



CITY OF GLENDALE, CALIFORNIA REPORT TO THE CITY COUNCIL

AGENDA ITEM

Report: Introduction of an Ordinance Amending Glendale Municipal Code, 1995, Title 8 Chapter 8.42 To Amend and Restate the City's Adopted Prohibitions on the Use of Polystyrene Products and Single Use Plastics.

1. Ordinance for Introduction.
2. Motion directing staff to develop incentive programs to support the transition to the proposed Plastic Waste Reduction Regulations ordinance.
3. Motion recommending City Council direct staff to engage the services of a consultant to provide continued education and support to organizations impacted by the Plastic Waste Reduction Regulations ordinance.

COUNCIL ACTION

Item Type: Action Item

Approved for January 28, 2025 **calendar**

EXECUTIVE SUMMARY

The report discusses amendments to the Glendale Municipal Code (GMC) focused on reducing plastic waste, particularly single-use plastics by (1) implementing stricter regulations on foodware and accessories, (2) mandating the use of compostable or recyclable foodware for to-go or delivery items, and (3) requiring reusable foodware for dine-in services.

The ordinance, as introduced, recommends a phased approach, with bans on plastic straws, stirrers, and utensils starting July 1, 2025, and implementation of the broader foodware standards on January 1, 2026.

To support the food and beverage establishments in complying with the proposed ordinance, financial and technical assistance is proposed to assist with the transition to compliant products, such as compostable or reusable foodware. Staff recommends that

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up to \$150,000 annually may be allocated for product incentives and capital improvements, such as dishwashers.

Staff recommends that the City continue to engage with food and beverage providers by providing educational support programs including product sourcing information and technical guidance. Staff also recommends the City retain a consultant to provide continued education and support to organizations impacted by the Plastic Waste Reduction Regulations ordinance.

Overall, the proposed ordinance aims to reduce plastic waste in Glendale by enforcing stricter regulations, providing support to businesses, and continuing customer education on sustainable practices.

RECOMMENDATION

That the City Council introduce an ordinance requiring all dine-in food service use washable, reusable foodware, and that all to-go or delivery be served in compostable or recyclable containers, and that all foodware accessories must be fiber-based compostable.

That the City Council adopt a motion directing staff to develop incentive programs to support the transition to the proposed Plastic Waste Reduction Regulations ordinance.

That the City Council adopt a motion directing staff to retain a consultant to provide continued education and support to organizations impacted by the proposed ordinance.

ANALYSIS

Since 2021, the City Council has adopted three ordinances tackling the use and distribution of single-use plastics, disposable foodware accessories, and polystyrene products.

Single-Use Plastics:

Ordinance No. 5964, adopted in April 2021, prohibits using single-use plastic products to serve prepared foods at certain City-managed, City-run concessions or City-sponsored events located in City-owned or controlled facilities. The ordinance requires all disposable foodware used by food or beverage providers who serve prepared food and beverages at a City event to be marine-biodegradable. The ordinance prohibits the City, its contractors, agents, and employees acting in their official capacity to purchase, acquire, or distribute non-recyclable or compostable foodware for public use at City events.

Disposal Foodware Accessories:

Ordinance No. 5973, adopted in September 2021, regulates the distribution of disposable foodware accessories by food and beverage facilities. Specifically, the ordinance prohibits use of self-serve, disposable foodware accessory dispensers or providing or offering disposable foodware accessories to a dine-in or takeout customers, except upon customer request. However, food and beverage facilities are allowed to ask a drive-through or delivery customer if they want disposable foodware accessories. In addition, prepared food facilities that use online food ordering platforms are required to provide online ordering platform “opt in” options that enable customers to choose which disposable foodware accessories to include with online orders..

Polystyrene and Other Plastic Products:

On March 22, 2022, City Council approved a motion directing staff to prepare a report on the validity of prohibiting polystyrene, foodware, the use of single-use plastic straws, stirrers and utensils, a disposable cup charge, and reusable foodware for dining on premises.

On November 29, 2022, the City Council directed staff to prepare an ordinance regulating plastic waste, specifically polystyrene products, single-use plastic straws, stirrers, and utensils. The Council also directed that the proposed ordinance establish disposable foodware standards, disposable cup charges, reusable foodware dining on-premises standards, and a prohibition of single-use beverage bottles.

On November 14, 2023, the City Council adopted Ordinance No. 6015 prohibiting the use, distribution, and sale of polystyrene foodware, polystyrene coolers, polystyrene packing materials, polystyrene egg cartons, polystyrene produce trays, and polystyrene meat and fish trays.

At the direction of the City Council, staff have conducted outreach on proposed plastic waste reduction regulations focused on:

- a. Prohibition on the use and or distribution of single-use plastic straws, stirrers, and utensils
- b. Disposable foodware recycling standards
- c. Disposable cup charge
- d. Reusable foodware for dining on premises

Adopting the Single-Use Plastics, Disposable Foodware Accessories, and Polystyrene Prohibition ordinances has reduced plastic use and raised awareness of the impact of plastic waste on our environment. Locally, single-use plastics are a significant source of litter and contamination in recycling programs because confusion surrounds which

forms of plastic are acceptable to discard in recycling bins. Littered plastic products cause substantial environmental harm and burden governments with considerable cleanup costs.

Overview Related State Laws

The State of California continues implementing regulations aimed at packaging safety and reducing the use of single-use foodware.

AB1276: California AB-1276 (Single-use Foodware Accessories and Standard Condiments) reduces plastic waste by limiting the distribution of single-use foodware accessories (such as utensils, straws, stirrers, and condiment packets) in restaurants and other food establishments. Additionally, the City of Glendale adopted Ordinance No. 5973, Disposable Foodware Accessories, which prohibits using self-serve/self-service dispensers for disposable foodware accessories.

