

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF PALM SPRINGS SUPPORTING EXTENDED
PRODUCER RESPONSIBILITY**

THE CITY COUNCIL OF THE CITY OF PALM SPRINGS FINDS:

- A. Approximately 52,000 tons of discarded materials and products are currently sent for disposal from our community on an annual basis at a cost of \$38.84 per ton.
- B. On February 8, 2006, California's Universal Waste Rule (CCR, Title 22, Division 4.5, Chapter 23) became effective.
- C. 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.
- D. 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 medical sharps waste in September 2008.
- E. State policies currently make local governments responsible for achieving waste diversion goals and enforcing product disposal bans, both of which are unfunded mandates.
- F. Universal Waste management costs are currently paid by taxpayers and rate payers and are expected to increase substantially in the short term unless policy changes are made.
- G. Local governments do not have the resources to adequately address the rising volume of discarded products.
- H. Costs paid by local governments to manage products are in effect subsidies to the producers of hazardous products and products designed for disposal.
- I. If the City of Palm Springs were able to collect all of the batteries and fluorescent tubes generated in the City of Palm Springs, such a service would cost more than all of the other current household hazardous waste programs combined.

J. The Palm Springs City Council supports statewide efforts to hold producers responsible for Universal Waste products and other product waste management costs.

K. The Coachella Valley Association of Governments adopted a resolution in July 2008 supporting statewide efforts to hold producers responsible for Universal Waste products and other product waste management costs.

L. There are significant environmental and human health impacts associated with improper management of Universal Waste, medical sharps waste, and other products.

M. 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.

N. When 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.

O. 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.

P. 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.

Q. The City of Palm Springs Path to a Sustainable Community calls for a Zero Waste Plan, and implementation of a closed loop system which emphasizes the need to incentivize manufacturers to reduce the toxics in their products and design them to be reusable and recyclable.

R. The City of Palm Springs wishes to incorporate EPR policies into the City's product procurement practices to reduce costs and protect the environment.

S. In January 2008, the California Integrated Waste Management Board adopted a Framework for an EPR System in California.

T. In July 2008, the National Association of Counties adopted a resolution in support of a framework approach to EPR.

U. On November 13, 2009, the National League of Cities adopted a resolution in support of EPR.

THE CITY COUNCIL OF THE CITY OF PALM SPRINGS DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. The City of Palm Springs urges the California Integrated Waste Management Board and its predecessor to continue taking timely action to implement the framework for an EPR System in California to manage Universal and other waste products.

Section 2. The City Council of Palm Springs 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 get away from needing legislation to manage every problem product.

Section 3. The Sustainability Manager of the City of Palm Springs is 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 legislation and related regulations.

Section 4. The Mayor of Palm Springs is authorized to sign the California Product Stewardship Council (CPSC) Pledge of Support to CPSC to educate and advocate for EPR policies and programs.

Section 5. The City of Palm Springs 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.

Section 6. The City of Palm Springs incorporate producer responsibility into City 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 at the end of their useful life.

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

[SIGNATURE PAGE FOLLOWS]

_____, PASSED, APPROVED, AND ADOPTED this _____ day of _____, 2009.

David H. Ready
City Manager

ATTEST:

James Thompson
City Clerk

CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF PALM SPRINGS)

I, JAMES THOMPSON, City Clerk of the City of Palm Springs, hereby certify that Resolution No. _____ is a full, true and correct copy, and was duly adopted at a regular meeting of the City Council of the City of Palm Springs on October 21, 2009, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

James Thompson, City Clerk
City of Palm Springs, California