

RESOLUTION NO. 2009-_____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BRUNO
DIRECTING THAT A CITY COUNCIL SUBCOMMITTEE REVIEW SAN BRUNO
MUNICIPAL CODE CHAPTER 10.21, SUSTAINABLE FOOD PACKAGING, PRIOR
TO ITS APRIL 1, 2010 IMPLEMENTATION DATE**

WHEREAS, on January 27, 2009, the City Council held a public hearing and introduced an ordinance adding Chapter 10.21, Sustainable Food Packaging, to Title 10 of the San Bruno Municipal Code;

WHEREAS, in considering the proposed ordinance, the City Council evaluated a number of facts, as detailed in the findings of the ordinance, including that polystyrene foam is notorious as a pollutant, a suspected carcinogen and neurotoxin which potentially threatens marine and other wildlife and human health, that it is a hazard against which the general public is not typically warned, and that the process used to manufacture polystyrene has having a high environmental impact especially as relates to energy consumption and greenhouse gas effect;

WHEREAS, in addition to numerous cities adopting polystyrene ban's state-wide, San Bruno's immediate neighbors, the cities of Millbrae and South San Francisco, have both successfully adopted similar bans, which means that San Bruno restaurants should not be more affected by such a ban than restaurants in its neighboring jurisdictions, and without which ban, San Bruno may be contributing disproportionately to negative environmental effects.

WHEREAS, during the public hearings on November 25, 2008, and January 27, 2009, the California Restaurant Association and a number of San Bruno restaurants argued that there were no affordable functionally-equivalent products on the market, especially for high-heat foods and therefore adoption of a polystyrene ban would negatively impact the ability of San Bruno restaurants to compete in the market place, especially in the current economy;

WHEREAS, the City Council adopted the proposed ban by ordinance with an implementation date of April 1, 2010, and agreed that the staff would coordinate a meeting to include a City Council subcommittee, San Bruno restaurant owners, and City staff to assess the availability and cost issues associated with alternative products approximately ninety (90) days before the implementation of the ordinance.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of San Bruno that City staff will coordinate a meeting of a subcommittee of the City Council and San Bruno restaurant owners to assess issues pertaining to the availability and cost associated with

products that are sustainable alternatives to polystyrene approximately ninety (90) days before the implementation date (April 1, 2010) of the ban as set forth in Chapter 10.21, Sustainable Food Packaging.

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I hereby certify that the foregoing Resolution No. 2009 - ____ was duly introduced and adopted by the San Bruno City Council at a regular meeting held _____, 2009, by the following vote:

AYES: COUNCILMEMBERS: _____

NOES: COUNCILMEMBERS: _____

ABSENT: COUNCILMEMBERS: _____

Carol Bonner, City Clerk