



County of Monterey

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

Board Report

File #: 13-1317, Version: 1

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. (ADDED VIA ADDENDUM)

RECOMMENDATION:

It is recommended that the Board of Supervisors:

Consider whether to amend Resolution No. 13-355, adopted December 3, 2013, concerning the County's approval of the Salinas Valley Solid Waste Authority Revenue Bonds, Series 2013, to provide a sunset date for the restriction on the Authority's ability to proceed with an autoclave or other experimental or developmental technology.

SUMMARY/DISCUSSION:

On December 3, 2013, the Board of Supervisors considered a number of options regarding the Notices of Intent to Withdraw from the Salinas Valley Solid Waste Authority and the related Waste Delivery Agreement, and the Salinas Valley Solid Waste Authority Revenue Bonds, Series 2013. At that time the Board determined to approve the bonds and rescind the Notices of Intent subject to acceptance of certain conditions by the Authority. A copy of the Resolution No. 13-355 setting forth those conclusions is attached as Attachment 1. The resolution provided that the Authority would be prohibited from pursuing an autoclave or other developmental or experimental technology (unless, of course, the County and the Authority specifically agreed otherwise by separate instrument).

The Authority Board subsequently met on December 4, 2013, to consider the County's conditions. The Authority Board adopted a resolution agreeing to the County's conditions with one exception; The Authority has requested that the restriction on pursuing the other technologies be modified to provide for a sunset date of June 30, 2015, consistent with the sunset date on the restriction regarding the raising of rates, or if agreed to by the County's representatives to the Authority Board in attendance at a meeting held for that purpose. That condition is set forth in Attachment 2 with the requested modification underlined. A draft amended resolution is enclosed as Attachment 3.

OPTIONS FOR BOARD CONSIDERATION:

Adoption of the proposed modification and amendment of Resolution No. 13-355 would allow the Authority to pursue the autoclave or other technology after June 30, 2015, or earlier subject to the approval of the County's representatives to the Authority Board in attendance at a meeting where such action is considered.

Rejection of the modification, if not accepted by the Authority Board, would result in the County's Notices of Intent not being rescinded and the County not having approved the issuance of the bonds.

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:

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Ray Bullick
Director of Health

cc: Lew Bauman, CAO
Dewayne Woods, Assistant CAO
Michael Miller, Auditor - Controller
John Ramirez, Director, Environmental Health Bureau

Attachment 1: Resolution No. 13-355

Attachment 2: SVSWA Resolution

Attachment 3: Amended resolution