

Attachment A

RESOLUTION NO. 2025 – 28

A RESOLUTION OF THE SALINAS VALLEY SOLID WASTE AUTHORITY
APPROVING AMENDMENT NO. 3 TO THE MEMORANDUM OF UNDERSTANDING
(MOU) WITH THE COUNTY OF MONTEREY FOR LITTER ABATEMENT SERVICES FOR AN
ANNUAL CONTRIBUTION OF \$125,000 FOR FISCAL YEARS 2025-2026 and 2026-2027

WHEREAS, on June 21, 2018, the Authority Board of Directors received and approved the funding request from the County of Monterey for Litter Abatement Services; and,

WHEREAS, on June 17, 2021, the Authority Board of Directors received and approved the extension of this funding agreement for two additional years from the County of Monterey for Litter Abatement Services; and,

WHEREAS, on May 18, 2023, the Authority Board of Directors received and approved the extension of this funding agreement for two additional years from the County of Monterey for Litter Abatement Services; and,

WHEREAS, due to increases in the levels of illegal dumping and litter in our rural areas, the County has been seeking additional funding to support the expansion of its clean-up and removal programs and offsetting of disposal costs; and,

WHEREAS, the Authority Board of Directors has approved \$100,000 of funding for each budget cycle since Fiscal Year 2018-19 including in the recently approved 2024-25 fiscal year to continue supporting this service.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE SALINAS VALLEY SOLID WASTE AUTHORITY that the President of the Board is hereby authorized and directed for, and on behalf of, the Salinas Valley Solid Waste Authority to approve the MOU Amendment 3 with the County of Monterey for providing Litter Abatement Services, as attached hereto and marked "Exhibit A" for the amount of \$125,000 fiscal years 2025-26 and 2026-2027.

PASSED AND ADOPTED by the Board of Directors of the Salinas Valley Solid Waste Authority at a regular meeting duly held on the 15th day of May 2025, by the following vote:

| | | |
|----------|----------------|---|
| AYES: | BOARD MEMBERS: | BARAJAS, CALDERA (ALT), CHURCH, DE LA ROSA, GARCIA (ALT), SILVA, SANDOVAL |
| NOES: | BOARD MEMBERS: | NONE |
| ABSENT: | BOARD MEMBERS: | BAÑUELOS, CULLEN, JONES, LOPEZ |
| ABSTAIN: | BOARD MEMBERS: | NONE |

Signed by:

8DC517F53795435...
Elizabeth Silva, President of the Board

ATTEST:
Signed by:

087ACDEFB22A74F6...
Erika J. Trujillo, Clerk of the Board

APPROVED AS TO FORM:
Signed by:

B68FCEFB8A3424A5...
Roy Santos, Authority General Counsel

EXHIBIT A

MEMORANDUM OF UNDERSTANDING

between

COUNTY OF MONTEREY

and

SALINAS VALLEY SOLID WASTE AUTHORITY

Litter Abatement Program

This Amendment No. 3 to the MEMORANDUM OF UNDERSTANDING (“MOU”) is entered into as of the last date opposite the respective signatures by and between the COUNTY OF MONTEREY, a political subdivision of the State of California (“COUNTY”), and the SALINAS VALLEY SOLID WASTE AUTHORITY (“SVSWA” or “AUTHORITY”), a joint powers authority (collectively referred to as “Parties”), with reference to the following facts:

RECITALS

WHEREAS, the Parties have heretofore entered into the MOU dated October 8, 2020 for COUNTY administration of a Litter Abatement Program (“Program”) to collect waste and mitigate illegal dumping throughout the County;

WHEREAS, MOU was amended by the Parties on July 13, 2021 (hereinafter, “Amendment No. 1”) to extend the term for two (2) additional years through June 30, 2023, to allow the Program to continue using existing available funding;

WHEREAS, MOU was amended by the parties on June 8, 2023 (hereinafter, “Amendment No. 2”) to extend the term for two (2) additional years through June 30, 2025, to allow the Program to continue using existing available funding; and

WHEREAS, the Parties wish to amend the MOU to extend the term for an additional two (2) years from the current expiration date, through June 30, 2027, to allow the Program to continue using existing available funding.

NOW, THEREFORE, in consideration of mutual covenants and agreements contained herein, the Parties hereto agree to amend the terms of the MOU as follows:

1. Amend the first sentence of Section 1, Effective Date and Term, to read as follows:

This MOU is effective October 8, 2020 and shall remain in force through June 30, 2027 unless earlier terminated as provided in this MOU.

2. Replace Section 2.b. in its entirety as follows:

COUNTY and SVSWA shall each be responsible for establishing accounting procedures to track costs and transfer funds between Parties. Payment shall be made on a reimbursement basis. COUNTY shall submit an invoice to SVSWA with an accounting of the use of the funds and the dates and locations where Work was performed. Invoices must be received by July 31, 2026 in order to apply funds to fiscal year (FY) 2025-26, and July 31, 2027 in order to apply funds to FY 2026-27. Any invoices received after July 31 will be applied to the current year's funding, provided that funding is available and/or contract is in place.

3. Replace Section 2.c. in its entirety as follows:

SVSWA shall reimburse COUNTY for fifty percent (50%) of COUNTY's actual expenses incurred for third-party labor services in the performance of the MOU; provided however, under no circumstances shall SVSWA's contribution for FY 2025-2026, and any subsequent fiscal year funding extension exceed \$100,000.00 without prior amendment to this MOU.

SVSWA shall reimburse COUNTY for disposal fees at Authority facilities; provided however, under no circumstances shall SVSWA's contribution for FY 2025-2026, and any subsequent fiscal year funding extension exceed \$25,000.00 without prior amendment to this MOU.

SVSWA shall not reimburse COUNTY for services not yet performed.

4. Except as provided herein, all remaining terms, conditions, and provisions of the MOU are unchanged and unaffected by this Amendment and shall remain in full force and effect as set forth in the MOU.

IN WITNESS WHEREOF, the Parties, intending to be legally bound, have executed this Amendment No. 3 to the MOU on the date last signed below:

COUNTY OF MONTEREY

By: _____
Randell Ishii, MS, PW, TE, PTOE
Director of Public Works, Facilities
and Parks

Date: _____

APPROVED AS TO FORM:

Office of the County Counsel
Susan K. Blich, County Counsel

By: _____
Mary Grace Perry, Deputy County Counsel
Mary Grace Perry
Deputy County Counsel

Date: 5/22/2025 | 6:54 AM PDT

SALINAS VALLEY SOLID WASTE AUTHORITY

Signed by:
By: _____
Liz Silva
Elizabeth Silva, President
Board of Directors

Date: 5/19/2025

APPROVED AS TO FORM:

SVSWA General Counsel

Signed by:
By: _____
Roy C. Santos
Roy C. Santos
SVSWA General Counsel

Date: 5/19/2025

APPROVED AS TO FISCAL PROVISIONS:

Rupa Shah, Auditor/Controller

By: _____
Jennifer Forsyth

Its: Jennifer Forsyth, Auditor-Controller Analyst II

(Print Name and Title)

Date: 5/22/2025 | 9:26 AM PDT