

**MOJAVE DESERT AND MOUNTAIN RECYCLING  
JOINT POWERS AUTHORITY**

REGULAR MEETING  
THURSDAY, MAY 13, 2021  
10:00 A.M.

**TELECONFERENCE NOTICE**

This meeting is being held in accordance with the Brown Act as currently in effect under the State Emergency Services Act., the Governor's Emergency Declaration related to COVID-19, and the Governor's Executive Order N-29-20 issued on May 5, 2020 that allows attendance by members of the Board and the public to participate and conduct the meeting by teleconference.

**NOTICE TO THE PUBLIC:** To participate please sign in via the link below.

Join Zoom Meeting

<https://zoom.us/j/95815909962?pwd=aGFXYUppEWtc1SHB1U0NMdIQ3UIpuQT09>

Meeting ID: 958 1590 9962

Passcode: 157048

One tap mobile

+16699009128,,95815909962#,,,,\*157048# US (San Jose)

Questions/Issues call (760) 955-5157.

CALL TO ORDER AND ROLL CALL
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PLEDGE
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CONSENT CALENDAR
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**1. Request to Approve the Consent Calendar as follows:**

- A. Minutes of the Board Meeting held February 11, 2021.**
- B. Warrant Ratification for February 1, 2021 – April 30, 2021.**

Recommendation: Approve consent calendar.

PUBLIC HEARING ITEMS
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**None**

DISCUSSION/ACTION ITEMS
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**2. Audited Financial Statements for the Year Ended June 30, 2020.**

Recommendation: Receive and file the Financial Statements for the Year Ended June 30, 2020.

**3. 2021/2022 Budget.**

Recommendation: Approve 2021/2022 JPA Budget including \$40,000 from 2019/2020 marketing funds.

**4. Edible Food Recovery: High Desert Second Chance.**

Recommendation: Update on edible food recovery.

**5. Curbside Contamination Project Update.**

Recommendation: Update on Curbside Contamination Project Tasks.

**6. SB 1383 Update: SB 619**

Recommendation: Support SB 691 if amended to provide local jurisdiction regulatory and financial relief.

**7. The Joint Powers Agreement Creating the Mojave Desert and Mountain Recycling Authority.**

Recommendation: Overview of the Joint Powers Agreement.

**8. Legislative Update.**

Recommendation: Support AB 478 (Thermoform Recycled Content); provide feedback on other legislation.

PUBLIC COMMENTS

**9. Public comment on items of interest to the public.**

BOARD MEMBERS COMMENTS

**10. Comments by members of the Board of Directors.**

DATE OF NEXT MEETING

**THURSDAY, AUGUST 12, 2021**

ADJOURNMENT

**MOJAVE DESERT AND MOUNTAIN INTEGRATED WASTE  
JOINT POWERS AUTHORITY**

**AGENDA MATTER**

Consent Calendar

**SUMMARY STATEMENT**

**Request to Approve the Consent Calendar as follows:**

- A. Minutes of Board Meeting held February 11, 2021.**
- B. Warrant Ratification for February 1, 2021 – April 30, 2021.**

**RECOMMENDED ACTION**

Approve consent calendar.

<b>PRESENTED BY</b>	<b>FISCAL IMPACT:</b>	<b>MEETING DATE</b>	<b>ITEM NUMBER</b>
Linda St. Louis		May 13, 2021	1

## MINUTES

### MOJAVE DESERT AND MOUNTAIN RECYCLING JPA BOARD MEETING

10:00 A.M., THURSDAY, FEBRUARY 11, 2021  
VICTOR VALLEY MATERIALS RECOVERY FACILITY (VIRTUAL MEETING)

JPA Board Members Present: Marilyn Kruse (Barstow), Debra Jones (Victorville), Bynette Mote (Big Bear), Jeff Drozd (Yucca Valley), McArthur Wright (29 Palms), Tim Terral (Needles), Joy Jeannette (Adelanto), Larry Cusack (Apple Valley)

Others Present: John Davis (Administrator), Linda St. Louis (Secretary), Jenele Davison (Victorville), Dana Armstrong (Victorville), Cheryl Vermette (Helendale CSD), Art Bishop (Apple Valley), Crystal Chavez-Jones (SB County), Doug Mathews (Victorville), Elijah Marshall (29 Palms), Kody Tompkins (Barstow), Liz Becerra (Victorville), Jessica Reed (Barstow), Julie Ryan (Apple Valley), Kaitya Meyer (Big Bear), Craig Schneider (Helendale CSD), Guy Eisenbrey (Apple Valley), Richard Crockett (Burrtec)

Roll call was conducted. Board Administrator John Davis called the meeting to order at 10:05 A.M.

Debra Jones led the pledge of allegiance.

1. **Consent Calendar.** The Consent Calendar was approved on a roll call vote following a motion from Board Member Joy Jeannette and a second from Board Member Bynette Mote to approve the minutes of the Board Meeting, warrant ratification and Treasurer's Report.
2. **JPA Board and Vice-Chair.** Board Member Debra Jones was appointed Chair on a roll call vote following a motion from Board Member Larry Cusack and a second by Board Member Joy Jeannette. Board Member Larry Cusack was appointed Vice-Chair on a roll call vote following a motion from Chair Debra Jones and a second by Board Member Marilyn Kruse.
3. **Mojave Desert and Mountain Recycling Authority History.** Board Administrator John Davis provided the new Board with background history on the JPA.
4. **SB 1383 Background.** Board Administrator John Davis provided the Board with background on SB 1383.

5. **SB 1383 Recommendation.** The Board authorized Board Administrator John Davis to pursue relief from SB 1383 with a roll call vote following a motion from Board Member Joy Jeannette and a second from Vice-Chair Larry Cusack.
6. **Curbside Contamination Project.** Board Administrator John Davis provided information to the Board on the curbside contamination project.
7. **Digital Content Management and Social Media.** Board Administrator John Davis provided the Board with information on the digital and social media work.
8. **CalRecycle Grant to Promote and Replace Single Use Propane Gas Cylinders.** Board Administrator John Davis apprised the Board on the Refillable Propane Cylinder Grant.
9. **Statewide Commission on Recycling Markets and Curbside Recycling.** Board Administrator John Davis informed the Board that he is one of the 17 appointed commissioners and has been appointed Chair of the Market Development Committee.
10. **Legislation.** Board Administrator John Davis provided updates on current legislation.
11. **Public Comments.** None
12. **Board Comments.** The following comments were made from Board Members:
  - Larry Cusack** – Thanks for voting me in as Vice-Chair. Thanks John and congratulations Debra.
  - Marilyn Kruse** – Looking forward to meeting everyone.
  - Jeff Dzrod** – Thanks
  - Debra Jones** – Thanks John. Lots of work coming up. Good team.

The Chair set the date of the next meeting for May 13, 2021. The meeting was adjourned at 12:10 PM.

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Debra Jones  
Chair

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Linda St. Louis  
Secretary

MOJAVE DESERT AND MOUNTAIN INTEGRATED WASTE JPA

Warrant Listing: February 1, 2021 - April 30, 2021

Check #	Check Date	Payee	Description	Check Amount
2294	2/2/2021	TOAV	October Recycling Activity (Pmt to members:Rev>exp)	18,120.62
2295	2/2/2021	City of Victorville	October Recycling Activity (Pmt to members:Rev>exp)	9,833.79
2296	2/2/2021	Burrtec Waste Industries	Nov and Dec 2020 Recycling Activity	129,946.36
2297	2/2/2021	John C Davis	JPA & MRF Admin Services January 2021	10,960.05
2298	2/3/2021	Harshwal & Company	Audit Services for FY 19/20 Inv #3066	6,695.00
2299	2/4/2021	Linda St. Louis	Inv #048 JPA Board Agenda Prep	430.90
2300		VOID - SPOILED		
2301	2/9/2021	Burrtec Waste Industries	Baler Belt Replacement	85,700.45
2302	2/9/2021	TOAV	Reimbursement for CRRRA Mship Fee	200.00
2303	2/9/2021	Erin Duckhorn	Marketing Services January 2020, Inv 5020121	2,500.00
2304	2/9/2021	Mobius Intelligent Systems, LLC	Social Media & Website Services Dec Inv 1773 & Jan Inv 1796	5,425.00
2305	2/9/2021	CPSC (California Product Stewardship Council)	Marketing Services Nov 2020 Inv #011	1,002.77
2306		VOID-SPOILED		
2307	2/10/2021	High Desert Second Chance	Edible Food Recovery Program Jan Inv #0013	2,500.00
2308	2/16/2021	Marilyn Kruse	JPA Bd Meeting Feb 2021	75.00
2309	2/16/2021	McArthur Wright	JPA Bd Meeting Feb 2021	75.00
2310	2/16/2021	Debra Jones	JPA Bd Meeting Feb 2021	75.00
2311	2/16/2021	Bynette Mote	JPA Bd Meeting Feb 2021	75.00
2312	2/16/2021	Tim Terral	JPA Bd Meeting Feb 2021	75.00
2313	2/16/2021	Jeff Drozd	JPA Bd Meeting Feb 2021	75.00
2314	2/16/2021	Larry Cusack	JPA Bd Meeting Feb 2021	75.00
2315	2/16/2021	Joy Jeannette	JPA Bd Meeting Feb 2021	75.00
2316	3/1/2021	John Davis	JPA & MRF Admin Services Feb 2021	10,960.05
2317	3/4/2021	Planet People Waste	Task 3 Inv #20217	1,950.00
2318	3/4/2021	Erin Duckhorn	Marketing Services Feb 2021, Inv 5030221	2,500.00
2319	3/4/2021	CPSC (California Product Stewardship Council)	Marketing Services Dec 2020 & Jan 2021 Inv 012	3,073.54
2320	3/10/2021	Burrtec	January 2021 Recycling Activity & Minimum Wage Retro Adj	443,916.21
2321	4/5/2021	Planet People Waste	Task 2 Inv #20218	1,080.00
2322	4/5/2021	Mobius Intelligent Systems, LLC	Social Media & Website Services March Inv 1817	1,250.00
2323	4/5/2021	John Davis	JPA & MRF Admin Services March 2021	11,260.12
2324	4/5/2021	Burrtec	February 2021 Recycling Activity & Minimum Wage Retro Adj	69,798.42
2325	4/5/2021	Erin Duckhorn	Marketing Services Inv 5040121	2,500.00
2326	4/5/2021	High Desert Second Chance	Edible Food Recovery Program Feb Inv #0014	2,500.00
<b>Total</b>				<b>824,703.28</b>

**MOJAVE DESERT AND MOUNTAIN INTEGRATED WASTE  
JOINT POWERS AUTHORITY**

**AGENDA MATTER**

Audited Financial Statements for the Year Ended June 30, 2020

**SUMMARY STATEMENT**

FISCAL IMPACT:                      none

DISCUSSION:

The CPA firm Harshwal & Company LLP, Certified Public Accountants, was retained by the Authority to perform the annual financial audit for the 12 months ended June 30, 2020. Attached is a copy of the Financial Statements issued by Harshwal & Company LLP dated January 29, 2021. The Auditor's have issued an unqualified "clean" opinion" letter meaning that the financial statements present fairly in all material respects, the financial position of the Authority as of June 30, 2020. Staff requests that the Board accept the Report and direct staff to receive and file the report.

Staff remains available for any questions or comments you might have.

Attachments: Audited Financial Statements Year Ended June 30, 2020

**RECOMMENDED ACTION**

Receive and file the Financial Statements for the Year Ended June 30, 2020

**PRESENTED BY**

Sydney Harris

**MEETING DATE**

May 13, 2021

**ITEM NUMBER**

2

**MOJAVE DESERT AND MOUNTAIN INTEGRATED  
WASTE MANAGEMENT AUTHORITY  
AUDITED FINANCIAL STATEMENTS  
JUNE 30, 2020**





**MOJAVE DESERT AND MOUNTAIN INTEGRATED WASTE MANAGEMENT AUTHORITY**  
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**JUNE 30, 2020**

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## INDEPENDENT AUDITOR'S REPORT

To the Board of Directors  
Mojave Desert & Mountain Integrated Waste Management Authority  
Apple Valley, California

### **Report on the Financial Statements**

We have audited the accompanying financial statements of the Mojave Desert and Mountain Integrated Waste Management Authority, (the "Authority") as of and for the year ended June 30, 2020, and the related notes to the financial statements, which collectively comprise the Authority's basic financial statements as listed in the table of contents.

### **Management's Responsibility for the Financial Statements**

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

### **Auditor's Responsibility**

Our responsibility is to express an opinion on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the Entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

### **Opinion**

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the Mojave Desert and Mountain Integrated Waste Management Authority as of June 30, 2020, and the respective changes in financial position and cash flows for the year then ended in accordance with accounting principles generally accepted in the United States of America.

### **Other Matters**

#### ***Required Supplementary Information***

Management has omitted the *Management's Discussion and Analysis* that accounting principles generally accepted in the United States of America require to be presented to supplement the basic financial statements. Such missing information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. Our opinion on the basic financial statements is not affected by this missing information.

#### ***Other Information***

Our audit was conducted for the purpose of forming an opinion on the financial statements that collectively comprise the Authority's basic financial statements. The supplementary information, as listed in the table of contents, is presented for purposes of additional analysis and is not a required part of the basic financial statements. The supplementary information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the basic financial statements. Such information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statement themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the information is fairly stated in all material respects in relation to the basic financial statements as a whole.

### **Other Reporting Required by Government Auditing Standards**

In accordance with *Government Auditing Standards*, we have also issued our report dated January 29, 2021 on our consideration of the Authority's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is solely to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the Authority's internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering Authority's internal control over financial reporting and compliance.

