

City of Coral Gables City Commission Meeting
Agenda Item F-1
June 14, 2016
City Commission Chambers
405 Biltmore Way, Coral Gables, FL

City Commission

Mayor Jim Cason
Commissioner Pat Keon
Commissioner Vince Lago
Vice Mayor Frank Quesada
Commissioner Jeannett Slesnick

City Staff

City Manager, Cathy Swanson-Rivenbark
City Attorney, Craig E. Leen
City Clerk, Walter J. Foeman
Deputy City Clerk, Billy Urquia
Public Works Sustainability Specialist, Matt Anderson
City Attorney Intern, George de Ona

Public Speaker(s)

Irela Bague, Sustainability Advisory Board

Agenda Item F-1 [11:41:28 a.m.]

A Resolution supporting the State Legislature's efforts to amend Section 403.7033, Florida Statutes, to provide for local regulation of plastic bags or alternatively, for the repeal of said statutory section, so that local governments are no longer preempted from enacting legislation regulating plastic bags; providing an effective date; and for other purposes.

(Sponsored by Commissioner Lago)

Mayor Cason: F-1.

City Attorney Leen: So this is a Resolution supporting the State Legislature's efforts to amend Section 403.7033, Florida Statutes, to provide for local regulation of plastic bags or alternatively, for the repeal of said statutory section, so that local governments are no longer preempted from

enacting legislation regulating plastic bags; providing an effective date; and for other purposes. This is sponsored by Commissioner Lago.

Commissioner Lago: How are you sir? How you doing?

Mr. Anderson: Good morning everyone. This resolution is basically urging the State to take action on the State Statute 403.7033, urging them to take action on doing something about plastic bags. We had a discussion; the Commission had a discussion at the April 26th meeting, about what we can do about plastic bags. I know that the City Attorney gave his opinion, and the Sustainability Advisory Board led by Irela Bague came up with a list of recommendations and this was actually one of the recommendations is putting this resolution forth and urging the State to take action on it. And I can let Irela speak to the other recommendations that she kind of spearheaded on behalf of the Board.

Commissioner Lago: Matt before we go in that direction. First off through the Mayor, if I may, thank you for taking the lead on this, along with the Sustainability Advisory Board. I know we had Marlin Ebbert here before. Can you give my fellow colleagues and the individuals who are listening today to this Commission meeting, give a little bit of background in regards to what other cities are doing, not only in the State of Florida, but also in California how this is just the status quo.

Mr. Anderson: Yes. Basically, I think the entire State of California has pretty much banned plastic bags. They didn't have any existing laws in place that didn't allow for municipalities or cities to not enact legislation to be able to ban plastic bags, so places all throughout California and Portland all went about banning plastic bags, and here within the State a lot of upwards of 20 cities have passed resolutions similar to this urging the State to take action on this State Statute.

Mayor Cason: And if I recall, the State's been sitting on this doing nothing since what?

Mr. Anderson: 2010 the Florida DEP issued a report coming up with twelve recommendations on what, recommendations that they put forth in front of the State and they have since not taken action on it, so this is another resolution to help urge that, urge them to take action.

Mayor Cason: OK. So basically, all we can do now is urge. We are prohibited by State Law from doing anything else.

Mr. Anderson: And like I said, the Sustainability Advisory Board has come up with three short term resolutions and three long term resolutions. One being, of course this resolution and another one is participating in the July 3rd International Bag-Free Day, kind of an event that goes on

throughout the world encouraging people to go away from using plastic bags and using more reusable bags; and then also, finding a sponsor within the City to help provide recyclable reusable bags that we can give away at events; kind of work on the education campaign, encouraging our residents to go away from using plastic bags and using more eco-friendly reusable bags; and then the long term recommendations that the Board came up with was work with the Chamber and the B.I.D. to create a pledge campaign for our businesses to kind of voluntarily create these incentive programs. I know that there are a few that already exist, such as Whole Foods and Target that provide incentives for using reusable bags; and then also schedule bag giveaways as part of our events; and last but not least, to meet with Publix and discuss partnering with them on trying to come up with an incentive program to go away from using plastic bags.

Commissioner Lago: Just through the Mayor, I want to also mention to my colleagues. I imagine all of you read in the Herald this past week that Dade County has recently banned Styrofoam in all County parks. I think that's a big step forward and I want to acknowledge the City of Coral Gables for being leaders in reference to this issue. In reference to plastic bags, I think this is a no-brainer. I think this is an issue about changing our habits, making sure that when we do attend Publix, or an establishment that provides plastic bags, either don't get a plastic bag or just bring some sort of, bring something that can carry that, and there is not in turn increase the waste stream. I wanted to introduce an individual who helped out in reference to this resolution. He's a third year law student at St. Thomas, he works under the auspice of our City Attorney, so I wanted to introduce you, give a little fame in regards to who you are and your involvement in the resolution.

