

**RESOLUTION NO. 2022-26**  
**A RESOLUTION OF THE BOARD OF DIRECTORS**  
**OF THE PHELAN PINON HILLS COMMUNITY SERVICES DISTRICT**  
**ESTABLISHING A RECYCLED-CONTENT PAPER PROCUREMENT POLICY**

**WHEREAS**, the Phelan Piñon Hills Community Services District ("District") is a public agency organized and operating as a Community Services District pursuant to California Government Code Section 61000 et seq.; and

**WHEREAS**, the District is governed by a Board of Directors ("Board") expressly authorized by Government Code Section 61040(a) to establish policies for the operation the District's functions and services; and

**WHEREAS**, a Recycled-Content Paper Procurement Policy has been presented to the Board of Directors of the Phelan Piñon Hills Community Services District in the form attached to this Resolution and marked "Recycled-Content Paper Procurement Policy."

**NOW, THEREFORE, BE IT RESOLVED** by the District's Board of Directors of the Phelan Pinon Hills Community Services District as follows:

Section 1.

The Recycled-Content Paper Procurement Policy, attached hereto and incorporated herein by this reference, is hereby adopted.

Section 2.

The Recycled-Content Paper Procurement Policy adopted by this Resolution shall take effect immediately upon its adoption.

**APPROVED, SIGNED, AND ADOPTED** by the Board of Directors of the Phelan Piñon Hills Community Services District at a regular meeting held on the 20th day of July 2022, by the following vote:

AYES: Hoffman, Kujawa, Philips, Roberts  
NOES:  
ABSTENTIONS:  
ABSENT:

  
\_\_\_\_\_  
President, Board of Directors  
Phelan Piñon Hills Community Services District

ATTEST

  
\_\_\_\_\_  
Secretary,  
Phelan Piñon Hills Community Services  
District and of the Board of Directors

# RECYCLED-CONTENT PAPER PROCUREMENT POLICY

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## **SECTION 1. PURPOSE**

- A. It is the policy of the District to incorporate environmental considerations into purchasing practices and procurement. This Recycled-Content Paper Procurement Policy (Policy) will help the District to:
1. Protect and conserve natural resources, water, and energy;
  2. Minimize the District's contribution to 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.

## **SECTION 2. DEFINITIONS**

- A. "District" The Phelan Pinon Hills Community Services District.
- B. "Organic Waste" means solid wastes containing material originated from living organisms and their metabolic waste products including, but not limited to, food, yard trimmings, organic textiles and carpets, lumber, wood, Paper Products, Printing And Writing Paper, manure, biosolids, digestate, and sludges, or as otherwise defined in 14 CCR Section 18982(a)(46). Biosolids and digestate are as defined in 14 CCR Section 18982(a)(4) and 14 CCR Section 18982(a)(16.5), respectively.
- C. "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).
- D. "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).
- E. "Recordkeeping Designee" means the public employee appointed by the District Manager or their designee to track procurement and maintain records of procurement efforts both by the District and others, if applicable, as required by 14 CCR, Division 7, Chapter 12, Articles 12 and 13.
- F. "Recyclability" means that the Paper Products and Printing and Writing Paper offered or sold to the District are eligible to be labeled with an unqualified

recyclable label as defined in 16 Code of Federal Regulations Section 260.12 (2013).

- G. "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.
- H. "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.
- I. "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.
- J. "State" means the State of California.

### **SECTION 3. RECYCLED-CONTENT PAPER PROCUREMENT**

#### **3.1 Requirements for the District**

- A. Comparable or more favorable pricing: If fitness and quality of Recycled-Content Paper Products and Recycled-Content Printing and Writing Paper are equal to that of non-recycled items, the District 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 available at the same or a lesser total cost than non-recycled items, consistent with the requirements of the Public Contracts 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 on a schedule to be determined by Recordkeeping Designee (both recycled-content and non-recycled content, if any is purchased) made by an employee of the District. Records shall include a copy of the invoice or other documentation of purchase, written certifications as required in Section 4.2.A.3-4 for recycled-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 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 Vendors**

- A. All vendors that provide Paper Products (including janitorial Paper Products) and Printing and Writing Paper to District 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.
  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 District. 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 District 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 on a schedule to be determined by Recordkeeping Designee (both recycled-content and non-recycled content, if any is purchased) made by a division or department or employee of the District. 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 District 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 General Manager or their designee will be responsible and will select an employee to act as the Recordkeeping Designee that will be responsible for obtaining records pertaining to Recycled-Content Paper Products and Recycled-Content Printing and Writing Paper.
- B. The Recordkeeping Designee will do the following to track 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 employees 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 District's documentation of its compliance with 14 CCR Section 18993.3.
  - 2. Compile an annual report on the District's direct procurement, and vendor/other procurement on behalf of the District, 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 District'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 District's Board of Directors annually as evidence of implementing this Policy.

#### **SECTION 5. EFFECTIVE DATE OF POLICY**

This Policy shall go into effect immediately.