

RESOLUTION NO. 09-76

RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF PALM DESERT SUPPORTING  
EXTENDED PRODUCER RESPONSIBILITY.

WHEREAS, approximately 75,000 tons of discarded materials and products are currently sent to disposal from our community on an annual basis at a cost of \$37.45 per ton; and

WHEREAS, on February 8, 2006, California's Universal Waste Rule (CCR, Title 22, Division 4.5, Chapter 23) became effective; and

WHEREAS, the Universal Waste Rule bans landfill disposal of certain products that are deemed hazardous, 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, cellular phones, cordless phones, printers, and radios; and

WHEREAS, it is anticipated that the list of Universal and other 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 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, Universal Waste management costs are currently paid by taxpayers and rate payers in the Coachella Valley and are expected to increase substantially in the short term unless policy changes are made; and

WHEREAS, local governments have no input on the design of the products, make no profit from the products, and do not have the resources to adequately address the rising volume of producers of hazardous products and products designed for disposal; 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, Palm Desert supports statewide efforts to hold producers responsible for Universal Waste products and other product waste management costs; and

WHEREAS, there are significant environmental and human health impacts associated with improper management of Universal Waste products; 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, when producers are responsible for ensuring their products are reused or recycled responsibly, and when health and environmental costs are included in the product price, there is an incentive to design products that are more durable, easier 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, Palm Desert wishes to incorporate EPR policies into the agency's product procurement practices to reduce costs and protect the environment; and

WHEREAS, the California Integrated Waste Management Board (CIWMB) has adopted Strategic Directives to begin developing statewide EPR programs; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Palm Desert, California urges the CIWMB to continue taking timely action to implement the Strategic Directive #5 on Producer Responsibility to manage Universal and other wastes; and

BE IT FURTHER RESOLVED, that Palm Desert urges the California Legislature to enact framework EPR legislation that shifts Universal and other wastes management costs from local government to the producers of the product, and which will give producers the incentive to redesign products to make them less toxic and easier to reuse and recycle; and

BE IT FURTHER RESOLVED, that the City Manager of the City of Palm Desert be authorized to send letters to the League of California Cities, the California Association of Counties, and the CIWMB, and the State legislature and to use other advocacy methods to urge support of EPR framework legislation; and

BE IT FURTHER RESOLVED, that the City Manager of the City of Palm Desert be authorized to sign the California Stewardship Council (CPSC) Pledge of Support and participate with CPSC to educate and advocate for EPR policies and programs; and

BE IT FURTHER RESOLVED, that the City of Palm Desert encourage 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; and


BE IT FURTHER RESOLVED, that the City of Palm Desert develop producer responsibility policies such as leasing and to take responsibility for collecting and recycling their products at the end of their useful life.

PASSED, APPROVED, and ADOPTED at a regular meeting of the City Council of the City of Palm Desert held on this 12th day of November, 2009, by the following vote, to wit:

AYES:	BENSON, FERGUSON, FINERTY, KELLY, and SPIEGEL
NOES:	NONE
ABSENT:	NONE
ABSTAIN:	NONE

  
ROBERT A. SPIEGEL, MAYOR

ATTEST:

  
RACHELLE D. KLASSEN, CITY CLERK  
CITY OF PALM DESERT, CALIFORNIA