under the impression that all of the compostable plastics, corn and potato based plastics, available on the market are compostable by industrial standards; when in fact, some products do not make it past the material recovery facility or transfer station that sorts items going to the compost facility. And though some biodegradable plastics can be recycled, no curbside recycling program will take them at this time. In addition, the problem of adequate compost facility infrastructure continues to dominate efforts undertaken by CalRecycle throughout the State. Much of this resistance is due to the “Not In My Backyard” attitude that exists throughout the State and especially in Southern California.

According to CalRecycle, the State recycling agency that is responsible for jurisdictional compliance, landfill oversight, and other materials management programs; “degradable plastics could also contaminate the existing plastic recycling stream if they are not properly collected and composted, thus reducing plastic recycling opportunities. Further, while compostable bags meeting ASTM standards will degrade in a compost environment, most will not break down if released as litter into the land or marine environments. Thus, it is important to understand that biodegradable or compostable plastics are not a panacea for waste or litter reduction. It is recommended that additional research be performed to a) better understand degradable plastics in land and marine environments and the effect that degradation residues may have on wildlife, plants, and marine life; b) to assess the environmental risks of biodegradable plastics in composting environments; c) assess the life cycle costs incurred during the manufacturing, collection, and reprocessing of compostable bags compared to the costs incurred managing conventional plastics through processing, recycling, and disposal because local governments need this information to make informed decisions on uses for compostable bags; d) evaluate degradable plastics including oxodegradable in commercial compost operations that utilize aerobic in-vessel composting; e) further investigate degradability in marine environments and life cycle assessments of the degradable plastics; and f) further evaluate the effects of contamination of the degradable plastics on recycled plastics.

#### **d) Public Health Concerns**

In an effort to counteract the increase in plastic bag ordinances and the promotion of reusable bags throughout California, the American Chemistry Council, a trade group that advocates on behalf of plastic-bag manufacturers funded a 2012 study that attempted to link reusable bags to foodborne illnesses.

This study developed by law professors Jonathan Klick and Joshua Wright took state and federal data on emergency room admissions and food-borne-illness deaths indicating a correlation that the San Francisco bag ban "led to an increase in infections immediately upon implementation."

The study estimated a 46% increase in emergency room visits and food-related deaths in San Francisco as a specific result of the City's plastic bag ban. The Environmental Board, comprised of waste industry experts, health and environmental professionals reviewed the industry-promoted research noting that the paper was not a scientific study, but an economic one. Furthermore, the associations drawn by the authors are purely anecdotal and non-methodological.

Simply put, the correlation cited does not equate to causation; especially given that the paper assumes the only factor for the variance in hospital admissions, illnesses and/or deaths was exclusively due to the plastic bag ban. It is not possible to directly correlate deaths caused by food borne illnesses and attribute them solely to reusable bag use given the scope of this economic analysis.

Jennie R. Romer, Atlantic region director of the **Clean Seas Coalition** and founder of [www.plasticbaglaws.org](http://www.plasticbaglaws.org) indicated that "the time period the study covers is not relevant because the ban was only in effect for less than half of the study period. The study finds that increased deaths related to E. coli infections are due to San Francisco's bag ban simply by comparing Emergency Room visits from 3rd quarter 2007 to 4th quarter 2007. However, the 2007 ban didn't go into effect until November 20<sup>th</sup> of that year (i.e., at only 50 supermarkets), so the time period is not meaningful. Second, and more importantly, no significant increase in reusable bag use in San Francisco was recorded during that time period – so this data would not be relevant in showing that reusable bags had anything to do with the increase."<sup>iii</sup>

San Francisco health officer Tomás Aragón reviewed the 2012 study and indicated that it was a complicated topic and that it was "a little surprising that he (i.e., the author) would put this out there without a peer review". If the professors had consulted with an epidemiologist, they would have understood how the City's unique demographics contribute to specific intestinal issues. In short, the San Francisco doctor concluded that the study raised more questions than it answered.

Dave Heylen of the California Grocers Association ripped the study for not understanding something really basic about how the San Francisco bag ban worked in the first phase. "People weren't using reusable bags, they were using paper bags," Heylen said.

