

RESOLUTION NO. ____-2022

**RESOLUTION OF THE FORT BRAGG CITY COUNCIL
APPROVING AMENDMENT NO. 3 TO THE AGREEMENT BETWEEN THE
CITY OF FORT BRAGG AND COLD CREEK COMPOST, INC. FOR
COMPOSTING SERVICES**

WHEREAS, The City of Fort Bragg (City) and Cold Creek Compost, Inc. (Cold Creek) executed an Agreement (Agreement) dated October 27, 2015 designating Cold Creek as the City's provider of composting services under its Franchise Agreement with Redwood Waste Solutions, Inc. (C&S Waste); and

WHEREAS, the agreement is due to expire on December 31, 2022; and

WHEREAS, The City desires to extend the contract for a term of 5 years, extending the agreement through December 31, 2027, at which time it may be extended per Section 3 of the Agreement; and

WHEREAS, all other terms and conditions of the agreement shall remain in full force and effect, including the provision for the annual price increases contained in Section 13 of the Agreement; and

WHEREAS, Cold Creek provides a valuable local service which promotes sustainability and reduced pollution; and

WHEREAS, based on all the evidence presented, the City Council finds as follows:

1. SB1383 regulations require diversion of organic material to an approved organic waste facility.
2. Cold Creek is the closest and best priced provider of such services.
3. The City has exercised its authority to extend the agreement with Cold Creek for processing of mixed organic waste collection under the City's solid waste franchise contract with C&S Waste.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Fort Bragg does hereby approve Amendment No. 3 to the Agreement between the City of Fort Bragg and Cold Creek Compost, Inc. for Composting Services and authorizes the City Manager to execute same.

The above and foregoing Resolution was introduced by Councilmember _____, seconded by Councilmember _____, and passed and adopted at a regular meeting of the City Council of the City of Fort Bragg held on the 28th day of November, 2022, by the following vote:

**AYES:
NOES:
ABSENT:
ABSTAIN:
RECUSED:**

BERNIE NORVELL
Mayor

ATTEST:

June Lemos, MMC
City Clerk