

**RESOLUTION NO. 08-10**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COTATI  
SUPPORTING EXTENDED PRODUCER RESPONSIBILITY**

**WHEREAS**, approximately 499,079 tons of discarded materials and products are currently sent to disposal from communities within Sonoma County; 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 of the City of Cotati 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**, not including e-waste, in 2007, the cost to Sonoma County to properly dispose of 30,076 pounds of HID bulbs, sodium bulbs, compact fluorescent bulbs, mercury articles, lithium batteries, NiCd batteries, and household batteries cost over \$16,560.45 (not including labor costs); and

**WHEREAS**, the cost to properly dispose of 174,249 feet of fluorescent tubes cost \$24,394.86 in 2007; and

**WHEREAS**, a total of 16,494 residents participated in Sonoma County's household hazardous waste programs in 2007; and

**WHEREAS**, if the City of Cotati were able to collect all of the batteries and fluorescent tubes generated in Cotati, such a service cost would be very cost-prohibitive; and

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

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

**NOW, THEREFORE BE IT RESOLVED**, that the City Council of the City of Cotati 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 Mayor of the City of Cotati 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 Mayor be authorized to sign the California Product Stewardship Council (CPSC) Pledge of Support; and

**BE IT FURTHER RESOLVED**, that the City of Cotati 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.

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**IT IS HEREBY CERTIFIED** that the foregoing resolution was duly introduced and legally adopted at a regular meeting of the City Council of the City of Cotati held on the 9th day of April, 2008 by the following vote, to wit:

GILARDI:	<u>Yes</u>
FOX:	<u>Yes</u>
GUARDINO:	<u>Yes</u>
ORCHARD:	<u>Yes</u>
MINNIS:	<u>Yes</u>

Approved: Pat Meland  
Mayor

Attest: Tamara Taylor  
Deputy City Clerk

Approved as to form:  
[Signature]  
City Attorney