

**2023 COUNTY JOINDER AMENDMENT
TO SECOND AMENDED AND RESTATED JOINT POWERS AGREEMENT
OF THE INTEGRATED WASTE MANAGEMENT AUTHORITY**

This County Joinder Amendment (“County Joinder”), dated October 11, 2023, to the SECOND AMENDED AND RESTATED JOINT POWERS AGREEMENT (“2022 JPA Agreement”) is by and between the incorporated cities of Arroyo Grande, Atascadero, El Paso de Robles, Grover Beach, Morro Bay, Pismo Beach, and San Luis Obispo, all being municipal corporations of the State of California and located within the boundaries of the County of San Luis Obispo California, (collectively, the “Cities”) and the County of San Luis Obispo, by its joinder herein.

A. On or about May 10, 1994, an agreement was executed by and between the Cities and the County of San Luis Obispo forming a joint powers authority pursuant to the provisions of the Joint Exercise of Powers Act (the “Original JPA Agreement”), through which such member agencies created and established a public entity identified as the San Luis Obispo County Integrated Waste Management Authority (“IWMA”).

B. On or around 2001, the Cities, County, and certain special districts within the County (“Authorized Districts”) executed a Memorandum of Agreement (“MOA”) amending the Original JPA Agreement to include the Authorized Districts for representation on the IWMA Board.

C. On or about November 15, 2021, the County withdrew from the IWMA, after which the remaining Cities and Authorized Districts elected to amend the Original JPA Agreement to reflect its withdrawal on the terms set forth in the Second Amended and Restated Joint Powers Agreement of the Integrated Waste Management Authority, which was adopted by the participating agencies in 2022 (“2022 JPA Agreement”).

D. On or about October 31, 2023, the County officially elected to rejoin the IWMA, including on the terms set forth in the 2022 JPA Agreement, as amended hereby.

Based on the foregoing, the Cities, Authorized Districts, including the County through its joinder, hereby agree to the following amendments to the 2022 JPA Agreement reflecting the County’s joinder.

1. Title Amendment and List of Participating Agencies Attachment. The Title of the 2022 JPA shall be amended to read “Second Amended and Restated Joint Powers Agreement to Establish an Integrated Waste Management Authority.” The List of Participating Agencies attached to the 2022 JPA Agreement is replaced with the list attached to this Joinder Amendment.

2. Definitions. Section 1, entitled, “Definitions” shall be amended to include the following new definitions or amended definitions.

A. County shall be added as a definition. “County” means any unincorporated areas of the County of San Luis Obispo.

B. The following referenced definitions replace those of the same number in the 2022 JPA Agreement in their entirety.

“1.17 “Members” means the Cities and the County who are members of this regional agency, formed pursuant to Public Resources Code section 40970 et seq, and the one (1) Authorized District Representative pursuant to Public Resources Code section 40977.”

“1.18 “Participating Agency” or “Participating Agencies” means and shall include the Cities, the County and the Authorized Districts who are signatories to this Agreement, including by way of joinder, delegating powers to the Authority pursuant to this Agreement, and participating in the governance of the IWMA.”

C. Notwithstanding the foregoing, the definition of “MRF”, was inadvertently included within the definition of “Members”, in the 2022 JPA Agreement, and such definition shall remain the definition of “MRF” and is not deleted.

3. Section 8, entitled “Boundaries” is amended and restated in its entirety to read:

“Section 8. Boundaries. The boundaries of the Authority shall be the boundaries of the collective Participating Agencies. If a Participating Agency withdraws from the Authority, the boundaries shall be modified to exclude the area of the withdrawing agency. If a qualified agency joins the Authority, the boundaries shall be modified to include the area of the joining Participating Agency. Section 8 shall not prevent the Authority’s use and/or operation of facilities outside of its boundaries within the County of San Luis Obispo.”

4. Section 9, entitled “Organization” shall be amended as follows:

A. A new paragraph 9.2(g) is added providing:

“(g) County. The County shall be entitled to elect one representative to the Authority which representative shall consist of one (1) member from the Board of Supervisors. The County may elect to have an alternate member in addition to any official member but said alternate shall be an elected or appointed official and shall be able to vote only in the absence of the official representative.”