AB 1200: On October 5, 2021, Governor Newsom signed Assembly Bill (AB) 1200 into law. Beginning January 1, 2023, this bill bans all plant fiber-based food packaging containing PFAS either intentionally added or present at levels exceeding 100 parts per million total organic fluorine.

SB 54: The 2022 "Plastic Pollution Prevention and Packaging Producer Responsibility Act", is one of the California's most significant environmental laws to reduce plastic waste. Its primary goal is to reduce plastic pollution by holding producers accountable for the lifecycle of their packaging materials. Key Points of SB 54 for the City to consider relevant to the proposed ordinance are:

- 1. Reduction in Single-Use Plastics:**
 - a. By 2032, SB 54 mandates a **25% reduction in California's single-use plastic packaging and foodware.**
 - b. Reduction can be achieved through reducing unnecessary packaging, redesigning products, or shifting to reusable or refillable systems.
- 2. Recycling and Composting Goals:**
 - a. By 2032, **65% of all single-use plastic packaging and foodware must be recycled or composted.**
 - b. Packaging materials that are not recyclable or compostable will eventually be phased out or heavily regulated.
- 3. Support for Local Recycling Infrastructure:** Funds raised by the Extended Producer Responsibility program, which requires producers to take responsibility for the entire product life-cycle of their packaging, will improve local recycling systems and infrastructure, helping municipalities deal more efficiently with

plastic waste.

4. **Bans on Problematic Plastics:** The bill empowers California regulators to ban or limit specific problematic plastics that are not recyclable or present significant challenges in waste management.

SB 54 should drive the California market to develop foodware and packaging that is recyclable or compostable. The law aims to improve recycling rates by holding producers accountable for ensuring their packaging is recyclable. This could lead to more effective sorting and recycling systems, and less contamination in recycling streams.

Proposed Plastic Waste Reduction Regulations - Background

As part of the background for drafting this Ordinance, City retained ReCREATE Waste Collaborative ("ReCREATE") to conduct outreach with the food and beverage community to obtain feedback on the proposed Ordinance and to determine the recyclability and composability of the foodware items proposed to be covered by the Ordinance.

Staff also examined foodware recyclability and compostability by focusing regulations on the distribution and use of plastic straws, stirrers, and utensils – items that are typically neither compostable nor recyclable. Additionally, staff focused on foodware recycling standards that can be successfully implemented and on programs that educate and encourage reusables based on the scope and scale of Glendale’s commercial residential and commercial recycling programs that reflect the recycling commodities market.

Glendale has contracts with four private waste haulers for commercial collection services and provides collection services for residential recycling. All waste haulers and the Department of Public Works, Integrated Waste Division responded to ReCREATE’s request to identify whether the items covered under the proposed Ordinance are in fact accepted in their recycling program and recovered at the designated material recovery facility. The results are as follows:

Table 1: Acceptability and Recyclability of Plastic Covered Materials:

<u>Hauler Acceptability</u>	PET cold beverage cup	PP cold beverage cup	PS cold beverage cup	PET clamshell	PP clamshell	PP tubs/ containers	Black plastic	Non-numbered containers
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Total Accepted	3 out of 5	3 out of 5	1 out of 5	3 out of 5	3 out of 5	3 out of 5	2 out of 5	1 out of 5
Total Recycled	3 out of 5	3 out of 5	0 out of 5	3 out of 5	3 out of 5	3 out of 5	2 out of 5	1 out of 5
<ul style="list-style-type: none"> • Polypropylene (PP) (resin code 5) • Polyethylene Terephthalate (PETE or PET) (Resin code 1) • Polystyrene (PS) (Resin code 6) 								

Of the accepted items, PS cold beverage cups are not recycled by any of the 5 waste haulers.

Table 2: Acceptability and Recyclability of Compostable Covered Materials:

Hauler	Natural Fiber Accessories (straws, stirrers, utensils)	PLA- Lined Cups	PLA- Lined Foodware	Natural Fiber Non-PLA- Lined Cups	Natural Fiber Non-PLA- Lined Foodware
Total Accepted	2 out of 5	0 out of 5	0 out of 5	2 out of 5	2 out of 5
Polylactic acid (PLA)					

ReCREATE’s research shows that most waste haulers operating in Glendale are currently accepting and recycling the items deemed recyclable in the proposed Ordinance. Although not all the covered materials are accepted by all haulers, to avoid confusion amongst food and beverage providers, the staff recommends setting one set of rules for the use of recyclable and compostable items, even though some of those items will end up in landfills. Additionally, SB 54 regulations may clarify what items are considered recyclable and compostable, which may lead to increased recycling and composting of items covered in the proposed Ordinance..

Ordinance Summary.

The Ordinance is set up for phased implementation that coincides with the Burbank's roll out of its waste reduction regulations; it is hoped this coordinated approach will reduce confusion about where and when the regulations take effect. Accordingly, July 1, 2025, was selected for implementing the prohibition on the use and distribution of single-use plastic straws, stirrers, and utensils. January 1, 2026, was selected for implementing disposable foodware recycling standards and regulations for on premises

dining reusable standards for large food and beverage providers, and July 1, 2026, was selected for all other food and beverage providers.