Grocers have consistently supported proposals for a statewide ban on plastic bags - which would require supermarkets to charge for single-use bags because they provide what the sponsor of Sacramento's latest effort, Assemblyman Marc Levine, D-San Rafael, calls "uniformity of experience" for shoppers and store owners.

In sum, the report is neither conclusive nor scientific in nature. It should be remembered that the source of the funding, not unlike other such documents, was from the American Chemistry Council and any stated analysis should take this fact into consideration when reviewing the findings.

## Environmental Board Recommendation

The City of Huntington Beach has the opportunity to encourage and educate its citizens in matters that protect local beaches, marine environments, habitat and nearby waterways and preserves. This is especially true when the economics of addressing plastic pollution results in an increase in the City's overall operational costs.

The Environmental Board (EB) does acknowledge that proper sanitation such as hand-washing and laundering should always be followed in order to protect public health and safety. Reusable bags, just like any other consumer product, should be washed when dirty. As people become more accustomed to using reusable bags this idea will become more commonplace. The EB has indicated that any education campaign targeting reusable bags will promote the fact that reusable bags should be cleaned disinfected, and/or machine washed.

Therefore, the Environmental Board recommends that the city of Huntington Beach ban plastic bags due to the following concerns:

- Plastic is not biodegradable and remains in the environment.
- It is produced from non-renewable resources.
- Plastic bags break down into smaller pieces that absorb toxic chemicals, are ingested by marine life, and enter the food chain that we depend on.
- They are not likely to be recycled – less than 3% of the 19 billion plastic bags used annually in California are recycled.
- They are a significant and visible component of litter.
- They pollute our beaches and local waterways.
- About 100 billion petroleum-based plastic checkout bags are used each year in the U.S., requiring an estimated 12 million barrels of oil annually
- Plastic bags litter our streets, sidewalks, beaches, parks, and overall environment; they are a visual and unnecessary environmental blight.
- They increase the City's cost in responding to storm water pollution.
- They are a hazard to wildlife and impact nature preserves.

Reusable bags are an easy, attainable solution to the issue of plastic bag pollution and the cost on the City of Huntington Beach and its citizens. The Environmental Board is available to discuss any of the aforementioned concerns.

---

<sup>i</sup> [http://greencitiescalifornia.org/assets/pages/single-use-bags\\_MEA-Ex-Summary.pdf](http://greencitiescalifornia.org/assets/pages/single-use-bags_MEA-Ex-Summary.pdf)

<sup>ii</sup> [http://www.salon.com/2007/08/10/plastic\\_bags/](http://www.salon.com/2007/08/10/plastic_bags/)

<sup>iii</sup> <http://plasticbaglaws.org/recent-study-relating-e-coli-infections-to-plastic-bag-bans-is-misguided/>

**Esparza, Patty**

---

**From:** Surf City Pipeline [noreply@user.govoutreach.com]  
**Sent:** Friday, March 15, 2013 10:46 AM  
**To:** CITY COUNCIL; Agenda Alerts  
**Subject:** Surf City Pipeline: Comment on an Agenda Item (notification)

**Request # 13717 from the Government Outreach System has been assigned to Agenda Alerts.**

---

**Request type:** Comment

**Request area:** City Council - Agenda & Public Hearing Comments

**Citizen name:** Chris Wilson

**Description:** All across the southland cities are enacting these ordinances without detailed thought on the matter. While banning plastic might be a good idea, there is NOTHING GOOD about the little item tacked on to these ordinances that compels a mandatory 10 cent fee on paper bags. It should be every business' right to decide what to do regarding paper bags. Recycled paper does NOT harm the environment.

This policy constantly causes checkout employees stress. Do you want to buy a bag? Sure. How many bags? One I guess? Meanwhile the employee is trying to figure out how to cram too many groceries into one bag because they don't want to enact another 10 cent fee. Crazy as this sounds that is what happens in Long Beach. Ban plastic? Sure. Fees for paper? NO!!

**Expected Close Date:** 03/16/2013

[Click here to access the request](#)

Note: This message is for notification purposes only. Please do not reply to this email. Email replies are not monitored and will be ignored.

