A G E N D A
CITY OF SEASIDE
ENVIRONMENTAL
COMMITTEE

VIRTUAL MEETING
Tuesday, February 9, 2021
5:30 PM

Pursuant to Governor Newsom's Executive Orders N-29-20 and N-33-20, and to do all we can to help slow the spread of COVID-19 (coronavirus) City of Seaside meetings will be adapted in the following ways:

- Meetings of the Seaside City Council and its Boards and Commissions will be conducted with virtual (electronic) participation only. Members of the public may watch the live stream of the City Council and Boards and Commission meetings at https://bit.ly/SeasideYouTube

- Members of the public may participate before and during each meeting by submitting comment(s) to cityclerk@ci.seaside.ca.us. The clerk will read each received public comment aloud into the record at the designated time, subject to time limits that may be imposed pursuant to the Brown Act. In the subject line of a public comment email, please specify the meeting body and date and indicate the relevant item number or "general" to help staff easily receive and organize public comments.

1. CALL TO ORDER

2. ROLL CALL - ESTABLISHMENT OF QUORUM

3. ENVIRONMENTAL COMMITTEE

4. REVIEW OF AGENDA

If there are any items that arose after the 72-hour posting deadline, this is the point in the meeting where a vote may be taken to add the item to the agenda. (A 2/3-majority vote is required).

5. PUBLIC COMMENT

Members of the public wishing to address the Board on matters within the jurisdiction of the City of Seaside, but not on this agenda, may do so during the Public Comment period for up to two (2) minutes. Public Comments on specific agenda items are heard under that item. For the public record, please state your name.

6. APPROVAL OF MINUTES

A. APPROVE MINUTES OF DECEMBER 8, 2020 AND JANUARY 12, 2021.

7. BUSINESS ITEMS

A. REVIEW AND DISCUSS CITY COUNCIL GOALS

RECOMMENDATION: Review Council's priorities and discuss.

B. REVIEW AND RECOMMEND THE DRAFT PRIORITY IMPACT PLASTIC POLLUTION PREVENT POLICY FOR CITY COUNCIL CONSIDERATION

RECOMMENDATION: The purpose of this item is for the Environmental Commission to review and approve the draft version of the ordinance for council consideration.

C. CLIMATE ACTION PLANNING

RECOMMENDATION: Discuss as related to County goals/process and Seaside Council goals.

D. ANNUAL WORK PLAN

RECOMMENDATION: Discuss goals, objective and potential modifications to the Environmental Commission's previously approved Annual Work Plan for city council review and approval.

E. ELECTRIFICATION AND SEASIDE DEVELOPMENTS

RECOMMENDATION: Discuss topic and receive updates

F. CONSIDER ALLOCATING $350 OF THE COMMISSION'S BUDGET FOR PRINTING FLYERS FOR RESTAURANT OUTREACH, AS RELATED TO PLASTIC REDUCTION

RECOMMENDATION: The purpose of this item is to discuss allocating $350 of the commission's $500 budget for printing flyers regarding plastic reduction and associated distribution to local restaurants/food establishments.

G. REQUEST EC MEMBER ATTEND THE NEXT NEIGHBORHOOD IMPROVEMENT COMMISSION MEETING

RECOMMENDATION: Request funding for EC related projects

8. REPORTS FROM COMMISSIONERS

9. REPORTS FROM STAFF

10. ADJOURNMENT

Next Regularly Scheduled Meeting:
TBD
Seaside City Hall

The City of Seaside is committed to providing accessible facilities and accommodating people with disabilities in all of its services programs and activities. If special considerations are needed by any person to fully participate in this meeting, contact the City Clerk at 899-6707 no fewer than two business days prior to the meeting to allow reasonable arrangements. The City Council chamber is equipped with a portable microphone and assisted listening devices are available at all meetings. City Council Meetings that are held in the City Council Chambers are broadcast live to all Seaside residents on Comcast Channel 25 and U-verse Channel 99. Live streamed meeting videos as well as videos of past meetings are available on the City's website at: http://www.ci.seaside.ca.us/129/City-Council-Committee-Agendas

Agenda-related writings or documents provided during public meetings are available for public inspection during the meeting or from the office of the City Clerk. This agenda is posted in compliance with California Government Code Section 54954.2(a) or Section 54956.