Based on these proposed timelines, the proposed Ordinance includes the following:

Prohibition on Use and or Distribution of Single-use Plastic Straws, Stirrers, and Utensils

Effective July 1, 2025, prohibitions on the use, distribution, and sale of Single-use Plastic Straws, Stirrers, and Utensils shall take effect as follows:

1. Prohibition on Single-Use Plastic. Food and beverage providers shall not use or distribute plastic straws, stirrers, or utensils, whether for use on-site, to-go, or delivery. Disposable straws, stirrers, and utensils must be made from non-plastic materials, such as paper, pasta, sugar cane, bamboo, or wood.
2. Use Accommodation. Food and/or beverage providers city-wide may retain and dispense plastic straws upon request as an accommodation for people with disabilities to provide equal access to food and beverage services within the City.

Disposable Foodware Standards

1. Effective January 1, 2026, no to-go or delivery food or beverage facility may distribute disposable foodware that is not compostable or recyclable.
2. Effective January 1, 2027, no to-go or delivery food or beverage facility may distribute disposable foodware that is not compostable.

On-Premises Dining

- A. Effective January 1, 2026, large food or beverage facilities (with more than 26 employees) serving prepared food and or beverages served for consumption by a customer on the premises of food and beverage facilities shall only be distributed in reusable foodware except that disposable paper food wrappers, sleeves and bags; foil wrappers; paper napkins; straws and paper tray- and plate-liners shall be allowed for dining on the premises, so long as they meet the Disposable Foodware Recycling Standards.
- B. Effective July 1, 2026, all other food or beverage facilities serving prepared food and or beverages served for consumption by a customer on the premises of food and beverage facilities, shall only be distributed in reusable foodware except that disposable paper food wrappers, sleeves and bags; foil wrappers; paper napkins; straws and paper tray- and plate-liners shall be allowed for dining on the premises, so long as they meet the Disposable Foodware Recycling Standards.
- C. Nothing in this section prohibits food and/or beverage facilities from providing a

"doggy bag" or "to-go" (single-use foodware) to prevent food waste as long as the disposable foodware complies with the disposable foodware recycling standards.

- D. Where a food or beverage facility is granted an exemption from on-premises dining reusable foodware requirement, compostable foodware shall be used unless the product is unavailable as long as the disposable foodware complies with recycling foodware standards.

Develop Incentive Programs

Staff also recommends the Council direct development of incentive and assistance programs to help food and beverage providers comply with the Ordinance. Incentive programs may fall into two categories: one focused on compliant products and the other on capital improvements and equipment. Assistance programs may be focused educating food and beverage providers on energy efficient practices, compliant product lists and grants and financing opportunities.

Incentive Programs Options - Compliant Products:

Incentive program may be subdivided into two programs:

1. Recycling Standards: This program may focus on providing food and beverage providers financial assistance to purchase items that meet the proposed disposable foodware recycling standards. This program will enable the purchase of approved disposable foodware for takeout and delivery to avoid using polystyrene and other non-compliant plastics. (See Exhibit 4 – Foodware Price Comparison Chart)
2. Reusable Foodware: This program may focus on providing financial assistance to help dine-in restaurants and cafes buy reusable foodware and utensils to replace single-use disposable items.

Staff recommends allocating up to \$50,000 per year for the incentive program with up to \$500 available for 50 establishments per year for two years after adopting the proposed regulations. Staff recommends that 80% of these funds be directed to purchasing reusable items for dine-in.

Incentive Programs Options – Capital Improvement:

1. This program may focus on those businesses classified as small food and beverage providers to assist with the capital improvements to accommodate dishwashers. The program shall be open to food and beverage providers with less than 26 employees who are not chains located in Glendale.
2. The City may develop a dishwasher rebate program modeled on the California Foodservice Instant Rebate program. In this program, customers can get

valuable instant rebates on qualifying energy-efficient dishwashers for their businesses. The program may provide businesses \$750 to help them comply with this new ordinance. The program shall be open to food and beverage providers with less than 26 employees who are not chains located in the City of Glendale.

Recommends allocating up to \$100,000 per year for this program.

If the City Council approves the motion to develop incentive programs staff will include cost of incentive programs in to the 2025-2026 budget request.

Assistance Programs - examples

Assistance programs are focused on three areas:

1. Utilizing existing programs to work with food and beverage providers to assist them in saving energy and water programs.
2. Providing information on compliant products.
3. Providing information on financing and grants that can assist businesses transition to the requirements of this ordinance.

Energy Savings Upgrades: Glendale Water & Power, in partnership with Willdan, offers affordable energy-saving upgrades to businesses. Upgrading not only reduces monthly energy costs but also improves the look and feel of your business. Upgrading is affordable, with incentives covering up to 100% of the project cost. The Sustainability Office has provided Willdan with a list of food and beverage providers. Although the program cannot offer dishwasher equipment upgrades, tackling energy efficiency may directly assist businesses.

Reusable Foodware Systems: A reusable foodware system is typically a turn-key service where the vendor provides dishware, inventory management, collection and washing of used dishes, as well as redistribution of clean foodware for takeout and delivery of prepared food, or a subset of these services. Custom solutions may include part of the service, e.g., dishwashing/sanitizing of foodware provided by a customer or another reusable foodware service, closed-loop systems within specific distribution parameters (e.g., meal services), etc.

Compliant Product Lists: The City will post a list of compliant disposable foodware on the City's Office of Sustainability website. City staff shall update the list as frequently as necessary to include compliant foodware; however, the list shall be updated at least annually. For 2 years, the City may hire an expert consultant to help businesses evaluate their processes, provide reuse recommendations, and assist in identifying appropriate foodware alternatives or equipment recommendations.

GoGreen Financing: Administered by the State of California, GoGreen Financing puts energy efficiency upgrades within reach, with attractive rates and terms and no property liens. Small business can upgrade facilities with an efficient heating and cooling system, insulation, new windows, a cool roof, and more, such as commercial dishwashing equipment utilizing gas or electric hot water.

