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CITY OF SACRAMENTO--COUNTY OF SACRAMENTO

June 14, 1994

Sacramento City Council
Sacramento, California

Sacramento County Board of Supervisors
Sacramento, California

APPROVED
BY THE CITY COUNCIL

JUN 14 1994

OFFICE OF THE
CITY CLERK

**SUBJECT: FORMATION OF THE SACRAMENTO REGIONAL COUNTY
SOLID WASTE MANAGEMENT DISTRICT**

Members in Session:

RECOMMENDATION:

It is recommended that the Board of Supervisors and the City Council adopt the attached resolution rescinding the Resolution of Application requesting the Local Agency Formation Commission (LAFCo) to initiate proceedings for formation of the Sacramento Regional County Solid Waste Management District (District).

DISCUSSION:

On November 23, 1993, the Board of Supervisors and the City Council adopted a Resolution of Application requesting the LAFCo to initiate proceedings for formation of the District i.e., County Resolution No. 93-1496 and City Resolution No. 93-655 respectively. That resolution contains a statement of intent by the Board of Supervisors and the City Council respectively that all of the unincorporated area of the County and all of the area within the boundaries of the City be included within the jurisdiction of the District. The Resolution of Application was adopted by the Board of Supervisors and the City Council respectively in anticipation of securing LAFCO's approval of District formation prior to July 1, 1994, as required by the State legislation enacted which creates the District (SB 855 Greene).

Now that labor negotiations with Local 39 regarding the proposed merger of City and County solid waste operations have been suspended, it is appropriate for the Board of Supervisors and the City Council to rescind the Resolution of Application requesting the LAFCo to initiate proceedings for formation of the District. Recision of the Board of Supervisors' and City Councils' prior resolution has the effect of not only withdrawing the request for consideration by LAFCo but also allowing the legislation enacting creation of the District to lapse. Reaching agreement with Local 39 about the terms and conditions of a merger of operations prior to obtaining LAFCo's approval of District formation is not imminent particularly in light of the July 1, 1994 deadline for District formation as contained in the legislation enacting the creation

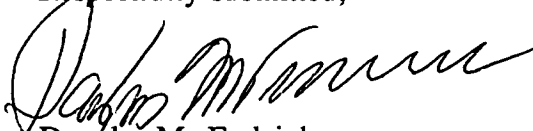
Honorable Board of Supervisors
June 14, 1994
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of the District. Further, the reference to a pre-merger agreement as contained in the legislation represents a condition that is unacceptable to the County.


In the near term, the Sacramento Regional County Solid Waste Authority (Authority) will continue to operate under a Joint Powers Agreement (JPA) as the responsible entity for the planning, acquisition and development of joint use solid waste facilities. Details regarding continued operations of the Authority will be provided to the City Council and Board of Supervisors in the form of a joint staff report in the next thirty to sixty days.

In the meantime, it is recommended that the Board of Supervisors and the City Council adopt the attached resolution rescinding the Resolution of Application requesting the LAFCo to initiate proceedings for formation of the District.


Respectfully submitted,


Douglas M. Fraleigh
Administrator

Concur:


Bob Smith
County Executive

Concur:


William H. Edgar
City Manager

DMF:WHH:bf/svb

Attachment

cc: Members of the Technical Advisory Committee
Baxter Culver
Ken Emanuels
Bob Ryan

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FOR THE BOARD OF SUPERVISORS AND CITY COUNCIL MEETING OF: June 14, 1994

CONTACT PERSONS FOR MORE INFORMATION:

**City: Bob Thomas
Deputy City Manager**

**County: Warren H. Harada
Director of Public Works Administration**

RESOLUTION NO.

94-376

ADOPTED BY THE SACRAMENTO CITY COUNCIL

APPROVED
BY THE CITY COUNCIL

JUN 14 1994

OFFICE OF THE
CITY CLERK

ON DATE OF _____

RESOLUTION RESCINDING RESOLUTION NO. 93-655
RESOLUTION OF APPLICATION REQUESTING
THE LOCAL AGENCY FORMATION COMMISSION
TO INITIATE PROCEEDINGS FOR FORMATION OF THE
SACRAMENTO REGIONAL COUNTY SOLID WASTE
MANAGEMENT DISTRICT

WHEREAS, on November 23, 1993, the City Council of the City of Sacramento adopted Resolution No. 93-655 Resolution of Application Requesting the Local Agency Formation Commission (LAFCo) to initiate proceedings for the formation of the Sacramento Regional County Solid Waste Management District (the "District"); and

WHEREAS, such resolution is a prerequisite to obtaining LAFCo's approval of District formation; and

WHEREAS, labor negotiations with Stationary Engineers Local 39 International Union of Operating Engineers, AFL-CIO ("Local 39") about the terms and conditions of the proposed merger of the solid waste operations have been suspended; and

WHEREAS, reaching agreement with Local 39 regarding the terms and conditions of the proposed merger of solid waste operations prior to obtaining LAFCo's approval of District formation is not possible in light of the July 1, 1994 deadline for District formation as contained in legislation enacted to create the District.

NOW, THEREFORE BE IT RESOLVED that:

Section 1. All of the above recitals are true and correct.

Section 2. Resolution No. 93-655 requesting the LAFCo to initiate proceedings for formation of the District is hereby rescinded.

Section 3. The Council hereby withdraws its request to LAFCo to take proceedings in regard to the formation of the District.

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

Section 4.

It is the intention of this Council that legislation enacting creation of the District (Chapter 1129 of the Statutes of 1993 adding Division 32 commencing with Section 6000 to the Public Resources Code entitled "Division 32. Sacramento Regional County Solid Waste Management District Act") be allowed to lapse.

Section 5.

The Clerk of this Council is hereby directed to file a certified copy of this resolution with the Executive Officer of the LAFCo.

This resolution was passed and adopted by the City Council of the City of Sacramento, County of Sacramento, State of California, this _____ day of _____, 1994.

MAYOR

ATTEST:

CITY CLERK

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____


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of the District. Further, the reference to a pre-merger agreement as contained in the legislation represents a condition that is unacceptable to us.


In the near term, the Sacramento Regional County Solid Waste Authority (Authority) will continue to operate under a Joint Powers Agreement (JPA) as the responsible entity for the planning, acquisition and development of joint use solid waste facilities. Details regarding continued operations of the Authority will be provided to the City Council and Board of Supervisors in the form of a joint staff report in the next thirty to sixty days.

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