

RESOLUTION NO. 2013-4404

A RESOLUTION OF THE CITY OF KING TO APPROVE AND EXECUTE AMENDMENT NO.3 TO THE JOINT POWERS AGREEMENT BETWEEN THE SALINAS VALLEY SOLID WASTE AUTHORITY AND THE CITY OF SALINAS, THE CITY OF GONZALES, THE CITY OF SOLEDAD, THE CITY OF GREENFIELD, THE CITY OF KING AND THE COUNTY OF MONTEREY AMENDING SECTION 13-ASSUMPTION OF PROGRAM RESPONSIBILITIES

WHEREAS, the City of King is a member of the Salinas Valley Solid Waste Authority;
and

WHEREAS, the Authority Board of Directors on January 20, 2000, approved amendments to each member agency's interagency agreement, excluding the County of Monterey, to have the Authority provide enhanced AB 939 services; and

WHEREAS, the Authority Board of Directors on October 18, 2012, recommended each of its member agencies approve and execute the attached Amendment No. 3 to the Salinas Valley Solid Waste Authority Joint Powers Agreement; and

WHEREAS, pursuant to Public Resources Code section 40970-409756, it is the desire of the member agencies, excluding the County of Monterey, to perform a Regional Agency for the purposes of consolidating annual AB 939 reporting and compliance evaluation as a Regional Agency rather than as individual cities; and

WHEREAS, the creation of a regional agency allows the Authority to report its members' disposal and diversion tonnages together in a single report thus reducing the time and expense of creating multiple reports; and

WHEREAS, the California Department of Resources Recycling and Recovery (CalRecycle) favors the creation of regional agencies, and

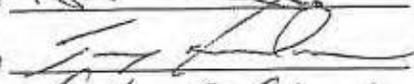
WHEREAS, the City of King finds that it will benefit from the formation of the regional agency and wishes to join the regional agency; and

NOW, THEREFORE, BE IT RESOLVED by the City Council, that the City Manager is hereby authorized and directed for and on behalf of the City of King, to execute Amendment No.3 to the Salinas Valley Solid Waste Authority Joint Powers Agreement, as attached hereto and marked "Exhibit A"

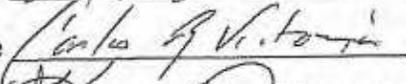
Robert Cullen, Mayor

Signature 

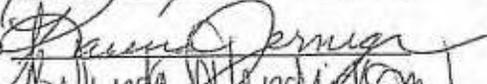
Terry Hughes, Mayor Pro Tem

Signature 

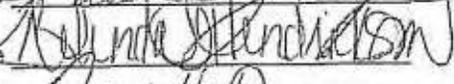
Carlos Victoria, Council Member

Signature 

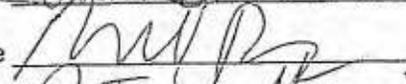
Karen Jernigan, Council Member

Signature 

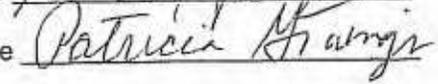
Belinda T. Hendrickson, Council Member

Signature 

Michael Powers, City Treasurer

Signature 

Patricia Grainger, Deputy City Treasurer

Signature 

RESOLUTION NO. 2013-03

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES APPROVING AND EXECUTING AMENDMENT NO. 3 TO THE JOINT POWERS AGREEMENT BETWEEN THE SALINAS VALLEY SOLID WASTE AUTHORITY, THE CITY OF SALINAS, THE CITY OF GONZALES, THE CITY OF SOLEDAD, THE CITY OF GREENFIELD, THE CITY OF KING, AND THE COUNTY OF MONTEREY AMENDING SECTION 13 ASSUMPTION OF PROGRAM RESPONSIBILITIES

WHEREAS, the City of Gonzales is a member of the Salinas Valley Solid Waste Authority (Authority); and

WHEREAS, the Authority Board of Directors on January 20, 2000, approved amendments to each member agency interagency agreement, excluding the County of Monterey to have the Authority provide enhanced AB 939 services; and

WHEREAS, the Authority Board of Directors on October 18, 2012, recommended each of its member agencies approve and execute the attached Amendment No. 3 to the Salinas Valley Solid Waste Authority Joint Powers Agreement; and

WHEREAS, pursuant to Public Resources Code Sections 40970 and 409756, it is the desire of the member agencies excluding the County of Monterey to form a Regional Agency for the purposes of consolidating annual AB 939 reporting, and compliance evaluation as a Regional Agency rather than as individual cities; and

WHEREAS, the creation of a regional agency allows the Authority to report its members disposal and diversion tonnages together in a single report, thus reducing the time and expense of creating multiple reports; and

WHEREAS, the California Department of Resources Recycling and Recovery CalRecycle favors the creation of regional agencies; and

WHEREAS, the City of Gonzales finds that it will benefit from the formation of the regional agency, and wishes to join the regional agency.

