



County of Mendocino

Notice of Meeting

Special Meetings

Thursday, July 28, 2022

2:30 PM

Via Video Conference

Caspar Transfer Station Joint Coordinating Committee

Join Zoom Meeting

<https://mendocinocounty.zoom.us/j/82625634964?pwd=dVliR3NWb1FJV1JmWU43dDIwenhCZz09>

Meeting ID: 826 2563 4964

Passcode: 604535

Join by Phone 1 (669) 900-9128

Caspar Transfer Station Joint Coordinating Committee meetings will be conducted virtually and not available for in person public participation pursuant to the provisions of Government Code section 54953 and the recommendation of the Mendocino County Health Officer.

The public may participate digitally in meetings by sending comments to fisettea@mendocinocounty.org or by clicking the link above to join the Zoom meeting, in lieu of personal attendance.

All email comment must be received by 8:00 A.M. the morning of the meeting in order to be published online prior to the meeting.

TO SPEAK DURING PUBLIC COMMENT PORTIONS OF THE AGENDA VIA ZOOM, PLEASE JOIN THE MEETING AND USE THE RAISE HAND FEATURE WHEN THE CHAIR CALLS FOR PUBLIC COMMENT.

AGENDA

1. MEETING CALLED TO ORDER AND ROLL CALL

2. CONSENT CALENDAR

2A. 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

Recommended Action: Adopt resolution finding that State or Local Officials continue to recommend measures to promote social distancing in connection with public meetings.

Attachments: (1) Draft Resolution, (2) Recommendations for Safely Holding Public Meetings from the Mendocino County Public Health Officer



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2B. Approval of Minutes from May 26, 2022 Meeting

Recommended Action: Approve the May 26, 2022 Minutes.

Attachments: Draft May 26, 2022 Minutes

3. CONDUCT OF BUSINESS

3A. Report from Central Coast Transfer Station Project Manager on Potential Central Coast Transfer Station Sites

Recommended Action: Receive report and provide direction to Central Coast Transfer Station Project Manager, Tom Varga, on further assignments and tasks.

Attachments: Staff Report

3B. Discussion on Potential Temporary or Alternative Locations for Coastal CRV Buyback Center

Recommended Action: None.

4. CLOSED SESSION

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)

5. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

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.

RESOLUTION NO. 22-02

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

WHEREAS, all meetings of the Caspar Transfer Station Joint Coordinating Committee are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code §§ 54950 – 54963), so that any member of the public may attend, participate, and view the legislative bodies conduct their business; and

WHEREAS, the Brown Act, Government Code section 54953(e), makes provisions for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and

WHEREAS, on March 4, 2020, Governor Newsom issued a Proclamation of a State of Emergency declaring a state of emergency exists due to the outbreak of respiratory illness due to a novel coronavirus (a disease now known as COVID-19), pursuant to the California Emergency Services Act (Government Code section 8625) and that State of Emergency is still in effect in the State of California; and

WHEREAS, as of the date of this Resolution, neither the Governor nor the state Legislature have exercised their respective powers pursuant to Government Code section 8629 to lift the state of emergency either by proclamation or by concurrent resolution the state Legislature; and

WHEREAS, the California Department of Industrial Relations has issued regulations related to COVID-19 Prevention for employees and places of employment. Title 8 of the California Code of Regulations, Section 3205(c)(5)(D) specifically recommends physical (social) distancing as one of the measures to decrease the spread of COVID-19 based on the fact that particles containing the virus can travel more than six feet, especially indoors; and

WHEREAS, the Mendocino County Public Health Officer continues to recommend teleconferencing during public meetings of all legislative bodies to protect the community's health against the spread of COVID-19, based in part on the continued increased safety protection that physical/social distancing provides as one means by which to reduce the risk of COVID-19 transmission; and

WHEREAS, the Caspar Transfer Station Joint Coordinating Committee finds that state or local officials have imposed or recommended measures to promote social distancing based on the Mendocino County Public Health Officer recommendation and the California Department of Industrial Relations' issuance of regulations related to COVID-19 Prevention through Title 8 of the California Code of Regulations, Section 3205(c)(5)(D); and

WHEREAS, as a consequence, the Caspar Transfer Station Joint Coordinating Committee does hereby find that current conditions meet the circumstances set for in Government Code section 54953(e)(3) to allow this legislative body to conduct its meetings by teleconferencing without compliance with Government Code section 54953 (b)(3), pursuant to Section 54953(e), and that such legislative body shall comply with the requirements to provide the public with access to the meetings as prescribed by Government Code section 54953(e)(2) to ensure the public can safely participate in and observe local government meetings.

