

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

REGULAR MEETING
THURSDAY, AUGUST 10, 2023
10:30 A.M.

The meeting will be held in-person and by teleconference

In-person location:
Victorville City Hall
Training Room 1 - upstairs
14343 Civic Drive
Victorville, CA 92392

Teleconference locations:

Bartow
Council Room
220 E. Mountain
View St, Suite A
Barstow, CA 92311

Big Bear Lake
Main Entrance
42480 Fox Farm Rd
Big Bear Lake,
CA 92315

Needles
City Hall Conference
Room
817 Third St
Needles, CA 92363

Twentynine Palms
Council Chambers
6136 Adobe Rd
Twentynine Palms,
CA 92277

TELECONFERENCE NOTICE

This meeting is being held in accordance with the Brown Act 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://us02web.zoom.us/j/81996121755?pwd=ZWFWQTdBSjBkcGVJMTZhwUUtINnIWQT09>

***Directions for hyperlink – highlight line above and right click, select open hyperlink and it will take you directly to the meeting. If it requires the ID or Passcode, they are below.

Meeting ID: 819 9612 1755

Passcode: JPA

One tap mobile

+16699009128,,81996121755#,,,,*766470# US (San Jose)

Questions/Issues call (760) 955-5217.

CALL TO ORDER AND ROLL CALL

PLEDGE

CONSENT CALENDAR

1. Request to Approve the Consent Calendar as follows:

- A. Minutes of the Board Meeting held May 11, 2023.
- B. Warrant Ratification for May 1, 2023, to July 31, 2023.
- C. Treasurer's Report.

Recommendation: Approve consent calendar.

PUBLIC HEARING ITEMS

None

DISCUSSION/ACTION ITEMS

2. JPA Board Chair and Vice-Chair.

Recommendation: Board select Chair and Vice-Chair.

3. Amended Agreement with High Desert Second Chance.

Recommendation: Authorize an amended MOU for Edible Food Recovery with High Desert Second Chance.

4. Single Use Propane Cylinders: CalRecycle Grant.

Recommendation: California Product Stewardship Council Presentation on Refillable Propane Cylinder Grant.

5. Victor Valley Materials Recovery Facility Tipping Fee and Capital Improvements.

Recommendation: Background and discussion of MRF tipping fees and needed capital improvements.

6. November 16, 2023, Public Hearing.

Recommendation: Set a public hearing for 10:30 a.m. on November 16, 2023, to consider the Victor Valley Materials Recovery Facility tip fee.

7. SB 54: Plastic Pollution Prevention and Packaging Producer Responsibility Act.

Recommendation: Information and discussion of SB 54 local government issues.

8. Legislation Update: Active Bills.

Recommendation: Update on active Authority supported legislation.

9. Legislative Update: Inactive Two-Year Bills.

Recommendation: Update on two-year bills supported by the Authority; continued support is recommended.

PUBLIC COMMENTS

10. Public comment on items of interest to the public.

BOARD MEMBERS COMMENTS

11. Comments by members of the Board of Directors.

DATE OF NEXT MEETING

THURSDAY, NOVEMBER 16, 2023

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 May 11, 2023.
- B. Warrant Ratification for May 1, 2023 – July 31, 2023.
- C. Treasurer's Report.

RECOMMENDED ACTION

Approve consent calendar

PRESENTED BY		MEETING DATE	ITEM NUMBER
Cambria Carroll		August 10, 2023	1

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

AGENDA MATTER

Board Meeting Minutes

SUMMARY STATEMENT

Attached is a report of the Board Meeting minutes from the May 11, 2023, meeting.

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

RECOMMENDED ACTION

Approve as part of the consent calendar.

PRESENTED BY

Cambria Carroll

MEETING DATE

August 10, 2023

ITEM NUMBER

1A

MINUTES

MOJAVE DESERT AND MOUNTAIN RECYCLING JPA BOARD MEETING

10:00 A.M., THURSDAY, MAY 11, 2023

VICTOR VALLEY MATERIALS RECOVERY FACILITY (VIRTUAL MEETING) AND IN
PERSON AT VICTORVILLE'S CITY HALL, TRAINING ROOM 1

JPA Board Members Present: Joy Jeannette (Adelanto), Larry Cusack (Apple Valley), Debra Jones (Victorville), Jeff Drozd (Yucca Valley), CJ Porter (1st District), McArthur Wright (29 Palms), Marilyn Kruse (Barstow), Ellen Campbell (Needles)

Others Present: John Davis (Administrator), Cambria Carroll (Secretary), Alexis Garcia (Victorville), Dana Armstrong (Victorville), Julie Ryan (Apple Valley), Pamela Quick (Apple Valley), Edwin Alonzo (Apple Valley), Jess Reed (Barstow), Guy Eisenbrey (Apple Valley), Frank Forbes (2nd District), Margaret DeMauro (Apple Valley), David Alaniz (San Bernardino County EHS), Kirk Kunihiro (ReCREATE), Treasure Trinh (San Bernardino County), Tina Nazarian (FIND)

Roll call was conducted. Chair, Debra Jones, called the meeting to order at 10:00 A.M.

Board Member Ellen Campbell led the pledge of allegiance.

1. **Resolution 2023-02.** This Resolution was approved on a roll call vote following a motion from Board Co-Chair Larry Cusack and a second from Board Member Joy Jeannette.
2. **Consent Calendar.** The Consent Calendar was approved on a roll call vote following a motion from Board Member CJ Porter and a second from Board Member Joy Jeannette.
3. **Budget.** Board Administrator John Davis clarified that Actual amount of \$29,501 referenced in the Staff Report was not accurate however, the Detail showed the correct amount. The item was approved on a roll call vote following a motion from Board Member Ellen Campbell and a second from Board Member Joy Jeannette.
4. **PERMA.** An update was provided by Board Administrator John Davis to explain that the increase was a result of additional cyber security costs. Board Member Ellen Campbell added that in Needles, they must use a landfill in Arizona as a result of PG&E contamination of their local landfill and although they had applied for a grant twice, nothing has come of their efforts to-date. Board Administrator John Davis explained that Needles currently has an exemption and that he does not see that exemption changing anytime soon, due to the identified cause being PG&E contamination. Audience member Kirk Kunihiro suggested a grant and John

Davis clarified that this was the same grant Needles had been applying for. Board Member CJ Porter asked for clarification on whether self-insurance is applicable. Board Co-Chair Larry Cusack added that the additional premium protects the Board also. Board Administrator John Davis elaborated that he would consult with Bob Hollis, the JPA's IT consultant and the PERMA representative together to identify any duplication in coverage and to possibly move cyber liability to Bob Hollis.

5. **Curbside Contamination.** An update was provided via a presentation given by ReCREATE representative Kirk Kunihiro, with information on the lid flipping activities throughout all participating jurisdictions. Board Member Jeff Drozd explained that Yucca Valley would be ready to participate in this program beginning in January of 2024 when their program goes live. Board Co-Chair Cusack added that the smaller containers his Town is using have been an issue; the collection company, Burrtec Waste, had been advising residents to purchase additional containers and that they would empty them. Board Member Joy Jeannette added that the presentation was excellent, and she was encouraged by the progress being made. Board Member Ellen Campbell added the same sentiments.
6. **Grants.** No action was needed for this item; Board Administrator John Davis wanted to inform the Board of actions being taken to apply for grants may require Board acceptance. Board Co-Chair Larry Cusack added that the benefits of accepting these grants would apply to all jurisdictions.
7. **History:** No action was needed for this item; Board Administrator John Davis wanted to provide some historical information about the creation and actions of the Board as a reference point for newly appointed members.
8. **Legislation – Right to Repair.** Board Administrator John Davis provided the Board with an update concerning the status of SB 244 and its ongoing movement. Board Chair Debra Jones asked if any lawsuits were triggered by New York's recent passage of similar legislation and Board Administrator John Davis responded no clarifying that New York's governor modified language in their bill as a result of objections from industry representatives; California's bill is different in that it is based on existing warranty language but New York opened the door for more repairs.
9. **Legislation – Containers.** Board Administrator John Davis asked the Board for their permission to be listed in support of AB 660, AB 1290, and SB 353. Board Member Marilyn Kruse added that AB 660 is long overdue in providing sell-by dates, and she looks forward to the correction. Board Co-Chair Larry Cusack asked for clarification that this legislation was for containers only and Board Administrator John Davis confirmed that it is. Confirmation of support was provided was approved on a roll call vote following a motion from Board Member Ellen Campbell and a second from Board Member Joy Jeannette.
10. **Legislation – Producer Responsibility.** Board Administrator John Davis asked the Board for their permission to be listed in support of AB 863, SB 560, and SB 707 and clarified that the combined objectives of these bills is to assign a

responsible role for the programs accountability for Carpet America Recovery Effort (CARE), to assign responsibility to the producer of gas cylinders for end-of-life management of covered gas cylinders under 20 pounds, and allow thrift stores and other collectors of used textiles to be supported for their work repairing and recycling unusable textiles, respectively. Board Member Joy Jeannette asked for clarification on partially filled paint cans and where to take them and was given the local address of a Household Hazardous Waste collection site. Confirmation of support was provided was approved on a roll call vote following a motion from Board Member Joy Jeannette and a second from Board Member Ellen Campbell.