B. Section 9.4(b), entitled, Officers, is replaced with the following:

“(b) Both the President and Vice President of the Board shall be elected each year at a meeting set for such purpose.”

5. County Joinder. The County hereby joins the IWMA pursuant to the terms and conditions in the 2022 JPA Agreement as amended hereby, and the undersigned hereby consent.

6. Omnibus Change. Wherever references to “Cities” is used or “Cities and Authorized Districts”, are used in the 2022 JPA Agreement, including in its recitals, such references shall expressly be read to include the County unless context expressly dictates otherwise.

7. Ratification. The 2022 JPA Agreement is hereby ratified and confirmed and shall continue in full force and effect in accordance with its terms and provisions, as amended hereby.

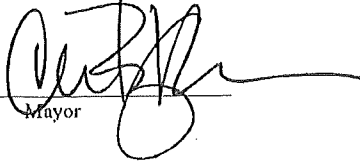
8. Effective Date. This Joinder Amendment shall take effect when adopted by the County and a majority of the other Members, with the Authorized Districts affirming continued participation

with the County's joinder and terms amended hereby, each pursuant to resolutions of such governing bodies authorizing such execution. This Joinder Amendment may be executed in counterparts which together shall constitute a single agreement. Electronically executed signatures may be accepted in lieu of originals if a Participating Agency has authorized electronic signatures through policy or otherwise.

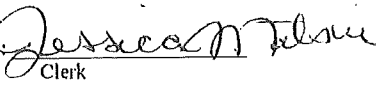
PARTICIPATING AGENCIES

CITIES	AUTHORIZED DISTRICTS
Arroyo Grande	Avila Beach CSD
Atascadero	California Valley CSD
El Paso de Robles	Cambria CSD
Grover Beach	Cayucos Sanitary District
Morro Bay	Ground Squirrel Hollow CSD
Pismo Beach	Heritage Ranch CSD
San Luis Obispo	Los Osos CSD
	Nipomo CSD
COUNTY	Oceano CSD
The County of San Luis Obispo	San Miguel CSD
	San Simeon CSD
	Templeton CSD

CITY OF ARROYO GRANDE:

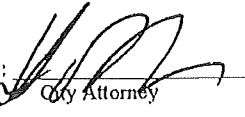
By: 
Mayor

Date 1/9/2024

By: 
Clerk

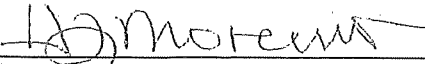
Resolution No. 5340

APPROVED AS TO FORM AND LEGAL EFFECT:


By: 
City Attorney

[Signature Page – City of Arroyo Grande]
[Joinder Amendment to Second Amended and Restated JPA]

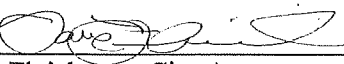
Electronically executed signatures may be accepted in lieu of originals if a member agency has authorized electronic signatures through policy or otherwise.

By: 
Heather Moreno, Mayor


Date _____

By: 
Lara K. Christensen, City Clerk

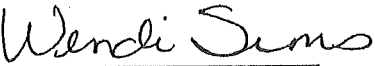
APPROVED AS TO FORM AND LEGAL EFFECT:

By: 
Dave Fleishman, City Attorney

CITY OF GROVER BEACH


By: 
Mayor

Date 2.16.24

By: 
Clerk

Resolution No. 23-36

APPROVED AS TO FORM AND LEGAL EFFECT:

By: 
City Attorney

CITY OF MORRO BAY

By: *Carla Wixom*
Carla Wixom (Jan 11, 2024 18:16 PST)
Carla Wixom, Mayor

Date: Jan 11, 2024

ATTEST

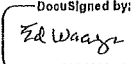
Dana Swanson
Dana Swanson (Jan 16, 2024 08:29 PST)
Dana Swanson, City Clerk

Resolution No. 03-24

APPROVED AS TO FORM AND LEGAL EFFECT

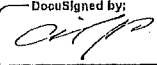
Chris Neumeyer
Chris Neumeyer (Jan 11, 2024 16:58 PST)
Chris Neumeyer, City Attorney

