

THESE MINUTES ARE NOT OFFICIAL
UNTIL APPROVED BY THE
CULVER CITY
SUSTAINABILITY SUBCOMMITTEE
OF THE CITY COUNCIL

REGULAR MEETING OF THE
CULVER CITY SUSTAINABILITY
SUBCOMMITTEE OF THE CITY COUNCIL
CULVER CITY, CALIFORNIA

September 14, 2016
9:00 a.m.

Call to Order & Roll Call

Council Member Sahli-Wells called the meeting of the Sustainability Subcommittee of the City Council to order at 9:00 a.m. in the Mike Balkman Chambers at City Hall.

Present: Göran Eriksson, Council Member
Meghan Sahli-Wells, Council Member

Staff Present: Charles Herbertson, Public Works Director
Joe Susca, Senior Management Analyst
Catherine Vargas, Environmental Coordinator

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Public Comment for Items NOT On the Agenda

Council Member Sahli-Wells invited public comment.

The following member of the audience addressed the Subcommittee:

Michelle Weiner announced that Bike Culver City would be participating in the Centennial Parade on September 24 and she encouraged interested parties to email Bike Culver City to participate.

Council Member Sahli-Wells invited everyone to participate in Coastal Clean Up Day on September 17.

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Order of the Agenda

No changes were made.

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Agenda Items

Item A-1

Approval of Minutes from the August 10, 2016 Meeting

MOVED BY COUNCIL MEMBER ERIKSSON, SECONDED BY COUNCIL MEMBER SAHLI-WELLS AND UNANIMOUSLY CARRIED, THAT THE SUSTAINABILITY SUBCOMMITTEE OF THE CITY COUNCIL APPROVE MINUTES FOR THE AUGUST 10, 2016 MEETING.

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Item A-2

Receive a presentation from Ballona Creek Renaissance (BCR) on their proposal to ban the use of Polystyrene

Deborah Gregory, BCR, provided background on Ballona Creek Renaissance; discussed moving toward a Polystyrene-free Culver City; the August 8, 2016 City Council meeting; the amount of trash diverted from the ocean; reasons to ban Polystyrene food service ware in the City; which ordinance to follow; reasons that Polystyrene is more harmful than other service wares; impacts to business owners; why Polystyrene needs to be out of circulation; why Culver City has the responsibility; impacts to human health; quantifying the amount of Polystyrene in the waste stream; costs; options available; the willingness of people to pay more to eat at a green restaurant; recyclability; recovery; the ability of the City to influence others; the choice of the School District and Fiesta La Ballona to not use Polystyrene; willingness of restaurants to participate; the effects of the plastic bag ban; the amount of trash collected during clean up events; and she presented a video from restaurants that were interviewed.

Walter Lamb, Ballona Wetlands Land Trust, discussed first-hand experience with trash along the Creek; the waste stream from restaurants; assurance that small businesses

would not be shut down by the proposed changes; he noted that Polystyrene is one of the hardest to clean up and the most damaging type of litter found; and he encouraged the City to be bold with the plan.

Rachel Sarnoff, 5 Gyres, discussed the toxicity of styrene; the Hazardous Substances Databank; petrochemicals; the harmful production process for Polystyrene; the EPA ranking of the Polystyrene industry; how to reduce the stream of plastic pollution going into the ocean; the current inability to recycle items being put in the recycling bin; the lack of a market for recycled Polystyrene; waste pickers; the amount of plastic entering the ocean every year; and global estimates of plastic in the ocean.

Michelle Weiner, Transition Culver City, clarified that reduction of use is the answer, not recycling; she discussed reducing reliance on fossil fuels; cooperation of restaurants; the informal study that she conducted; and the need for education to find alternatives.

Staley Prom, Surfrider Foundation, expressed support for a ban; discussed health effects; the effect of non-recyclability; 98 jurisdictions that already have a ban; specific bans in certain jurisdictions; food vendors that have already made the switch; and reductions to litter in cities that have implemented bans.

Shea Cunningham, BCR and Sustainability Consultant for the Culver City Unified School District, discussed the sustainability awareness program; recycling and composting in the School District; and the 2013 decision to shift from Polystyrene trays to compostable trays.

