

RESOLUTION 2008-082

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOS GATOS 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 upcoming ban of sharps waste into the municipal solid waste stream or any container used for recyclable materials, 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, 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, assuming a 50% recovery rate, collecting and disposing of products currently banned from the landfills could cost local jurisdictions in Santa Clara County an estimated additional \$3 million each year; and

WHEREAS, when additional products are declared as hazardous by the State, the burden to manage these items will fall to local jurisdictions; and

WHEREAS, there are significant environmental and human health impacts associated with improper management of Universal Waste products, including mercury, lead, cadmium and other toxic chemicals that when disposed of improperly can contaminate water supplies; 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 Town Council of Los Gatos supports statewide efforts to hold producers responsible for Universal Waste products and other product waste management costs; and

WHEREAS, the Town of Los Gatos wishes to incorporate EPR policies into the Town's product procurement practices to reduce costs and protect the environment; and

NOW, THEREFORE BE IT RESOLVED that the Town Council of the Town of Los Gatos urges our representatives in Sacramento to pursue statewide extended producer responsibility legislation that will give incentive for the redesign of products to make them less toxic and easier to recycle, and shift the cost for recycling and proper disposal of products from the local government to the producer and distributor of the product; and

BE IT FURTHER RESOLVED, that the Mayor of the Town Council of the Town of Los Gatos be authorized to send letters to the League of California Cities, the California Integrated Waste Management Board, and the State legislature and to use other advocacy methods to urge support for EPR legislation; and

BE IT FURTHER RESOLVED, that the Town Council of the Town of Los Gatos will continue to support extended producer responsibility initiatives and statewide legislation beyond universal waste to cover areas including other hazardous products, bulky packaging, and items like plastics and multi-material products that are difficult to recycle.

PASSED AND ADOPTED by the Town Council of the Town of Los Gatos, State of California, on the 16th day of June, 2008 by the following vote:

COUNCIL MEMBERS:

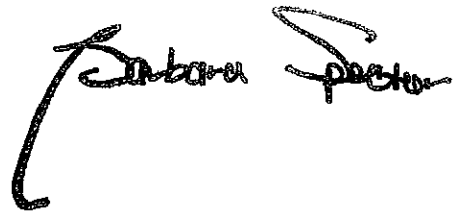
AYES: Steve Glickman, Diane McNutt, Joe Pirzynski, Mike Wasserman, and Mayor Barbara Spector

NAYS:

ABSENT:

ABSTAIN:

SIGNED:



MAYOR OF THE TOWN OF LOS GATOS
LOS GATOS, CALIFORNIA

ATTEST:



CLERK OF THE TOWN OF LOS GATOS
LOS GATOS, CALIFORNIA