NOW THEREFORE BE IT HEREBY RESOLVED, by the City Council of the City of Gonzales that the Mayor is hereby authorized and directed for and on behalf of the City of Gonzales to execute Amendment No. 3 to the Salinas Valley Solid Waste Authority Joint Powers Agreement as attached hereto and marked Exhibit A.

PASSED AND ADOPTED by the City Council of the City of Gonzales at a regular meeting duly held on the 7th day of January, 2013 by the following vote:

AYES:	COUNCIL MEMBERS:	Mayor Pro Tem Scott Funk, Liz Silva, Jose G. Lopez, Robert Bonincontri, and Mayor Maria Orozco
NOES:	COUNCIL MEMBERS:	None
ABSTAIN:	COUNCIL MEMBERS:	None
ABSENT:	COUNCIL MEMBERS:	None


Maria Orozco, The Honorable Mayor

ATTEST:


René L. Mendez, City Clerk

RESOLUTION NO. 2013-25

A RESOLUTION OF THE CITY OF GREENFIELD TO APPROVE AND EXECUTE AMENDMENT NO. 3 TO THE JOINT POWERS AGREEMENT BETWEEN THE SALINAS VALLEY SOLID WASTE AUTHORITY AND THE CITY OF SALINAS, THE CITY OF GONZALES, THE CITY OF SOLEDAD, THE CITY OF GREENFIELD, THE CITY OF KING AND THE COUNTY OF MONTEREY AMENDING SECTION 13 - ASSUMPTION OF PROGRAM RESPONSIBILITIES

WHEREAS, the City of Greenfield is a member of the Salinas Valley Solid Waste Authority (Authority); and

WHEREAS, the Authority Board of Directors on January 20, 2000, approved amendments to each member agency's interagency agreement, excluding the County of Monterey, to have the Authority provide enhanced AB 939 services; and

WHEREAS, the Authority Board of Directors on October 18, 2012, recommended each of its member agencies approve and execute the attached Amendment No. 3 to the Salinas Valley Solid Waste Authority Joint Powers Agreement; and

WHEREAS, pursuant to Public Resources Code sections 40970-409756, it is the desire of the member agencies, excluding the County of Monterey, to form a Regional Agency for the purposes of consolidating annual AB 939 reporting and compliance evaluation as a Regional Agency rather than as individual cities; and

WHEREAS, the creation of a regional agency allows the Authority to report its members' disposal and diversion tonnages together in a single report thus reducing the time and expense of creating multiple reports; and

WHEREAS, the California Department of Resources Recycling and Recovery (CalRecycle) favors the creation of regional agencies; and

WHEREAS, the City of Greenfield finds that it will benefit from the formation of the regional agency and wishes to join the regional agency; and

NOW, THEREFORE BE IT RESOLVED, by the City Council that the City of Greenfield, is hereby authorized and directed for and on behalf of the City of Greenfield to execute Amendment No. 3 to the Salinas Valley Solid Waste Authority Joint Powers Agreement, as attached hereto and marked "Exhibit A."

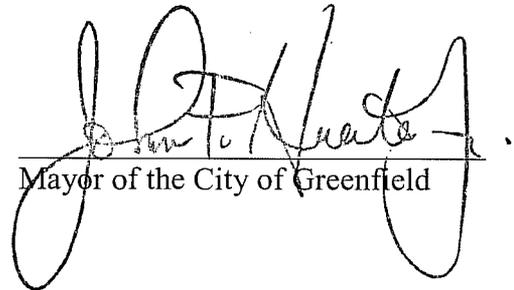
PASSED AND ADOPTED by the City Council of the City of Greenfield at its regular meeting duly held on the 23rd day of April 2013, by the following vote:

AYES, and in favor, thereof, Councilmembers: Mayor Huerta, Mayor Pro-tem Hurley, Councilmembers Moreno, Rodriguez and Walker

NOES, Councilmembers: None

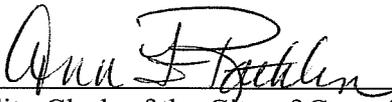
ABSENT, Councilmembers: None

ABSTAIN, Councilmembers: None



Mayor of the City of Greenfield

ATTEST:



City Clerk of the City of Greenfield

RESOLUTION NO. 20394 (N.C.S.)

