

## City of Salinas

OFFICE OF THE CITY MANAGER • 200 Lincoln Ave • Salinas, California 93901

(831) 758-7201 • (831) 758-7368 (Fax) • [www.ci.salinas.ca.us](http://www.ci.salinas.ca.us)

September 20, 2019

**Via U.S. Mail and Electronic Mail:** [rcullen@farmersagent.com](mailto:rcullen@farmersagent.com)

Robert Cullen, President  
Salinas Valley Solid Waste Authority  
128 Sun Street, Suite 101  
Salinas, California 93901

**Re: City of Salinas Withdrawal from Salinas Valley Solid Waste Authority;  
September 19, 2019 Board Meeting, Agenda Item no. 13**

Dear Mr. Cullen:

This letter is written as a follow-up to your September 5, 2019 letter to the Salinas Mayor and City Council members regarding the City of Salinas's withdrawal from the Salinas Valley Solid Waste Authority (SVSWA) and Item No. 13 on the SVSWA Board of Directors' (Board) September 19, 2019 Agenda.

### City of Salinas's Notice of Intent to Withdraw

As you, the Board, and SVSWA staff are aware, on November 20, 2018, pursuant to Section 19 of the SVSWA Joint Powers Agreement, the Salinas City Council approved a Resolution (Resolution No. 21521) authorizing me to deliver a one-year written notice of the City's intent to withdraw from the SVSWA Joint Powers Agency. As the SVSWA Staff's September 19, 2019 Report to the Board correctly notes, the City indicated its Notice of Intent to Withdraw (Notice) in a letter to the SVSWA dated December 6, 2018. The City's Notice initiated a minimum one-year timeline for the City's withdrawal but did not set a specific date on which the withdrawal would occur. As your letter also correctly states, the City is completing its due diligence with respect to the City's withdrawal and that

the City Council has not yet set a specific date on withdrawal would occur; I have previously indicated in correspondence to the SVSWA Board and Staff and in previous meetings with SVSWA Board members and Staff that the City's withdrawal would not occur in December 2019, but at the earliest would occur at the end of the current fiscal year.

The City's December 6, 2019 Notice initiated a minimum one-year timeline for withdrawal, meaning the City's withdrawal could occur no sooner than on or about December 7, 2019. As you know and as you indicate in your September 5, 2019 letter, the City has not yet completed its due diligence into the City's withdrawal and therefore City staff have not yet presented the results of that due diligence to the City Council. The City Council has thus not yet acted on the information or set a specific date on which the City would withdraw from the SVSWA, if at all. I anticipate that the City will complete its due diligence in October with a presentation on the results given to the City Council some time thereafter.

Given this timing and as I have previously indicated, City withdrawal could not occur in December 2019; withdrawal would not occur prior to the end of the current fiscal year. From our previous meetings, I am aware that the SVSWA Board and Staff have concerns regarding the City's potential withdrawal and the need to accordingly plan for continued operations after the City's withdrawal takes effect. Postponing withdrawal until at least the end of the current fiscal year gives the City additional time to complete its due diligence and also accommodates the SVSWA's concerns for additional time to appropriately plan for the City's potential withdrawal.

#### Opposition to Placement of a Transfer Station (or Self-Haul Facility) in Salinas

On August 7, 2018 the City Council approved a resolution supporting collaboration between Salinas Valley Solid Waste Authority (SVSWA) and the Monterey Regional Waste Management District (MRWMD) to leverage their resources to improve the overall system of solid waste processing and landfills in the County and address State regulations. The Board of Supervisors passed an MOU in support of collaboration on July 17, 2018. There was not much progress over the following months to create a partnership between SVSWA and MRWMD to address solid waste management with a more efficient countywide approach. Nor was there progress on relocating the Sun Street Transfer

Station outside the City. On November 20, the City passed the resolution to provide a one-year notice to withdraw from the Salinas Valley Solid Waste Authority Joint Powers Authority. The notice provides the City an opportunity to continue the process of determining the most efficient and economical method of delivering waste disposal and diversion services to the Salinas community.