Jim Lamm, BCR, discussed development of a watershed management plan of everything that drains to Ballona Creek; increasing ecological function; the impact on production on the ecological footprint; hidden costs; west Culver City; setting the stage for positive change; collaborative work; and stakeholders.

Craig Cadwallader, Surfrider Foundation, discussed actions of other cities in California; concerns with impacts on the environment; the hardship clause; the success of ecologically responsible restaurants; taking Polystyrene out of the environment; hidden costs to Polystyrene; concern with subsidizing the restaurants that use

Polystyrene; the infeasibility of recycling Polystyrene; higher taxes and burdening materials recycling facilities associated with using Polystyrene; and making businesses more profitable.

Sona Coffee, Environmental Programs Manager for the City of Manhattan Beach, shared their experiences with a ban; discussed community support; opposition; concerns from businesses; the infeasibility of recycling; flexibility in alternative products; innovation; positive impacts of the ordinance; edible utensils; community outreach; and reducing the consumption of resources.

Discussion ensued between Subcommittee Members and Ms. Coffee regarding clarification on terminology; Polystyrene vs. Styrofoam; the recycling number designation; the six-month period to phase out products; and length of time that the ban and amendments have been in place.

Graham Hamilton, Surfrider Advisory Board, discussed the benefits of adopting the ban; the arc of environmental legislation; the phase out of items; the opportunity to be a leader and innovator; the trend; being a part of the solution; adopting the most stringent ordinance possible; and an observation that the work has already been done.

Shea Cunningham, BCR, read a list of the coalition of Polystyrene ban supporters.

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Item A-3

Receive a presentation from Kindel Gagan Public Affairs Advocacy representing the Polystyrene manufacturing industry

Samantha Martinez, Plastic Food Service Packaging Group, discussed materials manufactured by the Group; pros and cons of all of the materials; support for Zero Waste efforts; support for recycling, compost clean up and education programs; she asserted that bans do not achieve Zero Waste, they just change the materials used as substitutions do not reduce trash; she expressed concern that replacement products might not be recyclable and could have a greater environmental impact; studying the full life cycle of replacement materials; the importance of reducing

the amount of stuff; the rejection of the ban by Santa Barbara; resources required for extracting and manufacturing; advantages to Polystyrene over other materials; the difficulty of finding adequate replacement materials; double cupping and sleeves; costs for the replacement; the litter survey before and after the ban; whether the alternative food service materials can be recycled; health issue claims; the history of use of Polystyrene; styrene vs. Polystyrene; FDA data and regulation of food packaging; increased diversion rates through Polystyrene; and anti-litter education.

Mike Centers, Titus, provided background on their business; discussed their reliance on the 20% of materials placed in the blue bin that are not recycled by CR&R (the City's Material Recovery Facility); finding a use for that 20%; concern with a ban; creating jobs and diverting materials from landfill; recycling vs. pollution and litter; encouraging consumers to put items in the right place; clarification that the problem is the behavior, not the product; solutions through innovations rather than bans; using the blue bin as a resource; the difficulty with recycling materials over and over again; sorting recyclable materials; recycling mixed plastics; working with industries; materials used overseas; problems with different materials at different times; encouragement not to ban items but rather to make them work; redirecting material rather than sending it to other countries; directing resources rather than banning them; building on existing infrastructure; customers for the recycled materials; consolidation of facilities; capacity per facility; the current curbside recycling model; augmenting the blue bin; and he invited everyone to come visit his facility.

Discussion ensued between Subcommittee Members and Mr. Centers regarding clarification that Titus does not currently serve Culver City; the market for recyclable materials; market based recycling rates; cities that Titus serves and materials recycled; clarification that Titus is a secondary Material Recovery Facility; missed materials; the breakdown of materials in blue bins; variances in the value of materials; and waste handling options.

Becky Warren, California Restaurant Association, expressed opposition to the proposed ban; concern with increased costs, restaurant small profit margins, and economic

pressures on restaurants; she asserted that a ban would not decrease landfill waste; she provided 45 handwritten letters in opposition to the proposed ban; and she encouraged recycling foam containers.