DRAFT MINUTES
CITY OF SEASIDE
ENVIRONMENTAL COMMITTEE

REGULAR MEETING
Council Chamber
Tuesday, December 8, 2020
5:30 PM

1. CALL TO ORDER
5:30PM

2. ROLL CALL - ESTABLISHMENT OF QUORUM
PRESENT: Raak, Abraham-Panni, Murphy, Molle, Del Valle

3. ENVIRONMENTAL COMMITTEE

4. REVIEW OF AGENDA

5. PUBLIC COMMENT
None.

6. APPROVAL OF MINUTES

A. APPROVE MINUTES OF AUGUST 11, 2020
Corrections: Murphy listed twice, Del Valle present.
Motioned by Molle, second by Del Valle. Unanimous approval.

7. BUSINESS ITEMS

A. DIANNE NIELSON, OF THE PARKS AND RECREATION COMMISSION, WILL PRESENT THE P&R'S TREE PLANTING GOALS AND DISCUSS COLLABORATING WITH THE ENVIRONMENTAL COMMISSION

Dianne would like to plant 15 trees in Seaside parks and wants to collaborate with the Environmental Commission (EC). Molle asked about native trees being included. Murphy spoke to how the P&R Commission and the EC could benefit from the collaboration, but also is interested in Parks programming to extend benefits to the community. Raak suggested prioritizing parks over private land for which public funds will be used.

Public Comment: NONE

B. COMMUNITY GARDEN: ROBERTS DANIELS JR. AND HAVANA-SOLIZ PARK

Robert Daniels has a vision for a community garden. Biggest issue is funding. Goal is providing food to the community, including those without homes. Murphy mentioned that Robert received some of the pollinator plants awarded to the EC from Xerces and has grown it beyond those plants. Molle: EC.city might be able to help with funding for materials. Del Valle thanked Robert for an inspiring vision. Raak is happy to explore funding and grants, Aquarium grant? Molle: 2021 Aquarium grant will include funds from 2020. Murphy can provide soils guidance.

Public Comment: NONE

C. MONTEREY COUNTY 2030 CLIMATE ACTION PLAN

Ashely Paulsworth of the county discussed the Climate Action Plan. Currently gathering resources and funding stakeholder engagement plan. Now is a good time to have each jurisdiction identify their concerns. Abraham-Panni: Opportunity for Seaside to become part of this plan? Is disappointed, but not surprised that cities will not be included because it might not add that much cost to include strategies that are meaningful to Seaside. Maybe a city addendum would be an option. Molle: Seems like there is room for collaboration-draft a memo of support from EC? Ashley: currently working on RFP, could add community addendum."

Public Comment: NONE

D. SUBCOMMITTEE UPDATE: PRIORITY IMPACT PLASTIC POLLUTION PREVENTION POLICY

Raak provided update and the next step is to encourage businesses to provide to-go supplies only when requested. Finalize signage discouraging take out supplies. Abraham-Panni reached out to council members for input. Critical next step is input on ordinance from those who voiced concerns. Changes will support small businesses and Seaside. Del Valle asked how we could support the transition with funding, like through the green business network. Raak explained the EC has been holding back because of economic concerns, yet the policy is economically viable…the capacity to change must be difficult for businesses at this time.

Public Comment: NONE

E. SUBCOMMITTEE UPDATE: HABITAT SUBCOMMITTEE

Murphy met with Dianne of Parks&Rec regarding tree planting. All pollinator plants have been distributed, with more at Durant and Farallones. Will continue to work with Sustainable Seaside who has provided irrigation for Beta Park.

Public Comment: NONE

F. SUBCOMMITTEE UPDATE: GREEN ECONOMIC RECOVERY

Raak on behalf of Tu: They have been working on developing a website resource

page.

Public Comment: NONE

8. REPORTS FROM COMMISSIONERS

Abraham-Panni told EC about an article about Monterey dealing with sea level rise and they will consider to ways to address. City of Seaside is directly impacted by Monterey's decisions and they could end up accelerating erosion in Seaside.
Molle: local educator wants to use city parks for outdoor education…guidance?
Raak: Park&Rec.

9. REPORTS FROM STAFF

None.