*Harshwal & Company LLP*

San Diego, California  
January 29, 2021

## **BASIC FINANCIAL STATEMENTS**

**MOJAVE DESERT AND MOUNTAIN INTEGRATED WASTE MANAGEMENT AUTHORITY**  
**STATEMENT OF NET POSITION**  
**JUNE 30, 2020**

**ASSETS**

Cash and investments (Note 2)	\$ 749,022
Accounts receivable	580,489
Prepaid Items	<u>3,501</u>
Total assets	<u>1,333,012</u>

**LIABILITIES**

Current liabilities:	
Accounts payable & accrued liabilities	<u>319,273</u>
Total liabilities	<u>319,273</u>

**NET POSITION**

Net position (Deficit):	
Unrestricted	<u>1,013,739</u>
Total net position	<u>1,013,739</u>
Total liabilities and net position	<u>\$ 1,333,012</u>

The accompanying notes are an integral part of this financial statement.

**MOJAVE DESERT AND MOUNTAIN INTEGRATED WASTE MANAGEMENT AUTHORITY**  
**STATEMENT OF REVENUES, EXPENSES, AND CHANGES IN NET POSITION**  
**FOR THE YEAR ENDED JUNE 30, 2020**

**OPERATING REVENUES**

Member contributions	\$ 325,539
Sale of recyclable materials	2,949,492
Other revenue	<u>590,342</u>
Total operating revenues	<u>3,865,373</u>

**OPERATING EXPENSES**

Contract services	2,553,064
Insurance	23,826
Buy-backs and Transportation	469,098
Administrative and general	<u>122,613</u>
Total operating expenses	<u>3,168,601</u>
Operating income	<u>696,772</u>

**NON-OPERATING REVENUES (EXPENSES)**

Interest income	<u>479</u>
Total non-operating revenues (Expenses)	<u>479</u>
Net income	697,251
Net position, beginning of year	<u>316,488</u>
Net position, end of year	<u><u>\$ 1,013,739</u></u>

The accompanying notes are an integral part of this financial statement.

**MOJAVE DESERT AND MOUNTAIN INTEGRATED WASTE MANAGEMENT AUTHORITY**  
**STATEMENT OF CASH FLOWS**  
**FOR THE YEAR ENDED JUNE 30, 2020**

**CASH FLOWS FROM OPERATING ACTIVITIES**

Cash received from other Governmental Agencies	\$ 325,539
Cash received from Customers	3,225,465
Cash Payments to Suppliers and Contractors for Goods and Services	<u>(2,935,844)</u>
Net Cash Provided (Used) by Operating Activities	<u>615,160</u>

**CASH FLOWS FROM CAPITAL AND RELATED FINANCING ACTIVITIES**

Principal Paid on Debt	(486,742)
Paid for Participating Agencies	<u>(134,129)</u>
Net Cash Provided (Used) by Capital and related Financing Activities	<u>(620,871)</u>

**CASH FLOWS FROM INVESTING ACTIVITIES**

Interest on Investments	<u>479</u>
Net Cash Provided (Used) By Investing Activities	<u>479</u>
Net increase (Decrease) in Cash and Cash Equivalents	(5,232)
Cash and Cash Equivalents - Beginning of Year	<u>754,254</u>
Cash and Cash Equivalents - End of Year	<u>\$ 749,022</u>

**Reconciliation of Operating Income to Net Cash provided (used) by Operating Activities:**

Operating Income	\$ 696,772
Adjustments to Reconcile Operating Income (Loss) to Net Cash	
Provided (Used by) Operating Activities:	
(Increase) Decrease in Accounts Receivable	(314,369)
Increase (Decrease) in Accounts Payable	232,757
Total Adjustments	<u>(81,612)</u>
Net Cash Provided by Operating Activities	<u>\$ 615,160</u>

The accompanying notes are an integral part of this financial statement.

**MOJAVE DESERT AND MOUNTAIN INTEGRATED WASTE MANAGEMENT AUTHORITY**  
**NOTES TO THE FINANCIAL STATEMENTS**  
**YEAR ENDED JUNE 30, 2020**

**NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES**

**A. Reporting Entity**

The Mojave Desert and Mountain Integrated Waste Management Authority (the "Authority") was formed in September of 1991 as a joint powers authority under California Government Code Section 6500, between the cities of Victorville Barstow, Big Bear Lake, Needles, Twentynine Palms, the Towns of Apple Valley and Yucca Valley, and the County of San Bernardino to plan for and implement elements of an Integrated Waste Management Plan within all or any part of its respective boundaries, including solid waste disposal, composting and recycling facilities, and waste diversion programs deemed necessary to meet state law. The cost of operating and maintaining the Authority is divided among each member entity in a manner to be decided in the annual general budget.

The Authority manages the Victor Valley Materials Recycling Facility (MRF) operations contract. The MRF is owned by The Town of Apple Valley and City of Victorville, and operated by Burrtec Waste Industries.

**B. Measurement Focus, Basis of Accounting, and Financial Statement Presentation**

The Authority is accounted for as an enterprise fund (proprietary fund type). A fund is an accounting entity with a self-balancing set of accounts established to record the financial position and results of operations of a specific governmental activity. The activities of enterprise funds closely resemble those of ongoing businesses in which the purpose is to conserve and add to basic resources while meeting operating expenses from current revenues. Enterprise funds account for operations that provide services on a continuous basis and are substantially financed by revenues derived from user charges. The Authority utilizes the accrual basis of accounting. Revenues are recognized when earned and expenses are recognized as they are incurred.

The Authority distinguishes operating revenues and expenses from non-operating items. Operating revenues and expenses generally result from providing services and producing and delivering goods in connection with the MRF. The principal operating revenues of the Authority are charges to customers for services. Operating expenses include administrative and general costs, and contract services. All revenues and expenses not meeting this definition are reported as non-operating revenues and expenses.

The accompanying financial statements have been prepared on the accrual basis of accounting. Under the accrual basis, revenues are recognized when earned and expenses are recognized when incurred regardless of the timing of cash payments or receipts.

When both restricted and unrestricted resources are available for use, it is the Authority's policy to use restricted resources first, and then use unrestricted resources as they are needed.

**C. Cash and Investments**

Investments are reported in the accompanying balance sheet at fair value. Changes in fair value that occur during a fiscal year are recognized as investment income reported for that fiscal year. Investment income includes interest earnings, changes in fair value, and any gains or losses realized upon the liquidation or sale of investments.

For purposes of the statement of cash flows, cash and cash equivalents are defined as demand deposits and highly liquid investments purchased with an original maturity of three months or less.



**MOJAVE DESERT AND MOUNTAIN INTEGRATED WASTE MANAGEMENT AUTHORITY**  
**NOTES TO THE FINANCIAL STATEMENTS**  
**YEAR ENDED JUNE 30, 2020**

**NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES - CONT'D**

**D. Use of Estimates**

The preparation of financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosures at the date of the financial statements, and the reported amounts of revenues and expenses during the reporting period. Actual results could differ from those estimates.

**E. Net Position**

Net Position is classified in the following categories:

*Net Investment in Capital Assets* - This amount consists of capital assets net of accumulated depreciation, reduced by outstanding debt that attributed to the acquisition, construction, or improvement of the assets.

*Restricted Net Position* - This amount is restricted by external creditors, grantors, contributors, or laws and regulations of other governments.

*Unrestricted Net Position* - This amount represents net assets that do not meet the definition of "net investment in capital assets" or "restricted net position."

**NOTE 2 - CASH AND INVESTMENTS**

Cash and investments as of June 30, 2020 are classified in the accompanying financial statements as follows:

	<u>Amount</u>
Statement of Net Position:	
Cash and Investments	\$ <u>749,022</u>
Total cash and Investments	\$ <u><u>749,022</u></u>

Cash and investments as of June 30, 2020 consist of the following:

	<u>Amount</u>
Deposits with Financial Institutions	\$ <u>749,022</u>
Total cash and investments	\$ <u><u>749,022</u></u>

**Concentration of Credit Risk**

There are no investments in any one issuer (other than U.S. Treasury securities, mutual funds, and investment pools) that represent 5% or more of total investments for the entire entity.

**MOJAVE DESERT AND MOUNTAIN INTEGRATED WASTE MANAGEMENT AUTHORITY**  
**NOTES TO THE FINANCIAL STATEMENTS**  
**YEAR ENDED JUNE 30, 2020**

**NOTE 2 - CASH AND INVESTMENTS - CONT'D**

**Custodial Credit Risk**

Custodial credit risk for deposits is the risk that, in the event of the failure of a depository financial institution, a government will not be able to recover its deposits or will not be able to recover collateral securities that are in the possession of an outside party. The custodial credit risk for investments is the risk that, in the event of the failure of the counterparty (e.g., broker-dealer) to a transaction, a government will not be able to recover the value of its investment or collateral securities that are in the possession of another party. The California Government Code does not contain legal requirements that would limit the exposure to custodial credit risk for deposits or investments, other than the following provision for deposits: The California Government Code requires that a financial institution secure deposits made by state or local government units by pledging securities in an undivided collateral pool held by a depository regulated under state law (unless so waived by the governmental unit). The market value of the pledged securities in the collateral pool must equal at least 110% of the total amount deposited by the public agencies. California law also allows financial institutions to secure District deposits by pledging first trust deed mortgage notes having a value of 150% of the secured public deposits.

The collateral for certificates of deposit is generally held in safekeeping by the Federal Home Loan Bank in San Francisco as the third-party trustee. The securities are physically held in an undivided pool for all California public agency depositors. The State Public Administrative Office for public agencies and the Federal Home Loan Bank maintain detailed records of the security pool which are coordinated and updated weekly.

The Authority Treasurer, at his or her discretion, may waive the 110% collateral requirement for deposits which are insured up to \$250,000 by the FDIC. As of June 30, 2019, the Authority had \$499,022 in excess of insured limits

**MOJAVE DESERT AND MOUNTAIN INTEGRATED WASTE MANAGEMENT AUTHORITY**  
**NOTES TO THE FINANCIAL STATEMENTS**  
**YEAR ENDED JUNE 30, 2020**

**NOTE 3 - LONG-TERM LIABILITIES**

A summary of changes in long-term debt for the year ended June 30, 2020 is noted below:

	Balance at June 30, 2019	Additions	Retirements	Balance at June 30, 2020	Amount Due Within One Year
2004 Project Revenue Bonds	\$ 505,000	\$ -	\$ (505,000)	\$ -	\$ -
Less: Unamortized Discount	<u>(18,258)</u>	<u>-</u>	<u>18,258</u>	<u>-</u>	<u>-</u>
Total	<u>\$ 486,742</u>	<u>\$ -</u>	<u>\$ (486,742)</u>	<u>\$ -</u>	<u>\$ -</u>

**2004 Project Revenue Refunding Bonds**

In May 2004, the Authority issued \$5,910,000 principal amount of Project Revenue Refunding Bonds, Series 2004. The proceeds were used to refund the 1994 Project Revenue Bonds, which have no outstanding balance.

The Authority entered into separate Installment Purchase Agreements, each dated May 1, 2004 with the Town of Apple Valley and the City of Victorville, under which each participant will purchase a one-half undivided interest in the Facility by making installment purchase payments in the amount equal to one-half of the principal of, and interest on, the bonds.

Bonds maturing in the years 2004 to 2020 are serial bonds payable June 1 in annual installments of \$270,000 to \$505,000. The outstanding bonds bear interest at 2.00% to 5.30% due June 1 and December 1 of each year.

The serial bonds maturing on or after June 1, 2015 are subject to optional redemption in whole or in part by lot, on any date or any interest payment date thereafter, respectively.

The bonds are payable solely from net revenues which consist primarily of service revenue from rates and charges imposed by the City and Town for solid waste management service less operating expenses. Covenants within the bond documents require the City and Town to establish annual rates sufficient to pay for operating expenses and debt service payments in such fiscal year. In addition, such rates shall be charged to produce net revenues equal to at least 125% of the debt service payments due and payable in such fiscal year.

There is no principal balance outstanding at June 30, 2020, the entire amount of bond payable has been paid.

**MOJAVE DESERT AND MOUNTAIN INTEGRATED WASTE MANAGEMENT AUTHORITY**  
**NOTES TO THE FINANCIAL STATEMENTS**  
**YEAR ENDED JUNE 30, 2020**

**NOTE 4 - MEMBER CONTRIBUTIONS**

Member contributions are determined by the Board of Directors of the Authority and assessed to all members on an annual basis in amounts that are intended to be sufficient for the Authority to meet its financial obligations. A summary of the member contributions for the year ended June 30, 2020 is as follows:

<u>Member</u>	<u>Contribution</u>	<u>Percentage</u>
Adelanto	\$ 29,808	10
Apple Valley	64,089	20
Barstow	24,104	7
Big Bear Lake	14,204	4
Needles	14,028	4
San Bernardino County	55,316	17
Twenty-Nine Palms	19,108	6
Victorville	82,126	25
Yucca Valley	22,756	7
Total	<u>\$ 325,539</u>	<u>100</u>

**NOTE 5 - RISK MANAGEMENT**

The Authority is exposed to various risks and manages these risks through the general liability program of the Public Entity Risk Management Authority (PERMA). PERMA provides coverage for costs incurred up to \$1 million through risk sharing pools. Costs are shared between participating members within each pool based upon premium contributions. For costs exceeding \$1 million, PERMA participated in the California State Association of Counties Excess Insurance Authority (CSAC-EIA) for excess coverage up to the coverage limit of \$50 million. The Authority uses PERMA to process all claims.

**NOTE 6 - SUBSEQUENT EVENTS**

The District has evaluated all subsequent events through January 29, 2021, the date through which the financial statements were available to be issued.

The COVID-19 pandemic is complex and rapidly evolving. At this point, we cannot reasonably estimate the duration and severity of this pandemic, which could have a material adverse impact on our business, results of operations, financial position and cash flows.

