

MEMO



Consent Agenda Item #: 7

Meeting Date: February 17, 2023

To: Board of Directors
From: Director of Communications, Zoë Shoats
Approved by: General Manager, Felipe Melchor

Subject: Amendment of MOU with County of Monterey for Litter Abatement Program

Recommendation

That the Board of Directors approve an amendment to the Memorandum of Understanding dated October 8, 2020 between the Monterey Regional Waste Management District DBA ReGen Monterey and the County of Monterey for litter abatement in an amount not to exceed \$25,000 per year for two additional years.

Background

The County of Monterey manages a Litter Abatement Program (“Program”) developed to collect waste and mitigate illegal dumping throughout the County. In past years, ReGen Monterey has made a financial contribution to this program because it has been viewed as beneficial to all the residents and businesses within ReGen’s jurisdiction and especially beneficial to ReGen’s immediate neighbors. ReGen Monterey appropriated funds for the Program equal to \$45,000, \$100,000, and \$25,000, respectively for the fiscal years 2019, 2020, and 2021-2023. A total of \$12,372.25 and \$25,000 was spent in FY 21 and FY 22 respectively.

Discussion

In June 2021, ReGen Monterey executed an amendment to the original Memorandum of Understanding for FY 22 and FY 23. That MOU amendment expires June 30, 2023 if not amended or renewed again. The amendment presented proposes to extend the arrangement for two additional years for FY 24 and FY 25 at a funding level not to exceed \$25,000 each fiscal year. The amendment maintains clarification that actual funding is based on reimbursement of 50% of spending on Program activities conducted within ReGen Monterey’s jurisdictional boundaries. No modifications are proposed beyond the extension.

The Finance Committee discussed this item at their February 1, 2023, meeting and recommended approval.

Financial Impact

Costs associated with this agreement will not exceed \$25,000 for each of the next two fiscal years. Upon approval, the costs for the upcoming fiscal year will be incorporated in ReGen’s annual budget.]

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Let’s not waste this.

MEMORANDUM OF UNDERSTANDING

between

COUNTY OF MONTEREY

and

MONTEREY REGIONAL WASTE MANAGEMENT DISTRICT DBA REGEN MONTEREY
Litter Abatement Program

This Amendment No. 2 to the MEMORANDUM OF UNDERSTANDING (“MOU”) is entered into as of the last date opposite the respective signatures by and between the COUNTY OF MONTEREY, a political subdivision of the State of California (“COUNTY”), and the MONTEREY REGIONAL WASTE MANAGEMENT DISTRICT DBA REGEN MONTEREY (“MRWMD”), a public agency, (collectively referred to as “Parties”), with reference to the following facts:

RECITALS

WHEREAS, the Parties have heretofore entered into the MOU dated October 8, 2020 for COUNTY administration of a Litter Abatement Program (“Program”) to collect waste and mitigate illegal dumping throughout the County;

WHEREAS, MOU was amended by the Parties on July 13, 2021 (hereinafter, “Amendment No. 1”) to extend the term for two (2) additional years through June 30, 2023 to allow the Program to continue using existing available funding;

WHEREAS, the Parties wish to amend the MOU to extend the term for two (2) additional years from the current expiration date, through June 30, 2025 and to update the name of the public agency to allow the Program to continue using existing available funding;

NOW, THEREFORE, in consideration of mutual covenants and agreements contained herein, the Parties hereto agree to amend the terms of the MOU as follows:

1. Section 1 Effective Date and Term is replaced in its entirety with the following:

This MOU is effective October 8, 2020 and shall remain in force through June 30, 2025 unless earlier terminated as provided in this MOU. This MOU may be amended by mutual written agreement of the parties.

2. In all places within the MOU, any reference to Monterey Regional Waste Management District or MRWMD is hereby deemed to be Monterey Regional Waste Management District dba ReGen Monterey.

IN WITNESS WHEREOF, the parties, intending to be legally bound, have executed this Memorandum of Understanding on the date last signed below:

COUNTY OF MONTEREY

**MONTEREY REGIONAL WASTE
MANAGEMENT DISTRICT DBA
REGEN MONTEREY**

By: _____
Randell Ishii, MS, PE, TE, PTOE
Director of Public Works, Facilities and Parks

By: _____
Jason Campbell
Chair, Board of Directors

Date: _____

Date: _____

APPROVED AS TO FORM:

Office of the County Counsel
Leslie J. Girard, County Counsel

APPROVED AS TO FORM:

MRWMD dba ReGen Monterey General
Counsel

By: _____
Mary Grace Perry
Deputy County Counsel

By: _____
Rob Wellington
MRWMD dba ReGen Monterey General
Counsel

Date: _____

Date: _____

APPROVED AS TO FISCAL PROVISIONS:

By: _____
Auditor/Controller

Date: _____