CITY OF LOS ANGELES

CALIFORNIA

KAREN E. KALFAYAN
City Clerk

When making inquiries relative to this matter, please refer to the Council File No.

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MAYOR

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06-1512
07-3138
07-3155
08-0166

July 24, 2008

All City Departments
All Councilmembers
City Administrative Officer
Chief Legislative Analyst
City Attorney
Bureau of Sanitation
General Services Department

RE: THE FEASIBILITY OF RECYCLING AND/OR BANNING THE USE OF PLASTIC BAGS AND EXPANDED POLYSTYRENE ITEMS IN THE CITY

At the meeting of the Council held July 22, 2008, the following action was taken:

Attached report adopted	
Attached motion (Parks - Rosendahl) adopted	X
Attached motion (Huizar - Reyes) adopted	X
FORTHWITH	
Mayor concurred	
To the Mayor FORTHWITH	
Motion adopted to approve communication recommendation(s)	
Motion adopted to approve committee report and communication recommendation(s) as amended	X
Ordinance adopted	
Ordinance number	
Publication date	
Effective date	

Karen E. Kalfayan

City Clerk
srb

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File No. 06-1512
07-3138
07-3155
08-0166

TO THE COUNCIL OF THE
CITY OF LOS ANGELES

Your **ENERGY AND ENVIRONMENT COMMITTEE**
and
COMMUNICATION FROM CHAIR and VICE-CHAIR, AD HOC RIVER COMMITTEE

report as follows:

ENERGY AND ENVIRONMENT COMMITTEE REPORT and COMMUNICATION FROM CHAIR and VICE-CHAIR, AD HOC RIVER COMMITTEE relative to the feasibility of recycling and/or banning the use of plastic bags and expanded polystyrene items in the City.

Recommendations for Council action, as initiated by several Motions:

1. BAN Expanded Polystyrene (EPS) food service products from City facilities through the following measures:

    a. ADOPT a Citywide policy requiring all City Departments to replace the purchase of EPS food service products with alternative products beginning on July 1, 2008.

    b. DIRECT all City employees to use reusable, durable cups, plates, and other food service products wherever possible, including office events; and cease using any City funds to purchase EPS food service products for use in City facilities, leased City offices, or for any City sponsored events as of July 1, 2008.

    c. DIRECT all City agencies to cease the purchase of EPS food service products for all City-permitted events by July 1, 2009.

    d. DIRECT applicable City Departments to update all related City financial and procurement procedures and forms to reflect the ban on all purchases of EPS.

    e. DIRECT all City agencies to review all lease and concession agreements for renegotiation to replace EPS food service products with alternative products and report back to Council by July 1, 2008 with a plan to phase the EPS ban into all agreements by 2010.

    f. REQUEST proprietary City Departments to work with the Bureau of Sanitation (BOS) to implement the proposed ban in their operations beginning July 1, 2008.

    g. DIRECT the Department of General Services and the BOS to report back to Council on an annual basis on the progress of efforts to phase out the use of EPS food packaging in City facilities, operations, and events.

*Adopted as amended by Council action on 7-23-08

h. ADOPT a Citywide policy banning the use of plastic carry-out bags at all supermarkets and retail establishments beginning January 1, ~~2012~~ ***2010**, if a fee has not been established by that time; and imposing a point of sale fee on all other single-use bags, such as paper or compostable bags, if a fee or tax for their use has not been adopted by that date. ***(Reyes - Hahn - Smith)**

2. INSTRUCT the Office of the Chief Legislative Analyst, with the assistance of the BOS, to prepare and present to Council for consideration and Mayor concurrence a resolution that would continue the City's support for Assembly Bill 2058 (Levine) with the proposed amendments as follows:

   a. ELIMINATE the 70 percent diversion rate target and instead require that all retailers, as defined under Article 1. Definitions, Section 3 (f) of this Bill, be required to provide any plastic, paper or other single-use carry-out bag to a customer for not less than $0.25 per bag effective July 1, 2009.

   b. DESIGNATE that revenues from this ~~$0.25 per single-use carry-out bag fee be collected at the stores, with retailers retaining $0.05 per bag to cover their costs in the administration of this fee, the State retaining $0.05 per bag to cover its costs in collecting and accounting for this fee from the retailers, and the remaining $0.15 per bag distributed to local~~ jurisdictions using an established per capita funding distribution formula. ***$0.25 be broken down as follows: 3 percent to retailers, 3 percent to the State and 94 percent to local jurisdictions, ensuring that local jurisdictions receive the lion's share of any revenues for programs, enforcement, education and outreach**. ***(Smith - Cardenas)**

   c. DESIGNATE that all revenues distributed to local jurisdictions be used for education and outreach to combat litter, promote reusable bag use and to encourage recycling; for litter clean-up programs, street and catch basin cleaning, and public trash and recycling receptacles and collection; and enforcement and administration.

