



## CITY OF GLENDALE, CALIFORNIA REPORT TO THE CITY COUNCIL

### AGENDA ITEM

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Report: Mylar Balloons and Related Outages.

1. Motion to Note and File

### COUNCIL ACTION

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**Item Type:** Report Only

**Approved for** July 28, 2020 **calendar**

### ADMINISTRATIVE ACTION

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**Submitted by:**

Stephen M. Zurn, General Manager Glendale Water and Power

**Prepared by:**

Daniel Scorza, Chief Assistant General Manager - Electric

**Reviewed by:**

Michele Flynn, Director of Finance

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

Michael J. Garcia, City Attorney

**Approved by:**

Yasmin K. Beers, City Manager

## **RECOMMENDATION**

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It is recommended that the City Council note and file this report regarding Glendale Water & Power's (GWP's) Mylar balloon related outages including a recap of the history of Mylar balloon legislation, and GWP's efforts to inform its citizens on Mylar balloon related electrical outages through community outreach programs.

## **BACKGROUND/ANALYSIS**

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### **Outages, Legislation History & Information**

Metallic balloons, also known as Mylar balloons, are a safety hazard when they come in contact with or come close to high-voltage power lines. Electricity between two lines can arc when the conductive material from the balloon becomes tangled in the lines, causing power outages, explosions, downed power lines and damaged infrastructure. Tests of Mylar balloons, performed by the Federal Department of Aviation, found that these balloons do not go higher than about 3,000 to 7,000 feet before they either explode or lose their "lift." This is primarily because of their inability to expand to any great extent.

### **Power Outages**

Since 2007, GWP customers have experienced 168 outages as a result of Mylar balloons. These account for about 18.8% of power outages and equate to 223,317 hours of customer interruption. Some outages caused by Mylar balloons have been restored quickly because the balloons burn off. However, Mylar balloons that damaged conductors, other devices, and infrastructure caused much longer outages that required additional outages to more customers in order for crews to make repairs. At times, Mylar balloons are just caught in power lines and do not cause an outage, but crews are called out to safely remove the balloons from the lines.

In the last 13 years, we have also had over 182 outages that are labeled "unknown". This means that whatever came into contact with power lines could have burned off (disintegration in cases of Mylar balloons and death in case of animal contact such as squirrels or birds) and could not be located, thus when GWP crews go out to investigate, they cannot locate the cause of the outage.

Outages caused from Mylar balloons are more frequent between the months of May and June due to Mother's Day and school graduations.

In 2018 Southern California Edison reported 1,128 Mylar balloon related outages, and Pacific Gas & Electric reported 456 Mylar balloon related outages.

Below is GWP's chart of outages from 1/1/07 until 6/5/20 (13.5 Years of Data).

<b>Outage Causes</b>	<b>% of Total</b>	<b>Count</b>
Balloons	18.8	168
Bird	1.9	17
Cable Failure	7.2	64
Crew Requested Outage	2.4	17
Dig - In	0.3	2
Equipment Failure	10.7	96
Fire	0.7	6
Flash-over	0.3	2
Lightning	0.6	4
Load Shedding	2.2	20
Misoperation	2.1	19
Motor Vehicle	2.1	19
Other Animal	0.4	4
Other Foreign Objects	0.8	7
Overload	0.2	2
Palm Fronds	5.8	52
Sabotage/Vandalism	0.1	1
Squirrels	9.3	83
Structural Failure	0.1	1
Switching Error	1.2	11
Trees	6.5	58
Unknown	20.4	183
Water	0.1	1
Wind	8.5	76
<b>Total</b>	<b>100%</b>	<b>913</b>

#### **Customers**

**Served:** 82,647

**Customers Affected\*:** 1,441,115\*

**Customer-Hours Interrupted:** 1,213,626

\* During the 13.5-year period illustrated, the number of customers affected reflects a higher number than customers served, because depending on the type of outage and the repairs required, in some circumstances GWP needs to turn power off to customers, and once their power is restored again, to make the required repairs or isolate the area to work safely, thus customers were affected multiple times by these outages.

