

RESOLUTION NO. 2015-126

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARINA AUTHORIZING AND ADOPTING A POLICY TO ENCOURAGE AND INCREASE THE USE OF ENVIRONMENTALLY PREFERABLE PRODUCTS AND SERVICES USED BY THE CITY AND PROMOTE PRACTICES THAT IMPROVE PUBLIC AND WORKER HEALTH AND CONSERVE NATURAL RESOURCES WHILE REMAINING FISCALLY RESPONSIBLE AND COMPLYING WITH THE CALIFORNIA INTEGRATED WASTE MANAGEMENT ACT (AB939)

WHEREAS, the intent of the policy is to encourage the use of environmentally preferred products, and;

WHEREAS, the policy demonstrates that the City of Marina is committed to complying with AB939, and;

WHEREAS, the City's goal is to generate less waste material by reviewing how supplies, materials and equipment is purchased, manufactured, packaged, delivered and disposed of , and;

WHEREAS, this policy is necessary for the City to comply with environmental regulations, and;

WHEREAS, the City of Marina acknowledges that unless we "buy recycled" we are not truly recycling, and;

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Marina does hereby

- 1) Authorize the adoption of an Environmentally Preferred Purchasing Policy

PASSED AND ADOPTED, at a regular meeting of the City Council of the City of Marina, duly held on the 3rd day of November, 2015 by the following vote:

AYES: COUNCIL MEMBERS: Amadeo, Brown, Morton, O'Connell, Delgado

NOES: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: None

ABSTAIN: COUNCIL MEMBERS: None

Bruce C. Delgado, Mayor

ATTEST:

Anita Sharp, Deputy City Clerk

ENVIRONMENTAL PURCHASE POLICY

IMPLEMENTATION

A. Each Department shall make every reasonable effort to purchase and use recycled products or those with recycled content whenever feasible to the extent such use does not adversely affect cost, health, safety, or operational efficiency and effectiveness as determined by each department. Special emphasis shall be placed on the purchase of products manufactured with post-consumer recycled materials, such as

- 1) Paper for printing and writing, including letterhead paper (although use of electronic letterhead is preferred), envelopes, copy paper and business cards.
- 2) Products including janitorial supplies, hand towels, facial tissue, toilet paper, seat covers, boxes, file boxes, hanging folders and other office supplies comprised of paper or fibers. When practical, these shall be comprised of a minimum of 10% post-consumer recycled content

Preferable environmental attributes may include, but are not limited to, energy efficiency, water conservation, reduction of toxics use, conservation of natural resources and waste minimization. Purchasing objectives should include, to the extent practicable, acquisitions that are:

- 1) Non-toxic or minimally toxic, preferably biodegradable.
- 2) Carcinogen-free or chlorofluorocarbon (CFC) free.
- 3) Durable, upgradable or refurbished, as opposed to single use or disposable items.
- 4) Energy efficient in production and use, or Energy Star rated.
- 5) Made from raw materials obtained in an environmentally sound, sustainable manner.
- 6) Produced locally or regionally.
- 7) Less hazardous.
- 8) Reusable, recyclable or containing recycled content.
- 9) Delivered with or containing minimal packaging.
- 10) Water efficient.

B. Each department shall review purchasing specifications and contract requirements and, where feasible, revise such specifications and contract requirements to encourage the use of recycled products and remove all feasible obstacles to buying recycled and source reduction products. Among the obstacles to be removed are:

- 1) Requirements for virgin materials only.
- 2) Language that excludes recycled products.
- 3) Unnecessary qualifications (e.g. high brightness levels for paper)
- 4) Specifications written to describe particular non-recycled product, unless justified in writing with a specific explanation of why purchases of non-recycled and non-source reduction is deemed impracticable.
- 5) Performance standard unrelated to actual need.
- 6) "New" requirements that exclude remanufactured, reused or recycled content products.

