



County of Monterey

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

Legislation Details (With Board Report)

File #: 13-1225 **Name:**
Type: General Agenda Item **Status:** Passed
File created: 11/21/2013 **In control:** Board of Supervisors
On agenda: 12/3/2013 **Final action:** 12/3/2013
Title: Continued from November 5, 2013:
In the Matter of the Salinas Valley Solid Waste Authority Revenue Bonds, Series 2013, and the County's Notices of Intent to Withdraw from the Authority and the related Waste Delivery Agreement.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Attachment 1, 2. Attachment 2, 3. Completed Board Order and Resolution

Date	Ver.	Action By	Action	Result
12/3/2013	1	Board of Supervisors	approved	Pass

Continued from November 5, 2013:

In the Matter of the Salinas Valley Solid Waste Authority Revenue Bonds, Series 2013, and the County's Notices of Intent to Withdraw from the Authority and the related Waste Delivery Agreement.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a) Rescind the Notices of Intent to withdraw from the Salinas Valley Solid Waste Authority ("Authority") and the related Waste Delivery Agreement (the "Notices of Intent"), and approve the Authority's proposed Series 2013 Revenue Bonds with conditions;
- b) Rescind the Notices of Intent but not approve the Authority's proposed Series 2013 Revenue Bonds;
- c) Not rescind the Notices of Intent but approve the Authority's proposed Series 2013 Revenue Bonds, and instruct staff to return in January of 2014, with a date certain for withdrawal from the Authority and other necessary actions;
- d) Not rescind the Notices of Intent, not approve the Series 2013 Revenue Bonds, and instruct staff to return in January of 2014, with a date certain for withdrawal from the Authority and other necessary actions; or
- e) Rescind the Notices of Intent to withdraw from the Salinas Valley Solid Waste Authority ("Authority") and the related Waste Delivery Agreement (the "Notices of Intent"), and approve the Authority's proposed Series 2013 Revenue Bonds with conditions and additional amendments to the Waste Delivery Agreement to allow, at the County's option, delivery of waste from unincorporated Supervisorial District 2 to the Monterey Regional Waste Management District.

SUMMARY/DISCUSSION:

This matter was previously before the Board of Supervisors for a public hearing and consideration on November 5, 2013. At that time the Board received the staff report, opened the public hearing required by federal and state law, received public testimony, closed the public hearing, and considered the County's options. The matter was continued to the December 3, 2013, Board meeting with direction to explore whether the County could remain a member of the JPA and approve the Series 2013 Bonds, but have waste generated in the

unincorporated area of Supervisorial District 2, within the Authority's boundaries, delivered to the Monterey Regional Waste Management District's facilities. Copy of the prior staff report is enclosed as Attachment 1 (due to their volume, the exhibits to attachment A of that staff report are not included, but can be provided upon request or can be viewed online as part of the staff report for item 25.1 on November 5, 2013).

The prior action requested by the Authority regarding the approval of the proposed Series 2013 Bonds included an amendment to the existing Waste Delivery Agreement between the County and the Authority. In response to the Board's direction on November 5, further amendments to that agreement have been drafted that would permit, at the County's option, the North County waste to be re-directed to the District's facilities. The proposed additional amendments have been provided to the Authority for consideration.

OPTIONS FOR BOARD CONSIDERATION:

Implementation of the Board's November 5 direction would be similar to implementation of Option (a) as described above and in the prior staff report; the only difference being that the attachment to the draft resolution (setting forth the amendments to the Waste Delivery Agreement) is different. This option is described above as Option (e). Enclosed as Attachment 2 is a draft resolution implementing Option (e). Should the Board decide not to pursue the option to re-direct of North County waste as part of this action, staff recommends that the Board consider Options (a) - (d) as outlined above and as further described in the prior staff report. Should the Board adopt either Option (c) or (d), which contemplate the County withdrawing from the Authority and the Waste Delivery Agreement, staff recommends that they be directed to return at a Board meeting in January, 2014, with a report identifying a date certain for withdrawal and other actions that will be necessary to complete the withdrawal.

OTHER AGENCY INVOLVEMENT:

The County Counsel's office has reviewed the Board Report and associated documents.

FINANCING:

There is no General Fund Contribution resulting from this Board action; any payment necessary for withdrawal from the Authority and the Waste Delivery Agreement could be financed through a special fund consisting of fees received from the County's franchise waste hauler.

Prepared by:

Approved by:

John Ramirez
Director of Environmental Health

Ray Bullick
Director of Health

Leslie J. Girard
Chief Assistant County Counsel

cc: Lew Bauman, CAO
Dewayne Woods, Assistant CAO
Michael Miller, Auditor - Controller

Attachment 1: November 5, 2013, staff report (including attachments, except Exhibits to Attachment A).

Attachment 2: Draft Resolution and Amendment to Waste Delivery Agreement (Option e)