## **Current Law**

Current law only prohibits releasing Mylar balloons with a metallic finish into the air, California Penal Code, Section 653.1 also known as the Balloon Law, which was last amended in the year 1990 by Senate Bill 1990 (SB 1990) discussed below, provides:

(a) No person or group shall release outdoors, balloons made of electrically conductive material and filled with a gas lighter than air, as part of a public or civic event, promotional activity, or product advertisement.

(b) Any person who violates this section shall be guilty of an infraction punishable by a fine not exceeding one hundred dollars (\$100). Any person who violates this section who has been previously convicted twice of violating this section shall be guilty of a misdemeanor.

(c) This section shall not apply to manned hot air balloons, or to balloons used in governmental or scientific research projects. In addition to amending Penal Code Section 653.1, SB 1990 also added Section 22942 to the California Business and Professions Code, requiring the identity of the manufacturer and warnings to be placed on Mylar Balloons, as well as weights affixed to them at the time of sale.

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Business and Professions Code, Section 22942, provides:

*(a) A person who manufactures a balloon in this state that is constructed of electrically conductive material shall comply with both of the following:*

*(1) Permanently mark each balloon with a printed statement, written in a legible font size and located in a conspicuous area on the balloon, that warns the consumer about the dangerous risk of fire if the balloon comes in contact with an electrical power line.*

*(2) Permanently mark each balloon with the identity of the manufacturer.*

*(b) A person who sells or distributes a balloon constructed of electrically conductive material that is filled with a gas lighter than air shall comply with both of the following:*

*(1) The person shall affix an object of sufficient weight to each balloon or its appurtenance to counter the lift capability of the balloon.*

*(2) The person shall not attach the balloon to an electrically conductive string, tether, or streamer, to a balloon constructed of electrically conductive material, or to any other electrically conductive object.*

*(c) This section shall not apply to manned hot air balloons or to balloons used in governmental or scientific research projects.*

Although removing Mylar balloons from the marketplace would eliminate outages and fires caused by Mylar balloon contacts with power lines, existing laws regulating Mylar balloons have had no effect on eliminating or reducing incidents of metallic balloon contact with overhead power lines.

Below is a summary of the legislation related to Mylar balloons.

### **Legislative History:**

#### **1990 – Senate Bill 1990**

In 1990 the California State Legislature passed SB 1990, enacting a “Balloon Law” to regulate the sales and use of helium-filled foil balloons.

The law was passed in an effort to reduce power outages due to metallized, Mylar, or foil balloons. The Balloon Law was enacted, making it a crime to sell or distribute Mylar balloons without a weight and a warning identification of the manufacturer printed on the balloon. It proposed a ban to sell or distribute any balloon constructed with electrically conductive material and filled with a gas lighter than air. It also included a provision requiring electrical corporations to report the number of electrical service disruptions caused by balloons constructed of electrically constructive material from January 1991 until June 1993 to the Public Utilities Commission (PUC). In return the PUC was to report to the legislature its findings by the end of 1993. Unfortunately, online documents from the PUC are only available from July 2000 forward. If directed, GWP staff will have to search for and obtain the herein-referenced PUC reports in hard copy.

#### **2004 - Senate Bill 111**

Repealed the reporting requirements that SB 1990 had established.

#### **2008 - Senate Bill 1499 - Vetoed**

Senate Bill 1499, proposed by Senator Jack Scott to the California State Senate on May 29, 2008, would have banned foil lined or Mylar party balloons in California because of the power outages they cause when they snag on power lines. This proposed bill also required that weights be attached to Mylar balloons and prohibited a manufacturer or distributor from sending or shipping these types of balloons to retailers without a notice stating retailer’s responsibilities.

Pacific Gas and Electric Company supported the SB 1499, based on its 100–150 power outages, and their costly repairs, each year due to Mylar balloons, affecting thousands of customers statewide. Opponents to SB 1499 included florists, special-event planners, and small businesses who took the position that the bill could cost them \$100 million and translate to losses of as much as \$80 million in tax revenues for the state. Many of the companies in opposition started a grassroots campaign called “Save Our Balloons”. Due to strong opposition by numerous groups, SB 1499 was amended to require notification of potential power outages on all balloon weights and direct the University of California to work with the Public Utilities Commission to identify a cost-effective, consumer-friendly substitute for Mylar balloons. The bill was vetoed by Governor Schwarzenegger in September 2008.

