

POLICY TITLE: RECYCLED CONTENT PAPER PROCUREMENT POLICY

Section 1. PURPOSE.

A. It is the policy of the City of Santa Cruz (“City”), applicable to all departments and divisions, to incorporate environmental considerations including recycled-content products into purchasing practices and procurement to the extent practically feasible. This recovered Recycled-Content Paper Procurement Policy (“Policy”) will help the City to:

1. Protect and conserve natural resources, water, and energy;
2. Minimize the City’s contribution to climate change, pollution, and solid waste disposal; and,
3. Comply with State requirements as contained in 14 CCR Division 7, Chapter 12, Article 12 (SB 1383 procurement regulations) to purchase recycled-content paper products and recycled-content printing and writing paper.
4. Comply with Santa Cruz Municipal Code Section 3.08.260, which is consistent with SB 1383 requirements.

SECTION 2. DEFINITIONS.

A. “Paper Products” include, but are not limited to, paper janitorial supplies, cartons, wrapping, packaging, file folders, hanging files, corrugated boxes, tissue, and toweling; or as otherwise defined in 14 CCR Section 18982(a)(51).

B. “Printing and Writing Papers” include, but are not limited to, copy, xerographic, watermark, cotton fiber, offset, forms, computer printout paper, white wove envelopes, manila envelopes, book paper, note pads, writing tablets, newsprint, and other uncoated writing papers, posters, index cards, calendars, brochures, reports, magazines, and publications; or as otherwise defined in 14 CCR Section 18982(a)(54).

C. “Recordkeeping Designee” means the public employee appointed by the Director of Finance or their designee to track procurement and maintain records of recovered organic waste product procurement efforts both by the City and others, if applicable, as required by 14 CCR, Division 7, Chapter 12, Articles 12 and 13.

D. "Recyclability" means that the paper products and printing and writing paper offered or sold to the City are eligible to be labeled with an unqualified recyclable label as defined in 16 Code of Federal Regulations Section 260.12 (2013).

E. “Recycled-Content Paper Products and Recycled-Content Printing and Writing Paper” means such products that consist of at least thirty percent (30%), by fiber weight, postconsumer fiber, consistent with the requirements of Sections 22150 to 22154 and Sections 12200 and 12209 of the Public Contract Code, and as amended.

F. “SB 1383” means Senate Bill 1383 of 2016 approved by the Governor on September 19, 2016, which added Sections 39730.5, 39730.6, 39730.7, and 39730.8 to the Health and Safety Code, and added Chapter 13.1 (commencing with Section 42652) to Part 3 of Division 30 of the Public Resources Code, establishing methane emissions reduction targets in a statewide effort to reduce emissions of short-lived climate pollutants, as amended, supplemented, superseded, and replaced from time to time.

G. “SB 1383 regulations” or “SB 1383 regulatory” means or refers to, for the purposes of this policy, the Short-Lived Climate Pollutants (SLCP): organic waste reductions regulations developed by CalRecycle and adopted in 2020 that created Chapter 12 of 14 CCR, Division 7 and amended portions of regulations of 14 CCR and 27 CCR.

H. “State” means the State of California.

SECTION 3. RECYCLED-CONTENT PAPER PROCUREMENT¹

3.1 Requirements for City Departments

A. Price preference: If fitness and quality of Recycled-Content Paper Products and Recycled-Content Printing and Writing Paper are equal to that of non-recycled items, all departments and divisions of the City shall purchase Recycled-Content Paper Products and Recycled-Content Printing and Writing Paper that consists of at least thirty percent (30%), by fiber weight, postconsumer fiber, whenever the total cost is the same or a lesser total cost than non-recycled items or whenever the total cost is no more than fifteen percent (15%) of the total cost for the non-recycled items, consistent with the requirements of the Public Contract Code, Sections 22150 through 22154 and Sections 12200 and 12209, as amended.

B. All Paper Products and Printing and Writing Paper shall be eligible to be labeled with an unqualified recyclable label as defined in Title 16 Code of Federal Regulations Section 260.12 (2013).

