



## BOARD OF DIRECTORS

### SPECIAL MEETING HIGHLIGHTS

March 7, 2019

#### ANSWERS TO COME

#### CITY OF SALINAS NOTICE OF INTENT TO WITHDRAWAL

The efforts continue to identify the requirements prompted by the one-year notice given by the City of Salinas of intent to withdrawal from the Agency. With the uncertainty of the direction the Agency is heading and no information yet provided by the City of Salinas after the submittal of their notice, the Board President deemed it necessary to hold a Special Meeting to discuss the significant impacts of the possible withdrawal and the next required actions.

The City of Salinas response letter to the financial assurance request by the Authority arrived two hours prior to the meeting commencing. The Board of Directors reviewed the letter during General Manager comments opting to postpone Agenda Item No. 1, Closed Session, to the end of the Agenda only if deemed necessary after the discussion of Item No. 2, Consideration of legal actions related to the withdraw from the City of Salinas.

The Board President presented the proposed compromise offer for the City of Salinas to avoid withdrawal that was reviewed and recommended by the Authority's Executive Committee. The Board expressed their understanding of the desire of the City of Salinas to close the Sun Street Transfer Station to accommodate the Alisal Market Place development and concurred on the importance of maintaining a public service facility for the Salinas area. After careful consideration by the Board it was unanimously decided to move forward and present the offer to the City of Salinas.

#### COMPROMISE OFFER TO AVOID WITHDRAWAL

*BUSINESS POINTS TO BE FORMALIZED INTO A FORMAL MOU (AFTER AGREEMENT)*

##### SVSWA Commitments:

- ▶ Agrees to irrevocably commit to Close the Sun Street Transfer Station on or before July 1, 2021, through placement of title in Escrow (effective upon rescinding Notice of Intent to Withdraw)
- ▶ Agrees to expeditiously complete any and all mandatory CEQA analysis prior to July 1, 2020, related to reorganization of the agency operations and closure of Sun Street Transfer Station.
- ▶ Agrees to continue to work through the Collaborative MOU with MRWMD to establish cost effective ways to collaborate and share our countywide resources, commencing with a Waste Exchange Agreement to move Organics, Foodwaste and Construction/Industrial Wastes to each agency's respective facilities for advanced processing.

#### COMPROMISE OFFER TO AVOID WITHDRAWAL

*BUSINESS POINTS TO BE FORMALIZED INTO A FORMAL MOU (AFTER AGREEMENT)*

##### Salinas Commitments:

- ▶ Agrees to immediately rescind its December 6, 2018, "Notice of Intent to Withdraw" from membership in SVSWA.
- ▶ Agrees to irrevocably commit to remaining in SVSWA through the full payment of the current 2014 bonds in FY 2031/32.
- ▶ Agrees to authorize Republic Services to terminate 2004 Greenwaste Processing Agreement, and allow rate pass-through and equalization of all member rates for this State mandated service, per Section 15 of the Joint Powers Agreement.
- ▶ Agrees to secure a financially capable development buyer for the Sun Street Properties or commit to purchase the property itself (at fair market value, including any annual carrying cost following the closure of Sun Street Transfer Station) on or before July 1, 2021.
- ▶ Agrees to collaborate with SVSWA in relocating the Sun Street Transfer Station operations to re-establish the public services and AB 939 components of its current operations serving the greater Salinas area.
- ▶ Agrees to amend the Joint Powers Agreement to eliminate the provision requiring a Salinas vote to affirm any decision or constitute a quorum of the full Board.

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[What Goes Where](#) App - Your guide to recycling everyday materials

REDUCE

REUSE

RECYCLE

"To manage Salinas Valley solid waste as a resource, promoting sustainable, environmentally sound and cost-effective practices through an integrated system of waste reduction, reuse, recycling, innovative technology, customer service, and education."