

RESOLUTION NO. 4215-2019

RESOLUTION OF THE FORT BRAGG CITY COUNCIL AMENDING THE FY 2019-20 BUDGET (AMENDMENT NO. 2020-03) APPROVING THE USE OF \$17,213.15 OF FORFEITED CONSTRUCTION AND DEMOLITION INCENTIVE DEPOSITS (FROM ACCOUNT NO. 190-0000-0309) TO FUND THE PURCHASE OF NINE (9) NEW DUAL-PURPOSE TRASH RECEPTICALS

WHEREAS, the majority of the dual garbage/recycling trash receptacles located in the Central Business District (CBD) are in need of replacement. They have become a difficult maintenance issue for both the City and Waste Management, who frequently refuses to empty them. The cans have not stood up well to the coastal environment, and are failing. Garbage often piles up on top, and the birds pull material out and spread it around, creating an eyesore and a public nuisance; and

WHEREAS, In December of 2017, the City purchased 10 new dual-purpose receptacles made from recycled plastic milk jugs. The new containers are performing well, and the City would like to purchase more, to continue to replace those that are failing; and

WHEREAS, Fort Bragg Municipal Code §15.34.070 titled **DEPOSIT INCENTIVE REQUIRED** states: As a condition precedent to issuance of any building, demolition, or encroachment permit that involves the production of solid waste destined to be delivered to a landfill, the applicant shall post an incentive in a form acceptable to the authorized agent. The deposit incentive will be set by resolution. The incentive shall be returned, without interest, in total or in proportion, upon proof to the satisfaction of the authorized agent, that no less than the required percentages or proven proportion of those percentages of the tons of debris generated by the demolition and/or construction project have been diverted from landfills and have been recycled or reused; and

WHEREAS, Fort Bragg Municipal Code §15.34.130 titled **USE OF CONSTRUCTION AND DEMOLITION RECYCLING INCENTIVE** provides: Incentive funds not reclaimed by applicants, due to failure to achieve threshold recycling and diversion levels, will be used to improve construction and demolition waste recycling facilities, education, and programs within the City; and

WHEREAS, the use of funds from the restricted special revenue fund number 190-0000-0309, in the amount of up to \$17,213.15 may be used to improve solid waste recycling facilities, and to provide other related education and programs within the City as cited in the City of Fort Bragg FY 2019/20 Adopted budget; and

WHEREAS, a budget amendment in the amount of \$17,213.15 is necessary to appropriate the funds, so that the restricted revenue may be spent.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Fort Bragg does hereby approve amending the FY 2019-20 Budget for the use of \$17,213.15 of forfeited

Construction and Demolition incentives for the purchase of nine (9) new dual purpose trash receptacles (Budget Amendment No. 2020-03).

The above and foregoing Resolution was introduced by Norvell, seconded by Councilmember Albin-Smith, and passed and adopted at a regular meeting of the City Council of the City of Fort Bragg held on the 25th day of November, 2019, by the following vote:

AYES: Councilmember Albin-Smith, Norvell, Peters and Mayor Lee.
NOES: None.
ABSENT: Councilmember Morsell-Haye.
ABSTAIN: None.
RECUSED: None.

WILLIAM V. LEE
Mayor

ATTEST:

June Lemos, CMC
City Clerk