## **SUPPLEMENTARY INFORMATION**

**MOJAVE DESERT AND MOUNTAIN INTEGRATED WASTE MANAGEMENT AUTHORITY**  
**COMBINING STATEMENT OF NET POSITION**  
**JUNE 30, 2020**

	JPA Administration	MRF Administration	MRF Operations	JPA Organics	Total
<b>ASSETS</b>					
Current Assets					
Cash and Investments (Note 2)	\$ 142,101	\$ 548,883	\$ 58,038	\$ -	\$ 749,022
Accounts Receivable	-	-	580,489	-	580,489
Prepaid Items	3,501	-	-	-	3,501
Total Assets	145,602	548,883	638,527	-	1,333,012
<b>LIABILITIES</b>					
Current Liabilities					
Accounts Payable & Accrued Liabilities	9,015	-	310,258	-	319,273
Total Liabilities	9,015	-	310,258	-	319,273
<b>NET POSITION</b>					
Net Position (Deficit):					
Unrestricted	136,587	548,883	328,269	-	1,013,739
Total Net Position	\$ 136,587	\$ 548,883	\$ 328,269	\$ -	\$ 1,013,739

**MOJAVE DESERT AND MOUNTAIN INTEGRATED WASTE MANAGEMENT AUTHORITY**  
**COMBINING STATEMENT OF REVENUES, EXPENSES, AND CHANGES IN NET POSITION**  
**FOR THE YEAR ENDED JUNE 30, 2020**

	<u>JPA Administration</u>	<u>MRF Administration</u>	<u>MRF Operations</u>	<u>JPA Organics</u>	<u>Total</u>
<b>OPERATING REVENUES</b>					
Member Contributions	\$ 309,523	\$ 16,016	\$ -	\$ -	\$ 325,539
Sale of Recyclable Materials	-	-	2,949,492	-	2,949,492
Other Revenue	-	532,529	57,813	-	590,342
Total Operating Revenues	<u>309,523</u>	<u>548,545</u>	<u>3,007,305</u>	<u>-</u>	<u>3,865,373</u>
<b>OPERATING EXPENSES</b>					
Contract Services	119,005	23,592	2,410,467	-	2,553,064
Insurance	19,750	4,076	-	-	23,826
Buy-backs and Transportation	-	-	469,098	-	469,098
Administrative and General	121,299	1,314	-	-	122,613
Total Operating Expenses	<u>260,054</u>	<u>28,982</u>	<u>2,879,565</u>	<u>-</u>	<u>3,168,601</u>
Operating Income (Loss)	<u>49,469</u>	<u>519,563</u>	<u>127,740</u>	<u>-</u>	<u>696,772</u>
<b>NONOPERATING REVENUES (EXPENSES)</b>					
Investment Income (Loss)	<u>479</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>479</u>
Total Nonoperating Revenues (Expenses)	<u>479</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>479</u>
<b>OTHER FINANCING SOURCES (USES)</b>					
Transfer In	(28,322)	-	-	-	(28,322)
Transfer Out	<u>-</u>	<u>-</u>	<u>-</u>	<u>28,322</u>	<u>28,322</u>
Total Other Financing Sources (Uses)	<u>(28,322)</u>	<u>-</u>	<u>-</u>	<u>28,322</u>	<u>-</u>
Net Changes in Net position	78,270	519,563	127,740	(28,322)	697,251
Net Position - Beginning of Year	<u>58,317</u>	<u>29,320</u>	<u>200,529</u>	<u>28,322</u>	<u>316,488</u>
Net Position - End of Year	<u>\$ 136,587</u>	<u>\$ 548,883</u>	<u>\$ 328,269</u>	<u>\$ -</u>	<u>\$ 1,013,739</u>

**INDEPENDENT AUDITOR'S REPORT ON INTERNAL CONTROL OVER  
FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS  
BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN  
ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS**

To the Board of Directors  
Mojave Desert & Mountain Integrated Waste Management Authority  
Apple Valley, California

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the Mojave Desert and Mountain Integrated Waste Management Authority (the "Authority") as of and for the year ended June 30, 2020, and related notes to the financial statements, which collectively comprise the Authority's basic financial statements, and have issued our report thereon dated January 29, 2021.

**Internal Control Over Financial Reporting**

In planning and performing our audit of the financial statements, we considered the Authority's internal control over financial reporting (internal control) as a basis for designing audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Authority's internal control. Accordingly, we do not express an opinion on the effectiveness of the Authority's internal control.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct misstatements on a timely basis. A *material weakness* is a deficiency, or combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or, significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.



### **Compliance and Other Matters**

As part of obtaining reasonable assurance about whether the Authority's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the financial statement. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

### **Purpose of this Report**

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the organization's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the organization's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

*Harshwal & Company LLP*

San Diego, California  
January 29, 2021

**MOJAVE DESERT AND MOUNTAIN INTEGRATED WASTE  
JOINT POWERS AUTHORITY**

**AGENDA MATTER**

2021/2022 Budget

**SUMMARY STATEMENT**

The 2021/2022 Recycling Authority Budget includes expense and revenue adjustments, as shown in the two attached worksheets.

- Two Board adopted policies guide budget preparation. Expense increases are held to 3%; and reserves are set at 20% of budgeted annual expenses using the latest audited year end fund balance (June 30, 2020).
- Two funds are included in the Authority's budget: JPA Administration includes general program costs shared by all members; MRF Administration costs are shared by the project's owners Apple Valley and Victorville. MRF Operations costs are not budgeted as they are variable and detailed in an operating agreement with Burrtec.

Expenses

The total combined Budget expenses are proposed as \$386,604, a \$19,020 increase from 2020/2021. This year's budget includes JPA Administration expenditures of \$348,666, increasing \$20,000 over the prior year. MRF Administration is decreased \$980 to \$37,938.

The increased JPA Administration budget is to marketing in anticipation of accelerated SB 1383 activity; and to contract services to correct a continuing cost of living adjustment error. All other Administration expenses are unchanged from the prior year. Decreased MRF legal and general and administrative costs are included and the contract services COLA error is corrected.

By using contractors instead of staff, the JPA is able to anticipate and respond to changing dynamics and circumstances, shifting budget resources rather than increasing expenditures. Current emphasis on social media public outreach and edible food recovery are expected to continue, with SB 1383 support efforts accounting for more projects going forward. The curbside recycling contamination project was again delayed by the pandemic, however work continued that did not require public contact. Funds for that project were carried over the 2019/20 and are sufficient to complete the work.

Revenues

JPA program costs are shared 1/3 equally among the members, reflecting each jurisdiction's responsibility to carry out diversion activities; and 2/3 based on population using May 2021 California Department of Finance figures that were not published at the agenda deadline but will be updated for the Board meeting. Federal military facilities population is excluded.

JPA 2020/2021 member contributions (net of fund balance adjustments) total \$314,813 for JPA Administration and \$29,172 for MRF Administration. The JPA Administration excess fund balance is \$30,853. MRF Administration excess was \$8,760. Total JPA Administration

revenue change is \$10,053, a 3% increase that is within Board guidelines. Apple Valley and Victorville share the \$11,790 MRF increase.

**RECOMMENDED ACTION**

Approve 2021/2022 JPA Budget including \$40,000 from 2019/20 marketing funds

<b>PRESENTED BY</b>	<b>FISCAL IMPACT:</b>	<b>MEETING DATE</b>	<b>ITEM NUMBER</b>
John Davis	\$385,834 budget	May 13, 2021	3

**MOJAVE DESERT & MOUNTAIN RECYCLING AUTHORITY**  
**BUDGET FY 2021-22 PRELIMINARY**

FY 2020-21 through March 2021

Proposed 2021-22

**ESTIMATED REVENUES**

**Admin Fund 8510**

	2020-21 Budget	Received	% Received	Proposed 2021-22	Change
Member Contributions	\$304,760	\$ 169,696	56%	\$ 314,813	\$ 10,053
Interest Earnings	\$500	\$ 829	166%	\$ 500	\$ -
Grants	\$2,500	\$ 12,764	511%	\$ 2,500	\$ -
Other (Fund Balance)	\$20,906	\$20,906		\$ 30,853	\$ 9,947
<b>Admin Total</b>	<b>\$328,666</b>	<b>\$ 204,195</b>	<b>62%</b>	<b>\$ 348,666</b>	<b>\$ 20,000</b>

**MRF Admin - Fund 8512**

Member Contributions	\$17,382	\$ 10,865	63%	\$ 29,172	\$ 11,790
Other (Fund Balance)	\$21,536	\$21,536	100%	\$ 8,766	\$ (12,770)
<b>MRF Admin Total</b>	<b>\$38,918</b>	<b>\$ 32,401</b>	<b>83%</b>	<b>\$ 37,938</b>	<b>\$ (980)</b>

<b>Combined Revenue Total</b>	<b>\$367,584</b>	<b>\$ 236,596</b>	<b>64%</b>	<b>\$ 386,604</b>	<b>\$ 19,020</b>
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**PROPOSED EXPENDITURES**

**Admin Fund 8510**

	2020-21 Budget	Exp. & Encumbered Mar 2021	% Exp. & Encumber	Proposed 2021-22	Change
7205 Marketing	\$ 70,000	\$ 43,525	62%	\$ 86,894	\$ 16,894
7208 Board Expenses	\$ 4,000	\$ 1,675	42%	\$ 4,000	\$ -
7229 Training	\$ 10,000	\$ 4,961	50%	\$ 10,000	\$ -
7235 Insurance	\$ 19,618	\$ 21,473	109%	\$ 19,618	\$ -
7241 Meetings and Conferences	\$ 4,500	\$ 78	2%	\$ 4,500	\$ -
7247 Memberships and Dues	\$ 2,500	\$ 1,200	48%	\$ 2,500	\$ -
7373 Sponsorships	\$ 15,000	\$ 13,000	87%	\$ 15,000	\$ -
8916 Audit	\$ 5,500	\$ 4,603	84%	\$ 5,500	\$ -
8940 Contract Services	\$ 175,548	\$ 91,558	52%	\$ 178,654	\$ 3,106
8972 Legal	\$ 1,000	\$ 100	10%	\$ 1,000	\$ -
8982 General & Administrative	\$ 21,000	\$ 1,363	6%	\$ 21,000	\$ -
<b>Admin Total</b>	<b>\$ 328,666</b>	<b>\$ 183,536</b>	<b>56%</b>	<b>\$ 348,666</b>	<b>\$ 20,000</b>

**MRF Admin - Fund 8512**

7235 Insurance	\$ 4,000	\$ 4,094	102%	\$ 4,000	\$ -
8916 Audit	\$ 2,500	\$ 2,092	84%	\$ 2,500	\$ -
8940 Contract Services	\$ 25,668	\$ 14,973	58%	\$ 26,438	\$ 770
8972 Legal	\$ 1,000		0%	\$ -	\$ (1,000)
8982 General & Administrative	\$ 5,750		0%	\$ 5,000	\$ (750)
<b>MRF Admin Total</b>	<b>\$ 38,918</b>	<b>\$ 21,159</b>	<b>54%</b>	<b>\$ 37,938</b>	<b>\$ (980)</b>

<b>Combined Expenditure Total</b>	<b>\$ 367,584</b>	<b>\$ 204,696</b>	<b>56%</b>	<b>\$ 386,604</b>	<b>\$ 19,020</b>
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<b>Revenue over (Under) Exp.</b>	<b>\$ -</b>	<b>\$ 31,901</b>		<b>\$ -</b>	
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**2021-22 JPA Admin**
**Member**
**Contributions \$ 314,813**

				Total JPA				Change as % of	
	Per Jurisdiction	Population	Per Capita	Admin Rev	2020-21 Rev	Change		Total	Quarterly
Adelanto	\$ 11,660	35,663	\$ 19,008	\$ 30,667	\$ 29,688	\$ 979	3%	\$ 7,667	
Apple Valley	\$ 11,660	74,394	\$ 39,651	\$ 51,310	\$ 49,672	\$ 1,639	3%	\$ 12,828	
Barstow	\$ 11,660	24,268	\$ 12,934	\$ 24,594	\$ 23,809	\$ 785	3%	\$ 6,149	
Big Bear Lake	\$ 11,660	5,206	\$ 2,775	\$ 14,434	\$ 13,974	\$ 461	3%	\$ 3,609	
Needles	\$ 11,660	5,248	\$ 2,797	\$ 14,457	\$ 13,995	\$ 462	3%	\$ 3,614	
San Bernardino Co.	\$ 11,660	84,237	\$ 44,897	\$ 56,557	\$ 54,751	\$ 1,806	3%	\$ 14,139	
Twentynine Palms	\$ 11,660	16,092	\$ 8,577	\$ 20,236	\$ 19,590	\$ 646	3%	\$ 5,059	
Victorville	\$ 11,660	126,432	\$ 67,386	\$ 79,046	\$ 76,522	\$ 2,524	3%	\$ 19,761	
Yucca Valley	\$ 11,660	22,236	\$ 11,851	\$ 23,511	\$ 22,760	\$ 751	3%	\$ 5,878	
<b>Sub total</b>	<b>\$ 104,938</b>	<b>393,776</b>	<b>\$ 209,875</b>	<b>\$ 314,813</b>	<b>\$ 304,760</b>	<b>\$ 10,053</b>	<b>3%</b>	<b>\$ 78,703</b>	

**2021-22 MRF**
**Member**
**Contributions \$ 29,172**

	Per Jurisdiction	2020-21 Rev	Change	% Change	Quarterly
Apple Valley	\$ 14,586	\$ 8,691	\$ 5,895	68%	\$ 3,646
Victorville	\$ 14,586	\$ 8,691	\$ 5,895	68%	\$ 3,646
<b>Total</b>	<b>\$ 29,172</b>	<b>\$ 17,382</b>	<b>\$ 11,790</b>	<b>68%</b>	<b>\$ 7,293</b>

**Combined JPA**
**Admin, MRF**

	Admin	2020-21 Rev	Change from 2020-21	% Change from 2020-21	Quarterly Amounts
<b>2021-22 Totals</b>					
Adelanto	\$ 30,667	\$ 29,688	\$ 979	3%	\$ 7,667
Apple Valley	\$ 65,896	\$ 58,363	\$ 7,534	11%	\$ 16,474
Barstow	\$ 24,594	\$ 23,809	\$ 785	3%	\$ 6,149
Big Bear Lake	\$ 14,434	\$ 13,974	\$ 461	3%	\$ 3,609
Needles	\$ 14,457	\$ 13,995	\$ 462	3%	\$ 3,614
San Bernardino Co.	\$ 56,557	\$ 54,751	\$ 1,806	3%	\$ 14,139
Twentynine Palms	\$ 20,236	\$ 19,590	\$ 646	3%	\$ 5,059
Victorville	\$ 93,632	\$ 85,212	\$ 8,419	9%	\$ 23,408
Yucca Valley	\$ 23,511	\$ 22,760	\$ 751	3%	\$ 5,878
<b>Total</b>	<b>\$ 343,985</b>	<b>\$ 322,142</b>	<b>\$ 21,843</b>	<b>6%</b>	<b>\$ 85,996</b>

**MOJAVE DESERT AND MOUNTAIN INTEGRATED WASTE  
JOINT POWERS AUTHORITY**

**AGENDA MATTER**

Edible Food Recovery: High Desert Second Chance

**SUMMARY STATEMENT**

The Authority engaged High Desert Second Chance (HDSC) in November 2019 to assist JPA member agencies' efforts to rescue edible food and distribute it to local residents. HDSC is a Victor Valley based non-profit organization which serves as the lead agency for the High Desert Food Collaborative, which includes 91 food recovery organizations operating under memoranda of understanding. Christina Keneti from HDSC will share a presentation with the Board.

