



Legislation Details (With Text)

File #: 16-1150 **Version:** 1 **Name:** CD1 - Ban on Polystyrene Products
Type: Agenda Item **Status:** Approved
File created: 12/12/2016 **In control:** City Council
On agenda: 12/20/2016 **Final action:** 12/20/2016
Title: Recommendation to:

1. Request City Attorney to draft an ordinance related to banning the sale and distribution of expanded polystyrene and other polystyrene disposable food service containers within the City of Long Beach with exemptions for the Long Beach Unified School District;
2. Request City Manager, or designee, to work with the Office of Sustainability, the Sustainable City Commission and community stakeholders to develop a public education campaign related to the ban, which would include, but not be limited to:
 - a. Timeline for implementation,
 - b. List of Vendors who sell non-polystyrene products,
 - c. Website with all available information regarding the ban and information about polystyrene,
 - d. Hotline for questions and concerns;
3. Request City Manager, or designee, to work with the Economic Development Committee of the City Council to come up with financial incentives for local businesses who implement the ban of these products before the implementation date of the ordinance;
4. This ordinance, education plan and incentive structure should return to the City Council for deliberation within 120 days; and
5. Upon approval, City Manager should provide an annual update regarding the ban to the Environmental Committee of the City Council.

Sponsors: COUNCILWOMAN LENA GONZALEZ, FIRST DISTRICT, COUNCILMEMBER JEANNINE PEARCE, SECOND DISTRICT, COUNCILMEMBER ROBERTO URANGA, SEVENTH DISTRICT

Indexes:

Code sections:

Attachments: 1. 122016-R-14sr&att.pdf, 2. 122016-R-14 2005 Council Item Re Polystyrene - Colona.pdf, 3. 122016-R-14 2006 Staff Memo Re Polystyrene.pdf, 4. 122016-R-14 2007 Staff Report Re Polystyrene.pdf, 5. 122016-R-14 Surfrider EPS Fact Sheet 11-2016.pdf, 6. 122016-R-14 Polystyrene use and related issues_4-22-08.pdf, 7. 122016-R-14 Citywide Polystyrene Policy_6_5-07.pdf, 8. 122016-R-14 Corresp.California Restaurant Association.pdf, 9. 122016-R-14 Corresp. Cadweller.pdf, 10. 122016-R-14 Corresp. Allen.pdf, 11. 101717-R-16att.pdf

| Date | Ver. | Action By | Action | Result |
|------------|------|--------------|--------------------------|--------|
| 12/20/2016 | 1 | City Council | second substitute motion | Pass |

Recommendation to:

1. Request City Attorney to draft an ordinance related to banning the sale and distribution of expanded polystyrene and other polystyrene disposable food service containers within the City of Long Beach with exemptions for the Long Beach Unified School District;

2. Request City Manager, or designee, to work with the Office of Sustainability, the Sustainable City Commission and community stakeholders to develop a public education campaign related to the ban, which would include, but not be limited to:
 - a. Timeline for implementation,
 - b. List of Vendors who sell non-polystyrene products,
 - c. Website with all available information regarding the ban and information about polystyrene,
 - d. Hotline for questions and concerns;
3. Request City Manager, or designee, to work with the Economic Development Committee of the City Council to come up with financial incentives for local businesses who implement the ban of these products before the implementation date of the ordinance;
4. This ordinance, education plan and incentive structure should return to the City Council for deliberation within 120 days; and
5. Upon approval, City Manager should provide an annual update regarding the ban to the Environmental Committee of the City Council.

Expanded Polystyrene is a common plastic used in food packaging and restaurant takeout items. According to the California Coastal Commission, polystyrene is the 2nd largest source of litter on California beaches.¹ Polystyrene is especially harmful to the environment because it is not biodegradable and can last for hundreds of years in a landfill or in the ocean as floating debris.² Over 65 cities in California have taken a proactive approach to curb this epidemic by banning the use of expanded polystyrene in the food service industry. These cities include Oakland, San Francisco, San Jose, West Hollywood, Laguna Beach and Dana Point, to name a few.³ Citywide bans on polystyrene have been extremely successful throughout the state and nation in reducing the pollution of polystyrene. For example, the 2008 San Francisco Litter Audit revealed a 36% reduction in polystyrene litter since the ban was implemented in 2007⁴.

The City of Long Beach began exploring opportunities to ban expanded polystyrene through a Council Item presented by former Councilmember Frank Colona in 2005.⁵ Over the course of the past eleven years, City staff has continuously identified polystyrene products as a "huge source of litter" and confirmed that it "is not easily recycled" within the City of Long Beach. Additionally, through a 2007 memo to the members of the City Council's Environmental Committee, city staff laid out a plan to implement a ban on polystyrene products and single use plastic bags. This plan included outreach and education to local businesses, creating a green designation program and banning the use of polystyrene at all municipal buildings and city events. Additionally, in 2011 the City of Long Beach passed a ban

on single use plastic bags⁶ and supported SB 568 carried by then Senator Alan Lowenthal to ban polystyrene in the food industry statewide.

While the City of Long Beach's actions have stalled regarding polystyrene, several community groups have advocated and successfully worked with over two dozen small businesses and two national chains, McDonalds and Starbucks, to discontinue the use of polystyrene products. These local businesses include Berlin Bistro (District 1), Lola's Mexican Cuisine (District 2 and 8), Panama Joe's (District 3) and Crooked Duck (District 4) among others. These businesses are highlighted through the Surfrider's Ocean Friendly Restaurants program. (See Attachment A).

The fiscal impact is expected to be minimal at city facilities according to the 2007 City Staff Report provided to the Environmental Committee.

The financial impact to businesses is also expected to be minimal with most non polystyrene products being competitively priced.

Approve recommendation.

LENA GONZALEZ
COUNCILWOMAN, FIRST DISTRICT

JEANNINE PEARCE
COUNCILMEMBER, SECOND DISTRICT

ROBERTO URANGA
COUNCILMEMBER, SEVENTH DISTRICT