Mr. de Ona: My name is George de Ona. I worked a little bit with the plastic bags. To follow up with what he said, what a lot of cities do. Obviously, in California it started in 1997 in San Francisco, but a lot of the grocery stores they charge ten cents for the use of plastic bags. At Publix here in Coral Gables you know they ask for a dollar every time you do your groceries, so ten cents for plastic bags isn't that big of a deal, so hopefully it pushes through.

Commissioner Lago: Perfect.

Vice Mayor Quesada: Is the idea to charge customers ten cents per plastic bag so that discourage them from using, is that the idea?

Mr. de Ona: In California they do that a lot.

Vice Mayor Quesada: But I'm saying, is that what we are proposing for here?

Commissioner Lago: We are not being that drastic.

Ms. Bague: No. Just to clarify and Commissioners and Mayor thank you. I'm honored to be your representative as-a-whole on the Sustainability Advisory Board. So when this came up to us we took it on, we did some research, because the legislature currently does not allow us to bend or to tax or to do anything of that nature. All we can do right now is incorporate a voluntary plastic bag reduction program in our City, which I think is the best step forward, because eventually the more businesses that take the pledge, the more residents that we educate on reusable bags and also the impacts of plastic bags on our environment, the bigger lobby will just back into us.

Commissioner Lago: And the funny thing is that you mention that right now. I wanted to give you some more input. I had some conversations with Matt and also with the Chamber. We are already receiving an immense buy-in from the businesses here in Coral Gables. Again, like I mentioned to you before, they just see it as a natural extension of what Coral Gables stands for. So I think this will fall in the same vein, but I think that we need to as a City introduce an extensive educational campaign and really make businesses aware of that the Commission and City is pushing this ordinance, excuse me, pushing this resolution and asking for their cooperation and their leadership in really making an impact, a dent in the environment. This is something that is really simple. Its seen huge dividends in the State of California; and can you just give a brief synopsis to my colleagues up here what the report that was put forth by the State of Florida actually states in regards to plastic bags. I forgot the name of the report.

Ms. Bague: Well it certainly states the impacts to the environment...

Commissioner Lago: Clearly...

Ms. Bague:...without a doubt that plastic bags are a serious problem on our environment. What it fails to do is provide the legislature with any recommendations on regulatory.

Commissioner Lago: And without putting you on the spot, even though I'm going to. Why do you think that occurred?

Ms. Bague: Oh, absolutely because there is a lot of special interests in the industry, as we all know, that's not just happened with this issue, but with many other issues and so we are not going to get into the perpetrators of who and why and who lobbied harder or whatever. The point is that we have four or five; I think within the City of Coral Gables large supermarkets, you know which ones they are, and they are very involved in this issue, and I think they should become a partner with...

Mayor Cason: Have you reached out at the level...

Ms. Bague: We are in the process of doing that Mr. Mayor, that's part of our long term plan. What we want to start with is some short-term, real quick gains by putting this resolution on record is important as a City to kind of state our case and join the group, and then participating "International Bag-Free Day," just as a form of educating and starting this whole conversation with our community, and what was the other one?- Oh, we are in the process of finding a sponsor and I hope that some of these companies are listening because we would love to receive donations of reusable bags for our recycling events as we move forward.

Commissioner Lago: And if I may make a request from the City Clerk and also our staff. I'd like to make sure that hopefully if this resolution receives the support that I expect it will, I'd like to send this resolution to all municipalities in Dade, Broward, and Monroe and Palm Beach showing that the City of Coral Gables again is being a leader in reference to the environment and that we all need to move forward in the direction of being sustainable and environmentally friendly.

Mayor Cason: Good idea. Good idea.

Ms. Bague: If I could just finish up. As far as long term goals, yes of course we'll be reaching out to Publix, but we will also be working with, similar to what we did with Styrofoam with the B.I.D. and with the Chamber of Commerce and the Green Committee, to move these initiatives forward and spread the education. I think it's important that we get the support from the City's communications resources to really put this out, and I would also encourage you, Mr. Mayor and whoever the representative is, I'm not sure, with the League of Cities and the Conference of Mayors to also talk to your respective colleagues to see what they are doing in their cities as far as voluntary programs. We researched Palo Alto, California, they have an amazing program, as far as education and outreach for residents and also for businesses.

Commissioner Lago: Since you mentioned that, I am the representative for the League of Cities and hopefully after this resolution is passed, my next step will be at the next meeting, I'll be speaking on behalf of all the municipalities in regards to what the City of Coral Gables is doing.

Vice Mayor Quesada: You know it's actually, if you think about it, getting a sponsor, I don't think it would be that hard, if you really think about it. Think about Johnson & Johnson, I think if they were just made aware that, OK, we want you to supply bags, put your logo all over it, whatever you want, as people are walking into the market, whether its Whole Foods or Fresh Market, or Publix or whatever, it says Johnson & Johnson, it's got their products and they have

the cloth bag from the beginning; and those bags, if Publix is selling them, they sell them for a dollar a pop, they can't be terribly expensive.

