

RESOLUTION NO. 12-11

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LANCASTER, CALIFORNIA, APPROVING THE APPLICATION FOR THE CITY OF LANCASTER TO BECOME CERTIFIED AND PARTICIPATE IN THE COVERED ELECTRONIC WASTE RECOVERY AND RECYCLING PAYMENT SYSTEM; AND IF SELECTED, APPROVING THE EXECUTION OF A STANDARD AGREEMENT AND ANY AMENDMENTS THERETO; AND ANY RELATED DOCUMENTS NECESSARY TO PARTICIPATE IN THE COVERED ELECTRONIC WASTE RECOVERY AND RECYCLING PAYMENT SYSTEM WITHIN THE CITY. AUTHORIZE THE CITY MANAGER, OR HIS/HER DESIGNEE, TO EXECUTE ANY DOCUMENTS NECESSARY TO REGISTER AND TAKE OTHER ACTIONS APPROPRIATE TO FACILITATE THE APPLICATION, IN ITS ENTIRETY, INCLUDING THE EXECUTION OF ALL CONTRACTS OR AGREEMENTS WITH AN APPROVED CERTIFIED ELECTRONIC WASTE RECYCLER.

WHEREAS, on September 24, 2003, the Electronic Waste Recycling Act of 2003 (Act), Chapter 526, Statutes of 2003 (SB 20, Sher) became law with the purpose of improving the growing challenge of appropriately managing discarded electronic equipment; and

WHEREAS, the Act authorizes the California Integrated Waste Management Board (CIWMB), now the California Department of Resources Recycling and Recovery (CalRecycle) to administer a covered electronic waste recovery and recycling payment system to establish and enhance an infrastructure for the proper management of electronic wastes collected by municipalities, nonprofit organizations, and private entities; and

WHEREAS, Title 14, California Code of Regulations, Section 18660.11(b)(2)(F) requires a local government agency to provide a resolution from the governing body of the local agency authorizing the agency to participate in the payment system; and

WHEREAS, an entity intending to participate in the covered electronic waste recovery and recycling payment system must secure approval from the CalRecycle prior to handling materials for which payment will be sought.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED BY THE CITY COUNCIL OF THE CITY OF LANCASTER, STATE OF CALIFORNIA, THAT:

Section 1. The City authorizes the submittal of an application to the California Department of Resources Recycling and Recovery (CalRecycle) for approval to participate in the Covered Electronic Waste Recovery and Recycling Payment System.

Section 2. The Director of Public Works, or his/her designee, is hereby authorized and empowered to execute all necessary documents, including but not limited to: applications, agreements, amendments, contracts, and payment requests to secure payment funds and to implement and carry out the purposes specified in the Act and payment system.

Section 3. If the application is approved, the City hereby agrees to use the Covered Electronic Waste Recovery and Recycling Payment System for eligible activities in the manner presented within the approved application, as approved by the Department of Public Works, and in accordance with the regulations cited above. The City may also execute a standard agreement, any amendments thereto, and any and all other documents or instruments necessary or required by CalRecycle for participation in the Covered Electronic Waste Recovery and Recycling Payment System (collectively, the required documents).

Section 5. This Resolution is consistent with the budgetary and financial circumstances of the City, as of the date hereof. Current electronic waste funds already received are, or are reasonably expected to be reserved, or otherwise set aside by the City (or any related party), pursuant to their budget or financial policies with respect to the costs of this CalRecycle application. To the best of our knowledge, the City is not aware of the previous adoption of official intents by the City that have been made as a matter of course for the purpose of reimbursing expenditures and for which tax-exempt obligations have not been issued.

Section 6. This Resolution is adopted as an official action of the City. In order to comply with the Electronic Waste Recycling Act and any other regulations of CalRecycle, all expenditures incurred prior to the date of issue of this application are part of the City's official proceedings and will be available for inspection by the general public at the main administrative office of the City.

Section 7. All the recitals in this Resolution are true and correct and the City so finds, determines, and represents.

PASSED, APPROVED and ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2012,  
by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVED:

\_\_\_\_\_  
GERI K. BRYAN, CMC  
City Clerk  
City of Lancaster

\_\_\_\_\_  
R. REX PARRIS  
Mayor  
City of Lancaster

STATE OF CALIFORNIA            }  
COUNTY OF LOS ANGELES       }ss  
CITY OF LANCASTER             }

CERTIFICATION OF RESOLUTION  
CITY COUNCIL

I, \_\_\_\_\_, \_\_\_\_\_ City of Lancaster, CA, do  
hereby certify that this is a true and correct copy of the original Resolution No. 12-11, for which  
the original is on file in my office.

WITNESS MY HAND AND THE SEAL OF THE CITY OF LANCASTER, on this \_\_\_\_\_  
day of \_\_\_\_\_, \_\_\_\_\_.

(seal)

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