10. ADJOURNMENT

DRAFT MINUTES
CITY OF SEASIDE
ENVIRONMENTAL COMMITTEE

SPECIAL MEETING
Council Chamber
Tuesday, January 12, 2021
5:30 PM

1. CALL TO ORDER
5:30PM

2. ROLL CALL - ESTABLISHMENT OF QUORUM
PRESENT: Raak, Abraham-Panni, Murphy, Molle, Del Valle

3. ENVIRONMENTAL COMMITTEE

4. REVIEW OF AGENDA

5. PUBLIC COMMENT
None.

6. **BUSINESS ITEMS**

A. Placement of Bee City USA Sign
Discussion regarding locations resulted in a decision to place one at Havana Soliz park and one near the bike trail entrance @ CDR and Del Monte.
Public Comment: NONE
Motioned by , second by . Unanimous approval.

7. REPORTS FROM COMMISSIONERS
Abraham-Panni told EC about an article about Monterey dealing with sea level rise and they will consider to ways to address. City of Seaside is directly impacted by Monterey's decisions and they could end up accelerating erosion in Seaside.
Molle: local educator wants to use city parks for outdoor education…guidance?
Raak: Park&Rec.

8. REPORTS FROM STAFF
None.

9. ADJOURNMENT

INTRODUCTION OF AN ORDINANCE AMENDING SEASIDE MUNICIPAL CODE, TITLE 8, CHAPTER 8.60 IN ITS ENTIRETY AND UPDATING REGULATIONS FOR SINGLE USE PLASTICS (FIRST READING – ROLL CALL VOTE)

ORDINANCE NO. XX-XX

INTRODUCTION OF AN ORDINANCE ADOPTING TEXT AMENDMENTS TO SEASIDE MUNICIPAL CODE TO AMEND TITLE 8, CHAPTER 8.60 IN ITS ENTIRETY TO ESTABLISH UPDATED REGULATIONS LIMITING SINGLE USE PLASTICS IN THE CITY (FIRST READING – ROLL CALL VOTE)

WHEREAS, single-use food and beverage packaging constitutes a significant and growing portion of waste generated in the City of Seaside; and

WHEREAS, food service ware made from materials that are not compostable, returnable or feasibly recyclable accumulates in our landfills and in the natural environment; and

WHEREAS, single-use plastic products are of special concern to the environment. Non-compostable plastic materials are typically manufactured from the byproducts of petroleum, a non-renewable resource. These products are highly durable, persist in the environment as litter and are consumed by wildlife, causing injury, illness and mortality, as well as becoming embedded in the food chain up to human consumption of microplastics; and

WHEREAS, the single-use products used in our community are part of a global materials system and responsible disposal of products is impacted by market demands. This is especially true of plastic products; and

WHEREAS, compostable food service ware is available locally and affordably. When diverted into Monterey Regional Waste Management District's organics waste stream, these materials are converted into compost; and

WHEREAS, a 2019 study concluded that the Monterey Bay marine ecosystem is a part of a network of marine protected areas
that has microplastic concentrations which match and exceed those found in other marine regions; and

WHEREAS, multiple studies have concluded that reducing plastic litter inputs by source-reduction and waste management is one of the most valuable solutions to restore the oceans; and

WHEREAS, reducing and eliminating the most damaging plastic materials within the City of Seaside will help protect the local environment, including the Monterey Bay National Marine Sanctuary, from contamination and degradation, helping to steward our community's treasured natural resources and protect the assets critical to a thriving local tourist economy; and

WHEREAS, the City desires to update its policies to reduce waste, protect the environment and comply with state regulations aimed at diverting more waste from landfills and reducing land-based trash entering waterways; and

WHEREAS, a shift to re-usable and compostable food service ware has the potential to contribute to a number of positive local impacts, including more economical and environmentally sound waste management; and

WHEREAS, plastic pollution comes from a variety of sources in our community. In changing the name of the ordinance from "Environmentally Preferable Food Packaging" to "Priority Impact Plastic Pollution Prevention" the City better reflects the responsibility for all types of businesses to respond to the community needs.

NOW THEREFORE BE IT ORDAINED, THAT THE CITY COUNCIL OF THE CITY OF SEASIDE DOES ORDAIN, AS FOLLOWS:

SECTION 1. Seaside Municipal Code, Title 8, Chapter 8.60 is hereby deleted in its entirety and replaced as follows:

8.60: PRIORITY IMPACT PLASTIC POLLUTION.

Sections:

8.60.010 Findings and declaration of intent.
8.60.012 Definitions.
8.60.014 Ban on single-use plastic products and priority-impact plastic pollution.
8.60.016 Compostable Ware Requirements.
8.60.018 Compliance support and enforcement.

