

OFFICE

# OAKLAND CITY COUNCIL

  
City Attorney

2007 JUN 12 PM 5:30

RESOLUTION No. 80747 C.M.S.

**RESOLUTION ADOPTING AN ENVIRONMENTALLY PREFERABLE PURCHASING POLICY FOR THE CITY OF OAKLAND THAT ADDS ENVIRONMENTAL AND HUMAN HEALTH ATTRIBUTE CRITERIA IN THE ACQUISITION OF GOODS AND SERVICES, COMPLEMENTING TRADITIONAL PURCHASING CRITERIA SUCH AS PERFORMANCE, QUALITY, SERVICE, PRICE, AND LOCAL AVAILABILITY AND IN THE GOODS AND SERVICES PROVIDED THROUGH GRANT PROGRAMS BY CITY GRANT RECIPIENTS**

**WHEREAS**, in 1994, the Council passed Resolution #70814 C.M.S. adopting a Source Reduction and Recycling Procurement Policy to increase the purchase of recycled-content products used by City agencies and departments, and to reduce waste in the manufacture and use of products and packaging purchased by the City; and

**WHEREAS**, in 1997 the Council approved the implementation of a comprehensive Integrated Pest Management Policy and passed Resolution #73968 C.M.S. to prohibit the use of pesticides on City property except as specifically exempted; and

**WHEREAS**, the Council adopted the Sustainable Community Development Initiative through Resolution #74678 C.M.S. in 1998, with a goal to make the City of Oakland's operations and services a model of sustainable development practices including waste reduction, recycling and the purchases of environmentally preferable products; and

**WHEREAS**, in 1999, the Council passed Resolution #74773 C.M.S. preventing Dioxin pollution in all City operations; and

**WHEREAS**, in 2003 through Resolution #77842 C.M.S., the City Council established the "Green Fleet" policy to reduce greenhouse gas emissions and improve air quality by increasing the energy efficiency of the City's fleet; and

**WHEREAS**, in 2005 through Ordinance #12658 C.M.S. the Council adopted a Green Building Ordinance that requires Green Building standards to be incorporated into certain City building projects to meet the LEED-Silver rating under the US Green Building Council; and

**WHEREAS**, in 2006 the Council passed Resolution #79775 C.M.S., adopting a Waste Reduction and Recycling Strategic Plan to achieve a 75% solid waste diversion goal by 2010; and

**WHEREAS**, in 2006 through Resolution #79774 C.M.S., the City Council assumed a leadership role in advocating waste reduction principles for materials management by adopting a Zero Waste goal for year 2020; and

**WHEREAS**, the Waste Reduction and Recycling Strategic Plan and the Zero Waste Strategic Plan recommend the adoption of an Environmentally Preferable Purchasing (EPP) policy as a strategy to achieve the 75% diversion and the zero waste goals; and

**WHEREAS**, in 2006 Council passed Ordinance #12747 C.M.S. to adopt the Polystyrene Foam Disposable Food Service Ware Ordinance that prohibits the use of extended polystyrene food ware by food vendors, restaurants and City facilities; and

**WHEREAS**, through Resolution #80390 C.M.S., adopted in 2007, the City supported State and local legislation that would hold producers responsible for the management of post consumer waste products; endorsed the development of an Environmentally Preferable Purchasing policy that would give preference to City vendors who employ waste reduction and recycling practices to manage products at the end of their useful life; and

**WHEREAS**, the City of Oakland is charged with protecting the public health and welfare of its residents and workers and assumes the authority and responsibility to comply with the California Health and Safety Code Chapter 6.95 and the Oakland Municipal Code Chapter 8.12; and

**WHEREAS**, EPP is defined through the US Environmental Protection Agency's Executive Order No. 13101 (Greening the Government Through Waste Prevention, Recycling and Federal Acquisition), as the "act of purchasing products and services for which the environmental impacts have been considered and found to be less damaging to the environment and human health than competing products and services that serve the same purpose"; and

**WHEREAS**, the goal of an EPP policy is a careful selection of products and services to ensure that environmental and human health are sustained and improved by considering environmental and health factors when making purchasing decisions; and

**WHEREAS**, the environmental and health factors that make a product preferable to purchase over other products include that such products are durable, made from renewable or recycled materials, minimize green house gas and dioxin emissions in their manufacture or use, minimize waste production, and reduce water and energy consumption; now therefore be it

**RESOLVED:** That the City Council does hereby adopt an Environmentally Preferable Purchasing Policy that will be implemented in a phased in manner, beginning with the development of implementation tools and resources and followed by an EPP program; and be it

**FURTHER RESOLVED:** That the City of Oakland's purchasing ordinance, Oakland Municipal Code , Title 2, Chapter 2.04, shall be amended to require vendors and contractors to comply with applicable sections of this Policy for products and services provided to the City; and be it

**FURTHER RESOLVED:** That all grant recipients shall be required to comply with applicable sections of this Policy for products and services provided through grant programs by City grant recipients; and be it

**FURTHER RESOLVED:** that the City of Oakland will work with other cities and government agencies to apply regional leverage for buying specifications only to promote and increase the demand for environmentally preferable products, packaging, distribution systems and services.

IN COUNCIL, OAKLAND, CALIFORNIA, JUL 17 2007, 20    

**PASSED BY THE FOLLOWING VOTE:**

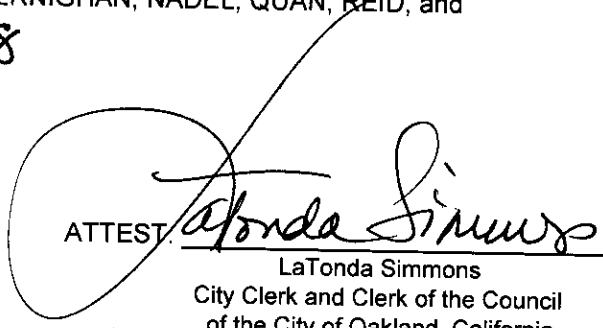
AYES -           BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, and  
                  PRESIDENT DE LA FUENTE - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST



LaTonda Simmons

LaTonda Simmons  
City Clerk and Clerk of the Council  
of the City of Oakland, California