REQUEST FOR APPROVAL

To: Howard Levenson
Deputy Director

From: Cara Morgan
Branch Chief

Request Date: August 8, 2014

Decision Subject: Amended Los Angeles Area Integrated Waste Management Authority Agreement, Los Angeles County

Action By: September 16, 2014

Summary of Request:

Effective July 1, 2014, the Los Angeles Area Integrated Waste Management Authority amended its Joint Powers Agreement (JPA) to include the City of Downey as a member of the JPA. The Los Angeles Area Integrated Waste Management Authority Regional Agency is requesting approval of its amended Regional Agency Formation Agreement.

Recommendation:

Staff is recommending approval of the Los Angeles Area Integrated Waste Management Authority amendment to the Regional Agency Formation Agreement as it has met the statutory requirements through development of a Joint Powers Agreement that includes all the statutorily required provisions for the creation of a regional agency. The submitted documents related to the amendments were reviewed by CalRecycle staff and legal counsel and are found to be complete.

Program Director's Action:

On the basis of the information and analysis in this Request for Approval and the findings set out herein, I hereby approve the request to amend the Los Angeles Area Integrated Waste Management Authority agreement.

Dated:

Howard Levenson

Howard Levenson, Deputy Director
Materials Management and Local Assistance

Attachments: Regional Agency Amendment/Agreement

Background and Findings

Effective June 19, 2014, the Los Angeles Area Integrated Waste Management Authority amended its JPA to include the City of Downey as a member of the JPA. The Los Angeles Area Integrated Waste Management Authority Regional Agency is requesting approval of its amended Regional Agency Formation Agreement. This request represents the process for implementing PRC Sections 40970 and 40975 that allows jurisdictions to form regional agencies for the purpose of meeting the mandates of the Integrated Waste Management Act (i.e., AB 939), and requires any agreement forming a regional agency to be submitted to CalRecycle for review and approval. The amendments to the agreement between the Regional Agency and jurisdiction affect both the JPA and Regional Agency Formation Agreement.

In addition, PRC section 40970, which describes Legislative intent regarding the approval of Regional Agencies, provides that:

"...It is not the intent of the Legislature in enacting this article to diminish the responsibility of individual cities and counties to implement source reduction, recycling, and composting programs as required by this part..."

All members of the Los Angeles Area Integrated Waste Management Authority agree to be active participants in the efforts to meet and maintain the goals of AB939. Under the revised Regional Agency Formation Agreement, the Regional Agency members plan to continue implementation of those programs specified in their respective Source Reduction and Recycling Elements to achieve and maintain the diversion goal. Membership in the Los Angeles Area Integrated Waste Management Authority will enhance diversion efforts and strengthen the regional agency, which will be beneficial for the jurisdictions' residents and businesses.

In this current request, staff is updating the Los Angeles Area Integrated Waste Management Authority's 50% equivalent per capita disposal target to reflect the changes from the addition of the City of Downey. The Regional Agency's updated 50% equivalent per capita population disposal target is unchanged at 7.1 pounds per person per day (PPD) as a result of adding in Downey's tonnage. The Regional Agency's updated 50% equivalent per capita employment disposal target is 17.6 PPD.