CITY OF PISMO BEACH

By: 

Ed Waage
Mayor

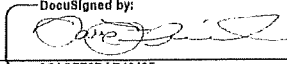
Date December 5, 2023

By: 

Erica Inderlied
Clerk

Resolution No. R-2023-091

APPROVED AS TO FORM AND LEGAL EFFECT:

By: 

David M. Fleishman
City Attorney

CITY OF EL PASO DE ROBLES:

By: John R Hamon Jr.
Mayor

Date _____

By: Melissa Boyer
Clerk

Resolution No. 23-141

APPROVED AS TO FORM AND LEGAL EFFECT:

By: Elizabeth Wagner Hull
City Attorney

Signature: John R Hamon Jr.
John R Hamon Jr. (Mar 25, 2024 16:17 PDT)
Email: jhamon@prcity.com

Signature: Melissa Boyer
Email: mboyer@prcity.com

Signature: Elizabeth Wagner Hull
Elizabeth Wagner Hull (Apr 18, 2024 20:40 PDT)
Email: elizabeth.hull@bbkllaw.com

[Signature Page – City of El Paso De Robles]
[Joinder Amendment to Second Amended and Restated IPA]

8. Effective Date. This Joinder Amendment shall take effect when adopted by each of the Cities, the County, with the Authorized Districts consenting to the joinder of the County, as evidenced by their execution pursuant to resolutions of such governing bodies authorizing such execution and shall remain in full force and effect until dissolved pursuant to the provisions herein. This Joinder Amendment may be executed in counterparts which together shall constitute a single agreement. Electronically executed signatures may be accepted in lieu of originals if a Member agency has authorized electronic signatures through policy or otherwise.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first hereinabove written.

CITY OF SAN LUIS OBISPO

DocuSigned by:
By: *Erica A. Stewart*
Erica A. Stewart, Mayor

Date: 2/1/2024 | 8:45 AM PST

ATTEST

DocuSigned by:
By: *Feresa Purington*
Feresa Purington, City Clerk

Resolution No. 11465 (2024 Series)

APPROVED AS TO FOR AND LEGAL EFFECT

DocuSigned by:
By: *J. Christine Detrick*
J. Christine Detrick, City Attorney

Date: 1/31/2024 | 5:56 PM PST

COUNTY OF SAN LUIS OBISPO

By: *John Nilon*
Chairperson

Date: October 31, 2023

ATTEST:

JOHN NILON,
Interim Administrative Officer and
Ex-Officio Clerk of the Board of Supervisors

Resolution No. 2023-276

By: *Sandy Lumons*
Deputy Clerk

The undersigned Deputy Clerk of the Board of Supervisors certifies that, pursuant to Section 25103 of the Government Code, delivery of this document has been made on November 3, 2023.

JOHN NILON
Interim Ex-Officio Clerk of the Board of Supervisors


By: *Sandy Lumons*
Deputy Clerk

APPROVED AS TO FORM AND LEGAL EFFECT:

By: *Daniel Golson*
Deputy County Counsel

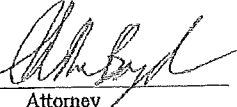
Date: October 23, 2023

AVILA BEACH COMMUNITY SERVICES DISTRICT

By:  Date 11/14/2023
Chairperson

By:  Resolution No. 2023-09
Clerk

APPROVED AS TO FORM AND LEGAL EFFECT:

By: 
Attorney

[Signature Page – Avila Beach Community Services District]
[Joinder Amendment to Second Amended and Restated JPA]

CALIFORNIA VALLEY COMMUNITY SERVICES DISTRICT

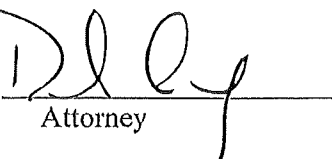
By: 
Chairperson

Date 1-2-2024

By: 
Clerk

Resolution No. 2024-01

APPROVED AS TO FORM AND LEGAL EFFECT:


By: 
Attorney

WHEREAS, the Board of Directors of the Cambria Community Services District desires to acknowledge, accept, and agree to be bound by the terms and conditions of the Joinder Amendment to the Second Amended and Restated JPA.