11. Public Comment on items of interest to the public. None

12. Board Comments. Board Member Joy Jeannette commented that it was a joy to see so many Board Member faces and encouraged all Members to try to attend in person. Board Chair Debra Jones agreed and added that this might be the last meeting permitting online attendance with Brown Act compliance.

Board Chair Debra Jones confirmed the date of the next meeting for August 10, 2023, reminded Board Members that the November meeting was moved from November 9th to November 16th and adjourned the meeting 11:50 AM.

Debra Jones
Chair

Cambria Carroll
Secretary

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

AGENDA MATTER

Commercial Warrants Schedule

SUMMARY STATEMENT

Commercial warrants were issued from May 1, 2023, through July 31, 2023, in the amount of \$542,286.35 net of voids covering issued warrant numbers 2591 to 2620.

The claims and/or demands covered by the attached list of warrants were audited as to the accuracy and availability of funds for payment thereof and said claims and/or demands are accurate, and the funds were available for payment thereof.

RECOMMENDED ACTION

Receive, ratify, and file the commercial warrants as presented.

PRESENTED BY		MEETING DATE	ITEM NUMBER
Sydney Harris		August 10, 2023	1B

MOJAVE DESERT AND MOUNTAIN INTEGRATED WASTE JPA
Warrant Listing: May 1, 2023 - July 31, 2023

2591	5/4/2023	BURRTEC	February MRF ACTIVITY	75,742.63
2592	5/4/2023	FIND Food Bank	2023 April sb 1383 tier 1 inv 372974	1,250.00
2593	5/4/2023	California Recycling Market Development Zones	Annual membership fee 2023-011	200.00
2594	5/4/2023	John Davis	JPA & MRF Admin Services April 2023	11,837.78
2595	5/17/2023	BURRTEC	March MRF ACTIVITY	176,027.19
2596	5/17/2023	FED EX	INV 8-129-04731 MDMW SHIPPING	13.85
2597	5/17/2023	Erin Duckhorn	Marketing Services April 2023, Inv 5050123	2,785.75
2598	5/17/2023	Cole Huber LLP Attorneys	April Services 42655	37.50
2599	5/17/2023	FIND Food Bank	2023 May sb 1383 tier 1 inv 373186	1,250.00
2600	6/7/2023	John Davis	JPA & MRF Admin Services May 2023	11,683.00
2601	6/8/2023	Erin Duckhorn	Marketing Services May 2023, Inv 5060023	2,785.75
2602		VOID		
2603	6/8/2023	Mobius Intelligent Systems, LLC	MARCH '23 INV#1221, APRIL '23 INV#1381, MAY '23 INV#1450	4,032.50
2604	6/12/2023	John Davis	JPA & MRF Admin Services May 2023-exp reimbursement	1,830.91
2605	6/30/2023	High Desert Second Chance	Edible Food Recovery Program April Inv#0041 & May Inv#0042	5,000.00
2606	6/30/2023	CRRA	Membership Renewal through 7/1/2024-Inv # 12652	1,000.00
2607	6/30/2023	CPSC (California Product Stewardship Council)	March 2023 Services Invoice # 032	3,341.21
2608	6/30/2023	FIND Food Bank	2023 June SB 1383 tier 1 - inv 374792	1,250.00
2609	6/30/2023	City of Victorville	Citywide street lighting assessment district	823.67
2610	6/30/2023	Mobius Intelligent Systems, LLC	JUNE 2023 Services Inv 1610	1,235.75
2611	7/10/2023	John Davis	JPA & MRF Admin Services June 2023	12,328.91
2612	6/30/2023	High Desert Second Chance	Edible Food Recovery Program June Inv #0043	2,500.00
2613	7/11/2023	Container Recycling Institute	2023 Annual Supporter-Inv # 1225	1,000.00
2614		VOID		
2615	7/18/2023	Public Entity Risk Management Authority	Ins-FY 2023-24 INV#89/Liab Assessmt pmt 2 of 5 FY 23-24 INV#41	29,628.00
2616	7/18/2023	Mobius Intelligent Systems, LLC	CalRecycle reimbursible expense - High Desert RMDZ	5,000.00
2617	7/18/2023	CRRA	Annual Sponsor - Bronze Level; Inv # SP23-47	2,500.00
2618	7/18/2023	Californians Against Waste Foundation	CAWF subscription - Inv # 601	5,000.00
2619		VOID		
2620	7/27/2023	BURRTEC	CRRA Conference - John Davis paid w/Ccd, will be reimbursed April 2023 MRF ACTIVITY	182,201.95
Total				542,286.35

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

AGENDA MATTER

Treasurer's Report

SUMMARY STATEMENT

Attached is a report of Cash and Investments of the Authority as of June 31, 2023.

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

RECOMMENDED ACTION

Receive, ratify, and file the June 30, 2023, Treasurer's Report as presented.

PRESENTED BY

Sydney Harris

MEETING DATE

August 10, 2023

ITEM NUMBER

1C

MOJAVE DESERT AND MOUNTAIN INTEGRATED WASTE JOINT POWERS AUTHORITY

Treasurer's Report

As of June 30, 2023

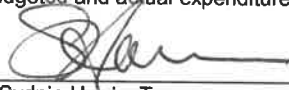
Institution/Investment Type	Carrying Amount	Market Value		Interest Rate Yield	Maturity Date	Quarterly Comparisons of Carrying Amounts			
						Mar-23	Dec-22	Sep-22	Jun-22
Funds under control of the Authority:									
Checking Account:									
JPA Administration	144,435.01	144,435.01	(1)	0.30%	On Demand	147,268.62	169,338.87	236,299.65	183,400.13
JPA Organics	0.00	0.00	(1)	0.30%	On Demand	0.00	0.00	0.00	0.00
MRF Administration	67,031.48	67,031.48	(1)	0.30%	On Demand	66,119.48	67,984.48	71,467.58	68,161.58
MRF Operations	(148,563.79)	(148,563.79)	(1)	0.30%	On Demand	(146,714.33)	(68,212.04)	(2,280.27)	(47,764.03)
Total funds under control of Authority	62,902.70	62,902.70				66,673.77	169,111.31	305,486.96	203,797.68

Source of Market Value Information:

(1) Desert Community Bank

I hereby certify that the investment activity for this reporting period conforms with the investment policy of the California Government Code Section 53601.

I also certify that there are adequate funds available to meet the budgeted and actual expenditures of the Mojave Desert & Mountain Integrated Waste Joint Powers Authority for the next six months.



Sydnie Harris, Treasurer

Prepared by: Sara Ogunde

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

AGENDA MATTER

JPA Board Chair and Vice-Chair

SUMMARY STATEMENT

JPA Board elections are held the first meeting in each new fiscal year, in accordance with the Joint Powers Agreement Creating the Authority. The Board last selected officers at its August 2021 meeting.

Debra Jones was chosen as Chair, and Larry Cusack as Vice-Chair.

RECOMMENDED ACTION

Board select Chair and Vice-Chair

PRESENTED BY	FISCAL IMPACT:	MEETING DATE	ITEM NUMBER
John Davis	None	August 10, 2023	2

MOJAVE DESERT AND MOUNTAIN INTEGRATED WASTE JOINT POWERS AUTHORITY			
AGENDA MATTER			
Amended Agreement with High Desert Second Chance			
SUMMARY STATEMENT			
<p>High Desert Second Chance (HDSC) manages the High Desert Food Collaborative, including nearly 100 food recovery organizations operating under memoranda of understanding (MOU). The Collaborative was formed to provide a unified food recovery effort. HDSC has worked with the Authority since 2018 to expand edible food recovery in Victor Valley and Barstow communities. This work includes identifying and assisting established organizations and food generators to comply with CalRecycle’s SB 1383 requirements.</p> <p>The Authority and HDSC formalized our relationship in 2019, under the initial MOU ending June 30, 2021; and extended the term through June 2023 by an amended MOU, with an optional one-year extension by written mutual consent.</p> <p>A second amended MOU is proposed instead of that mutual one-year extension. The existing MOU refers to working with “Tier One commercial edible food generators (supermarkets, grocery stores, food distributors and wholesalers).” Tier Two commercial edible food generators must comply with the regulations beginning January 1, 2024. These include:</p> <ul style="list-style-type: none"> • Restaurants with 250 or more seats, or 5,000 square feet. • Hotels with an on-site food facility and 200 or more rooms. • Health facilities with an on-site food facility and 100 or more beds. • Large venues. • Large events. • State agency cafeterias with 250 seats or 5,000 square feet. • Local education agencies with an on-site food facility. <p>The revised MOU will cover both Tier One and Tier Two Generators. No other changes are needed at this time. The Authority pays \$30,000 to HDSC for their work.</p> <p>The Authority budget includes funding to support edible food recovery in the Morongo Basin, Big Bear Lake, and Needles areas. The Board previously allocated funds \$5000 annually to the member agencies in those communities.</p>			
RECOMMENDED ACTION			
Authorize an amended MOU for Edible Food Recovery with High Desert Second Chance			
PRESENTED BY	FISCAL IMPACT:	MEETING DATE	ITEM NUMBER
John Davis	\$30,000 in Authority budget	August 10, 2023	3