RESOLUTION RECOMMENDING THE CITY OF SALINAS AUTHORIZE AND EXECUTE AMENDMENT NO. 3 TO THE JOINT POWERS AGREEMENT BETWEEN THE CITY OF SALINAS, THE CITY OF GONZALES, THE CITY OF SOLEDAD, THE CITY OF GREENFIELD, THE CITY OF KING AND THE COUNTY OF MONTEREY AMENDING SECTION 13 - ASSUMPTION OF PROGRAM RESPONSIBILITIES

WHEREAS, the Salinas Valley Solid Waste Authority Board of Directors on January 20, 2000, approved amendments to each member agency's interagency agreement, excluding the County of Monterey, to have the Authority provide enhanced AB 939 services; and

WHEREAS, pursuant to Public Resources Code sections 40970-409756, it is the desire of the member agencies, excluding the County of Monterey, to form a Regional Agency for the purposes of consolidating annual AB 939 reporting and compliance evaluation as a Regional Agency rather than as individual cities; and

WHEREAS, the creation of a regional agency allows the Authority to report its members' disposal and diversion tonnages together in a single report thus reducing the time and expense of creating multiple reports; and

WHEREAS, the California Department of Resources Recycling and Recovery (CalRecycle) favors the creation of regional agencies; and

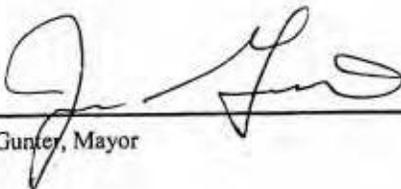
NOW THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF SALINAS, it approves and authorizes the Mayor to execute the attached Amendment No. 3 to the Salinas Valley Solid Waste Authority Joint Powers Agreement, as attached hereto and marked "Exhibit A."

PASSED AND ADOPTED this 11th day of June, 2013, by the following votes:

AYES: Councilmembers: Barrera, Castaneda, Craig, De La Rosa, Lutes, McShane and Mayor Gunter

NOES: None

ABSENT: None



Joe Gunter, Mayor

ATTEST: 

Patricia Barajas, City Clerk

RESOLUTION NO. 4832

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLEDAD
APPROVE AND EXECUTE AMENDMENT NO. 3 TO THE SVSWA JOINT POWERS
AGREEMENT BETWEEN THE CITY OF SALINAS, THE CITY OF GONZALES, THE
CITY OF SOLEDAD, THE CITY OF GREENFIELD, THE CITY OF KING AND THE
COUNTY OF MONTEREY AMENDING SECTION 13 – ASSUMPTION OF PROGRAM
RESPONSIBILITIES**

WHEREAS, the City of Soledad is a member of the Salinas Valley Solid Waste Authority (Authority); and

WHEREAS, the Authority Board of Directors on January 20, 2000, approved amendments to each member agency's interagency agreement, excluding the County of Monterey, to have the Authority provide enhanced AB 939 services; and

WHEREAS, the Authority Board of Directors on October 18, 2012, recommended each of its member agencies approve and execute the attached Amendment No. 3 to the Salinas Valley Solid Waste Authority Joint Powers Agreement; and

WHEREAS, pursuant to Public Resources Code sections 40970-409756, it is the desire of the member agencies, excluding the County of Monterey, to form a Regional Agency rather for the purposes of consolidating annual AB 939 reporting and compliance evaluation as a Regional Agency rather than as individual cities; and

WHEREAS, the creation of a regional agency allows the Authority to report its member's disposal and diversion tonnages together in a single report thus reducing the time and expense of creating multiple reports; and

WHEREAS, the California Department of Resources Recycling and Recovery (CalRecycle) favor the creation of regional agencies; and

WHEREAS, the California Department of Resources Recycling and Recovery (CalRecycle) favors the creation of regional agencies; and

NOW, THEREFORE BE RESOLVED, by the City Council of the City of Soledad, to execute Amendment No. 3 to the Salinas Valley Soledad Waste Authority Joint Powers Agreement, as attached hereto and marked "Exhibit A."