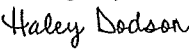
NOW, THEREFORE, IT IS HEREBY RESOLVED by the Board of Directors of the Cambria Community Services District that the Board of Directors acknowledges, accepts, and agrees to be bound by the terms and conditions of the Joinder Amendment to the Second Amended and Restated JPA.

ADOPTED by the Cambria Community Services District Board of Directors on December 7, 2023, by the following roll call votes:

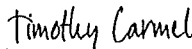
AYES: 5 (Gray, Scott, Farmer, Dean & Thomas)
NOES: 0
ABSENT: 0
ABSTAINED: 0

DocuSigned by:

0F60D8AD3BC745F...
Tom Gray, President
Board of Directors

ATTEST:

DocuSigned by:

27CDBD8EE12E4C4...
Haley Dodson
Confidential Administrative Assistant

APPROVED AS TO FORM:

DocuSigned by:

B04D10A00AA141E...
Timothy J. Carmel
District Counsel

CAYUCOS SANITARY DISTRICT

By: Robert B. Enns
Robert B. Enns
President

Date 5 December 23

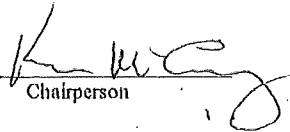
By: Rick Koon
Rick Koon
District Manager

Resolution No. 2023-06

APPROVED AS TO FORM AND LEGAL EFFECT:

By: Timothy J. Carmel
Timothy J. Carmel
District Counsel

GROUND SQUIRREL HOLLOW COMMUNITY SERVICES DISTRICT

By: 
Chairperson

Date 01/10/2024

By: 
Clerk

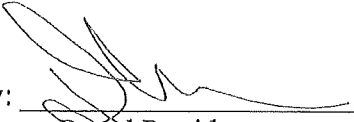
Resolution No. 2024-01

APPROVED AS TO FORM AND LEGAL EFFECT:

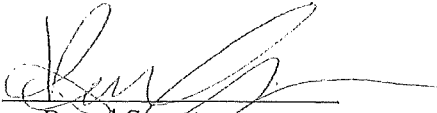
By: _____
Attorney

[Signature Page – Ground Squirrel Hollow Community Services District]
[Joinder Amendment to Second Amended and Restated JPA]

HERITAGE RANCH COMMUNITY SERVICES DISTRICT


By: 
Board President

Date 12/22/2023

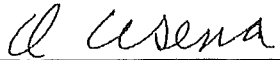
By: 
Board Secretary

Resolution No. 23-09

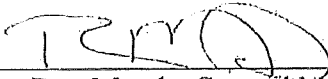
APPROVED AS TO FORM AND LEGAL EFFECT:

By: 
District Counsel

LOS OSOS COMMUNITY SERVICES DISTRICT

By: 
Charles L. Cesena, President

Date 12/7/2023

By: 
Ron Munds, General Manager

Resolution No. 2023-33

APPROVED AS TO FORM AND LEGAL EFFECT:

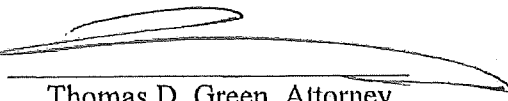
By: 
Thomas D. Green, Attorney

Exhibit A

NIPOMO COMMUNITY SERVICES DISTRICT

By: Ed Ely
Board President

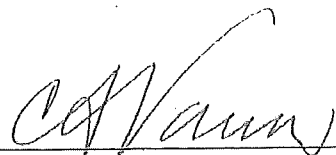
Date 2-28-24

By: Raymond Reyes
Secretary to the Board

Resolution No. 2024-1695

APPROVED AS TO FORM AND LEGAL EFFECT:

By: [Signature]
District Legal Counsel



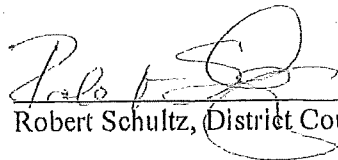
President, Board of Directors
of the Oceano Community Services District

ATTEST:



Board Secretary
of the Oceano Community Services District

APPROVED AS TO FORM:



Robert Schultz, District Counsel

SAN MIGUEL COMMUNITY SERVICES DISTRICT

By: Rod Smiley
Rod Smiley, Board President

Date Nov 17, 2023

ATTEST:

By: T. Parent
Tamara Parent, Board Clerk

Resolution No. 2023-52

APPROVED AS TO FORM AND LEGAL EFFECT:

By: D
Douglas L. White, General Counsel

WHEREAS, Board of Directors of the **SAN SIMEON COMMUNITY SERVICES DISTRICT** desires to acknowledge, accept, and agree to be bound by the terms and conditions of the Joinder Amendment to the Second Amended and Restated JPA.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Board of Directors of the **SAN SIMEON COMMUNITY SERVICES DISTRICT** that the **SAN SIMEON COMMUNITY SERVICES DISTRICT**, accepts, and agrees to be bound by the terms and conditions of the Joinder Amendment to the Second Amended and Restated JPA.

ADOPTED by the **BOARD OF DIRECTORS** of the **SAN SIMEON COMMUNITY SERVICES DISTRICT** on December 7, 2023, by the following roll call votes:

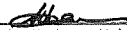
Vice-Chair Tiwana

Director Diamond

Director Donohue

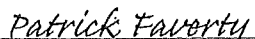
Director Le

AYES: 4
NOES: 0
ABSENT:
ABSTAINED:

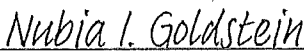

Karina K. Tiwana (Jul 5, 2024 16:32 PDT)

Vice-Chair
Board of Directors
of the **SAN SIMEON COMMUNITY SERVICES DISTRICT**

ATTEST:


Patrick Faverty (Jul 2, 2024 11:25 PDT)
Interim General Manager

APPROVED AS TO FORM:


Nubia I. Goldstein (Jun 24, 2024 14:06 PDT)
Legal Counsel

TEMPLETON COMMUNITY SERVICES DISTRICT

By: Wayne [Signature]
Chairperson

Date: 12/21/2023

K. W. [Signature]
Clerk

Resolution No. 29-2023

APPROVED AS TO FORM AND LEGAL EFFECT:

By: [Signature]
Attorney

Date: 12/20/2023



State of California
Secretary of State

FILE NO. 3059

FILED
Secretary of State
State of California
JUL 22 2024

AMENDMENT OF A JOINT POWERS AGREEMENT
(Government Code section 6503.5)

Instructions:

- 1. Complete and mail to: Secretary of State, P.O. Box 942870, Sacramento, CA 94277-2870.
2. Include filing fee of \$1.00.
3. Do not include attachments.
4. A copy of the full text of the joint powers agreement and amendments, if any, must be submitted to the State Controller's office. For address information, contact the State Controller's office at www.sco.ca.gov.

(Office Use Only)

Date of filing initial notice with the Secretary of State: May 8, 1995

File number of initial notice: 1437

Name of the agency or entity created under the agreement and responsible for the administration of the agreement: San Luis Obispo County Integrated Waste Management Authority

Agency's or Entity's Mailing Address: 870 Osos Street San Luis Obispo, CA 93401

Title of the agreement: 2023 COUNTY JOINDER AMENDMENT TO SECOND AMENDED AND RESTATED JOINT POWERS AGREEMENT OF THE INTEGRATED WASTE MANAGEMENT AUTHORITY

Complete one or more boxes below. The agreement has been amended to:

[X] Change the parties to the agreement as follows: Addition of the County of San Luis Obispo as a member agency.

[] Change the name of the administering agency or entity as follows:

[] Change the purpose of the agreement or the powers to be exercised as follows:

[] Change the short title of the agreement as follows:

[X] Make other changes to the agreement as follows: Change from an 8-person Board of Directors to a 9-person Board of Directors.

RETURN ACKNOWLEDGMENT TO: (Type or Print)

NAME: PETER CRON
ADDRESS: 870 OSOS STREET
CITY/STATE/ZIP: SAN LUIS OBISPO/CA/93401

Date: 7/16/2024

Signature

PETER CRON, EXECUTIVE DIRECTOR
Typed Name and Title

