

RESOLUTION NO. 4876-2024

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 REDWOOD WASTE SOLUTIONS, INC., FROM JUNE 30, 2025 TO DECEMBER 31, 2029

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

WHEREAS, the Agreement 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 amended again to June 30, 2025; and

WHEREAS, on December 19, 2023, the County approved Agreement No. 23-214 / DOT Agreement No. 230040, Assignment and Assumption Agreement Among Solid Wastes of Willits, Inc., Redwood Waste Solutions, Inc., and County of Mendocino, which, among other things, assigned the Caspar Transfer Station Operations Agreement and Lease to Redwood Waste Solutions, Inc. (RWS);

WHEREAS, Mendocino County Agreement No. 11-008 provides that the County shall, at the County's discretion acting with the concurrence of the 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, it is the desire of the City and the County to extend the termination date set out in Mendocino County Agreement No. 11-008, as later amended, from June 30, 2025 to December 31, 2029; and

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

WHEREAS, written notice was provided to RWS by the County as required on November 6, 2024.

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 Redwood Waste Solutions, Inc. until December 31, 2029.

The above and foregoing Resolution was introduced by Vice Mayor Godeke, seconded by Councilmember Rafanan, and passed and adopted at a regular meeting of the City Council of the City of Fort Bragg held on the 25th day of November 2024, by the following vote:

AYES: Councilmembers Albin-Smith, Peters, Rafanan, Vice Mayor Godeke, and Mayor Norvell.
NOES: None.
ABSENT: None.
ABSTAIN: None.
RECUSED: None.

BERNIE NORVELL
Mayor

ATTEST:

Amber Lenore Weaver
Acting City Clerk