



# Weekly Management Report

## August 4, 2023

- 1. Memo**                      Board of Building and Fire Code Appeals Meeting on July 6, 2023  
**Community Development Department**
- 2. Memo**                      Update on the Development of a Proposed Single-Use Plastic Reduction Ordinance  
**Public Works Department**



# MEMORANDUM



## COMMUNITY DEVELOPMENT

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**DATE:** July 12, 2023

**TO:** Justin Hess, City Manager

**FROM:** Patrick Prescott, Community Development Director   
VIA: Mario Osuna, Building Official – Assistant Community Development Director  
BY: Kassandra Sandoval, Intermediate Clerk

**SUBJECT:** Meeting Synopsis for the Board of Building and Fire Code Appeals – July 6, 2023

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- Building Division staff provided an update on the major development projects that are under construction or in plan check in the City of Burbank.
- Building Division staff provided a Division update that included recognition to the Board of Building and Fire Appeals for their role in the successful adoption and state acceptance of the 2022 California Building Code with local Burbank amendments.
- Fire Department staff provided a Department update that included the progress of implementing and testing their new Record Management Software, *First Due*.



# MEMORANDUM



## PUBLIC WORKS

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**DATE:** August 4, 2023

**TO:** Justin Hess, City Manager

**FROM:** Ken Berkman, Public Works Director  
BY: John Molinar, Public Works Assistant Director of Streets and Sanitation  
VIA: Amber Duran, Recycling Coordinator

**SUBJECT:** Update on the Development of a Proposed Single-Use Plastics Reduction Ordinance.

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### **BACKGROUND**

In 2019, staff was given direction from the City Council to develop an ordinance that bans single-use plastic foodware and expanded polystyrene packaging materials along with requiring reusable foodware for dine-in and a \$0.25 fee for use of a disposable cup.

In March 2023, City staff introduced a draft ordinance to City Council with these elements, along with a mechanism to enforce Assembly Bill 1276 (AB 1276), as well as a goal to reduce plastic water bottles at City facilities and events. At the City Council meeting, City staff was given direction to return to the community to obtain more public input, from the restaurant industry in particular, as well as City business partnerships and the Sustainable Burbank Commission (SBC) and bring forward a revised ordinance by September 2023. City Council gave further instruction to obtain verification in writing from the Los Angeles County Department of Health confirming that customers may bring their own reusable foodware to avoid a disposable cup charge; they also chose to ban the purchase of plastic water bottles for City operations and events in the revised ordinance.

AB 1276 went into effect last year. It prohibits food facilities and third-party food delivery platforms from providing any single-use foodware accessories or standard condiments to a customer unless requested. It also prohibits foodware accessories and condiments from being bundled or packaged in a way that prohibits the consumer from taking only the item desired. "Foodware accessories" include forks, knives, spoons, sporks, chopsticks, condiment cups and packets, straws, stirrers, splash sticks, and cocktail sticks. "Standard condiments" include relishes, spices, sauces, confections, or seasonings. Updates to the

proposed ordinance will need to create City mechanisms to enforce AB 1276, per the requirements of the law.

## **DISCUSSION**

The initial effort staff completed to commence the Council-requested enhanced stakeholder engagement was to increase the number of members in the SBC's single-use plastics subcommittee (SBC subcommittee) from two to four at the April 17<sup>th</sup> SBC meeting. This created a more diverse subcommittee to provide input and assist with the outreach and ordinance development efforts.

Subsequently, staff, our consultants, and the SBC subcommittee presented elements of the proposed ordinance and met with and gathered feedback from the following stakeholders through a series of special and regularly held in-person meetings in May and June:

- LA County Department of Health
- Burbank Chamber of Commerce
- Downtown Property Based Improvement District (PBID)
- Magnolia Park District businesses
- Burbank Hospitality Association
- Burbank Downtown Center businesses
- Covid-19 Restaurant Task Force
- Burbank Food Service Businesses (~450 Business Licenses with contact information)

Information on the stakeholder meetings was available on the City Calendar and a landing page with a QR code on the City's website to invite more participation.

