

**RECOMMENDATION TO DIRECT THE CITY ATTORNEY TO
PREPARE AN ORDINANCE WITHIN 60 DAYS TO REQUIRE
DISPOSABLE ACCESSORY FOOD SERVICE WARE TO BE
MADE AVAILABLE UPON REQUEST**

City Council
April 12, 2021
Item # 14





Background

Department of Public Works

- On January 26, 2021 the Municipal Service Committee recommended that staff draft a Disposable Food Service Ware ordinance for City Council consideration
- The Los Angeles City Council and the Los Angeles County Board of Supervisors have recently introduced similar motions and have yet to pass an ordinance
- There are 14 northern California cities with similar opt-out ordinances



Disposables Food Ware Increase

Department of Public Works

- In the last decade, plastics in the waste stream increased from 8 to 12 percent
- The COVID pandemic increased take out and delivery service
- Surged use of disposable food service ware





Ordinance Key Measures

Department of Public Works

- Restaurants shall only provide accessory food service ware upon customer request
- Third-party, app-based delivery platforms shall include an option for customers to affirmatively request food service accessories
- Restaurants can ask customers if they would like accessories with their order and/or they can provide self-service dispensers



Covered Food Service Ware

Department of Public Works

Disposable Food Service Ware Accessories	Items Covered by Proposed Ordinances		
	Pasadena	County of Los Angeles	City of Los Angeles
Utensils	✓	✓	✓
Straws	✓	✓	✓
Napkins	✓	✓	✓
Condiments	✓	✓	✓
Etc.	✓	✓	✓



Business Community Outreach

Department of Public Works

- Old Pasadena Management District
- Pasadena Chamber of Commerce
 - > Conducted restaurant poll
- South Lake Business Association
 - > South Lake Avenue monthly newsletter included proposed ordinance
- Playhouse Village Association
- California Restaurant Association (CRA)
 - > CRA requested that restaurants have option to offer items and that City provide restaurants with outreach and education
 - > CRA and LA County Public Works jointly developed similar ordinance



Chamber Restaurant Poll

Department of Public Works

- Respondents were evenly split on supporting and opposing the ordinance
- Majority opposed including plastic straws in the ordinance
- Other comments: What's the point?, little environmental benefit, another burden on the restaurants



Recommendation

Department of Public Works

- Find that the Disposable Food Service Ware Opt-In ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15061(b)(3) (General Rule) and also under Section 15308 as an action by a regulatory agency (the City of Pasadena) for the protection of the environment; and
- Direct the City Attorney to draft an ordinance within 60 days consistent with the provisions set forth herein