

**CITY OF MILPITAS  
RECYCLING AND SOURCE REDUCTION ADVISORY COMMISSION MEETING  
OCTOBER 22, 2013, 6:00 P.M.  
CITY HALL COMMITTEE MEETING ROOM  
455 E. CALAVERAS BLVD, MILPITAS CA 95035**

---

- I. ROLL CALL**
- II. PLEDGE OF ALLEGIANCE**
- III. SEATING OF ALTERNATES**
- IV. APPROVAL OF THE MINUTES OF THE JULY 23 AND AUGUST 29, 2013 MEETINGS**
- V. PUBLIC FORUM**

---

Members of the audience are invited to address the Recycling and Source Reduction Advisory Commission on any subject not on tonight's agenda. Speakers must state their name and address for the Secretary's record, and limit their remarks to under three minutes. As an item not on the agenda, no response is required of City staff or the Commission; however, the Commission may place the item on the agenda for a future meeting.

---

- VI. ANNOUNCEMENTS**
- VII. COUNCIL LIAISON REPORT**
- VIII. APPROVAL OF AGENDA**
- IX. NEW BUSINESS**
  - 1. MILPITAS 60<sup>TH</sup> ANNIVERSARY FAMILY DAY DISCUSSION**
- X. OLD BUSINESS**
  - 1. SINGLE-USE BAG ORDINANCE DISCUSSION**
  - 2. POLYSTYRENE (EPS) CONTAINERS DISCUSSION**
  - 3. EXTENDED PRODUCER RESPONSIBILITY (EPR) COUNTYWIDE ORDINANCE DISCUSSION**
- XI. STATUS OF DIVERSION PROGRAM ACTIVITIES**
- XII. REQUEST FOR FUTURE AGENDA ITEMS**
- XIII. ESTABLISH NEXT MEETING DATE**
- XIV. ADJOURNMENT**

KNOW YOUR RIGHTS UNDER THE OPEN GOVERNMENT ORDINANCE

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and the City operations are open to the people's review.

Materials related to an item on this agenda submitted to the Recycling and Source Reduction Advisory Commission after initial distribution of the agenda packet are available for public inspection at the Utility Engineering department at Milpitas City Hall, 455 E. Calaveras Blvd., Milpitas during normal business hours.

For more information on your rights under the Open Government Ordinance or to report a violation of the ordinance, contact the City Attorney's office at Milpitas City Hall, 455 E. Calaveras Blvd, Milpitas, CA 95035  
E-mail: [mogaz@ci.milpitas.ca.gov](mailto:mogaz@ci.milpitas.ca.gov) / Fax 408/586-3030 / Phone 408/586-3040

*The Open Government Ordinance is codified in the Milpitas Municipal Code as Title I Chapter 310 and is available online at the City's website [www.ci.milpitas.ca.gov](http://www.ci.milpitas.ca.gov) by selecting the Milpitas Municipal Code link.*

## **IX. NEW BUSINESS**

### **1. MILPITAS 60<sup>TH</sup> ANNIVERSARY FAMILY DAY DISCUSSION**

At the October 1, 2013 City Council meeting, Council unanimously approved hosting 60th Anniversary Celebration events in 2014, including a "Family Day" on Sunday January 26, 2014 from 1pm - 4pm in the Civic Center Plaza. The afternoon's free event will provide entertainment, children's activities and information tables to the community.

All City commissions are invited to participate in the event and host either a children's activity table or an information table on their commission's programs and initiatives. Participating commissions will be provided tables, chairs and tablecloths. Event activity supplies and materials should be supplied by the sponsoring commission.

**RECOMMENDATION:** Receive report and discuss as needed.

## **X. OLD BUSINESS**

### **1. SINGLE-USE BAG ORDINANCE DISCUSSION**

At the last meeting, staff provided an informational report on the commission's past work on the issue of local single-use bag ordinances. Action taken by the commission has included a review of the City of San Jose's bag ban ordinance, participation in the County of San Mateo's Environmental Impact Report for an ordinance banning plastic bags in retail with the exception of food establishments, and a recommendation to City Council on April 17, 2012 that staff draft a bag ordinance. Copies of the minutes and agenda from that Council meeting are included as attachments. Based upon the action already taken, the remaining direction from the April 17<sup>th</sup> Council meeting is to monitor and evaluate the model ordinance by San Mateo County. A copy of the model ordinance has been included as an attachment. City Council is slated to review a draft ordinance on November 19, 2013. Commissioners are invited to attend.

**RECOMMENDATION:** Receive staff presentation and review draft ordinance for presentation to Council on November 19, 2013.

### **2. POLYSTYRENE (EPS) CONTAINERS DISCUSSION**

The Milpitas City Council received a staff presentation of the Polystyrene Take-out Containers Study and update regarding a potential regional approach on April 17, 2012. The Council did not approve support for SB568 or participation in regional polystyrene efforts. City staff is monitoring developments by the City of San Jose, which adopted a new ordinance on September 10, 2013, to phase out expanded polystyrene (EPS), commonly known as Styrofoam<sup>TM</sup>, food ware at all restaurants in San José. The ordinance takes effect at multi-state restaurant chains on January 1, 2014, and at all other restaurants and smaller establishments, including mobile and street vendors, on January 1, 2015. The City of San Jose invites business and those interested to an open house on [November 4<sup>th</sup> for the Food Ware Open House](#) at the Roosevelt Community Center, 901 East Santa Clara Street, from 2 – 4 p.m. to learn about the [Foam Food Container Ordinance](#), and how it affects businesses. Attendees will also learn about foam free replacement containers and costs.