8.60.010. Findings and declaration of intent.

The city finds and declares that:

A. Single-use food and beverage packaging constitutes a significant and growing portion of waste generated in the City of Seaside.

B. Food service ware made from materials that are not compostable, returnable or feasibly recyclable accumulates in our landfills and in the natural environment.

C. Single-use plastic products are of special concern to the environment. Non-compostable plastic materials are typically manufactured from the byproducts of petroleum, a non-renewable resource. These products are highly durable, persist in the environment as litter and are consumed by wildlife, causing injury, illness and mortality, as well as becoming embedded in the food chain up to human consumption of microplastics.

D. The single-use products used in our community are part of a global materials system and responsible disposal of products is impacted by market demands. This is especially true of plastic products.

E. Compostable food service ware is available locally and affordably. When diverted into Monterey Regional Waste Management District's organics waste stream, these materials are converted into compost.

F. Reducing and eliminating the most damaging plastic materials within the City of Seaside will help protect the local environment, including the Monterey Bay National Marine Sanctuary, from contamination and degradation, helping to steward our community's treasured natural resources and protect the assets critical to a thriving local tourist economy.

G. The City desires to update its policies to reduce waste, protect the environment and comply with state regulations aimed at diverting more waste from landfills and reducing land-based trash entering waterways.

H. A shift to re-usable and compostable food service ware has the potential to contribute to a number of positive local impacts, including more economical and environmentally sound waste management.

I. Plastic pollution comes from a variety of sources in our community. In changing the name of the ordinance from "Environmentally Preferable Food Packaging" to "Priority Impact Plastic Pollution Prevention" the City better reflects the responsibility for all types of businesses and consumers to respond to the community needs.

8.60.012. Definitions.

Unless otherwise expressly stated, whenever used in this chapter the following terms shall have the meanings set forth below:

"ASTM Standard" means meeting the standards of the American Society for Testing and Materials (ASTM) International Standards D6400, as that standard may be amended.

"BPI" means Biodegradable Product Institute.

"Care provider" means any entity that provides care to people or animals; this includes dentist office, medical care providers, veterinary care providers and day care facilities, including child and elder care. Exceptions include hospitals, pharmacies, nursing homes, homeless shelters, residential retirement communities and jails.

"City" means the City of Seaside.

"City Sponsored" means events that are directly managed and operated by the City of Seaside, co-sponsored events, any event requiring a city issued permit or receiving a fee waiver.

"City contractor" means any person or entity that has a contract with the city for work or improvement to be performed, for a franchise, concession, for grant monies, goods and services, or supplies to be donated or to be purchased at the expense of the city.

"Compostable" or "Certified Compostable" means a material that meets BPI, Cedar Grove, ASTM, or other standard designated as acceptable by the franchised waste hauler and undergoes degradation by biological processes during composting to yield carbon dioxide (CO2), water, inorganic compounds, and biomass within a nominal time frame. Compostable disposable food service ware must be clearly labeled compostable in accordance with the California Public Resources Code Section 42357 et seq. and all State and Federal labeling laws pertaining to the identification of compostable products, as those standards may be amended.

"Disposable food service ware" means single-use plastic disposable products used by a restaurant, vendor, food cart, merchant, food truck, or home kitchen, and food service industry for serving or transporting prepared ready-to-consume food or beverages for sale. This includes but is not limited to plastic plates, straws, cups, lids, utensils, bowls, stirrers, beverage plugs, trays, and hinged or lidded containers.

"Food provider" is any entity or city contractor doing business in the City of Seaside whose principal business is the sale of prepared food or beverage for public consumption either on or off premises, which includes any fixed or mobile restaurant, food truck or food cart, drive-in, coffee

shop, public food market, produce stand, special event vendor, grocery stores that sell or distribute prepared foods on-site or to-go, and other places where food or drink is prepared for sale or for service on the premises or elsewhere.

"Plastic" is a synthetic or semi-synthetic material derived from polymers, that can be molded into shape while soft and then set into a rigid or slightly elastic form. Plastic can be made from petroleum inputs or plant-based inputs.

"Plastic bag" means a single-use plastic bag of any size that is provided at point of sale or service to customers by a retail establishment, service establishment or care provider. Plastic bags include single-use plastic bags provided for the purchase of produce, deli goods and bulk goods, as well as dry cleaning film bags.