In May, the City mailed letters to 538 food service businesses inviting their input on the policy. The letters directed them to the City's Single-use Plastics website page to learn about the current efforts and the goals of the ordinance and to help them fill out a survey. In addition, staff's consultant team went door-to-door informing food service businesses of the outreach efforts and upcoming stakeholder events. They also offered to assist the business managers or owners in filling out the survey in English or Spanish.

Also, as part of the efforts before bringing the ordinance to the Council in March 2023, staff implemented a campaign to solicit feedback from stakeholders in collaboration with the SBC subcommittee. Over the course of the 6-month period from February 2023 to July 2023, surveys were completed by 628 business owners and managers and 730 Burbank customers. Staff is currently evaluating the feedback and will present the findings to the City Council in the Fall with the introduction of the revised ordinance.

In May and June, staff presented to the Downtown PBID, Burbank Hospitality Association, and Chamber of Commerce Board Meeting. At the advice of the SBC subcommittee,

stakeholder engagement meetings were held at the Recycle Center coupled with a tour of the Material Recovery Facility. Most recently, members of the Chamber of Commerce hosted an event for all Burbank restaurant owners (regardless of Chamber of Commerce membership) on July 21<sup>st</sup>; staff presented elements of the proposed ordinance, solicited feedback and conducted a Q&A session during and after the meeting. This final outreach event was the most well attended of the series with an estimated 30 attendees. Staff was unable to set up a similar meeting with a Magnolia Park group despite considerable effort; however, input was provided by some of the food service businesses via the surveys and several Magnolia Parks restaurant owners did attend the July 21<sup>st</sup> meeting.

During the outreach meetings stakeholders were briefed on the purpose and components of the original ordinance brought before City Council in March of 2023, which included:

- Ban on expanded and rigid polystyrene
- Reusables required for dine-in
- Disposable foodware standards - compostable and recyclable
- A mandated \$0.25 disposable cup fee
- The State policy of AB 1276 or "Upon Request"

The Recycling Coordinator also had multiple one-on-one discussions with stakeholders over the last few months, including members of the SBC subcommittee and Burbank businesses community. As staff and consultants gathered this input, along with input from the surveys, they have considered ways to integrate it into the ordinance. Staff has been updating the SBC subcommittee during regular check-ins and discussions. The team has also been proactively updating the presentation slides and messaging to show stakeholders how their feedback is being used to craft the revised ordinance with the goal of accommodating all considerations possible in the final version to be presented to Council in the Fall.

The Recycling Coordinator will create outreach materials and develop a plan to disseminate them should the ordinance be adopted by City Council. Staff will then seek the assistance of the SBC subcommittee and the Economic Development Division of the Community Development Department (EDD) to disseminate the materials. Outreach means and methods that will be used, and/or are in place, or are being considered at this time include:

- Landing page on City website with QR Code
- Informational flyer on AB 1276, elements of proposed ordinance and QR code
- Direct mailing to all food service providers (markets, restaurants, hotels, airport)
- Email invitations to various stakeholder events
- Outreach materials to all City departments for dissemination
- AB 1276 compliant "Upon Request" signs for food service providers
- AB 1276 compliant "Take Only What You Need" sign for self-service customers

- Presentation slides on issues with single-use plastics, the elements of the proposed Ordinance, and timeline of implementation
- Tracking sheet and/or survey to gather feedback to continually improve outreach activities
- BWP billing inserts as well as online account holders
- Advertising in the Burbank Leader and on My Burbank webpage

### *Final Steps*

Staff is currently working with consultants to finalize the revised draft ordinance, which will be shared with the SBC subcommittee for review and comment. The public will have at a minimum five more opportunities to review and provide comments on the draft ordinance: as a part of the SBC's August and September meetings; another Chamber-coordinated meeting with the restaurants in September; and the two necessary subsequent Council Meetings. Staff intends to introduce the ordinance to the City Council in the Fall.

### **CONCLUSION**

City staff has been and is still conducting a significant public outreach effort and remains on schedule to present a revised Single-use Plastics Reduction Ordinance with the input considered from stakeholders, including businesses and the Sustainable Burbank Commission (SBC), to City Council in the Fall.