1 **MEMORANDUM OF UNDERSTANDING**

2
3 This MEMORANDUM OF UNDERSTANDING (“MOU”), made and entered into effective the
4 9th day of January, 2019; Amended the 12th day of August, 2021; and Amended the 10th day of August
5 2023 by and between the Mojave Desert and Mountain Recycling Authority, a joint powers authority
6 (“AUTHORITY”) and High Desert Second Chance (“HDSC”) (individually, “PARTY;” collectively,
7 “PARTIES”) shall be as follows:

8 **RECITALS**

9 **WHEREAS**, AUTHORITY desires to facilitate edible food collection and distribution within its
10 members’ jurisdictions consistent with State regulations; and

11 **WHEREAS**, HDSC manages the High Desert Food Collaborative of edible food organizations
12 and food recovery services, operating edible food recovery programs within the AUTHORITY’s
13 boundaries;

14 **WHEREAS**, AUTHORITY and HDSC desire cooperatively to carry out effective regional edible
15 food recovery; and

16 NOW THEREFORE, and in consideration of the covenants and conditions contained herein, it is
17 agreed between the PARTIES as follows:

18 **1. TERM**

19 1.1 The term of this amended MOU shall be from September 1, 2023 through June 30, 2025,
20 unless otherwise terminated as provided herein.

21 1.2 If additional funding is available, the term of this MOU may be extended for an additional
22 one (1) year period, upon mutual written agreement of both PARTIES representatives.

23 1.3 Alternatively, the PARTIES mutually may agree to execute another form of agreement to
24 continue the work.

25 **2. RESPONSIBILITIES OF AUTHORITY:**

26 2.1 AUTHORITY will coordinate contacts between HDSC and member agency staff.

27 2.2 AUTHORITY will identify and provide introductions to local commercial food generators
28 and recovery organizations and services with input from member agencies.

1 2.3 AUTHORITY will secure necessary input from California Department of Resources
2 Recycling and Recovery (CalRecycle) to assure compliance with its applicable edible food
3 recovery regulations.

4 2.4 AUTHORITY will work closely with HDSC to detail steps needed to assure effective
5 regulatory compliance.

6 **3. RESPONSIBILITIES OF HDSC:**

7 3.1 HDSC will prepare and implement an information system model based on its current
8 clients and operation.

9 3.2 HDSC will work closely with the AUTHORITY to assure that AUTHORITY'S
10 information system and operations comply with State edible food recovery regulations.

11 3.3 HDSC will assist AUTHORITY and its member agencies to assess capacity for edible
12 food recovery, including but not limited to identification of local food recovery
13 organizations and services, and describing resources needed to operate effectively.

14 3.4 HDSC will support edible food recovery efforts throughout AUTHORITY territory,
15 including reasonable efforts to share its information system model if needed.

16 3.5 HDSC will provide records to the AUTHORITY for each member agency documenting
17 its performance in compliance with the regulations.

18 3.6 HDSC will work with Tier One commercial edible food generators (supermarkets,
19 grocery stores, food distributors and wholesalers) to comply with their requirements.

20 3.7 HDSC will work with Tier Two commercial edible food generators (Restaurants with 250
21 or more seats, or 5,000 square feet; hotels with an on-site food facility and 200 or more
22 rooms; health facilities with an on-site food facility and 100 or more beds; large venues;
23 large events; state agency cafeterias with 250 seats or 5,000 square feet; and local
24 education agencies with an on-site food facility).

25 3.8 HDSC will prepare a standard contract or written agreement between generators and food
26 recovery organizations or services that may be utilized by AUTHORITY members in
27 compliance with all applicable laws and regulations.

28 3.9 HDSC will assure compliance with food recovery organization or service record keeping

requirements for edible food recovery programs.

- 3.10 HDSC shall keep appropriate records regarding the programs and actions under this MOU and shall provide copies of all such records to AUTHORITY upon request.

4. TERMINATION

Either PARTY may terminate this MOU with or without cause upon thirty (30) calendar days' prior written notice to the other PARTY. The PARTIES mutually may agree to waive this notice requirement and terminate this MOU immediately.

5. INDEMNIFICATION; INSURANCE

5.1 HDSC shall indemnify, hold harmless and defend the AUTHORITY and any and all of its members and all of their officers, agents, servants, or employees against any and all claims, loss, damage, charge, fine, charge or expense, including reasonable attorneys' fees for counsel acceptable to AUTHORITY, to which the AUTHORITY or such officers, agents, servants, or employees may be put or subject to, by reason of any damage, loss or injury of any kind or nature whatever to persons or property to the extent caused by the negligent act or action, or any neglect, or failure to act, when under a duty to act, on the part of HDSC, in its performance hereunder. In the event claims, losses, damages, charges, fines, charges or expenses are caused by the joint or concurrent negligence of AUTHORITY and HDSC, they shall be borne by each PARTY in proportion to its negligence.

5.2 AUTHORITY shall indemnify, hold harmless and defend the HDSC and any and all of its officers, agents, servants, or employees against any and all claims, loss, damage, charge or expense, including reasonable attorneys' fees, to which the HDSC or such officers, agents, servants, or employees may be put or subject to, by reason of any damage, loss or injury of any kind or nature whatever to persons or property to the extent cause by the negligent act or action or any neglect, or failure to act, when under a duty to act, on the part of AUTHORITY in its performance hereunder.

5.3 The PARTIES agree to procure and maintain insurance coverages sufficient to cover their respective risks.

1 **6. PAYMENT**

2 AUTHORITY will pay HDSC \$30,000 annually for its work associated with this MOU. HDSC
3 will submit an invoice for payment monthly, accompanied by a report of activities during the preceding
4 month. Payments will be made monthly in twelve equal payments.

5 **7. PROGRAM COORDINATION**

6 7.1 The AUTHORITY Administrator, or his/her designee, shall be the representative of
7 AUTHORITY for all purposes of this MOU. The AUTHORITY Administrator, or his/her
8 designee, hereby is designated as the Program manager for AUTHORITY. He/she shall
9 supervise the progress and execution of this MOU.

10 7.2 HDSC assigns TBD to have overall responsibility for the progress and execution of this
11 MOU.

12 **8. NOTICES AND COMMUNICATIONS**

13 Any notice by either PARTY to the other shall be personally delivered to the PARTY or sent by
14 certified mail, return receipt requested, to the addresses set forth below, or to such other addresses as any
15 PARTY may from time to time notify the others in writing. Such notice shall be deemed served when
16 personally delivered for 3 business days after deposit into the mail.

17 **FOR AUTHORITY:**

18 Attn:

20 **FOR HDSC:**

21 Attn:

23 **9. ENTIRE AGREEMENT**

24 This MOU contains the entire agreement between the PARTIES relating to the transactions
25 contemplated hereby and supersedes all prior or contemporaneous memoranda of understandings,
26 understandings, provisions, negotiations, representations, or statements, either written or oral.

27 **11. MODIFICATION**

1 No modification, waiver, amendment, discharge, or change of this MOU shall be valid unless the
2 same is in writing and signed by both PARTIES. No waiver of any term or conditions of this MOU shall
3 be a continuing waiver thereof.

4 **12. AUTHORITY FOR EXECUTION**

5 Each of the individuals executing this MOU on behalf of the PARTIES represents and warrants
6 that he/she is duly authorized to execute and deliver this MOU on behalf of AUTHORITY or HDSC, as
7 applicable; and that such execution and delivery on behalf of either AUTHORITY or HDSC is duly
8 authorized and within the authority of the signatory identified below.

9 **13. CHOICE OF LAW**

10 The laws of the State of California shall govern this MOU. Proper venue for any dispute regarding
11 this MOU shall lie in San Bernardino County, California.

12 **14. INTERPRETATION**

13 This MOU shall be interpreted to give effect to its fair meaning and shall be construed as though
14 both PARTIES prepared it.

15 **15. ASSIGNMENT**

16 Unless authorized in writing by both PARTIES, neither PARTY shall assign or transfer any rights
17 or obligations covered by this MOU. Any unauthorized assignment or transfer shall constitute grounds
18 for termination by the other PARTY.

19 **16. SEVERABILITY**

20 If any one or more of the provisions of this MOU is held to be invalid, illegal, or unenforceable,
21 then such provision or provisions shall be severed here from, and the remaining provisions of the MOU
22 shall continue in full force and effect and shall not be affected, impaired, or invalidated in any way.

23 **17. EXECUTION OF COUNTERPARTS**

24 If this MOU is executed in counterparts, each counterpart shall be deemed an original, and all such
25 counterparts or as many of them as the PARTIES preserve undestroyed shall together constitute one and
26 the same MOU.
27
28

1 ///

2 ///

3 ///

4 **IN WITNESS THEREOF**, the PARTIES hereto have caused this MOU to be executed on the
5 date and year first above written.

