

Santa Cruz County Board of Supervisors' Meeting

November 19, 2019

Approve in Concept Pollution Prevention Ordinance

Staff Direction

- Approve in concept an ordinance to add a charge on single-use disposable cups at businesses in the unincorporated County;
- Accept proposed Notice of Exemption from the California Environmental Quality Act (CEQA);
- Schedule the ordinance for final adoption on December 10, 2019.

Executive Summary

In order to help reduce litter and pollution, the proposed ordinance would encourage the use of reusable cups by adding a mandatory charge of twenty-five cents for single-use disposable cups at all food service businesses within the unincorporated County beginning July 1, 2020.

The fee aims to reduce litter and pollution by encouraging customers to bring their own reusable cups, county staff said. About 50 million disposable cups are discarded in Santa Cruz County annually, county spokesman Jason Hoppin said. Cups also are some of the most frequently found types of trash found on parks and streets, county leaders said.

Background

On August 6, 2019, the Board heard a presentation on options for reducing litter and pollution in Santa Cruz County and directed staff to draft an ordinance requiring a fee for single use disposable cups. On November 5, 2019, the Board provided additional direction to accelerate the effective date of the ordinance, increase outreach and education and request additional information on related subjects. The proposed ordinance is consistent with the County's Zero Waste Plan and the Operational Plan's commitment to reduce plastic pollution. This issue is predicted to be taken up across Santa Cruz County and Watsonville has already enacted a similar ordinance. The ordinance would allow for the revenue from cup

charges to remain with the merchant. Public works is looking at the possibility of collecting funds for county use in litter prevention work or through other means for a similar purpose. Routing the money in any specific direction — such as those mentioned above -- other than back to the merchant, would require approval by two-thirds of the voters while a less specific designation for the funds would need 50% of the votes. If the ordinance is approved by the Board, Public Works will perform outreach and assist businesses with the education and compliance of the ordinance. Public Works will also gauge support for making the redirection of funds a ballot measure.

Board of Supervisors' Action:

County Supervisor Greg Caput said at Tuesday's meeting that he wanted a 10-cent fee. Supervisor John Leopold said research indicated that a higher fee is more effective.

“At a quarter is when people actually started shifting their practice. At 10 cents, not so much,” Leopold said.

The money is expected to stay with the businesses that collect it. The law applies to cups for hot drinks such as coffee and cold drinks such as soda at fast-food restaurants. The county's public works department will conduct outreach and education on the new law.

Customers who can show a voucher or payment card demonstrating they are enrolled in WIC or welfare programs are exempt from the fee. And businesses that would face a hardship by imposing the fee can apply for a year of exemption under the county ordinance.

One potential point of friction with the ordinance is the condition of reusable cups brought in by customers. Filling customers' cups is already commonplace at many coffee shops, but it remains to be seen how other vendors will adapt to the new rules.

Summary of Motion:

Submitted by Matt Machado, Deputy CAO, Director of Public Works
Recommended by Carlos J. Palacios, County Administrative Officer

Board of Supervisors' Vote:

Motion to approve the 25 cent fee passed as all four supervisors present voted 4-0 for the new fee with Board Chairman Ryan Coonerty absent. A second reading of the law is expected at the supervisors' Dec. 10 meeting.

Chamber's Position:

The Chamber board did not take a formal position on this legislative action. The Chamber is always deeply concerned about adding additional fees on small businesses who pass along the cost to their customers. Small businesses which will be those mainly impacted by the new fee. The Chamber also understands the significant environmental benefit by reducing a waste stream into our system and ultimately may end up in the Monterey Bay.

While there was discussion about creating a new direct tax (fee) that would go back to the County coffers for environmental programs, that action would require the county board of supervisors to place a measure on the ballot. The supervisors stopped short on that proposed option.