

RESOLUTION NO. 24-119

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS APPROVING THE SECOND AMENDMENT TO BOARD OF SUPERVISORS AGREEMENT NUMBER 11-007, JOINT POWERS AGREEMENT BETWEEN THE COUNTY OF MENDOCINO AND CITY OF FORT BRAGG FOR CASPAR LANDFILL AND SOLID WASTE TRANSFER STATION (CASPAR AREA)

WHEREAS, on January 25, 2011, the Board of Supervisors (BOS) approved BOS Agreement Number (No.) 11-007, Joint Powers Agreement (JPA) between the County of Mendocino and City of Fort Bragg for Caspar Landfill and Solid Waste Transfer Station; and

WHEREAS, among other things, the JPA discussed replacement or expansion of the Caspar Transfer Station and established a per-cubic yard "rent" to be paid by the operator of the site, to be held by the County in a dedicated account to be used for Caspar Transfer Station site improvements or development of a new site; and

WHEREAS, for reasons not now known, the rent funds were held for many years in an account by Mendocino Solid Waste Management Authority (MSWMA), not by the County, but have now been transferred to a dedicated account held by the City of Fort Bragg; and

WHEREAS, on August 13, 2013, the BOS and the Fort Bragg City Council designated a site located at 30075 Highway 20, Fort Bragg, CA as the preferred site for a new solid waste transfer station and authorized preparation of an Environmental Impact Report (EIR); and

WHEREAS, by Resolution No. 16-120 (September 19, 2016), the BOS certified the EIR for the Central Coast Transfer Station Project, adopting findings of fact, adopting a mitigation monitoring program, and approving implementation of the project; and

WHEREAS, by Resolution No. 16-121 (September 19, 2016), the BOS approved BOS Agreement No. 16-082, First Amendment to the JPA between the County of Mendocino and City of Fort Bragg for Caspar Landfill and Solid Waste Transfer Station, which stipulated how the County and City would cooperate in development and operation of the new transfer station at the designated site; and

WHEREAS, the three-way land swap that was required to develop the designated new transfer station site fell through as one party later became unwilling, rendering the project infeasible; and

WHEREAS, it is now appropriate to amend the JPA to accurately reflect the location the rent proceeds are being held and to remove the provisions added by the First Amendment to the JPA since the previously envisioned project is not moving forward at the designated site.

NOW, THEREFORE, BE IT RESOLVED that the Mendocino County Board of Supervisors hereby:

1. Approves the Second Amendment to Board of Supervisors Agreement Number 11-007, Joint Powers Agreement between the County of Mendocino and City of Fort Bragg for Caspar Landfill and Solid Waste Transfer Station; and

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2. Authorizes and directs the Chair of the Board of Supervisors to execute said Amendment on behalf of Mendocino County.

The foregoing Resolution introduced by Supervisor Haschak, seconded by Supervisor Williams, and carried this 23rd day of July, 2024, by the following vote:

AYES: Supervisors McGourty, Mulheren, Haschak, Gjerde and Williams
NOES: None
ABSENT: None

WHEREUPON, the Chair declared said Resolution adopted and SO ORDERED.

ATTEST: DARCIE ANTLE
Clerk of the Board

MAUREEN MULHEREN, Chair
Mendocino County Board of Supervisors

Deputy

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

APPROVED AS TO FORM:
CHARLOTTE E. SCOTT
County Counsel

BY: DARCIE ANTLE
Clerk of the Board

Deputy