

## **RESOLUTION NO. 16-121**

### **RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS APPROVING FIRST AMENDMENT TO THE JOINT POWERS AGREEMENT BETWEEN THE COUNTY OF MENDOCINO AND CITY OF FORT BRAGG FOR CASPAR LANDFILL AND SOLID WASTE TRANSFER STATION**

**WHEREAS**, the County of Mendocino (hereinafter, "County") and City of Fort Bragg (hereinafter, "City") entered into the Joint Powers Agreement Between the County of Mendocino and the City of Fort Bragg for Caspar Landfill and Solid Waste Transfer Station ("Agreement") on January 25, 2011 to revise and update their relationship concerning the Caspar Landfill and solid waste disposal generally in the greater Fort Bragg area; and

**WHEREAS**, the Agreement states that replacement or expansion of the Caspar Transfer Station is necessary to accommodate commercial solid waste collection trucks and allow long-haul direct transfer to a destination landfill, and that County and City shall cooperate in a siting and development project to provide such an expanded facility, either at the Caspar property or another site, and shall amend this Agreement as necessary to implement the expansion; and

**WHEREAS**, the County Board of Supervisors and City Council designated 30075 Highway 20 as the preferred site for a new solid waste transfer station (hereinafter, "Transfer Station") on August 13, 2013 and authorized the preparation of an Environmental Impact Report; and

**WHEREAS**, a draft Environmental Impact Report was issued on February 9, 2015 and a final Environmental Impact Report was issued on June 30, 2015; and

**WHEREAS**, a revised draft Environmental Impact Report was issued on May 11, 2016 and a revised final Environmental Impact Report was issued on September 9, 2016; and

**WHEREAS**, the County Board of Supervisors and City Council certified the Environmental Impact Report as fulfilling the requirements of the California Environmental Quality Act on September 19, 2016, and authorized further steps to proceed with the Transfer Station project; and

**WHEREAS**, based on all the evidence presented, the Board of Supervisors of Mendocino County finds as follows:

1. An amendment to the Agreement is necessary to stipulate how the County and City will cooperate in development and operation of the Transfer Station; and
2. The First Amendment to the Agreement, attached as "Exhibit A" to this resolution and incorporated herein establishes appropriate shared and individual roles and responsibilities for the County and City with regard to the new Transfer Station project.

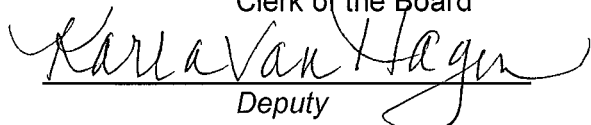
**NOW, THEREFORE, BE IT RESOLVED** that the Board of Supervisors of Mendocino County does hereby approve the First Amendment to the Joint Powers Agreement between the County of Mendocino and City of Fort Bragg for Caspar Landfill and Solid Waste Transfer Station and authorizes the Chair to execute the same on behalf of the County of Mendocino.

The foregoing Resolution introduced by Supervisor McCowen, seconded by Supervisor Hamburg, and carried this 19th day of September, 2016, by the following vote:


AYES: Supervisors Brown, McCowen, Gjerde and Hamburg  
NOES: None  
ABSENT: Supervisor Woodhouse


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

ATTEST: CARMEL J. ANGELO  
Clerk of the Board

  
Deputy

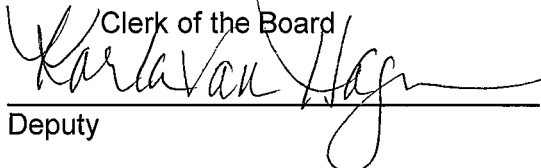
APPROVED AS TO FORM:  
KATHARINE L. ELLIOTT, County Counsel



  
DAN GJERDE, Chair  
Mendocino County Board of Supervisors

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

BY: CARMEL J. ANGELO  
Clerk of the Board

  
Deputy