



AGENCY: City Council
MEETING DATE: October 15, 2019
DEPARTMENT: City Manager
PRESENTED BY: Tabatha Miller
EMAIL ADDRESS: tmiller@fortbragg.com

AGENDA ITEM SUMMARY

TITLE:

Receive Staff Report and Consider Adoption of Resolution Approving Mendocino Solid Waste Management Authority Joint Powers Agreement and an Increase to the Existing Surcharge of \$1.50 per Ton of Solid Waste

ISSUE:

The Mendocino Solid Waste Management Authority (MSWMA) has been in transition for nearly a year. The General Manager left the agency at the end of the last year and after an unsuccessful recruitment process, the MSWMA Commission has been working on solutions and alternatives to the fill that void. Alternatives included transitioning the operations to an outside provider, continuing to recruit the General Manager or promoting from within the organization and continuing operations. The Commission chose the last alternative and promoted from within the existing organization and will continue to provide the traditional services.

Funding for MSWMA comes from a \$5.00 per ton surcharge on all solid waste in the County and grants revenues. In the past, Mendocino County paid \$100,000 to MSWMA for the General Manager to act as the County's Solid Waste Manager. Without the General Manager, this service can no longer be provided and the loss adds to a budget shortfall. The grant revenue varies from year to year, which makes it inconsistent and hard to rely on for ongoing funding. To fill the shortfall and balance the budget, the MSWMA Commission has approved and is recommending each member of MSWMA also approve a \$1.50 per ton increase to the surcharge.

The Joint Powers Agreement (JPA) was originally executed in October of 1990 and needs to be updated to reflect current operations, services and desired changes in how budgets are approved. An amended and revised JPA was drafted by City of Ukiah, presented and approved by the MSWMA Commission and recommended for approval by each member.

ANALYSIS:

MSWMA was originally created through a JPA between the Cities of Fort Bragg, Ukiah, Willits and Mendocino County to provide administrative oversight and program implementation for solid waste and recycling in the County. Each city member is represented by one elected Councilmember and the County is represented by one coastal district Supervisor and one inland district Supervisor.

MSWMA ensures that local solid waste haulers, including trash, recycling and composting are providing services according to State and Federal law, including preparation and implementation of a Reduction and Recycling Plan. MSWMA is also tasked with making efforts, including education, to increase recycling and diversion of materials from landfills. MSWMA through MendoRecycle operates the household hazardous waste facility in Ukiah

and the HazMobile throughout the County. The HazMobile typically visits Fort Bragg on a monthly basis and a [schedule](#) of times and locations is available on MendoRecycle's website.

MSWMA also provides assistance with local cleanup of illegal dumping and removal of graffiti on public and private property. MSWMA has provide assistance with many of the City's encampment clean ups in the last couple of years. Additionally, MSWMA operates the Tire Amnesty programs which allows periodic free collection of tires. The Tire Amnesty programs are supported by grant revenues.

The MSWMA Commission has already reviewed the revised JPA and the \$1.50 surcharge increase but each participating member must also approve the changes. Councilmember Morsell-Haye is the City's elected official on the MSWMA Commission and participated in the approval of the revised JPA and the \$1.50 surcharge increase. Further, Councilmember Morsell-Haye recommends that the City Council approve the revised JPA and the \$1.50 surcharge increase so that MSWMA may continue to provide services with a balanced budget. The \$1.50 per ton surcharge is estimated to increase local customers' monthly solid waste bill by an estimated \$0.25.

The restated and amended JPA updates the purpose and services that MSWMA provides to match the existing services and ongoing requirements. The most significant change to the JPA, is to how the MSWMA budget is approved.

MSWMA has been supported by the \$5.00 per ton surcharge added at transfer stations on solid waste in the county and grant revenues. At least in recent times, members have not had to make additional cash contributions. Under the new JPA, if the proposed budget does not require member contributions, it may be approved with a 3/5 vote. If a proposed budget includes member contributions, the budget must be approved by at least a 4/5 vote of the Commission. Furthermore, if member contributions exceed \$100,000, each member must have their Board or Council approve the contribution. This way each member has some control over the budget impacts of the MSWMA operations.

The remainder of the JPA provides for the organization of the Commission, the powers, authority and functions of the Commission, the role of the General Manager, and each member's relationship to the Commission.

RECOMMENDED ACTION:

Staff recommends that the City Council adopt the Resolution approving the amended and restated Joint Powers Agreement and the \$1.50 increase in the per ton surcharge on Solid Waste at transfer stations in the County.

ALTERNATIVE ACTION(S):

Do not adopt the Resolution and/or provide proposed language changes to present to the MSWMA Commission.

FISCAL IMPACT:

Approval of the \$1.50 increase of the surcharge and the restated JPA do not impact the City's budget directly, although the addition of the 4/5 vote to approve a budget with member contributions and the member approval of a total contribution over \$100k provides the City more control over budget impacts from MSWMA.

The \$1.50 increase is estimated to increase the cost to Fort Bragg Waste Management customer by approximately \$0.25 per month.

GREENHOUSE GAS EMISSIONS IMPACT:

There is no direct impact to greenhouse gas emissions from the amended JPA or the \$1.50 increase to the solid waste surcharge.

CONSISTENCY:

N/A

IMPLEMENTATION/TIMEFRAMES:

The increased surcharge is scheduled to be effective 1-1-2020.

ATTACHMENTS:

1. Att. 1 – Resolution
2. Att. 2 – Amended and Restated MSWMA JPA
3. Att. 3 – Original JPA and First Amendment MSWMA
4. Att. 4 – MSWMA Budget with \$1.50 Increase

NOTIFICATION:

1. Jennifer Lombardi, Interim General Manager MSWMA
2. Steve Shamblin, Waste Management
3. Jerry Ward, Solid Waste of Willits
4. Mendocino Solid Waste Management Authority **Notify Me subscriber list.**