RESOLUTION NO. 22-02

NOW, THEREFORE, BE IT RESOLVED by the Caspar Transfer Station Joint Coordinating Committee, as follows:

SECTION 1. RECITALS.

All of the above recitals are true and correct and are incorporated into this Resolution by this reference.

SECTION 2. STATE OR LOCAL OFFICIALS CONTINUE TO RECOMMEND MEASURES TO PROMOTE SOCIAL DISTANCING IN CONNECTION WITH PUBLIC MEETINGS.

The Caspar Transfer Station Joint Coordinating Committee finds that State or local officials continue to recommend measures to promote social distancing pursuant to Government Code section 54953(e)(3) to allow legislative bodies to use teleconferencing to hold public meetings in accordance with Government Code section 54953(e)(2) to ensure members of the public have continued access to safely observe and participate in local government meetings.

SECTION 3. REMOTE TELECONFERENCE MEETINGS.

The Caspar Transfer Station Joint Coordinating Committee is hereby authorized to take all actions necessary to carry out the intent and purpose of this Resolution including, conducting open and public meetings in accordance with Government Code section 54953(e)(2) and other applicable provisions of the Brown Act.

SECTION 4. EFFECTIVE DATE.

This Resolution shall take effect immediately upon its adoption.

The foregoing Resolution introduced by _____, seconded by _____, and carried this ____ of _____ 2022, by the Caspar Transfer Station Joint Coordinating Committee, by the following vote:

AYES:

NO:

ABSENT:

ABSTAIN:

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

Ted Williams, Chair
Caspar Transfer Station Joint Coordinating Committee



**Public Health Department
of Mendocino County**

Healthy People, Healthy Communities

Andy Coren, MD,
County Health Officer



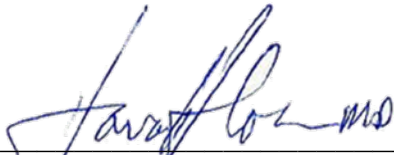
**Recommendations for Safely Holding Public Meetings
from the Mendocino County Public Health Officer**

March 9, 2022

Each local governmental body is authorized to determine whether to hold public meetings in person, online (teleconferencing by electronic means, through either audio or video, or both), or via a combination of methods. The following are my recommendations as the County Health Officer, to minimize the risk of COVID-19 transmission during a public meeting.

1. I continue to strongly recommend online public meetings (i.e., teleconferencing meetings) to the extent possible, as these meetings present the lowest risk of transmission of SARS CoV-2, the virus that causes COVID-19. This recommendation is made due to the current community prevalence rates. While the winter surge has declined and the availability of hospital beds has improved, the County continues to be an area, defined by the Centers for Disease Control (CDC), with "High Community Transmission" risk. In addition, rates remain high with the Omicron variant of COVID-19 being the predominant variant, the impact of which on the spread of COVID-19 has shown to dramatically increase the transmission of COVID-19. Additionally, I make this recommendation based on the unique characteristics of public governmental meetings (such as the increased mixing associated with bringing people together from across the community, the need to enable those who are immunocompromised or unvaccinated to be able to safely continue to fully participate in such governmental meetings, and the challenges with fully ascertaining and ensuring compliance with vaccination and other safety recommendations at such meetings), and the continued increased safety protection that physical/social distancing provides as one means by which to reduce the risk of COVID-19 transmission.
2. If a local agency determines to hold in-person meetings, offering the opportunity to attend via a call-in option or an internet-based service option is recommended, when possible to give those at higher risk of and/or higher concern about COVID-19 an alternative to participating in person.
3. A written safety protocol should be developed and followed. This protocol need not be pre-approved by the Health Officer/County Public Health. It is strongly recommended that any safety protocol require the following:

- a. social distancing, i.e., six feet of separation between attendees and seating arrangements should allow for staff and members of the public to easily maintain at least six-foot distance from one another at all practicable times;
- b. face masks for all attendees;
- c. upgraded ventilation systems and/or opening door(s) and window(s) if available for improved optimum ventilation;
- d. attendees should be screened for COVID-19 symptoms;
- e. voluntary sign-in sheets with names and contact information to assist in contact tracing in the event any cases might be linked to that public meeting; and
- f. it is recommended that local agencies consider limiting in-person attendance to those attendees (1) who have current COVID-19 vaccination status (received all boosters for which they are eligible) or (2) who have proof of negative COVID-19 antigen test within the last 48 hours prior to the meeting or are within 90 days of recent COVID-19 infection.



