



TRANSPORTATION AND ENVIRONMENT COMMITTEE
Meeting Report
February 2, 2009

PRESENT: Chair Sam Liccardo, Vice Chair Nora Campos, Vice Mayor Judy Chirco, Councilmember Rose Herrera.

ABSENT: None

STAFF: Deputy City Manager Ed Shikada, Senior Deputy City Attorney Mollie Dent, Redevelopment Agency Director Bill Ekern, Government Affairs Policy Advisor Jeff Janssen, and Deputy City Clerk Michelle Radcliffe

A. Review of Workplan and Consent Calendar

Action: The Committee approved the workplan and Consent Calendar.

B. Report on Airport Ground Transportation Program and Fee Adjustments

This item was deferred to March 2009.

C. Report on City Bicycle Master Plan Report

This item was deferred to March 2009.

D. Report on Commercial Solid Waste System Redesign

Documents Filed: 1) Memorandum from Environmental Services Director John Stufflebean dated January 20, 2009, recommending that the following items be placed on the February 17, 2009 Council Agenda: a) discussion and approval to develop Request for Proposals (RFP) to solicit and award an exclusive franchisee to collect and process commercial solid waste, recyclables, and organic materials for two service districts with the option to extend terms; b) include a living wage and employee retention requirements in the RFP; and c) direction to amend the City's Living Wage Policy to include exclusive commercial solid waste franchise services; and 2) Supplemental memorandum from City Attorney Rick Doyle dated January 22, 2009, regarding Commercial Solid Waste Franchise Wage Policies

Public Comment: Steve Jones from Garden City Sanitation, Todd Hansen from Green Team of San Jose and Mark Arsenault of Stevens Creek Disposal and Recycling addressed concerns on the language of the Request for Proposals.

Action: The Committee accepted staff's recommendation of placing the discussion and approval to develop a Request for Proposal to solicit and award an exclusive franchisee to collect and process commercial solid waste, recyclables, and organic materials for two service districts with the option to extend terms on the February 17, 2009 agenda. At the request of the City Attorney's Office, the items regarding the living wage and employee retention requirement, and amending the City's Living Wage Policy were deferred.

E. Report on Ordinance Revisions for Dental Mercury and Fats, Oil and Grease Programs

Documents Filed: 1) Memorandum from Environmental Services Director John Stufflebean dated December 15, 2008, recommending approval of the proposed Dental Amalgam Program and direct the City Attorney to draft an ordinance amending Chapter 15.14 of the San José Municipal Code to regulate dental practices under a Dental Wastewater Permit and require the installation of amalgam separators and implementation of Best Management Practices; and 2) Memorandum from Environmental Services Director John Stufflebean dated December 12, 2008, recommending directing the City Attorney's Office to draft an ordinance amending Chapter 15.14 of the San José Municipal Code to implement the enhanced Fats, Oil and Grease Control Program.

Action: The Committee accepted the staff recommendation.

F. Report on Special Events and Venues Recycling

Document Filed: Memorandum from Environmental Services Director John Stufflebean dated January 20, 2009, recommending that the following items be placed on the February 24, 2009 Council agenda: a) Acceptance of the Environment Services Department staff report on key special event and venue recycling accomplishments and opportunities for improvements; and b) effective May 1, 2009, add a condition in the Event Authorization that special events that have over 1,000 attendees be required to use #1 (PET) plastic recyclable beverage containers.

Action: The Committee accepted staff's recommendation.

G. Report on Plastic Carryout Bag Ban and Reduction in Single Use

Documents Filed: 1) Memorandum from Environmental Services Director John Stufflebean dated January 20, 2009, recommending that the following items be placed on the February 24, 2009 Council Agenda: a) adoption of a resolution to support the efforts of the Santa Clara County Cities Association in promoting a regional approach to reducing the use and impacts of disposable, single-use carryout paper and plastic bags; b) direct staff to continue supporting the Santa Clara County Recycling and Waste Reduction Commission for a regional approach to single-use carryout bag usage and to provide feedback to the committee on the County's draft model ordinance language; c) direct staff and the City Attorney's Office to return to the Transportation and Environment Committee in April 2009 with an ordinance to reduce single-use carryout bags for Council consideration; and d) to continue to support legislation that would implement a state-wide program that would significantly reduce the use of single use carryout bags and that would remove any restriction on the City's ability to establish fees on plastic carryout bags or other disposable packaging; 2) Correspondence from CommUniverCity San José Executive Director Dayana Salazar dated February 2, 2009, expressing support for the adoption of the single-use carry out bag ordinance; 3) Faxed correspondence from Friends of Guadalupe River Park and Gardens Executive Director Leslee Hamilton expressing support to the countywide ordinance to encourage shopping with reusable bags; and 4) Correspondence from Homeowners Organized to Maintain Equity (H.O.M.E.) dated February 2, 2009, expressing opposition to the proposed ordinance to place a 25 cent fee on plastic bags.

Public Comment: The following people spoke in favor of placing a 25 cent fee on disposable, single-use carryout paper and plastic bags: Laura Reinhard from Save the Bay; Todd Hansen from GreenTeam of San Jose; Steven Jones from Garden City Sanitation; Benny Boveda from Target Stores; Dayana Salazar from CommUniverCity; Joel Corona from California Waste Solutions; Gil Chesio from Newby Island; Bryan Early from Californians Against Waste; Anthony Eulo from Solid Waste Technical Advisory Committee; Emily Hanson from GreenWaste Recovery; and Trish Mulvey from Clean South Bay.

The following people spoke against placing a 25 cent fee on disposable, single-use carryout paper and plastic bags: Manny Diaz with the American Chemistry Board; Carol Winn; James Duran from the Hispanic Chamber of Commerce; Christine Carr from 7-Eleven, Inc.; Ryan Kenny; Monica Amador from the Hispanic Chamber of Commerce; Joe Galea from 7-Eleven Franchise Owners Association; Neil Ehoury from 7-Eleven Franchise Owners Association; and Martha Montelongo.

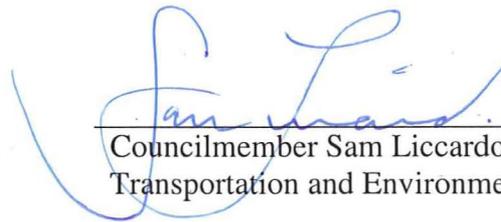
Action: The Committee accepted staff's recommendation and requested staff to work with industry groups and interested parties to look for litter protection, storm water litter cleanups and other litter programs. The Committee also directed staff to come back to the Committee in April 2009 with an update on the ordinance development and to explore local action if the state has not enacted legislation to address issues associated with plastic bags.

H. Public Forum

There were none.

I. Adjournment

The meeting was adjourned at 3:44 p.m.



Councilmember Sam Liccardo, Chair
Transportation and Environment Committee