SoCal Gas Business Equipment Rebates: SoCal Gas provides \$250-750 rebates for qualifying commercial dishwashers.

Continued Education Programs: Staff recommends that the City continue engaging, supporting, and educating the organizations affected by the regulations through July 2026 and beyond if appropriate. The continued customer education was identified as a key area of support requested by the survey responses. Staff recommends the continuing support program that provides robust education and outreach/technical assistance to up to 400 food and beverage establishments located in Glendale to assist with implementing the ORDINANCE. The objective of the assistance will be to:

- Educate business owners, managers, and staff regarding specific requirements outlined in the ORDINANCE by providing the Business Outreach Packet and other resources and recommendations for product swaps.
- Place educational signage in the food and beverage establishment.
- Complete surveys to assess ORDINANCE compliance and gain insights into business owner/manager perceptions and identified challenges. These surveys are crucial in understanding the current state of compliance and the areas that need further attention.
- Provide follow-up communication to the establishment, including resources, specific recommendations, product ideas and/or replacements, and answers to inquiries.

Staff recommends hiring a consultant to assist with the continued education programs.

Ordinance Exemptions

1. The following are exempt from the provisions of this Chapter:
 - a. Coolers and ice chests, other than those defined as Polystyrene Coolers in this Chapter.
 - b. Food brought by individuals for personal consumption.
 - c. During a locally declared emergency, the City, emergency response agencies operating within the City, users of City facilities, and Food Providers and Beverage Providers shall be exempt from the provisions of this Chapter.

- d. The Food Provider or Beverage Provider provides or distributes a plastic beverage straw upon request to individuals with disabilities as needed to comply with the Americans with Disabilities Act.
2. The City Manager or designee may exempt any person from the regulations as follows:
 - a. A request for an exemption shall be filed in writing with the City Manager or designee. It shall include documentation of the reason for the claimed exemption and any other information necessary for the department to decide. The department may require the Applicant to provide additional information to make the required determinations.
 - b. The City Manager or designee may grant an exemption for a maximum of one (1) year, with or without conditions, upon finding that compliance would create an undue hardship. Applications for exemption renewals will also be considered. Undue hardship shall be construed to include but not be limited to situations where:
 - i. Compliance with this article will result in undue hardship because of a food and or beverage facility's lack of space.
 - ii. Compliance with this article will result in an undue financial hardship for a food and or beverage facility.
 - iii. No suitable products are available.
 - iv. Compliance with the requirements of this chapter would deprive a person of a legally protected right.

An example exemption form is provided in Exhibit 1.

STAKEHOLDERS/OUTREACH

In December 2023, ReCREATE began engaging stakeholders to solicit feedback from the food and beverage community about potential policy details related to the Ordinance and gather data to be analyzed for future outreach efforts. ReCREATE was engaged to assist with the stakeholder engagement process and gather community feedback which included business site visits and surveys, in-person meetings and virtual webinars. A key driver of the recommendations in this report are based on the feedback received from food and beverage providers through the extensive stakeholder engagement program.

Food and beverage providers received information about the details of the Ordinance and polystyrene ban regulations. They were provided flyers outlining the specifics of the passed polystyrene ban (available in English, Armenian, and Spanish) and a Resource Guide for Glendale Businesses which included links, Webinars and in-person presentations provided a detailed PowerPoint on the proposed Ordinance.

A Vendor Fair was held to provide food and beverage establishments with access to compliant product information, examples, and providers. Two online webinars and five in-person presentations were conducted.

Online and In-Person Presentation Dates:

Organization Name	Date of Presentation
Downtown Glendale Chamber of Commerce	4/24/2024
Montrose Shopping Park Assoc	5/02/2024
Webinar 1	5/14/2024
Montrose Verdugo Chamber of Commerce	5/21/2024
Webinar 2	6/03/2024
Vendor Fair	8/24/2024
Glendale Sustainability Commission	10/03/2024
Glendale Chamber of Commerce	11/07/2024

Summary of Surveys Performed

In the first round of business visits, ReCREATE engaged with 139 businesses and conducted 89 surveys to provide written and verbal feedback related to the Ordinance. Businesses in Glendale were educated about the specifics of the proposed Ordinance, and the details of the recently passed polystyrene ban. Each business was provided with an outreach sheet that included a City Purchasing Guide of ordinance-approved products and resources for financial and technical assistance.

Summary of Outreach Points-of-Contact:

- Round 1: 219 attempted business visits
 - Visits and/or phone calls where a manager or owner could not be reached, but a flier was left for the business
- Round 1: 139 businesses visited (89 surveys conducted)
 - Visits where ReCREATE was able to speak to a manager or owner and 89 were willing to participate in the survey
- Round 2: 77 businesses re-visited (87% revisit rate)
 - 12 business were unable or unwilling to complete the survey

Business Included in the Survey:

RESTAURANT	ADDRESS
85C BAKERY CAFE	201 N BRAND BLVD STE 100
ACAI GRILL	401 N BRAND BLVD
ACAPULCO	722 N PACIFIC AVE
ADANA RESTAURANT	6918 SAN FERNANDO RD
ALL INDIA CAFE	316 N BRAND BLVD
AMC THE AMERICANA 18	322 AMERICANA WAY
ARA	1021 E BROADWAY
ARKO FOODS-MAIN STORE	1425 E COLORADO ST
BACARI GDL	757 AMERICANA WAY
BARNES & NOBLE #2303	210 AMERICANA WAY
BCLA 1 LLC BIG CHICKEN	252 S BRAND BLVD # B
BJ'S RESTAURANT & BREWHOUSE	101 N BRAND BLVD STE 150
BLACK COW CAFE	2219 HONOLULU AVE
BLAZE FAST FIRE'D PIZZA	3231 GLENDALE GALLERIA # 5404
CAFE 86	221 GALLERIA WAY
CALIFORNIA POKE HOUSE	106 W CALIFORNIA AVE
CAROUSEL RESTAURANT	304 N BRAND BLVD
CHARLEY'S PHILLY STEAKS	1140 GLENDALE GALLERIA
CHIPOTLE MEXICAN GRILL #2237	1135 GLENDALE GALLERIA
CHOP SHOP 23	361 W BROADWAY
CHOP STOP #5	601 N GLENDALE AVE
CILANTRO	247 N BRAND BLVD
CRAZY ROCK'N SUSHI	239 N BRAND BLVD
CRUNLY	2151 GALLERIA WAY

