

## **REQUEST FOR APPROVAL**

**To:** Zoe Heller, Deputy Director  
Materials Management and Local Assistance Division

**From:** Cara Morgan  
Branch Chief

**Request Date:** February 7, 2023

**Decision Subject:** Amended Regional Agency Formation Agreement for the Imperial Valley Resource Management Agency, Imperial County

**Action By:** February 21, 2023

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### **Summary of Request:**

Effective September 28, 2022, the Imperial Valley Resource Management Agency (IVRMA) amended its existing Joint Powers Agreement (JPA) to include the provisions for an amended Regional Agency Formation Agreement. The amendments add the JPA's responsibility for implementing the SB 1383 requirements on behalf of the member agencies. The IVRMA is requesting approval of its amended Regional Agency Formation Agreement.

### **Recommendation:**

Staff is recommending approval of the IVRMA's 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.

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### **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 Imperial Valley Resource Management Agency's Regional Agency Formation agreement.

**Dated:**

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Zoe Heller, Deputy Director

### **Attachments:**

1. Revised JPA and Regional Agency Formation Agreement dated September 28, 2022 (amending and restating agreements dated February 6, 2008)

### **Background and Findings**

The Imperial Valley Resource Management Agency (IVRMA) was formed in 2008, under a Joint Powers Agreement (JPA), to address solid waste management issues for its member jurisdictions. The membership of the JPA consists of the County of Imperial, as well as the Cities of Brawley, Calexico, Calipatria, El Centro, Holtville, Imperial, and Westmorland.

In 2022, the JPA and Regional Agency Agreement was amended in whole. The amended IVRMA JPA was approved by all of the member agencies during the month of September 2022 and adopted on September 28, 2022. The IVRMA completed the JPA amendment to provide its member agencies with assistance regarding implementing the SB 1383, AB 1826, and AB 341 requirements. These responsibilities include conducting outreach and education, reporting to CalRecycle, conducting coordination efforts with CalRecycle on behalf of the members, assisting members with capacity planning, etc. All members of the IVRMA agree to be active participants in the efforts to meet and maintain the goals of AB 939, AB 1826, AB 341, and SB 1383, and associated regulations.

The IVRMA is requesting approval of the revised Regional Agency Formation Agreement. This request represents the process for implementing PRC sections 40970 and 40975 that allows jurisdictions to form regional agencies and requires any agreement forming or modifying a Regional Agency to be submitted to CalRecycle for review and approval. Staff has determined that the required Regional Agency Formation Agreement provisions required by PRC Section 40975(b) have been adequately addressed.