6 **AUTHORITY:**

HDSC:

7
8 By: _____

By: _____

9
10 **ATTEST:**

11
12 _____

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

AGENDA MATTER

Single Use Propane Cylinders: CalRecycle Grant

SUMMARY STATEMENT

The Authority received a \$100,000 grant from CalRecycle to promote the use of reusable one pound propane gas cylinders in lieu of single-use cylinders. California Product Stewardship Council (CPSC) completed the grant application and carried out the work. Their Refuel Your Fun campaign is designed to reduce waste, save local governments and consumers money, and eliminate the hassle of disposal.

Grant work is winding down, with a cylinder exchange event set for August 12 at Victorville's Household Hazardous Waste Collection Center. The final activity is distribution to volunteers at the Giant Rock Clean Up in Landers.

Refuel You Fun's success led to SB 560, which would establish a producer responsibility program for 20-pound cylinders. SB 560 now is a two-year bill after clearing the Senate policy committees.

CPSC will provide an overview of the project work to date.

RECOMMENDED ACTION

California Product Stewardship Council Presentation on Refillable Propane Cylinder Grant

PRESENTED BY

John Davis

FISCAL IMPACT

\$100,000
reimbursable grant

MEETING DATE

August 10, 2023

ITEM NUMBER

4



For Immediate Release

July 31, 2023

Contact:

Joanne Brasch
Special Projects Manager, California
Product Stewardship Council
(916) 706-3420



FREE REUSABLE PROPANE CYLINDER GIVEAWAY ON AUG 12
Event Promotes the Use of Refillable 1 lb. Propane Cylinders

(Victorville, California) – High Desert residents can pick up a FREE reusable/refillable 1 lb. propane cylinder at the City of Victorville Household Hazardous Waste Collection Center (HHWCC) on Saturday, August 12, 2023, from 8 AM – 12 PM, while supplies last. The City of Victorville HHWCC is located on Loves Lane, off of Desert Knoll Drive, behind the San Bernardino County Fairgrounds.

To receive a free reusable propane cylinder, residents can bring an empty single-use 1 lb. propane cylinder(s) for disposal OR they can simply sign a pledge to no longer use disposable single-use cylinders. (Note: No other household hazardous waste products will be accepted for disposal during this special event: only 1 lb. propane cylinders will be accepted.)

This event is being sponsored by the Mojave Desert & Mountain Recycling Authority, in cooperation with the City of Victorville and the California Product Stewardship Council (CPSC). Funding for this event is being provided through a grant from CalRecycle, the California Department of Resources Recycling and Recovery.

There is a limit of one free reusable cylinder per household. For more information about this event, please call the City of Victorville Environmental Programs Division at 760-955-8615.

Additional Background Information: As families gear-up for the 2023 camping season, the Mojave Desert and Mountain Recycling Authority is reminding campers and tailgaters to “Refuel Your Fun” by using reusable propane canisters instead of disposable types.

One-pound propane gas cylinders are widely used to power a variety of devices including camping stoves, portable heaters, lanterns, portable showers, boat engines, scooters, and lawn care equipment. Although they are convenient for consumers, the single-use cylinders cause problems when it is time to dispose of them. Single-use disposable propane cylinders should be

taken to a local household hazardous waste collection center for proper, safe disposal. (Some parks and campgrounds have also set up separate collection bins for propane cylinders.) However, many single-use propane cylinders are improperly put in trash or recycling bins. This can cause fires or explosions if they are crushed or compacted in collection vehicles or at recycling centers.

Even when the cylinders are properly disposed of at a household hazardous waste center, however, they are very costly to handle, usually costing from \$2-\$15 per container to transport, recover any left over gas, and finally recycle the cylinder for scrap metal. Local governments and parks end up paying these disposal costs.

Locally, Joshua Tree National Park disposes of over 700 unwanted 1 lb. cylinders each week from the park campgrounds, costing thousands of dollars to dispose of. The Victor Valley Materials Recovery Facility, which serves High Desert and San Bernardino Mountain residents, has seen baler fires likely caused by exploding canisters.

Single-use 1 lb. propane cylinders should not be refilled, as regulated by the US Department of Transportation to prevent fire hazards. Watch their [safety video](#) to learn more about the dangers of refilling non-refillable propane cylinders.

Victor Valley residents may dispose of unwanted 1 lb. propane cylinders for free at the City of Victorville HHWCC on Loves Lane, behind the County Fairgrounds during their regular hours of Wednesdays and Sundays from 9 a.m. to 4 p.m. Additional household hazardous waste collection centers are available in Apple Valley and Hesperia. Call San Bernardino County Fire at 1-800-645-9228 for more information on hours and locations of other household hazardous waste centers.

The Mojave Desert and Mountain Recycling Authority, working with the Refuel Your Fun Campaign, received a CalRecycle grant to educate residents on safely handling 1 lb. propane cylinders and the benefits of reusables to save money and reduce hazardous waste. Watch this short (45 second), educational video [featuring an interview](#) with a State Parks Ranger and the dangers of mismanaging 1 lb. propane cylinder waste.

By switching to reusable, refillable 1 lb. propane cylinders, residents can save money, reduce waste, reduce disposal costs, and save resources. There are a number of locations in the High Desert to refill or exchange reusable 1 lb. propane cylinders, including the U-Haul in Barstow (refill), the U-Haul at 14598 Palmdale Road and 15811 Lorene Drive in Victorville (refill), Apex Rental in Victorville (refill), Vagabond Welding in Yucca Valley (refill), Valero Gas in Needles



Pictured (top): unwanted single-use cylinders photographed at Hidden Valley Campground;

(bottom): reusable alternative to single-use cylinders available online and locally

(exchange) and the Mobil Station in 29 Palms (exchange). For a full list of locations and addresses that can refill or exchange 1 lb. propane cylinders, go to www.refuelyourfun.org, or contact Info@calpsc.org

Refuel Your Fun is in the process of signing up additional propane cylinder refill locations. Retailers that would like more information about participating in the program should contact CPSC at Info@calpsc.org.

###

The Mojave Desert and Mountain Recycling Authority is a joint powers authority organized under California Government Code Section 6500. Comprised of nine member agencies, we share the authority to plan and implement recycling, composting, reuse and zero waste programs in the High Desert area. The JPA is comprised of board representatives from Adelanto, Apple Valley, Barstow, Big Bear Lake, Needles, San Bernardino County, Twentynine Palms, Victorville, and Yucca Valley. For more information, please go to: www.URecycle.org

The California Product Stewardship Council (CPSC) developed and administers the ReFuel Your Fun Campaign nationally. CPSC educates both the public and private sectors about Product Stewardship and closely partners with business, jurisdictions, waste and recycling companies, manufacturers, and others to promote and encourage sustainable practices and to recognize those companies who are taking a leadership role in participating in waste reduction. For more information, please go to: www.CalPSC.org

Refuel Your Fun Campaign



www.ReFuelYourFun.org

Campaign developed by grant funding from [CalRecycle](http://CalRecycle.org) to promote the use of reusable 1 lb. propane gas cylinders in lieu of single-use 1 lb. propane gas cylinders, reduce waste, save local governments and consumers money, and eliminate the hassle of disposal.

#zerowastecamping



**SWITCH FROM SINGLE-USE
1 LB. PROPANE CYLINDERS
TO REUSABLES TODAY!**

Save money and reduce hazardous waste
Find local retailers at
www.refuelyourfun.org

Powered By
CalRecycle

*Left- A social media
graphic designed
and boosted with
the grant*

*Right- Cylinder
photos from JTNP
during site visits
2019.*



Adelanto



Retailers

- Contacted 5+ retailers

Outreach

- 64 individual pieces of social media content
 - Graphics
 - Reels
 - Full Videos
 - Boosted and Un-Boosted

Apple Valley



Retailers

- Contacted 17+ retailers

Outreach

- 64 individual pieces of social media content
 - Graphics
 - Reels
 - Full Videos
 - Boosted and Un-Boosted

Barstow



Retailers

- Contacted 23+ retailers

Outreach

- 64 individual pieces of social media content
 - Graphics
 - Reels/Full Videos

Events – Barstow U-Haul

- One-Day Pledge Event – 12/10/23
 - 87 Participants
- Retailer Pledge Event – Winter 22/23
 - 57 Participants
- Barstow Earth Day Event – Redemption Coupons for Barstow U-Haul
- Retailer Pledge Event – Ongoing



Big Bear Lake



Retailers

- Contacted 33+ retailers

Outreach

- 64 individual pieces of social media content
 - Graphics
 - Reels
 - Full Videos
 - Boosted and Un-Boosted

Needles



Retailers

- Contacted 7+ retailers

Outreach

- 64 individual pieces of social media content
 - Graphics
 - Reels
 - Full Videos
 - Boosted and Un-Boosted

Retailers

- Retailer Pledge Event – Spring/Summer 2023
 - Ongoing



San Bernardino County



Retailers

- Contacted 29+ retailers

Outreach

- 64 individual pieces of social media content
 - Graphics
 - Reels
 - Full Videos
 - Boosted and Un-Boosted

