



Memorandum

TO: Honorable Mayor &
City Council Members

FROM: Lee Price, MMC
City Clerk

SUBJECT: The Public Record
September 10-16, 2010

DATE: September 17, 2010

ITEMS TRANSMITTED TO THE ADMINISTRATION

ITEMS FILED FOR THE PUBLIC RECORD

- (a) Memorandum from Janet Shum to City Clerk Lee Price dated September 8, 2010 forwarding for the record the bond transcript for the "City of San Jose Multifamily Housing Revenue Bonds (Fourth Street Apartments Project)". (CD on file in the Office City Clerk)
- (b) Email from John E. Colby to Mayor Reed and Council dated September 9, 2010 regarding "Response to the San Jose Rules and Open Government Committee's Illegitimate Denial of My Request".
- (c) Letter from the County of Santa Clara Recycling and Waste Reduction Commission to Mayor Reed and Council dated September 13, 2010 transmitting the "Zero Waste 2020 Vision Statement and Action Plan for Santa Clara County".
- (d) Letter from David Wall to Mayor Reed and Council dated September 16, 2010 regarding "Does Mayor Reed and or Mayor's staff intentionally interfere with 'Free Speech'".
- (e) Letter from David Wall to Mayor Reed and Council dated September 16, 2010 regarding "The Ghetto Life: Update on the SCEP".
- (f) Letter from David Wall to President Obama dated September 16, 2010 regarding "Safe Because We Are Fair." (Attachment on file in the Office of the City Clerk).

Lee Price, MMC
City Clerk

LP/tld

Distribution: Mayor/Council
City Manager
Assistant City Manager
Assistant to City Manager
Council Liaison
Director of Planning
City Attorney
City Auditor

Director of Transportation
Public Information Officer
San José Mercury News
Library
Director of Public Works
Director of Finance



Memorandum

TO: Lee Price
City Clerk

FROM: Janet Shum
Finance Department

SUBJECT: Public Records

DATE: September 8, 2010

Attached is the bond transcript CD for:

- City of San Jose Multifamily Housing Revenue Bonds (Fourth Street Apartments Project), Series 2010A-1 and Series 2010A-2, \$23,000,000. It was approved by Joint City of San Jose City Council/Financing Authority on 5/11/2010 Item 2, Resolution 75369 and SJFA Resolution No. 99.

Please treat the above as originals and admit as part of the public records.

If you have any questions regarding these transcripts, please call me at x57016.

(CD on file in the Office of the City Clerk)

JANET SHUM
Analyst, Finance Department

Attachment

RECEIVED
San Jose City Clerk
2010 SEP 13 A 9:21

re: Response to the San Jose Rules and Open Government Committee's illegitimate denial of my request

Dear Mayor Reed:

I consider your committee's [the Rules and Open Government's] denial yesterday of my (supposed) appeal of the San Jose Police Department's (SJPD's) denial of my public records request to be illegitimate. To the point: I intend to continue pursuing this matter until I gain transparent answers to the questions I am seeking to shed light on.

To sum:

1. I never filed an appeal of the SJPD's denial of my access to public records. To be clear, I inquired with the City Clerk as to how I might lodge an appeal, but I did not actually file an appeal. It is a mystery to me how your committee came to hear a non-existent appeal.
2. I asked the SJPD for a formal, more specific denial of my original request so that I might better compose an appeal. I have not yet received this more specific denial on SJPD letterhead. Thus again, I have not yet appealed the SJPD's denial of my public records request.
3. Your committee did not inform me of a right to appear to argue my case. Thus I was not accorded due process to make my case, or for a legal advocate to make my case. Your committee did not communicate with me in any manner. Thus I consider that I was not accorded a fair hearing. It is very strange for a committee on Rules and Open Government to make decisions where those affected are not allowed to be present, are not even invited to be present. This seems like the type of government (behind closed doors) which once operated in Soviet politics.
4. Since I was not invited to appear and do not have minutes of the subject meeting, I do not know what transpired beyond to quote a breaking Mercury News article — http://www.mercurynews.com/bay-area-news/ci_16027437 — "Police said they already had given the man what little information they had, and Reed said the request appeared "moot". Neither of the men who requested the records attended the hearing to argue their case."
5. I have not had an opportunity to review the minutes of the meeting in which you denied an appeal I never made, and called the matter "moot".
6. Finally the request is not "moot." I have not received the results of an investigation about why Ms. Robin Jansen (over the last eight years) has been allowed to remain a fugitive from justice, still abusing drugs and alcohol, at the Mission Gardens Apartments in Santa Cruz, just thirty miles from San Jose. I have not received investigation results from SJPD Internal Affairs Commander Lt. Richard Weger nor from the Office of the Independent Police Auditor. This matter is hardly settled.

The SJPD claims that they cannot confirm Ms. Robin Jansen's active warrant to the Santa Cruz Police Department (SCPD) because the Santa Clara County District Attorney refuses to prosecute it. They say Ms. Jansen's active arrest warrant has been "recalled" by the District Attorney's office. However, on two separate occasions last week the Criminal Division of the Santa Clara Superior Court confirmed the arrest warrant is still active. In fact, they claim that once the District Attorney filed the charges against Ms. Jansen in 2003 and the Court issued the subject arrest warrant that the District Attorney and the SJPD lost all discretionary jurisdiction in choosing whether to prosecute or enforce the active arrest warrant against Ms. Jansen. The SJPD, by seeming negligence, did not have the active arrest warrant against Ms. Jansen enforced during the last eight years, allowing Ms. Jansen to

become a danger, while she continued abusing drugs and alcohol, to other residents of the Mission Gardens Apartments in Santa Cruz, California. For eight years the SJPD has allowed Ms. Jansen to remain a fugitive from the law while she continued abusing drugs and alcohol.

What are Mission Gardens residents to think, when the SJPD neglected to remove Ms. Jansen from their crime embattled apartment complex — where nineteen year old Carl Reimer was gunned down last April — in which Ms. Jansen has tried to initiate fights with gang members and gang affiliates? How are they supposed to respect your office and those sworn to uphold the law, when the SJPD has allowed Ms. Jansen to flout it for eight years, still abusing drugs and alcohol, to remain here in violation of Section 8 program rules against dangerous drug and alcohol abuse threatening other residents.

To correct you and your committee: my public records request and the interests of Mission Gardens residents to be safe are not "moot".

Considering what I have written:

1. After the SJPD responds to my request for a more definitive, specific denial of my public records request, I will request another hearing before your committee. Next time I hope to bring legal advocates to argue my case for the residents of Mission Gardens.
2. After SJPD Internal Affairs and the Office of the Independent Auditor present their findings, I intend to seek another hearing.
3. I intend to continue to make more (focused) public records requests and argue my case before the news media, state legislators and the state executive branch until the voices of Mission Gardens residents are heard and justly considered. The California Attorney General's Office has explained to me what avenues exist to pursue misconduct against local government, law enforcement and county district attorneys.

In short: I don't plan to stop until transparent government processes show why Ms. Jansen is still free to roam the Mission Gardens Apartments, where Carl Reimer was killed, abusing drugs and alcohol, endangering other residents — I will not stop until her still active warrant is confirmed and enforced by the SJPD.

Thank you for giving some more thought to your and your committee's initial illegitimate denial of an appeal which I never filed.

Sincerely yours,
John E. Colby, Ph.D.

