



County of Mendocino

Notice of Meeting

Special Meetings

Friday, October 27, 2023

10:00 AM

Fort Bragg City Hall, 416 N. Franklin St.

Caspar Transfer Station Joint Coordinating Committee

The public may submit written comments by emailing them to fisettea@mendocinocounty.org. All email comment must be received by 8:00 A.M. the morning of the meeting in order to be available to the Committee Members prior to the meeting.

AGENDA

1. MEETING CALLED TO ORDER AND ROLL CALL

2. CONSENT CALENDAR

2A. Approval of Minutes from July 28, 2022 Meeting

Recommended Action: Approve the July 28, 2022 Minutes.

Attachments: Draft July 28, 2022 Minutes

3. CLOSED SESSION

3A. CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION

Potential initiation of litigation pursuant to paragraph (4) of subdivision (d) of Gov. Code Section 54956.9: (one potential case)

4. CONDUCT OF BUSINESS

4A. Discussion and Possible Action Including Recommendation to the Mendocino County Board of Supervisors and the Fort Bragg City Council to Authorize Staff to Expend Funds in the Caspar Rent Account in Furtherance of Improving the Caspar Transfer Station Site for Self-Haul Operations

Recommended Action: Recommend the Mendocino County Board of Supervisors and the Fort Bragg City Council authorize staff to expend funds in the Caspar Rent Account in furtherance of improving the Caspar Transfer Station site for self-haul operations.

Attachments: Staff Report; SWOW Proposed Capital Improvements to Caspar; SWOW Improvement Drawings

5. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA



County of Mendocino

Notice of Meeting

Special Meetings

The Committee will receive public comments on items not appearing on the agenda and within the subject matter jurisdiction of the Committee. The Committee will not enter into a detailed discussion or take any action on any items presented during public comments. Such items may only be referred to staff for administrative action or scheduled on a subsequent agenda for discussion. Persons wishing to speak on specific agenda items should do so at the time specified for those items. The presiding Chair shall limit public comments to three minutes.

6. ADJOURNMENT

The Caspar Transfer Station Joint Coordinating Committee complies with ADA requirements and upon request, will attempt to reasonably accommodate individuals with disabilities by making meeting material available in appropriate alternative formats (pursuant to Government Code Section 54953.2). Anyone requiring reasonable accommodation to participate in the meeting should contact the Mendocino County Department of Transportation by calling (707) 463-4363 at least 5 days prior to the meeting.

CASPAR TRANSFER STATION JOINT COORDINATING COMMITTEE

Draft Action Minutes – July 28, 2022

AGENDA ITEM NO. 1. CALL TO ORDER AND ROLL CALL (2:30 P.M.)

Present: Supervisor Dan Gjerde; Mayor Bernie Norvell; Vice Mayor Jessica Morsell-Haye. Chair Ted Williams presiding.

Absent: None.

Mendocino County Staff Present: Howard Dashiell, Director of Transportation; Amber Fisette, Deputy Director of Transportation; Tom Varga, CCTS Project Manager; John Carlton, Consultant; Christian Curtis, County Counsel.

City of Fort Bragg Staff Present: John Smith, Public Works Director; Alfredo Huerta, Asst. City Engineer; Keith Collins, City Attorney.

Public Attendees: Rick Childs; Rick Sacks; Grant Miller; Michelle Goodman, RWS; Bruce McCracken, RWS; Jacob Patterson; Jen.

AGENDA ITEM NO. 2. CONSENT ITEMS

Presenter: Chair Williams.

Public Comment: None.

Committee Action: Upon motion by Supervisor Gjerde, seconded by Mayor Norvell, and carried (4/0); IT IS ORDERED that Consent Calendar items 2(A-B) are hereby approved as follows:

- a. Discussion and Possible Action Including Adoption of Resolution of the Caspar Transfer Station Joint Coordinating Committee Finding that State or Local Officials Continue to Recommend Measures to Promote Social Distancing in Connection with Public Meetings;
- b. Approval of Minutes from May 26, 2022 Meeting.

AGENDA ITEM NO. 3A. REPORT FROM CENTRAL COAST TRANSFER STATION PROJECT MANAGER ON POTENTIAL CENTRAL COAST TRANSFER STATION SITES

Presenter: Tom Varga.

Public Comment: Rick Childs.

Committee Action: Received presentation.

AGENDA ITEM NO. 3B. DISCUSSION ON POTENTIAL TEMPORARY OR ALTERNATIVE LOCATIONS FOR COASTAL CRV BUYBACK CENTER

Presenter: Mayor Norvell.

Public Comment: Bruce McCracken.

Committee Action: Committee direction given to staff as follows:

- a. City & County staff to work with Redwood Waste Solutions to find suitable sites if RWS determine mobile buyback center is feasible.

ADJOURNED TO CLOSED SESSION: 3:13 P.M.

CASPAR TRANSFER STATION JOINT COORDINATING COMMITTEE

**AGENDA ITEM No. 4A. CONFERENCE WITH LEGAL COUNSEL—
ANTICIPATED LITIGATION. POTENTIAL INITIATION OF LITIGATION
PURSUANT TO PARAGRAPH (4) OF SUBDIVISION (D) OF GOV. CODE SECTION
54956.9: (ONE POTENTIAL CASE)**

RECONVENED IN OPEN SESSION: 3:42 P.M.

AGENDA ITEM No. 4. REPORT OUT OF CLOSED SESSION

Presenter: Chair Williams.

Public Comment: None.

Committee Action: With respect to agenda item 4A, no reportable action was taken.

**AGENDA ITEM No. 5. PUBLIC COMMENTS ON ITEMS NOT ON THE
AGENDA**

Presenter: None.

Public Comment: None.

Committee Action: No action taken.

AGENDA ITEM No. 6. ADJOURNMENT (3:44 P.M.)

No next meeting date set.

Ted Williams, Chair

TO: Caspar Transfer Station Joint Coordinating Committee

FROM: Mendocino County Department of Transportation

MEETING DATE: October 27, 2023

DEPARTMENT CONTACT: Amber Fisetta

PHONE: 463-4363

AGENDA TITLE:

Item 4A) Discussion and Possible Action Including Recommendation to the Mendocino County Board of Supervisors and the Fort Bragg City Council to Authorize Staff to Expend Funds in the Caspar Rent Account in Furtherance of Improving the Caspar Transfer Station Site for Self-Haul Operations

RECOMMENDED ACTION/MOTION:

Recommend the Mendocino County Board of Supervisors and the Fort Bragg City Council authorize staff to expend funds in the Caspar Rent Account in furtherance of improving the Caspar Transfer Station site for self-haul operations.