Retailers

- Giant Rock Clean-Up – 9/23/23
 - Pledge Event for Volunteers



#storiesandstewardship2023
morning blessing
new AR exhibits
history talk

Twentynine Palms



Retailers

- Contacted 8+ retailers

Outreach

- 64 individual pieces of social media content
 - Graphics
 - Reels/Full Videos



Events

- 29 Palms Mobile One-Day Retailer Pledge – 8/28/2021
 - 88 Participants
- Earth Day Expo – 4/30/2022
 - Redemption Fliers for 29 Palms Mobile
- 29 Palms Mobile Retailer Pledge Event – Spring 2022
 - 44 Participants



Victorville



Retailers

- Contacted 25+ retailers

Outreach

- 64 individual pieces of social media content
 - Graphics
 - Reels/Full Videos

Events

- HHW One-Day Exchange Event – 5/14/2022
 - 144 Participants
- Apex Rentals Retailer Pledge Event – Spring and Summer 2023
 - 60 Participants
- HHW One-Day Exchange Event – 8/12/2023



Yucca Valley



Retailers

- Contacted 12+ retailers

Outreach

- 64 individual pieces of social media content
 - Graphics
 - Reels/Full Videos



Retailers – Vagabond Welding Supply

- Retailer Pledge Event – Winter/Spring 2023
 - 60 Participants
- Retailer Pledge Event – Summer 2023
 - Ongoing

Retailers Ads

- Needles Desert Star
- Victorville Daily
- Hi-Desert Star



Make the switch to REUSABLES!
GET A FREE REUSABLE 1 LB. PROPANE CYLINDER

FREE

Valero

1219 W Broadway St,
Needles, CA 92363

When you sign a pledge to no longer use single-use 1 lb. propane cylinders. While supplies last, one per household.

Learn more: www.ReFuelYourFun.org

CHOOSE TO REUSE!
REUSABLE 1 LB. PROPANE CYLINDERS

Participating Retailers (R) Refill (E) Exchange

Valero Gas (E)
 1219 W Broadway St,
Needles
760-903-4489

Apex Rentals (R)
 15745 Lorene Dr,
Victorville
760-247-3687

29 Palms Liquor & Mobil Gas (E)
 73777 Twentynine Palms Highway,
Twentynine Palms
760-367-9807

U-Haul Moving & Storage (R)
 15811 Lorene Drive,
Victorville
760-245-0196

**14598 Palmdale Road,
Victorville
760-243-5100**

Vagabond Welding Supply (R)
 55870 Yucca Trail,
Yucca Valley
760-365-3070

U-Haul Moving & Storage (R)
 800 East Main Street,
Barstow
760-256-8786

FIND MORE RETAILERS THROUGHOUT THE STATE:
WWW.REFUELYOURFUN.ORG

CHOOSE TO REUSE!
REUSABLE 1 LB. PROPANE CYLINDERS

Participating Retailers (R) Refill (E) Exchange

Valero Gas (E)
 1219 W Broadway St,
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Twentynine Palms
760-367-9807

Apex Rentals (R)
 15745 Lorene Dr,
Victorville
760-247-3687

Vagabond Welding Supply (R)
 55870 Yucca Trail,
Yucca Valley
760-365-3070

U-Haul Moving & Storage (R)
 800 East Main Street,
Barstow
760-256-8786

U-Haul Moving & Storage (R)
 15811 Lorene Drive,
Victorville
760-245-0196

**14598 Palmdale Road,
Victorville
760-243-5100**

FIND MORE RETAILERS THROUGHOUT THE STATE: WWW.REFUELYOURFUN.ORG

Other Partners



Join us for the Virtual Premiere
Propane Adventure Video



Final Events for the Project



August 12, 2023
Exchange Event



September 23, 2023
Giveaway to Volunteers

Next Steps



Final Report & Reimbursement

- August & September 2023

Final Review with Board

- November 2023
- Go over final stats

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

AGENDA MATTER

Victor Valley Materials Recovery Facility Tipping Fee and Capital Improvements

SUMMARY STATEMENT

Apple Valley and Victorville own the Victor Valley Materials Recovery Facility (MRF), which is operated by Burrtec Waste Industries under an agreement with the Authority. The owners authorized the Authority to manage Burrtec's agreement. Apple Valley and Victorville comprise the North Desert Project Committee and are responsible for all MRF financial obligations.

The Amended and Restated Materials Recovery Facility Operating Agreement between the Authority and Burrtec was adopted in August 2016 to accommodate facility expansion. Burrtec then leased excess MRF property to operate the Victor Valley Composting Facility opening in 2020. Burrtec recently added de-packaging equipment that removes containers, packaging, and other non-compostable materials. They also filed to increase daily tonnage limits, reflecting process improvements that decreased the active composting time. Burrtec has initiated land use permit revisions to recycle construction and demolition materials on adjacent property.

The Operating Agreement guarantees capacity to Authority members, with priority for the two owners. All members except Needles now deliver recycling to the MRF through arrangements with their designated haulers who pay a tipping fee for processing and receive rebates for the value of recovered material less disposal charges. The current tipping fee is \$75 per ton, set in 2003. The Consumer Price Index has increased 71% since then. California minimum wage has risen from \$10.00 per hour to \$15.50 since 2017. Burrtec receives monthly operating fee payments that change as incoming tonnage increases. The Authority, and consequently the owners, pays for capital improvements and major maintenance (costs over \$7,500). Burrtec's increased minimum wage costs are reimbursed as a change in law under the Operating Agreement.

The MRF was built in 1995, designed for manual sorting on a single conveyor. Upgrades in 2006 increased capacity and reduced operating costs with mechanical separation using screens and optical sorters. The system involves dozens of interrelated steps to remove contamination and recover marketable material. Repairs become more frequent as equipment ages until it no longer operates as required. The V-Screen makes the initial separation between beverage containers and fiber, using rotating disc screens. The V-Screen is no longer manufactured, so replacement disc screens are increasingly scarce and expensive. The Fiber Sort was used to separate newspaper from mixed paper. However, newspaper markets have disappeared, as did Fiber Sort replacement parts. Equipment improvements since 2006 can reduce operating costs and increase recovery. Aluminum can eddy current separation, glass breaking screens, and polypropylene optical sorting are identified needed improvements.

RECOMMENDED ACTION

Background and discussion of MRF tipping fees and needed capital improvements

PRESENTED BY

John Davis and
Richard Crockett

FISCAL IMPACT

Unknown costs and
grant revenue

MEETING DATE

August 10, 2023

ITEM NUMBER

5

Your Local Recycling Coordinators

For more information on local recycling, contact your city, town or county recycling coordinator and/or your local hauler.

ADELANTO

Josie Vargas
(760) 246-2300
jvargas@ci.adelanto.ca.us

Local Recycling Service

Burrtec
(760) 245-8607
www.burrtec.com

APPLE VALLEY

Joseph Moon
(760) 240-7521
jmoon@applevalley.org

Local Recycling Service

Burrtec
(760) 245-8607
www.burrtec.com

BARSTOW

Belinda Barbour
(760) 255-5126
bbarbour@barstowca.org

Unincorporated

Local Recycling Service

Burrtec
(760) 256-2730
www.burrtec.com

BIG BEAR LAKE

Joe Cylwik
jcylwik@citybigbearlake.com
Jackie Heule
jheule@citybigbearlake.com
(909) 866-5831

Local Recycling Service

Big Bear Disposal
(909) 866-3942
Big Bear CSD
(909) 585-2565
www.bbcsd.org

NEEDLES

David Brownlee
(760) 326-5700 x. 323
ndlscityproject@citlink.net

Local Recycling Service

Allied Waste Services
(928) 855-9441
www.republicservices.com

SAN BERNARDINO COUNTY

Erika Ellis
San Bernardino County
Solid Waste Management Division
(909) 386-8968
erika.ellis@dpw.sbcounty.gov

Unincorporated

Local Recycling Service

Unincorporated San Bernardino
County areas, call (800) 722-8004

TWENTYNINE PALMS

(760) 367-6799

Local Recycling Service

Burrtec
(760) 365-2015
www.burrtec.com

VICTORVILLE

Dana Armstrong
(760) 955-5086
DArmstrong@victorvilleca.gov

Local Recycling Service

Burrtec
(760) 245-8607
www.burrtec.com

YUCCA VALLEY

Jessica Rice
(760) 369-7207 x 227
jrice@yucca-valley.org

Local Recycling Service

Burrtec
(760) 365-2015
www.burrtec.com



www.urecycle.org | 1.888.URECYCLE

Tour Guide to the MRF is sponsored by



www.burrtec.com

What's Recyclable

This list of recyclable items can be dropped off at the MRF's Recycle Alley, and recovered from your curbside recycling cart or commercial recycling bin. Please make sure that food and beverage containers are empty and free of any food residue.

Recyclable Items

Aluminum cans	Junk mail
Aluminum foil	Bottles
Cardboard	Magazines
Cereal boxes	Mixed paper
Detergent containers	Newspaper
Empty aerosol cans	Plastic milk jugs
Envelopes	Soda bottles
File folders	Telephone books
Frozen food boxes	Tin cans
Glass jars	White paper
Juice bottles	

Recycle Alley Drop-Off Center

You can drop off these items at the MRF. Keep them out of your recycling container.

