

RESOLUTION NO. 08-58**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARVIN
SUPPORTING EXTENDED PRODUCER RESPONSIBILITY IN
COORDINATION WITH GREENING ARVIN STRATEGIES**

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, the United States Environmental Protection Agency estimates that over 70 percent of these wastes are manufactured products, including 'durable' goods (computers, TVs, appliances, furniture, and tires), 'nondurable' goods (newspapers, magazines, office paper, junk mail, diapers, and household items) and packaging (cans, bottles, cartons, bags and wraps); 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, decisions regarding the implementation of these statewide disposal bans are often made with little regard for costs to the local government and tax payers; and

WHEREAS, Universal Waste management costs are currently paid by taxpayers and rate payers of the City of Arvin area 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 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, decisions regarding the design of these products are often made with little regard for waste prevention and recycling, and the costs to local governments and taxpayers; and

WHEREAS, the City Council of City of Arvin 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, sharps, and other products; and

WHEREAS, there are significant environmental and human health impacts associated with household products that contain toxic ingredients, including mercury, lead, cadmium and other toxic chemicals that when disposed of improperly can contaminate water supplies; and

WHEREAS, Producer Responsibility is an environmental policy approach in which producers assume responsibility - financial and/or physical- for the management of post-consumer products, so that those who produce and use products bear the costs of recycling and proper disposal; and

WHEREAS, when brand owners are responsible for ensuring their products are re-used or recycled responsibly, and when health and environmental costs are included in the product price, there is a strong incentive to design and purchase goods that are more durable, easier to recycle, and less toxic.

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, the City of Arvin wishes to incorporate EPR policies into the City's and County'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

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF THE City of Arvin that the City Council of the City of Arvin urges the California Integrated Waste Management Board to continue taking timely action to implement the Framework for an EPR System in California to manage Universal and other wastes; and

BE IT FURTHER RESOLVED, that the City Council of City of Arvin urges the California Legislature to enact framework EPR legislation that shifts Universal and other waste 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 City of Arvin be authorized to send letters to the League of California Cities, the California State Association of Counties, and the California Integrated Waste Management Board, and the State legislature and to use other advocacy methods to urge support for EPR Framework legislation; and

BE IT FURTHER RESOLVED, that the City of Arvin 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; and

BE IT FURTHER RESOLVED, that the City of Arvin 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.

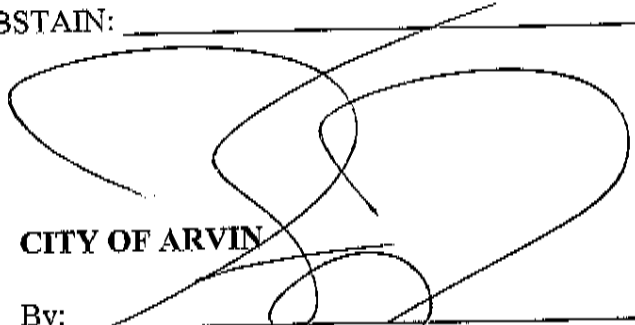
I HEREBY CERTIFY that the foregoing Resolution was passed and adopted by the Arvin City Council at a special meeting thereof held on the 09th day of December 2008, by the following roll call vote:

AYES: CM Stoner, CM Ojeda, MPT Flores, Mayor Tarver

NOES: _____

ABSENT: _____

ABSTAIN: _____


CITY OF ARVIN
By: _____
TIM TARVER, Mayor

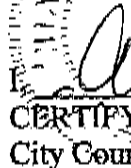
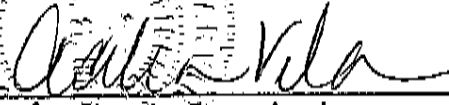
ATTEST:


CECILIA VELA, City Clerk

APPROVED AS TO FORM

By: 

RACHEL RICHMAN, City Attorney

 , City Clerk of the City of Arvin, California, DO HEREBY CERTIFY that the foregoing is a true and accurate copy of the Resolution passed and adopted by the City Council of the City of Arvin on the date and by the vote indicated herein.