BACKGROUND/PREVIOUS COMMITTEE ACTIONS:

Beginning in 2006, a process was undertaken by the Joint Coordinating Committee (JCC) to identify and analyze potential sites for a Central Coast Transfer Station (CCTS) to improve efficiency of waste processing on the Mendocino Coast. In 2013, the JCC selected a site within Jackson State Demonstration Forest north of Highway 20 as the preferred site. In 2016, an Environmental Impact Report (EIR) was prepared for the Highway 20 site; however, the land swap that was needed in order to facilitate the project at that location later fell through. In 2019, Diversion Strategies was hired to continue the project siting work. Diversion strategies concluded each of the previously-identified sites had unique challenges under public ownership and recommended privatizing transfer operations. In October 2021, HDR Engineering (HDR) was hired to perform a financial and greenhouse gas analysis for two sites: the original Highway 20 site and a privately-owned site on Pudding Creek Road. Although the analysis concluded both sites would be environmentally advantageous due to more efficient transportation methods, the financial analysis showed developing and operating either site would increase annual costs by approximately \$800,000. Additionally, both sites have owners who are unwilling sellers. At its meeting on May 26, 2022, the JCC directed staff to investigate likely sites along State Highway 20 that might be suitable for acquisition to locate the CCTS; however, staff was unable to identify any additional potential sites and identified the two best sites as the original Hwy 20 site and the existing Caspar Transfer Station site.

SUMMARY OF REQUEST/REFERRAL:

After almost two decades of siting studies, the County of Mendocino (County) and City of Fort Bragg (City) are no closer to finalizing a location to develop and operate a CCTS. The two preferred sites have unwilling owners, one of which is the State of California and the other a private corporation with which the only potential acquisition would require a lengthy and expensive legal process. The financial and greenhouse gas analysis undertaken in 2021 showed acquisition and development costs for either site would range from 6 to 7 million dollars; costs which are now likely outdated and underestimated. In the current fiscal climate, neither the County nor the City has available funds to cover even the upfront legal, acquisition, and/or permitting expenses until financing could be obtained for development.

Redwood Waste Solutions, Inc. (RWS), the franchised waste hauler for the central coast area, is currently performing transfer operations for curbside collection at a site located at 1280 N. Main Street, Fort Bragg. According to RWS and the City, these operations are going well, with very little issues or public complaints. Caspar Transfer Station continues to be operated by Solid Wastes of Willits, Inc. (SWOW), for residential and commercial self-haul. The current operation and lease agreement with SWOW is set to expire on June 30, 2025, with an option for the County to extend to December 31, 2029.

The current self-haul operation at Caspar Transfer Station is inefficient and desperately needs improvement. Currently, waste is dumped into open-top 50-yard containers, which are hauled individually with roll-off trucks to Willits Transfer Station, dumped, and reconsolidated to larger trailers to be

transported to the landfill. This inefficient system contributes to the higher environmental footprint of the “status-quo” option identified in the financial and greenhouse gas analysis performed by HDR. Following the expiration of the County’s option to extend in 2029, it is unlikely SWOW or any other waste company will be willing to operate the transfer station in its current state, leaving coastal residents in a dire situation. Staff propose moving forward with designing and building a self-haul facility that will allow for a trailer operation and the ability to transport larger loads in less trips directly to the landfill and to the materials recovery facility. Staff sees this as the only feasible and affordable option to ensure the essential public service of waste disposal and recycling continues to be available to coastal residents.

Improvements to the Caspar self-haul facility will likely take several years from design, through permitting and construction. With SWOW’s contract unable to be extended past 2029, staff believes the best option at this point is to abandon the CCTS project and to focus on improvements to self-haul operations at Caspar. In addition to ensuring the continuity of services, these improvements will decrease current road impacts and greenhouse gas emissions associated with the “status-quo” transportation methods as well as lower operational and transportation costs; a savings which will be passed onto ratepayers. The current balance in the Caspar Rent Account is \$355,616.65 and continuing to accumulate. These funds will cover a large portion of the costs to improve the site, with little if any future contribution needed from the County and City. In order to expend funds from the account, authorization is needed from both the Board of Supervisors and City Council. Staff respectfully recommends and requests the Joint Coordinating Committee recommend the Mendocino County Board of Supervisors and the Fort Bragg City Council authorize staff to expend funds in the Caspar Rent Account in furtherance of improving the Caspar Transfer Station site for self-haul operations, including costs associated with design, permitting, and construction.

Attached for the Committee’s review is a proposal from SWOW describing their recommended improvements to Caspar Transfer Station for self-haul operations.

Submitted by Solid Wastes of Willits, Inc.

March 1, 2023

Caspar Transfer Station Temporary Improvements to the Site

Issue:

The long promised publicly owned central coast transfer station to be developed by the County of Mendocino and the City of Fort Bragg has not been built.

As a result, the Caspar Transfer Station (Caspar) has been pressed into service to provide coastal self-haul customers with essential disposal and diversion services. Having been promised that the central coast transfer station opening was just around the corner, Solid Wastes of Willits (SWOW) struggled on at Caspar with aged out equipment (WMI Pod System), and then, when that equipment failed, SWOW provided, at its own expense, what was thought to be an even more temporary inefficient drop box solution to be used until the promised central coastal transfer station opened.

Faced with the reality that a publicly owned facility will not be built in the foreseeable future, it should be recognized that the County and the City, not SWOW, are ultimately responsible in the absence of the promised central coast facility for providing self-haul customers with the infrastructure necessary to provide these critical disposal and diversion services.

These services cannot be provided in any reasonably efficient way using the inefficient and costly Caspar drop box system currently in use.

Since the County and City have been unable to develop a publicly owned coastal transfer station solution, SWOW believes now is the time to make the needed temporary improvements to the site to eliminate the debris box collection system and replace it with a trailer operation that will allow waste and recyclable material collection in larger loads which will reduce the number of truck trips in order to direct-haul to the Potrero Hills Landfill and the Willits Recyclable Material Recovery Facility. These improvements will greatly reduce the carbon footprint of the Caspar operation and have a moderating effect on the overall gate rates.

