

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

DEPT: Environmental Resources

BOARD AGENDA # *B-6

Urgent Routine

AGENDA DATE November 25, 2014

CEO Concurs with Recommendation YES NO
(Information Attached)

4/5 Vote Required YES NO

SUBJECT:

Authorization to Extend the Termination Date from November 30, 2014, to January 31, 2015, 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 November 30, 2014, to January 31, 2015, 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 January 31, 2015.

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. 2014-576

On motion of Supervisor Chiesa, Seconded by Supervisor Withrow

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) X Approved as recommended

2) _____ Denied

3) _____ Approved as amended

4) _____ Other:

MOTION:

ATTEST: Christine Ferraro
CHRISTINE FERRARO TALLMAN, Clerk

Authorization to Extend the Termination Date from November 30, 2014, to January 31, 2015, 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 verbal agreement has been reached with the City of Turlock pending the negotiation of a new MOU agreement. On July 29, 2014, staff requested and received authorization from the Board of Supervisors to extend the City of Turlock's existing AB 939 MOU to September 30, 2014. The extension was needed to allow the Department of Environmental Resources and Chief Executive Office (County) staff 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.

Meetings with each of the MOU Cities were held in June and July and the Department circulated a draft Regional Solid Waste Disposal Agreement (Agreement) to the cities on September 11, 2014, for their review and consideration. On October 1, 2014, County staff gave a presentation at the City Managers meeting providing an update on the Draft Agreement. At the conclusion of the presentation it was recommended to hold a joint meeting with all the cities together with the County to discuss, comment on, and revise the Draft Agreement with the ultimate goal of reaching a tentative agreement by the end of the meeting. Several cities requested that an alternative model using only City Franchise hauler-controlled tonnage be presented at the meeting to compare with the current Population Based Reporting Model.

On October 31st the joint meeting between the MOU Cities and the County was held to discuss the Regional Solid Waste methodology and agreement. Staff presented the alternative Franchise Tonnage Model as requested at the City Manager's meeting. At the conclusion of the presentation during question and answer segment, the cities requested that they have an opportunity to further discuss at an upcoming City Manager's meeting. County staff met with two representatives of the MOU cities on November 13, 2014, in which a revised methodology was presented. County staff is currently working on this revised methodology and continue to work with the MOU cities on a Regional Model that works for all those involved.

As a result of this continued progress staff is requesting to further extend the termination date of the MOU with the City of Turlock to January 31, 2015. The MOU Cities have indicated their

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commitment to continuing their participation in a Regional Solid Waste Model and to working with the County to come to an agreement.

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:

Staffs from the Department of Environmental Resources and Chief Executive Office are currently in the process of finalizing a Regional Solid Waste agreement with the cities.

CONTACT PERSON:

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