The City is aware that the SVSWA Staff is in the process of identifying locations to which the existing Sun Street Transfer Station can be relocated and/or at which a self-haul facility can be established. As SVSWA's General Manager/CAO has indicated and as shown on the Board's September 19, 2019 Closed Session Agenda, SVSWA Staff are considering properties located at 356, 346, 330, and 320 West Market Street (West Market Street Parcels) in the city of Salinas as a possible relocation site. All of these properties are located within the city's existing boundaries. The City is opposed to the relocation of the existing transfer Station and/or the establishment self-haul facility within the City's limits or within the City's Sphere of Influence or Economic Development Opportunity Areas. In a letter dated May 30, 2017, written in response to the SVSWA's Notice of Preparation for the Long Term Facility Needs Study Project, the City made clear that it would not support either the expansion and continued use of the existing Sun Street Transfer Station at its current site or the relocation of the Transfer Station or the placement of a new facility within the city limits or within the City's Sphere of Influence and other areas covered by its Economic Development Element.

The West Market Street Parcels are located within an Industrial-General Zoning District. Under the applicable development regulations, a transfer station or self-haul facility could only be permitted within this Zoning District pursuant to a Conditional Use Permit. The City would not support the required application for a Conditional Use Permit for a transfer station or a self-haul facility on the West Market Street Parcels.

The West Market Street corridor is designated in the City's Economic Development Element as an area ripe for repositioning.<sup>1</sup> All of the West Market Street parcels are located within Economic Opportunity Area W which, among other Economic Opportunity Areas, has been designated by the

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<sup>1</sup> The Salinas City Council adopted the Economic Development Element as an element of its General Plan in December 2018.

City for the promotion and prioritization of redevelopment and revitalization to ensure the efficient use of land and existing infrastructure and services. Economic Opportunity Area W has been identified for mixed-use infill development, reuse of existing buildings, and for general revitalization where residents, workers, and visitors would have proximity to a wide range of commercial and workplace land uses in support of pedestrian-friendly and vibrant neighborhood corridors.

The West Market Street Parcels are located on the outside boundary of Gateway Overlay District No. 3. Gateway Overlay Districts are intended to create entrances that announce arrival and set a tone for the part of the City they introduce; establish attractive and inviting entrances to the City in order to form the basis for positive impressions and perceptions of the community; avoid inappropriate development that would result in incompatible uses or design; and ensure site planning and design that is sensitive to the unique gateway district.

I am aware that the West Market Street Parcels at issue are currently vacant at that agricultural cooling facilities and other general industrial uses presently exist on West Market Street. Those uses, however, and the proposed relocation or establishment of a transfer station or a self-haul facility on the West Market Street Parcels are inconsistent with the City's current land use objectives for this area and the City's long-term plans for redevelopment and revitalization of this corridor. For the reasons stated here, the City would oppose the relocation or the establishment of a transfer station or a self-haul facility on the West Market Street Parcels.

#### Non-Compliance with Existing Land Use Approvals

The Sun Street Transfer Station exists at its current location pursuant to a Site Plan Review (ministerial approval) which was approved and issued under previously existing land use regulations. The Site Plan Review was issued for a **Temporary** Transfer Station with maximum daily tonnage limited to one hundred tons per day.<sup>2</sup> I am aware that the Local Enforcement Agency (LEA) for Monterey County has granted a permit for maximum daily tonnage in excess of one hundred tons per

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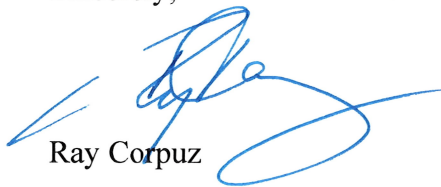
<sup>2</sup> Under current land use regulations, a Conditional Use Permit (discretionary approval) would be required for a transfer station to exist at the site. As the City has previously indicated, if the expansion of the existing temporary transfer station is an alternative being considered by the SVSWA, the City would not support the required application for a Conditional Use Permit.

day; however, that exceeds and is not compliant with the City's land use approval. The SVSWA should bring its operations into compliance with the Site Plan Review limitation of a maximum of one hundred tons per day.

We respectfully request that this letter be entered into the Board's record regarding this item.

Please let me know if you have any questions.

Sincerely,



Ray Corpuz  
City Manager

cc: Mayor and City Council

City Attorney

Public Works Director

Community Development Director

Salinas Valley Solid Waste Authority Board of Directors

General Manager/CAO, Salinas Valley Recycles