

RESOLUTION NO. ____-2021

RESOLUTION OF THE FORT BRAGG CITY COUNCIL RECOMMENDING THE MENDOCINO COUNTY BOARD OF SUPERVISORS EXTEND THE TERM OF THE CASPAR TRANSFER STATION OPERATIONS AGREEMENT AND LEASE BETWEEN THE COUNTY OF MENDOCINO AND SOLID WASTE OF WILLITS, INC., FROM JUNE 30, 2021 TO JUNE 30, 2025

WHEREAS, the County and City jointly own 60 acres in the Caspar area at the end of Prairie Way that has been used for solid waste purposes since approximately 1967; and

WHEREAS, the County and City used the Caspar property as a landfill from 1968 to 1992 and have since used it as a solid waste transfer station; and

WHEREAS, the County of Mendocino (County) and the City of Fort Bragg (City) entered into a Joint Powers Agreement (JPA) on January 25, 2011 to revise and update the obligations and responsibilities concerning the Caspar Landfill and Solid Waste Transfer Station; and

WHEREAS, the JPA authorized the County to execute an Operating Agreement with Solid Waste of Willits, Inc. to operate the Caspar Transfer Station; and

WHEREAS, the County and Solid Wastes of Willits, Inc. entered into Mendocino County Agreement Number (No.) 11-008, Caspar Transfer Station Operations Agreement and Lease, on January 25, 2011, with an expiration date of June 30, 2017, later amended to be June 30, 2021; and

WHEREAS, Mendocino County Agreement No. 11-008 provides that the County shall, at the County's discretion acting with concurrence of City of Fort Bragg, have the option to extend the Agreement on one or more occasions provided that the combined extension periods do not extend beyond December 31, 2029; and

WHEREAS, it is in the public interest to extend the term of the Agreement to ensure the future operation of the Caspar Transfer Station; and

WHEREAS, the Caspar Transfer Station Joint Coordinating Committee recommended the Mendocino County Agreement No. 11-008 be extended to ensure that future operation of the Caspar Transfer Station; and

WHEREAS, it is the desire of the City to extend the termination date set out in Mendocino County Agreement No. 11-008, as later amended, from June 30, 2021 to June 30, 2025; and

WHEREAS, Mendocino County Agreement No. 11-008 requires the County to provide written notice of the extension(s) to Solid Wastes of Willits, Inc. 180 calendar days prior to the expiration of the Agreement; and

WHEREAS, written notice was provided to Solid Wastes of Willits, Inc. by the County as required on December 10, 2020.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Fort Bragg does hereby recommend and concur that the Mendocino County Board of Supervisors exercise the County's option to extend the term of the Caspar Transfer Station Operations Agreement and Lease with Solid Wastes of Willits, Inc. until June 30, 2025.

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 8th day of March, 2021, by the following vote:

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

BERNIE NORVELL
Mayor

ATTEST:

June Lemos, CMC
City Clerk