County of Santa Clara

Recycling and Waste Reduction Commission
Integrated Waste Management Division

1553 Berger Drive, Building #1
San Jose, California 95112
(408) 282-3180 FAX (408) 282-3188
www.ReduceWaste.org



RECEIVED
San Jose City Clerk
SEP 14 P 3:08

September 13, 2010

Dear Elected Officials and Community Leaders:

Please see the attached information regarding the Zero Waste 2020 Vision Statement and Action Plan for Santa Clara County.

Many of the cities and the County have identified and are working to reduce greenhouse gas emissions. Waste disposal is included as one of the key sources of greenhouse gas emissions needing attention. A September 2009 report by the EPA, *Opportunities to Reduce Greenhouse Gas Emissions through Materials and Land Management Practices*, identifies materials management as responsible for 42% of the greenhouse gas footprint in the United States.

Materials management refers to how we manage material resources as they flow through the economy, from extraction or harvest of materials and food (e.g., mining, forestry, and agriculture), production and transport of goods, provision of services, reuse of materials, and, if necessary, disposal (page 1 of report).*

The Technical Advisory Committee (TAC) for the Recycling and Waste Reduction Commission has provided the attached *Zero Waste 2020 Vision Statement and Action Plan for Santa Clara County*, which shifts the focus from handling items at the end of their original life to an integrated materials management approach that will reduce all environmental impacts related to these products. The Zero Waste Guiding Principles encourage policies, incentives and disincentives that will shift the impacts of the materials we consume to the producer, reduce the toxicity to the environment and reduce the amount of waste generated.

While recognizing that some cities in Santa Clara County have taken action on Zero Waste and/or signed onto the Bay Area Climate Change Collaborative, which sets a regional goal for Zero Waste by 2020, the RWRC recommends that all cities and the County

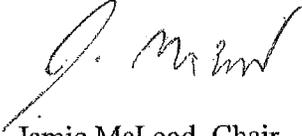
- Adopt the Zero Waste 2020 Vision and Guiding Principles
- Create a Zero Waste Plan or update an existing plan to integrate the list of possible actions and principles.

A consistency of vision regarding Zero Waste will allow the cities and the County to individually and collectively make decisions that will move the region towards this vision.

Commissioners: Jamie McLeod, Chair; Ronit Bryant, Kansan Chu, Jim Griffith, Patrick Kwok, Evan Low, Cat Tucker, Kris Wang, Curtis Wright, Ken Yeager

While each city may have a customized path towards reaching Zero Waste, and may find some initiatives or policies easier to implement than others, the RWRC urges action of some kind within each city and also encourages the TAC to incorporate Zero Waste into regional strategies and marketing efforts.

Thank you,



Jamie McLeod, Chair
Recycling and Waste Reduction Commission

*Note: The EPA Report, *Opportunities to Reduce Greenhouse Gas Emissions through Materials and Land Management Practices*, can be accessed at:
http://www.epa.gov/oswer/docs/ghg_land_and_materials_management.pdf

Attachments:

1. Zero Waste 2020 Vision Statement and Action Plan for Santa Clara County

ZERO WASTE 2020: A Vision Statement and Action Plan for Zero Waste in Santa Clara County

A. Introduction

Local governments are encouraged to adopt policies and develop plans that move community members to eliminate waste. This vision statement and action plan were developed to provide Santa Clara County jurisdictions with a working document that can be used to guide decision making policies and programs toward achieving zero waste by 2020. In addition, it provides the community with an understanding of their role in moving toward zero waste.

B. Santa Clara County Zero Waste 2020 Vision

By 2020, all discarded materials in Santa Clara County are recovered for their highest and best use, and no materials are sent to landfills or incinerators.

To achieve this vision, Santa Clara County will work to:

1. Educate and engage businesses, organizations, public agencies and residents.
2. Adopt and implement supporting policies and Zero Waste Action Plans.
3. Support legislation and adopt policies that require minimized environmental impacts through improved product design.
4. Ensure that facilities and infrastructure are in place to properly manage all recovered materials.

C. Guiding Principles for the Zero Waste 2020 Vision for Santa Clara County

Zero Waste actions, program design and spending priorities are guided by scientifically-derived data and analyses, based on the following guiding principles:

WASTE REDUCTION: Reduce the Amount of Materials to be Managed

1. All products shall be designed to reduce the consumption of resources associated with their production and use.
2. Upstream impacts of product development and manufacturing shall be identified, reduced, and included when considering the environmental footprint of a product.
3. Products shall be designed to eliminate the downstream impacts associated with their use and disposal.
4. Products that cannot be reutilized after their intended use shall be redesigned or eliminated.
5. The financial and physical responsibility for material recovery shall be shifted to the producers of products by legislative and regulatory actions.

RECYCLING & COMPOSTING: Manage Materials to Minimize Environmental Impacts

Downstream

6. All organic materials shall be recovered and productively used.
7. Recovered materials shall be directed to their highest and best use.
8. Materials sent to landfill shall be minimized.

ZERO WASTE 2020: A Vision Statement and Action Plan for Zero Waste in Santa Clara County

What is Zero Waste?

Zero Waste is a systems approach to eliminating the impacts of products and packaging, resource use and reutilization through the implementation of modern materials management and greenhouse gas reduction programs. Impacts are designated as upstream impacts (e.g., pre-consumer, resource extraction and production of goods); and downstream impacts (e.g., post-consumer, end of life, waste management).

Why is Zero Waste Important?

It is widely acknowledged that our current way of life is unsustainable in many ways including the pace at which we are consuming our natural resources and the environmental impacts associated with the ongoing pollution of our water, air, and land. Zero waste programs and policies address both of these issues by identifying inefficiencies in the use of materials and energy and striving to eliminate them. In doing so, zero waste programs lead us to a more sustainable future.

More specifically, as addressing the issue of climate change has become the focal point for sustainability among most of the governmental agencies in Santa Clara County, it is essential to recognize the significant way that achieving Zero Waste will reduce greenhouse gas (GHG) emissions. GHG emissions from materials consumption fall into two broad categories: (1) methane generated as organics decompose in a landfill, and (2) emissions produced in the extraction of resources, the use of energy in the production of goods and services and transportation of goods. Zero waste programs directly address both of these categories in the following ways:

- A recent study by the Sierra Club identified that, in the short term, methane is 100 times more potent a GHG than carbon dioxide. Methane is released from even the best designed and managed landfills, therefore, eliminating organics from landfills will reduce the amount of methane produced.
- A 2009 study by the U.S. EPA, *Opportunities to Reduce Greenhouse Gas Emissions through Materials and Land Management Practices*, highlights that 44% of all GHG emissions are related to the extraction of resources and the use of energy in the production of goods and services. Reusing those resources eliminates the need to extract additional resources and the resulting GHGs and also reduces GHG emissions from disposal in landfills.

The Santa Clara County Zero Waste 2020 Vision

By 2020, all discarded materials in Santa Clara County are recovered for their highest and best use, and no materials are sent to landfills or incinerators.

To achieve this vision, Santa Clara County will work to:

1. Educate and engage businesses, organizations, public agencies and residents.
2. Adopt and implement supporting policies and Zero Waste Action Plans.
3. Support legislation and adopt policies that require minimized environmental impacts through improved product design.
4. Ensure that facilities and infrastructure are in place to properly manage all recovered materials.

The Eight Guiding Principles for Achieving the 2020 Zero Waste Vision

Zero Waste actions, program design and spending priorities are guided by scientifically-derived data and analyses. For instance, often plastic and paper bags are considered equivalent, but when tested, the paper bag on the left holds over two times as many tennis balls as the plastic bag. Therefore, the environmental impacts from paper bags should be compared 1:2 to plastic bags.