Jessica Borer, California Grocers Association, indicated that their primary concern is the health and safety of products sold in their stores; she discussed mandates for keeping items hot or cold; food safety; the importance of working with the City on any changes to regulations; proper use and disposal; replacing one product with another that cannot be properly disposed of; she indicated that they were a willing partner in the process; and responding to an inquiry, she noted that the CRA represents 68 restaurants in Culver City, 60 of which use foam and Polystyrene.

Sarah Rascon, Los Angeles Chamber of Commerce, expressed opposition to the ban as she felt it would harm small businesses with increased costs and did not adequately address landfill waste; she expressed support for efforts to expand recycling; and she asserted that the ban would only change the type of products in use.

Leo Hernandez, El Rincon Criollo Restaurant, expressed opposition to the ban as he felt it would affect his business negatively; discussed other government restrictions; restaurants that have gone out of business; and he asked that an alternative way to recycle be found rather than banning Polystyrene.

Derrick Angus, Janga by Derrick's Jamaican Cuisine, reported using Chinese food type containers; he discussed issues connected to the containers; their avoidance of Styrofoam; finding the proper solution; he expressed concern with Styrofoam packing materials; and he asked for solutions rather than a ban.

Jeff Paul, Outdoor Grill, noted that he uses 100% Polystyrene takeout containers; asserted that he would not be able to afford the increased costs and would close down as a result of a ban; discussed the imposition of business and other taxes; competition with adjacent Los Angeles restaurants; and he asked that recycling be tried.

Paul La Rocco, La Rocco's Pizzeria, indicated that he had a second location in Los Angeles noting the differences in

rules; he pointed out a cup used at the meeting that would be banned under the new rules; he felt that other options should be considered prior to instituting a ban; he expressed concern with an added burden placed on small businesses if a ban is imposed; discussed packing items from online buying; the program in Los Angeles; and he suggested working together to find a solution.

Charles Herbertson, Public Works Director, clarified that the cup referred to by Mr. La Rocco was not a foam cup and would not be banned under the proposal.

Soe Lwin, Jasmine Restaurant, indicated that their business uses 100% Styrofoam plates; he asserted that the alternative products would cost a lot more; he provided background on his experiences in Burma; and he indicated that he would respect a ban if it is enacted but might have to go out of business as a result of its imposition.

Michelle Allaire, S & W Country Diner, hoped for better solutions; she reported buying all reusable cups for employees; she indicated that she would look into replacing several products; she discussed financial impacts; improving the situation for everyone; and she indicated that she was open to suggestions to make her business better and to help the environment.

Ambrocio Morales, El Super Taco, indicated that he is opposed to the ban and supported recycling instead.

Heather Stephenson, Royal Chinese Restaurant, indicated that they used Styrofoam and she expressed opposition to the ban due to increased costs but noted that they were open to learning about other options.

Jose Devaran, Campos Tacos, expressed opposition to the ban; concern with increased costs; fear that his business would have to close; and he reported making small changes to be more environmentally friendly.

James Redmond, Mega Pizza & Grill, discussed the deceit by big oil and gas; climate change; he suggested incentives to help restaurants make the change; and he expressed support for small businesses in the City.

Todd Johnson, small business owner, thanked the City for taking the issue on; discussed his experiences working with

the School District; renewable natural gas; education about what can be recycled and why; the breakdown of Polystyrene into smaller pieces making recycling impossible; calculations on actual cost increases; and he felt it was possible to work together to find a solution.

Michael Goshi, the Gnarly Beach Cleaner, discussed his work to educate people about watershed issues and plastic pollution in oceans; reminded everyone that Reduce, Reuse, Recycle is in that order for a reason; he discussed trying to get consumers to change behavior; the global nature of the issue; working to spread awareness in a positive way; and he noted that a Styrofoam cup sold in Culver City can end up anywhere in the world and that just because one is not aware that things are happening doesn't mean that they are not happening.

Warren Wagner, Surfrider Foundation, discussed plastic on beaches all over the world that comes from America; keeping plastic out of the environment; solving the problem little by little; the willingness of customers to pay more to keep the planet clean; and he asserted that materials could be eliminated while making sure not to harm small businesses.