RESTAURANT	ADDRESS
DA JUICE BAR	305 1/2 BRAND BLVD
DIN TAI FUNG	177 CARUSO AVE
DINAH'S FRIED CHICKEN	4106 SAN FERNANDO RD STE A
DUNKIN	1151 GLENDALE GALLERIA
EL MORFI	241 N BRAND BLVD
FISH KING MARKET	722 N GLENDALE AVE
FIVE GUYS BURGERS & FRIES	1137 GLENDALE GALLERIA WAY # FC11
FRENCH BAKERY CAFE	1017 E BROADWAY
GAMTUBOP (THE RICE BALL)	132 N BRAND BLVD FL 1
GEN KOREAN BBQ HOUSE	126 N MARYLAND AVE
GLENDALE PHO CO	102 S GLENDALE AVE
GOLDEN FORK	222 S GLENDALE AVE
GREEN CRUSH	2168 GLENDALE GALLERIA WAY # S2167
HONEY BAKED HAM	547 N GLENDALE AVE
HOT DOG ON A STICK	1146 GLENDALE GALLERIA
HOT WINGS CAFE	314 N BRAND BLVD
KHINKALI HOUSE	113 N ARTSAKH AVE
KOJUICE	127 S BRAND BLVD STE 101
KUMADORI SUSHI	143 S ARTSAKH AVE
L'AVENUE	156 S BRAND BLVD.
LA CUBANA	801 S GLENDALE AVE #3
LA GOCCIA	101 N BRAND BLVD #130
LA VACA BRAZILLIAN GRILL	1148 GLENDALE GALLERIA
LE PAIN QUOTIDIEN	730 AMERICANA WAY
MARIOS ITALIAN IMPORTS	740 E BROADWAY
MARUGAME UDON	1318 GLENDALE GALLERIA

RESTAURANT	ADDRESS
MAX'S OF MANILLA	313 W BROADWAY
MEDITERRANEAN DELIGHT #3	126 S BRAND BLVD
MENDOCINO FARMS, LLC	769 AMERICANA WAY, SUITE E-14
MR GOODS DONUTS	801 S GLENDALE AVE #2
NOVA MARKET & CATERING	901 W GLENOAKS BLVD
OCTOPUS JAPANESE RESTAURANT	112 N ARTSAKH AVE
OLIVE GARDEN #1322	101 N BRAND BLVD
PACIFIC FOOD MART BAKERY	1020 N PACIFIC AVE
PANDA EXPRESS #118	1134 GLENDALE GALLERIA # #4
PANERA BREAD	300 N BRAND BLVD
PEPE'S MEXICAN RESTAURANT	2272 HONOLULU AVE
PHILZ COFFEE	252 S BRAND BLVD # A
PHO HUT	312 N BRAND BLVD
PORTO'S CAFE BAKERY	309 N BRAND BLVD
REGENT COFFEE	249 N BRAND BLVD
ROLL CAFE	2151 GLENDALE GALLERIA SPC 6522
SASABUNE GLENDALE	101 N BRAND AVE # 220
SEVAN	1315 E COLORADO
SEVAN CHICKEN	601 W GLENOAKS
SHARETEA	2210 GLENDALE GALLERIA SPC S006
SIPAN BAKERY INC.	1250 W GLENOAKS BLVD STE C
SPRINKLES CUPCAKES	629 AMERICANA WAY
STAR CAFE	2217 HONOLULU AVE
STONE OVEN	1136 GLENDALE GALLERIA
SUPER KING MARKET	6501 SAN FERNANDO RD
TARGET # T2307	2195 GLENDALE GALLERIA

RESTAURANT	ADDRESS
TAVA HOUSE	1110 S GLENDALE AVE
THE BRANDY	108 N BRAND BLVD STE 100
THE HALAL GUYS #105	201 N BRAND BLVD # 110
THE SALT & OLIVE	400 N BRAND BLVD STE 120
TOASTED CAFE	2420 HONOLULU AVE
TRATTORIA AMICI	783 AMERICANA WAY
TROY'S BURGERS	530 S GLENDALE AVE
URARTU COFFEE	119 N ARTSAKH AVE
VEGAS BUFFET GLENDALE	110 S BRAND BLVD
WILD ACAI	2275 HONOLULU AVE
WRAP IT UP INC	115 W WILSON AVENUE
YI FANG	251 N BRAND BLVD
YOGA-URT	1407 1/2 W KENNETH RD

ReCREATE met with restaurant owners and managers to solicit feedback on their primary barriers and concerns of the Ordinance. The primary concern was cost.

Business concerns related to cost include:

- General increase in operating costs
- Increased costs for implementing reusables/compostables
- Persistent post-Covid costs such as high demand for take-out and customer perception that disposables are more sanitary

A Stakeholder Engagement and Survey Results Report (Exhibit 2) was submitted to the City in February 2024. After reviewing the data, a revised version of the Ordinance was drafted to address the concerns and feedback included in Round 1 of stakeholder engagement.