Often decisions are based on emotional reactions to issues or on lobbying efforts by special interests. To reach zero waste objectives, an iterative process of reducing the use of products that remain in the waste stream in the largest quantities or that add the most toxicity would effectively reduce the waste stream while moving towards zero waste.

The following eight Guiding Principles offer local governments the framework for working towards zero waste. They fall into two categories – (1) making decisions that help transform how products are made and used to reduce the amount and toxicity of materials being consumed and (2) managing materials after their initial use to reduce impacts. Zero waste considers and acts on upstream impacts (what happens with materials before they are consumed) and downstream impacts (what happens when materials are no longer wanted).

The first set of guidelines focus on changing what happens upstream to provide better products that have less impact during and after use.

WASTE REDUCTION: Reduce the Amount of Materials to be Managed

1. All products shall be designed to reduce the consumption of resources associated with their production and use.

Products and packaging can be redesigned to use less natural resources. For instance, aluminum cans now use less aluminum and some packaging products have been light-weighted. This saves natural resources as well as the fuel needed to transport heavier items. Better product design can include making components replaceable so that the entire product does not need to be discarded, or could make a component or product of only one material so that it is easily recyclable.

2. Upstream impacts of product development and manufacturing shall be identified, reduced, and included when considering the environmental footprint of a product.

Resource extraction – mining, logging, or oil drilling – and the use of energy for manufacturing and fuels for transportation all have significant environmental impacts. These can be eliminated by increasing the use of recycled content in a product, using less toxic materials, or creating a more efficient manufacturing model.

3. Products shall be designed to eliminate the downstream impacts associated with their use and disposal.

A product that is designed to be easily repaired, recovered or reused will significantly reduce downstream impacts. Likewise, using a product that is made of natural, nontoxic materials will eliminate natural resource consumption. For instance, the use air pillows or shredded paper eliminates the use of expanded polystyrene peanuts and the environmental impacts from oil extraction and the manufacturing process. Reusing expanded polystyrene peanuts instead of throwing them away would also reduce impacts.

If soda bottles had caps that were attached to the bottle and made of the same kind of plastic, the problem of bottle caps as litter and waste would be eliminated in same way as aluminum flip tops were replaced by pop tops.

4. Products that cannot be reutilized after their intended use shall be redesigned or eliminated.

Striving for a standardization of materials used in specific products would help make recovery more effective. For instance, using only one plastic for all food containers would eliminate confusion around recycling plastic and would produce a better recycled product.

Products made of materials that have no second life, that are made of too many materials to be recoverable, or that are made of bonded materials (like aseptic packaging), should be eliminated.

5. The financial and physical responsibility for material recovery shall be shifted to the producers of products by legislative and regulatory actions.

Expanded Producer Responsibility policies and actions assign the costs of environmental impacts to the resulting products by requiring the manufacturer to accept the products at their end of life. Internalizing the cost of recovery and recycling by the manufacturer in the purchase price of the product creates an incentive to create better products and to find ways to capture and reuse materials.

The last three guidelines focus on downstream impacts through proper materials management practices.

RECYCLING & COMPOSTING: Manage Materials to Minimize Environmental Impacts

Downstream

6. All organic materials shall be recovered and productively used.

This requires the separate collection of organics, processing these materials into a high quality, marketable product; and selling (or otherwise distributing) the product. This may include banning the collection and disposal of organic materials when they are mixed with other materials (garbage).

Organics still make up over 30% of materials being disposed of in landfills, yet organics are easily composted. Compostable organics consist of plant trimmings, food scraps, papers and cardboards, natural cloth, and animal droppings.

7. Recovered materials shall be directed to their highest and best use.

Encourage highest and best use through contractual requirements and financial incentives. Recovered products should be marketed for use in manufacturing high quality materials to maximize their value. Recycled or up-cycled; not down-cycled. The additional cost of processing the materials to a higher standard must be borne by the collector or processor; but will be offset by higher revenues received.

8. Materials sent to landfill shall be minimized.

If green waste or plastic bottles were banned from the landfill, another use for these items will be found. Make sure that construction and demolition debris is sent to a facility that can recover the materials. These three items – green waste, recyclables, and construction and demolition debris – not only make up a large portion of what is disposed, but they are also easily recoverable.

Local Government Zero Waste Action Plans (ZWAP)

To promote Zero Waste principals, the County and cities are encouraged to adopt the Vision and Guiding Principles and then create a Zero Waste Action Plan that includes as many of the following actions as are appropriate in their community:

The first set is a group of activities that can be quickly accomplished and that are directly under the control of local governments.

1. Adopt an Extended Producer Responsibility Policy.

a. Extended Producer Responsibility (EPR) is a strategy designed to promote the integration of environmental costs associated with goods throughout their life cycle into the market price of the products.

b. [more info on EPR is available in Attachment C].

2. Adopt an Environmentally Preferable Purchasing Policy for products and services.

a. Environmentally Preferable Purchasing (EPP) is one of the best ways for a local government to make a difference. By choosing products that reduce waste and pollution or meet other environmental or sustainable criteria, local governments send a strong message to the manufacturers. Creating a demand for good products through purchasing policies will increase demand and capacity and therefore reduce costs and prices.

b. In addition to adopting an EPP, establishing the capacity or process for implementation is an important step towards success.

c. [more info on EPP is available in Attachment D].

3. Adopt source reduction policies

a. A source reduction policy will generally include actions such as reduced use of paper through electronic communication and storage of information, changes to building codes to reduce environmental impacts of construction, requirements to select products or processes that use less natural resources or are packaged in a manner that reduces resource use.

b. Eliminating the use of toxic materials is another source reduction approach.

4. Expand the Home Composting and Bay Friendly Programs.

a. Both of these programs educate residents on how to compost and utilize the benefits of compost in gardening. A local government could ensure that these classes are offered as part of their community programs and could provide low-cost composting bins or other incentives to help residents learn to compost.

b. Composting keeps high quality organics out of the landfill and offers a productive use of these products; backyard composting will also save greenhouse gas emissions related to hauling green waste to a composting facility.

Mid-Term Priority List (requires longer time frame to implement)

5. Adopt collection rates that encourage waste reduction by consumers and that will support local zero waste programs.
 - a. Having charges only on garbage collection and disposal is not sustainable as the county moves toward zero waste; however, this does increase the amount of diversion. To support an ongoing zero waste program, other options that would provide funding for ongoing programs while continuing to encourage less disposal should be analyzed and considered.

6. Manage household hazardous waste through producer and local seller funded collection and take-back programs.

7. Support programs and partnerships that include the take-back approach. Local jurisdictions cannot afford to cover the cost of managing the massive amounts of household hazardous wastes that are discarded by the public. The cost of managing these materials must rest with the manufacturers and sellers of these products.

8. Identify and implement incentives for businesses to take steps toward the Zero Waste Vision.
 - a. Financial incentives will induce businesses to move toward zero waste by changing the way that they design and manufacture their products. These can be built into the system so that they naturally stimulate better design.
 - b. Zero waste businesses could be recognized for their contribution.

9. Ban plant trimmings from landfills, including its use as alternative daily cover, and/or ban landfill disposal.
 - a. Organic materials generate methane, only a portion of which can be recovered when disposed in landfill. The first step in eliminating this source of methane is to remove plant trimmings from being buried in a landfill.
 - b. Organic materials are still a large part of the disposal waste stream, and therefore use up valuable space.