The Collaborative was formed to provide a unified regional food recovery effort in the Victor Valley. HDSC is prepared to expand through the entire JPA territory, working with established organizations and food generators to prepare for CalRecycle's SB 1383 requirements. HDSC conducted initial assessments with each member agency in 2020, and began identifying qualified food recovery organizations serving the remaining territory.

Morongo Basin work is focused on Waste Not Morongo Basin, a part of the Basin Wide Foundation. The new Director met with HDSC, JPA members and the Administrator to begin assessing their needs.

Barstow's effort is carried out by New Hope Village, a Collaborative satellite member, who received \$300,000 CDBG funding for mobile food distribution equipment and is beginning to receiving food from the Collaborative. A meeting is set with HDSC, JPA members and the Administrator to continue our work.

High Desert Food Collaborative Adelanto is a new satellite member operated by Christ the Good Shepherd and St. Mary's Medical Center. They are receive free food from HDSC for distribution.

Needles staff and St. Vincent de Paul were visited by HDSC and the Administrator in early 2020. HDSC provided a pallet jack to St. Vincent who receives most of its food from Arizona sources now. The City allocated CDBG funds to Firehouse Ministries for refrigeration and a fork lift and St. Vincent de Paul for a walk-in refrigerator.

Big Bear Lake is still a work in progress. HDSC is trying to establish a connection with feeding agencies identified by the City and Big Bear Disposal.

Anaergia donated a 1,400 square foot refrigeration unit to HDSC as part of a CalRecycle grant. The JPA Administrator helped facilitate the donation, which allows storage of 100,000 pounds of produce feeding 3,000 families weekly.

**RECOMMENDED ACTION**

Update on edible food recovery

<b>PRESENTED BY</b>	<b>FISCAL IMPACT:</b>	<b>MEETING DATE</b>	<b>ITEM NUMBER</b>
Christina Keneti and John Davis	\$30,000 annual contract with HDSC	May 13, 2020	4

## Anaergia Provides Refrigeration Unit Donation to High Desert Second Chance to Feed 3,000 Families Weekly

HESPERIA, Calif., March 8, 2021 – This March, Anaergia Inc.'s (Anaergia) affiliate, Rialto Bioenergy Facility, LLC (Facility), and High Desert Second Chance, a non-profit organization dedicated to fighting food insecurity, unveiled a 1,400 square foot refrigeration unit that will store 100,000 pounds of fresh produce and help feed 3,000 local families every week.

As part of a California Department of Resources Recycling and Recovery (CalRecycle) grant awarded to the Facility, Anaergia donated the refrigeration unit to help store excess edible food. High Desert Second Chance redistributes the collected produce at no cost to High Desert area families in need.

“We are immensely proud to work with a partner like High Desert Second Chance in support of their efforts to feed the San Bernardino community and divert edible food from landfills,” said Yaniv Scherson, Anaergia Chief Operating Officer. “Californians throw away nearly six million tons of food scraps or food waste each year into landfills, generating harmful greenhouse gases. High Desert Second Chance’s commitment to the community and sustainability aligns perfectly with Anaergia’s mission and values.”

“High Desert Second Chance is honored to have received the brand new 1,400 square foot refrigeration unit,” said Christina Keneti Kennedy, Vice President of High Desert Second Chance. “In the previous months before receiving it, High Desert Second Chance had applied to multiple grantors to finance the purchase of a smaller, 400 square foot unit, amongst those grantors, CalRecycle. Our work with Mojave Desert & Mountain Recycling Authority, John Davis, allowed us to connect with Anaergia and receive the much-needed unit. Knowing that we are now capable of taking in more than 100,000 pounds of refrigerated products weekly and store them safely will not only enhance our services to our partner agencies serving throughout

the greater San Bernardino County High Desert region, but it will also provide a larger impact by providing healthy produce and dairy products.”

“The High Desert Second Chance and Anaergia partnership shows how California can fight hunger while fighting climate change by supporting local food recovery programs,” CalRecycle Director Rachel Machi Wagoner said. “CalRecycle grant projects like this have kept 103 million pounds of fresh, surplus food from becoming waste, creating 86 million more meals for Californians in need, 345 local jobs, and reduced landfill methane emissions equal to taking 21,591 cars off the road for a year. Working together we can combat climate change and help Californians facing food insecurity.”

Located in Rialto, California, the Facility will convert 700 tons per day of organic waste and 300 tons per day of biosolids into renewable natural gas and Class A fertilizer. The Facility is located 50 miles east of the City of Los Angeles and services the organic waste recycling needs of the City of Los Angeles and the Southern California region.

### **About Anaergia**

The Rialto Bioenergy Facility, LLC is a subsidiary of Anaergia Inc. – the global technology leader in recovering value from waste for the municipal, industrial, and agriculture sectors. Through its proven portfolio of proprietary technologies, Anaergia’s integrated solutions create value for its customers in the forms of renewable energy, quality fertilizers, and clean water, while dramatically reducing the cost of waste management. Anaergia’s affiliates operate out of ten regional locations, including two manufacturing plants. Anaergia’s technologies are in use at over a thousand resource recovery facilities worldwide, reducing greenhouse gas emissions while creating new revenue sources for its clients. For more information on Anaergia, please visit [www.anaergia.com](http://www.anaergia.com) or contact [info@anaergia.com](mailto:info@anaergia.com).



**MOJAVE DESERT AND MOUNTAIN INTEGRATED WASTE  
JOINT POWERS AUTHORITY**

**AGENDA MATTER**

Curbside Contamination Project Update

**SUMMARY STATEMENT**

The Authority and Recreate Waste Collaborative, LLC carried out Residential Recycling Surveys using our community Facebook pages in January and February 2021. We received 499 responses, achieving the goal of 500 for statistical reliability. Needles generated the largest number of responses, but their results were consistent with the overall results.

Nearly 88% of respondents have curbside recycling service, and over 90% believe that curbside recycling is important. Nearly 90% believe they know how to recycle correctly. Barriers to recycling include inadequate capacity, such as in-home containers or overflowing bins, and inadequate knowledge about what is truly recyclable. Plastics, food containers, and shipping packaging were specifically identified. Most respondents would like to know how to recycle better at home, and prefer both print and online information sources. 55% are interested in online training about proper recycling, with about 40% motivated by receiving an in-home recycling container and another 40% needing no incentive. We received comments about shortage of beverage container redemption options, interest in composting, and wanting more recycling process transparency including economics and process.

Online training will begin in July, initially focused on residents who self-identified through Facebook outreach and then expanded through more targeted social media outreach.

Recreate Waste Collaborative's work involves door-to-door visits and discussions with residents, as well as recycling bin collection and audits. The project is intended to:

- Reduce the levels of residual contamination in the curbside residential recycling bin
- Evaluate effectiveness of an online residential recycling education training course pilot
- Determine the most effective education and outreach messaging for future use in door-to-door outreach, mailers, website content, social media, videos, and other communication mediums
- Determine the most effective education and outreach mediums for disseminating recycling related information

Field work has been delayed by the pandemic but is likely to begin in late September and conclude by mid-November. The work entails 150 initial and follow-up waste characterizations and door-to-door outreach to 1,500 residents, ensuring that each member is included. Agencies may send notification letters to residents that they may be included in the outreach, and assuring them that their privacy will be respected. Final route selection will be based on agency and hauler input to best represent each

community.

**RECOMMENDED ACTION**

Update on Curbside Recycling Contamination Project Tasks

<b>PRESENTED BY</b>	<b>FISCAL IMPACT:</b>	<b>MEETING DATE</b>	<b>ITEM NUMBER</b>
John Davis	Previously approved	February 11, 2021	5

# Residential Recycling

## Survey Results

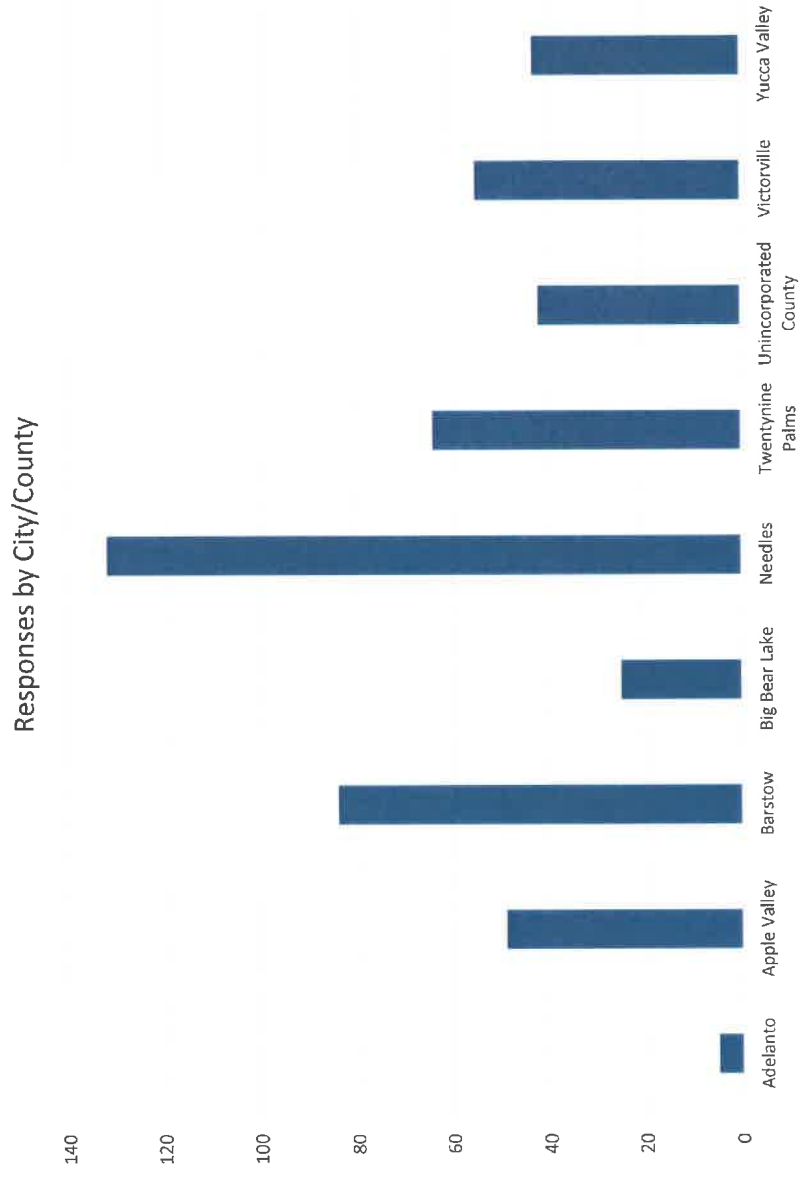


MOJAVE DESERT  
& MOUNTAIN  
RECYCLING  
AUTHORITY



Presented March 11<sup>th</sup>, 2021  
by ReCREATE Waste Collaborative, LLC.