Additional Survey Results

In August 2024, ReCREATE conducted a second round of business outreach (“Round 2”) (Exhibit 3) soliciting feedback on the revised regulations, that reflected comments from the first round of outreach. ReCREATE re-connected with the same stakeholders engaged in Round 1 of the outreach process and seeking to determine whether

perceptions had changed since the first round. A total of 77 businesses were re-visited (87% revisit rate) in the second round.

Round 2 outreach included additional data collection regarding polystyrene use, automatic dishwasher ownership, and compliance with SB 1383's organics disposal requirements.

- 22 out of 77 businesses were still using polystyrene
- 30 out of 77 businesses have automatic dishwashers
- 92% of restaurants are not offering customers a three-stream waste system
- Several strip malls and malls do not provide tenants with any organic waste dumpsters

The results of the second round of outreach found that.

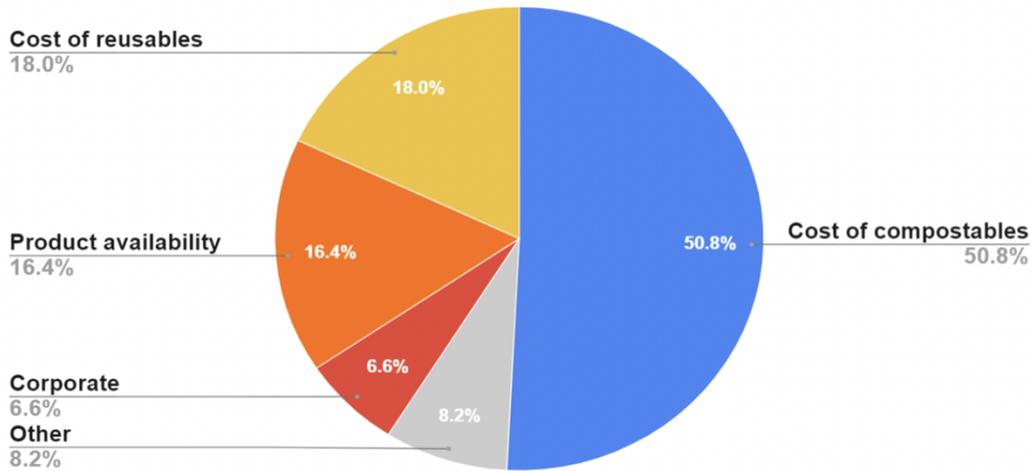
- 14% more businesses felt very supportive of the updated Ordinance.
- 19% more businesses felt somewhat or very confident in their ability to implement the updated Ordinance.
- Businesses were in support of the addition of recyclable materials and the removal of the 25-cent cup fee.
- Business owners and managers would like the City to offer information about where to source compliant products and provide more customer education.

Other Observations

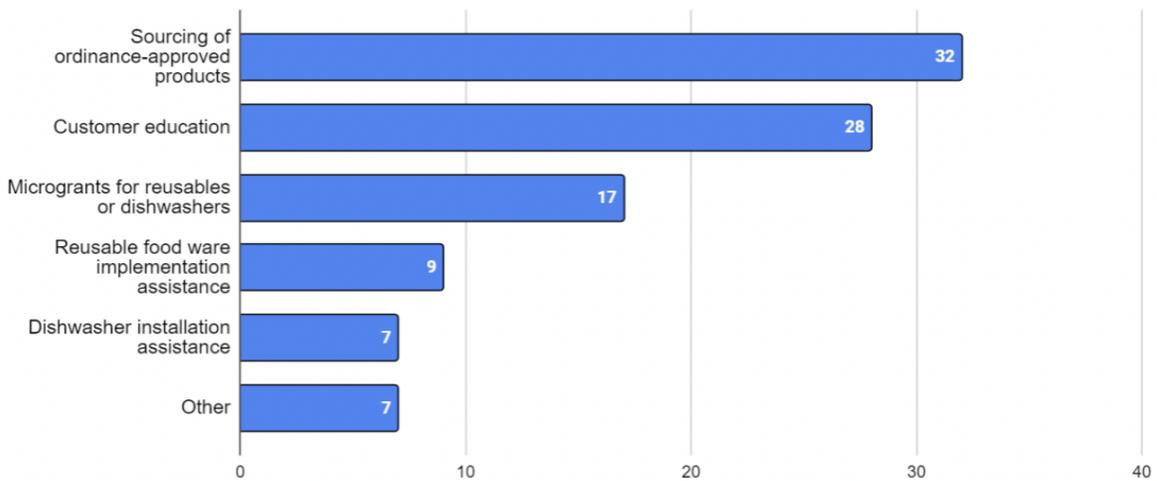
- Businesses expressed concern that retail stores located in Glendale still offer polystyrene packaging for sale.
- Businesses expressed concern that food carts and food trucks will not be held to the same standards as brick-and-mortar stores.
- Confidence in implementing the changes increased by 11% from Round 1 to Round 2 of outreach.
- The two most popular options for City outreach efforts among business owners and managers were City-sourced ordinance-approved products and customer education.
- Businesses that will need the most assistance are those that currently use only disposables with no automatic dishwashing capacity and have minimal storage space for reusables.