Dr. Howard A. Coren, M.D.,
Mendocino County Health Officer

Dated: March 9, 2022

CASPAR TRANSFER STATION JOINT COORDINATING COMMITTEE

Draft Action Minutes – May 26, 2022

AGENDA ITEM NO. 1. CALL TO ORDER AND ROLL CALL (2:33 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; Cindy Liles, Consultant.

City of Fort Bragg Staff Present: John Smith, Alfredo Huerta, Chantell O’Neal; Dave Spaur.

Public Attendees: Rick Childs; Melinda; Bruce McCracken; Chris Barnes; Rick Sacks, Diane.

AGENDA ITEM NO. 2A. 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

Presenter: Chair Williams.

Public Comment: None.

Board Action: Upon motion by Supervisor Gjerde, seconded by Mayor Norvell, and carried (4/0); IT IS ORDERED that the Resolution finding that State or Local Officials continue to recommend measures to promote social distancing in connection with public meetings is adopted.

AGENDA ITEM NO. 2B. PRESENTATION FROM HDR ENGINEERING, INC., ON PRELIMINARY FINANCIAL & ENVIRONMENTAL ANALYSIS FOR POTENTIAL CENTRAL COAST TRANSFER STATION SITES

Presenter: John Carlton, HDR.

Public Comment: Rick Childs.

Board Action: Received presentation.

AGENDA ITEM NO. 2C. DISCUSSION AND POSSIBLE DIRECTION TO CENTRAL COAST TRANSFER STATION PROJECT MANAGER, TOM VARGA, ON FURTHER ASSIGNMENTS AND TASKS

Presenters: None.

Public Comment: Rick Childs.

Board Action: Board direction is given to staff as follows:

- a. Pursue appropriate parcels for direct purchase on Highway 20.
- b. Work with Mayor Norvell to prepare future closed session item for “potential litigation/land acquisition”.

CASPAR TRANSFER STATION JOINT COORDINATING COMMITTEE

AGENDA ITEM No. 3. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Presenter: None.

Public Comment: None.

Board Action: No action taken.

AGENDA ITEM No. 4. ADJOURNMENT (3:46 P.M.)

Next meeting set for Thursday, July 28, 2022, at 2:30 PM

Ted Williams, Chair

DRAFT

Central Coast Transfer Station Joint Coordinating Committee

Meeting of July 28, 2022

Staff Report, Tom Z. Varga

At its meeting of May 26, 2022, the Joint Coordinating Committee directed staff to investigate likely sites along State Highway 20 that might be suitable for acquisition to relocate the Central Coast Transfer Station.

Since that meeting, substantial background studies and reports have been retrieved containing much useful information in pursuing the question of acquiring parcels along State Highway 20.

In 2006, the engineering firm of Winzler and Kelly was hired to analyze potential sites for the long-term operation of the Central Coast Transfer Station. Every parcel within 10 miles of the coast between the Ten Mile and Navarro Rivers, 11,200 in all, were considered. After five tiers of analysis and two public meetings, this number was reduced to 25 potential sites. Siting criteria included: a) nearness of residential neighborhoods, b) noise impacts, c) traffic impacts (including those affecting pedestrians, bicycles, and children), d) stormwater runoff impacts, e) air quality (including dust) impacts, f) pest/vector impacts, g) light pollution, h) visual impacts, and i) property value impacts. Locations along Highway 20 were the most desirable. Site numbers used in this staff report are the ones assigned in the Winzler & Kelly report. The owners of the short listed, 25 properties were also contacted and asked of their interest in selling. This was a very thorough and comprehensive study.

The study was completed in June 2007; it was presented to the County Board of Supervisors and the Fort Bragg City Council. Both bodies reviewed the report, concurred with its conclusions and directed staff to continue with further winnowing the 25 candidate sites. One of the candidate sites was the existing transfer station in Caspar.