Appliances	Plastic Bags
Clothing	Textiles
Computer monitors	TVs
Computers	Shoes
Metal	Stereos

MRF Buy-Back Center

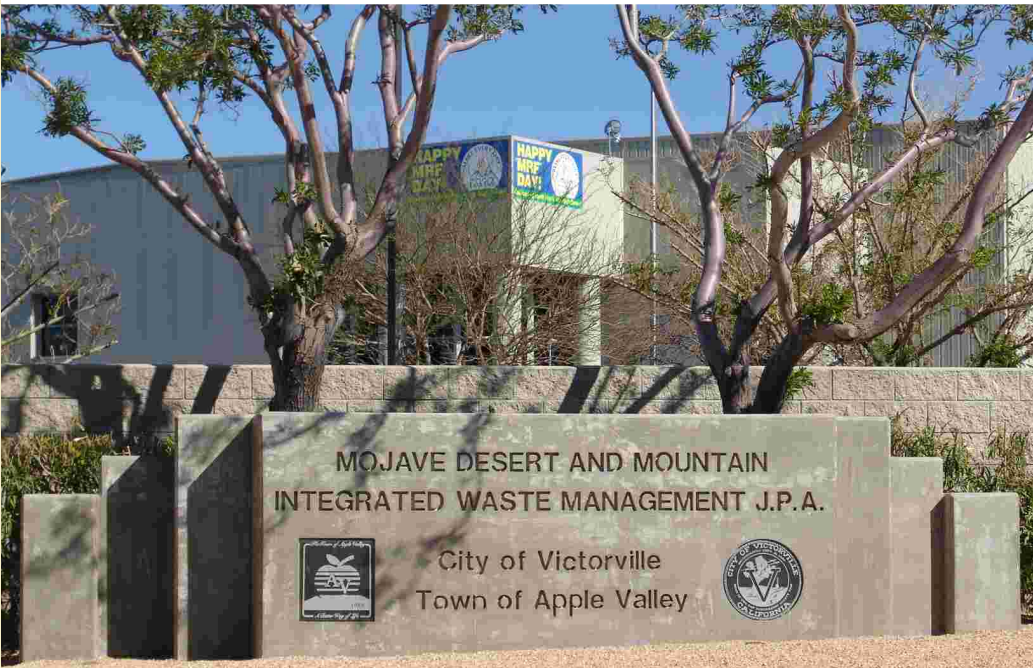
The Victor Valley MRF also has a buy-back center for CRV bottles and cans, corrugated cardboard, and newspaper. Call 760-241-1284 for most current pricing.



MRF School Tours Are Available

Call the Victor Valley MRF at 760-241-1284 for more information or to schedule your school tour.

PRINTED ON RECYCLED PAPER.



Tour Guide to the Victor Valley MRF

[Materials Recovery Facility]



WELCOME to the Materials Recovery Facility (MRF). The Victor Valley MRF serves as a vital part of the recycling process. It is the “middleman” between residents who separate recyclables, and the industries which use recyclable materials to make new products.

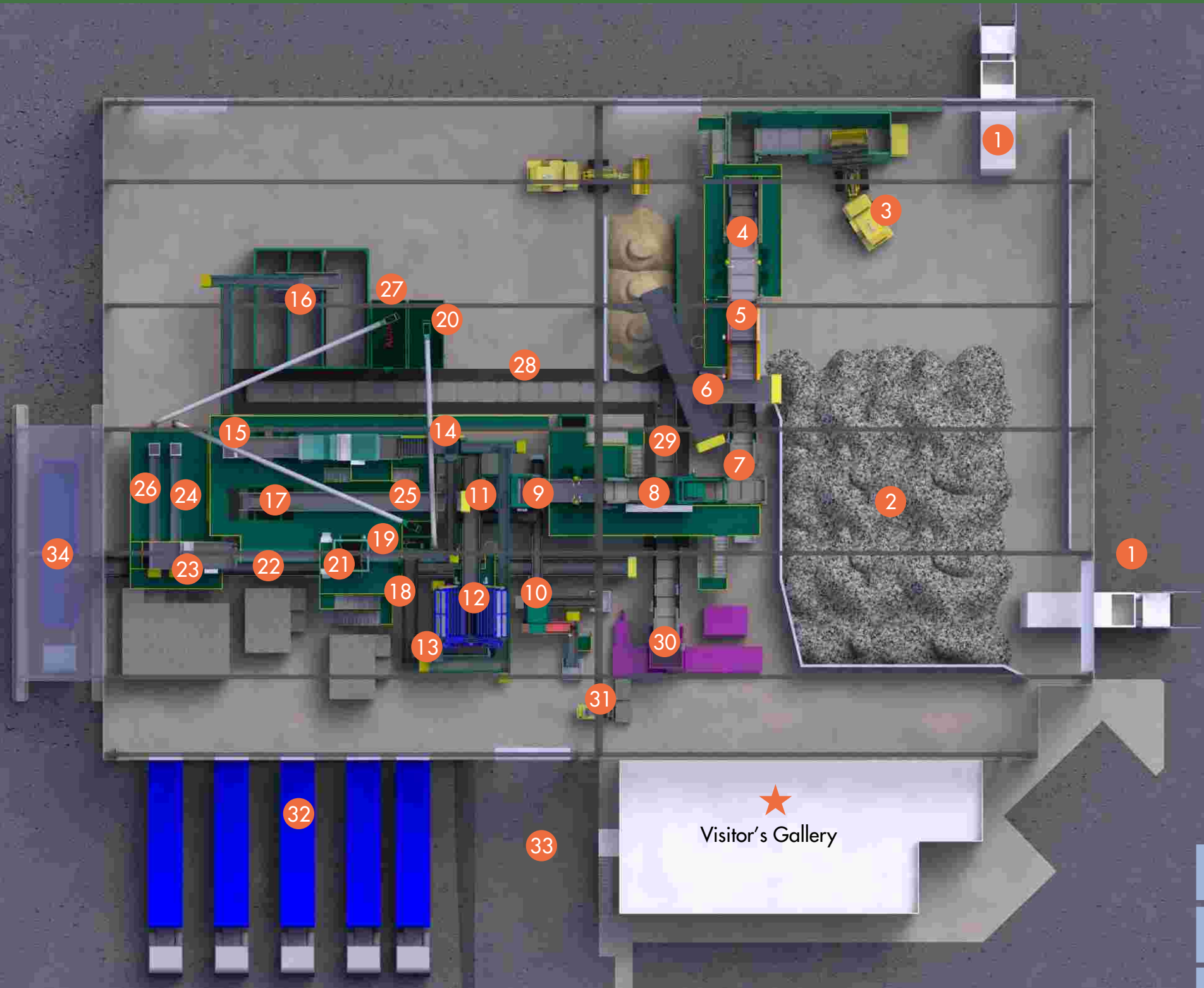
The MRF is owned by the Town of Apple Valley and City of Victorville; administered by the Mojave Desert and Mountain Recycling Authority; and operated by Burrtec Waste Industries.

The MRF is an intermediate processing center—sorting mixed recyclables into separate categories: newspaper, cardboard, other mixed papers, glass, steel cans, aluminum cans, PET plastics, HDPE plastics, and more. Once the recyclables are sorted (and compacted into bales), they are then ready to be shipped to businesses to be made into new products.

- 1 Trucks deliver household and business recyclables here
- 2 Daily deliveries are stored here before processing
- 3 The loader pushes material onto an incline conveyor
- 4 First sort: workers open clear bags and remove oversized and rejected items
- 5 The cardboard screen “floats” cardboard across; other recyclables fall onto a conveyor
- 6 Cardboard is conveyed onto floor storage area
- 7 Recyclables go up another steep conveyor
- 8 Workers remove remaining cardboard, open clear bags and pull contamination
- 9 A Fine Screen removes small fragments
- 10 Paper is vacuumed from the remaining fines, leaving glass mixed with plastic and grit such as broken glass
- 11 Paper, bottles and cans pass over the fine screen onto a conveyor
- 12 The V-Screen separates paper from bottles and cans, using rotating disc screens to “float” the paper up while bottles and cans fall through to another conveyor
- 13 Mixed paper and newspaper leave the V-Screen via conveyors
- 14 Paper enters the Fiber Sort, where an excellerator screen separates newspaper from mixed paper, and an optical sorter removes cardboard and plastic.

Tour Guide to the Victor Valley MRF

[Materials Recovery Facility]



RECYCLING SAVES ENERGY Recycled material avoids energy needed to extract and process raw materials into usable products. Manufacturers save energy by introducing recycled material directly into their processes.