Summary of Survey Results

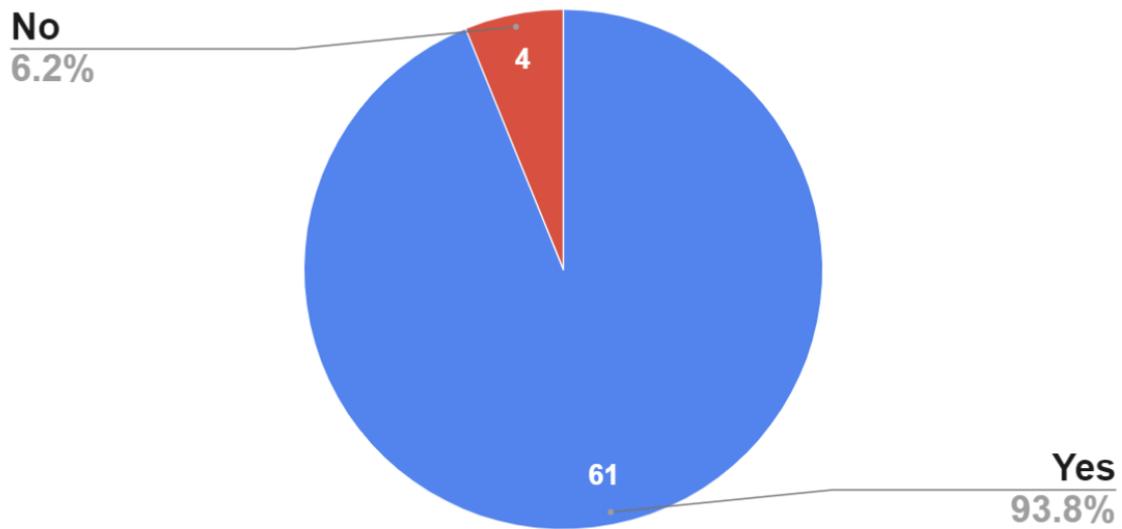
Question: What is the primary barrier you see to implementing the Ordinance?



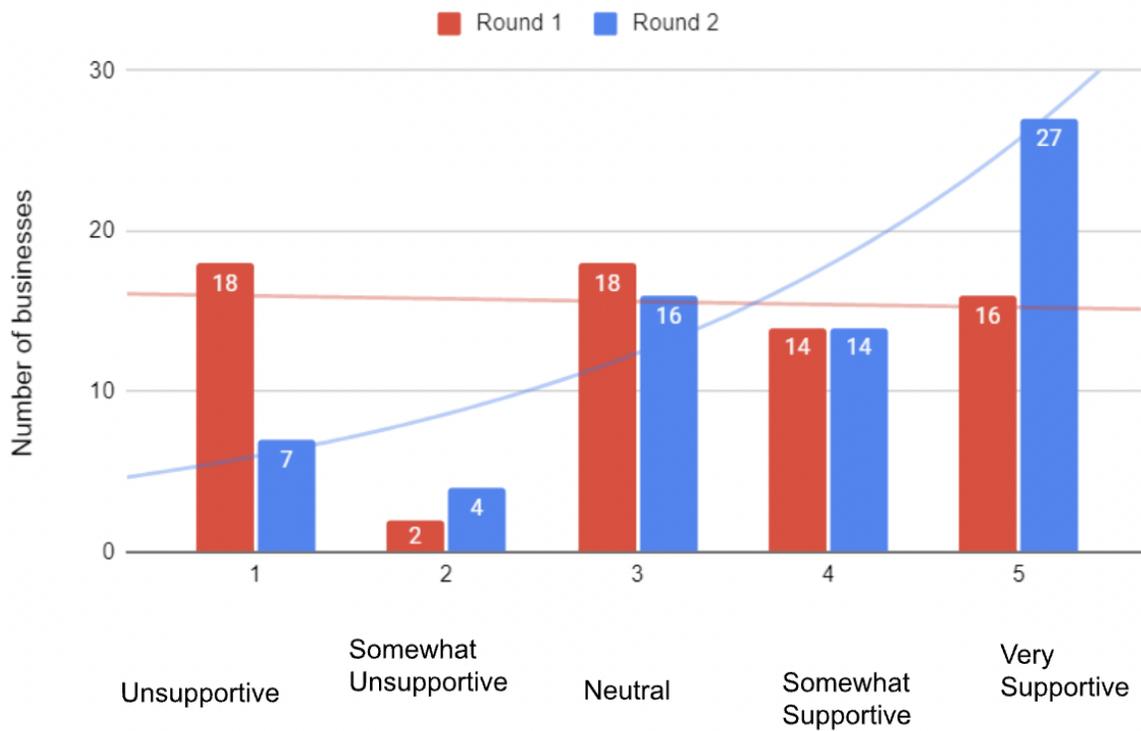
Question: What assistance would you like to see the City of Glendale offer?



