

BEFORE THE BOARD OF SUPERVISORS  
OF THE COUNTY OF FRESNO  
STATE OF CALIFORNIA

IN THE MATTER OF DISSOLUTION )  
OF THE FRESNO-CLOVIS METROPOLITAN ) RESOLUTION  
SOLID WASTE COMMISSION )

WHEREAS, the California Integrated Waste Management Act of 1989 (Assembly Bill 939, Sher, Chapter 1095, Statutes of 1989) (AB 939) requires each city and county in the State to prepare and implement a jurisdiction-specific plan to divert 50% of solid waste generated within its jurisdiction from disposal; and

WHEREAS, the State of California has established a goal of 75% source reduction, recycling, and composting by 2020; and

WHEREAS, required programs include Source Reduction, Recycling, Composting, Hazardous Waste Management and Public Education that are best coordinated on a regional basis; and

WHEREAS, new State rules are currently being promulgated pursuant in Senate Bill 1383 (Lara, Chapter 395, Statutes of 2016 [SB 1383]) that will increase the need for regional programs to reduce methane generation by diverting 50% of organics from landfill by 2020 and 75% by 2025; and

WHEREAS, sub-regional solid waste management plans and programs had been implemented by the Fresno-Clovis Metropolitan Solid Waste Commission (FCMSWC), which was formed in 1977 pursuant to Joint Powers Agreement (JPA) and is comprised of representatives from the City of Fresno, City of Clovis and County of Fresno (collectively "the Member Agencies"); and

WHEREAS, the FCMSWC met on March 23, 2016 and directed staff to prepare the requisite documents for Board approvals to dissolve the Commission, terminate the JPA, and refund enterprise monies evenly between the jurisdictions; and

WHEREAS, the FCMSWC retains approximately \$23,500 in its enterprise trust fund, which can be evenly distributed to the City of Fresno, the City of Clovis, and the County of Fresno by mutual agreement; and

1 WHEREAS, AB 939 authorized the County of Fresno, along with the fifteen (15)  
2 incorporated cities within the County, to join together to prepare and implement plans  
3 and programs to establish integrated management of solid waste on a regional basis;  
4 and

5 WHEREAS, AB 939 requires the designation of an Integrated Waste  
6 Management Local Task Force (LTF) for reviewing local and regional plans, which  
7 originally was formed by action of this Board in 1990, in accordance with statutory  
8 requirements; and

9 WHEREAS, the County of Fresno and the cities in the County previously have  
10 formed the AB 939 MOU Committee to oversee ongoing planning and implementation  
11 of countywide programs; and

12 WHEREAS, the Member Agencies have expressed a desire to dissolve the  
13 FCMSWC, terminate the JPA, refund remaining enterprise funds to be distributed  
14 among the Member Agencies, and to have the AB 939 MOU Committee designated to  
15 serve in the capacity and perform the functions of the LTF, to address and facilitate the  
16 development of AB 939-related plans and programs that are best accomplished and  
17 coordinated on a regional basis.

18 NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors  
19 authorizes the dissolution of the FCMSWC and hereby grants its approval for  
20 termination of the JPA, conditioned upon subsequent receipt of resolutions from the  
21 governing bodies of the City of Fresno and City of Clovis confirming their mutual  
22 concurrence with such termination, and with distribution of the remaining enterprise trust  
23 fund monies evenly between the City of Fresno, the City of Clovis, and the County of  
24 Fresno.

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