PASSED AND ADOPTED by the City Council of the City of Soledad at a special meeting duly held on the 8th day of January, 2013, by the following vote:

AYES, and in favor thereof, Councilmembers: Christopher K. Bourke, Richard J. Perez, Patricia Stephens, Mayor Pro Tem Alejandro Chavez and Mayor Fred J. Ledesma.

NOES, Councilmembers: None.

ABSTAIN, Councilmembers: None.

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ABSENT, Councilmembers:

None.



FRED J. LEDESMA, Mayor

ATTEST:



ADELA P. GONZALEZ, City Clerk



Monterey County

Board Order

168 West Alisal Street,
1st Floor
Salinas, CA 93901
831.755.5066

Agreement No.: A-07261

Upon motion of Supervisor Parker, seconded by Supervisor Calcagno, and carried by those members present, the Board of Supervisors hereby:

- a. Approved Amendment No. 3 to the Joint Powers Agreement Between the City of Salinas, the City of Gonzales, the City of Greenfield, the City of King, the City of Soledad, and the County of Monterey Creating the Salinas Valley Solid Waste Authority (County Agreement No. A-07261) to amend Section 13. ASSUMPTION OF PROGRAM RESPONSIBILITIES, relating to the formation of a Regional Agency, excluding the County of Monterey, for the purposes of consolidating annual AB 939 reporting and for compliance evaluation; and
- b. Authorized the Chair of the Board of Supervisors to execute Amendment No. 3 when the original is received from the Salinas Valley Solid Waste Authority; and
- c. Directed the Clerk of the Board of Supervisors to transmit the executed Amendment No. 3 to the Salinas Valley Solid Waste Authority.

PASSED AND ADOPTED on this 12th day of March 2013, by the following vote, to wit:

AYES: Supervisors Calcagno, Salinas, Potter, and Parker

NOES: None

ABSENT: Supervisor Armenta

I, Gail T. Borkowski, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 76 for the meeting on March 12, 2013.

Dated: March 19, 2013
File Number: A 13-025

Gail T. Borkowski, Clerk of the Board of Supervisors
County of Monterey, State of California

By Denise Hancock
Deputy

**MINUTES OF
THE SALINAS VALLEY SOLID WASTE AUTHORITY
BOARD MEETING
OCTOBER 18, 2012**

CALL TO ORDER

President Armenta called the meeting to order at 6:00 p.m.

ROLL CALL

The following Board Directors were present:

County of Monterey	Fernando Armenta, President
City of Salinas	Gloria De La Rosa
City of Gonzales	Scott Funk (Alternate)
City of Soledad	Richard Perez
City of King	Robert Cullen

The following Board Directors were absent:

County of Monterey	Louis Calcagno
City of Salinas	Dennis Donohue, Alternate Vice President
City of Salinas	Jyl Lutes
City of Gonzales	Elizabeth Silva, Vice President
City of Greenfield	Annie Moreno

Staff Members Present:

Patrick Mathews, General Manager/CAO	Amanda Brooks, Recycling Coordinator
Jose Gamboa, Assistant General Manager	Elia Zavala, Clerk of the Board
Roberto Moreno, Finance Manager	Ernesto Natera, Administrative Assistant II
Susan Warner, Diversion Manager	Thomas Bruen, General Counsel
Cesar Zuniga, Operations Superintendent	

Translation services were available, no members of the public requested the service.

BOARD DIRECTOR COMMENTS

None

GENERAL MANAGER COMMENTS

None, reading material was provided.

DEPARTMENT MANAGER COMMENTS

None

PUBLIC COMMENT

None

CONSENT AGENDA

1. Minutes of September 20, 2012 Meeting
2. August 2012 Claims and Financial Reports
3. September 2012 Quarterly Investment Report
4. 2011 Strategic Plan Monthly Progress Report