History:

When it became apparent that the County of Mendocino could no longer operate the Caspar facility in an economic way and given that the coastal transfer station would become operational in the near term (2015), SWOW and the County of Mendocino with consent and concurrence of City of Fort Bragg, the Caspar joint owner, entered into an Agreement on January 25, 2011, providing for the operation of the Caspar Transfer Station by SWOW until June 30, 2017.

On March 18, 2016, without notifying SWOW, the Mendocino County Board of Supervisors took action to extend the Agreement to June 30, 2021, pending concurrence from the City of Fort Bragg which was received.

At the commencement date of the new transfer station Agreement (2011), SWOW was required to assume the hauling agreement between the County and USA Waste of California (Fort Bragg Disposal) for servicing the "pod container" system at the site. SWOW was responsible for paying the hauling services per the terms of that Agreement. The hauling contract could not be terminated prior to June 30, 2014.

Relying on the promised central coast transfer station, due to be operational between 2015 and 2017, SWOW continued the hauling agreement with Fort Bragg Disposal as the sub-contractor on a month-to-month basis after June 30, 2014, expecting the closing of the Caspar site by the end of the term of the Caspar Agreement.

In January 2016, SWOW received a letter from Fort Bragg Disposal requesting to pull the pod compacting/container system as they no longer wish to use or support them. Again, expecting the operation of a new coastal transfer station, SWOW negotiated with Fort Bragg Disposal to continue to service the Caspar site by replacing the pods with open-top 50 cubic yard containers. This eliminated the need for SWOW to purchase trucks and containers for what was expected to be a short period of time.

At the April 28, 2017, Caspar Coordinating Committee meeting, an update on the central coast transfer station was given by Linda Ruffing, City Manager, City of Fort Bragg, that the goal is to have an option for the site of the coastal transfer station from one of the three landowners in a land swap within 4 months. After this, the required process on the local and State levels will be completed. The goal was to circulate a design-build-operate RFP for a new transfer station by May 2018.

At a subsequent meeting in 2017 with the Caspar Coordinating Committee, Linda Roofing gave the committee another update on the new proposed transfer station. Ms. Ruffing stated that things were slowly moving along and that real estate discussions were taking place between CalFire and the City/County, but State Parks is no longer part of the proposed land swap. Ms. Ruffing new projection was the new facility will be built in roughly 3-4 years.

In May 2020, SWOW received a letter from Fort Bragg Disposal terminating the Caspar then month-to-month sub-contractor hauling service agreement with SWOW using FBD truck and boxes, effective June 30, 2020.

Beginning July 1, 2020, SWOW, in order to ensure the continued service to self-haulers, had no choice but to provided 15 open-top 50 cubic yard debris boxes with a roll-off truck for servicing the (1) household waste covered area, (2) bulk waste ramp area, and (3) the drop-off of recyclable materials. On a weekly average SWOW collected and transported to the Willits

Transfer Station 15-18 containers using a truck and trailer combo or approximately 8 trips per week.

For additional background over the last four years, the General Manager of MSWMA acting as the Director of Solid Waste for the County has not provided adequate oversight of the Caspar Transfer Station contract. The position was either vacant, occupied by individuals who have come and gone, or served by a consultant with limited mission tasks. None of these individuals were responsive to SWOW requests to modify the Caspar agreement language, to deal with the reality of what was happening on the ground.

Recently: 1. the Mendocino Department of Transportation staff has stepped into the Caspar contract oversight role. 2. The Caspar Coordinating Committee has still been unable to identify a viable option for a coastal transfer station. 3. The new curbside franchise holder for the coastal area has developed a curbside truck-to-truck transfer operation at a new location on the northern end of the City of Fort Bragg

To fully understand SWOW's frustration on the question of a one-time rate adjustment and/or other modifications to the Caspar Transfer Station Agreement, it is important that the Caspar Transfer Station Coordinating Committee, and all the members of the Board of Supervisors and Fort Bragg City Council be aware of the following.

SWOW, recognizing that the Caspar agreement was no longer functional under the changed operating conditions, on three separate occasions submitted suggested language to the then sitting County Director of Solid Waste (MSWMA General Manager) asking to modify the original out-of-date agreement to deal with these issues, and receiving no response or action.

Had the submitted language been vetted by County staff after any of these SWOW submittals, and had staff presented the agreement amendment language for approval, this Committee would not be having this current discussion as it relates to self-haul waste on the coast.

We can provide the County's Solid Waste Division with the multiple communications submitted to the various previous Solid Waste Directors, without response, along with the proposed amendment language submitted.

As the County knows, during this period of time, equipment that was assumed to be operational under the original agreement language wore out and was dismantled, the contract hauler of solid waste from the transfer station withdrew and the solutions on the ground somehow became the responsibility of SWOW with no response or cooperation from County staff to discuss and identify rational solutions.

Faced with the health, safety and welfare issues that are mitigated by the operation of the Caspar self-haul facility currently, the County and City must now address the following infrastructure improvements, which are the responsibility of the County and City, that are needed, no matter what long-term transfer station solution is might be achieved.

1. How do we all ensure the continued delivery of this critical service to the self-hauler? 2. How do we provide a system that operates efficiently and reduces truck trips, carbon footprint effects, and the need to increase gate fees. 3. How do we give the Casper self-hauler a benefit for what they have already paid for?

In October 2020, we entered into an agreement with Crane of Ukiah to provide drafting services and an evaluation of establishing requirements for proposed revisions to the Caspar site. On November 17, 2020 SWOW received drawings for the proposed improvements to the site capable of using a 45' trailers and eliminate the need to haul 50-yard boxes. Those drawings are attached.

Description of Improvements: See Site Map

1. Increase the height of the ramp area, (currently where the bulky waste containers are located) with fill material and/or dig down where the trailer will be placed for loading.
2. Cover the increased ramp area where unloading by self-haulers will occur with a concrete slab 12' x 60'. The remainder of the ramp to be covered with asphalt.
3. Place a concrete slab under the area where the trailer will be placed for ease of cleanup and stability.
4. Construct a three-sided roof structure over the concrete loading area, the trailer placement area with open sides below in order for the truck/trailer to drive thru.

