

No. 108-23



Filed DECEMBER 05, 2023

By HEATHER RYAN

SR. Board Clerk of the Board of Supervisors

RESOLUTION
OF THE BOARD OF SUPERVISORS OF THE COUNTY OF TUOLUMNE

Whereas, Title 14 California Code of Regulations Sections 18993.3 and 18993.4 requires that jurisdiction's purchases of paper products and printing and writing paper be consistent with Public Contract Code (PCC) requirements (PCC Sections 22150-22154) and be eligible to be labeled with an unqualified recyclable label [16 Code of Federal Regulations Section 260.12 (2013)]; and

Whereas, jurisdictions must maintain written certification and other verification from product vendors certifying that the products meet the recycled-content and recyclability requirements; and

Whereas, the adoption of County of Tuolumne Paper Products Procurement Policy will promote compliance with these legal requirements.

Now Therefore Be It Resolved, the County of Tuolumne Board of Supervisors hereby adopts the County of Tuolumne Paper Products Procurement Policy in Exhibit A attached hereto and by this reference made a part hereof.

ADOPTED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF TUOLUMNE ON DECEMBER 05, 2023

AYES:	1st Dist. <u>DAVID GOLDENBERG</u>	NOES:	_____	Dist.
	2nd Dist. <u>RYAN CAMPBELL</u>		_____	Dist.
	3rd Dist. <u>DANIEL ANASTAS KIRK</u>	ABSENT:	_____	Dist.
	4th Dist. <u>KATHLEEN HAFF</u>		_____	Dist.
	5th Dist. <u>JASON BRANDON</u>	ABSTAIN:	_____	Dist.

K. Haff

CHAIR OF THE BOARD OF SUPERVISORS

ATTEST: *[Signature]*
SR. Board Clerk of the Board of Supervisors

No. 108-23

I hereby certify that according to the provisions of Government Code Section 25103, delivery of this document has been made.

HEATHER D. RYAN
Board Clerk

By: *[Signature]*

Exhibit A



COUNTY OF TUOLUMNE PAPER PRODUCTS PROCUREMENT POLICY

SECTION 1. PURPOSE

- A. It is the policy of the County of Tuolumne (County), applicable to all departments and divisions, to incorporate environmental considerations including recycled content purchasing practices and procurement. This Paper Products Procurement Policy (Policy) will help the County to:
1. Protect and conserve natural resources, water, and energy;
 2. Minimize the County'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 procure and to purchase Recycled-Content Paper Products and Recycled-Content Printing and Writing Paper.

SECTION 2. DEFINITIONS

- A. "Direct Service Provider" means a person, company, agency, district, or other entity that provides a service or services to the County pursuant to a contract or other written agreement or as otherwise defined in 14 CCR Section 18982(a)(17).
- B. "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).
- C. "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).
- D. "Recordkeeping Designee" means the county purchasing representative designated to track procurement and maintain records of Paper Product procurement efforts both by the County and others, if applicable, as required by 14 CCR, Division 7, Chapter 12, Articles 12 and 13.



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- E. "Recyclability" means that the Paper Products and Printing and Writing Paper offered or sold to the County are eligible to be labeled with an unqualified recyclable label as defined in 16 Code of Federal Regulations Section 260.12 (2013).
- F. "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.
- G. "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.
- H. "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.

SECTION 3. RECYCLED-CONTENT PAPER PROCUREMENT

3.1 Requirements for County Departments

- A. 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 County shall purchase Recycled-Content Paper Products and Recycled-Content Printing and Writing Paper that consists of at least thirty percent (30%), Toilet Paper consisting of forty-five percent (45%), Paper Towels consisting of forty percent (40%), Facial Tissue consisting of ten percent (10%), Toilet Seat Covers consisting of twenty percent (20%), Paper Wipes consisting of forty percent (40%), Food Service Ware (napkins, plates, bowls, food trays, take out boxes, placemats, etc.) consisting of forty percent (40%) 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 three percent (3%) of the total cost for the non-recycled items, consistent with the requirements of the Public Contract Code, Sections 22150 through



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22154 and Sections 12200 and 12209, as amended and Tuolumne County Ordinance Code (TCOC) Section 2.24.040 D.

- 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 procured annually within thirty (30) days of request from the Recordkeeping Designee. Records shall include description of both recycled-content and non-recycled content (if any is purchased) made by a division, department, and/or employee of the County. Records shall also include a copy of the invoice or other documentation of purchase, written certifications as required in Section 3.2.A.3-4 for recycle content purchases, vendor name, 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 purchased, include a description detailing why Recycled-Content Paper Products and/or Recycled-Content Printing and Writing Paper were not purchased.

3.2 Requirements for Vendors

- A. All vendors that provide Paper Products (including janitorial Paper Products) and Printing and Writing Paper to the County shall:
 - 1. Provide Recycled-Content Paper Products and Recycled-Content Printing and Writing Paper that consists of at least thirty percent (30%), Toilet Paper consisting of forty-five percent (45%), Paper Towels consisting of forty percent (40%), Facial Tissue consisting of ten percent (10%), Toilet Seat Covers consisting of twenty percent (20%), Paper Wipes consisting of forty percent (40%), Food Service Ware (napkins, plates, bowls, food trays, take out boxes, placemats, etc.) consisting of forty percent (40%) by fiber weight, postconsumer fiber, if fitness and quality are equal to that of a non-recycled item, and is available at no more than three percent (3%) of the total cost of the non-recycled items.
 - 2. Only 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 County. 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,



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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 County 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, department and/or employee of the County. Records shall include a copy of the invoice or other documentation of the 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 County 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 County Administrator, Procurement division will be the responsible department and will select an employee to act as the Recordkeeping Designee that will be responsible for obtaining records pertaining to Procurement of Recycled-Content Paper Products and Recycled-Content Printing and Writing Paper.
- B. The Recordkeeping Designee will do the following to track Procurement of Recycled-Content Paper Products and Recycled-Content Printing and Writing Paper:
 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



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content) and/or from the vendors providing Printing and Writing Paper and Paper Products. These records must be kept as part of the County's documentation of its compliance with 14 CCR Section 18993.3.

2. Collect, collate, and maintain documentation submitted by the County, Direct Service Providers, and/or vendors, including the information reported to the Recordkeeping Designee in accordance with Section 3.2.A.3-4.
3. Compile an annual report on the County's direct procurement, and vendor/other procurement on behalf of the County, of Recycled-Content Paper Products and Recycled-Content Printing and Writing Paper, consistent with the recordkeeping requirements contained in 14 CCR Section 18993.4 for Recycled-Content Paper Products and Recycled-Content Printing and Writing Paper procurement. This report shall be made available to the County's Public Works Department, Solid Waste Division 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 Solid Waste Director annually as evidence of implementing this Policy.

SECTION 5. EFFECTIVE DATE OF POLICY

This Policy shall go into effect immediately.