

CITY OF SEBASTOPOL CITY COUNCIL
AGENDA ITEM REPORT FOR MEETING OF: April 15, 2025

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To: Honorable Mayor and City Councilmembers
From: Assistant City Manager/City Clerk
Subject: Adoption of Ordinance Amending the Sebastopol Municipal Code 13.16.120; Collection and Disposal of Garbage
There is no fiscal impact with approval of amendment of the ordinance.

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RECOMMENDATION:

That the City Council Approve Waiving of Second Reading and adoption of Ordinance Amending the Sebastopol Municipal Code 13.16.120; Collection and Disposal of Garbage. Ordinance Amendment is required to be in accordance with Executed Solid Waste Collection Agreement with Sonoma County Resource Recovery for garbage, recycling, and organic waste collection services.

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SUMMARY:

On January 7, 2025, the City Council authorized execution of the Solid Waste Collection Agreement (Agreement) for garbage, recyclable materials, and organic waste collection services with Sonoma County Resource Recovery (SCRR) with a term of 15 years.

BACKGROUND AND DISCUSSION:

On April 1, 2025, the City Council approved for First Reading and Introduction and Ordinance to amend the Sebastopol Municipal Code 13.16.120; Collection and Disposal of Garbage states "A. For the collection and disposal of refuse, garbage, wet garbage, and rubbish, a contract for a period not to exceed 10 years may be negotiated and entered into by the City of Sebastopol in accordance with and subject to the terms and conditions of this chapter and the law relating to general law cities."

The contract with Sonoma County Resource Recovery states "Article 2. Term of Agreement. This Term of Agreement will be for a fifteen (15) year period beginning July 1, 2025, and terminating on June 30, 2040."

The ordinance amendment reflects the 15 year term of agreement per the executed contract.

Section 13.16.120(A) of the Sebastopol Municipal Code shall be amended to read as follows (with changes shown in deletion and additions underlined):

"For the collection and disposal of refuse, garbage, wet garbage, and rubbish, a contract for a period not to exceed ~~10~~ 15 years may be negotiated and entered into by the City of Sebastopol in accordance with and subject to the terms and conditions of this chapter and the law relating to general law cities."

As noted above the Council approved the first reading and introduction of the ordinance at its April 1, 2025 Council meeting. The ordinance is now before the Council for adoption.

COMMUNITY OUTREACH:

This item has been noticed in accordance with the Ralph M. Brown Act and was available for public viewing and review at least 72 hours prior to the scheduled meeting date. The City has also used social media to promote and advertise the City Council Meeting Agenda Items.

FISCAL IMPACT: There is no fiscal impact associated with approval of this consent calendar item.

RESTATED RECOMMENDATION:

That the City Council Approve Waiving of Second Reading and adoption of Ordinance Amending the Sebastopol Municipal Code 13.16.120; Collection and Disposal of Garbage. Ordinance Amendment is required to be in accordance with Executed Solid Waste Collection Agreement with Sonoma County Resource Recovery for garbage, recycling, and organic waste collection services.

OPTION:

There are no options as the Agreement has been approved and executed.

ATTACHMENTS:

Ordinance Amendment

APPROVALS:

Department Head Approval: Approval Date: 4-2-2025

CEQA Determination (Planning): Approval Date: 4-2-2025

This action is exempt from the California Environmental Quality Act (CEQA) because it is not a project which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, pursuant to CEQA Guidelines.

Administrative Services (Financial) Approval Date: 4-2-2025

Costs authorized in City Approved Budget: Yes No N/A

Account Code (f applicable) _____

City Attorney Approval: Approval Date: 4-3-2025

City Manager Approval: Approval Date: -

ORDINANCE NUMBER 1155

SECOND READING AND ADOPTION

AN ORDINANCE OF THE CITY OF SEBASTOPOL GENERALLY AMENDING THE SEBASTOPOL MUNICIPAL CODE 13.16.120; Collection and Disposal of Garbage

WHEREAS, On February 20, 2024, the Council directed City staff to pursue a competitive request for proposals (RFP) process for solid waste collection services provided in the City; and

WHEREAS, On January 7, 2025, the City Council approved and authorized the City to enter into an agreement with Sonoma County Resource Recovery for garbage, recycling, and organic waste collection services; and

WHEREAS, This ordinance amendment reflects the 15 year term of agreement per the executed contract.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF SEBASTOPOL DOES ORDAIN AS FOLLOWS:

SECTION 1. The above recitals are true and correct and are incorporated herein by this reference.

SECTION 2. Section 13.16.120(A) of the Sebastopol Municipal Code shall be amended to read as follows (with changes shown in deletion and additions underlined):

“For the collection and disposal of refuse, garbage, wet garbage, and rubbish, a contract for a period not to exceed ~~10~~ 15 years may be negotiated and entered into by the City of Sebastopol in accordance with and subject to the terms and conditions of this chapter and the law relating to general law cities.”

SECTION 3. The City Council finds, pursuant to Title 14 of the California Code of Regulations, Section 15378(b)(5), that this ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) in that it is a governmental, organizational or administrative activity that will not result in direct or indirect changes in the environment.

SECTION 4. If any Person violates any provision of this Ordinance, he or she shall be liable to the Filing Officer at a minimum of ten (\$10) dollars per day of violation, in addition to any other legal remedies provided by law. This amount shall be deemed a penalty in accordance with Government Code Section 91013.

SECTION 5. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

SECTION 6. A summary of this Ordinance shall be published in a newspaper published and circulated in the City of Sebastopol at least five (5) days prior to the City Council meeting at which the proposed Ordinance is to be adopted. A certified copy of the full text of the proposed Ordinance shall be posted in

the office of the City Clerk. Within fifteen (15) days after adoption of the Ordinance, the summary with the names of those City Council members voting for and against the Ordinance shall be published again, and the City Clerk shall post a certified copy of the full text of such adopted Ordinance.

SECTION 7. This Ordinance shall take effect and be in full force and effect thirty (30) days after its passage.

APPROVED FOR WAIVING OF FIRST READING AND INTRODUCTION OF ORDINANCE at the Regular City Council Meeting of April 1, 2025.

APPROVED FOR SECOND READING AND ADOPTION OF ORDINANCE at the Regular City Council Meeting of April 15, 2025.

VOTE:
AYES:
NOES:
ABSENT:
ABSTAIN:

APPROVED: _____
Mayor Stephen Zollman

ATTEST: _____
Mary Gourley, Assistant City Manager/City Clerk, MMC

APPROVED AS TO FORM: _____
Alex Mog, City Attorney