Operation of Existing and New Improvements:

1. Currently the covered area with two refuse containers next to the site office that are used for household garbage will be replaced with two containers for recyclable materials. The recyclable materials that currently sit outside will be relocated under covered area to minimize rainfall.
2. Self-haul customers with both household waste and bulky waste will be directed by the site attendant to unload their waste material under the new, larger, roof structure onto the concrete slab where the waste material will be pushed by a front-end loader directly into the trailer. Before the material is pushed into the trailer the loader operator will visually inspect for hazardous materials or other materials not accepted at the landfill, since this trailer will be directed hauled to the landfill and bypass the Willits Transfer Station.
3. Once the recyclable materials under the covered area are full and during hours the public is not on site, the recycling containers will be picked up by an onsite yard truck and dumped onto the concrete floor under the new, larger roof structure. Another type of trailer (45' walking floor) will be placed in the trailer location and the recyclable materials will be pushed into this trailer and when full will be transported directly to the material recovery facility in Willits to be unloaded, cleaned, sorted, processed, baled, and transported to a market.

4. Scrap metal and green waste will continue to be stored at its current locations on site and moved off site by the front-end loader loading SWOW's trailers. No change in operations. This system has been in place using trailers for the last few years.
5. Currently on site are two smaller trailers provided by third-party vendors for the storage of mattresses and tires. These trailers are serviced a few times per year when full.
6. Used motor oil and electronics banned from the landfill use a double-walled tank and debris boxes provided by a third-party vendor. This service is also provided a few times per year.

Cost of New Improvements:

In 2020 we presented a proposal for self-haul improvements estimated at \$400,000. In order to provide cost estimates that reflect current costs, we will need to re-evaluate the project.

Options for Financing Improvements:

The available options for the financing of the Caspar improvements include the following:

1. Use of funds on hand in the Caspar rent fund which have been collected from the Casper self-hauler for their benefit, 2. borrowing funds from either the County or SWOW, or 3. increased gate fees, or some combination thereof.

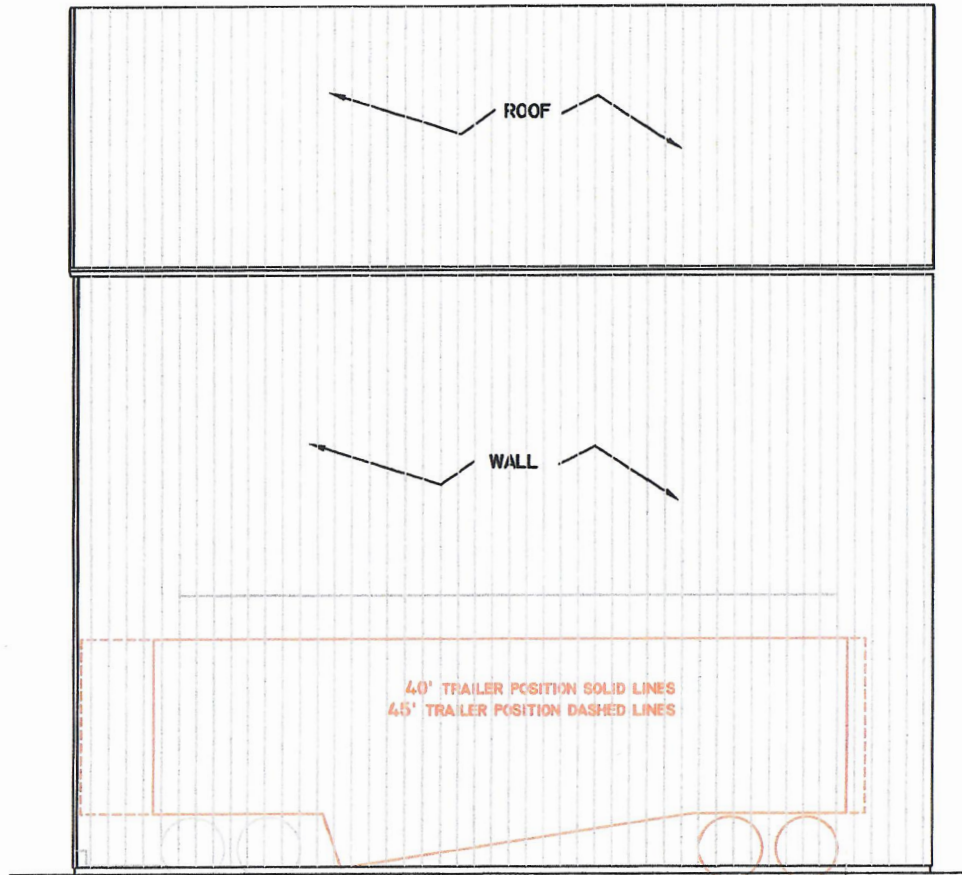
Any funding mechanism would have to extinguish the debt during the Term of a revised Caspar Lease term, to be determined.

Possible options for repaying that debt follow:

1. Use part or all the current \$324,000 balance in the Caspar rent fund and supplement any remaining unfunded improvements costs with the future collection of the existing \$3 cubic yard gate fee portion of rent, until the improvement debt has been extinguished. After the improvements' debt has been extinguished consider the elimination of the \$3 portion of the rent at that time to benefit the self-haul ratepayer.
2. Use part or all the current \$324,000 balance of the Caspar rent fund and supplement the remaining unfunded improvements with only part of the future \$3 gate fee portion of rent, until the improvement debt has been extinguished. Consider the elimination of the \$3 portion of the rent at that time to benefit the self-haul ratepayer.
3. Extend the Caspar Transfer Station agreement to December 31, 2029 and amortize any unfunded improvement debt over that period of time.

