

RESOLUTION NO. 2018-76

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
FULLERTON, CALIFORNIA, REQUESTING ADDITION TO  
THE ORANGE COUNTY RECYCLING MARKET  
DEVELOPMENT ZONE AS A PARTICIPATING  
JURISDICTION

WHEREAS, California Public Resources Code section 42010, *et al.* provides for the establishment of the Recycling Market Development Zone (RMDZ) program throughout the State which provides incentives to stimulate development of post-consumer and secondary materials markets for recyclables; and

WHEREAS, all California jurisdictions must meet a 50% reduction in landfill waste disposal as mandated by the California Integrated Waste Management Act; and

WHEREAS, the Orange County Recycling Market Development Zone ("OCRMDZ") currently includes designated areas in Huntington Beach, Orange, Santa Ana, Garden Grove, Stanton, and the County of Orange (unincorporated); and

WHEREAS, the OCRMDZ is dedicated to establishing, sustaining, and expanding recycling-based manufacturing businesses, which is essential for market development and to assist these jurisdictions in meeting the established landfill waste reduction goals; and

WHEREAS, the City of Fullerton and Lake Forest desire for existing and new recycling-based manufacturing businesses located within its jurisdiction to be eligible for the technical and financial incentives associated with the RMDZ program; and

WHEREAS, the addition of the City of Fullerton and Lake Forest to the OCRMDZ is necessary to facilitate local and regional planning, coordination, and support existing recycling-based manufacturing businesses, as well as attract private sector recycling investments to the RMDZ; and

WHEREAS, the continued development of local markets for recycled materials would reduce the need to transport them out of the region in the future; and

WHEREAS, the current and proposed waste management practices and conditions are favorable to the development of post-consumer and secondary waste materials markets; and

WHEREAS, local governing bodies may receive RMDZ program related payments as authorized by the Public Resources Code; and

WHEREAS, the California Legislature has defined environmental justice as “the fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies” [Government Code section 65040.12(e)], and has directed the California Environmental Protection Agency to conduct its programs, policies, and activities that substantially affect human health or the environment in a manner that ensures the fair treatment of people of all races, cultures, and income levels, including minority populations and low-income populations of the state [Public Resources Code section 71110(a)]; and

WHEREAS, CalRecycle has adopted a goal to continuously integrate environmental justice concerns into all of its programs and activities; and

WHEREAS, the cities of Huntington Beach, Orange, Santa Ana, Garden Grove, Stanton, the County of Orange (unincorporated), Lake Forest, and Fullerton have agreed to submit an application to CalRecycle requesting the expansion of the boundaries of OCRMDZ due to the addition of the City of Fullerton as a participating jurisdiction; and

WHEREAS, the City of Huntington Beach has agreed to act as Lead Agency for the proposed expansion; and

WHEREAS, in accordance with the California Environmental Quality Act (CEQA), the City of Fullerton has determined that this expansion is exempt from CEQA as it does not qualify as a project pursuant to CEQA Guidelines section 15378; and

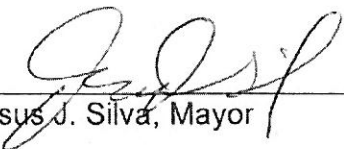
WHEREAS, the City of Fullerton adopts this determination and finds there are no reasons to prepare an environmental document.

NOW, THEREFORE, the City Council of the City of Fullerton does hereby resolve as follows:

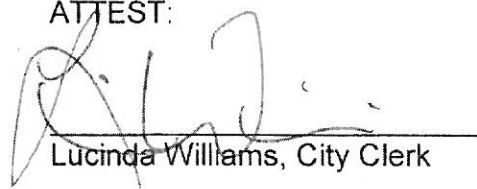
1. The City of Fullerton approves the expansion of OCRMDZ as a RMDZ and directs the City of Huntington Beach to submit an application to CalRecycle requesting expansion of Orange County Recycling Market Development Zone (“OCRMDZ”) as a RMDZ which includes cities of Huntington Beach, Lake Forest, Orange, Santa Ana, Garden Grove, Fullerton, and Stanton, and the County of Orange (unincorporated).
2. The City of Fullerton approves receipt of any Recycling Market Development Zone related payments authorized by the Public Resources Code. The City Manager is hereby authorized to execute in the name of the City of Fullerton all documents necessary to secure payment and implement the associated activities.
3. The City of Fullerton will administer the RMDZ program in a manner that seeks to ensure the fair treatment of people of all races, cultures and incomes, including

but not limited to soliciting public participation in all communities within the RMDZ, including minority and low-income populations.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF FULLERTON ON  
DECEMBER 18, 2018.

  
\_\_\_\_\_  
Jesus J. Silva, Mayor

ATTEST:

  
\_\_\_\_\_  
Lucinda Williams, City Clerk

Dated: January 7, 2019

City of Fullerton  
RESOLUTION CERTIFICATION

STATE OF CALIFORNIA    )  
COUNTY OF ORANGE    ) SS  
CITY OF FULLERTON    )

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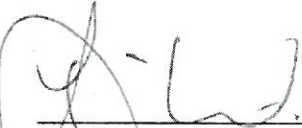
I, Lucinda Williams, City Clerk and ex-officio Clerk of the City Council of the City of Fullerton, California, hereby certify that the whole number of the members of the City Council of the City of Fullerton is four, with one seat vacant; and that the City Council adopted the above and foregoing Resolution No. 2018-76 at a regular meeting of the City Council held on the December 18, 2018 by the following vote:

COUNCIL MEMBER AYES:                   Silva, Fitzgerald, Whitaker, Zahra

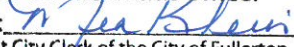
COUNCIL MEMBER NOES:                 None

COUNCIL MEMBER ABSTAINED:         None

COUNCIL MEMBER ABSENT:             None

  
\_\_\_\_\_  
Lucinda Williams, MMC  
City Clerk

The foregoing instrument is a  
full, true and correct copy of the  
original on file in this office.

Attest:   
Assistant City Clerk of the City of Fullerton

Date: 1/28/19