"Polystyrene" means a thermoplastic petrochemical material utilizing a styrene monomer and processed by any number of techniques including, but not limited to, fusion of polymer spheres (expandable bead polystyrene), injection molding, form molding, and extrusion-blow molding (extruded foam polystyrene). This includes but is not limited to general-purpose polystyrene, polystyrene foam plate, bleached paperboard plate with low density polyethylene coating and bleached paperboard plate with polystyrene coating.

"Polystyrene foam" means and includes expanded polystyrene that is a thermoplastic petrochemical material utilizing a styrene monomer and processed by any number of techniques including, but not limited to, fusion of polymer spheres (expandable bead polystyrene), injection molding, form molding, and extrusion-blow molding (extruded foam polystyrene).

"Polystyrene foam, single or limited use" means any plate, cup, bowl, tray or similar item intended for single use and coolers, packaging and small fishing equipment that is used for a limited duration and/or which has the potential to break-into smaller pieces after use.

"Prepared food" means food or beverage prepared for consumption on the food provider's premise or elsewhere using any cooking or food preparation technique. This does not include any raw uncooked meat, poultry, fish or eggs unless provided for consumption without further food preparation.

"Priority Impact Plastic Pollution" means any plastic product referenced in this code section posing a threat to a healthy, functioning ecosystem, including all animal life throughout the food web. It also includes plastic that negatively impacts the well-being of our community, through litter and human health impacts.

"Recycled paper bag" is defined as a bag that contains no old-growth fiber and is made up of 75% percent post-consumer recycled materials, and clearly indicates to the user the bag is certified compostable or recyclable.

"Retail establishment" or "retail store" means all sales outlets, stores, shops, vehicles, dispensaries, non-profits, resale businesses or other places of business located within the City of Seaside that operate primarily to sell or convey goods directly to the consumer.

"Reusable" means designed or intended for long-term reuse, in contrast to disposable.

"Reusable bag" means any bag that is specifically designed and manufactured for multiple reuse, and is either: (1) made of cloth or other washable woven fabric; or (2) made of durable material that is at least 2.25 mils thick that can be cleaned or disinfected at least 125 times. A reusable bag may be made of recyclable plastic such as high density polyethylene (HDPE), low density polyethylene (LDPE).

"Service establishment" means any entity that provides a service including but not limited to vehicle service and maintenance, pet grooming / boarding service and dry cleaning.

"Single-use bag" is defined as a bag, other than a reusable bag, recycled paper bag, or compostable bag, provided at the check stand, cash register, point of sale, or other point of departure for the purpose of transporting food or merchandise out of the establishment. Single-use bags include bags, a maximum size of 11 inches by 17 inches, provided to the customer to (1) transport produce, bulk food or meat from a product, bulk food or meat department within a store to the point of sale; (2) hold prescription medication dispensed from a pharmacy; or (3) segregate food or merchandise that could damage or contaminate other food or merchandise when placed together in a bag.

"Single-use plastic" means single-use plastic bags, cartons, boxes, or containers that are provided at the point of sale to customers and are not certified compostable. These typically include plates, cutlery, cups, lids, straws, "clamshells" and other containers. This further includes non-compostable plastic-lined cups.

"Straw" means a tube through which beverages, slurries, smoothies, and similar products may be ingested by the consumer.

8.60.012 Customer responsibility for single-use items

A. No retail establishment, service establishment or care provider shall provide single use products, unless explicated requested by the customer.

B. Delivery services operating within the City of Seaside are required to provide an option to request or decline these products.

8.60.014 Ban on single-use plastic products and priority-impact plastic pollution.

~~A.~~C. No retail establishment, service establishment or care provider shall provide non-compostable single-use plastic bags, cartons, boxes, or containers at the point of sale to customers. This includes food service ware such as plates, cutlery, cups, lids, straws and "clamshell" take-out packages. This further includes hot beverage cups lined with non-compostable plastic.

~~B.~~D. Exemptions: medical devices, medical products, prescription drugs, and the packaging used for these products, which require approval from the United States Food and Drug Administration, licensed manufacturing facilities, and goods prepared and packaged off-site.

