



A Tradition of Stewardship
A Commitment to Service

Agenda Date: 2/4/2020
Agenda Placement: 10E

NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

TO: Board of Supervisors
FROM: Minh Tran - County Executive Officer
County Executive Office
REPORT BY: Mary Booher, Assistant County Executive Officer - 707-253-4153
SUBJECT: Update on future Board items

RECOMMENDATION

County Executive Officer will provide a report on pending future agenda items and seek direction from the Board for each item.

EXECUTIVE SUMMARY

Members of the Board of Supervisors are given the opportunity at each Board meeting to request items for future agendas. Because the specific topic requested was not on the agenda, the remaining members of the Board do not have the opportunity to discuss these requests at the time of request. Staff is requesting direction for a request to develop an ordinance to encourage clean-up of cigarette butts and waste from e-cigarettes.

PROCEDURAL REQUIREMENTS

1. Staff report.
2. Public comment.
3. Motion, second, discussion and vote on the item.

FISCAL & STRATEGIC PLAN IMPACT

Is there a Fiscal Impact? No
County Strategic Plan pillar addressed: Effective and Open Government

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

BACKGROUND AND DISCUSSION

In order to ensure requests for future agenda items are addressed in a timely manner, and to ensure that all Board members have the opportunity to provide feedback before significant County resources are invested in these requests, staff is asking the Board for direction on the current pending items.

For specific direction at this time, there is one item, to consider the development of an ordinance to collect funding for the cleanup of cigarette and vaping device waste.

The Napa Countywide Stormwater Pollution Prevention Program is exploring program ideas for general trash capture, including cigarette and vaping device waste, as part of their efforts to prevent stormwater pollution, protect water quality in creeks and wetlands, and comply with State and Federal regulations. In addition, staff in Public Health and Environmental Health have identified 2 different paths to collect funding and/or reduce this type of waste.

The first is to establish a program and corresponding funding mechanism to reduce waste. The City and County of San Francisco has established a cigarette litter abatement fee of \$.85 for every pack of cigarettes sold. In order to establish a fee, and create the legally required nexus between the fee and the service funded, the County must be able to show that the fee would pay for the specific act of removing cigarette-related litter. For Napa County to do this, we would most likely need to hire a consultant to conduct the Nexus study, which could cost from \$30,000-\$50,000. Once the study is complete, the Board could develop and ordinance, which would require approximately 20 hours of time for County Counsel staff. If adopted, the Board would need to establish a program to remove cigarette-related litter, which would need to be covered by the new fee. To be most effective, as well as for consistency, the nexus study and the fee should be implemented in all local jurisdictions, and this collaboration would also take an extensive amount of staff time. An alternative to this would be to have the voters approve a tax for this, but this would still require the development of a new program, and the cost of the election, if consolidated with a regular election, may be as much or more than the nexus study for the fee.

The second path is to develop strategies that would reduce the number of cigarettes smoked. Most of these strategies would require cooperation with the cities and the town, in order to have consistency throughout the county. Similar efforts in other counties have taken months and years of staff time to develop and implement. In addition, to the extent these strategies focus on the point of sale, the impact of such strategies would not address the tourists who visit our area.

SUPPORTING DOCUMENTS

None

CEO Recommendation: Approve

Reviewed By: Leigh Sharp