

RESOLUTION R2009 133

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
NAPA, STATE OF CALIFORNIA, SUPPORTING
EXTENDED PRODUCER RESPONSIBILITY

WHEREAS, California's Universal Waste Rule (CCR, Title 22, Division 4.5, Chapter 23) bans landfill disposal of certain products that contain hazardous materials, including household batteries, fluorescent bulbs and tubes, thermostats and other items that contain mercury, as well as electronic devices such as video cassette recorders, microwave ovens, phones, printers, and radios; and

WHEREAS, it is anticipated that the list of waste products determined to be hazardous and therefore banned from landfills will continue to grow as demonstrated by the ban of treated wood effective January 2007 and medical sharps in September 2008; and

WHEREAS, state policies currently make local governments responsible for achieving waste diversion goals and enforcing product disposal bans, both of which are unfunded mandates; and

WHEREAS, costs for managing hazardous waste are currently paid by taxpayers and rate payers and are expected to increase substantially in the short term unless policy changes are made; and

WHEREAS, local governments do not have the resources to adequately address the rising volume of discarded products; and

WHEREAS, costs paid by local governments to manage products are in effect subsidies to the producers of hazardous products and products designed for disposal; and

WHEREAS, the Napa City Council supports statewide efforts to hold producers responsible for waste products and other product waste management costs; and

WHEREAS, there are significant environmental and human health impacts associated with improper management of hazardous waste; and

WHEREAS, Extended Producer Responsibility (EPR) is a policy approach in which producers assume responsibility for management of waste products and which has been shown to be effective; and

WHEREAS, the inclusion of health and environmental costs are included in the product price, there is an incentive for manufacturers to design products that are more durable, easy to repair and recycle, and less toxic; and

WHEREAS, EPR framework legislation establishes transparent and fair principles and procedures for applying EPR to categories of products for which improved design and management infrastructure is in the public interest; and

WHEREAS, the California Product Stewardship Council (CPSC) is an organization of California local governments working to speak with one voice in promoting transparent and fair EPR systems in California; and

WHEREAS, the City of Napa wishes to incorporate EPR policies into the City's product procurement practices to reduce costs and protect the environment; and

WHEREAS, in January 2008 the California Integrated Waste Management Board adopted a Framework for an EPR System in California; and

WHEREAS, in July 2008 the National Association of Counties adopted a resolution in support of a framework approach to EPR; and

WHEREAS, the City Council has considered all information related to this matter, as presented at the public meetings of the City Council identified herein, including any supporting reports by City Staff, and any information provided during public meetings.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Napa, as follows:

1. The City Council hereby finds that the facts set forth in the recitals to this Resolution are true and correct, and establish the factual basis for the City Council's adoption of this Resolution.
2. The City Council urges the California Integrated Waste Management Board or its successor agency to continue taking timely action to implement the Framework for an EPR System in California to manage Universal and other waste products.
3. The Public Works Director, or his designee, be authorized to sign a pledge of support for CPSC and its mission and principles of product stewardship, send letters to the League of California Cities, the California State Association of Counties, and the California Integrated Waste Management Board or its successor agency, and the State legislature, and to use other advocacy methods to urge support for EPR Framework and product legislation and related regulations.
4. The City Council urges the California Legislature to enact framework EPR legislation which will give producers the incentive to design products to make them less toxic and easier to reuse and recycle.
5. The City of Napa encourages all manufacturers to share in the responsibility for eliminating waste through minimizing excess packaging, designing

products for durability, reusability and the ability to be recycled; using recycled materials in the manufacture of new products; and providing financial support for collection, processing, recycling, or disposal of used materials.

6. The City of Napa and its member agencies develop producer responsibility policies such as leasing products rather than purchasing them and requiring producers to offer less toxic alternatives and to take responsibility for collecting and recycling their products and the end of their useful life.

7. This Resolution shall take effect immediately upon its adoption.

I HEREBY CERTIFY that the foregoing Resolution was duly adopted by the City Council of the City of Napa at a public meeting of said City Council held on the 3rd day of November, 2009, by the following vote:

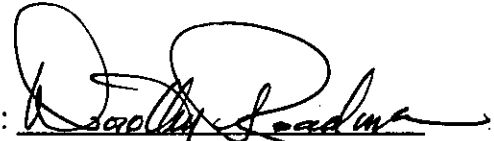
AYES: Techel, Inman, Krider, Mott, van Gorder

NOES: None

ABSENT: None

ABSTAIN: None

ATTEST:


Dorothy Roadman
City Clerk

Approved as to form:



Michael W. Barrett
City Attorney