

RESOLUTION NO. RES-2017-057

RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING THE AMENDED AND RESTATED JOINT EXERCISE POWERS AGREEMENT FOR THE SONOMA COUNTY WASTE MANAGEMENT AGENCY (SCWMA)

WHEREAS, the SCWMA was formed on or before September 9, 1992 to enable the Members to jointly exercise their powers to address issues related to the management of wood waste, yard waste and household hazardous waste and to provide public education related to waste diversion within the Members' jurisdiction; and

WHEREAS, the Members are authorized and empowered to contract with each other for the joint exercise powers pursuant the Joint Exercise of Powers Act, Government Code Section 6500; and

WHEREAS, the SCWMA's Members include, County of Sonoma, City of Cotati, City of Cloverdale, City of Healdsburg, City of Petaluma, City of Rohnert Park, City of Santa Rosa, City of Sebastopol, City of Sonoma, and Town of Windsor; and

WHEREAS, on January 24, 1996, the Members entered into that certain First Amendment to Agreement Between the Cities of Sonoma County and Sonoma County for a Joint Powers Agency to deal with waste management issues; and

WHEREAS, on March 27, 2014, the Members entered into that certain Second Amendment to Agreement Between the Cities of Sonoma County and Sonoma County for a Joint Powers Agency to deal with waste management issues; and

WHEREAS, the SCWMA's term was originally set for 25 years, but all members, including the City of Santa Rosa, agreed to extend the term an additional year on March 15, 2016, so the current term expiration is February 11, 2018; and

WHEREAS, the SCWMA Board of Directors, City and County staff, and governing Councils and Boards have been discussing the future of SCWMA programs for over three years; and

WHEREAS, during that time, the efficacy of SCWMA programs has been examined by third parties and determined to have greater value performed by the SCWMA than with each jurisdiction performing the tasks individually; and

WHEREAS, for the past several months, SCWMA staff and Counsel have drafted an Amended and Restated Joint Exercise of Powers Agreement, have shared that draft with all City Attorneys and County Counsel, and incorporated feedback into a finalized draft agreement; and

WHEREAS, the SCWMA Board approved the Amended and Restated JPA agreement draft for distribution to SCWMA member agencies on December 21, 2016; and

WHEREAS, the Amended and Restated agreement retains the existing core programs of collection and proper disposal of organic material and hazardous human waste, providing education and outreach, and state-required solid waste planning reporting; and

WHEREAS, if the SCWMA is not extended or replaced, the services the SCWMA provides must be assumed by its members within their jurisdictions.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Santa Rosa desires to continue to jointly exercise common powers and authority through the Sonoma County Waste Management Agency, and approves the Amended and Restated terms of the Joint Exercise of Powers Agreement for the Sonoma County Waste Management Agency in the form attached hereto at Exhibit A.

BE IT FURTHER RESOLVED that Exhibit A is made a part of this resolution.

IN COUNCIL DULY PASSED this 18th day of April, 2017.

AYES: (7) Mayor Coursey, Vice Mayor Tibbetts, Council Members Combs, Olivares, Rogers, Sawyer, Schwedhelm

NOES: (0)

ABSENT: (0)

ABSTAIN: (0)

ATTEST: _____ APPROVED: _____
City Clerk Mayor

APPROVED AS TO FORM:

Interim City Attorney

ATTACHMENT:

Exhibit A – Amended and Restated Joint Exercise of Powers Agreement for the Sonoma County Waste Management Agency