10. Establish mandatory recycling requirements for businesses and multi-family residences.
 - a. Mandatory recycling can take many forms: the mandate can be placed on the generator, the collector, the processor, the landfill operator, or all of the above.
 - b. The mandate can require that certain materials be recycled, that selected materials not be placed in the garbage containers; or both of the above
 - c. Requirements to recycle should include a recommendation to buy recycled as well.
 - d. Mandatory green waste composting could be combined with an opportunity for businesses to receive free or discounted compost.

11. Provide a comprehensive educational outreach program designed to effect environmental behavior change.

- a. A first step in getting to zero waste is communicating with residents and businesses about the vision and objectives and defining their role in helping communities achieve zero waste.
- b. Education and outreach will continue to be an on-going activity and should be included in many places in the ZWAP. Supporting countywide or regional campaigns is another way in which a local government can provide some outreach.

Long-term Priority List.

These items may require longer lead times or may require state or national action.

12. Require productive use of all organics and develop programs and incentives to eliminate landfill disposal of organics.

- a. In addition to banning plant trimmings from being buried at landfill, other organics could be banned or redirected to composting to maximize the environmental benefits and achieve zero waste.
- b. Productive uses in addition to composting will need to be identified and implemented to provide options for these materials.

13. Implement a continual improvement approach to Zero Waste that will identify products in the waste stream and develop Zero Waste action strategies for addressing these products.

- a. Keep checking on what is still being disposed
- b. Identify changes that can be made to those products.
- c. Ask, what programs do we need to expand or implement to get to the goal?

14. Support and encourage legislative, regulatory and administrative actions, including but not limited to these actions:

- a. Increase AB 939 fees at landfills and from other sources to fund programs; identify the amount of funding necessary to implement sufficient programs to achieve goals; and develop a funding structure that will continue to be effective as the community approaches the zero waste goal.
- b. Pursue legislation and regulations to eliminate toxic substances in waste stream by removing them from products and making the manufacturers responsible.
- c. Pursue mandatory Extended Producer Responsibility regulations.
- d. Amend AB 2020 to include more container types and products and adequately fund the costs of recycling and litter control.
- e. Pursue legislation and other methods to fully fund litter control, education and litter or illegal dumping enforcement.

f. Promote tax incentives and tax credits for businesses that implement zero waste initiatives.

Matrix of Cities and Actions

The following matrix lists the action items from the previous section with information on what each city has already accomplished.

| ZW Actions | Campbell | Cupertino | Gilroy | Los Altos | Los Altos Hills | Los Gatos | Milpitas | Monte Sereno | Morgan Hill | Mountain View | Palo Alto | San Jose | Santa Clara | Saratoga | Sunnyvale | Uninc. County |
|--|----------|-----------|--------|-----------|-----------------|-----------|----------|--------------|-------------|---------------|-----------|----------|-------------|----------|-----------|---------------|
| Short-term Priority List. | | | | | | | | | | | | | | | | |
| Adopt an Extended Producer Responsibility Policy. | | X | | | | X | | | X | X | | | X | | X | X |
| Adopt an Environmentally Preferable Purchasing Policy for products and services. | | | | | | X | X | | | X | | X | X | | X | X |
| Adopt source reduction policies | | | | | | | X | | | | | X | X | | X | |
| Expand the Home Composting and Bay Friendly Programs. | | X | | | | | | | | | | X | X | | | X |
| Mid-Term Priority List. | | | | | | | | | | | | | | | | |
| Adopt collection rates that encourage waste reduction by consumers and that will support local zero waste programs. | | X | X | | | X | | | X | X | | X | X | X | X | |
| Manage household hazardous waste through producer and local seller funded collection and take-back programs. | | | | | | | | | | | | X | X | | X | |
| Identify and implement incentives for businesses to take steps toward the Zero Waste Vision. | | | | | | X | | | | | | X | | | | |
| Ban plant trimmings from landfills, including its use as alternative daily cover, and/or ban landfill disposal. | X | | | | | | | | X | | | X | | | | |
| Establish mandatory recycling requirements for: Businesses | | | | | | | | | | | | | | | | X |
| Multi-family residences | | | | | | | | | | | | | | | | |
| Provide a comprehensive educational outreach program designed to effect environmental behavior change. | | | | | | X | | | | | | X | | | X | X |
| Long-term Priority List. | | | | | | | | | | | | | | | | |
| Require productive use of all organics and develop programs and incentives to eliminate landfill disposal of organics. | | | | | | | | | | | | X | | | | |
| Implement a continual improvement approach to Zero Waste that will identify products in the waste stream and develop Zero Waste action strategies for addressing these products. | | | | | | | | | | | | | | X | | |
| Support and encourage legislative, regulatory and administrative actions, including but not limited to these actions. | | X | | | | X | | | | | | | X | | X | X |

Countywide Actions

These are actions that will be most effective when done collectively and therefore are good projects for the Technical Advisory Committee (TAC) to address on behalf of the Recycling and Waste Reduction Commission. However, a local ZWAC should include a statement of support for these actions.

1. Permit only those new processing facilities that maximize recovery rates for the materials received. Processing facilities that are not designed to minimize residue from their processing activities should be encouraged to upgrade their equipment to increase recovery rates before being allowed to increase the amount of materials received.
2. Encourage local or regional partnerships when evaluating or permitting new conversion facilities or technologies. Conversion facilities may achieve efficiencies by serving a larger service area with a larger total tonnage. This may allow the use of more expensive equipment than could be justified by a smaller materials flow. The benefits of these factors should be considered in evaluating new facilities and technologies.
3. Ensure that sufficient facilities are in place to properly manage all recovered materials by integrating the Zero Waste Vision into planning processes and any future updates of Source Reduction and Recycling Elements, Nondisposal Facility Elements, Household Hazardous Waste Elements, County Integrated Waste Management Plans and Countywide Summaries.
4. Develop joint zero waste education campaigns and include the Zero Waste Vision in other waste reduction campaigns or programs.
5. The continual improvement approach described in #13 above is also applicable to a countywide approach: Identify products that are still in the waste stream and develop Zero Waste action strategies for addressing these products.
 - a. Keep checking on what is still being disposed
 - b. Identify changes that can be made to those products.
 - c. Ask, what programs do we need to expand or implement to get to the goal?

Regional and National Actions

1. Metrics – Interested city and the County staff and/or the TAC can participate in ongoing work to refine the metrics on impacts from consumption and waste. A clear measurement tool that illustrates environmental and climate change benefits from resource conservation and waste reduction would help to change the way decisions are made.
2. Support Legislation – The RWRC and each local government can take positions on legislative possibilities.

Appendices

The appendices contain sample language, resolutions or policies that a city can utilize in the review or preparation of their own documents.

- A) Morgan Hill model contract language for hauler**
- B) Sunnyvale Policy for Zero Waste**
- C) Model resolution for Extended Producer Responsibility**
- D) Sample EPP policy from Mountain View with description**
- E) City of San Francisco Resolution for a 75% Diversion Goal**

Appendix A) Morgan Hill model contract language for hauler

This language directs the hauler to not pick up yard trimmings or corrugated cardboard, thereby reducing the amount of organics going to the landfill.