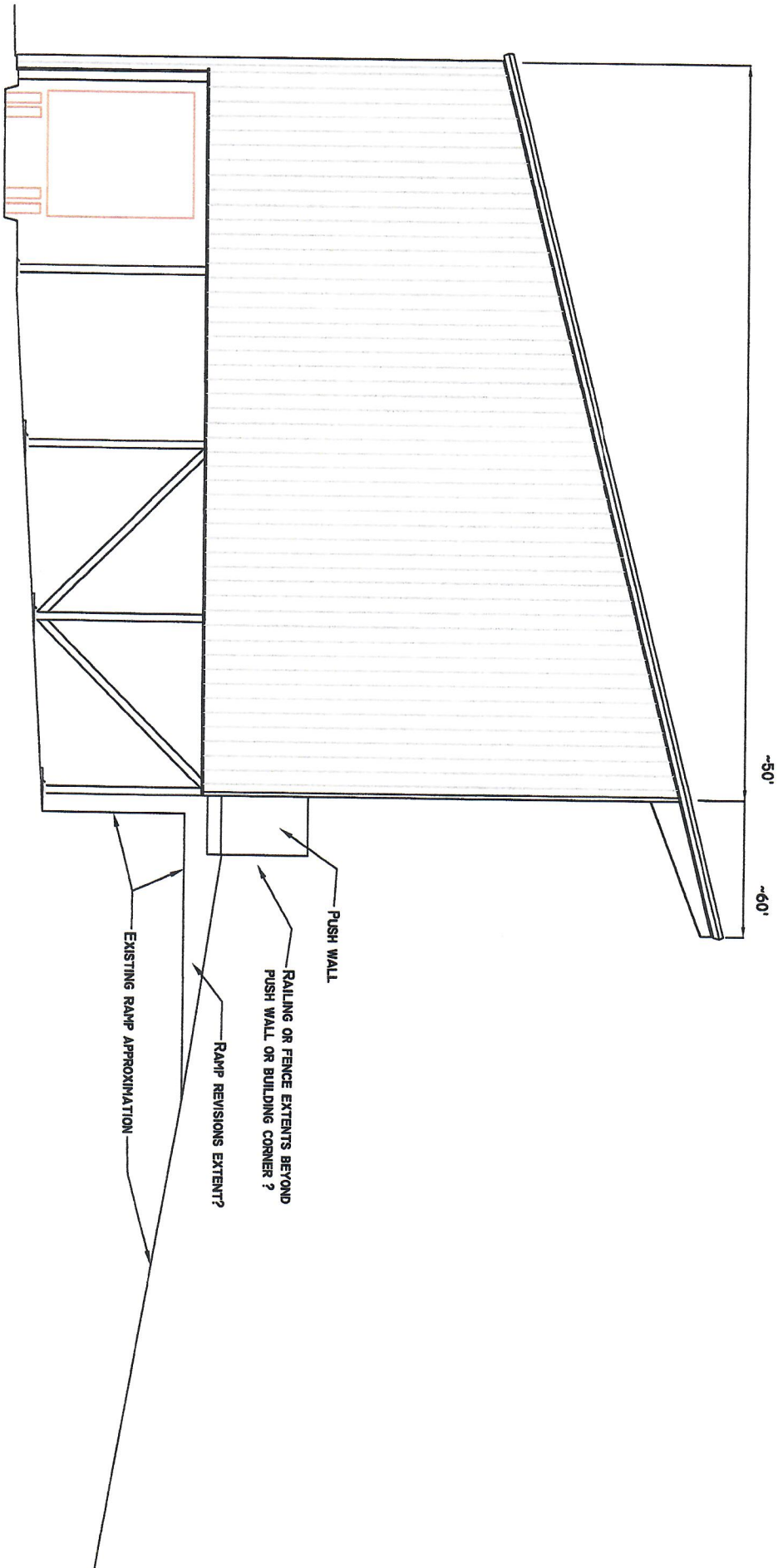
Options:

1. Provide a 3-sided roof structure over the green/wood waste and accept food, since it will be covered.
2. Provide a HazWaste storage container for the hazardous materials.