- 15 Newspaper leaves the Fiber Sort while workers remove contamination
- 16 Newspaper is stored in bunkers
- 17 Mixed paper leaves the Fiber Sort and passes on a conveyor for hand-cleaning before dropping into a bunker
- 18 Bottles and cans are conveyed from the V-Screen to a sorting line
- 19 High density plastic containers, like milk and detergent, are removed by hand and colored containers are dropped into a bunker
- 20 A vacuum tube sends clear high density plastic into a storage bunker
- 21 The Magnet removes ferrous metal including tin cans
- 22 Glass is sorted into three colors, clear, brown and green and stored in bins
- 23 The Aladdin separates aluminum cans from light plastic bottles (PET) using optical sensors and air jets
- 24 PET plastic containers (water and soft drink bottles) leave the Aladdin
- 25 PET bottles are stored in a bunker
- 26 Aluminum cans pass by workers who remove unwanted materials
- 27 Aluminum cans are sent by a vacuum tube for bunker storage
- 28 Walking floors send materials from storage bunkers onto the baler conveyor
- 29 Cardboard is pushed onto the baler conveyor
- 30 The Baler compresses material into shipping bales weighing about 1200 pounds each
- 31 The Wire-Tie secures bales by wrapping them with wire
- 32 Baled material is loaded into closed containers and shipped to mills to be recycled into new products.
- 33 Material is stored outside before trucking to manufacturers
- 34 Residue is conveyed off the sorting line to a trailer.

Victor Valley Materials Recovery Facility (MRF) 17000 Abbey Lane, Victorville, CA
Hours: Monday - Friday 8 a.m. - 4 p.m., Saturdays 8 a.m. - Noon | 760.241.1284

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

AGENDA MATTER

November 16, 2023, Public Hearing

SUMMARY STATEMENT

The Victor Valley MRF Operating Agreement provides that tipping fees are charged to designated haulers delivering material for processing. Section 6.1 further provides that the "Tip Fee shall be determined and adjusted by the Authority in its sole discretion."

The tipping fee is a service fee requiring adoption at a public hearing held after ten days public notice. The next Board meeting is November 16.

RECOMMENDED ACTION

Set a public hearing for 10:30 a.m. on November 16, 2023, to consider the Victor Valley Materials Recovery Facility tip fee

PRESENTED BY

John Davis

FISCAL IMPACT

Potential increase to
MRF tip fee

MEETING DATE

August 10, 2023

ITEM NUMBER

6

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

AGENDA MATTER

SB 54: Plastic Pollution Prevention and Packaging Producer Responsibility Act

SUMMARY STATEMENT

SB 54 (2022) requires that by 2032:

- 100% of packaging in the state be recyclable or compostable
- 25% of plastic packaging be cut
- 65% of all single-use plastic packaging be recycled

Reducing ratepayer costs is a stated intent of legislation, which requires producers to form an organization paying the costs of local government, haulers, and processors to achieve the goals. CalRecycle began sharing regulatory concepts in January 2023, prior to beginning formal rulemaking leading to final regulations by January 1, 2025. They will begin publishing lists of California recyclable and compostable materials in 2024. CalRecycle will conduct a two-part Needs Assessment between now and 2025 that assesses current systems to handle covered materials and identifies actions and investments needed to meet SB 54 mandates. They also will designate a Producer Responsibility Organization (PRO) and approve its plan by 2026. CalRecycle recently appointed an Advisory Board, including a city representative nominated by the League of California Cities.

The Authority Administrator attended CalRecycle's nine information sessions exploring regulatory concepts. He also participates in two stakeholder working groups, including one focused on local government. He shared comments about local agency issues.

- The plan is to fully fund local jurisdictions costs, haulers, compost facilities, and MRFs to implement the plan including curbside collection, public outreach, and processing. Those costs and methods of payment should be tailored to each jurisdiction's arrangements and be acceptable to the agencies. Payments should go directly to local jurisdictions since they set rates that pay those costs. Local agencies can best determine appropriate cost sharing to service providers and assure that ratepayer interests are protected. Revenue resulting from improved material sales value would be allocated best through existing arrangements.
- CalRecycle needs to include local administrative costs for all program aspects including consumer education, collection, containers, as well as the processing, storage, and transportation of covered materials. Administrative costs may include direct costs such as payment for education, collection, processing, or pollution clean-up, or direct costs for dedicated program staff. These direct costs are discrete payments for identified services. Indirect costs include reasonable charges to operate, maintain and manage the programs.
- CalRecycle is to "ensure the regulations, and activities conducted in accordance with the regulations, avoid or minimize disproportionate impacts to disadvantaged or low-income communities or rural areas." They can do this by adjusting PRO payments to local jurisdictions by applying median income levels. The typical ratepayer in a low-income community pays a disproportionately larger amount than in a moderate- or high-income community. If the solid waste rate were \$40 monthly, the relative impact at 80% of median is \$48. At 60% it is \$56.

- CalRecycle is to collaborate with a broad diversity of local jurisdictions that chose to participate when developing the needs assessment. They should hold workshops throughout the state, holding county or sub-county workshops bringing local stake holders together to focus on local issues. This would allow haulers and facility operators to align their concerns with the communities who are paying for the programs.
- Materials must be sent to a “responsible end market” to be considered recycled under SB 54. A responsible end market means a materials market in which the recycling and recovery of materials or the disposal of contaminants is conducted in a way that benefits the environment and minimizes risks to public health and worker health and safety. California typically sets more stringent environmental, health, and worker standards (including a higher minimum wage) than those states and nations receiving our recycled material for remanufacturing. The regulations should assure that end markets responsibly manage recycling, recovery, and disposal to benefit the environment and minimize risks to public health and worker health and safety by requiring out of state markets to provide a comparative analysis of each end market’s permitting and operating standards and corresponding California requirements for air, water, land, public health and work health and safety protection.

RECOMMENDED ACTION

Information and discussion of SB 54 local government issues

PRESENTED BY

John Davis

FISCAL IMPACT

Revenue offsetting
local rates

MEETING DATE

August 10, 2023

ITEM NUMBER

7

SB 54: CalRecycle Activities

2023	July 1, 2023: Appoint Advisory Board Hold Informal Rulemaking Workshops & Engage with Stakeholders	Recurring Activities
2024	Hold Informal Rulemaking Workshops & Engage with Stakeholders	<ul style="list-style-type: none">● Publish list of recyclable and compostable materials in CA
2025	Establish baseline for Plastic Materials for Source Reduction Report to Legislature Promulgate regulation by January 1, 2025 Material Characterization Study published	<ul style="list-style-type: none">● Publish list of recyclable and compostable materials in CA
2026	Review and approve producer responsibility organization (PRO) plans Publish covered material recycling rates CalRecycle and Advisory board consider	<ul style="list-style-type: none">● Publish list of recyclable and compostable materials in CA
2027	Report to Legislature	<ul style="list-style-type: none">● Publish list of recyclable and compostable materials in CAReview annual reportReview of annual audits of PRO accounting books
2028	Publish materials characterization study Publish covered material recycling rates CalRecycle and Advisory board consider recycling rate adjustment	<ul style="list-style-type: none">● Publish list of recyclable and compostable materials in CAReview annual reportReview of annual audits of PRO accounting books
2029	Report to Legislature	<ul style="list-style-type: none">● Publish list of recyclable and compostable materials in CAReview annual reportReview of annual audits of PRO accounting books
2030	Publish materials characterization study Publish covered material recycling rates CalRecycle and Advisory board consider recycling rate adjustment	<ul style="list-style-type: none">● Publish list of recyclable and compostable materials in CAReview annual reportReview of annual audits of PRO accounting books
2031	Report to Legislature Review and approve PRO plans	<ul style="list-style-type: none">● Publish list of recyclable and compostable materials in CAReview annual reportReview of annual audits of PRO accounting books
2032	Material Characterization Studies published CalRecycle and Advisory board consider recycling rate adjustment	<ul style="list-style-type: none">● Publish list of recyclable and compostable materials in CAReview annual reportReview of annual audits of PRO accounting books
2033	Report to Legislature	<ul style="list-style-type: none">● Publish list of recyclable and compostable materials in CAReview annual reportReview of annual audits of PRO accounting books



SB 54: Plastic Pollution Prevention and Packaging Producer Responsibility Act

California's Packaging Challenge

Nearly every consumer product comes wrapped in packaging.

Packaging is about 25% of waste landfilled in California.

To address packaging issues producers must reduce how much packaging they use and make sure it gets recycled.

The Most Sweeping Plastic Pollution Reduction Law in US

Senate Bill 54 (SB 54, Allen, Chapter 75, Statutes of 2022) established the Plastic Pollution Prevention and Packaging Producer Responsibility Act.

This law sets the first specific source reduction goals in US history, a critical step to build a circular, reuse economy.

Shifts Packaging Pollution Burden from Consumers to Producers

The legislation shifts the plastic pollution burden from consumers -- who currently pay for landfilling and pollution clean up -- to the plastics industry.

It raises \$5 billion from industry members over 10 years to help cut plastic pollution and support disadvantaged communities hurt most by the damage of plastic waste.



