

**SANTA FE COUNTY  
SINGLE-USE PLASTICS WORKING GROUP  
TUESDAY, APRIL 18, 2023, 5:30 PM  
100 CATRON STREET, SANTA FE, NEW MEXICO**

**I. CALL TO ORDER**

The meeting of the Santa Fe County Single-Use Plastics Working Group was called to order by Vice Chair Karen Sweeney, on Tuesday, April 18, 2023 at 5:32 pm, in the Johnson Conference Room, 100 Catron St., Santa Fe, New Mexico.

**II. ROLL CALL**

**MEMBERS PRESENT**

Joseph Eiger  
Gary Stoller  
Karen Sweeney, Vice Chair  
Kim Kelly

**MEMBERS ABSENT**

Sara Pierpont, Chair, Excused

**OTHERS PRESENT**

Jacqueline Beam, Constituent Liaison  
Elizabeth Martin, Stenographer

**III. APPROVAL OF AGENDA**

**MOTION** A motion was made by Mr. Eiger, seconded by Mr. Stoller, to approve the agenda as presented.

**VOTE** The motion passed on a voice vote.

**IV. APPROVAL OF APRIL 6, 2023 MINUTES**

**MOTION** A motion was made by Mr. Eiger, seconded by Ms. Sweeney, to approve the minutes as presented.

**VOTE** The motion passed on a voice vote.

## **V. MATTERS FROM THE WORKING GROUP**

### **A. ASSIGNMENTS AND RESEARCH PLANNING**

Ms. Sweeney asked how many responses have been received from the business survey.

Ms. Beam said one so far. We are looking at canvassing in person as well.

Ms. Sweeney said she reviewed the list of businesses, and sorted it out into three sections of the County, so we can divide up the list and do our canvassing. She also found a couple of businesses that are not on the list. She will give those names to Jacqueline.

Ms. Kelly and Mr. Stoller both stated that they would be unable to help with the canvassing.

Ms. Sweeney said on the 12<sup>th</sup> we have a program and a panel in El Dorado. She complimented Commissioner Hughes. He did a great job and he alluded to this committee several times. It felt like he was saying for us to be bold.

Mr. Stoller said that is what he seemed to indicate.

Ms. Sweeney said Liz Stephanics was on the panel and she said businesses prefer to have one rule that is statewide.

Ms. Sweeney said she contacted the Taos Town Manager, and he responded to her. She will email everyone his response. She pointed out things in his response that are different from our plan. She did not want to respond to his email without everyone seeing his response.

Ms. Bean said Chair Pierpont wanted us to start on the Ordinance.

Mr. Eiger said in March, he and Gary submitted a document based on the Taos Ordinance. We suggest that we start from that, and go sentence by sentence and accept, change or add to it. He thinks the end result would be a draft Ordinance we feel okay about. We can then have legal look at it, and send it to the Governing Body for consideration.

Ms. Kelly said she thinks the idea for the chart that was produced was for us to go over what Taos and Santa Fe are doing and see what we want to do. We can accept, reword or change it to what we want.

Mr. Eiger said he would rather do that with an existing Ordinance.

Ms. Kelly said she did summarize all the different Ordinances in the chart so it would be easy to compare. It seems we should use the chart.

Ms. Sweeney asked Ms. Kelly to send the chart to the members.

Ms. Beam said we could have another work day. In the meantime, you could cite the points you absolutely know you want to include and flesh out the Ordinance from there. She can put together an outline and bring that back to the group.

Ms. Sweeney said we can make our lists of what is important, send them to Olivia and Jacqueline, and have three weeks to work on them before the May meeting.

Ms. Beam said we can send the responses from the survey to you as well.

Ms. Beam said, start with what you know and then shape it so legal can refine it. Your lists will be due three weeks from today, but two and a half weeks would be better.

Ms. Kelly said to use Sara's revised chart and go from there. It is the most updated and has the pros and cons of each Ordinance. We can decide on the definitions. Use the chart as a reference. Some things will need to be addressed and talked about.

Ms. Sweeney said we can make our May meeting a work meeting.

Mr. Eiger said he thinks we can go through both Ordinances, step-by-step and answer all the questions that come up. The charts are a bit of a distraction.

Ms. Sweeney said the beginning statement of the Ordinance could be a background and blend of the City and ours.

Mr. Eiger said let's start with the three Ordinances, the City, State and Taos.

Mr. Eiger reviewed the Taos Ordinance beginning section for comments and ideas from the Committee.

Ms. Sweeney said let's look at the City and County and see if we see something better.

Ms. Kelly said she summarized all of the Ordinances in the chart.

Ms. Sweeney said she thinks it is helpful to do this in this way. We can go through it tonight and then work on it at home.

Mr. Eiger asked if the Committee agrees on using the County Resolution for section 1.

All agreed.

Ms. Sweeney stated that section 2 is the purpose. We can extrapolate from the County Resolution and edit it as we choose.

Mr. Eiger said let's start with the Taos section 2B. That is a start.

Mr. Stoller said this is important, because it says what we want to ban. This is really difficult. Let's use the Taos one to start.

Ms. Beam said right, now what you are agreeing to is the outline.

Ms. Sweeney said we should take this and mark it up for when we get together. For the definitions, we need to look at what we have here and see what the preferred definitions are.