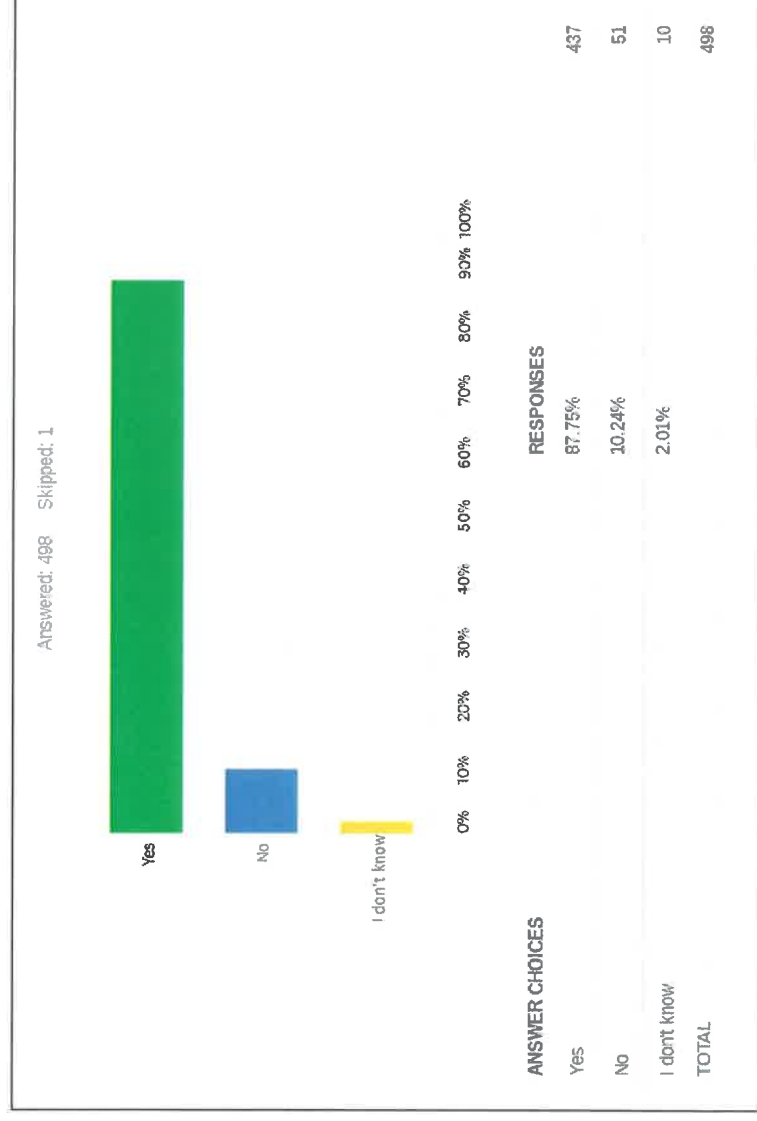
499  
Responses  
Received



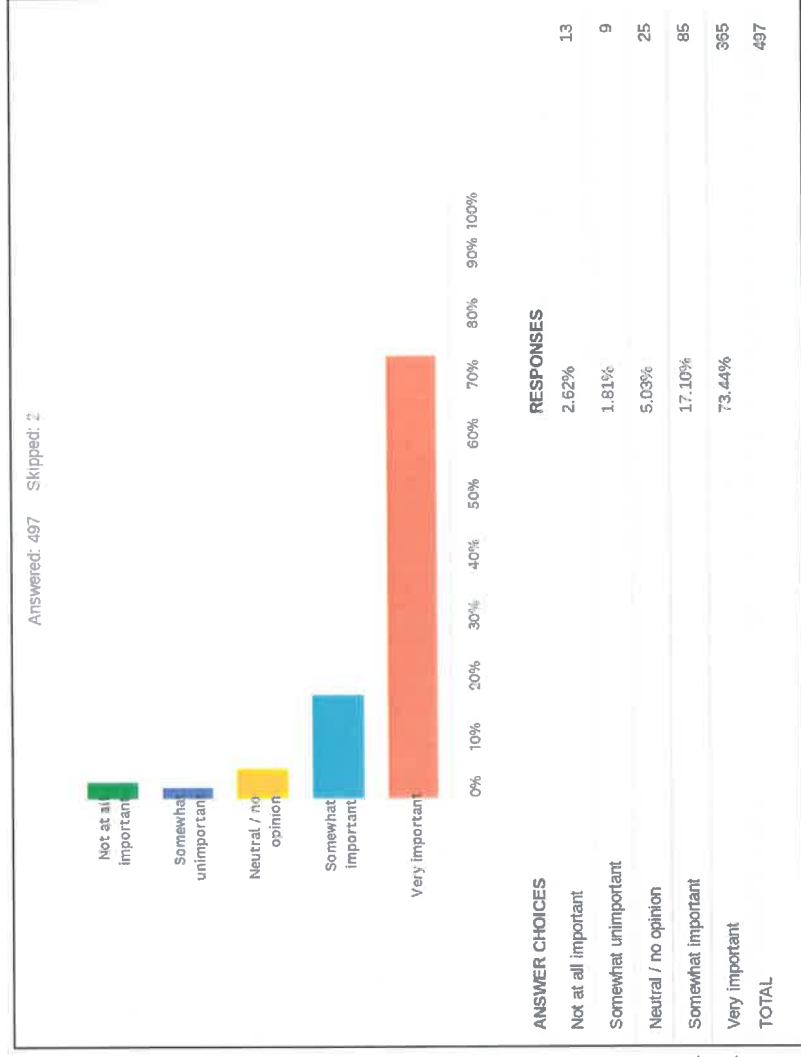
That's a lot of people from  
Needles! High response data  
does not impact overall results.



## 1) Do you have curbside recycling service at home?

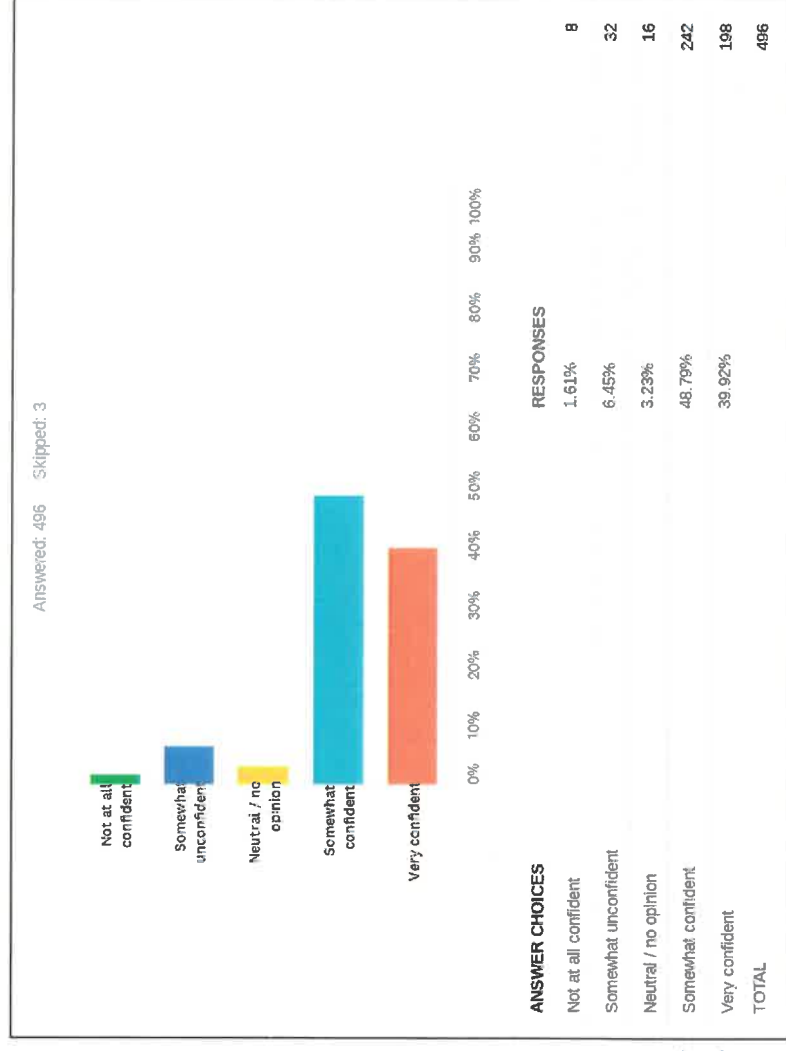


## 2) How important is it for you to have curbside recycling service at home?



Over 90% believe recycling is somewhat or very important

### 3) How confident are you that you know how to recycle correctly?



Nearly 90% are  
somewhat or  
very confident!

## 4) What makes it difficult for you to recycle at home?



### **#1 = Inadequate Capacity / Infrastructure**

- Not having a recycling container inside the home
  - Not having space (in the kitchen) to place a recycling container
- Having outdoor recycling bins that overflow (cardboard often sited as problem)
- Not having anywhere to store overflow recyclables
- Need an extra outdoor recycling bin at home

### **#2 = Lack of Knowledge**

- Not knowing what can and can't be recycled
- Not knowing the reality of what happens after the bin

### **Other:**

- No service available
- No recycling facilities nearby
- Cultural (kids, spouse, roommates not doing it)
- Weather (windy or cold weather makes it difficult)
- Time / "lazy"





5) What items are you unsure of are recycle or trash?



## #1: Plastics

- Milk jugs
- Plastic bags
- Bottles/jugs

## #2: Food containers

- To-go containers
- Pizza boxes
- Styrofoam

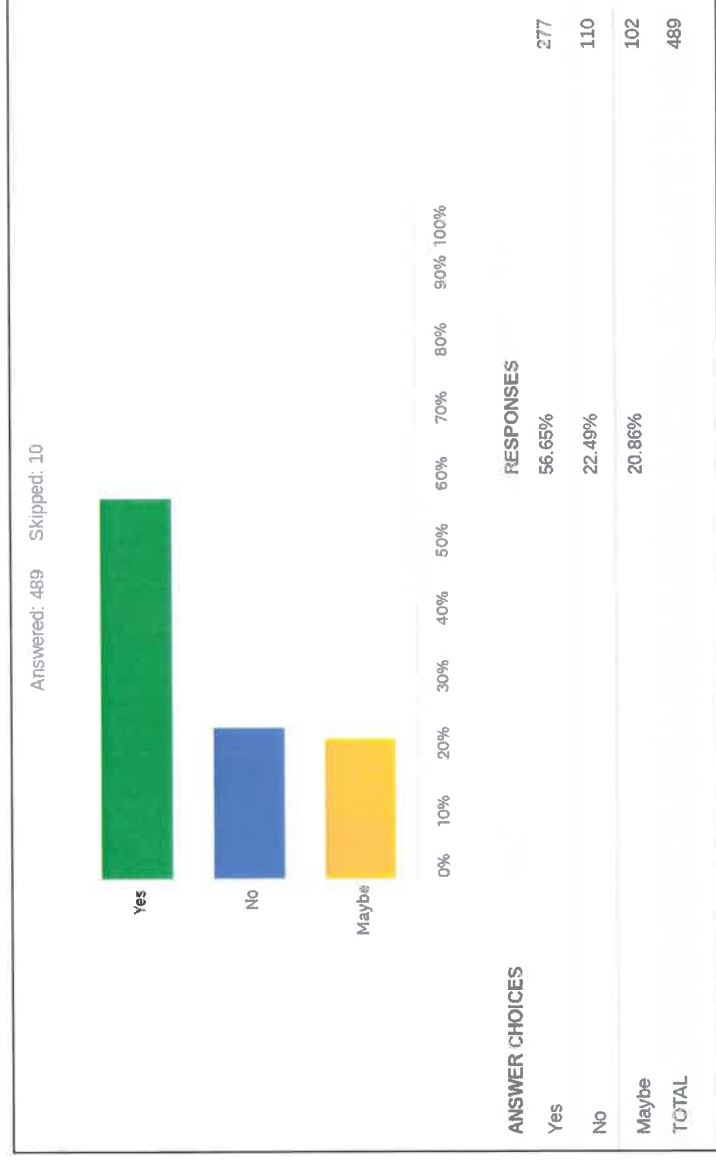
### #3: Shipping products

- Cardboard types
- Stretchy plastic/bubble wrap

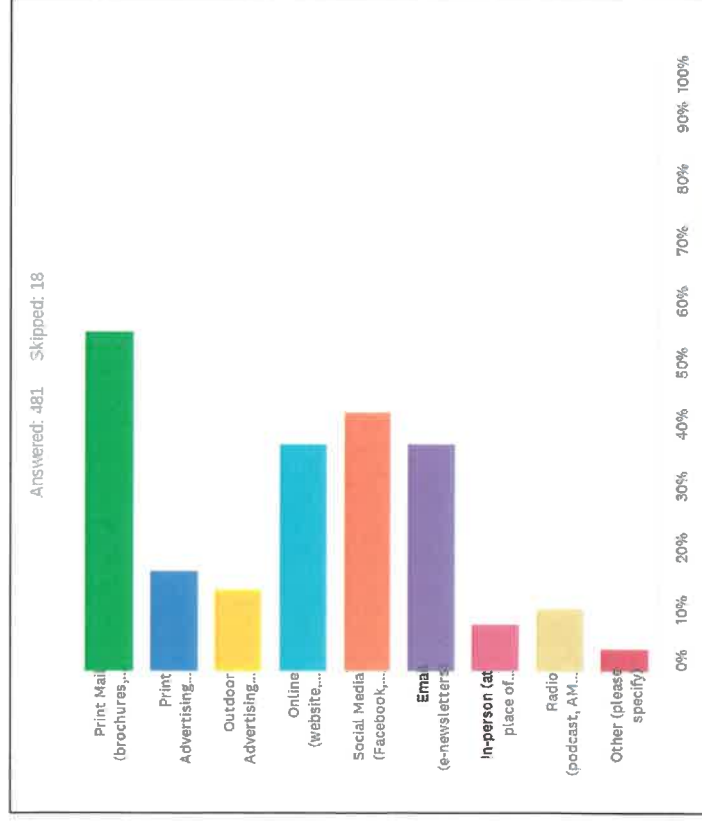
**Other:**

- Soiled material
- Recycling logo confusion
- Glass/metal/containers

6) Would you like to know how to recycle better at home?