**RECOMMENDATION:** Review update and discuss next steps.

### **3. EXTENDED PRODUCER RESPONSIBILITY (EPR) COUNTYWIDE ORDINANCE DISCUSSION**

EPR is a mandatory type of product stewardship that includes, at a minimum, the requirement that the producer's responsibility for their product extends to post-consumer management of that product and its packaging. The two related features of EPR policy: (1) shifting financial and management responsibility, with government oversight, upstream to the producer and away from the public sector; and (2) providing incentives to producers to incorporate environmental considerations into the design of their products and packaging. To put this into context, product examples which would be subject to an EPR policy includes fluorescent lamps, batteries, sharps (e.g. needles, syringes, lancets, etc), and pharmaceuticals (such as prescription medicines).

The California Product Stewardship Council (CPSC) is a non-profit, 501 (c) 3 organization made up of a coalition of local governments formed in 2007 to promote producer responsibility for products that end up in the waste stream. While their efforts have been successful in bringing this matter before the public's consciousness, the CPSC has found that additional measures are still necessary.

In recent months, the Santa Clara County Recycling and Waste Reduction Commission (RWRC), has join in this effort. However, in order to streamline action, they have refined their focus by pursuing efforts to move to a uniform adoption of an ordinance mandating pharmaceutical manufacturers to fund and implement a collection program for unwanted and expired medications. The RWRC's recommendation will be subject to review and approval of various advisory panels for further vetting before release to the cities for internal legal and political review. City of Milpitas staff will continue to monitor this item and return to RSRAC with further information.

**RECOMMENDATION:** Receive report and discuss as needed.

## **XI. STATUS OF DIVERSION PROGRAM ACTIVITIES**

Highlights of August – October 2013 program activities:

- a. "Ride-alongs" with Republic: City staff rode with a commercial recycling route on Tuesday, October 1<sup>st</sup> and is scheduled to ride a residential route on Tuesday, October 29<sup>th</sup>. Purpose is to learn about service delivery from the drivers' perspective and find ideas for messages that will help promote proper recycling and set outs.
- b. Single Family Recycling & Waste Reduction: Updated CRV "Save Money", Household Dump Day and E-waste flyers and placed on City's website and at public counters. Continued advertising for County's Composting Workshops and continued offer of 1lb. of free Redworms to Milpitas households.
- c. Multi-family Recycling & Waste Reduction: Updated AB341 tracking and found ALL multi-family housing to be participating in the recycling program. Republic Services management is researching ways to determine a reasonable performance measure amount for pounds per dwelling unit. Continued outreach with four complexes needing to improve recycling and apartment owners / managers that have tried to cancel recycling services.
- d. Commercial Recycling & Waste Reduction: Updated AB341 tracking and found over 80 percent participation in the commercial recycling program. Completed production of a newsletter mailed to all businesses by the week of October 21<sup>st</sup>. Continued support of

Republic Recycling Coordinator's account management including list maintenance of AB341 non-compliant customers and franchise violations.

- e. Resource Fair, September 14<sup>th</sup>: Conducted a medicines drop-off and thermometer exchange at the Barbara Lee Senior Center. 142 lbs. of non-controlled medicines were collected and 26 lbs. of controlled substances were collected along with 18 thermometers (approximately nine grams of highly toxic mercury!).
- f. Creek Cleanups, September 21<sup>st</sup>: Milpitas residents and City staff cleaned 1,600 feet of Coyote and 1,400 feet of Berryessa and Turlacitos Creeks, and picked-up 256 pounds of litter.
- g. Open Space Authority, Nature Night, September 23<sup>rd</sup>: The Santa Clara County Open Space Authority, as special district, conducted an open house at the community center to raise awareness of "nature in our backyard." The recycling programs helped to sponsor advertising placements in *The Milpitas Post*, and an information table was at the event.
- h. Rose Elementary School Beautification, October 19<sup>th</sup>: This event is in planning stages as this agenda is issued. Commissioners are invited to attend, The event begins promptly at 9 a.m. and includes plantings, fibar spreading, building benches and other clean-up activities. Milpitas Volunteer Partners will be helping with this large-scale school event.
- i. Veterans Commission's, Classic Car Show, October 19<sup>th</sup>: The Utility Engineering Section will have an information table at this event, to be held in the parking areas surrounding the City Plaza. The recycling programs will help to sponsor the event with the purchase of special reusable bags and providing giveaways to sponsors.

**RECOMMENDATION:** Note receipt and file.

**XII. REQUEST FOR FUTURE AGENDA ITEMS**

**XIII. ESTABLISH NEXT MEETING DATE**

The next regular meeting of the Commission is January 28, 2014 at 6 pm.

**XIV. ADJOURNMENT**