

**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 *JLF*
DATE: April 1, 2013
SUBJECT: **SUPPLEMENTAL COMMUNICATIONS FOR THE APRIL 1, 2013
REGULAR CITY COUNCIL/PFA MEETING AND THE SPECIAL MEETING
OF THE SUCCESSOR AGENCY**

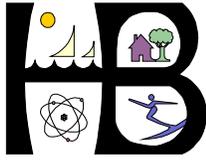
Attached is Supplemental Communications to the City Council (received after distribution of the Agenda Packet):

Consent Calendar

#7. Communications received regarding the banning of plastic bags:

Mayor Pro Tem Matthew Harper
Joe and Joan Robinson
Tom Stanton
Christine Vitamante

Mary Lee Smith
Gloria Nafel
Debbie Killey



CITY OF HUNTINGTON BEACH

City Council Interoffice Communication

TO: Honorable Mayor and City Council Members

FROM: Matthew Harper, Council Member

DATE: March 28, 2013

SUBJECT: Proposed Amendment to Plastic Bag Ban Ordinance

I am proposing this amendment to the Plastic Bag Ban Ordinance to clarify the current “audit provision” contained in the ordinance. One of my objections to the ordinance as proposed is that there are no performance measures as to whether this change in law would actually cause a reduction of bags from retail establishments in Huntington Beach. This change would call for accountability for whether that goal is achieved. This proposed amendment will require that stores subject to the ordinance begin tracking how many paper, plastic, and reusable bags are being distributed on the date the ordinance goes into effect--5.95.070 Operative date. This Chapter shall become operative six months from the effective date of this Ordinance, except for subsection 5.95.040 (e) which shall take effect 30 days after adoption of the ordinance.

This will allow the city to measure the number of bags being distributed for six months before the remainder of the ordinance becomes operative. Having this data will allow the City to create a baseline by which it can measure future bag distribution.

It is important to note that the City Attorney has advised me that this amendment, if approved, will require a new first reading.

5.95.040 Regulation of Recyclable Paper Carryout Bags

- a. Any store that provides a recyclable paper carryout bag to a customer must charge the customer ten cents (\$0.10) for each bag provided, except as otherwise provided in this Chapter.
- b. No store shall rebate or otherwise reimburse a customer any portion of the ten cent (\$0.10) charge required in Subsection (a), except as otherwise provided in this Chapter.
- c. All stores must indicate on the customer receipt the number of recyclable paper carryout bags provided and the total amount charged for the bags.
- d. All monies collected by a store under this Chapter will be retained by the store and may be used only for the following purposes:
 - 1) Costs associated with complying with the requirements of this Chapter;
 - 2) Actual costs of providing recyclable paper carryout bags; or
 - 3) Costs associated with a store's educational materials or education campaign encouraging the use of reusable bags, if any.

- e. All stores shall keep complete and accurate monthly records for a minimum period of three years from the date of sale, of the total number of reusable, plastic (if any) and recyclable paper carryout bags provided and the total amount of monies collected for providing recyclable paper carryout bags, which record shall be available for inspection at no cost to the City during regular business hours by any City employee authorized to enforce this Section. Unless an alternative location or method of review is mutually agreed upon, the records or documents shall be available at the store's address. All stores shall submit an annual report to the City detailing the monthly records in a format that may be easily discernible using generally recognized accounting standards to the City. A responsible agent or officer of the store shall confirm that the information provided is accurate and complete.
- f. Any store that fails to maintain complete records or documents, maintains false, inaccurate or misleading records, or otherwise fails to comply with this section be in violation of this Section and such store shall be subject the fines set forth in Section 5.95.080.

xc: Fred Wilson, City Manager
Bob Hall, Assistant City Manager
Jennifer McGrath, City Attorney
Joan Flynn, City Clerk

Esparza, Patty

From: Fikes, Cathy
Sent: Friday, March 29, 2013 1:56 PM
To: Agenda Alerts
Subject: FW: Plastic Bags

From: Mary Lee Smith [mailto:smithmarylee19@yahoo.com]
Sent: Friday, March 29, 2013 12:17 PM
To: CITY COUNCIL
Subject: Plastic Bags

Dear Members of the City Council,

I am writing in regards to the banning of plastic bags in our city. I am definitely against this. Cloth bags can become contaminated with meat juices, moldy residue from fruits and vegetables, etc. Why not ban disposable diapers? They take up a lot more room in our landfills than plastic bags. Paper bags mean cutting down forests. Don't you have anything better to do? I'm tired of the "nanny state" and now we have a "nanny city"!!!!

