



# Mendocino County

## Legislation Details (With Text)

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<b>On agenda:</b>	9/19/2016	<b>Final action:</b>		9/19/2016	
<b>Title:</b>	Discussion and Possible Adoption of Resolution Authorizing the First Amendment to Caspar Joint Powers Agreement (Joint Meeting with the Fort Bragg City Council)				
<b>Sponsors:</b>	County Counsel				
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	1. Resolution 16-121, 2. Agreement 16-082, 3. 1st amendment Caspar JPA September 2016, 4. ATT 2- Existing Caspar JPA Agreement, 5. Cal Pub Resources Code _ 4659				

Date	Ver.	Action By	Action	Result
9/19/2016	1	Board of Supervisors		

**To: Board of Supervisors**

**From: Solid Waste**

**Meeting Date:** September 19, 2016

**Department Contact:** Mike Sweeney

**Phone:** 468-9710

**Department Contact:** Katharine L. Elliott

**Phone:** 234-6885

**Item Type:** Regular Agenda

**Time Allocated for Item:** 20 Min.

**Agenda Title:**

Discussion and Possible Adoption of Resolution Authorizing the First Amendment to Caspar Joint Powers Agreement (Joint Meeting with the Fort Bragg City Council)

**Recommended Action/Motion:**

Adopt Resolution authorizing the First Amendment to the Caspar Joint Powers Agreement; and authorize Chair to sign same.

**Previous Board/Board Committee Actions:**

On January 25, 2011, the County and the City of Fort Bragg entered into an updated JPA for the Caspar Landfill and Solid Waste Transfer Station, which included a provision stating that replacement of 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 the County shall cooperate in a siting and development project to provide such an expanded facility, either at the Caspar property or another site.

On August 13, 2013, the Board of Supervisors and the Fort Bragg City Council designated a site located at 30075 Highway 20, Fort Bragg, as the preferred site for a new solid waste transfer station and authorized preparation of an Environmental Impact Report (EIR). The draft EIR was issued on February 9, 2015, and a

final EIR was issued on June 30, 2015, and a Revised Final EIR was mailed to all agencies that commented on the original Draft EIR on September 2, 2016.

**Summary of Request:**

The Caspar Transfer Station is necessary to accommodate commercial solid waste collection trucks and allow long-haul direct transfer to a destination landfill. Pursuant to the Agreement, siting and development of a project for an expanded facility, either at the Caspar property or another site, is necessary to implement the expansion. In order for the expansion to take place, the First Amendment to the Agreement is necessary to stipulate how the County and City will cooperate in development and operation of the Transfer Station. In addition, a final Environmental Impact report was issued on June 30, 2015, in accordance with fulfilling the requirements of the California Environmental Quality Act.

The Board of Supervisors and Fort Bragg City Council must certify the EIR and authorize further steps to proceed with the new transfer station project, which includes amending the JPA agreement to address the new facility.

The attached resolution includes the proposed JPA amendment. The amendment establishes the basic structure of the County-City relationship with regard to the new facility as follows:

The County would exercise the option to take title to the property pursuant to Public Resources Code section 4659.

The County and City would prepare a Request for Proposals for a private-industry entity (Contractor) to design, build and operate the new transfer station facility.

The County and City would select the Contractor and negotiate a contract between the County and Contractor. Any amendments to the contract would require City consent.

The County would administer the Contract which may include a provision for a contract administration fee to cover County's actual costs.

County and City would both commit their solid waste streams from the coastal region to the new transfer station.

While liability for design, construction and operation of the new transfer station would be contractually assigned to the Contractor, the County and City would equally share in any judgment not paid by Contractor or Contractor's insurers.

Upon opening of the new transfer station, the Caspar Self-Haul Transfer Station would be closed.

The Caspar Joint Coordinating Committee would continue its role in mediating discussions between County and City regarding issues relating to the JPA and solid waste facilities. The amendment includes a dispute resolution process.

**Alternative Action/Motion:**

Take no action or continue the matter.

**Supplemental Information Available Online at:** N/A

**Fiscal Impact:**

**Source of Funding:** N/A

**Current F/Y Cost:** N/A

**Budgeted in Current F/Y:** N/A

**Annual Recurring Cost:** N/A

**Supervisory District:** District 4

**Vote Requirement:** Majority

**Agreement/Resolution/Ordinance Approved by County Counsel:** Choose an item.

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**CEO Liaison:** Alan D. Flora, Assistant CEO

**CEO Review:** Choose an item.

**Comments:**