- C. Each department shall consider, where feasible, the ability of products and/or their packaging to be reused, reconditioned, or recycled. Each department shall purchase where feasible, products with minimize waste and toxic by-products in their manufacture, use, recycling, and disposal. Each department shall also purchase/lease, where feasible, capital equipment which is compatible with the use of product containing recycled materials.
- D. Any request for proposal (RFP) or bid for services requested by the City shall include a standard statement that the City of Marina has implemented an Environmental Purchasing Policy and that the City encourages other businesses to adhere to similar principles. It shall further be requested that submitted proposals, quotes or bids be printed two-sided on recycle content paper. Any consultants or contractors producing reports for the City will submit the report on post-consumer recycled and recyclable paper.
- E. All departments shall use for their letterhead stationary, envelopes, and business card, recycled paper that includes post-consumer recycled content and some indication they contain recycled material. Other recycled products used by the City shall also indicate they contain recycled material.
- F. The City will cooperate to the greatest extent practicable with other local governments in an effort to develop and stimulate the market for recycled products including local governments, districts and agencies
- G. All department shall work cooperatively to further the purpose of this policy. The city's economic development activities shall strive to promote the markets for recycled material whenever feasible.

WASTE REDUCTION

All city employees in all departments shall make waste diversion and reduction a routine part of the respective jobs whenever feasible to the extent it does not adversely affect health, safety, or operational efficiency and effectiveness as determined by each department. This includes but is not limited to full participation in and support of the City's curbside recycling program. Recommended waste reduction strategies include but are not limited to the following:

- A. Double-sided copying whenever feasible.
- B. Eliminate duplicate subscriptions and duplicate incoming and outgoing mail whenever feasible.
- C. Consolidate orders and order in bulk whenever feasible, especially with regard to office supplies.
- D. Use durable containers for coffee and other drinks at the workplace whenever feasible instead of disposable products.
- E. Purchase and use reusable/refillable products whenever feasible instead of disposable products.
- F. Computer networking and "paperless" office whenever feasible.

PROMOTE AND TRAINING

The City Council desires to be a model for the community to influence and promote greater waste reduction, recycling and environmentally preferred products and services. Each department will take steps to communicate and train their employees who make purchase on behalf of the City to purchase environmentally preferred products and services whenever practical and cost-effective. Departments are encouraged to communicate information together departments when potential use of a product exists.

POLICY ADMINISTRATION AND REPORTS

- A. The responsibility for developing, implementing and updating the Environmental Purchasing Policy (Policy) lies with the Policy Administrator who may be the City Manager or his or her appointee. The Policy will periodically be reviewed and updated to reflect changes in laws and regulations, as well as, new methods of purchasing and promoting environmentally preferred products and services. When warranted, the Policy Administrator will present his or her recommended changes to the City Council. The City Council will make a determination of whether to accept modify or reject those changes to the Policy.
- B. When the City acquired appropriate software, the Finance Division shall periodically prepare reports summarizing the results of implementing this policy. The report shall include but not be limited to the City's purchases by product type, quantity and cost of products.

DEFINITIONS

Environmentally preferable: Environmentally preferable products and services are those that have a lesser or reduced impact on human health and the environments. As compared with competing products and services that provide the same purpose. This standard may be used to compare raw materials acquisition, production, manufacturing, packaging, distribution, reuse, operation, maintenance and/or disposal of the product or services

Recycling: Recycling is the process of collecting, sorting, cleaning, treating and reconstituting materials that would normally become solid waste. Then returning these recycled materials to the economic mainstream to become raw materials for new, reused or reconstituted products which meet the quality standard necessary to be used in the marketplace.

Recycled Material: Recycled material is waste material and by-products that have been recovered or diverted from the solid waste stream and that can be utilize in place of raw or virgin material in the manufacturing of a product. Recycled materials may consist of material derived from post-consumer waste, industrial scrap, agricultural waste and other items, all of which can be used in the manufacture of new products.

Post-consumer recycled material: Post-consumer recycled material is a finished material or product that has served its intended use and would normally be disposed of as solid waste. Examples of post-consumer recovered materials include, but are not limited to: old newspapers, office paper, yard waste, steel, glass, aluminum cans, plastic bottles, oil, asphalt, concrete, and tires.

Practicable: Practicable materials are materials that are sufficient in performance and available at a reasonable price within a reasonable time period.