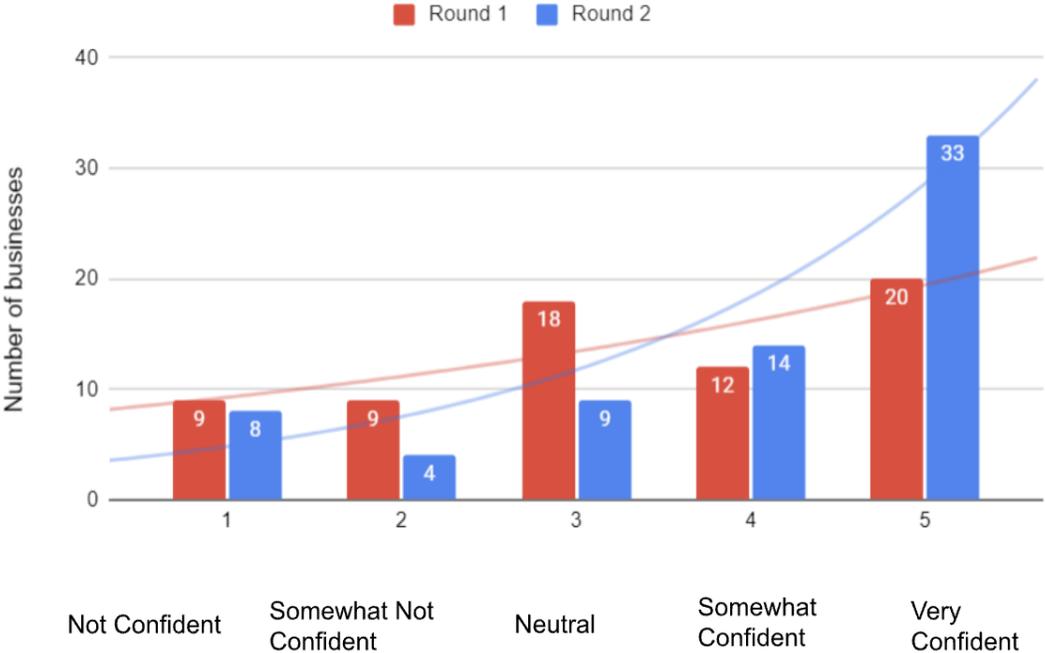
Question: The City of Glendale is considering requiring compostable accessories to be implemented first, and other aspects of the Ordinance within a year. Do you prefer this phased-in approach?



Question: How supportive are you of the Ordinance? (Round 1 to Round 2 Comparison)



Question: How confident are you in your ability to implement the Ordinance details?
 (Round 1 to Round 2 comparison)



Sustainability Commission Recommendations

At the Sustainability Commission meeting of October 3, 2024, and November 7, 2024, the Commissioners reviewed the draft regulations and recommended the following changes are made:

Disposable Foodware Recycling Standards:

- The Disposable Foodware Recycling Standards regulations clarify that no “to-go/delivery” food and or beverage facility may distribute to customers disposable foodservice ware that is not either compostable or recyclable.
- Effective January 1, 2027, no to-go or delivery food or beverage facility may distribute disposable foodware that is not compostable.
- The Commission requested that effective January 1, 2026, no to-go/delivery large food or beverage facilities may distribute plastic to go/delivery bags to customers. Legal staff reviewed existing state legislation and has determined that the City is statutorily prohibited from imposing different or more restrictive regulations on the use and distribution of plastic bag.

Specifically, Public Resources Code section 42287, applicable to PRC 42280-42288 states:

“(a) Except as provided in subdivision (c), this chapter is a matter of

statewide interest and concern and is applicable uniformly throughout the state. Accordingly, this chapter occupies the whole field of regulation of reusable grocery bags, single-use carryout bags, and recycled paper bags, as defined in this chapter, provided by a store, as defined in this chapter.

(b) On and after January 1, 2015, a city, county, or other local public agency shall not enforce, or otherwise implement, an ordinance, resolution, regulation, or rule, or any amendment thereto, adopted on or after September 1, 2014, relating to reusable grocery bags, single-use carryout bags, or recycled paper bags, against a store, as defined in this chapter, unless expressly authorized by this chapter.”

On Premises Dining:

- Effective dates of the regulations for On-Premises Dining for large businesses (with more than 26 employees) begin January 1, 2026, for all other business take effected July 1, 2026.
- Where a food or beverage facility is granted an exemption from On-Premises Dining reusable foodware requirement, compostable foodservice ware shall be used unless the product is unavailable.

Incentive Programs:

- Be increased to \$50,000 and \$100,000 per year for two years.

Exemptions:

- Exemptions are applied for on an annual basis.

The above recommendations have been included into the ordinance for City Council consideration.

FISCAL IMPACT

The fiscal impact associated with the implementation of this ordinance will depend upon the desired levels and duration of enforcement and the direction of City Council to provide incentive programs. The cost to engage the services of a consultant to provide continued education and support to organizations impacted by the ordinance will vary based on the scope of work. These costs will be requested as a part of the FY 2025-26 budget.

ENVIRONMENTAL REVIEW (CEQA/NEPA)

Staff conducted environmental review and determined the ordinance does not require review under the California Environmental Quality Act (“CEQA”) and that this ordinance is exempt from CEQA pursuant to Section 15061(b)(3) of Division 6 of Title 14 of the California Code of Regulations (the CEQA Guidelines) because the adoption of this ordinance is covered by the commonsense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment and where it can be seen with certainty that there is no possibility that the activity in question may be a significant effect of the environment, therefore the activity is not subject to the requirements of CEQA. Further the action is exempt pursuant to CEQA Guidelines section 15308 (Actions by Regulatory Agencies for the Protection of the Environment) because these regulations involve the imposition of regulations for the protection of the environment through the reduction of plastic wastes, which include polystyrene, polystyrene packaging materials, single use plastics, from entering the waste stream, and from entering the environment.

CAMPAIGN DISCLOSURE

This item is exempt from campaign disclosure requirements.

ALTERNATIVES TO STAFF RECOMMENDATION

Alternative 1: Do not introduce the Ordinance for Prohibitions on the use of Polystyrene Products and Single Use Plastics.

Alternative 2: City Council may consider any other alternative not proposed by staff.

ADMINISTRATIVE ACTION

Submitted by:

John Takhtalian, Assistant City Manager

Prepared by:

David Jones, Sustainability Officer

Approved by:

Roubik R. Golanian, P.E., City Manager

EXHIBITS/ATTACHMENTS

1. Example Exemption Form.
2. Glendale Plastic Waste Stakeholder Engagement Results Round 1 Survey/Stakeholder Engagement Report.
3. City of Glendale Plastic Waste Stakeholder Engagement Results Round 2 Survey / Stakeholder Engagement Report.
4. Foodware Price Comparison Table.

