

REQUEST FOR APPROVAL

To: Howard Levenson
Deputy Director

From: Cara Morgan
Division Chief

Request Date: June 30, 2016

Decision Subject: Approval of Amended Tehama County Landfill Agency Joint Powers Agreement and Name Change To Tehama County Solid Waste Management Agency

Action By: July 26, 2016

Summary of Request:

The Tehama County Sanitary Landfill Agency, Tehama County is requesting approval of its amended Regional Agency agreement. Effective July 1, 2015, an amended joint powers agreement was entered into between the Tehama County Sanitary Landfill Agency Joint Powers Agency (JPA) which consolidated it into the Tehama County/Red Bluff Landfill Management JPA and Regional Agency and renamed the JPA and Regional Agency the Tehama County Solid Waste Management Agency.

Recommendation:

Staff is recommending approval of the amended Tehama County Solid Waste Management Agency regional agency agreement as it has met the statutory requirements through development of a Joint Powers Agreement that includes all the statutorily required provisions for the consolidation 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 Action and the findings set out herein, I hereby approve the request to amend the Tehama County Solid Waste Management Agency regional agency agreement.

Dated: 7/5/16 

Howard Levenson, Deputy Director
Materials Management and Local Assistance

Attachments: Regional Agency Amendment/Agreement

Background and Findings

On September 18, 1996, an agreement was entered into by the County of Tehama, the City of Red Bluff, the City of Corning, and the City of Tehama, to create a Joint Powers Authority (JPA) to act as a Regional Agency and independent public agency to comprehensively plan, develop, operate and manage the transformation, diversion, processing and disposal of solid waste within the members' jurisdictions. The JPA acted as a Regional Agency and independent public agency to comprehensively plan, develop, operate and manage the transformation, diversion, processing and disposal of solid waste within the members' jurisdictions. The JPA would be known as the Tehama County Sanitary Landfill Regional Agency.

Effective July 1, 2015, an Amended and Restated Joint Powers Agreement was entered into by these jurisdictions, consolidating the Tehama County Sanitary Landfill Agency into the Tehama County/Red Bluff Landfill Management Agency and reconstituting the regional agency as the Tehama County Solid Waste Management Agency for the purpose of the parties' joint participation in the management of solid waste services to be provided to and within their respective jurisdictions. These responsibilities include all those performed by the former Regional Agency. The Tehama County Sanitary Landfill Agency in Tehama County is requesting approval of its amended Regional Agency 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 JPA agreement between the Regional Agency and jurisdictions affect both the JPA and Regional Agency 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 Tehama County Solid Waste Management Agency agree to be active participants in the efforts to meet and maintain the goals of AB939.