

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
ACTION AGENDA SUMMARY

DEPT: Environmental Resources

BOARD AGENDA # *B-1

Urgent Routine

AGENDA DATE September 23, 2014

CEO Concur with Recommendation YES NO
(Information Attached)

4/5 Vote Required YES NO

SUBJECT:

Authorization to Extend the Termination Date from September 30, 2014 to November 30, 2014, for the Memorandum of Understanding Between the City of Turlock and Stanislaus County for Assembly Bill 939 Waste Reduction and Recycling Program Services

STAFF RECOMMENDATIONS:

1. Authorize the Director of Environmental Resources to extend the termination date from September 30, 2014 to November 30, 2014, for the Memorandum of Understanding between the City of Turlock and Stanislaus County for Assembly Bill 939 Waste Reduction and Recycling Program Services.
2. Direct the Director of Environmental Resources to provide notice to the City of Turlock of the extension of the termination date to November 30, 2014.

FISCAL IMPACT:

The extension of the Memorandum of Understanding (MOU) with the City of Turlock will allow the continued collection of the Waste-to-Energy (WTE) tipping fee surcharge to fund Assembly Bill (AB) 939 Program Services. The extension of the MOU also allows for the collection of \$28,200; the annual revenue from the City of Turlock for AB 939 Program Services.

BOARD ACTION AS FOLLOWS:

No. 2014-487

On motion of Supervisor Withrow, Seconded by Supervisor Monteith
 and approved by the following vote,
 Ayes: Supervisors: O'Brien, Chiesa, Withrow, Monteith, and Chairman De Martini
 Noes: Supervisors: None
 Excused or Absent: Supervisors: None
 Abstaining: Supervisor: None

- 1) Approved as recommended
- 2) Denied
- 3) Approved as amended
- 4) Other:

MOTION:

ATTEST: Elizabeth A. King
 ELIZABETH A. KING, Assistant Clerk

Authorization to Extend the Termination Date from September 30, 2014 to November 30, 2014 for the Memorandum of Understanding Between the City of Turlock and Stanislaus County for Assembly Bill 939 Waste Reduction and Recycling Program Services

DISCUSSION:

On July 9, 2013, the Turlock City Council unanimously approved sending 90% of the City's municipal solid waste (MSW) to Merced County beginning July 15th while they entered into a 120-day contract negotiation period. The diverting of waste from the Waste-to-Energy Facility (WTE) to Merced County's landfill created a shortfall in revenue from the WTE tipping fees, and no longer covered expenses for the AB 939 program services for the City of Turlock. In addition, it also significantly reduced funding for the Household Hazardous Waste (HHW) program services to the point where services would also have to be terminated for the City of Turlock.

On February 11, 2014, the Board of Supervisors approved the termination of the Memorandum of Understanding (MOU) between the City of Turlock and Stanislaus County, for Assembly Bill 939 Waste Reduction and Recycling Program services to be effective August 12, 2014.

Since the July 9th Council meeting, a tentative agreement has been reached with the City of Turlock pending the negotiation of a new ten-year agreement. On July 29th staff requested and received authorization from the Board of Supervisors to extend the City of Turlock's AB 939 MOU to September 30, 2014. The extension was needed to allow the Department and Chief Executive Office time to meet with the other MOU Cities of Ceres, Hughson, Newman, Oakdale, Patterson, Riverbank and Waterford to present the concepts of the new Regional Solid Waste Plan.

The meetings with all the MOU Cities have been completed and the Department is currently circulating the draft agreement to all the cities. Since the execution of the new MOU Agreement will not be completed before Turlock's MOU termination deadline of September 30, 2014, the Department is requesting authorization to extend the termination date to November 30, 2014.

POLICY ISSUE:

Approval of this item to extend the MOU agreement with the City of Turlock is consistent with the Board's priority of the Efficient Delivery of Public Services by allowing additional time to negotiate a new ten-year agreement.

STAFFING IMPACTS:

Staff from the Department of Environmental Resources and Chief Executive Office are currently in the process of finalizing new MOU agreements with the cities.

CONTACT PERSON:

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