

RESOLUTION NO. 22-240

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS APPROVING DEPARTMENT OF TRANSPORTATION AGREEMENT NUMBER 220037, AGREEMENT BETWEEN THE COUNTY OF MENDOCINO AND PACIFIC RECYCLING SOLUTIONS, INC., DBA PACIFIC ORGANICS SOLUTIONS, FOR ORGANIC WASTE COMPOSTING SERVICES, FOR THE TERM BEGINNING JANUARY 1, 2023, THROUGH JUNE 30, 2032 (COUNTYWIDE)

WHEREAS, the Legislature of the State of California, by enactment of the California Integrated Waste Management Act of 1989 ("AB 939"), has declared that it is within the public interest to authorize and require local agencies to make adequate provisions for Solid Waste handling within their jurisdictions; and

WHEREAS, the County of Mendocino (County) recognizes its obligation to provide for reliable and economical disposal of organic waste for its residents; and

WHEREAS, pursuant to California Public Resources Code Section 40059 and Mendocino County Code Section 9A.12.140(A)(4), the County has the right to direct the wastestream to be diverted to any organic waste processing facility the County may designate; and

WHEREAS, currently, all organic waste generated in the County is directed to Cold Creek Compost, Inc., a facility which is operating at the limits of its permitted capacity; and

WHEREAS, Senate Bill (SB) 1383, which went into effect on January 1, 2022, necessitates Agreements be made to provide for organic waste processing capacity and to include provisions related to organic waste handling and processing, and record-keeping and reporting requirements; and

WHEREAS, in order to guarantee sufficient organic waste processing capacity, it is in the best interest of the County and its residents to enter into agreements with multiple organic waste processing facilities; and

WHEREAS, Pacific Recycling Solutions, Inc., dba Pacific Organics Solutions (POS), operates a fully-permitted and recently-constructed facility in Ukiah and desires to enter into an agreement with the County to accept organic waste for processing; and

WHEREAS, as terms of the Agreement, POS has agreed to reserve for the County an annual organic waste processing capacity of 5,000 tons and to donate, at no cost to the County, 1,500 tons of compost annually to assist the County in meeting its new recycled organic waste product procurement requirements.

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

1. Approves DOT Agreement No. 220037, Agreement Between the County of Mendocino and Pacific Recycling Solutions, Inc., dba Pacific Organics Solutions, for Organic Waste Composting Services; and

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

The foregoing Resolution introduced by Supervisor Mulheren, seconded by Supervisor McGourty, and carried this 6th day of December, 2022, 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

TED WILLIAMS, 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:
CHRISTIAN M. CURTIS
County Counsel

BY: DARCIE ANTLE
Clerk of the Board

Deputy