5. Monterey County Health Department, Environmental Health Bureau, FY 11-12 Used Motor Oil and Filter Recycling Program Report
6. Frequently Asked Questions - What does a Future without Landfills mean?
7. Final Draft Agenda for October 19, 2012, Board of Directors Retreat
8. Tire Amnesty Grant Final Report
9. Johnson Canyon Landfill Roadway Improvement Status Report
10. Update on County Notice of Withdrawal from the Authority Joint Powers Agreement and Waste Delivery Agreement
11. Resolution No. 2012-34 Approving the Pledge of Revenue Agreement Establishing Financial Assurance for Corrective Action for the Lewis Road Landfill
12. Resolution No. 2012-35 Approving Change Order No. 15 for the Liner Installation Construction Contract for the Crazy Horse Landfill Closure Construction Project with International Lining Technology
13. Resolution Nos. 2012-36 and 2012-37 Approving Interagency Agreements for Solid Waste/Recycling Contract Administration Services with the City of Greenfield and the City of Soledad
14. Resolution No. 2012-38 Recommending that the Authority Member Agencies Approve Amendment No. 3 to the Authority's Joint Powers Agreement, Amending Section 13 – Assumption of Program Responsibilities

Public Comment: None

Board Comments: None

Motion: Director Cullen made a motion to approve the consent agenda. Director De La Rosa seconded the motion.

Votes: Motion carried 5, 0

Ayes: Armenta, Cullen, De La Rosa, Funk (Alt), Perez

Noes: None

Abstain: None

Absent: Calcagno, Donohue, Lutes, Moreno, Silva

PRESENTATIONS

3. RECOGNITION OF GREENFIELD HIGH SCHOOL AND JALISCO MARKET OF GONZALES FOR SUCCESSFUL IMPLEMENTATION OF RECYCLING PROGRAMS

Diversion Manager Warner introduced the recipients recognized for their achievements. President Armenta provided them with certificates of recognition. The recipients thanked the Authority for assistance with the implementation of the cost savings program.

Public Comment: None

4. AUTHORITY ANNUAL REPORT FISCAL YEAR 2011-12

General Manager/CAO Mathews introduced Administrative Assistant Ernesto Natera who designed and produced the Annual Report. Mr. Natera highlighted accomplishments of the past fiscal year, including progress on the Long Term Waste Management Plan to achieve 75% diversion by 2015 (which includes the evaluation of the Plasco Energy Project and the implementation of the Autoclave pilot project), the achievement of a 71% regional diversion rate (excluding the County), the breakdown of how the \$67 tipping fee is spent, and various cost saving achievements, amongst others.

Public Comment: None

Board Comments: The Board provided positive comments on the report. President Armenta asked staff to give this presentation to the County Board of Supervisors.

FUTURE AGENDA ITEMS

5. AGENDA ITEMS – VIEW AHEAD

The Board reviewed the future agenda items.

CLOSED SESSION

President Armenta adjourned the meeting to closed session to discuss the following:

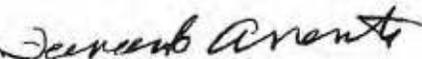
6. Confer with legal counsel pursuant to Government Code Section 54956.9 (a) on existing litigation: California Sportfishing Protection Alliance v. SVSWA, U.S. District Court for Northern District of California (San Jose Division), Case No. 5:12-cv-04388-EJD.
7. Pursuant to Government Code Section 54956.8 to confer with legal counsel and real property negotiators General Manager/CAO Patrick Mathews, Assistant General Manager Jose Gamboa, Finance Manager Roberto Moreno, and Legal Counsel Tom Bruen, concerning the possible terms and conditions of acquisition or lease of APN 003-012-005, APN 003-012-017 and APN 003-012-018, located between Work Street, Work Circle and Elvee Circle, Salinas, California. The Authority's negotiators will negotiate with the City of Salinas and Matthew Ottone and Ottone-Salinas, Inc., the owners of the property.
8. Pursuant to Government Code Section 54956.8 to confer with legal counsel and real property negotiators General Manager/CAO Patrick Mathews, Assistant General Manager Jose Gamboa, Finance Manager Roberto Moreno, and Legal Counsel Tom Bruen, concerning the possible terms and conditions of a sale or exchange of APN 003-051-086 and 003-051-087, located at 135-139 Sun Street, Salinas, California. The Authority's negotiators will negotiate with the City of Salinas, Cooley Development and Bristol Alisal Marketplace, LLC, and their affiliates.
9. Conference with General Counsel regarding one item of significant exposure to litigation pursuant to Government Code § 54956.9(b).

RECONVENE

President Armenta reconvened the meeting to open session with no reportable action taken in closed session.

ADJOURN

President Armenta adjourned the meeting at 6:56 p.m.

APPROVED: 
Fernando Armenta, President

Attest: 
Elia Zavala, Clerk of the Board

