



AGENDA Special Meeting

BOARD OF DIRECTORS

WEDNESDAY, December 4, 2013, 4:30 p.m.

Gonzales City Council Chambers
117 Fourth Street, Gonzales, California

CALL TO ORDER

TRANSLATION SERVICES AND OTHER MEETING ANNOUNCEMENTS

PLEDGE OF ALLEGIANCE

ROLL CALL

Board Directors

County: Louis Calcagno
County: Fernando Armenta, President
Salinas: Gloria De La Rosa
Salinas: Jyl Lutes, Alternate Vice President
Salinas: Tony R. Barrera
Gonzales: Elizabeth Silva, Vice President
Soledad: Richard J. Perez
Greenfield: Annie Moreno
King City: Robert S. Cullen

Alternate Directors

County: Simon Salinas
Salinas: Joe Gunter
Gonzales: Scott Funk
Soledad: Christopher Bourke
Greenfield: Raul Rodriguez
King City: Carlos Victoria

GENERAL MANAGER/CAO COMMENTS

BOARD DIRECTOR COMMENTS

PUBLIC COMMENT

Receive public comment from audience on items which are not on the agenda. The public may comment on scheduled agenda items as the Board considers them. Speakers are limited to three minutes at the discretion of the Chair.

CONSIDERATION

1. **A Resolution of the Salinas Valley Solid Waste Authority Requesting the County of Monterey Approve the Issuance of the 2013 Refunding Revenue Bonds**
 - A. Receive Report from General Manager/CAO Patrick Mathews
 - B. Public Comment
 - C. Board Discussion
 - D. Recommended Action – Adopt Resolution

CLOSED SESSION

2. Pursuant to Government Code Section 54956.8 to confer with legal counsel and real property negotiators General Manager/CAO Patrick Mathews, Diversion Manager Susan Warner, 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.

3. Pursuant to Government Code Section 54956.8 to confer with legal counsel and real property negotiators General Manager/CAO Patrick Mathews, Diversion Manager Susan Warner, 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.
4. Pursuant to Government Code Section 54956.9 (d) (4) to confer with legal counsel to consider whether to initiate litigation- one item.

RECONVENE

ADJOURNMENT

This agenda was posted at the Administration Office of the Salinas Valley Solid Waste Authority, 128 Sun Street, Suite 101, Salinas, and on the Gonzales Council Chambers Bulletin Board, 117 Fourth Street, Gonzales, **Monday, December 2, 2013**. The Salinas Valley Solid Waste Authority Board will next meet in regular session on **Thursday, December 19, 2013**. Staff reports for the Authority Board meetings are available for review at:

- ▶ Salinas Valley Solid Waste Authority: 128 Sun Street, Ste. 101, Salinas, CA 93901, Phone 831-775-3000
- ▶ Web Site: www.salinavalleyrecycles.org
- ▶ Public Library Branches in Gonzales, Prunedale and Soledad
- ▶ City Halls of Salinas, Gonzales, Greenfield, King City & Soledad

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in the meeting, please contact Elia Zavala, Clerk of the Board at 831-775-3000. Notification 48 hours prior to the meeting will enable the Authority to make reasonable arrangements to ensure accessibility to this meeting (28 CFR 35.102-35.104 ADA Title II).

Spanish interpretation will be provided at the meeting. *Se proporcionará interpretación a Español.*

RESOLUTION NO. 2013 –

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 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:

Section A) 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 both the County’s representatives to the Authority’s Board of Directors, other than implementation of the previously approved rate increase effective July 1, 2013; and

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

Section C) To not commit capital for the construction of an autoclave or other developmental or experimental waste disposal technology without the express approval of the County’s representatives to the Authority’s Board of Directors, present at the meeting when such commitment is considered by the Authority Board, until after June 30, 2015. The foregoing would allow the Authority in the interim to pursue (a) the bio-methane pilot program being funded by a grant from the U.S. Department of Agriculture and (b) the autoclave demonstration project at the Johnson Canyon landfill if said project is built entirely with capital from GOE. Furthermore, nothing in this commitment would prevent the Authority from engaging in economic or environmental analyses, including environmental review under CEQA, to consider alternative locations for future transfer and materials processing and recovery facilities.

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:

AYES: BOARD MEMBERS:

NOES: BOARD MEMBERS:

ABSENT: BOARD MEMBERS:

ABSTAIN: BOARD MEMBERS:

Fernando Armenta, President

ATTEST:

Elia Zavala, Clerk of the Board

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

Section 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, without the express approval of both the County's representatives to the Authority's Board of Directors.~~

To not commit capital for the construction of an autoclave or other developmental or experimental waste disposal technology without the express approval of the County's representatives to the Authority's Board of Directors, present at the meeting when such commitment is considered by the Authority Board, until after June 30, 2015. The foregoing would allow the Authority in the interim to pursue (a) the bio-methane pilot program being funded by a grant from the U.S. Department of Agriculture and (b) the autoclave demonstration project at the Johnson Canyon landfill if said project is built entirely with capital from GOE. Furthermore, nothing in this commitment would prevent the Authority from engaging in economic or environmental analyses, including environmental review under CEQA, to consider alternative locations for future transfer and materials processing and recovery facilities.

PASSED AND ADOPTED by the Board of Directors of the Salinas Valley Solid Waste Authority at its ~~special~~ ~~regular~~ meeting duly held on the ~~4th~~ ~~21st~~ day of ~~November~~ ~~December~~ 2013, by the following vote:

AYES: BOARD MEMBERS:
NOES: BOARD MEMBERS:
ABSENT: BOARD MEMBERS:
ABSTAIN: BOARD MEMBERS:

Fernando Armenta, President

ATTEST:

Elia Zavala, Clerk of the Board