

RESOLUTION NO. 4450-2021

RESOLUTION OF THE FORT BRAGG CITY COUNCIL APPROVING A ONE-TIME PAYMENT OF \$13,600 TO MENDOCINO SOLID WASTE MANAGEMENT AUTHORITY

WHEREAS, the Mendocino Solid Waste Management Authority (MSWMA) was created by a Joint Powers Agreement (JPA) among the Cities of Fort Bragg, Ukiah, Willits and the County of Mendocino in October of 1990 and was revised in 2019 to reflect current services and operations of MSWMA; and

WHEREAS, each of the members to the JPA is a "public agency" as defined in Government Code Section 6500; and

WHEREAS, pursuant to Title 1, Division 7, Chapter 5, of the Government Code, commonly known as the Joint Exercise of Powers Act, two or more public agencies may, by Agreement, jointly exercise any power common to the contracting member; and

WHEREAS, each of the members has the power, in addition to other powers which are common to each of them, to adopt, develop and implement programs and activities to increase recycling and other measures to divert solid waste from being disposed in landfills, to provide for the proper handling, reuse and disposal of household hazardous waste, to provide for the clean-up of sites where solid waste has been illegally deposited and to prevent and remove graffiti from public or private property; and

WHEREAS, the California Integrated Waste Management Act (the "Act"), as codified in Division 30 of the Cal. Public Resources Code ("PRC"), as periodically amended, requires each of the members to prepare a source reduction and recycling element and a household hazardous waste element in compliance with Division 30, Part 2, Chapters 2, 3 and 3.5 of the PRC; and

WHEREAS, it is mutually advantageous for the members to work together and share costs to: (1) adopt, develop and implement programs and activities to increase recycling and other measures to divert solid waste from being disposed in landfills, to provide for the proper handling, reuse and disposal of household hazardous waste, to provide for the clean-up of sites where solid waste has been illegally deposited and to prevent and remove graffiti from public or private property; and (2) prepare and implement a source reduction and recycling element and a household hazardous waste element that meets the requirements of the Act; and

WHEREAS, effective January 1, 2020, a \$1.50 increase in the per ton surcharge on solid waste in the County, which is collected at the transfer station, was implemented after approval by the MSWMA members. This increased the prior \$5.00 per ton charge to \$6.50 per ton; and

WHEREAS, in order to continue the work of MSWMA, the MSWMA Board Members have requested one-time payments from each member entity based on 2020 population. The

MSWMA Commissioners recommend a \$13,600 one-time payment from the City of Fort Bragg as its proportional share of operating shortfalls; and

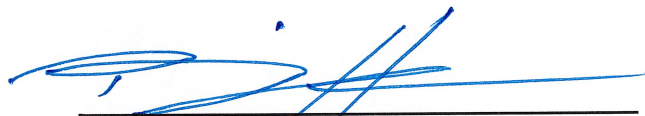
WHEREAS, based on all the evidence presented, the City Council finds as follows:

1. To support the ongoing operations and valuable services provided by MSWMA it is necessary that each member entity agree to pay a proportional one-time payment.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Fort Bragg does hereby approve the \$13,600 one-time payment to MSWMA, so long as all member jurisdictions approve their portion of the payment.

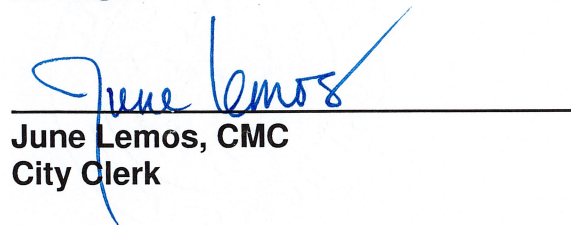
The above and foregoing Resolution was introduced by Councilmember Morsell-Haye, seconded by Mayor Norvell and passed and adopted at a regular meeting of the City Council of the City of Fort Bragg held on the 27th day of September, 2021, by the following vote:

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



BERNIE NORVELL
Mayor

ATTEST:



June Lemos, CMC
City Clerk