~~C.~~E. Single-use plastic condiment packages (such as for coffee creamer, ketchup, mustard, mayonnaise, sauces and salsa) shall only be provided at the customer's request. When these condiments are part of table service (as defined under *Restaurant, Cafe, Coffee Shop* in SMC 17.98), they must be provided to customers in containers over ten (10) ounces, or in reusable or compostable packaging.

~~D.~~F. Single-use paper bags provided to customers shall contain a minimum of 75% percent post-consumer recycled fiber and must be recyclable or compostable, as defined in this chapter.

~~E.~~G. Retail establishments shall indicate on the customer transaction receipt the number of paper carryout bags provided, and the total amount charged.

~~F.~~H. Vendors, contractors, special events promoters, and sub-vendors, while performing under contract or permit with the City are prohibited from providing single-use plastic or polystyrene products to customers at the point of sale or point of distribution.

~~G.~~I. All restaurants must provide reusable food service-ware to dine-in customers.

~~H.~~J. No business or nonprofit organization shall use balloons for the promotion of business activities or special events. This includes but is not limited to: restaurants, car dealerships, community events organized by or on behalf of the City or other entity.

~~I.~~K. Balloons shall be prohibited in and on all public parks or public land, whether that use is public or private, required to be permitted or is an allowed unpermitted use.

~~J.~~L. Any business selling balloons shall display and/or provide City-compliant, standardized information to customers purchasing balloons on the environmental impacts of balloons and the prohibition on balloons in Seaside's public parks and public lands.

~~K.~~M. The sale of single-use or limited-use polystyrene foam products is prohibited within the City. The use of single-use or limited-use polystyrene foam products is prohibited in all public spaces, including beaches and parks. Single-use or limited-use polystyrene foam products includes any plate, cup, bowl, tray or similar item intended for disposal after a single use, as well as coolers, packaging and fishing equipment that is used for a limited duration and/or has the potential to break into smaller pieces after short periods of use.

~~L.~~N. City-sponsored events shall prohibit the sale or distribution of plastic water bottles.

~~M.~~O. Events held at City-operated facilities that have Water Filling Stations, for which a permit or fee waiver has been issued, are prohibited from using single-use plastic cups and bottled water.

8.60.016 Compostable Ware Requirements.

A. All food providers within the city utilizing disposable food service ware shall use certified compostable products. This includes but is not limited to plates, napkins, straws, cups, lids, utensils, bowls, stirrers, beverage plugs, trays and hinged or lidded containers. Non-plastic single-use products shall be allowed only if they are currently accepted for recycling by the designated waste hauler.

B. Business establishments providing compostable or non-plastic recyclable materials shall provide separate compost and recycling collection bins to customers and ensure proper collection by the designated waste hauler.

C. Bags used to protect items such as meat, produce, wet items from on-site deli counters or on-site preparation and storage, or for any carry-out protection, should be made of BPI-, Cedar Grove- or ASTM-compliant compostable materials or be a reusable item provided by the customer.

D. Where possible, priority consideration should be given for reuse over single-use compostable or recyclable products. In accordance with State Health Code, businesses may accept customers' reusable containers brought in for take-out or to-go, following procedures to isolate the container from the food-preparation area and sanitize the surface with which it came into contact.

E. All City facilities utilizing disposable food service ware shall use products that are BPI-, Cedar Grove- or ASTM-certified compostable.

F. City contractors and special events promoters utilizing disposable food service ware shall use BPI-, Cedar Grove- or ASTM-certified compostable products while performing under a city contract or permit.

G. All plastic straws, including PLA/bioplastic are prohibited. Exceptions shall be made to the consumer self-identifying as needing a PLA/bioplastic or plastic straw, whereupon it should be provided to the consumer upon request.

8.60.018 Compliance support and enforcement.

A. Item 8.60.012 shall be enforced 6 months from the date of ordinance approval.

~~A.~~B. All remaining portions of this~~This~~ ordinance shall be enforced starting on January 1, 2022~~1~~. During the transition period, business may use any remaining non-compliant material.

~~B.~~C. Prior to January 1, 2022~~1~~, positive encouragement and support for the business community will include informational resources for transition to compliant materials through voluntary informational sessions with a member of city staff or Environmental Commission, or designate, who will provide support and education.

~~C.~~D. Businesses shall acknowledge awareness of this ordinance and may request assistance with compliance at time of business license renewal.

~~D.~~E. The City attorney may seek legal, injunctive, or any other relief to enforce the provisions of this chapter.