## 7) How would you like to receive more information about recycling? (Top 3)



### ANSWER CHOICES

Print Mail (brochures, postcards, letters, bill insert)

Print Advertising (newspaper ad, local publications)

Outdoor Advertising (billboards, posters, bus stops)

Online (website, online advertisements, google searches)

Social Media (Facebook, Instagram, NextDoor, YouTube)

Email (e-newsletters)

In-person (at place of residence, event table, farmers markets)

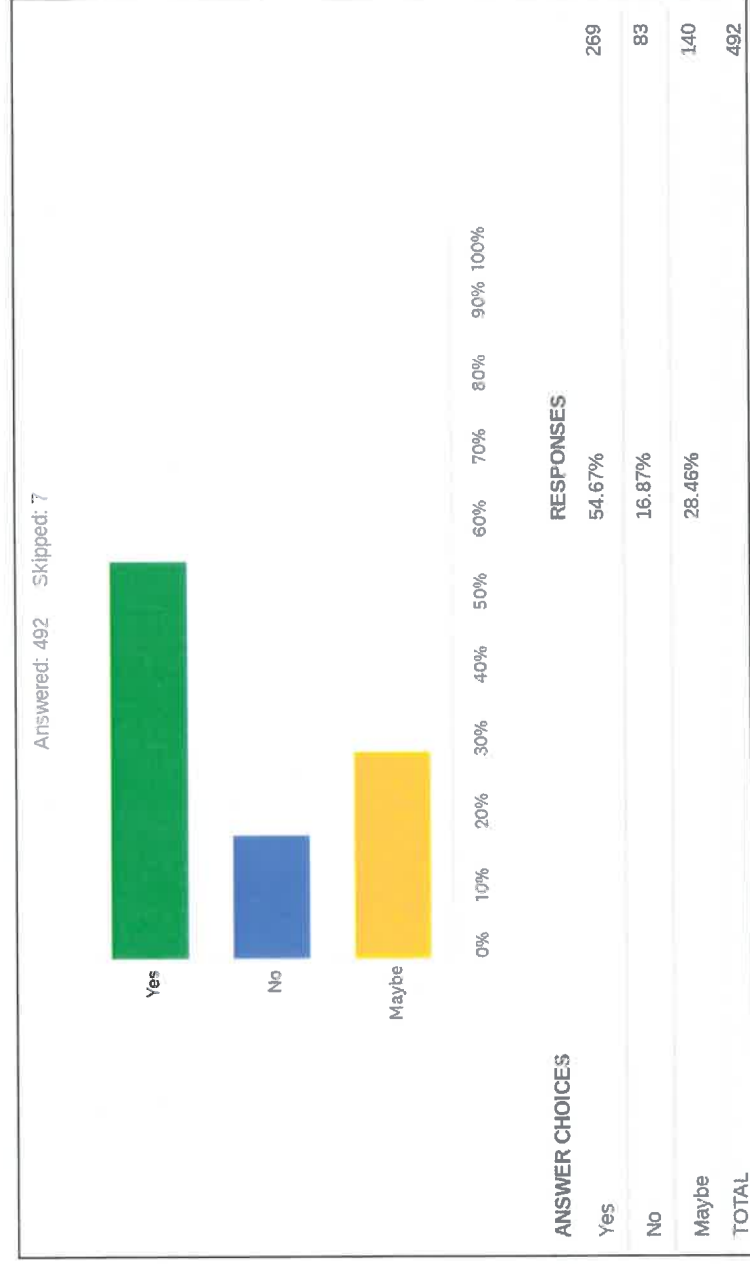
Radio (podcast, AM/FM radio)

Other (please specify)

Total Respondents: 481

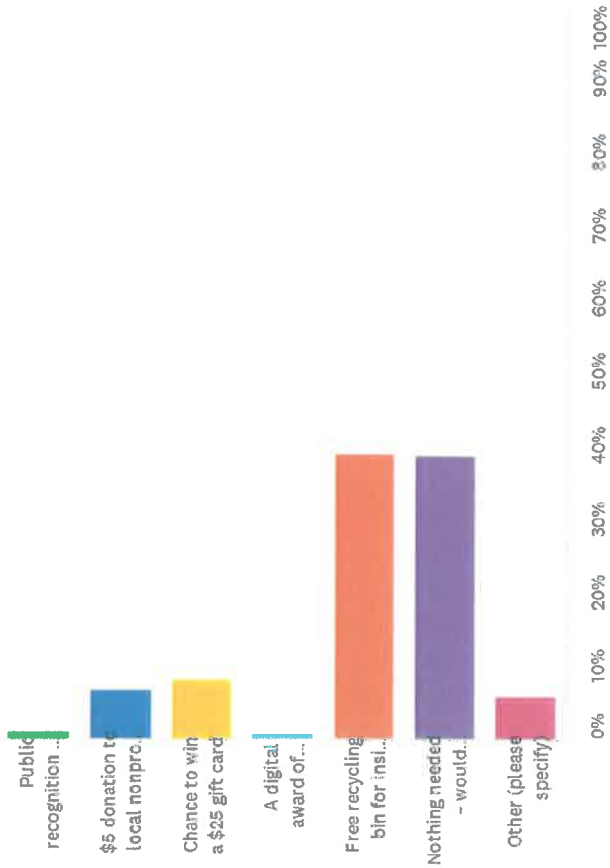


8) Would you complete a free 5-minute online lesson on How to Recycle Correctly in your Community?



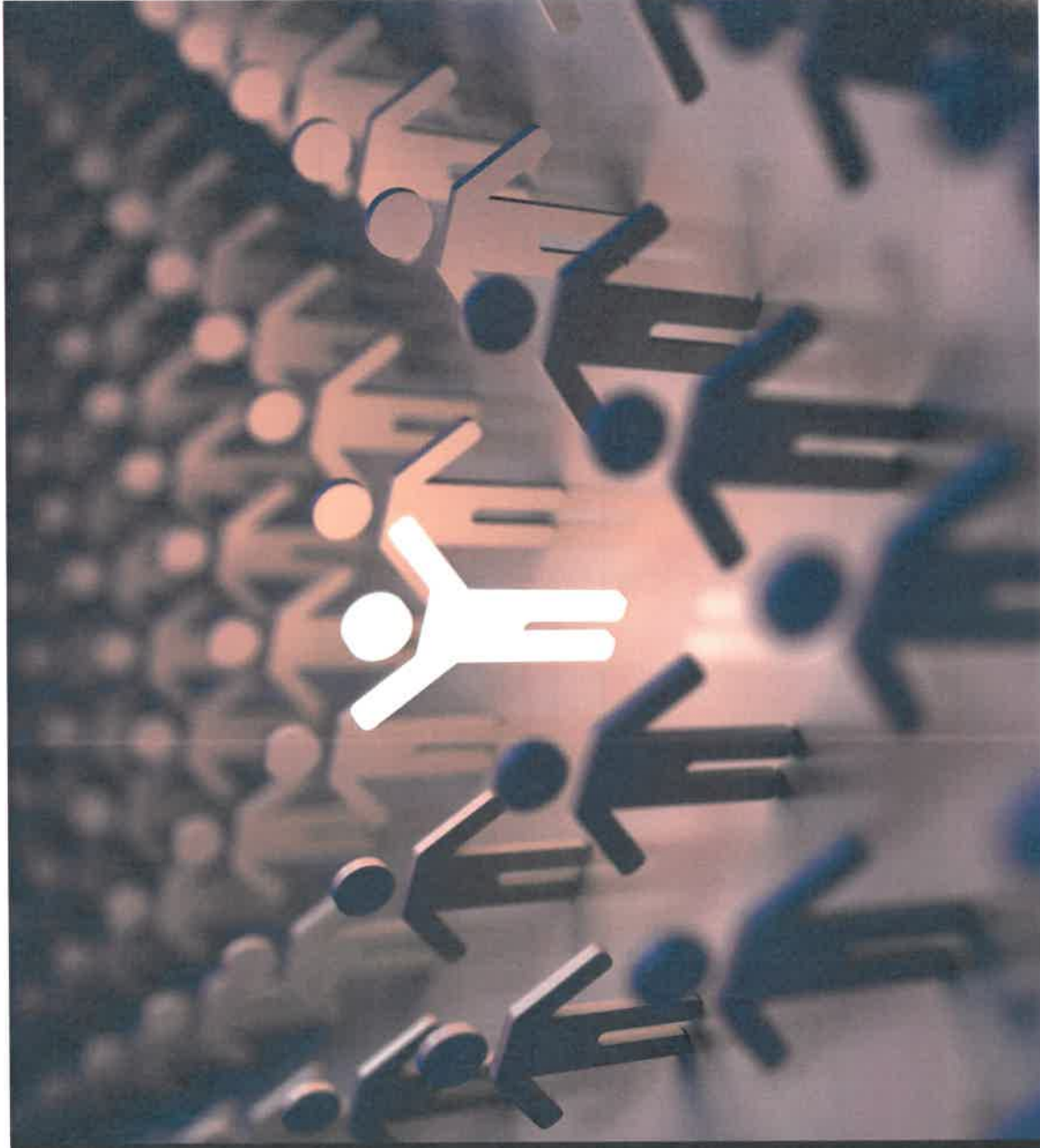
## 9) What would motivate you to complete the Online Lesson Plan?

Answered: 466 Skipped: 33



ANSWER CHOICES	RESPONSES
Public recognition in a local publication for participation	4
\$5 donation to local nonprofit or group	31
Chance to win a \$25 gift card	38
A digital award of completion	3
Free recycling bin for inside your home	182
Nothing needed – would complete anyway	181
Other (please specify)	27
TOTAL	466

12) Is there anything else you would like to share about recycling in your community or ideas for improvement?





# Response Themes

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Need for more CRV redemption centers



Interest in green waste / organics recycling and composting



Concerns over transparency of recycling process



General interest over process, economics, and more information



More education and public engagement

Desire for more information (some residents suggested sheets for the fridge, magnets, instructions, etc.)



Desire for more recycling capacity



Concerns over litter

Weather issues

Not enough public receptacles



Interest in more HHW, e-waste drop-off events

# Conclusion:

- The vast majority of residents believe recycling at home is important and are very confident in their ability to recycle right (although MRF data on contamination/waste characterizations from project study might prove otherwise)
  - There is a need for more service to residents that don't currently have it (MFDs, dirt roads, mobile home parks, etc.) and more information to let residents know how to attain/increase service
- A lack of proper capacity at home is the primary preventative to proper source separation
- Residents are interested in learning about recycling, and most would do so for no incentive or a free indoor recycling bin
- More printed material (such as mailers), social media, and online/email information could help educate residents on specific topics



## **PROJECT NEXT STEPS:**

- Some member agencies will provide free recycling bins to respondents
- ReCREATE to develop online residential recycling training lesson
- Develop education and outreach “messaging” for door-to-door outreach using insight from survey



**MOJAVE DESERT AND MOUNTAIN INTEGRATED WASTE  
JOINT POWERS AUTHORITY**

**AGENDA MATTER**

SB 1383 Update: SB 619

**SUMMARY STATEMENT**

California's Short Lived Climate Pollutant (SB 1383) strategy includes mandated local organic materials collection and composting beginning January 1, 2022. Delays in regulatory adoption, compounded by pandemic closures and restrictions raise concerns about compliance. The Authority Board adopted recommendations at its February 2021 meeting that would provide some relief from SB 1383 enforcement.

SB 619 is the focus for SB 1383 legislative reform. The initial version would have extended the effective date by one year to 2023, and was supported by many local governments including Authority members. The amended bill keeps the 2022 effective date but only authorizes CalRecycle enforcement if jurisdictions are not making undefined reasonable efforts to implement programs. SB 619 cleared EQ and will be heard next in Senate Appropriations.

During the April 29 Senate Environmental Quality (EQ) Committee meeting, the Author said that he hopes that the final bill will have two pieces: reasonable steps toward implementation that warrant a one year halt to enforcement activities but not to delay implementation; and additional tools to help jurisdictions with implementation. The Committee Chair said that jurisdictions "need a funding source, some sort of one time appropriation from the (State) General Fund or Greenhouse Gas Reduction Funds (GGRF) to cover local jurisdictions startup costs."

Both the Chair and Author's comments reflect a policy proposal that included the Authority's recommendations to delay reporting to January 2023, and phase in procurement requirements for organic products as well as providing funding including General Fund and GGRF.

The League of California Cities and CSAC joined Rural Counties and Californians Against Waste in a May 5 letter (attached) to the Assembly and Senate Budget Committees. They are requesting \$225 million from the General Fund and an undefined infusion of GGRF funds to support SB 1383 implementation. The General Fund appropriation would guarantee \$125,000 minimum payments to cities and \$200,000 minimum to counties (totaling \$72 million); plus \$153 million distributed per capita.

**RECOMMENDED ACTION**

Support SB 691 if amended to provide local jurisdiction regulatory and financial relief

<b>PRESENTED BY</b>	<b>FISCAL IMPACT:</b>	<b>MEETING DATE</b>	<b>ITEM NUMBER</b>
John Davis	Substantial unknown impact to comply	May 13, 2021	6



**Californians  
Against Waste**

May 5, 2021

The Honorable Nancy Skinner  
Chair, Senate Budget & Fiscal Review  
Committee  
State Capitol, Room 5050  
Sacramento, CA 95814

The Honorable Philip Ting  
Chair, Assembly Budget Committee  
State Capitol, Room 6026  
Sacramento, CA 95814

**RE: Budget Request - \$225 Million (General Fund): Local Assistance for Organic Waste Recycling Program Development and Implementation**

On behalf of the California State Association of Counties (CSAC), the League of California Cities (Cal Cities), the Rural County Representatives of California (RCRC), and Californians Against Waste (CAW), we write to request \$225 million (General Fund) in local assistance to help cities and counties develop and begin implementing organic waste recycling programs as required by CalRecycle's new Organic Waste Reduction Regulations (SB 1383 Regulations).