#### **2016 - Assembly Bill 270d. Held on Assembly Appropriations Committee Suspense File and Never Passed.**

Introduced by Assembly Member Quirk on February 19, 2016, this bill would prohibit the sale and distribution or releasing of Helium filled Mylar balloons. It would make it a crime to sell or distribute any balloon constructed of electrically conductive material starting January 1, 2018. This bill was sponsored by the California Municipal Utilities Association (CMUA). However, this bill was held in the Assembly and never passed.

#### **2017 - Assembly Bill 1091 - Vetoed**

Introduced on February 17, 2017, by Assembly Member Bill Quirk (D-Hayward) would add criminal liabilities for those who willfully release Mylar helium balloons near power lines regardless of whether the outdoor release is part of a public or civic event, promotional activity, or product advertisement.

AB 1091 was vetoed by Governor Brown on July 31, 2017. Governor Brown, in his veto message, explained that criminal liability is not the best solution for the prevention of power outages caused by Mylar Balloons.

#### **2018 - Assembly Bill 2450**

In 2018, Assembly Member Bill Quirk introduced AB 2450 which went into effect on January 1, 2019. It requires manufacturers of Mylar balloons to print a permanent warning directly on the balloon which would warn consumers of the dangers of allowing a balloon to come into contact with power lines. AB 2450 also makes violating specified requirements related to the selling or distribution of balloons constructed of electrically conductive material subject to civil, rather than criminal, penalties.

This was Assembly Member Quirk’s third attempt to address power outages caused by Mylar balloons. Previous efforts were either stalled or held up in the legislative process or vetoed by Governor Brown.

We have seen no reduction in balloon-caused outages since the enactment of AB 2450.

## **Continuing Legislative Efforts by Utilities (GWP and Others - 2020):**

GWP and Los Angeles Department of Water and Power (LADWP) attempted to re-introduce the ban on Mylar balloons in the 2019-20 legislative session. GWP collaborated with the California Municipal Utilities Association (CMUA) to co-sponsor this bill, however, Assembly Member Quirk, who has been the Mylar Balloon champion, did not want to move forward with this legislation because there was another bill idea proposed by Sempra Energy (Sempra). The proposal by Sempra would require a balloon made of electrically conductive material to be coated with a film that would prevent ignition when it comes into contact with power lines. Assembly Member Quirk has granted additional time for this legislative efforts to gather additional information on this matter and continues to do so.

## **Industries in Support & Opposition to Mylar Balloon Legislation**

To pursue any type of future Mylar balloon legislation, it is important to know the supporters and the opposition. The following list was collected from previous legislative efforts and articles covering this topic.

### **Support:**

- California Municipal Utilities Association
- California Fire Chiefs Association
- City of Glendale Water and Power Department
- Fire Districts Association of California
- City of Los Angeles
- Pacific Gas and Electric Company
- Southern California Edison
- Southern California Public Power Authority

### **Opposition:**

- California Grocers Association
- California Teamsters Public Affairs Council
- Anagram Balloons
- The Balloon Council

## **GWP Outreach and Education Relating to Mylar Balloons:**

GWP uses its platforms to focus and send out information about Mylar balloon safety, education, Mylar balloon outages, and information as part of its public outreach plan. GWP makes it a point to always educate the public about outages that are caused by Mylar balloons, the damage they can cause, and the time it takes to restore power and repair damages. For the majority of posts about Mylar balloons, GWP links back to its Mylar balloon safety page, Mylar balloon video, or includes statistics about outages. GWP has written over 20 articles about Mylar balloon safety and information in its "From the Source Newsletter" and submitted similar articles for the City's "City Connections" Newsletter.

## **GWP's Mylar Balloon Information Page:**

The GWP Mylar Balloon Information Page was created in May 2016 and since then, the site has had 834 visits, which is also linked on our social media posts and newsletter articles.

<https://www.glendaleca.gov/government/departments/glendale-water-and-power/safety-security/mylar-balloon-safety-tips>

It includes an educational Mylar balloon safety and information video produced with GTV6 and GWP:

<https://www.youtube.com/watch?v=52a43geFd2M> GWP's Mylar Balloon Video has been viewed over 38,000 times making it one of the most viewed videos on the City of Glendale's YouTube channel.

