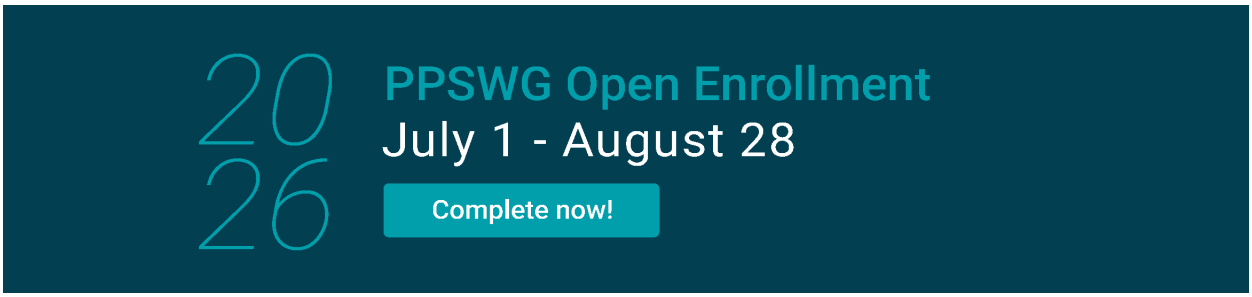
Gautho, Julia

From: Irina Butler - ppswg.org <ibutler@ppswg.org>
Sent: Thursday, September 10, 2026 4:50 PM
To: City Council
Subject: Capitola Safe Drug and Sharps Disposal Ordinance
Attachments: PPSWG Capitola letter - DRAFT 9.10.26.pdf

Good afternoon,
Please see the attached for your consideration.
Irina

PPSWG®
Pharmaceutical Product Stewardship Work Group

Irina Butler
Executive Director
Pharmaceutical Product Stewardship Work Group
1800 M Street, NW, Suite 400 South | Washington, DC 20036
(e) ibutler@ppswg.org



CONFIDENTIALITY NOTICE: The contents of this email message and any attachments are intended solely for the addressee(s) and may contain confidential and/or privileged information and may be legally protected from disclosure. If you are not the intended recipient of this message or their agent, or if this message has been addressed to you in error, please immediately alert the sender by reply email and then delete this message and any attachments. If you are not the intended recipient, you are hereby notified that any use, dissemination, copying, or storage of this message or its attachments is strictly prohibited.

PPSWG
Pharmaceutical Product Stewardship Work Group

Pharmaceutical Product Stewardship Work Group
1800 M Street, NW | Suite 400 South | Washington, DC 20036
Phone: (202) 495-3131 | Fax: (202) 530-0659
info@ppswg.org

VIA ELECTRONIC MAIL

September 10, 2026

Capitola City Council
Capitola City Hall
420 Capitola Ave.
Capitola, CA 95010
Email: citycouncil@cityofcapitola.gov

Capitola City Councilors:

The Pharmaceutical Product Stewardship Work Group ("PPSWG") had previously provided comments for the Capitola City Council's Special Meeting on September 3, 2026, in order to express our concerns regarding the Council's proposed adoption of an urgency ordinance, and adoption of a regular ordinance, with the intent of amending Chapter 8.40.150(G) of the Capitola Municipal Code to remove the existing expiration language from the Capitola Safe Drug and Sharps Disposal Ordinance of 2016 (the "Ordinance"). MED-Project LLC ("MED-Project"), which serves as the program operator designated by PPSWG's members to implement and operate mandated takeback programs, has separately provided comments dated September 2, 2026 and September 9, 2026, as well as comments dated September 9, 2026 through its counsel, Beveridge & Diamond PC. Each of these letters addresses specific concerns with the Council's contemplated course of action regarding the Ordinance, namely: that this course of action is predicated on misconceptions regarding the effect of the Ordinance sunsetting and the transition of take-back services in Capitola to the California state-wide program under Senate Bill (SB) 212 (2018); that the Council has not provided a sufficient factual or legal basis for the adoption of the urgency ordinance; that any newly adopted ordinance attempting to extend the Capitola Safe Drug and Sharps Disposal Ordinance of 2016 would be expressly preempted by the provisions of SB 212; and that the Ordinance has, in fact, expired as of September 8, 2026.

We are providing this letter to support MED-Project's comments and reiterate PPSWG's concerns regarding item 8.E of the City Council's September 10, 2026 meeting agenda, the adoption of Proposed Ordinance No. 1078 with the intent of removing the sunsetting provisions from the Capitola Safe Drug and Sharps Disposal Ordinance of 2016. We urge the City Council to carefully consider those prior comment letters. The Council's contemplated action would attempt to extend the requirements of the Ordinance in a factually unsupported and legally unsound manner. Contrary to the Council's concerns, the sunsetting of the Ordinance begins the orderly transition of services under the state-wide program pursuant to the requirements of SB 212, as described in detail in MED-Project's comments of September 9, 2026.

We ask therefore that the City Council reject the adoption of Proposed Ordinance No. 1078, rescind the adoption of Urgency Ordinance No. 1077, and recognize the sunsetting of the Ordinance and the transition of take-back services in Capitola under the SB 212 state-wide program.

PPSWG
Pharmaceutical Product Stewardship Work Group

Pharmaceutical Product Stewardship Work Group
1800 M Street, NW | Suite 400 South | Washington, DC 20036
Phone: (202) 495-3131 | Fax: (202) 530-0659
info@ppswg.org

We appreciate your consideration on this issue.

Thank you,

Irina S. Butler

Irina Butler,
Executive Director