Local governments are the backbone for achieving California's solid waste management and recycling goals. CalRecycle's new SB 1383 regulations adopted in November of last year require local governments to reduce landfill disposal of organic waste by 75 percent by 2025 and to increase edible food waste recovery by 20 percent. These new SB 1383 Regulations are the most far-reaching solid waste management changes in decades and CalRecycle has estimated implementation will cost \$20 to \$40 billion over the next decade, including the addition of 50 to 100 new organic waste recycling facilities.

The first compliance obligations for local governments begin in early 2022 and local governments are working to develop a comprehensive suite of local collection, enforcement, and funding programs. These activities include hiring new staff and consultants, adopting ordinances, arranging for appropriate collection services, establishing inspection and enforcement programs, procuring recovered organic waste products, providing education and outreach, developing edible food recovery programs, and reporting to CalRecycle.

**CSAC, CalCities, RCRC, and CAW jointly request \$225 million (General Fund) for local assistance to cities and counties for local organic waste recycling program development and initial implementation activities.** Specifically, the request should:

- Have the Controller directly allocate grants to cities and counties as follows:
  - Roughly \$72 million to fund minimum payments of \$200,000 to each county and \$125,000 to each city.
  - Approximately \$153 million to cities and counties on a per capita basis.
- Allow cities and counties to use these funds to hire staff and consultants necessary to design and implement SB 1383 organic waste recycling programs, develop the various ordinances, programs, services, education and outreach activities, and organic waste recycling capacity planning requirements, and any other requirements imposed under the SB 1383 Regulations.
- Allow cities and counties to use these funds to pay for initial implementation costs.
- Allow cities and counties to pool any or all of their allocations to work together on implementation efforts to maximize efficiency and promote local flexibility.

This funding request *alone* is not sufficient to achieve the state's organic waste recycling targets, especially in light of the estimated \$20 to \$40 billion anticipated total implementation cost; however, it will go a *long way* to help local governments and accelerate the development of the programs necessary to achieve those goals and to carry out early implementation activities.

In addition to this request for local program development assistance, we recognize that there remains additional need to dedicate funding for infrastructure development. California must significantly increase the number of organic waste recycling facilities to achieve the state's goals. We believe there is merit to *supplementing* this request with an infusion of state funding into CalRecycle's Greenhouse Gas Reduction Grant and Loan Programs to provide financial assistance to develop additional organic waste recycling infrastructure. We believe that some portion of those funds should be targeted to regional organic waste recycling and procurement solutions and to rapidly scale up edible food recovery programs. Finally, we suggest allocating funding to CalRecycle to develop a statewide program environmental impact report for the siting and construction of organic waste composting facilities, as such a document could significantly reduce the time necessary to construct new composting facilities.

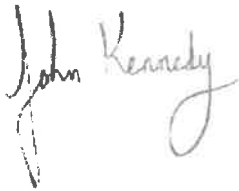
Developing suitable programs for organics diversion, obtaining the necessary approvals of programs and costs to rate payers through elected bodies, awarding contracts, and then implementing these programs will take time and resources. This \$225 million allocation will go a long way to helping locals develop and implement effective organic waste recycling programs; however, we also note that further statutory and

The Honorable Nancy Skinner  
The Honorable Philip Ting  
Budget Request – Organic Waste Recycling Program  
Development and Implementation  
May 5, 2021  
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regulatory changes may be necessary to maximize program effectiveness and efficiency and address challenges that may arise in program implementation.

We respectfully request the Legislature appropriate \$225 million (General Fund) in for local assistance as outlined above. If you should have any questions, please do not hesitate to contact Catherine Freeman (CSAC) at [cfreeman@counties.org](mailto:cfreeman@counties.org), Derek Dolfie (Cal Cities) at [ddolfie@cacities.org](mailto:ddolfie@cacities.org), John Kennedy (RCRC) at [jkennedy@rcrcnet.org](mailto:jkennedy@rcrcnet.org), or Nick Lapis (CAW) at [nicklapis@kawrecycles.org](mailto:nicklapis@kawrecycles.org).

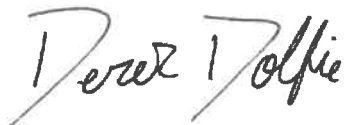
Sincerely,



JOHN KENNEDY  
Legislative Advocate  
RCRC



CATHERINE FREEMAN  
Legislative Representative  
CSAC



DEREK DOLFIE  
Legislative Representative  
Cal Cities



NICK LAPIS  
Director of Advocacy  
CAW

cc: Members of the Senate Budget & Fiscal Review Committee  
Members of the Assembly Budget Committee  
Joe Stephenshaw, Director, Senate Budget & Fiscal Review Committee  
Christian Griffith, Chief Consultant, Assembly Budget Committee  
Kirk Feely, Consultant, Senate Republican Caucus  
Joseph Shinstock, Consultant, Assembly Republican Caucus  
Kip Lipper, Office of Senate President pro Tempore Toni Atkins  
Marie Liu, Office of Assembly Speaker Anthony Rendon  
Joanne Roy, Consultant, Senate Budget & Fiscal Review Committee  
Shy Forbes, Consultant, Assembly Budget Committee

The Honorable Nancy Skinner  
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Kirstin Kolpitcke, Consultant, Assembly Republican Caucus  
Emily Reeb, Consultant, Senate Republican Caucus  
Genevieve Wong, Consultant, Senate Environmental Quality Committee  
Elizabeth MacMillan, Consultant, Assembly Natural Resources Committee  
Scott Seekatz, Consultant, Senate Republican Caucus

**MOJAVE DESERT AND MOUNTAIN INTEGRATED WASTE  
JOINT POWERS AUTHORITY**

**AGENDA MATTER**

The Joint Powers Agreement Creating the Mojave Desert and Mountain Recycling Authority

**SUMMARY STATEMENT**

High Desert communities began working together on solid waste issues in 1988, carrying out a regional landfill study and then continuing to prepare the Desert and Mountain Regional Source Reduction and Recycling Element (SRRE). The SRRE was a requirement of AB 939, California's Integrated Waste Management Act. The High Desert opted to prepare a regional SRRE, identifying programs needed to meet California's requirements that 25% of local solid waste be diverted from landfills by 1995 and 50% by 2000.

The SRRE identified a Joint Powers Authority (JPA) as the agency to coordinate members' solid waste disposal, composting and recycling facilities, and waste diversion programs deemed necessary to meet state law. The California Government Code authorizes JPAs among public agencies to jointly exercise their common powers. The Recycling Authority Agreement specifies that those common powers are related to solid waste management activities enumerated in the California Public Resources Code and include solid waste transfer facilities, household hazardous waste management, composting facilities, materials collection, marketing and market development, public education, conversion technologies, and material recovery facilities.

The Mojave Desert and Mountain Integrated Waste Management Authority was formed in 1991. The Board later determined to use the more descriptive name Mojave Desert and Mountain Recycling Authority, which was adopted in the Second Amendment to the Joint Powers Agreement in 2005.

- The Authority includes nine members: Adelanto, Apple Valley, Barstow, Big Bear Lake, Needles, San Bernardino County, Twentynine Palms, Victorville and Yucca Valley.
- An elected official represents each member on the Board of Directors, and may be represented by an alternate who need not be elected.
- The Board selects a Chairperson and Vice-Chairperson at the first meeting in each fiscal year. The Board also designates a secretary (Victorville), a treasurer and controller (both Apple Valley).
- The budget requires a 2/3 vote for adoption. Project Committees may be created from among participating members to plan and coordinate specific projects such as the Victor Valley Materials Recovery Facility, with budgets adopted by participating members. All accounts are audited annually.
- The Authority may acquire and distribute facility capacity rights to the members.
- Members may withdraw with 60 day notice and payment of amounts owed. The Board may expel members for non-payment or agreement breach by 2/3 vote. New members may be added, also by 2/3 consent.

**RECOMMENDED ACTION**

Overview of the Joint Powers Agreement

<b>PRESENTED BY</b>	<b>FISCAL IMPACT:</b>	<b>MEETING DATE</b>	<b>ITEM NUMBER</b>
John Davis	None	May 13, 2001	7

Amendment No. 2  
Joint Powers Agreement  
Creating the  
Mojave Desert and Mountain  
Recycling Authority

This Agreement is made and entered into as of the        of        2005, by and between the following public entities:

- |                           |                              |
|---------------------------|------------------------------|
| (a) City of Adelanto      | (f) City of Twentynine Palms |
| (b) Town of Apple Valley  | (g) City of Victorville      |
| (c) City of Barstow       | (h) Town of Yucca Valley     |
| (d) City of Big Bear Lake | (i) County of San Bernardino |
| (e) City of Needles       |                              |

For purposes of this Agreement, these public entities shall be known individually as “member” and collectively as “members.”

RECITALS

- A. State law requires local governments in California to develop and implement Integrated Waste Management Plans, including facilities and programs to reduce and recycle solid waste.
- B. Each of the members is a “public agency” under Article 1, Chapter 5, Division 7, Title 1 of the Government Code of the State of California (commencing with Section 6500), authorized and empowered to contract for the joint exercise of powers common to public agencies.
- C. The members wish to jointly exercise their powers to develop programs and facilities to comply with state solid waste management law. This participation in no way limits or prejudices any party’s right to participate in other programs or facilities.

D. The members wish to enter into an amendment to this Agreement to change the name of the agency to the “Mojave Desert and Mountain Recycling Authority”.

### **COVENANTS**

In consideration of the mutual promises and covenants herein contained, the parties hereto agree as follows:

1. Agency Created. There is hereby created a public entity to be known as the “Mojave Desert and Mountain Recycling Authority.” The Authority is formed by this Agreement pursuant to the provisions of Article 1, Chapter 5, Division 7, Title 1 (commencing with Section 6503) of the Government Code of the State of California. The Authority shall be a public entity separate from the parties hereto.

2. Purpose of the Agreement: Common Power to be Exercised. Each member has in common the powers enumerated in Division 12.1 (Beverage Container Recycling and Litter Reduction) and Division 30 (Waste Management) of the California Public Resources Code as those may be amended from time to time. These powers include but are not limited to the power to plan for and implement elements of an Integrated Waste Management Plan within all or any part of its respective boundaries, including solid waste disposal, composting and recycling facilities, and waste diversion programs deemed necessary to meet state law. Said facilities and programs may include, but not be limited to, solid waste transfer facilities, household hazardous waste management, composting facilities, materials collection, marketing and market development, public education, conversion technologies, and material recovery facilities. The purpose of this Agreement is to jointly exercise the foregoing common powers in the manner hereinafter set forth.



Pursuant to and to the extent required by Government Code Section 6509, the Authority shall be restricted in the exercises of its powers in the same manner as the City of Victorville is restricted in its exercise of similar powers; provided that, if the City of Victorville shall cease to be a member, then the Authority shall be restricted in the exercise of its power in the same manner as the Town of Apple Valley.

3. Powers . The Authority shall have the power in its own name to do any of the following:

- (a) To exercise jointly the common powers of its members in planning and implementing the members' Elements of the Integrated Waste Management Plan, or other alternative programs.
- (b) To prepare and support policy and legislation related to the purpose of the Agreement.
- (c) To make, enter into and enforce contracts.
- (d) To contract for the services of engineers, consultants, attorneys, planners, financial consultants, and to employ such other persons as it deems necessary.
- (e) To acquire, hold and dispose of real and personal property.
- (f) To incur debts, liabilities, or obligations subject to limitations herein set forth.
- (g) To sue and be sued in its own name.
- (h) To apply for grants, loans, or other assistance from persons, firms, corporations, or governmental entities.

- (i) To use financial devices including, but not limited to, community service districts, certificates of participation, and revenue bonds.
- (j) To serve as a local enforcement agency.
- (k) To install, construct, operate, and manage facilities.
- (l) To levy fees and collect payments.
- (m) To designate recycling or other environmental or solid waste zones or areas.
- (n) To serve as a Regional Agency for waste diversion, disposal and reporting.
- (o) To administer a Recycling Market Development Zone.

4. Definitions. For the purposes of this Agreement, the following words shall have the following meanings:

- (a) “Agreement” means this joint exercise of powers agreement.
- (b) “Authority” means the Mojave Desert and Mountain Recycling Authority formed pursuant to this Agreement.
- (c) “Board” or “Board of Directors” means the governing body of the Authority.
- (d) “Director” means any director or alternate representing a member.
- (e) “Member” or “Party” means each of the parties that become a signatory to this Agreement, including any public entity joining the Authority after execution of the original Agreement as hereinafter provided in Section 28.

- (f) “Fiscal year” means July 1 of each year to and including the following June 30.
- (g) “Facility,” “Facilities” or “Project” means any building, work, activity or improvement acquired, installed or constructed by the Authority to carry out the purpose of this Agreement.
- (h) “Participating Member” means a member that has or will acquire rights and assume obligations in connection with a particular project or has an interest in a particular issue.
- (i) “Participating Director” means the director or alternate representing a participating member.
- (j) “Project Committee” means the group of participating directors overseeing the planning and implementation of a particular project, or review or action on a specific issue.

### ORGANIZATION

5. Membership. The members of the Authority shall be the parties hereto and such other public entities as may join the Authority after execution of this Agreement pursuant to Section 28.

6. Names. The names, particular capacities, and addresses of the members at any time shall be as set forth in this Agreement and in any addendum hereto or in any amendment hereof or of any such addendum.

7. Designation of Directors. Within thirty (30) days after the execution of this Agreement by all of the original members or by a new member upon adoption of a resolution

joining the Authority, each member shall designate and appoint, by resolution of its governing body, one member of its governing body to act as its director on the board. Each member shall also appoint one alternate director, who may, but need not be, a member of the governing body, whose name shall be on file with the board and who may assume all rights and duties of the absent director representing the appointing member. Each director and alternate shall hold office from the first meeting of the board after appointment by the governing body he or she represents until the selection of a successor by that body. Each director and alternate shall serve at the pleasure of the governing body he or she represents and may be removed at any time, with or without cause, at the sole discretion of that governing body. A director or alternate may receive such compensation from the Authority for his or her services as may from time to time be established by the board; provided, however, the per diem compensation for each director shall not exceed \$150; With advance approval by the board, a director or alternate may be reimbursed for reasonable expenses incurred in the conduct of the business of the Authority.