Amy Rosenstein read comments from Brian Cassier, a certified sailing instructor discussing his experiences boating in Marina del Rey and Santa Monica Bay; damage done to his boats from debris; pollution from up river communities; and support for the ban.

Shea Cunningham, BCR, spoke on behalf of Dr. David Haake, Sierra Club West Los Angeles, discussed the School District move away from the expanded Polystyrene trays for health reasons; the material in contact with the Polystyrene; FDA review; and hardship clauses for smaller businesses.

Joe Susca, Senior Management Analyst, read written comments submitted by

Steven Rose
Mary Daval
Dr. David Haake
Michael Hamel
Californians Against Waste

Joe Susca, Senior Management Analyst, indicated that copies of the written correspondence had been distributed to the

Subcommittee Members; he announced the public noticing procedures conducted for this meeting; and provided the Polystyrene product usage survey responses received thus far from food service providers.

Council Member Sahli-Wells received clarification that Lucille's Smoke House BBQ reported that they had made the transition to Polystyrene alternative products at an additional cost of \$500 per year.

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Item A-4

Discussion of options for the disposal of Polystyrene in Culver City's waste stream and development of a potential ordinance to ban certain Polystyrene products from use in Culver City

Catherine Vargas, Environmental Coordinator, noted that Titus is a secondary Materials Recovery Facility (MRF) and the current City contract is with CR&R, a primary MRF: she discussed residual materials; fees for landfill materials; support for using a secondary facility; what can be done with Polystyrene; further investigation as to feasibility; addressing food waste; moving toward alternatives in procurement practices; reduced costs for waste services if businesses go to recycling or food waste programs; and offsetting mandated fees.

Discussion ensued between staff and Subcommittee Members regarding clarification that contents of the black bin go to the landfill; dirty MRFing; shipping Styrofoam; the Zero Waste resolution created by Los Angeles; confusion with which Styrofoam can go into the waste bin; clarification that Culver City does not accept Number 6 plastics and that each city has its own recycling program; food contaminated Polystyrene is not acceptable; clarification that 13% of blue bin contents goes to the landfill; additional data coming forward; specifics of the CR&R MRF contract such as residual costs for landfiling; improvements to diversion programs; potential profit sharing; logistics; credit for increased diversion rates; state tracked diversion numbers; and the annual report.

Additional discussion ensued between staff, Subcommittee Members and audience members regarding clarification that

the blue bin is consumer driven; reminding people to keep the blue bin clean and uncontaminated; increased waste with the holiday season; a suggested 6-month pilot program with Titus to recycle Polystyrene products; the current situation where Polystyrene is not allowed in the blue bin; attributes of the materials; using the Titus model whether a ban is enacted or not; testing; whether the model is sustainable; bales of Polystyrene at the Titus facility; why the larger facilities do not address Polystyrene issues; smaller pieces that end up in the landfill; waste to energy; burn sites; renewable energy; the time remaining in the contract; cleanliness of the recyclables; other clients served by CR&R; obtaining more information on the company in Indianapolis that is taking Polystyrene; the cost per ton to recycle Polystyrene; net costs; the Container Recycling Institute; expanded foam Polystyrene vs. hard plastic Polystyrene; confusing terminology; clarity of the BCR proposal; the matrix of different kinds of Polystyrene ordinance components obtained from different cities; alternatives; packaging materials; optional service ware included with takeout orders; hardship and legal exemptions from the ban; recognizing increased costs to businesses; and implementing a cutlery condition where it is only given to a customer when requested with their take-out order.

Further discussion ensued between Subcommittee Members and staff regarding looking to the future; concern with the amount of trash in Ballona Creek; bans in other cities; study sessions by L.A. County; environmental benefits to a ban; impacts of the alternatives; compostable trays; materials that do not break down in water; handling food items; recyclable plastic; the age of studies done by other cities; finding a way to handle all the Styrofoam; being more efficient; SB32; lowering greenhouse emissions; what materials work for different waste streams; CO2 emissions; environmental impacts; clarification that Styrofoam is a brand; different aspects of Polystyrene; Subcommittee meetings; County meetings; the County decision; consistency; enacting a statewide ban; concern with mischaracterization of the facts; waiting for a state ban; making a business out of recycling Polystyrene; differences between L.A. and Culver City; the need for trash bins; things to help keep trash out of the Creek; keeping all items out of the Creek; urban runoff expense; the parcel tax; industry concerns; education; increased costs; concern with using the L.A. Ban; the Plastic Bag Ban; conducting