SB 54 Regulatory Requirements

This packaging reform law requires by 2032:



25% of Plastic
Packaging Cut



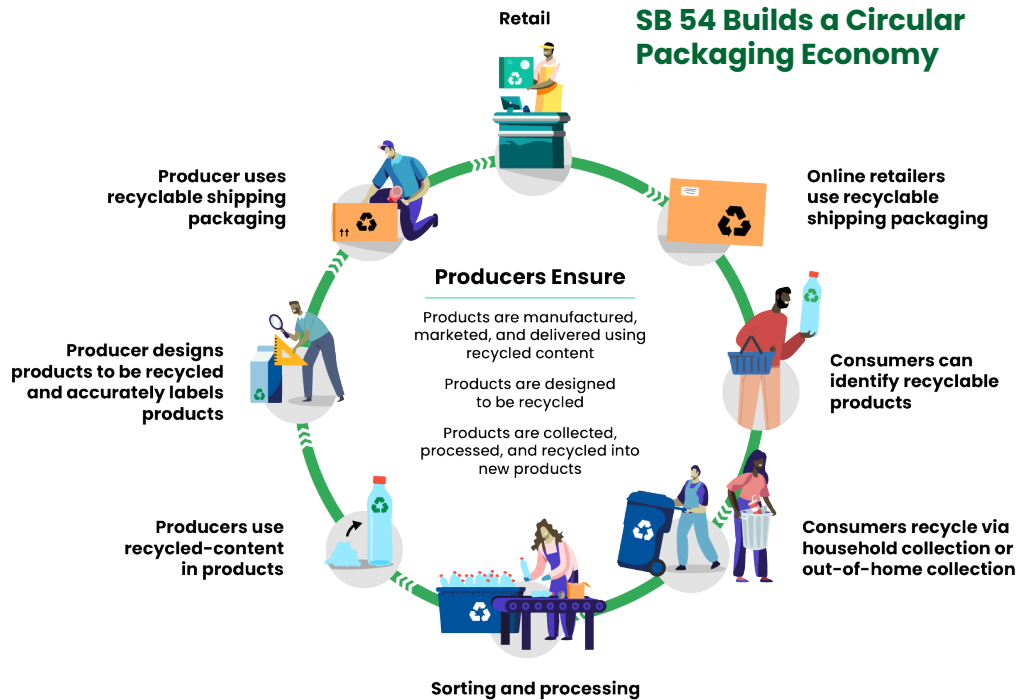
65% of Single-Use
Packaging Recycled



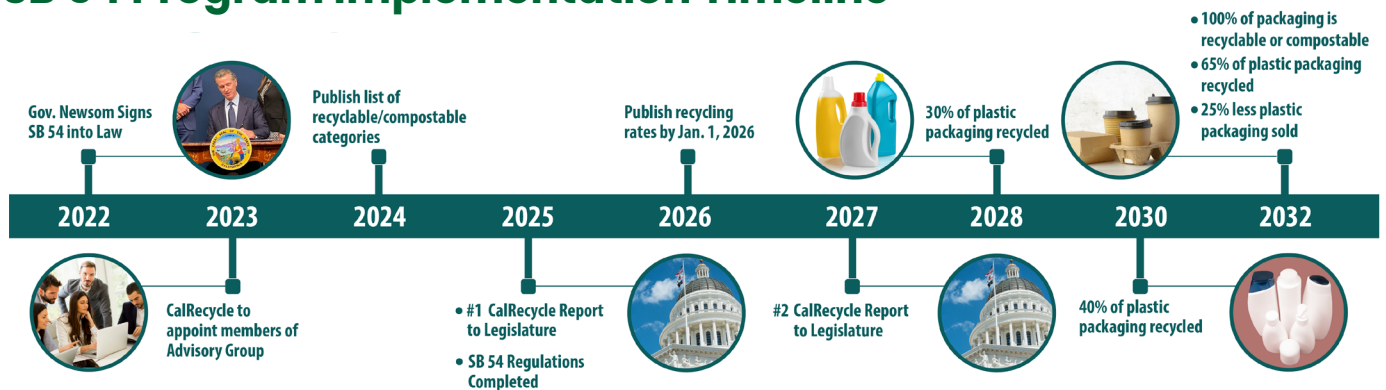
100% Packaging in
California Recyclable

Producers Must Ensure Packaging Sold in California Is Recyclable

The bill directs producers to create a Producer Responsibility Organization (PRO) and to implement an EPR program in which producers to design, fund, and operate a statewide program that properly collects and recycles or composts their discarded products.



SB 54 Program Implementation Timeline



Producer Responsibility Organization



Creates Program



Increases Recycling



Enrolls Manufacturers



Cuts Trash Pollution in Disadvantaged Communities



Oversees Program



Appoints Advisory Board



Researches Packaging Waste Types



Feedback on Plan and Budget

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

AGENDA MATTER

Legislation Update: Active Bills

SUMMARY STATEMENT

The Legislature returns from its summer recess on August 14 and will consider bills that cleared policy committees. The Authority Board supports the following active legislation.

SB 244 Right to Repair requires manufacturers of consumer electronics to provide replacement parts, diagnostic information, and service literature to consumers and third-party repair businesses. **Cleared Assembly 38-0, Senate Product and Consumer Protection 7-0; and Judiciary 8-0; in Assembly Appropriations.**

Background: Guaranteeing a "right to repair" will ensure that consumers have the ability to fix the electronics that they own or have them fixed by a technician, preventing much of the electronic waste that gets thrown away every day and saving consumers money.

SB 353 Bottle Bill Expansion expands the Bottle Bill to include fruit and vegetable juice containers 46 ounces and larger and updates the payment formula that funds recycling centers. **Approved by Senate (33-8), Assembly Natural Resources (11-0); in Appropriations.**

Background: Updating the definition of 'beverage' to strike the current exemption for specified juice containers (46 ounces and larger) will incorporate 100-200 million containers into the state's California Redemption Value program, increasing curbside payments and reducing consumer confusion. The bill also addresses the current scrap-value crisis that affects small and medium-volume recycling centers' financial viability by changing the formula used to calculate the state's processing payments and more closely approximate market values.

AB 863 CARE Reform Increases the penalties for violations of the state's carpet stewardship law and specifies that a carpet stewardship organization that violates any provision of the carpet stewardship law three or more times is ineligible to act as the agent for carpet manufacturers in the state. Requires that up to 10% of funds be used for carpet installer apprenticeship training. **Passed by Assembly (63-8), Senate Environmental Quality (5-1); referred to Senate Appropriations.**

Background: Would improve accountability for Carpet America Recovery Effort (CARE) or any other consumer-funded carpet recycling program by increasing civil penalties for violating relevant laws and making repeat offenders ineligible to run this program. Apprentice and journey level installer training is focused on enhancing California carpet recycling.

RECOMMENDED ACTION

Update on active Authority supported legislation

PRESENTED BY

John Davis

FISCAL IMPACT

Increased Bottle Bill
revenue

MEETING DATE

August 10, 2023

ITEM NUMBER

8

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

AGENDA MATTER

Legislative Update: Inactive Two-Year Bills

SUMMARY STATEMENT

The Authority Board supported the following "Two-Year" bills, which cleared the original house but were held by the authors to allow additional time to negotiate language and address issues. They can be reconsidered when the Legislature reconvenes in January 2024.

AB 660 Streamlining Date Labels requires food manufacturers to use uniform terminology when labeling products with "safety" or "quality" dates and bans the use of consumer-facing "sell-by" dates. Studies show that 20% of all avoidable food waste is caused by consumer confusion over expiration dates, and streamlining these dates will reduce food waste, financial losses to consumers, and methane emissions from food rotting in landfills. **Passed Assembly 63-16, Senate Health (9-0); held in Senate Agriculture Committee as a two-year bill.**

AB 1290 Eliminating Problem Plastics eliminates several of the most problematic forms of plastics that contaminate recycling or pose a risk to human health, by prohibiting the use of forms making packaging materials unrecyclable or problematic. Many of the country's leading consumer brands have already committed to eliminating their use. Prohibited materials would include polyvinyl chloride (PVC), pigmented polyethylene terephthalate (PET) packaging, as well as of per-and polyfluoroalkyl substances (PFAS), carbon black, and oxo-degradable additives. **Approved by Assembly Natural Resources (8-3) and Appropriations (12-4); held by the author as a two-year bill.**

SB 560 Gas Cylinders will establish a framework for the application of extended producer responsibility to the end-of-life management of covered gas cylinders, which include propane gas cylinders under 20 pounds, helium cylinders, isobutane, and butane cylinders. Instead of the local jurisdiction carrying the burden of disposal, creating an EPR program will place a shared responsibility for end-of-life product management on producers, and other entities involved in the product chain, instead of the consumers. **Cleared Senate Environmental Quality (5-0) and Judiciary (8-0); held as two-year bill in Assembly Appropriations.**

SB 707 Responsible Textile Recovery Act SB 707 would establish an Extended Producer Responsibility (EPR) program for textiles under which producers of clothing and other textiles would be responsible for implementing and funding programmatic plans that would facilitate the repair and reuse of clothing and the recycling of textile fibers. Thrift stores, charities and other collection sites would be supported for their work repairing and recycling unusable textiles. **Passed by Senate 32-8; held by author as a two-year bill in Assembly.**

RECOMMENDED ACTION

Update on two-year bills supported by the Authority; continued support is recommended

PRESENTED BY	FISCAL IMPACT	MEETING DATE	ITEM NUMBER
John Davis	Potential handling and disposal savings	August 10, 2023	9