

RESOLUTION 2026-###

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO APPROVING THE FIRST AMENDMENT TO THE FIFTH AMENDMENT AND RESTATEMENT OF THE JOINT EXERCISE OF POWERS AGREEMENT TO CHANGE THE WEST CONTRA COSTA INTEGRATED WASTE MANAGEMENT AUTHORITY FISCAL YEAR TO JANUARY THROUGH DECEMBER COMMENCING JANUARY 1, 2027

WHEREAS, the City of San Pablo is a member of the West Contra Costa Integrated Waste Management Authority ("Authority"), which is a Joint Powers Authority formed under California law to provide regulatory oversight of the disposal and recycling processing of solid waste and household hazardous waste (HHW) collected from the cities of El Cerrito, Hercules, Pinole, Richmond, San Pablo and portions of the unincorporated County of Contra Costa;

WHEREAS, the Joint Exercise of Powers Agreement (JEPA) was executed by the City and the other member agencies in 1991 to form the Authority and was subsequently amended by the City and the other member agencies in 1991, 1993, 1995, 2011 and 2019;

WHEREAS, Section 1.17 of the JEPA defines "Fiscal Year" to mean the period commencing July 1 and ending on the following June 30;

WHEREAS, Section 8.8 of the JEPA requires a general budget for the Authority's operations to be adopted by its Board of Directors for the ensuing Fiscal Year prior to June 30 of each year;

WHEREAS, the Authority establishes and approves the post-collection rates to be charged to the City's ratepayers for materials delivered to its contractor for post-collection processing and disposal;

WHEREAS, the current Fiscal Year can inherently result in deficits in necessary revenue for the July 1 – December 30 period as the budget is approved before the rates are adjusted on January 1;

WHEREAS, on June 11, 2026, the Authority Board of Directors approved Resolution No. 26-12 directing the Executive Director to ask the Authority's member agencies to consider approving a resolution to change the Authority's Fiscal Year from July 1 through June 30 to January 1 through December 31, commencing January 1, 2027; and

WHEREAS, any changes to the JEPA first require approval by the Authority Board of Directors and then approval from all of the Authority's member agencies in order for the change to become effective.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of San Pablo hereby approves the First Amendment to the Fifth Amendment and Restatement Joint Exercise of Powers Agreement (Exhibit A) and authorizes the City Manager, or his designee, to execute such Amendment on behalf of the City; and

BE IT FURTHER RESOLVED that the foregoing recitations are true and correct and are included herein by reference as findings.

* * * * *

ADOPTED this 20th day of July, 2026, by the following vote:

AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBERS:
ABSENT: COUNCILMEMBERS:
ABSTAIN: COUNCILMEMBERS:

ATTEST:

APPROVED:

Dorothy Gantt, City Clerk

Elizabeth Pabon-Alvarado, Mayor