## **SUPPLEMENTAL COMMUNICATION**

Meeting Date: 3-18-2013

Agenda Item No. 9

**Esparza, Patty**

---

**From:** Surf City Pipeline [noreply@user.govoutreach.com]  
**Sent:** Friday, March 15, 2013 10:21 PM  
**To:** CITY COUNCIL; Agenda Alerts  
**Subject:** Surf City Pipeline: Comment on an Agenda Item (notification)

**Request # 13725 from the Government Outreach System has been assigned to Agenda Alerts.**

---

**Request type:** Comment

**Request area:** City Council - Agenda & Public Hearing Comments

**Citizen name:**

**Description:** Please ban plastic bags. I am a 44 yr resident of H. B. and I am always picking up plastic bags I find laying on the ground before they can enter the storm drains and flow out into the ocean. I pick up more Walmart bags around Beach Blvd and Atlanta then I have Big Lots ones. It really upsets me when I find them on the sand and boardwalk down at the beach. PLEASE BAN PLASTIC BAGS! Thank you. Sincerely Martha Flynn

**Expected Close Date:** 03/16/2013

[Click here to access the request](#)

Note: This message is for notification purposes only. Please do not reply to this email. Email replies are not monitored and will be ignored.

**SUPPLEMENTAL  
COMMUNICATION**

Meeting Date: 3/18/2013

Agenda Item No. 9

**Esparza, Patty**

---

**From:** Surf City Pipeline [noreply@user.govoutreach.com]  
**Sent:** Monday, March 18, 2013 5:40 AM  
**To:** CITY COUNCIL; Agenda Alerts  
**Subject:** Surf City Pipeline: Comment on an Agenda Item (notification)

**Request # 13739 from the Government Outreach System has been assigned to Agenda Alerts.**

---

**Request type:** Problem

**Request area:** City Council - Agenda & Public Hearing Comments

**Citizen name:** anne burke

**Description:** plastic bag ban where they are unhealthy and carry bacteria which could cause disease 2 others

**Expected Close Date:** 03/19/2013

[Click here to access the request](#)

Note: This message is for notification purposes only. Please do not reply to this email. Email replies are not monitored and will be ignored.

**SUPPLEMENTAL  
COMMUNICATION**

Meeting Date: 3/18/2013

Agenda Item No. 9

**Esparza, Patty**

**From:** Fikes, Cathy  
**Sent:** Monday, March 18, 2013 12:19 PM  
**To:** Agenda Alerts; Connie Boardman; Dave Sullivan; Jill Hardy; Jim Katapodis; Joe Shaw; Matthew Harper  
**Subject:** FW: Ban the Plastic Bag meeting tonight. Come join us!

**From:** HB/SB Surfrider Foundation [mailto:hsb@hsbsurfrider.org]  
**Sent:** Monday, March 18, 2013 11:31 AM  
**To:** CITY COUNCIL  
**Subject:** Ban the Plastic Bag meeting tonight. Come join us!

Having trouble viewing this email? [Click here](#)

## Huntington Beach/Seal Beach Surfrider Newsletter



# Huntington Beach Seal Beach Chapter

**Volunteer Today**

### Quick Links

[\*\*Volunteer Today\*\*](#)

[\*\*2013 Beach Cleanups\*\*](#)

[\*\*Rise Above Plastics\*\*](#)

[\*\*Hold on to your Butt\*\*](#)

[\*\*Ocean Friendly Gardens\*\*](#)

[\*\*Cool Videos\*\*](#)

[\*\*Donate/Become a Member\*\*](#)

[\*\*Events Calendar\*\*](#)

[www.surfrider.org](http://www.surfrider.org)

Bag Ban - meeting TONIGHT - Monday, March 18th @ 6 PM



## SUPPLEMENTAL COMMUNICATION

Bag the Ban - Huntington Beach

Meeting Date: 3/18/2013 Surfrider Members Residents and Friends

Agenda Item No. 9

**Esparza, Patty**

---

**From:** Fikes, Cathy  
**Sent:** Monday, March 18, 2013 12:26 PM  
**To:** Agenda Alerts  
**Subject:** FW: Surf City Pipeline: You have been assigned a new Request #: 13737

---

**From:** Surf City Pipeline [mailto:noreply@user.govoutreach.com]  
**Sent:** Sunday, March 17, 2013 9:13 PM  
**To:** Fikes, Cathy  
**Subject:** Surf City Pipeline: You have been assigned a new Request #: 13737