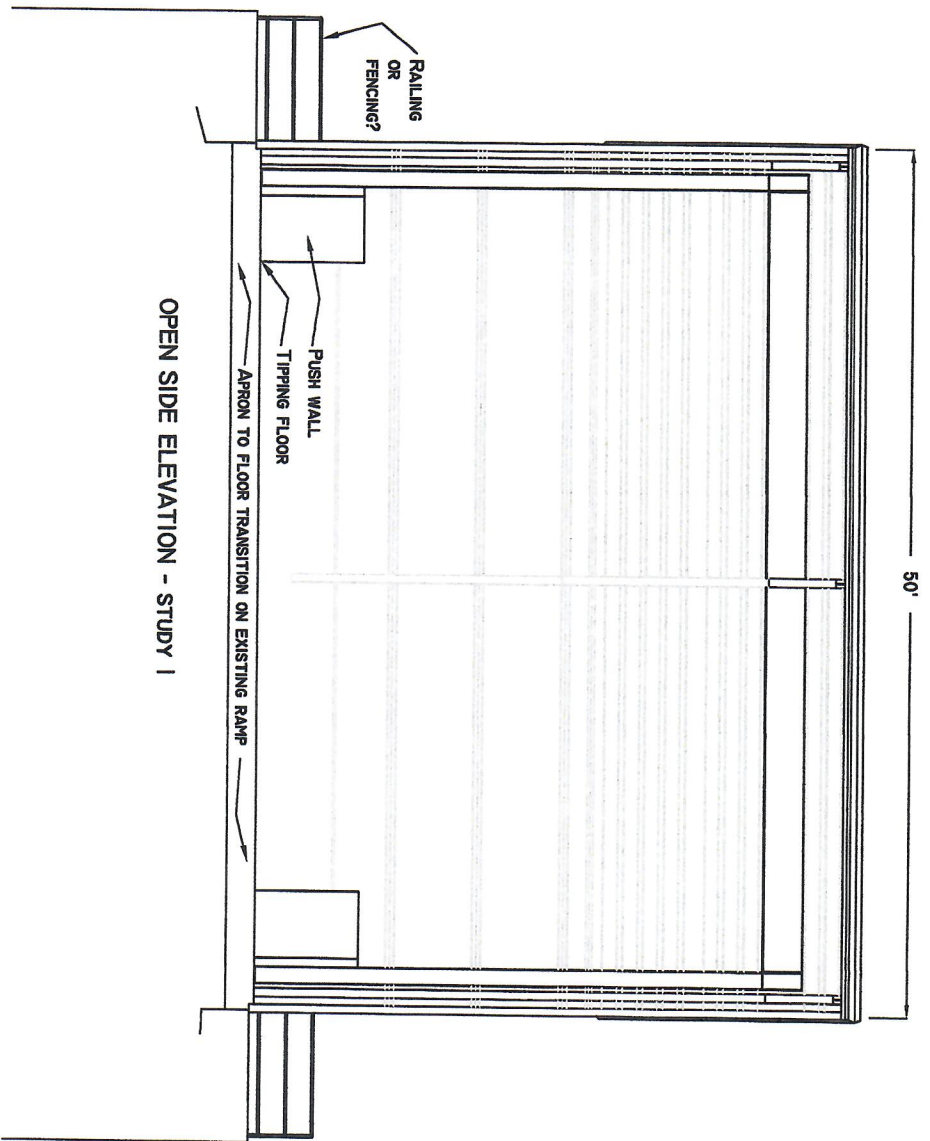
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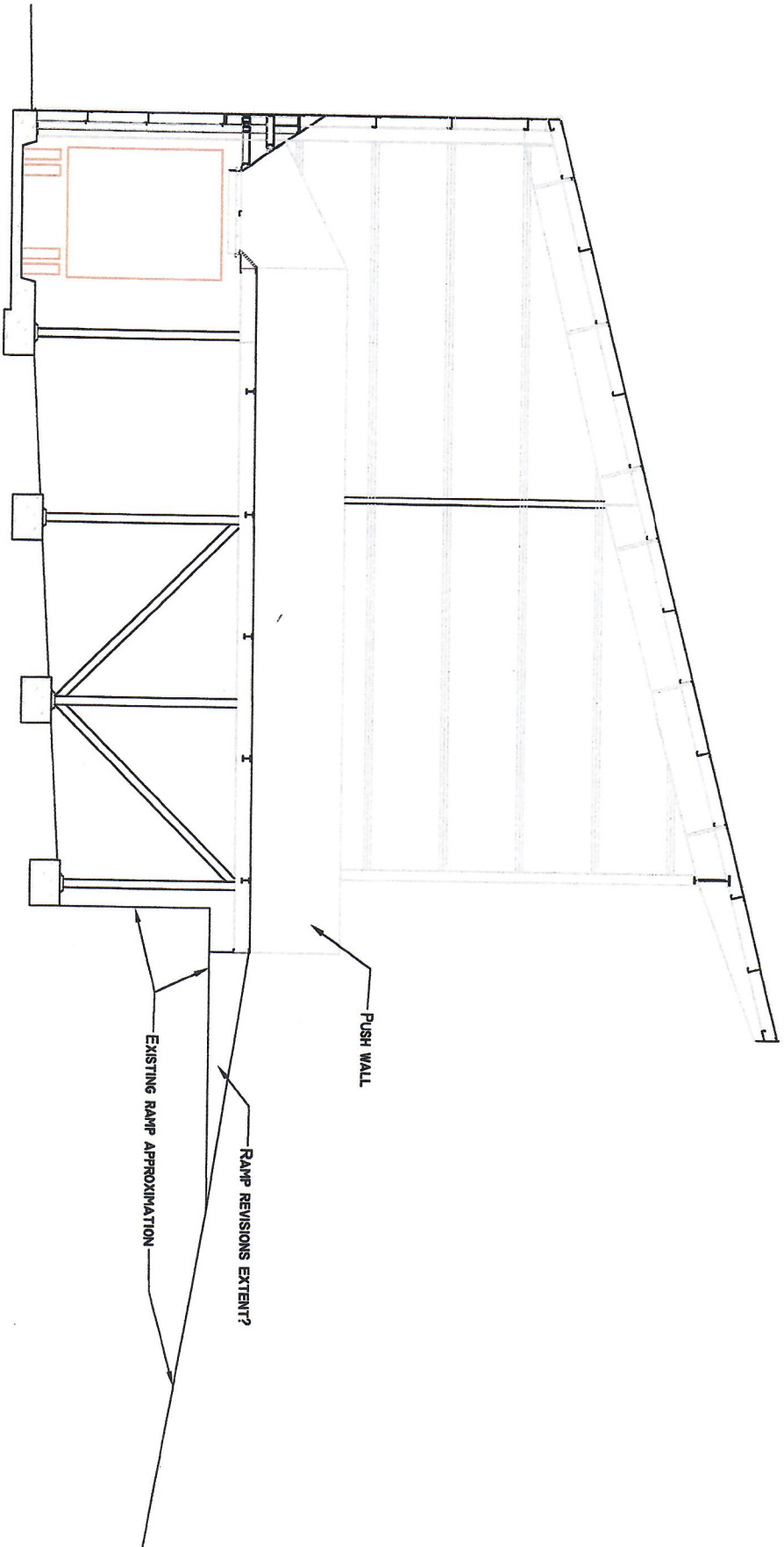


ENDWALL ELEVATION OPPOSITE END MIRROR IMAGE - STUDY 1

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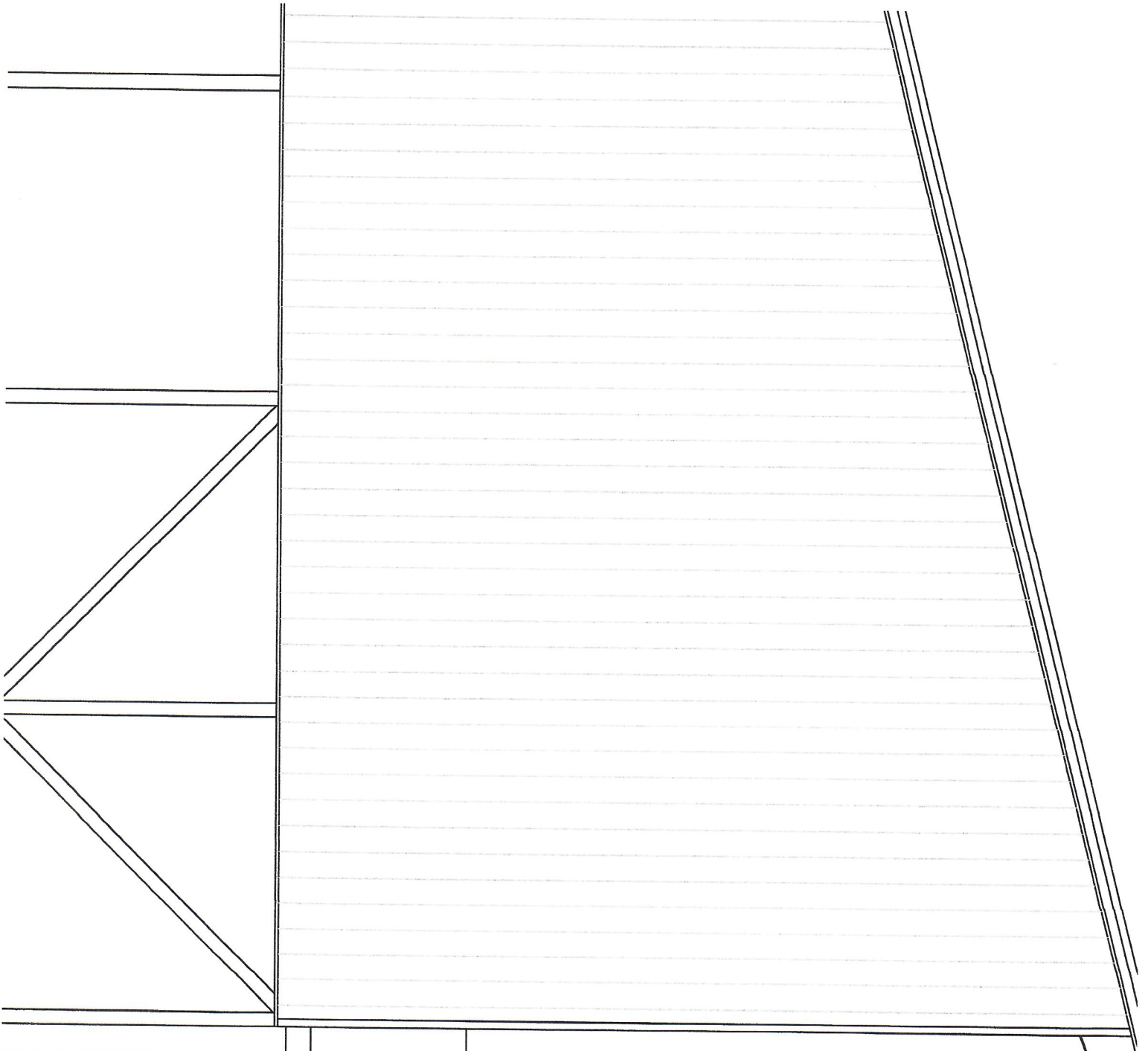


