



Staff Report

RESOLUTION REQUESTING THE SOUTH BAYSIDE WASTE MANAGEMENT AUTHORITY TO RE-STRUCTURE THE BOARD MEMBERSHIP TO ALLOW FOR ELECTED OFFICIALS TO REPRESENT AGENCY MEMBERS

Honorable Mayor and Council Members:

Summary

The resolution is to request the South Bayside Waste Management Authority (SBWMA) to reconsider the existing composition of non-elected board members to allow for elected officials to serve on the SBWMA Board of Directors.

Background

Twelve agencies established the SBWMA as a Joint Powers Authority to provide for the joint ownership, financing, administration, and operation of the transfer station and recyclery facilities in 1999. The JPA was established to provide effective and efficient planning and implementation of solid waste and recycling collection. The management and administration of the JPA was primarily under the direction of the City of San Carlos

The SBWMA was restructured in 2005. The primary purpose of the restructure was to create an Executive Director position to administer and manage the SBWMA on a day to day basis. In addition, the SBWMA Board powers were broadened to acquire and finance facilities, real property and personal property; enter into agreements; hire agents and employees; incur debts; liabilities and loans; issue bonds; and establish rates and fees for the transfer and recycling station facilities.

The JPA agreement does require the approval of two-thirds of the Members for any of the following actions:

1. Acquisition of real property
2. Disposal or transfer of any interest in real property
3. Entering into or amending Franchise Agreements for the operation of the Facilities
4. Issuance of bonds or notes, or the refinance of such bonds or notes.

Discussion

City Council has gone on record that the ability of the SBWMA to commit public funds should be the responsibility of those who are elected to represent the citizens of each of the respective communities, not appointed staff members as under the current structure. It is the elected officials who are ultimately held responsible for any actions taken by the SBWMA.

The current SBWMA Board made up of appointed staff voted in March, 2005, not to support the Board of elected representatives. Eight out of the eleven agencies present supported this action. The cities of Belmont, East Palo Alto and Redwood City voted against this action and supported the proposal to establish a Board of elected representatives.

Council member Dickenson has volunteered to pursue this issue with the other Member agency's councils. The proposed resolution will assist him with these efforts.

General Plan/Vision Statement

There is no impact from this report.

Fiscal Impact

There is no fiscal impact from this report.

Public Contact

The Council agenda was posted.

Recommendation

It is recommended City Council adopt the resolution requesting the Member Agencies of the South Bayside Waste Management Authority to re-structure the Board membership to allow for elected officials to represent agency members.

Alternatives

1. Take no action.
2. Refer back to staff for further information.
3. Deny approval.

Attachments

- A. Resolution

Respectfully submitted,

Raymond E. Davis III, PE, PTOE
Public Works Director

Jack R. Crist
City Manager

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RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELMONT REQUESTING THE MEMBER AGENCIES OF THE SOUTH BAY WASTE MANAGEMENT AUTHORITY TO RE-STRUCTURE THE BOARD MEMBERSHIP TO ALLOW FOR ELECTED OFFICIALS TO REPRESENT AGENCY MEMBERS

Whereas, the South Bayside Waste Management Authority (SBWMA) was established to provide for the joint ownership, financing, administration, and operation of the transfer station and recyclery facilities; and,

Whereas, the SBWMA was established to provide effective and efficient planning and implementation of our solid waste and recycling collection; and,

Whereas, the SBWMA has broad powers including the power to acquire and finance facilities, real property and personal property; enter into agreements; hire agents and employees; incur debts; liabilities and loans; issue bonds; and establish rates and fees for the transfer and recycling station facilities; and,

Whereas, the ability of the SBWMA to commit public funds should be the responsibility of those who are elected to represent the citizens of our respective communities, not appointed staff members; and,

Whereas, it is the elected representatives of each respective community who is ultimately held responsible for any actions taken by the SBWMA Board; and,

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Belmont:

- 1. Request the South Bayside Waste Management Authority to re-structure the Board membership to allow for elected officials to represent agency members.

* * * * *

I hereby certify that the foregoing Resolution was duly and regularly passed and adopted by the City Council of the City of Belmont at a regular meeting thereof held on February 27, 2007 by the following vote:

AYES, COUNCILMEMBERS: _____

NOES, COUNCILMEMBERS: _____

ABSTAIN, COUNCILMEMBERS: _____

ABSENT, COUNCILMEMBERS: _____

CLERK of the City of Belmont

APPROVED:

MAYOR of the City of Belmont