

Agenda Report

May 4, 2020

TO: Honorable Mayor and City Council

FROM: City Manager

SUBJECT: ADOPT A RESOLUTION OF THE CITY COUNCIL RATIFYING THE CITY MANAGER'S FOURTH SUPPLEMENT TO THE DECLARATION OF A LOCAL EMERGENCY AND AUTHORIZING THE CITY MANAGER TO SUSPEND PROVISIONS OF THE PASADENA MUNICIPAL CODE RELATED TO PLASTIC CARRYOUT BAGS

RECOMMENDATION:

It is recommended that the City Council:

1. Find that the action proposed herein is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15269, which exempts from environmental review those projects that are necessary to prevent or mitigate an emergency; and
2. Direct the City Manager to suspend the requirements set forth in the Pasadena Municipal Code related to plastic carryout bags; and
3. Adopt a Resolution of the City Council of the City of Pasadena Ratifying the City Manager's Fourth Supplement to the Declaration of a Local Emergency and Authorizing the City Manager to Suspend Provisions of the Pasadena Municipal Code Related to Plastic Carryout Bags.

BACKGROUND:

Despite sustained efforts by numerous agencies, at the national, state and local level, COVID-19 continues to spread, particularly among those engaged in essential activities such as grocery shopping, restaurants, and other essential retail establishments. As a result, on April 23, 2020, Governor Gavin Newsom issued Executive Order N-54-20, which includes a temporary suspension of the state's plastic bag carryout law. That Order does not apply in Pasadena because Pasadena has its own local ordinance that is grandfathered in under state law. Pasadena prohibits the use of plastic carryout bags and requires a ten cent (\$.10) charge for paper carryout bags in Pasadena Municipal Code Section 8.65 (Plastic Carryout Bags).

The purpose of the state suspension, namely to prevent customers from bringing in reusable items into grocery stores that may carry the COVID-19 virus and thereby attempt to reduce the spread of the virus, applies in Pasadena as well. Therefore it is recommended that, in the interest of public health and safety, as affected by the emergency caused by the COVID-19 pandemic, the City Council direct the City Manager to issue a fourth supplement to the Declaration of a Local Emergency that would suspend the application of PMC Section 8.65 until further notice. Assuming that were to occur, the Council could then adopt the resolution ratifying that fourth supplement.

COUNCIL POLICY CONSIDERATION:

This proposed action supports the City Council Strategic Planning Three-year Goals in the areas of promoting the quality of life and the local economy.

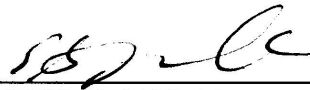
ENVIRONMENTAL ANALYSIS:

The action proposed herein is exempt from the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15269, which exempts from environmental review those projects that are necessary to prevent or mitigate an emergency. The unprecedented pandemic sweeping the United States (indeed, the world) is such an emergency.

FISCAL IMPACT:

Approval of the staff recommendation will have no direct fiscal impact on the City's General Fund.

Respectfully submitted,



STEVE MERMELL
City Manager