Mr. Eiger said, in the chart there are only two definitions.

Ms. Beam said in the most recent chart, all the definitions are included in this section.

It was agreed by the Committee to use the chart definitions in this section.

Ms. Kelly said the easiest thing, would be to go from the chart to an outline.

Mr. Eiger said we can skip Section 4 for now. Section 5 is exemptions. We can start with the ones in Sara's chart. The main exemptions are dealing with bags.

Ms. Beam said she will combine everything you have talked about, and send it out so you can discuss it at the next meeting.

Mr. Eiger said Section 5 is what "thou shalt not do." Taos lumps everything together there, and we may want to separate things out.

Ms. Kelly said she thinks Taos is hyper-simplified. Separating them out, is better than lumping them together.

Mr. Eiger said we will look at the two charts, and others around the world, to see how they do it. Berkeley has separate Ordinances for different things.

Ms. Kelly said she thinks that was done strategically, in that manner, for political reasons. Las Cruces did a good job. It did not pass, but we could use their language.

Mr. Eiger said Gary looked at Vermont. What did you think of that one.

Mr. Stoller said he will look at that. We can use Taos for now.

Ms. Kelly said we have the default to use Taos. Taos is quite reduced. Maybe we need to look toward another City for definitions on styrofoam.

Mr. Stoller said that is what makes this job so difficult—there are so many.

Mr. Eiger said the Taos one is clear that no stores use styrofoam.

Ms. Beam said in the chart that Sara updated there is a column showing cities and states that have laws in those areas.

Ms. Kelly said it sounds like Sara prefers Vermont.

Ms. Beam said in the other sections she refers to eleven states. It is all in the chart already.

Ms. Kelly said we could state in the outline the model we used for each item. Right now, we need to put things in the outline, but Sara would have to be here. She is more knowledgeable in that area.

Ms. Sweeney said, as to retail establishments, that is nearly everything - Dollar Stores, grocery stores, food trucks etc. Food trucks should be included in some way.

Mr. Eiger said food trucks should be included in food services. We need to define categories of businesses as well.

Ms. Kelly read part of the Bernalillo document, saying we can use this and add food trucks.

Ms. Sweeney said let's use Bernalillo's wording for now.

Ms. Sweeney said let's move to enforcement.

Ms. Kelly said the definitions in the Bernalillo Ordinance could be used as a back-bone for this. Taos is not very descriptive.

Mr. Stoller said the Taos Ordinance is pretty vague.

Mr. Eiger said maybe Jacqueline and Olivia can draft that section, and sort it out. It needs to come from the County.

Ms. Beam said it still needs to be part of your recommendations.

Ms. Sweeney said she thinks misdemeanor is kind of harsh.

Ms. Beam said that action is problematic for the County.

Ms. Kelly said Bernalillo has a fine for violations as does Deming. Santa Fe does not state anything. We could go with Bernalillo.

Ms. Sweeney said she would rather see a “carrot rather than a stick.” She thinks legal needs to look at this section.

Mr. Stoller said we may need to list an effective date for each item.

Ms. Sweeney said that is kind of cumbersome.

Mr. Stoller said some have 190 days to effectiveness and others have 90 days.

Ms. Sweeney said we want a gentle roll-in.

Ms. Kelly said yes, most are small businesses for food services.

Ms. Kelly said, in Bernalillo the fines are done in a formal way - \$100 for the first civil fine to \$250 for the third fine. Maybe we can do something like that.

## **VI. DISCUSSIONS AND NEXT STEPS**

Ms. Sweeney asked what are our assignments for the next meeting.

Mr. Stoller said use Taos and look for anything better.

Ms. Kelly said she thinks Bernalillo’s is a better base structure than Taos. It is more comprehensive.

Mr. Eiger said it is up to Jacqueline to put things in the preliminary draft, based on our discussion. Then we have something to “chew on.” Then we can add to , change or take from.

Ms. Beam said she has a general baseline, but not your preferences of which Ordinance.

Mr. Eiger said we will do that in the next meeting, or when we see a draft. We could let you know before the next meeting.

Ms. Beam said she thinks it will take a working group or assignments of each section to come up with more. She can send the outline to Sara, and she can assign who she would like to see work on each section. September is our end time.

Ms. Kelly said it is easy to look at each category on the chart, see the definitions,

and decide which one we like the best. Her preference is something from New Mexico that has been passed. It may be more palatable.

Mr. Stoller said he agrees with that.

Ms. Sweeney said we can look at that, but focus on definitions and items you think are better from other Ordinances, and bring that into discussion for tweaking. We could each take a category.

Ms. Beam said she will put together an outline and language around the Bernalillo Ordinance. It will not be super detailed, but will have your references. In the work meeting, you can start fleshing-out what you want to keep or want to take out. She will send the outline to Sara, and she can share it with you with her assignments.

Ms. Kelly said maybe the homework for the group is what they would modify.

## **VII. MATTERS FROM THE PUBLIC**

None.

## **VIII. OTHER BUSINESS**

None.

## **IX. ADJOURNMENT**

There being no further business for the Committee, the meeting adjourned at 7:11 pm.

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Sarah Pierpont, Chair

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Elizabeth Martin, Stenographer