Pre-consumer material: Pre-consumer materials are materials or by-products generated after the manufacturing of a product is completed, but before the product reaches the end use consumer. Examples of pre-consumer materials include, but are not limited to; obsolete inventories of finished goods, rejected unused stock and paper wastes generated during printing, cutting and other converting operations.

Waste reduction: Waste reduction is any action undertaken by an individual or organization to eliminate or reduce the amount of materials before they enter the waste disposal system.

Honorable Mayor and Members
Of the Marina City Council

City Council Meeting
of November 3, 2015

**CITY COUNCIL CONSIDER ADOPTING RESOLUTION NO. 2015-,
AUTHORIZING AND ADOPTING A POLICY TO ENCOURAGE AND
INCREASE THE USE OF ENVIRONMENTALLY PREFERABLE PRODUCTS
AND SERVICES USED BY THE CITY AND PROMOTE PRACTICES THAT
IMPROVE PUBLIC AND WORKER HEALTH AND CONSERVE NATURAL
RESOURCES WHILE REMAINING FISCALLY RESPONSIBLE AND
COMPLYING WITH THE CALIFORNIA INTERGRATED WASTE
MANAGEMENT ACT (AB939)**

REQUEST:

It is requested that the City Council consider:

- 1) Adopting Resolution No.2015- authorizing the adoption of a policy supporting the purchase of recycled and environmentally preferred products, and;
- 2) Encourage waste prevention by the use of recycled and recyclable materials through purchasing practices with vendors, contractors and other governmental agencies, and;
- 3) Demonstrate that the City of Marina is making a good faith effort to maximize conservation of natural resources, reduce pollution and waste and complying with environmental regulations, and;
- 4) Demonstrate the City of Marina is committed to complying with the California Integrated Waste Management Act, (AB939)

BACKGROUND:

The California Integrated Waste Management Act requires Cities and Counties to adopt Source Reduction and Recycling Elements among other elements, which identify the source reduction, recycling and composting programs to be implemented to meet the waste diversion mandated of the Act. Marina selected Procurement in the Source Reduction and Recycling Elements, however, the City never adopted policies or procedures to guide purchasing staff to implement this program. Recycling is a key component of a successful solid waste management process, thus diverting tons of material from landfills that can be converted into other useful goods. However, recycling is not truly completed without purchasing recycled goods and minimizing the use of virgin materials. In this way, not only is landfill space saved by recovering material, but it avoids the use of virgin natural resources to make new products. Therefore, a holistic approach of recycling becomes critical to long term planning in that natural resources are not infinite, nor is the landfill space that would be used for disposal. The Policy is an additional way of formalizing the City's existing commitment to sustainability and to take it a step further by incorporating environmentally responsible purchasing practices for all items. Many of our sustainability goals are interconnected, such as minimizing carbon output, conserving water and energy, and producing less waste. These goals are supported by the items that we purchase, and the Environmentally Preferred Product (EPP) is a clear directive that would indicate the City's priorities.

ANALYSIS:

Prioritizing the purchase and use of environmentally preferable products also demonstrates that the City of Marina is committed to complying with the California Integrated Waste Management Act (AB939), which requires all California jurisdictions to reduce by 50% municipal solid waste going to landfills.

The City's goal is to generate less waste material by reviewing how supplies, materials and equipment is purchased, manufactured, packaged, delivered and disposed of. This policy is necessary for the City to comply with environmental regulations, and it demonstrates that the City is making a "good faith" effort to maximize conservation of natural resources and reduce pollution and waste. This Policy supports the recycling hierarchy of reduce-reuse-recycle through the minimizing of waste, reusing materials, recycling materials that cannot be source-reduced, and purchasing recycled content and environmentally preferred products. The City of Marina acknowledges that unless we "buy recycled" we are not truly recycling ("EXHIBIT A").

FISCAL IMPACT:

None:

CONCLUSION:

This request is submitted for City Council consideration and possible action.

Respectfully submitted,

Daniel Paolini
Chief Building Official
City of Marina

REVIEWED/CONCUR:

Theresa Szymanis, AICP
Acting Director, Development Department
City of Marina

Layne P. Long
City Manager
City of Marina