8.     Principal Office. As provided by law, the Board shall designate the principal office of the Authority.

9.     Meetings. The board shall meet at the principal office of the Authority or at such other place as may be designated by the board. The time and place of the regular meetings of the board shall be determined by resolution adopted by the board, and a copy of such resolution shall be furnished on each party hereto. All meetings, including regular, adjourned and special meetings, shall be caused, noticed and held in accordance with Chapter 9, Division 2, Title S of the Government Code of the State of California (commencing at Section 54950). The board also may establish ad hoc or standing committees, including but not limited to Project Committees, to

deal with specific issues as well as projects. Such committees shall be subject to the Brown Act as required by law.

10. Quorum; Voting. A majority of the directors or, in the case of a Project Committee, a majority of the participating directors, shall constitute a quorum for the purpose of the transaction of business relating to the Authority or to a Project Committee as the case may be. Unless otherwise provided herein, each director or, in the case of a Project Committee, each participating director shall be entitled to one vote and a vote of the majority of those present and qualified to vote shall be sufficient for the adoption of any motion, resolution or order and to take any other action deemed appropriate to carry forward the objections of the Authority or of a Project Committee.

11. Minutes. The secretary of the Authority shall cause to be kept minutes of regular, open, adjourned regular open , and open special meetings of the board and Project Committees, and shall cause a copy of the minutes to be forwarded to each director and to each of the members hereto.

12. Rules. The board may adopt from time to time such rules and regulations for the conduct of its affairs as it may deem necessary.

13. Assent of Members. The assent or approval of a member in any matter requiring the approval of the governing body of the member shall be evidenced by a certified copy of the resolution of the governing body filed with the Authority.

14. Officers. The board shall elect from among its members a chairperson and a vice-chairperson at its first meeting, and thereafter at the first meeting in each succeeding fiscal year the board shall elect or re-elect a chairperson and a vice-chairperson. In the event that the

chairperson or vice-chairperson ceases to be a director, the resulting vacancy shall be filled at the next regular meeting of the board held after such vacancy occurs. In the absence or inability of the chairperson to act, the vice- chairperson shall act as chairperson. The chairperson, or in his or her absence the vice-chairperson, shall preside at and conduct all meetings of the board. The board shall also designate a secretary and a controller and treasurer. Pursuant to Government Code Section 6505.1, the secretary and the controller and treasurer shall have charge of the property of the Authority and each shall file a bond in the penal sum of ten thousand dollars (\$10,000)

### BUDGETS AND PAYMENTS

15. General Budget. Within sixty (60) days after the first meeting of the board, a general budget for the balance of the fiscal year shall be adopted by the vote of at least two-thirds (2/3) of all of the directors. The initial budget and each succeeding budget shall include, but not be limited to, the following: (a) the general administrative expenses of the Authority to be incurred during the period covered by the budget; and (b) the allocation among the members of the amounts necessary to cover the general budget expenditures. At or prior to the last meeting of the board for each fiscal year, a general budget shall be adopted for the ensuing fiscal year by a vote of at least two- thirds (2/3) of all of the directors.

16. Project Committee Budget. Each project committee shall adopt a separate project budget for each particular project committee for each fiscal year. This budget shall be adopted by the vote of at least two-thirds (2/3) of all of the participating directors in the project committee within sixty (60) days after the first project committee meeting, and prior to the first project committee meeting of each succeeding fiscal year. The initial budget and each succeeding budget shall include, but not be limited to the following: (a) the expenses to be

incurred during the period covered by the budget; and (b) the allocation among the participating members of the amounts necessary to cover these expenditures. Such allocation shall reflect the relative usage of the project by each participating member. A member who does not receive any benefit from a particular project or issue shall not be obligated to pay for expenditures for that project committee.

17. Expenditures for the Approved Budget. All expenditures within the designations and limitations of approved general, project committee, or other budgets shall be made on the authorization of the board for general budget expenditures or of the project committee for project committee expenditures. No expenditures in excess of those budgeted shall be made without the approval of two-thirds (2/3) of the directors regarding general budget expenditures or two-thirds (2/3) of the participating directors regarding project committee expenditures.

18. Payment of Amounts Due. Except as hereinafter provided, amounts required to be paid by any member shall be due and payable sixty (60) days after receipt of billing therefor. Any member not paying the amount due on time shall pay a late charge of one percent (1 or the maximum amount allowed by law) of the principal amount due for each month or fraction thereof that the payment is delinquent. A member may be expelled under paragraph 27 for continuing delinquency.

19. Reimbursement of Funds. The Authority shall not apply for any Federal or State grant, loan, or financing unless the application has been approved by a vote of the directors, or, in the case of a grant, loan, or financing for a project, a vote of the participating directors. Funds received by the Authority from any Federal, State or local agency to pay for budgeted expenditures for which the Authority has received all or a portion of said funds from its members shall be proportionally paid to said members to reimburse the members for the funds advanced to

the Authority for the construction of the facilities or direct project expenses for which funds have been received.

### ACCOUNTING AND AUDITS

20. Accounting Procedures. Full books and accounts shall be maintained for the Authority in accordance with practices established by, or consistent with, those utilized by the Controller of the State of California for like public entities. In particular, the Authority's controller and treasurer shall comply strictly with requirements of the statute governing joint powers agencies, Article 1, Chapter 5, Division 7, Title 1 of the Government Code of the State of California (commencing with Section 6500.)

21. Audit. The records and accounts of the Authority shall be audited annually or every other year as allowed by law by an independent certified public accountant and copies of the audit reports shall be filed with the County Auditor, the State Controller and each member within twelve (12) months of the end of the fiscal year under examination

### PROPERTY RIGHTS

22. Project Facilities. All facilities constructed, installed or acquired by the Authority shall be held in the name of the Authority for the benefit of the members of the Authority in accordance with the terms of this Agreement. Unallocated capacity rights in respective project facilities shall be held for the benefit of the participating members in proportion to their agreed upon percentage capacity rights in the project facilities unless otherwise allocated by agreement among the participating members. It is the intent of the foregoing provision that the Authority shall not acquire any unallocated capacity in any facility for disposal or use, except for the benefit of the participating members in proportion to their original percentage capacity rights in



the facility. Capacity rights may be sold, leased or assigned to members who are non-participating with the written consent of two-thirds (2/3) of the participating members providing the member becomes a participating member.

23. Disposition of Assets Upon Termination. The Authority may vote to terminate this Agreement, or termination will occur if only one member is left in the Authority. If termination occurs, all surplus money and property of the Authority shall be conveyed or distributed to each member in proportion to the funds provided to the Authority by the member. Each member shall execute any instruments of conveyance necessary to effectuate such distribution or transfer. To the extent that any funds (or property in lieu of funds) received from any participating member are used for the acquisition or construction of facilities, the same shall be recorded on the books of the Authority to the credit of the contributing member. Upon termination or dissolution of the Authority, the facilities in possession of the Authority at such time shall be distributed in kind or sold, and the proceeds thereof distributed to the participating members at the time of termination as their interests are recorded on the books of the Authority.

24. Liabilities. The debts, liabilities and obligations of the Authority shall be the debts, liabilities or obligations of the Authority alone and not of the parties to this Agreement.

#### NOTICE OF AGREEMENT

25. Initial Notice. Within thirty (30) days of the effective date of this Agreement the Authority shall cause a notice of the Agreement to be prepared in the manner set forth in Sections 6503.5 and 53051 of the Government Code and filed with the Office of the Secretary of State.

26. Additional Notices. Within thirty (30) days of the effective date of any amendments to this Agreement, the authority shall prepare and file with the Office of the Secretary of State the notice required by said Section 6503.5 and Government Code Section 53051.

#### WITHDRAWAL AND ADDITION OF NEW MEMBERS

27. Withdrawal/Expulsion. A member may withdraw its participation in the Authority upon sixty (60) days prior written notice to all other members and payment of all amounts owing. Withdrawal or expulsion shall not serve to reduce a member's duty to pay for its proportionate share of any obligation of the Authority incurred prior to withdrawal. A member may be expelled by majority vote for non-payment of any amounts due or other breach of the agreement. A member may be expelled upon two-thirds (2/3) vote of the other members as well.

28. Addition of New Members. A city, county, or other public entity may join the Authority upon consent of two-thirds of the members of the Board of Directors. A new member will be responsible for reimbursing existing members for a proportion of their contributions for existing facilities which it intends to use, and will be responsible for a proportion of the debts, obligations, and liabilities of the Authority from these facilities, to the extent agreed upon by the Authority and the new member at the time of membership.

#### AGREEMENT PROCEDURES

29. Amendment. Except as provided in Section 28, above, this Agreement may not be amended or modified except by a written agreement signed by all of the members. 30.

Headings. The headings in this Agreement are for convenience only and are not to be construed as modifying or explaining the language in the section referred to.

31. Severability. Should any part, term, or provision of this Agreement be determined by a court to be illegal or unenforceable, the remaining portions or provisions of this Agreement shall nevertheless be carried into effect.

In witness thereof, the parties hereto have caused this Agreement to be executed and attested by their duly authorized officers as of the date first above written

APPROVED AS TO FORM:

\_\_\_\_\_

Authority General Counsel

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ATTEST:

\_\_\_\_\_  
Mayor, City of Adelanto

\_\_\_\_\_  
City Clerk

ATTEST:

\_\_\_\_\_  
Mayor, Town of Apple Valley

\_\_\_\_\_  
City Clerk

ATTEST:

\_\_\_\_\_  
Mayor, City of Barstow

\_\_\_\_\_  
City Clerk

ATTEST:

\_\_\_\_\_  
Mayor, City of Big Bear Lake

\_\_\_\_\_  
City Clerk

ATTEST:

\_\_\_\_\_  
Mayor, City of Needles

\_\_\_\_\_  
City Clerk

ATTEST:

\_\_\_\_\_  
Mayor, City of Twentynine Palms

\_\_\_\_\_  
City Clerk

ATTEST:

\_\_\_\_\_  
Mayor, City of Victorville

\_\_\_\_\_  
City Clerk

ATTEST:

\_\_\_\_\_  
Mayor, Town of Yucca valley

\_\_\_\_\_  
Town Clerk

County of San Bernardino

ATTEST:

By: \_\_\_\_\_

\_\_\_\_\_  
Clerk of the Board

**MOJAVE DESERT AND MOUNTAIN INTEGRATED WASTE  
JOINT POWERS AUTHORITY**

**AGENDA MATTER**

Legislative Update

**SUMMARY STATEMENT**

Plastics and Beverage Containers (Bottle Bill) are receiving much attention in the Legislature. The following bills have cleared the initial policy committees and are held in appropriations committees before floor votes. Detailed information is at <https://leginfo.legislature.ca.gov/>

**Plastics**

- AB 478 Sets minimum recycled content requirements for plastic thermoform food containers (i.e. berry boxes, clamshell containers). Like the similar minimum content bill last year, will help support CA recycling jobs and industry. The Victor Valley MRF is recycling plastic thermoforms, and recycled content requirements would increase demand and value.
- AB 842 Comprehensive packaging producer responsibility program for plastic single-use packaging and food service ware
- AB 1276 Expands plastic straws upon request law to include other single-use food accessories, other food facilities, and third party delivery platforms - including food that is taken away, delivered, or served on-site.
- AB 1371 Phases out the use of plastic "films" -- including mailers, void fill and polystyrene peanuts — in e-commerce packaging.
- SB 54 Reduces single-use packaging and food service ware. As currently written, this is "placeholder" language that requires producers to source-reduce disposables, sets ambitious recycling and composting requirements, and requires all disposable packaging and food service ware to be truly recyclable or compostable by 2032.
- SB 343 Builds on California's current "Truth in Environmental Advertising" law that prohibits the use of the word "recyclable" on products that are not truly recyclable and should not be put in a curbside recycle bin. SB 343 extends this prohibition to include the "chasing arrows" symbol, which most consumers believe denotes recyclability.
- SB 451 Extends bottle bill pilot program for 2 years.

**Bottle Bill**

- AB 1067 New recycling goals, convenience zones, pilot projects, auditing system, etc.
- AB 1311 Appointment system, reverse vending machine and bag drop recycling centers
- AB 1454 Bottle Bill Modernization - Processing Payment increases for centers, expanded Handling Fee eligibility, Quality Incentives for curbside, financing to help open new centers in unserved areas, support for bag drop
- SB 38 Replace existing bottle bill program with an producer managed program

**RECOMMENDED ACTION**

Support AB 478 (Thermoform Recycled Content); provide feedback on other legislation

**PRESENTED BY**

John Davis

**FISCAL IMPACT:**

Unknown

**MEETING DATE**

May 13, 2021

**ITEM NUMBER**

8

**MOJAVE DESERT AND MOUNTAIN INTEGRATED WASTE  
JOINT POWERS AUTHORITY**

**AGENDA MATTER**

Public Comment

**SUMMARY STATEMENT**

Comment on items of interest to the Public.

**RECOMMENDED ACTION**

None

**PRESENTED BY**

Linda St. Louis

**MEETING DATE**

May 13, 2021

**ITEM NUMBER**

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**MOJAVE DESERT AND MOUNTAIN INTEGRATED WASTE  
JOINT POWERS AUTHORITY**

**AGENDA MATTER**

Board Comment

**SUMMARY STATEMENT**

Comment on items of interest to the Board.

**RECOMMENDED ACTION**

None

**PRESENTED BY**

Linda St. Louis

**MEETING DATE**

May 13, 2021

**ITEM NUMBER**

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