

RESOLUTION NO. 2013 – 32

A RESOLUTION OF THE SALINAS VALLEY SOLID WASTE AUTHORITY REQUESTING THE COUNTY OF MONTEREY APPROVE THE ISSUANCE OF THE 2013 REFUNDING REVENUE BONDS

WHEREAS, each of the City Councils of the member agencies of the Salinas Valley Solid Waste Authority including Salinas, Gonzales, Soledad, Greenfield and King City have approved a Resolution approving the issuance by the Authority of its refunding revenue bonds and directing certain actions related thereto; and

WHEREAS, the Board of Supervisors of the County of Monterey considered without approval, a resolution on this matter at its November 5, 2013 meeting; and

WHEREAS, the Board of Supervisors of the County of Monterey approved a resolution on this matter at its December 3, 2013 meeting; and

WHEREAS, the Board of Directors of the Salinas Valley Solid Waste Authority recognizes the concerns of the Board of Supervisors and desires to reach accord on this issue.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE SALINAS VALLEY SOLID WASTE AUTHORITY that in consideration of the Board of Supervisor's unconditional approval of the 2013 Bond Issuance, the following covenants are hereby approved:

A) that, to the extent permitted by law and barring unforeseen exigent circumstances, the Authority shall not raise rates or impose new rates for the disposal or processing of waste of any kind at any facilities owned, controlled, managed or leased by the Authority (including without limitation tipping fees or AB 939 fees) through and including June 30, 2015, without the express approval of the County's representatives to the Authority's Board of Directors in attendance at a meeting of the Authority's Board where such action is considered, other than implementation of the previously approved rate increase effective July 1, 2013; and

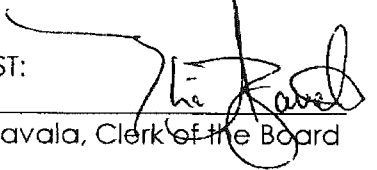
B) to participate in and fund its fair share of a Regional Solid Waste Study; and


C) the Authority shall not pursue an autoclave, or other developmental or experimental waste disposal technologies, including but not limited to the expenditure of funds on planning or siting activities, except for the biomethane pilot program, and economic and environmental analyses for alternate locations for a future transfer station and a materials processing and recovery facility, through and including June 30, 2015, without the express approval of the County's representatives to the Authority's Board of Directors in attendance at a meeting of the Authority's Board where such action is considered.

PASSED AND ADOPTED by the Board of Directors of the Salinas Valley Solid Waste Authority at its special meeting duly held on the 4th day of December 2013, by the following vote:

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| AYES: | BOARD MEMBERS: | ARMENTA, BARRERA, CULLEN, DE LA ROSA, MORENO, LUTES, PEREZ, SALINAS (Alt), SILVA |
| NOES: | BOARD MEMBERS: | NONE |
| ABSENT: | BOARD MEMBERS: | CALCAGNO |
| ABSTAIN: | BOARD MEMBERS: | NONE |

ATTEST:


Elia Zavala, Clerk of the Board


Fernando Armenta, President