Commissioner Lago: No, they are not making any money off of them. They are just trying – they are doing their part, they are doing their part, but the interesting thing about it is, I've spoken to several individuals that tell me, I just put my plastic bags in the recycling bin, just so you are aware that's non-recyclable.

Commissioner Keon: They are not recyclable.

Commissioner Lago: So basically, when you put it into the recycling stream, it either clogs up the system or they have to extract it.

Ms. Bague: Or it's incinerated and goes to increase our carbon footprint.

Commissioner Lago: So increase our carbon footprint or it ends up obviously in, excuse me, the landfill and worst of all, it ends up in the water and it gets eaten by the animals that confuse it for a jelly fish, or some sort of other creature. It makes so much sense that we shouldn't even be having this discussion; it should be a no-brainer.

Mayor Cason: Let's vote on it.

Commissioner Lago: Let's vote on it.

Commissioner Keon: Thank you very much.

City Attorney Leen: Before you vote one thing. I do think that, one thing we will add to this resolution, if it's OK with the Commission, based on what you said about sending it to all those different government entities. We'll also send it to our full Legislative Delegation.

Mayor Cason: Yes.

City Attorney Leen: Because as mentioned, there is a report that's out there, so this could be done rather easily by the Legislature.

Mayor Cason: And there are elections coming up.

Vice Mayor Quesada: You know I think it gets lost a little bit, I don't disagree with it. I think I'm going to request that Commissioner Lago, since you are our representative on the League of

Cities, can you get it in front of their Executive Board, so we get the entire County, all the municipalities. If we get the League of Cities on Board with it, and maybe have one of them try to find a sponsor for all the markets. I think of a company like Citibank also, where they do the Citi-cycle, they have a lot of funds to advertise, this is direct...

Commissioner Lago: Vice Mayor, if you have attended a League of Cities event...

Vice Mayor Quesada: I have.

Commissioner Lago: I know you have, there is an open forum event – I framed it so because a lot of people have not attended, they are not that exciting, trust me. Commissioner Suarez from the City of Miami is the Chairman of the League of Cities currently, and he has a very open platform which allows all cities to discuss any topics, and of course I get up there and I talk about polystyrene, I get up there and now I'm going to talk about plastic bags. There aren't really many vendors there, there is a lot of lobbyist there and there are a lot of elected officials there. I don't know if any of them want to particularly support this in the sense of being a sponsor, but I'll give it a shot. My main focal point, we'll bring it up at the next meeting will be to get some buy-in, so if we can get 34 municipalities in Dade County, which is all of them, to basically pass the resolution, it sends a clear statement to State Senators and State Legislators that obviously, just like Amendment 1, which was passed over seventy percent and the Governor turned a blind eye to it, that we are expecting action to be taken in regards to the environment. It needs to be put on the front burner, not on the back burner.

Mr. Anderson: And there have been 20 cities throughout the state that passed similar resolutions to this, a number in Miami-Dade.

Mayor Cason: So it will be 21 once we vote? A motion on this?

Commissioner Keon: Does this include the plastic bags that come with dry cleaning?- those are the worst.

Mr. Anderson: I think this is more the single use to the ones you would get...

Commissioner Keon: Well the ones you get with dry cleaners are single use to you. Take them off your clothes and put it in the garbage.

Mr. Anderson: That could be part of the education campaign.

Commissioner Keon: I would like to talk to dry cleaners also, and like Iron Express and these different people about those plastic wrappings, because you don't do anything with those except throw them away.

Commissioner Lago: Before I make the motion, I would like to express my sincerest gratitude for staff. I would also like to thank our Sustainability Advisory Team and our Interns, which we have both of them here, 3-L's law school interns, thank you for this hard work, we are moving the ball forward. Continue to bring great ideas, don't be tame, we are extremely environmentally friendly, the City. We are pushing boundaries, so we thank you, and I'd like to make a motion.

Mayor Cason: Alright. Commissioner Lago makes the motion.

Commissioner Slesnick: Second.

Mayor Cason: Seconded by Commissioner Slesnick – City Clerk.

Commissioner Lago: Yes

Vice Mayor Quesada: Yes

Commissioner Slesnick: Yes

Commissioner Keon: Yes

Mayor Cason: Yes

(Vote: 5-0)

Mayor Cason: Thank you all.

City Attorney Leen: Mayor Cason, I would just like to use this opportunity now that the vote's been taken, to introduce George de Ona and Daniella Perez, both from St. Thomas. Daniella is an Extern, George is an Intern. If you have any items that you'd like them to work on or City staff does, we would love that. He really did a great job, George, in helping with this resolution, so thank you, and you are hopefully going to be seeing them come up to the dais a few times this summer, so that they can present their items.

Mayor Cason: Thank you.

Commissioner Keon: Great.

City Attorney Leen: They both go to St. Thomas Law School, which I would mention for the Vice Mayor.

Commissioner Lago: And by the way, I'd also like to recognize that George lives in the City of Coral Gables his entire life, so he's interning in the City.

[End: 11:57:36 a.m.]