DO NOT BAN PLASTIC BAGS

Thank you,

Mary Lee Smith
16242 Woodstock Ln.
Huntington Bch., CA 92647

**SUPPLEMENTAL
COMMUNICATION**

Meeting Date: 4/1/2013

Agenda Item No. 7

Esparza, Patty

From: Stephenson, Johanna
Sent: Wednesday, March 27, 2013 4:14 PM
To: Esparza, Patty
Subject: FW:

From: ptljjrob@aol.com [mailto:ptljjrob@aol.com]
Sent: Wednesday, March 27, 2013 3:45 PM
To: CITY COUNCIL
Subject:

As residents of Huntington Beach Landmark we are strongly opposed to the ban on plastic bags. Joe and Joan Robinson

**SUPPLEMENTAL
COMMUNICATION**

Meeting Date: 4/1/2013

Agenda Item No. 7

Esparza, Patty

From: Surf City Pipeline [noreply@user.govoutreach.com]
Sent: Thursday, March 28, 2013 2:07 PM
To: CITY COUNCIL; Agenda Alerts
Subject: Surf City Pipeline: Comment on an Agenda Item (notification)

Request # 13846 from the Government Outreach System has been assigned to Agenda Alerts.

Request type: Compliment

Request area: City Council - Agenda & Public Hearing Comments

Citizen name: Gloria Nafel

Description: I am thrilled that Huntington Beach has passed the single use plastic bag ban. I understand that there is another vote before it becomes law. I wish to encourage your support in finalizing this law. I am proud to live in a city which will be among the first in Orange County to address this important environmental issue.

Expected Close Date: 03/29/2013

[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: 4/1/2013

Agenda Item No. 7

Esparza, Patty

From: Surf City Pipeline [noreply@user.govoutreach.com]
Sent: Thursday, March 28, 2013 1:49 PM
To: CITY COUNCIL; Agenda Alerts
Subject: Surf City Pipeline: Comment on an Agenda Item (notification)

Request # 13845 from the Government Outreach System has been assigned to Agenda Alerts.

Request type: Comment

Request area: City Council - Agenda & Public Hearing Comments

Citizen name: Tom Stanton

Description: As a longtime resident of Huntington Beach (42+ years), I wholeheartedly support the ban on disposable plastic bags. Reusable bags have become the norm, and there is no reason to continue the use of these bags that are bad for the environment and cause too much waste in our city. Thanks!

Expected Close Date: 03/29/2013

[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: 4/1/2013

Agenda Item No. 7

Esparza, Patty

From: Stephenson, Johanna
Sent: Thursday, March 28, 2013 12:25 PM
To: Esparza, Patty
Subject: FW: Please ban plastic bags on April 1

From: Debbie Killey [mailto:dbkilley@yahoo.com]
Sent: Thursday, March 28, 2013 12:24 PM
To: Shaw, Joe
Cc: Stephenson, Johanna
Subject: Please ban plastic bags on April 1

Dear Joe,

I have read many editorials in the Wave and Independent on this topic and as a resident of Huntington Beach for 15 years who uses her own bags, I want you to know that I fully support the ban. Please vote on April 1 to ban the bags.

Thank you,
Debbie Killey

**SUPPLEMENTAL
COMMUNICATION**

Meeting Date: 4/1/2013

Agenda Item No. 7

Request: 13855 Entered on: 03/29/2013 08:51 AM

Customer Information

Name: Christine Vitamante
Address: 7371 Coho Dr Unit 103
Huntington Beach, CA
92648

Phone: (714) 960-4248
Alt. Phone:
Email: cvitamante@verizon.net

Request Classification

Topic: City Council - Agenda & Public
Hearing Comments
Status: Closed
Assigned to: Agenda Alerts

Request type: Comment
Priority: Normal
Entered Via: Web

Description

Please please go forward with banning the plastic bags here in HB. There is no need for thousands and thousands of these bags to be blowing into the ocean and flying around. No one needs that many. They will get over it. I lived in Europe in 2001 and they had already implemented this in most countries. Do not listen to negative emails who most likely are involved with the companies selling them. Why else?

Reason Closed

Thank you for taking the time to send your thoughts to the City Council. A copy of your comments will also be forwarded to the City Clerk to be included in the record on this item. Thank you very much for writing.

Date Expect Closed: 04/08/2013

Date Closed: 04/01/2013 09:32 AM **By:** Johanna Stephenson

Enter Field Notes Below

Notes:

Notes Taken By: _____

**SUPPLEMENTAL
COMMUNICATION**

Date: _____

Meeting Date: 4/1/2013

Agenda Item No. 7