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SECTION - STUDY 1

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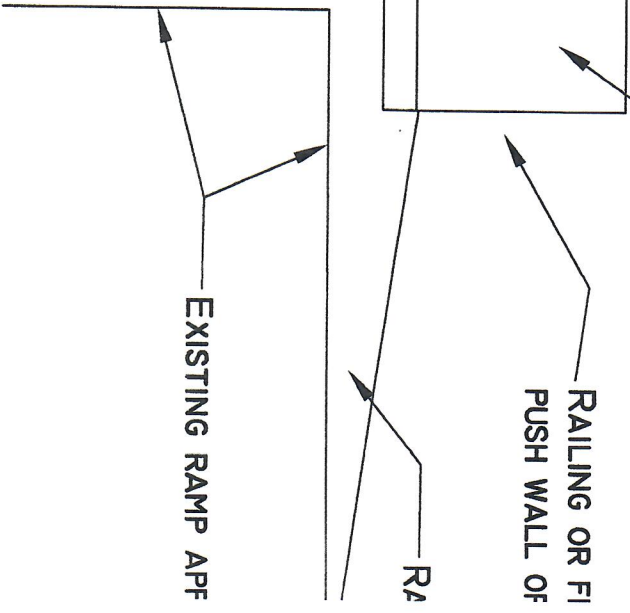