~~E.~~F. The remedies and penalties provided in this chapter are cumulative and not exclusive of one another.

~~F.~~G. The City may inspect any care provider, City contractor, commercial and residential lodging provider, food provider, retail establishment or service establishment subject to this code to verify compliance.

~~G.~~H. Violation of this chapter will be considered a public nuisance. In addition to any other remedies or penalties that may be available, any violation described in the preceding paragraphs shall be subject to abatement by the City, as well as any other remedies that may be permitted by law for public nuisances, and may be enforced by an injunction issued by the superior court in a civil action, based upon a showing by the City that said violation exists.

SECTION 2. If any word, phrase, sentence, part, section, subsection, or other portion of this Chapter, or any application thereof to any person or circumstance is declared void, unconstitutional, or invalid for any reason, then such word, phrase, sentence, part, section, subsection, or other portion, or the prescribed application thereof, shall be severable, and the remaining provisions of this Chapter, and all applications thereof, not having been declared void, unconstitutional or invalid, shall remain in full force and effect. The City Council hereby declares that it would have passed this title, and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases had been declared invalid or unconstitutional."

SECTION 3. CEQA Findings.

The City of Seaside determined that the proposed action is not a project as defined by the California Environmental Quality Act (CEQA) per section 15378. In addition, CEQA Guidelines Section 15061 includes the general rule that CEQA applies only to activities that have the potential for causing a significant effect on the environment. Additionally, CEQA Guidelines section 15307 provides an exemption for actions which assure the maintenance, restoration or enhancement of a natural resource. A regulated reduction in single-use source plastics has a corollary reduction in microplastics and solid waste management which restores or enhances the Monterey Bay. In this case, the activity either has a beneficial (non-significant) effect on the environment and is exempt from CEQA or is categorically exempt from CEQA.

SECTION 4. Effective date. This Ordinance shall become effective thirty (30) days after its final passage and adoption at a duly noticed public hearing for the second reading of the proposed text amendments.

Introduced at a duly noticed Public Hearing on ~~March 19, 2020~~XXX, and passed to print.

PASSES AND ADOPTED BY THE COUNCIL OF THE CITY OF SEASIDE this 19th day of March, 2020, by the following vote:

AYES:	COUNCIL MEMBERS:
NOES:	COUNCIL MEMBERS:
ABSENT:	COUNCIL MEMBERS:
ABSTAIN:	COUNCIL MEMBERS:

APPROVED:

_____
Ian N. Oglesby, Mayor

ATTEST:

_____
Lesley Milton-Rerig, City Clerk

Environmental Commission

Annual Work Plan

Looking Ahead: FY 2020-2021

Reviewing Accomplishments: FY 2019-2020

1. Lacey Raak: Chair
2. Kristin Molle: Vice Chair
3. Kera Abraham-Panni
4. Laura Murphy
5. Mariana Del Valle
6. Lori Bala
7. Chelsea Tu
8. Vacant

Mission Statement:

The Environmental Commission investigates and advocates sound environmental policy and action in the areas of air quality, water quality, energy and waste management, flora and fauna protection and community planning.

General Duties:

The Environmental Commission shall conduct public hearings and prepare recommendations to the City Council on matters regarding the environment to include without limitation unless otherwise noted:

- Draft, review and comment on City ordinances, policies and programs and state mandates related to: air and energy; flora, fauna and biome protection; environmental justice; and community planning topics expressly beyond the realm of the Planning Commission (*The Planning Commission typically approves/denies resolutions to the City Council re. proposed*

ordinances. Also, they are a discretionary body that can issue Use Permits, variances, and a few other "exceptions" to Title 17: Zoning.)

- Serve in advisory capacity to the City Council, commissions, committees, and boards on related issues.

- Identify strategic environmental goals for the City and estimate resources needed to accomplish these goals, including investigating funding for programs that will benefit the community.

- Develop policies and plans for increasing environmental awareness and stewardship, in cooperation with other public and private agencies including school districts.

Responsibilities:

- The Environmental Commission shall meet not less than four times a year, with subcommittee work occurring during off-meeting months.

- The Environmental Commission shall monitor the City's progress and comply with principles established in Resolution 17-47

- The Environmental Commission shall prepare an annual recommended work plan to the City Council no later than three months in advance of each fiscal year.

Work collaboratively with Community partners to promote continued progress towards achieving Seaside's environmental goals and responsibilities.