**Request # 13737 from the Government Outreach System has been assigned to you.**

---

**Request type:** Comment

**Request area:** Contact an Executive

**Citizen name:** Susan Gross

**Description:** Please do not ban the plastic ("t-shirt") bags currently available with grocery purchase in stores. For many purposes, this bag is the best tool for the job. If some of the bags end up in the ocean, the problem is littering, not the bags themselves. BUT--if you absolutely must ban the bags, AT LEAST please include an exception for biodegradable (usually plant-based) bags, and ban only the petroleum-based kind. Such a compromise might satisfy HB voters on both sides of this controversial issue.

**Expected Close Date:** 03/27/2013

[Click here to access the request](#)

Note: This message is for notification purposes only. Please do not reply to this email. Email replies are not monitored and will be ignored.

**SUPPLEMENTAL  
COMMUNICATION**

Meeting Date: 3/18/2013

Agenda Item No. 9

March 18, 2013



Honorable Connie Boardman  
Mayor, Huntington Beach City Council  
2000 Main Street  
Huntington Beach, CA 92648

RE: Carryout Bag Draft Ordinance

Dear Mayor Boardman:

On behalf of the California Grocers Association (CGA), I urge you to move forward with the draft ordinance modeled after Los Angeles County that bans plastic bags, while placing a ten cent charge on paper bags. As you are aware, CGA has worked with dozens of jurisdictions throughout California on a compromise solution that protects the environment and protects retailers – a ban on plastic, charge for paper model.

The California Grocers Association is a non-profit, statewide trade association representing the retail food industry since 1898. CGA represents approximately 500 retail member companies, many of which do business in Huntington Beach. Collectively our members operate more than 6,000 retail food stores in California. Those outlets represent the breadth of diversity of California's retail food industry and include traditional supermarkets, convenience stores, wholesale merchandisers, and independent supermarkets. CGA represents many of the grocery companies operating in the City of Huntington Beach.

Dozens of jurisdictions across California have regulated or are in the process of regulating single-use carryout bags. Those successful efforts generally involve a ban on single-use plastic bags and a charge on specified single-use paper bags. This approach taken in other jurisdictions is one that has included robust stakeholder participation and in the end embodies broad consensus on the issue. It is important to note that such a model has become the standard in California. Following what has proven to be an effective and workable approach elsewhere helps increase consistency for businesses with store locations in multiple jurisdictions and for the Huntington Beach region's very mobile consumers.

Experience with the Los Angeles County carryout bag ordinance, which bans single-use plastic bags and allows recyclable paper bags for a charge, has shown a dramatic shift in consumer behavior away from single-use carryout bags toward reusable bag use. Industry information is showing an almost immediate flip in consumer behavior with over 70% of consumers either bringing their own bag or choosing no bag at all in the first few weeks of implementation. Over a

## **SUPPLEMENTAL COMMUNICATION**

Meeting Date: 3/18/2013

California Grocers Association | 1020 N. Lake Street | Burbank, CA 91502 | P: 818-841-8640 | F: 916-448-2793

Agenda Item No. 9



period of a few months the amount of consumers choosing not to use a single-use bag has climbed to over 80%. Stores that have seen this policy enacted for even longer periods of time have seen close to 94% of customers bring in reusable bags. This type of regulation is environmentally effective and protects retailers, by allowing them to recoup the costs of providing a much more expensive bag to the customer.

Allowing a small charge for paper bags also protects consumers by providing a low-cost option for unplanned purchases. If a customer comes to a store bringing three reusable bags, but buys four bags of groceries, they have an option of purchasing a paper bag for a ten cent charge, as opposed to spending a \$1.00 on another reusable bag. Grocery stores operate on less than 1% profit margins so every penny counts.

Again, we appreciate your attention to detail and urge you to move forward.

We look forward to working with you throughout this process.

Thank You,

A handwritten signature in black ink that reads 'Sarah P. Sheehy'. The signature is written in a cursive, flowing style.

Sarah Paulson Sheehy  
Director, Local Government Relations

cc: Members, Huntington Beach City Council  
Fred Wilson, City Manager  
Joan L. Flynn, City Clerk