COMPANY shall not collect yard trimmings (organic materials including grass clippings, cuttings, leaves, Christmas trees and other yard trimmings) during the collection of residential garbage unless the yard trimmings are not reasonably visible to the COMPANY employee. COMPANY shall not collect corrugated cardboard during the collection of residential garbage unless the cardboard is not reasonably visible to the COMPANY employee. If, in the process of emptying a garbage container, yard trimmings or cardboard become visible to a COMPANY employee, said employee shall stop emptying that container. COMPANY employees shall leave a CITY-approved explanatory notice on all garbage containers not emptied because they contained yard trimmings or cardboard. If a customer requests that the COMPANY return to an address to collect garbage that has had yard trimmings or cardboard removed from it and is now collectable, COMPANY shall return within 24 hours after the customer has agreed to pay the extra collection fee contained in Exhibit A, Schedule of Rates.

Appendix B) Sunnyvale Policy for Zero Waste

ZERO WASTE POLICY

POLICY PURPOSE:

The City of Sunnyvale understands that the placement of materials in waste disposal facilities such as landfills, causes damage to human health, wastes natural resources, and transfers liabilities to future generations. The purpose of this Zero Waste Policy is to:

- Protect the environment and conserve natural resources
- Help prevent pollutants from entering the air, land, and water
- Create a more efficient economy
- Preserve the environment for future generations

POLICY STATEMENT

It is the policy of the City of Sunnyvale that the City will work to:

1. Reduce the amount of Sunnyvale waste being disposed
2. Encourage residents, businesses and agencies to use, reduce, and recycle materials judiciously
3. Empower consumers to use their buying power to demand non-toxic, easily reused, recycled or composted products
4. Encourage manufacturers to produce and market less toxic and more durable, repairable, reuseable, recycled and recyclable products
5. Lobby regional, state and federal legislators to implement laws, policies and regulations that promote Zero Waste
6. Work locally and regionally to assist in Zero Waste planning
7. Lead by example and implement Zero Waste goals for all City buildings
8. Put policies in place that favor environmental and economically sustainable practices
9. Provide the community information about Zero Waste that includes periodic reports that measure progress toward quantifiable Zero Waste goals

C) Model resolution for Extended Producer Responsibility

Definition: Product Stewardship involves consumers, government agencies and product manufacturers sharing the responsibility of reducing the impact of product waste on public health, the environment, and the economy. Extended Producer Responsibility (EPR) is a strategy to place a shared responsibility for end-of-life product management on the producers, and all entities involved in the product chain, instead of the general public; while encouraging product design changes that minimize a negative impact on human health and the environment at every stage of the product's lifecycle. This allows the costs of treatment and disposal to be incorporated into the total cost of a product. It places primary responsibility on the producer, or brand owner, who makes design and marketing decisions. It also creates a setting for markets to emerge that truly reflect the environmental impacts of a product, and to which producers and consumers respond.

RESOLUTION NO. _____
RESOLUTION OF THE (Jurisdiction name)
SUPPORTING EXTENDED PRODUCER RESPONSIBILITY

WHEREAS, approximately _____ tons of discarded materials and products are currently sent to disposal from our community each year at a cost of \$_____ per ton; and

WHEREAS, on February 8, 2006 California's Universal Waste Rule (CCR, Title 22, Division 4.5, Chapter 23) became effective; and

WHEREAS, the Universal Waste Rule banned landfill disposal of certain products that are deemed hazardous, including household batteries, fluorescent bulbs and tubes, thermostats and other items that contain mercury, and electronic devices such as, televisions, cell phones, microwave ovens, printers, and computers; and

WHEREAS, it is anticipated that the list of waste products determined to be hazardous or problematic will continue to grow and will therefore be banned from landfills as demonstrated by the 2007 ban of treated wood and the 2008 Sharps ban; and

WHEREAS, state policies currently make local governments responsible for achieving waste diversion goals and enforcing product disposal bans, both of which are unfunded mandates; and

WHEREAS, the costs to manage Universal Waste and problematic products are currently borne by taxpayers and rate payers and, because of the bans these costs are increasing substantially and will continue to do so unless policy changes are made; and

WHEREAS, data from City and County annual reports show that, statewide, less than ten percent of the household hazardous waste and Universal waste generated is being collected; and

WHEREAS, local governments do not have the resources to adequately address the rising volume of discarded products; and

WHEREAS, costs paid by local governments to manage products are in effect subsidies to the producers of hazardous products and products designed for disposal; and

WHEREAS, in (year), (Jurisdiction name) spent the equivalent of \$_____ to properly manage household hazardous wastes; and

WHEREAS, if (Jurisdiction name) were able to collect all of the batteries and fluorescent tubes generated in (Jurisdiction name), such a service cost would more than all of the other current household hazardous waste programs combined (or language that is true for your jurisdiction); and

WHEREAS, the Board/City Council of (Jurisdiction name) supports statewide efforts to hold producers responsible for the Universal Waste products and other product waste they create; and

WHEREAS, there are significant environmental and human health impacts associated with improper management of Universal Waste, sharps, and other products; and

WHEREAS, Extended Producer Responsibility (EPR) is a policy approach in which producers have cradle-to-cradle responsibility for the products they create and sell and are responsible for designing, managing and funding effective end-of-life systems for those products; and

WHEREAS, EPR encourages reuse and recycling and also encourages producers to consider the health and environmental costs associated with the products they create and to include those costs in the product price, thereby creating an incentive to design products that are more durable, easier to repair and recycle, and are non-toxic; and

WHEREAS, EPR framework legislation is a holistic approach that establishes transparent and fair principles and procedures for applying EPR to categories of products and ensures a level playing field for all producers of those products; and

WHEREAS, the California Product Stewardship Council (CPSC) is a non-profit organization of California local governments working to speak with one voice in advancing transparent and fair EPR systems in California; and

WHEREAS, in (Date), the (Jurisdiction name) adopted a municipal Zero Waste Plan (if applicable), and this plan emphasizes the need to incentivize manufacturers to reduce the toxics in their products and design them to be reusable and recyclable; and

WHEREAS, the (Jurisdiction name) wishes to incorporate EPR policies into the (Jurisdiction name) procurement practices to reduce costs and protect the environment; and

WHEREAS, in January 2008 the California Integrated Waste Management Board adopted a Framework for an EPR System in California; and

WHEREAS, in April 2008 the California League of Cities adopted a policy statement in support of a framework approach to EPR;

WHEREAS, in July 2008 the National Association of Counties adopted a resolution in support of a framework approach to EPR; and

WHEREAS, in November 2009 the National League of Cities adopted a policy statement in support of a framework approach to EPR;

NOW, THEREFORE BE IT RESOLVED BY THE (Governing Body) **OF THE** (Jurisdiction name) that by adoption of this Resolution the (Jurisdiction name) urges the California Legislature and Agencies to continue taking timely action to implement the Framework for an EPR System adopted by the California Integrated Waste Management Board in 2008 to manage problematic products, and to urge the Department of Toxic Substances Control to implement EPR under the Green Chemistry initiative to manage Universal and other toxic products; and

BE IT FURTHER RESOLVED, that the Board/Council of (Jurisdiction name) urges the California Legislature to enact framework EPR legislation which will give producers the incentive to design products to make them less toxic and easier to reuse and recycle; and

BE IT FURTHER RESOLVED, that the (staff/solid waste director) of (Jurisdiction name) be authorized to send letters to the League of California Cities, the California State Association of Counties, and the California Integrated Waste Management Board the Department of Toxic Substance Control, and the State legislature and to use other advocacy methods to urge support for EPR product or framework legislation and related regulations; and

BE IT FURTHER RESOLVED, that the Chair of the Board/Council of (Jurisdiction name) be authorized to sign the California Product Stewardship Council (CPSC) Pledge of Support and participate by contributing \$_____ to CPSC to educate and advocate for EPR policies and programs; and

BE IT FURTHER RESOLVED, that the (Jurisdiction name) encourages all manufacturers to share in the responsibility for eliminating waste through minimizing excess packaging, designing products for durability, reusability and the ability to be recycled; using recycled materials in the manufacture of new products; and providing financial support for collection, processing, recycling, or disposal of used materials; and

BE IT FURTHER RESOLVED, that the (Jurisdiction name) and its member agencies develop producer responsibility policies such as leasing products rather than purchasing them and requiring producers to offer less toxic alternatives and to take responsibility for collecting and recycling their products and the end of their useful life.