Increase staffing or volunteer capacity to support the work of the Environmental Commission.

Fiscal Year 2020-2021 Work Plan:

1. Review for PIPPP for relevance and value during COVID-19.
2. Planning and Infrastructure
    a. The Environmental Commission will provide comments during the review periods for Environmental Impact Reports and as needed following staff presentations.
    b. Review and comments on relevant water Conservation, Utilization and Infrastructure, including water pollution prevention projects and proposals

c. Energy, Transportation and Climate Planning - The Environmental Commission will engage and participate in relevant conversation or issues related to energy and climate planning as they arise.

3. Habitat (Flora, fauna and biome protection)
    a. Provide support and increase education and awareness of pollinator habitats in various Seaside parks cared for by members of the Environmental Commission, Friends of Seaside Parks Association, and Sustainable Seaside.
    b. Continue to meet the obligations of Seaside's designation as a BEE CITY USA Affiliate and prepare for filing a renewal application.
    c. Trees
        i. Clarify roles and responsibilities of the EC and the Parks and Rec Commission, working with them to support trees within our community.
        ii. Review existing tree policies for possible enhancements
4. Support a "green" economic recovery and explore areas for progress during COVID-19.

Subcommittees:

1. Priority Impact Plastic Pollution Prevention Policy (Kera, Mariana, Lacey, Beth)
2. Habitat Subcommittee (Laura, Kristin, Lacey, Beth)
3. Green Economic Recovery Subcommittee (Chelsea, Lori, Beth - alt. Kera)

Background and Progress:

In 2018, the City Council approved the creation of the Environmental Committee. Once the committee was fully formed, their duties and responsibilities approved, the city proposed an ordinance to codify the committee, including the creation, composition, term and duties into the Municipal Code in perpetuity. The draft ordinance was introduced at the May 2, 2019 Regular City Council meeting and there was concern that more input was needed from the Commissions directly regarding the expansion as well as the naming of the commissions. The proposed draft was passed to print at the October 17, 2019 City Council meeting and the Environmental Committee became the Environmental Commission.

During 2019-2020, the Environmental Commission made progress and achievements related to the following:

- Goal: The Environmental Commission will conduct community and business outreach as well as provide input to the city regarding the content of Seaside Municipal Code (SMC) 8.28: Solid Waste.

  Progress: The Environmental Commission created a subcommittee to draft code amendments. The proposed amendments to SMC 8.28: Solid Waste will be considered by the city council in the near future along with amendments to SMC 8.60: Environmentally Preferable Food Packaging and 8.62: Use of Single-Use Carryout Bags, Recycled Paper Bags, and Reusable Bags by Retail Establishments.

- Goal: Provide input regarding code amendments to SMC 8.60: Environmentally Preferable Food Packaging.

  Progress: The subcommittee that was formed to work on amendments to 8.28 and 8.62 also drafted a complete revision to 8.60. The following was accomplished regarding business outreach and associated work related to the draft amendments: the Environmental Commission discussed the proposed ordinance, conducted outreach, and discussed the proposed changes at 13 monthly commission public hearings over a period of 17 months. Additionally, 198 businesses were mailed letters about the proposed changes and targeted communications were sent to all 54 restaurants in the city. Two restaurant-specific stakeholder meetings were held at Seaside Creates and two different surveys were completed by approximately 22 businesses.

  A Study Session with the City Council occurred on 2.6.2020. In March of 2020 the Committee determined to withdraw this agenda item from the City Council's April meeting in response to the COVID-19 Public Health Emergency.

- Goal: The Environmental Commission will support water and energy conservation efforts within the community and encourage best practices in City operations. Address Title 17: Zoning Ordinance, including various sections limiting sustainable installations, such as rainwater capture devices, on private property.

  Progress: The Environmental Commission began to clarify a code interpretation that categorized rainwater capture devices as accessory structures. Conversations with planning staff may lead to a reinterpretation that would not view rainwater collection devices as accessory structures and potentially lessening the discretionary review

process for approval of installing such a device. Conversations with the Building Official have clarified the building code strapping requirements for devices over a certain height.

Staff Liaison Rocha has been in frequent contact with Public Works staff on behalf of the Environmental Commission as related to the pollinator habitat plantings. EC members and community partners continue to care for plantings at various parks throughout the community

No significant action was taken on Title 17.