

COPY

RESOLUTION NO. 2009-49

**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF WINTERS SUPPORTING EXTENDED
PRODUCER RESPONSIBILITY**

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, the costs to manage Universal Waste and other products banned from landfills are currently paid by the taxpayers and garbage rate payers of the City of Winters 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, since local government tax payers and rate payers, rather than product manufacturers, currently bear the costs to properly manage Universal Waste, local governments are in effect subsidizing the production of Universal Waste; and

WHEREAS, the City Council of Winters 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, 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 recycled responsibly, and when health and environmental costs are included in the product price, there is strong incentive to design and purchase goods that are more durable, easier to repair and recycle, and less toxic; and

WHEREAS, it is timely to develop and support EPR legislation to address product stewardship for hazardous and problematic products currently banned from landfill disposal and those which will be added to the list of banned items in the future; 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 Winters 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;

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF WINTERS that by adoption of this Resolution, the City of Winters 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 waste products; and

BE IT FURTHER RESOLVED, that the City Council of Winters 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; and

BE IT FURTHER RESOLVED, that the City Manager of Winters be authorized to send letters to the League of California Cities, the California State Association of Counties, the California Integrated Waste Management Board, and the State legislature and to use other advocacy methods to urge support for EPR Framework legislation and related regulations; and

BE IT FURTHER RESOLVED, that the Mayor Michael Martin be authorized to sign the California Product Stewardship Council (CPSC) Pledge of Support; and

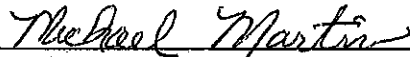
BE IT FURTHER RESOLVED, that the City of Winters encourages all manufacturers to share in the responsibility for eliminating waste through minimizing excess packaging, designing products for durability, reusability and the ability to be recycled; using

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 Winters develop producer responsibility policies such as leasing products rather than purchasing them when applicable 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.


PASSED AND ADOPTED by the Council of the City of Winters, State of California on September 15, 2009, by the following vote:

AYES: Council Members Aguiar-Curry, Anderson, Fridae, Stone and Mayor Martin
NOES: None
ABSENT: None
ABSTAIN: None



Michael Martin, Mayor

ATTEST:



Manci G. Mills, City Clerk