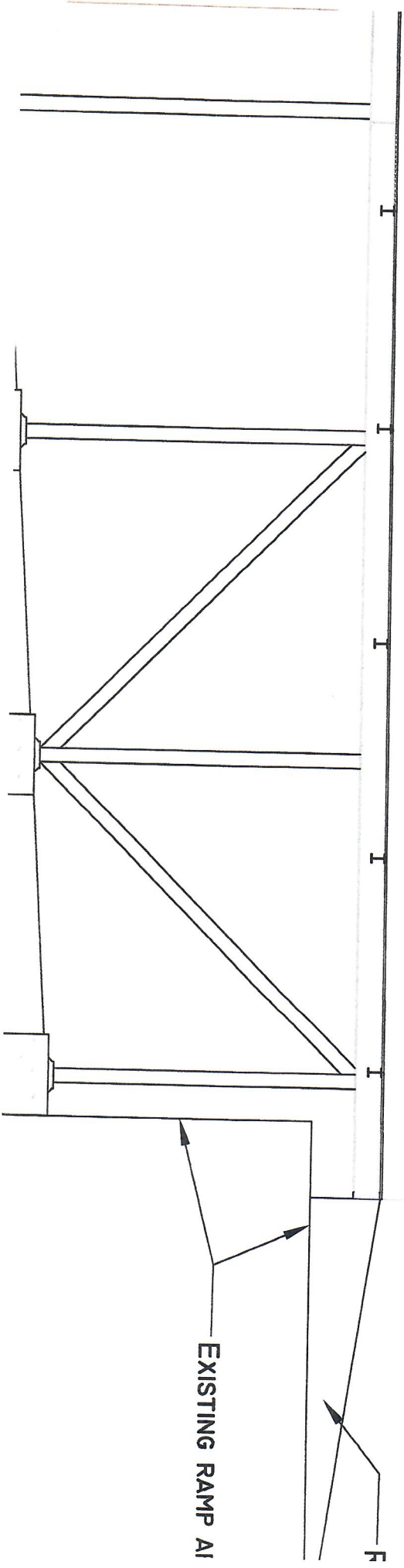
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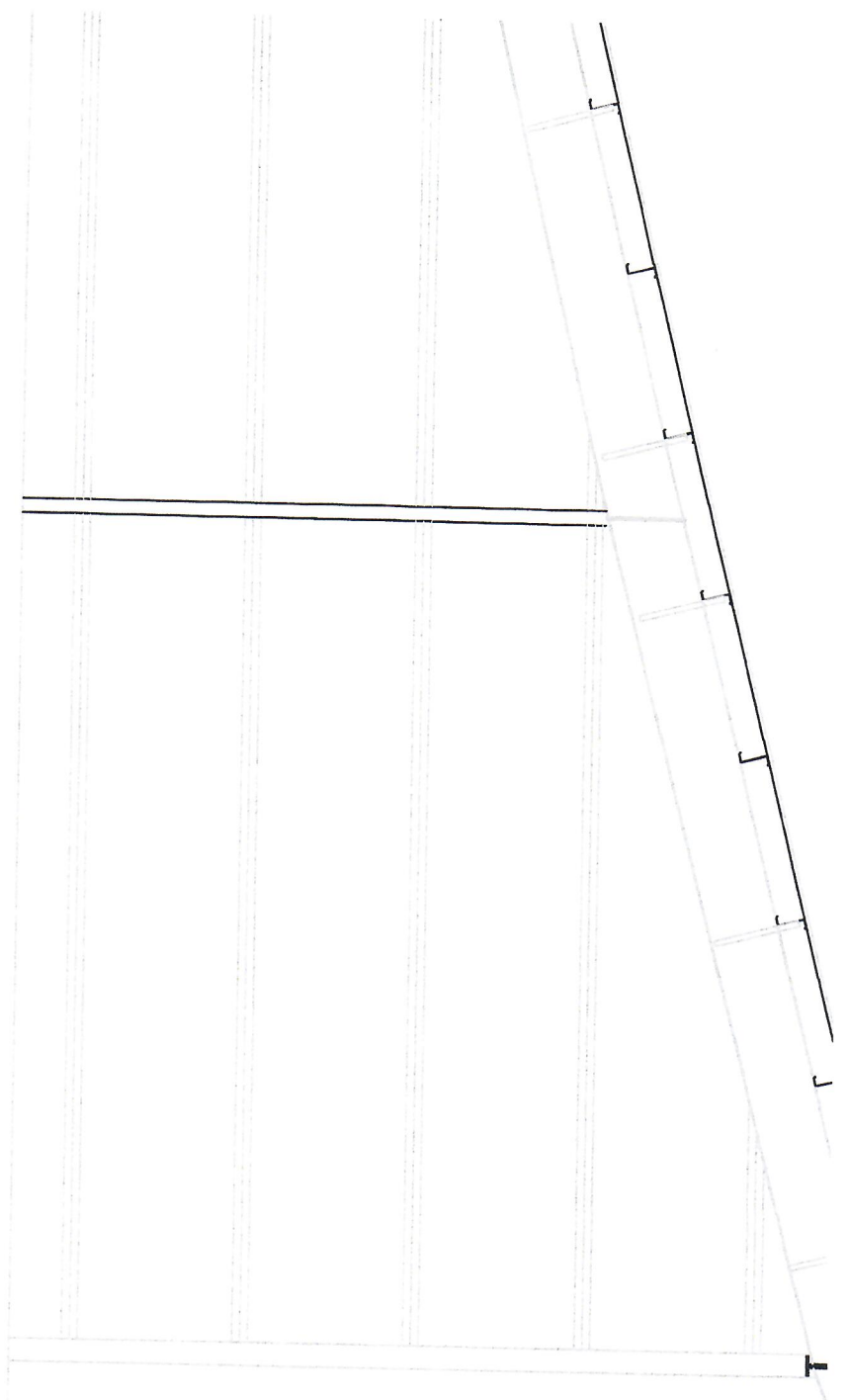
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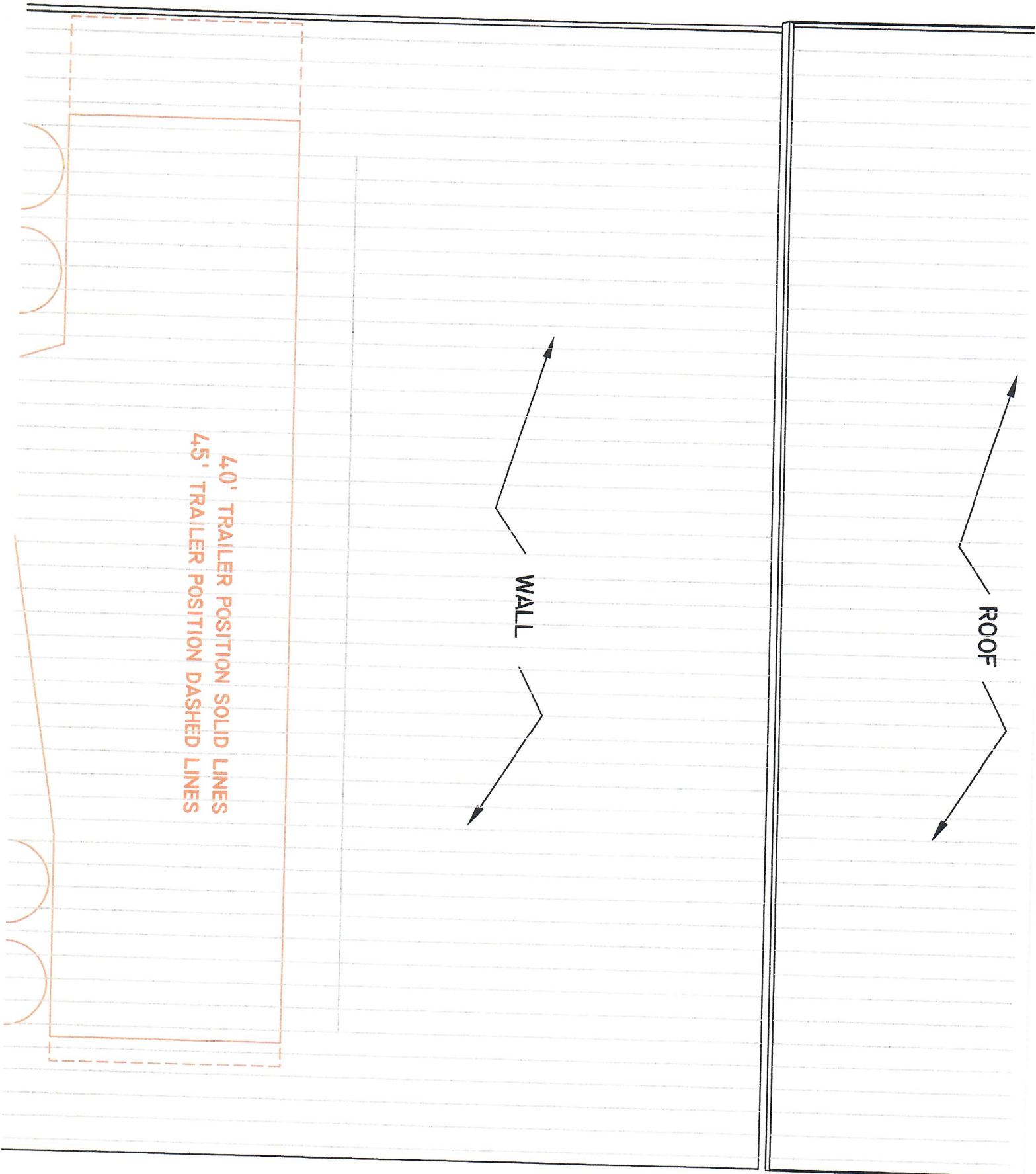




PUSH WALL

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4.0' TRAILER POSITION SOLID LINES
4.5' TRAILER POSITION DASHED LINES

WALL

ROOF