By late 2011, this process had been completed resulting in the six sites that were included in the project Environmental Impact Report (EIR). These were:

- Site #38, A site within the Jackson State Demonstration Forest (JDSF) south of Highway 20 and opposite Site #39 (below).
- Site #36, The Mendocino County Recreation & Parks District (MCRPD) 176-acre park site at Summers Lane.
- Site #40, The Leisure Time RV Park site.
- Site #18, The Georgia Pacific (GP) wood waste site.
- Site #39, The JDSF site north of Highway 20.
- The existing Caspar transfer station site.

The Caspar site was kept for full environmental review as it continued to score high on the site selection criteria. It should be noted that AB 234 (Chesbro) was passed by the State legislature and signed into law a few months earlier. This was the Act that created the three-way property swap between JDSF, the State Department of Parks & Recreation (Cal DPR), and Mendocino County/City of Fort Bragg for acquisition of the site north of Highway 20 (Site #39).

In 2013, the Joint Coordinating Committee selected the JDSF parcel north of Highway 20 as the preferred site. At that time, the strengths and weaknesses of the two best sites (north JDSF parcel and the existing Caspar transfer station) were again summarized. They were on the whole equally suitable as the long-term transfer station site and best fit the selection criteria. Subsequently, the EIR was started.

The 2007 Winzler and Kelly study was wide ranging and in-depth. While some circumstances have changed since that time, the selection criteria remain thorough and valid. In addition, Winzler and Kelly identified a high scoring site on the old GP mill site in Fort Bragg. At that time there was not a willing seller; that may still be the case today.

Besides the original six locations considered as the preferred and alternate sites in the EIR, most of the other potential parcels along Highway 20 ranked much lower in the list of 25 potential candidate sites previously identified in the Winzler and Kelly report and concurred by the County and the City. A few ranked fairly well, but had fatal flaws:

- Site #16, The GP mill site: unwilling seller
- Sites #31 and #32, Two sites along Hwy 20 about 1/2-mile east of Hwy 1 near Babcock Lane (Babcock): proximity to residential area and major viewshed issues.

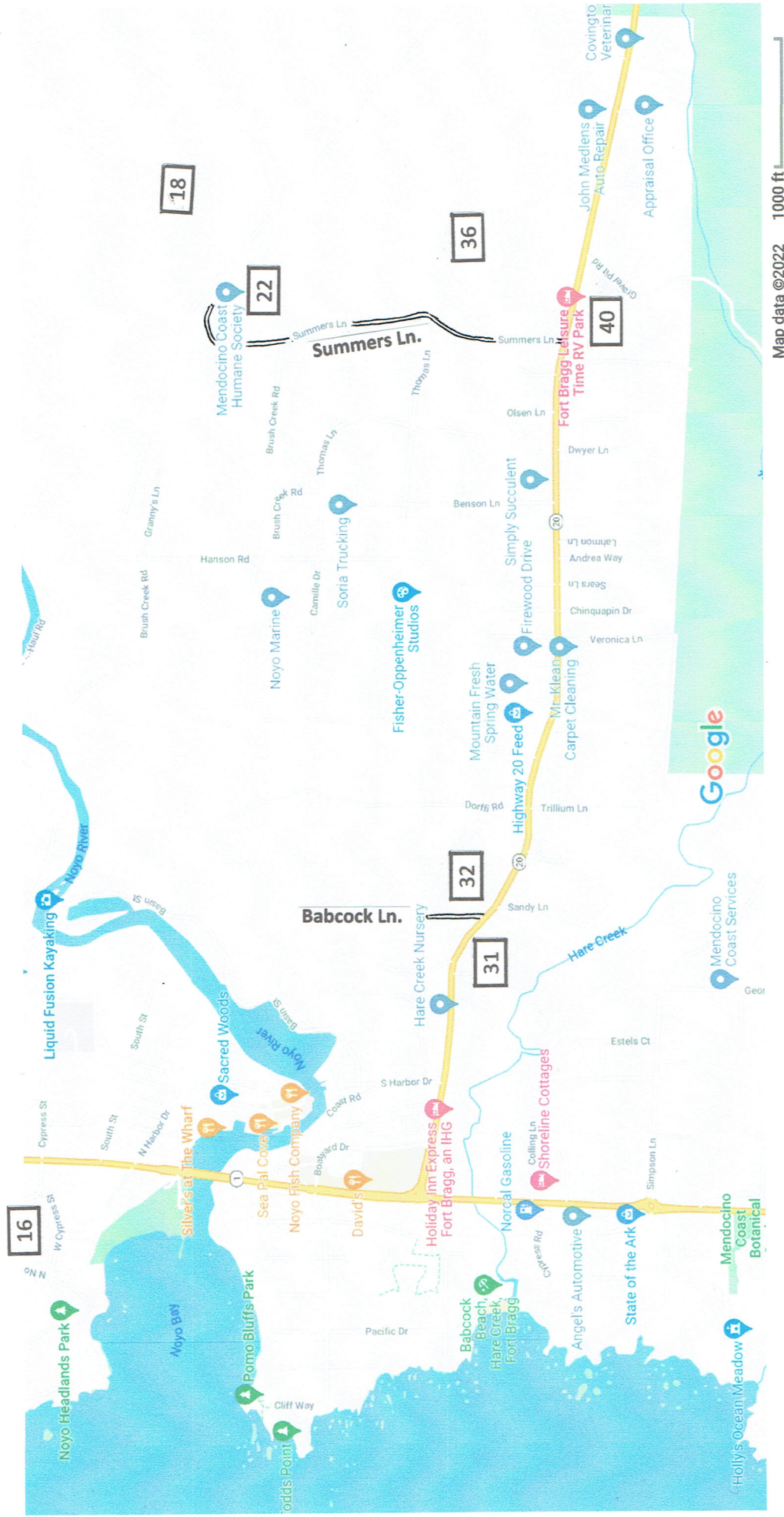
Other sites along or near Hwy 20 generally scored poorly on most or all of the selection criteria:

- Site #18, GP wood waste landfill, east of Animal Shelter: high development costs, traffic impacts, access safety, and driving distance.
- Site #22, Summers Lane Animal Shelter: highly valued existing use, traffic impacts, access safety, high development costs and driving distance. Since the study, its proximity to the Summers Lane reservoir would be a concern.
- Site #41, The JDSF site south of Hwy 20 (opposite the preferred north site): proximity to Hare Creek, awkward parcel size/shape, access safety, and development costs.
- Sites #38 and #44, Two Thorbecke parcels near the Wildwood campground on either side of Hwy 20: unwilling seller, traffic impacts, access safety, driving distance, and high development costs.
- Site #48, Thompson parcel a half mile east of the Wildwood campground: driving distance, traffic impacts, access safety, and development costs.

In addition, sites on the south side of Hwy 20 are more difficult due to the proximity of Hare Creek or its Covington Creek branch. While originally on the short list of potential sites, the MCRPD site eventually became infeasible after the City was not able to negotiate a purchase price for use in a different project.

Many of the sites identified by Winzler & Kelly are quite large, upwards of 100 acres or more. Since only 5 to 10 acres are needed, a part of many of these parcels can be purchased instead. That would mitigate some of the acquisition expense. Nevertheless, since the 2007 to 2013 period when the previous analysis was made, two major factors have evolved. First, acquisition costs have greatly increased. Staff's previous estimate of \$200,000 to directly acquire an undeveloped, five-acre site with no marketable timber may now be low. Second, transitional pygmy forest habitat has become much more controversial and development in this area can be expected to meet much stronger environmental concerns.

In conclusion, it appears that the previous reviews and analysis of potential transfer station sites, east of Fort Bragg remain largely valid. The two best sites are the original, preferred JDSF site (north of Hwy 20) and the existing Caspar transfer station site. These two sites are clearly superior to the other alternatives. The GP mill site was highly ranked and a transfer station could potentially be located in the southern portion in the vicinity of the Cypress Street entrance where industrial uses are being considered. It would be challenged by a likely unwilling seller and its location within the coastal zone. There are not any obvious, new candidates for an alternate Highway 20 site.