additional research; clarification on the timing of the Bag Ban; the EIR for the Bag Ban; the transition; the statewide ban; the power of individual cities; how many restaurants have closed in Manhattan Beach because of the ban; perception of the cost vs. actual cost; the need to work together with local businesses; resources and education; providing the tools to be successful; consumer preferences; health issues; avoiding carcinogens; the Manhattan Beach model; replacing one type of plastic for another; differences between plastics and their individual effects upon the environment; the opt in program for cutlery; straws; the paper bag fee as a reminder to bring bags for the future; who funds the studies; measuring the environmental footprint of alternative products; concern with making public policy to work with a company that is the only one providing the service; the volatility of the recycling industry; whether recycling is the highest and best use of resources; outsourcing the nation's bad habits to other countries, cheap oil prices, child labor; examples of other cities bans and the School District; the move to composting; tipping fees; an observation that the actions of the School District provide a model for the children; making Fiesta La Ballona a Zero Waste event; the Santa Monica campaign to champion their businesses; appreciation to industry representatives; continued dialogue; industry lobby vs. a non-profit; full City Council direction; investigating recycling further; investigation of replacement product properties; organic waste collection; the Zero Waste solution; using Titus in combination with a ban; industrial waste vs. consumer waste; the end game for Polystyrene recycling; existing data; costs to the City and to the taxpayers; packing materials; single-use food take away items; items the City can regulate; regulators and the FDA; lobbyists; concern with potential delaying tactics; expanded Polystyrene vs. hard plastic Polystyrene; the Santa Monica ban; concern with trying to replace a ban with recycling; clarification that the ban proposal applies to ready-made takeout food containers; addressing mass produced items; comingled waste streams; influencing Los Angeles; price points; and compelling reasons not to allow containers in the City.

A member of the audience commented on the influence of people on the planet; sending a message to industry; common ground for a more viable, positive future; health effects; industry representatives; finding positive alternatives that do the least harm; sending larger, stronger messages

to industry that they need to anticipate changes; and prioritizing profits over health.

Further discussion ensued between staff and Subcommittee Members regarding next steps in the process; a suggestion to distribute surveys to residents; discerning resident priorities; additional surveying of businesses; clarification of materials being considered; enforcement; potential confusion created by being out of step with Los Angeles; the question of lids and straws; agreement by staff to draft a survey to be sent to Subcommittee Members for comment; distribution of the survey to residents and businesses; a six month trial period with Titus to recycle Polystyrene products; consultation with CR&R; looking at organic waste streams; and bringing the new Manager of the Environmental Programs and Operations Division of Public Works into the mix.

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Item A-5

Next Meeting Date - October 19, 2016 at 3:00 p.m.

Council Member Sahli Wells invited everyone to attend the next meeting scheduled for October 19, 2016 at 3:00 p.m. and she indicated that those who had submitted their email address would be sent a notification.

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Public Comment for Items NOT on the Agenda

Council Member Sahli-Wells invited public participation.

No speakers came forward and no cards were received.

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Items from Subcommittee Members

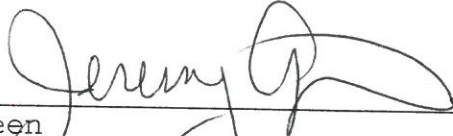
None.

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Adjournment

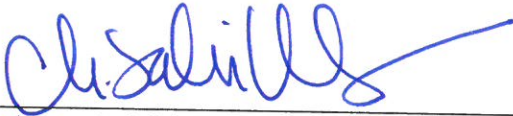
There being no further business, at 1:32 p.m., the
Sustainability Subcommittee of the City Council adjourned
its meeting to October 19, 2016.

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Jeremy Green
DEPUTY SECRETARY of the Culver City Sustainability
Subcommittee of the City Council Culver City, California

APPROVED



Meghan Sahli-Wells
Council Member, Sustainability Subcommittee of the City
Council Culver City, California