C. Provide records to the Recordkeeping Designee of all Paper Products and Printing and Writing Paper purchases within thirty (30) days of the purchase (both recycled-content and non-recycled content, if any is purchased) made by a division or department or employee of the City. Records shall include a copy of the invoice or other documentation of purchase, written certifications as required in Section 3.2.A.3-4 for recycled-content purchases, vendor name, purchaser name, quantity purchased, date purchased, and recycled content (including products that

¹ The Recycled-Content Paper Procurement Policy is consistent with prior Council Policy 29.9, and adds additional provisions to meet SB 1383 requirements, consistent with City Council Resolution, which adopted this policy.

contain none), and if non-Recycled-Content Paper Products and/or non-Recycled-Content Printing and Writing Paper are provided, include a description of why Recycled-Content Paper Products and/or Recycled-Content Printing and Writing Paper were not provided.

3.2 Requirements for Vendor

A. All vendors that provide paper products (including janitorial paper products) and printing and writing paper to the City shall:

1. Provide recycled-content paper products and recycled-content printing and writing paper that consists of at least thirty percent (30%), by fiber weight, postconsumer fiber, if fitness and quality are equal to that of non-recycled item, and available at equal or lesser price or available at no more than fifteen percent (15%) of the total cost for non-recycled Paper Products.
2. Only provide Paper Products and Printing and Writing Papers that meet Federal Trade Commission Recyclability standard as defined in Title 16 Code of Federal Regulations Section 260.12 (2013).
3. Certify in writing, under penalty of perjury, the minimum percentage of postconsumer material in the Paper Products and Printing and Writing Paper offered or sold to the City. This certification requirement may be waived if the percentage of postconsumer material in the Paper Products, Printing and Writing Paper, or both can be verified by a product label, catalog, invoice, or a manufacturer or vendor internet website.
4. Certify in writing, under penalty of perjury, that the Paper Products and Printing and Writing Paper offered or sold to the City is eligible to be labeled with an unqualified recyclable label as defined in Title 16 Code of Federal Regulations Section 260.12 (2013).
5. Provide records to the Recordkeeping Designee of all Paper Products and Printing and Writing Paper purchased from the vendor within thirty (30) days of the purchase (both recycled-content and non-recycled content, if any is purchased) made by a division or department or employee of the City. Records shall include a copy of the invoice or other documentation of purchase, written certifications as required in Section 3.2.A.3-4 for recycled-content purchases, purchaser name, quantity purchased, date purchased, and recycled content (including products that contain none), and if non-Recycled-Content Paper Products and/or non- Recycled-Content Printing and Writing Paper are provided, include a description of why Recycled-Content Paper Products and/or Recycled-Content Printing and Writing Paper were not provided.

B. All vendors providing printing services to the City via a printing contract or written agreement, shall use Printing and Writing Paper that consists of at least thirty percent (30%), by fiber weight, postconsumer fiber, or as amended by Public Contract Code Section 12209.

SECTION 4. RECORDKEEPING RESPONSIBILITIES

A. The Finance Department will be the responsible department and will select an employee to act as the Recordkeeping Designee who will be responsible for obtaining records pertaining to Recycled-Content Paper Procurement.

B. The Recordkeeping Designee will do the following to track Procurement of Recycled-Content Paper Products:

1. Collect and collate copies of invoices or receipts (paper or electronic) or other proof of purchase that describe the procurement of Printing and Writing Paper and Paper Products, including the volume and type of all paper purchases; and, copies of certifications and other required verifications from all departments and/or divisions procuring Paper Products and Printing and Writing Paper (whether or not they contain recycled content) and/or from the vendors providing Printing and Writing Paper and Paper Products. These records must be kept as part of the City's documentation of its compliance with 14 CCR Section 18993.3.

2. Collect, collate, and maintain documentation submitted by the City, and/or vendors, including the information reported to the Recordkeeping Designee in accordance with Sections 3.1.C, and 3.2.A.5.

3. Compile an annual report on the City's direct procurement, and vendor/other procurement on behalf of the City, of Recycled-Content Paper Products consistent with the recordkeeping requirements contained in 14 CCR Section 18993.4 for Recycled-Content Paper Procurement. This report shall be made available to the City's responsible entity for compiling the annual report to be submitted to CalRecycle (which will include a description of compliance on many other SB 1383 regulatory requirements) pursuant to 14 CCR Division 7, Chapter 12, Article 13. The procurement report shall also be shared with the City Council or other regulating body annually as evidence of implementing this Policy.

SECTION 5. EFFECTIVE DATE OF POLICY

This Policy shall go into effect immediately.

AUTHORIZATION: Resolution No. NS-29,889 adopted 10/09/21