GWP also educated legislators and California State Representatives in 2018 through a SCPPA (Southern California Public Power Authority) tour about Mylar balloon outages and produced this video. The video has had over 22,000 views.

<https://www.youtube.com/watch?v=52a43geFd2M>

## **Social Media Stats**

Since 2016, GWP has posted 95 posts on Twitter about Mylar balloon safety, proper disposal, and outage information. Since May 4, 2016 these Mylar balloon posts have produced the following statistics:

- Total impressions: 260,112
- Total tweet engagements: 6,465

\*Engagements include:

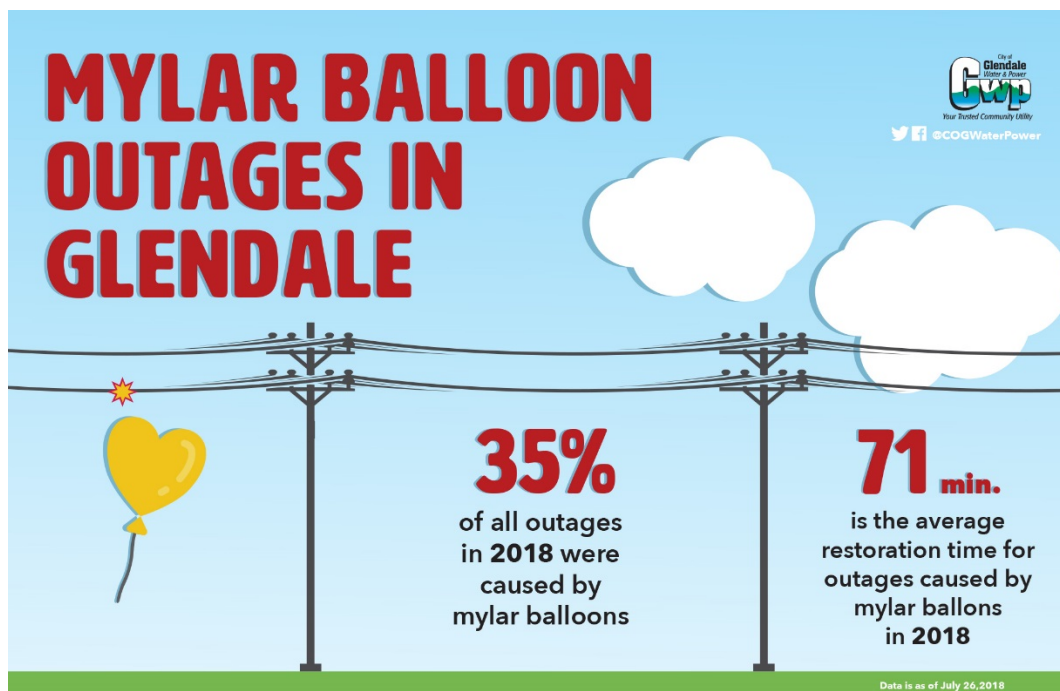
- Detailed expands of the tweet
- Link clicks
- Media engagements
- Likes
- Retweets
- Hashtag clicks
- Profile Clicks
- Replies

From January 2018 to June 2020, GWP posted Mylar balloon safety information on Facebook with the following statistics.

- Reach = 15,426
- Engagement = 2,296 (Reactions, such as likes, post clicks, shares, and comments.)



## Sample Mylar Balloon Infographic for GWP Newsletters and Social Media



### Recent Mylar Balloon Outage Related Articles

Quoted GWP - <https://www.dailynews.com/2019/05/11/you-are-now-entering-mylar-season-if-youre-not-careful-prepare-for-power-outages-fires/>

### FISCAL IMPACT

While there are specific impacts associated with power outages related to Mylar balloons, these costs vary on the type of outage and duration that actually occurs. Some outages caused by Mylar balloons have been restored quickly because the balloons burn off. However, Mylar balloons that damaged conductors, other devices, and infrastructure caused much longer outages that required additional outages to more customers in order for crews to make repairs. At times, Mylar balloons are just caught in power lines and do not cause an outage, but crews are called out to safely remove the balloons from the lines before they cause an outage.

### ALTERNATIVES

Alternative 1: The City Council may note and file this Report.

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

### CAMPAIGN DISCLOSURE

Not applicable.

**EXHIBIT(S)**

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None.