PASSED AND ADOPTED by the Board/Council of the (Jurisdiction name), State of California on _____ by the following vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

Signed: _____ Date: (mo/day/year)
(Name), Chair

ATTEST: _____
(Name), Clerk
(Jurisdiction name)

D) Sample EPP policy from Mountain View with description

Environmentally Preferable Purchasing Policy (EPP)

An Environmentally Preferable Purchasing Policy (EPP) encourages the purchase of the most environmentally responsible products and services that meet performance needs, are competitively priced and are readily available. Many recycled and environmentally preferable products now cost the same as, or are only slightly more than, other products. The EPP documents an agency's practice of preference for sustainable products that perform well, are readily available at a reasonable price and comply with the agency's specifications, operational needs, goals and objectives.

The US Environmental Protection Agency developed five guiding principles to provide broad guidance for applying environmentally preferable purchasing. Although these guiding principles were developed for the Federal government setting, they offer a good overview of how EPP can work in any government setting.

Principle 1: Environment + Price + Performance = Environmentally Preferable Purchasing

Environmental considerations should become part of normal purchasing practice, consistent with such traditional factors as product safety, price, performance and availability.

Principle 2: Pollution Prevention

Consideration of environmental prefer ability should begin early in the acquisition process and be rooted in the ethic of pollution prevention, which strives to eliminate or reduce, up-front, potential risks to human health and the environment.

Principle 3: Life Cycle Perspective/Multiple Attributes

A product or service's environmental preferability is a function of multiple attributes from a life cycle perspective.

Principle 4: Comparison of Environmental Impacts

Determining environmental preferability might involve comparing environmental impacts. In comparing environmental impacts, agencies should consider: the reversibility and geographic scale of the environmental impacts, the degree of difference among competing products or services, and the overriding importance of protecting human health.

Principle 5: Environmental Performance Information

Comprehensive, accurate, and meaningful information about the environmental performance of products or services is necessary in order to determine environmental preferability.

Following is a sample EPP Resolution and Policy adopted by the City of Mountain View.

CITY COUNCIL POLICY

REVISED: _____

Effective Date: _____

Resolution No. _____

SUBJECT: CITY OF MOUNTAIN VIEW ENVIRONMENTALLY PREFERABLE PURCHASING POLICY **NO: A-20**

Environmentally preferable purchasing ensures that services and products procured:

- Conserve natural resources, materials and energy;
- Eliminate or reduce toxics that create hazards to City workers and the community;
- Eliminate or reduce potential release of pollutants into the natural environment;
- Minimize environmental impacts, such as pollution, and reduce use of water and energy; and
- Maximize recyclability and recycled content.

PURPOSE:

The purpose of this policy is to make environmentally preferable purchasing the standard for the City of Mountain View (City) and also to support markets for recycled goods and other environmentally preferable products and services.

This policy will support the City's commitment to environmental stewardship and human health and safety. By incorporating environmental considerations into public purchasing, the City of Mountain View will positively impact human health and the environment.

POLICY:

DEFINITIONS

The following terms apply to this policy:

- A. **Eco-labeling** refers to product labels that display the logo of a third-party certification organization (e.g., Energy Star, Electronic Product Environmental Assessment Tool (EPEAT), Forest Stewardship Council (FSC), Green Seal, Quality Assurance International (QAI)).

CITY COUNCIL POLICY

REVISED: _____

Effective Date: _____

Resolution No. _____

SUBJECT: CITY OF MOUNTAIN VIEW ENVIRONMENTALLY NO: A-20
PREFERABLE PURCHASING POLICY

- B. **Environmentally Preferable Products and Services** are products and services that reduce negative effects on human health and the environment when compared with competing products. A comparison of products/services may consider raw materials acquisition, production, manufacturing, packaging, distribution, reuse, operation, maintenance or disposal, along with the complete cost of a product throughout its life, when practical.
- C. **Extended Producer Responsibility (EPR)** places responsibility on the manufacturer, rather than the City, for taking back a product after it is no longer needed. By shifting costs and responsibilities of product recycling/disposal to manufacturers, EPR provides an incentive to eliminate waste and pollution through product design and packaging changes.
- D. **Life Cycle Cost** means the amortized annual cost of a product, including capital costs, transportation costs, installation costs, operating costs, maintenance costs and disposal costs discounted over the life of the product.
- E. **"Practical"** means whenever possible and compatible with local, State and Federal law, regulations and/or City of Mountain View policy, without reducing safety, quality or effectiveness and where the product or service is available at a reasonable cost in a reasonable period of time.
- F. **Recyclable Product** means a product which, after its intended use, can be used as raw material in the manufacture of another product.
- G. **Recycled Material** means material that has been recovered and used in place of raw or virgin material in manufacturing a product. Recycled material is derived from post-consumer waste, manufacturing waste, industrial scrap, agricultural waste and other waste material.
- H. **Virgin Material** means any material occurring in its natural form. Virgin material is often used as raw materials in the manufacture of new products.

CITY COUNCIL POLICY

REVISED: _____

Effective Date: _____

Resolution No. _____

SUBJECT: CITY OF MOUNTAIN VIEW ENVIRONMENTALLY NO: A-20
PREFERABLE PURCHASING POLICY

The City of Mountain View commits to:

1. Procure environmentally preferable products and services where practical and where criteria for such products and services have been established by governmental or other widely-recognized authorities (e.g., Energy Star, Environmental Protection Agency (EPA) Eco Purchasing Guidelines, EPEAT, FSC, Green Seal, QAI).
2. Integrate environmental factors into the City's buying decisions, such as:
 - Replacing disposables with reusables or recyclables;
 - Buying products bearing eco-labels;
 - Taking into account life cycle costs and benefits; and
 - Evaluating, as appropriate, the environmental performance of vendors in providing products and services and taking products back at the end of their life.
3. Raise staff awareness regarding the environmental issues affecting procurement by providing relevant information and training to City staff and vendors interested in doing business with the City.
4. Encourage vendors to offer environmentally preferable products and services at competitive prices.
5. Encourage service providers to consider all possible environmental impacts of providing their services.
6. Comply with applicable environmental legislative and regulatory requirements in the procurement of products and services, e.g., Extended Producer Responsibility.

Nothing in this policy requires a department or vendor to procure products that do not perform adequately or are not practical.

CITY COUNCIL POLICY

REVISED: _____

Effective Date: _____

Resolution No. _____

SUBJECT: CITY OF MOUNTAIN VIEW ENVIRONMENTALLY **NO:** A-20
PREFERABLE PURCHASING POLICY

Procedures and guidelines will be established and updated as necessary to ensure the continuation of a strong, environmentally preferable purchasing policy.