Fiscal Impact Statement: None submitted by the BOS. Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: None submitted.

(Ad Hoc on Recovering Energy, Natural Resources and Economic Benefit from Waste for Los Angeles (RENEW LA) waived consideration of the above matter)

Summary:

At its special meeting on June 9, 2008, the Ad Hoc River Committee considered reports from the BOS and the City Administrative Officer in response to various Motions relative to the feasibility of recycling and/or banning the use of plastic bags and expanded polystyrene items in the City. This matter was previously discussed on April 23, 2008, and the BOS was requested to report back with a specific plan and recommendations. In its June 3, 2008 report, the BOS transmits a final report prepared by HDR Engineering, Inc., which includes cost and environmental impacts, alternative products, policy options and strategies, recommendations and City facilities EPS ban implementation, and stakeholder input.

During the discussion of this item, the BOS representatives provided a thorough overview of this matter and responded to numerous related questions from the Committee Chair and Vice Chair. The BOS also submitted an amendment in Committee, outlining additional, new recommendations. After providing the opportunity for public comment on this issue, the Committee recommended approval of the BOS recommendations, including the new recommendations submitted in Committee.

On July 1, 2008, the Energy and Environment Committee concurred with the recommendations of the Ad Hoc River Committee Chair and Vice-Chair. This matter is now submitted to Council for its consideration.

Respectfully submitted,

AD HOC RIVER

MEMBER	VOTE
REYES	YES
GARCETTI	YES
LABONGE	ABSENT
HUIZAR	ABSENT
PERRY	ABSENT

ENERGY AND ENVIRONMENT

Tony Cárdenas

MEMBER	VOTE
PERRY	YES
GARCETTI	YES
CARDENAS	YES
ALARCON	ABSENT
GREUEL	YES

MLE
7-16-08
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ADOPTED and Communication
MOTION ADOPTED TO APPROVE COMMITTEE REPORT RECOMMENDATIONS
JUL 22 2008
As Amended
LOS ANGELES CITY COUNCIL
See Attached Motions

VERBAL MOTION

I HEREBY MOVE that Council AMEND the Energy and Environment Committee Report and Communication from Chair and Vice-Chair Ad Hoc River Committee (Item No. 16, CF 06-1512, 07-3138, 07-3155 & 08-0166) relative to the feasibility of recycling and/or banning the use of plastic bags and expanded polystyrene items in the City as follows:

INSTRUCT the Bureau of Sanitation to report back on the proposed replacement products, the cost differential between the products, the education and training program.

PRESENTED BY _____
BERNARD C. PARKS
Councilmember, 8th District

SECONDED BY _____
BILL ROSENDAHL
Councilmember, 11th District

July 22, 2008

CF 06-1512
07-3138
07-3155
08-0166

Motion
ADOPTED
JUL 22 2008
LOS ANGELES CITY COUNCIL

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VERBAL MOTION

I HEREBY MOVE that Council AMEND the Energy and Environment Committee Report and Communication from Chair and Vice-Chair Ad Hoc River Committee (Item No. 16, CF 06-1512, 07-3138, 07-3155 & 08-0166) relative to the feasibility of recycling and/or banning the use of plastic bags and expanded polystyrene items in the City as follows:

INSTRUCT the Bureau of Sanitation, with the City Administrative Officer and Chief Legislative Analyst, to report back on the results of the San Francisco ban of plastic bags.

PRESENTED BY _____
JOSE HUIZAR
Councilmember, 14th District

SECONDED BY _____
ED P. REYES
Councilmember, 1st District

July 22, 2008

CF 06-1512
07-3138
07-3155
08-0166

Motion
ADOPTED
JUL 22 2008
LOS ANGELES CITY COUNCIL

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