Map data ©2022 1000 ft

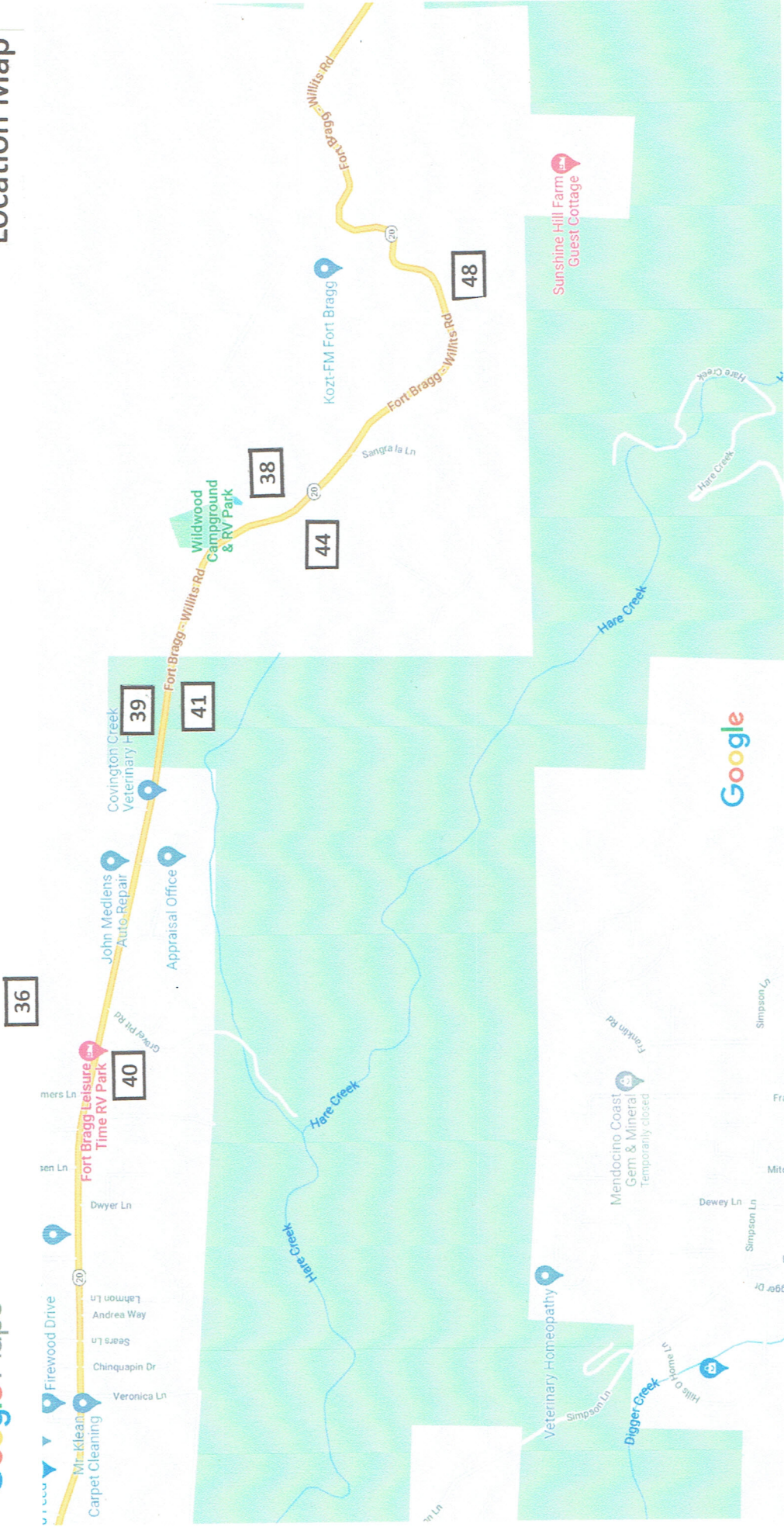
16	GP Mill Site
18	GP Wood Waste Site
22	Summers Ln. - Animal Shelter
31	Babcock - West of Hwy 20
32	Babcock - East of Hwy 20
36	MCRPD Park Site
40	Leisure Time RV Park

Map, courtesy of Google Maps

Numbers are indexed to site locations used in the 2007 Winzler & Kelly report



Location Map



36	MCRPD Park Site
38	Thorbeke – North of Hwy 20
39	JDSF – North of Hwy 20
40	Leisure Time RV Park
41	JDSF – South of Hwy 20
44	Thorbeke – South of Hwy 20
48	Thompson – Hwy 20

Map, courtesy of Google Maps
 Numbers are indexed to site locations
 used in the 2007 Winzler & Kelly report