RESPONSIBILITIES

All departments shall identify and purchase the most environmentally responsible and practical products and services. Factors to consider when evaluating an environmentally preferable product or service include, but are not limited to:

- Minimization of virgin raw materials in product or service life cycle.
- Minimization of materials regulated by Federal or State permits or other City policies.
- Maximization of recycled content in product life cycle.
- Reuse of existing products or materials in product or service life cycle.
- Recyclability of product.
- Minimization of packaging.
- Reduction of energy/water consumption.
- Reduction or elimination of product or service toxicity.
- Long durability and low maintenance of product.
- Disposal, recycling and take-back of product.
- Local sourcing of product or service, whenever possible.

CITY COUNCIL POLICY

REVISED: _____

Effective Date: _____

Resolution No. _____

SUBJECT: CITY OF MOUNTAIN VIEW ENVIRONMENTALLY PREFERABLE PURCHASING POLICY **NO: A-20**

Purchasing Section Responsibilities:

1. Develop and maintain information about environmentally preferable products.
2. Provide training to staff and vendors regarding the City's environmentally preferable purchasing policy and provide implementation assistance.
3. Incorporate specifications (e.g., requirement of recycled content or Energy Star rating) into City bid solicitations where practical.
4. Provide vendors with information about the City's environmentally preferable product/service procurement requirements and specifications.
5. Encourage vendors to use electronic invoices, whenever possible.
6. Review policy and costs every two to three years or as warranted and recommend changes to Council, if appropriate.

CNLPOL
A20-916CP^

1 [Resolution For 75% Waste Diversion Goal]
2

3 **Resolution adopting a goal of 75% landfill diversion by the year 2010 and a long term**
4 **goal of zero waste, with the date set by the San Francisco Commission on the**
5 **Environment once the 50% diversion goal is met, and adopting a policy of promoting**
6 **the highest and best use of discarded materials and only allowing the use of alternative**
7 **daily cover to be counted as credit toward meeting the diversion goals if there are no**
8 **higher and better uses available, and urging the State of California to adopt similar**
9 **goals.**

10
11 WHEREAS, The California Integrated Waste Management Act of 1989 ("Act") requires
12 cities and counties to reduce, reuse and recycle (including composting) solid waste generated
13 in the state to the maximum extent feasible before incineration or landfill disposal of waste to
14 conserve water, energy and other natural resources, and to protect the environment; and

15 WHEREAS, The California Integrated Waste Management Board's 2001 Strategic Plan
16 has a goal of a "zero-waste," but the Act mandates only that California cities and counties
17 divert 50% from landfills and does not set any subsequent waste reduction goals; and

18 WHEREAS, The landfill diversion rate increased statewide from 10% to 42% between
19 1989 and 2000, while the amount of waste dumped in landfills only decreased by 13% during
20 that period; and San Francisco's diversion rate increased from 35% to 46% between 1990
21 and 2000 (and is expected to exceed 50% diversion by 2003), while the tonnage from San
22 Francisco disposed in landfills actually increased by over 30%; and

23 WHEREAS, For every ton of municipal waste landfilled, 71 tons of manufacturing and
24 production waste are disposed of in other ways; and
25

1 WHEREAS, Disposing of waste in landfills or incinerators endangers public health and
2 the environment by polluting the land, water and air with methane and other greenhouse
3 gases, toxic metals, dioxins, acid gases and toxic ash residue; and

4 WHEREAS, Landfill and incinerator disposal fees do not reflect true costs, because
5 taxpayers pay billions of dollars in tax subsidies for virgin resource material extraction and
6 processing, as well as bear the costs of the subsequent environmental and public health
7 damage; and

8 WHEREAS, Waste reduction, reuse and recycling conserve natural resources, reduce
9 pollution and are cheaper than disposal when all costs are considered and create more jobs in
10 local communities; and

11 WHEREAS, To maximize waste reduction, reuse and recycling, product manufacturers
12 must share responsibility for their product and packaging waste and participate in redesign of
13 the product lifecycle process to ensure that all material can be safely recycled; and

14 WHEREAS, Alameda County has set a goal of achieving a 75% waste diversion rate
15 by 2010, and several jurisdictions have adopted zero waste as a long term goal, including
16 Santa Cruz and Del Norte Counties in California; Seattle, Washington; Toronto, Canada;
17 Canberra, Australia; New South Wales, Australia and 45% of New Zealand's local
18 governments; and

19 WHEREAS, Under the Waste Disposal Agreement for San Francisco's waste at the
20 Altamont landfill, approximately 7 million tons capacity remained as of January 1, 2001, which
21 is less than 10 years capacity at 2000 disposal levels, and a new landfill contract could
22 significantly increase San Francisco disposal costs; and

23 WHEREAS, A variety of businesses have adopted zero waste goals or have reduced
24 landfilled waste by more than 80%, with some over 90%, including Amdahl Corporation,
25 Collins & Aikman, Fetzer Winery, Herman Miller Inc., Hewlett Packard, Mad River Brewing,

1 Interface, Inc., Pillsbury, Xerox Corp., San Diego Wild Animal Park, and in San Francisco,
2 restaurants including Jardiniere, Lulu and Scoma's; and

3 WHEREAS, A zero waste goal can act as a guiding principle to eliminate waste and
4 pollution in resource and materials management by promoting: redesign of manufacture, use,
5 and recycling of materials, extended producer responsibility, valuing the highest and best use
6 of materials, and creating a whole system closed loop material cycling based economy for
7 long term true sustainability; and

8 WHEREAS, On April 16, 2002, the San Francisco Commission on the Environment
9 adopted a Resolution urging, among other things, the Mayor and the Board of Supervisors of
10 the City and County of San Francisco to adopt a goal of 75% landfill diversion by the year
11 2010 and a goal of zero waste by 2020; and

12 WHEREAS, AB 1647 (1996) allows communities unlimited diversion or recycling credit
13 for covering landfills (called "alternative daily cover" or ADC) with landscape trimmings
14 ("green") material or other "beneficial reuses" at landfills; and

15 WHEREAS, Giving communities diversion credit for putting green material in landfills
16 has contributed to the quadrupling of ADC use at some landfills, with as much as 45% of the
17 material in the landfill now being ADC; and

18 WHEREAS, The use of ADC in the state has increased from 394,000 tons in 1995 to
19 over 1.7 million tons in 2000, with an additional 2.5 million tons in 2000 used for landfill
20 construction and erosion control; and

21 WHEREAS, Using green material as compost or landscaping mulch is more beneficial
22 than putting it in a landfill, the demand for compost and mulch continues to exceed the supply
23 available, there is excess capacity at composting facilities and there are alternative materials
24 available to cover landfills; and therefore, be it

1 RESOLVED, That the Board of Supervisors adopts a goal for San Francisco of 75%
2 landfill diversion by the year 2010; and authorizes the San Francisco Commission on the
3 Environment to adopt a long term goal of zero waste, ~~with the date set once~~ when the 50%
4 diversion goal is met, ~~and will establish~~ including a timeline to achieve a goal of zero waste
5 once the 50% diversion goal is met; and, be it

6 FURTHER RESOLVED, That the Board of Supervisors urges the state legislature to
7 adopt a zero waste goal with an interim goal of 75% by the year 2010; and, be it

8 FURTHER RESOLVED, That the Board of Supervisors adopts a policy of promoting
9 the highest and best use of discarded materials and only allowing the use of alternative daily
10 cover to be counted as credit toward meeting the diversion goals if there are no higher and
11 better uses available, and urges the state to adopt similar policies.



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails

Resolution

File Number: 021468

Date Passed:

Resolution adopting a goal of 75% landfill diversion by the year 2010 and a long term goal of zero waste, with the date set by the San Francisco Commission on the Environment once the 50% diversion goal is met, and adopting a policy of promoting the highest and best use of discarded materials and only allowing the use of alternative daily cover to be counted as credit toward meeting the diversion goals if there are no higher and better uses available, and urging the State of California to adopt similar goals.

September 30, 2002 Board of Supervisors — AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

September 30, 2002 Board of Supervisors — ADOPTED AS AMENDED

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

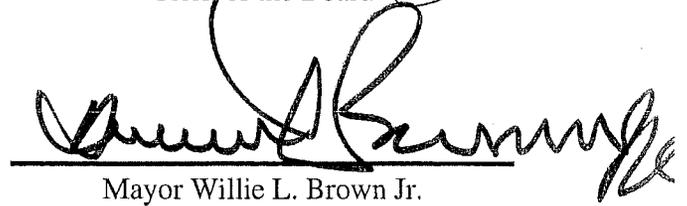
File No. 021468

I hereby certify that the foregoing Resolution was ADOPTED AS AMENDED on September 30, 2002 by the Board of Supervisors of the City and County of San Francisco.


Gloria L. Young
Clerk of the Board

OCT 11 2002

Date Approved


Mayor Willie L. Brown Jr.

David S. Wall
P.O. Box 7621
San José, California 95150

PUBLIC RECORD d

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San Jose City Clerk

2010 SEP 16 P 2:31

September 16, 2010

Mayor Reed and Members San José City Council
200 East Santa Clara Street
San José, California 95113-1905

Re: Does Mayor Reed and or Mayor's staff intentionally interfere with "Free Speech"?

...or...is the contagion of "incompetence" to be the causative agent?

Should a "change of staff member" be an acceptable remedy?

Once again those; yellow, environmentally unfriendly, "Citizen Request to Speak Cards" have found themselves at center stage, again.

Twice this week, Mayor Reed's staff member, charged with bringing to his Honor those yellow, environmentally unfriendly, "Citizen Request to Speak Cards" did not perform to the acceptable standard.

If the mechanics involved with the delivery of those yellow, environmentally unfriendly, "Citizen Request to Speak Cards" are acts of either incompetence or intentional conduct, this is unknown to me. It has happened too many times in the past as well and it must stop.

To be fair, has Mayor Reed given staff "instructions" not to either "process and or deliver" those; yellow, environmentally unfriendly, "Citizen Request to Speak Cards" to him?

Has Mayor Reed decided for himself who will have access to "Free Speech"?

Personally, all of the above can be negated if his Honor would "simply ask the public" if anyone wants to speak on an issue, to come forward and do so within the time constraints set by his Honor.

Then those yellow, environmentally unfriendly, "Citizen Request to Speak Cards" could be affixed to Councilmember Liccardo's bicycle frame so that the cards are hit by the spokes of the wheels as they rotate.

The resulting "noise" so generated could serve to "warn the public" as to Councilmember Liccardo's on coming presence. This will permit the public to "jump to safety" as they wave a fleeting "howdy" and shout a friendly greeting in the direction of his dutiful, but sometimes reckless bicycling Honor.

Respectfully submitted,

David S. Wall
09.16.10

///
///
///

Cc: City Attorney / City Auditor / City Manager

David S. Wall
P.O. Box 7621
San José, California 95150

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RECEIVED
San Jose City Clerk

2010 SEP 16 P 2:32

September 16, 2010

Mayor Reed and Members San José City Council
200 East Santa Clara Street
San José, California 95113-1905

Re: THE GHETTO LIFE: UPDATE ON THE SCEP

On Wednesday afternoon (09.15.10), after the raucous "Rules and Open Government Committee" meeting, in which; Councilmembers Campos, Kalra and valiant members of Local 230 (the Fire Fighters Union) received unceremonious and berating chastisement from Mayor Reed and Councilmember Constant that could be likened to a "swift and prolonged kick to the privates", I ventured over to North Tenth Street @ Horning Street to "take the pulse" of the SCEP (Shopping Cart Entitlement Program). I arrived on station at approximately 1602 hours and found five (5) stolen and abandoned shopping carts. *A 75% decrease as to the number of stolen and abandoned shopping carts from last week is hereby recorded.*

The "perennial garbage pile" (PGP) is very small as compared with last week. And the (1) 96-gallon, blue, "Allied Waste Services" garbage container (serial # 9895 292 1646), has been removed by person(s) unknown.

The "perennial growing debris field" (PGDF) along the railroad tracks also has been reduced by person(s) unknown. What appears to have happened is a "cleaning of sorts" of debris along both "sides of the tracks" was done for a distance of at least 100 (one-hundred) yards.

The travel trailer, "*The Golden Falcon*" CA # JT 9621 still located on the Northwest side of E. Mission Street @ North 11th Street. This trailer is being used as a residence. This form of residency has its' economic advantages. No rent, free garbage and sewer.

Ownership of the stolen and abandoned shopping carts is as follows;

"Unmarked" (1), Grocery Outlet (1), Pacific Fire Safety (1), Longs (1) and Costco (1). The 96-gallon, blue, "Allied Waste Services" garbage container (Serial # 9895 292 1646) is has been removed by person(s) unknown.

*"Unmarked stolen and abandoned shopping carts have been "purposefully altered" to shield true identity.
special note the overall cleanliness of shopping carts picked up off the streets and returned to stores should be addressed by some governmental agency. Unsuspecting customers may use excrement coated shopping carts without their knowledge. Shopping carts picked up off the street are "filthy" and are potential reservoirs of microbial agents waiting to spread contagion(s).

Public Safety Hazard on North Tenth Street has been abated as of this SCEP report.

As reported for the several few weeks, illegally parked vehicles that habitually parked in front of; "T&A Supply, Inc., 1045 North Tenth Street", in the parking strip; create a "blind spot" placing motorists and pedestrians in jeopardy. As of the date and time this SCEP report was taken, the aforementioned safety hazard to the public has been abated. **Good Job! Mayor Reed.**

"Yard waste" which appears to have been "illegally dumped" (southeast corner of Horning Street @ North Tenth Street) has not been picked up for at least three (3) weeks.

Respectfully submitted,

David S. Wall
09.16.10

Cc: City Attorney / City Auditor / City Manager

(attachment on file in the Office of the City Clerk)

RECEIVED
San Jose City Clerk

PUBLIC RECORD f

2010 SEP 16 P 4: 25

Sept. 16, 2010

PRESIDENT BARRACK OBAMA
The White House
1600 PENNSYLVANIA AVE.
Wash. D.C.

SAN JOSE CITY HALL
"The Wing Lobby"

By: DAVID S. WALL

SAN JOSE, CA
95150

Mr. President:

I hope this letter AND ATTACHMENT
entitled:

"SAFE BECAUSE WE ARE FAIR"

HOW CROSS-DEPUTIZATION UNDERMINES
POLICE OFFICER AND COMMUNITY SAFETY

A report issued by:

"THE CONSORTIUM FOR POLICE LEADERSHIP IN EQUITY,
BOARD OF DIRECTORS"

FINDS YOU WELL AND IN GOOD SPIRITS.

Because of time constraints, the "dead-line" for
the SAN JOSE PUBLIC RECORD is this date & within a few
minutes, I had to write you in hand. Please forgive spelling
AND punctuation errors. Sincerely: David S. Wall
CC: MAYOR REED & CITY COUNCIL.