

MINUTES OF THE REGULAR MEETING
OF THE BOARD OF DIRECTORS OF
COUNTY SANITATION DISTRICT NO. 22
HELD AT THE OFFICE OF THE DISTRICT

March 22, 2023
1:30 o'clock, P.M.

The Board of Directors of County Sanitation District No. 22 of Los Angeles County met in regular session.

There were present: Paul Cheng, Director from Arcadia
Robert Gonzales, Director from Azusa
Richard Barakat, Alternate Director from Bradbury
Jody Schulz, Director from Duarte
Gary Boyer, Director from Glendora
H. Manuel Ortiz, Director from Irwindale
Tim Hepburn, Director from La Verne
Becky Shevlin, Director from Monrovia
Allen Wu, Director from Walnut
Rosario Diaz, Alternate Director from West Covina

Absent: Emmanuel Estrada, Director from Baldwin Park
Patricia Cortez, Director from Covina
Emmett Badar, Director from San Dimas
Janice Hahn, Director from Los Angeles County

Also present: Kimberly S. Christensen, Secretary to the Board
Wes Beverlin, District Counsel

Upon motion of Director Gonzales, duly seconded and unanimously carried, Director Hepburn was elected Chairperson pro tem.

RE: PUBLIC COMMENT

The Chairperson pro tem announced this was the time for any questions or comments by members of the public.

There were no public comments or questions to address the Board on any matters.

RE: MINUTES

Upon motion of Director Barakat, duly seconded and unanimously carried, the minutes of the regular meeting

held February 22, 2023, were approved.

RE: DISTRICT EXPENSES

The following expenses for the month of December 2022, were presented and upon motion of Director Barakat, duly

seconded and unanimously carried, were approved:

Local District Expenses:

Operations & Maintenance

\$ 79,559.26

Allocated Expenses:

Joint Outfall

13,885,297.74

Total Expenses

\$13,964,857.00

RE: ANNEXATION NO. 442
RESOLUTIONS AUTHORIZING
APPLICATION TO LOCAL AGENCY
FORMATION COMMISSION AND
APPROVING NEGOTIATED
EXCHANGE OF PROPERTY
TAX REVENUES - ADOPT

Annexation No. 442 consists of one existing single-family home in the City of Covina. Each annexation to the District's service area requires adoption of two resolutions by the Board. The first resolution authorizes submittal of the annexation application to the Local Agency Formation Commission (LAFCO) and consents to a waiver of the LAFCO protest hearing. The second resolution is a joint resolution with agencies that already

provide services to the proposed annexation territory, agreeing to the amount of property tax revenue that will be apportioned to the District in accordance with the Revenue and Taxation Code. A data sheet, map, and Notice of Finding were attached to the agenda. A recommendation was made that the Board adopt a resolution for making an application to LAFCO for annexation and consent to a waiver of protest proceedings. Furthermore,

a recommendation was made that the Board adopt a joint resolution with County of Los Angeles, Three Valleys Municipal Water District, and City of Covina approving and accepting the negotiated exchange of property tax revenues resulting from annexation.

Upon motion of Director Barakat, duly seconded and unanimously carried, the Board of Directors of County Sanitation District No. 22 of Los Angeles County does hereby approve the Joint Resolution of the Board of Supervisors of the County of Los Angeles, the governing bodies of the Three Valleys Municipal Water District, and City of Covina, and this Board of Directors, approving and accepting the negotiated exchange of property tax revenues resulting from Annexation No. 442 to the District, a copy of which is on file at the Office of the District and by reference incorporated herein as though fully set forth; and the Chairperson and Secretary are authorized to execute the Joint Resolution on behalf of the District. Furthermore, the following resolution was adopted:

RESOLUTION

WHEREAS, the Board of Directors of County Sanitation District No. 22 of Los Angeles County, hereinafter referred to as "District", desires to (not) commence proceedings for the annexation to District of certain territory, described in Exhibit "A", attached hereto and by reference incorporated as a part hereof; and

WHEREAS, said Board of Directors does hereby certify that the proposed annexation is exempt from the provisions of the California Environmental Quality Act;

NOW, THEREFORE, said Board of Directors does HEREBY RESOLVE, FIND, AND DECLARE as follows:

1. Application and a proposal is hereby made to the Local Agency Formation Commission of Los Angeles County for a change of organization as follows:
 - (a) This proposal is made pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 commencing with Section 56000, Government Code, State of California.
 - (b) The nature of the proposed change of organization and the name of the District for which such change of organization is proposed are as follows:

The annexation of the territory described in Exhibit "A" hereof to County Sanitation District No. 22 of Los Angeles County.
 - (c) The names of all other affected counties, Districts, or cities are as follows:

Counties: None

Districts: None

Cities: Arcadia, Azusa, Baldwin Park, Bradbury, Covina, Duarte, Glendora, Irwindale, La Verne, Monrovia, San Dimas, Walnut, and West Covina
 - (d) The territory is uninhabited. A description of the exterior boundaries of such territory is set forth in Exhibit "A" hereof.
 - (e) It is desired that the proposed annexation provide for and be made subject to the following terms and conditions:
 - (1) The retention by District of the deposited sum of \$4,250.00 as the fee required by the Board of Directors for said annexation.
 - (2) The negotiated exchange of property tax revenues between affected agencies resulting from said annexation to District.
 - (f) The reasons for this proposal are as follows:
 - (1) The District is empowered to and is engaged in providing sewerage facilities which can best serve the territory proposed to be annexed with sewage disposal service. Based on the information provided by the property owners, the District's sewerage facilities have or, in accordance with current policy, will have adequate capacity to collect, treat, and

dispose of the wastewater anticipated to be generated on the subject property. Actual sewer hook-up will not be allowed until payment of the connection fee and shall be subject to all circumstances then existent including the availability of capacity. Disposal of the treated wastewater will be in accordance with waste discharge permits issued by the appropriate California Regional Water Quality Control Board.

- (2) Said territory consists of one existing single-family home, and the property owners have requested in writing that the territory be provided with sewage disposal service.
 - (3) Said territory must be annexed to District before sewage disposal service is provided.
 - (g) This proposal is consistent with the sphere of influence of the District.
 - (h) In accordance with the requirements of California Health & Safety Code Section 4830, the territory subject to this annexation will benefit from the annexation.
 - (i) It is hereby requested that proceedings be taken for the change of organization proposed, according to the terms and conditions stated above and in a manner provided by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.
- 2. Said District consents to waiver of protest proceedings pursuant to Section 56663 of the Government Code.
 - 3. The Clerk of the District is hereby authorized and directed to file a certified copy of this resolution with the Executive Officer of the Local Agency Formation Commission of Los Angeles County.

RE: ANNEXATION NO. 443
RESOLUTIONS AUTHORIZING
APPLICATION TO LOCAL AGENCY
FORMATION COMMISSION AND
APPROVING NEGOTIATED
EXCHANGE OF PROPERTY
TAX REVENUES - ADOPT

Annexation No. 443 consists of one proposed single-family home in unincorporated Los Angeles County. Each annexation to the District's service area requires adoption of two resolutions by the Board. The first resolution authorizes submittal of the annexation application to the Local Agency Formation Commission (LAFCO) and consents to a waiver of the LAFCO protest hearing. The second resolution is a joint

resolution with agencies that already provide services to the proposed annexation territory, agreeing to the amount of property tax revenue that will be apportioned to the District in accordance with the Revenue and Taxation Code. A data sheet, map, and Notice of Finding for each annexation were attached to the agenda. A recommendation was made that the Board adopt a resolution for making an application to LAFCO for annexation and consent to a waiver of protest proceedings. Furthermore, a recommendation was made that the Board adopt a joint resolution with County of Los Angeles and Three Valleys Municipal Water District – Glendora approving and accepting the negotiated exchange of property tax revenues resulting from annexation.

Upon motion of Director Barakat, duly seconded and unanimously carried, the Board of Directors of County Sanitation District No. 22 of Los Angeles County does hereby approve the Joint Resolution of the Board of Supervisors of the County of Los Angeles, the governing bodies of the Three Valleys Municipal Water District – Glendora, and this Board of Directors, approving and accepting the negotiated exchange of property tax revenues resulting from Annexation No. 443 to the District, a copy of which is on file at the Office of the District and by reference incorporated herein as though fully set forth; and the Chairperson and Secretary are authorized to execute the Joint Resolution on behalf of the District. Furthermore, the following resolution was adopted:

RESOLUTION

WHEREAS, the Board of Directors of County Sanitation District No. 22 of Los Angeles County, hereinafter referred to as "District", desires to (not) commence proceedings for the annexation to District of certain territory, described in Exhibit "A", attached hereto and by reference incorporated as a part hereof; and

WHEREAS, said Board of Directors does hereby certify that the proposed annexation is exempt from the provisions of the California Environmental Quality Act;

NOW, THEREFORE, said Board of Directors does HEREBY RESOLVE, FIND, AND DECLARE as follows:

1. Application and a proposal is hereby made to the Local Agency Formation Commission of Los Angeles County for a change of organization as follows:
 - (a) This proposal is made pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 commencing with Section 56000, Government Code, State of California.
 - (b) The nature of the proposed change of organization and the name of the District for which such change of organization is proposed are as follows:

The annexation of the territory described in Exhibit "A" hereof to County Sanitation District No. 22 of Los Angeles County.
 - (c) The names of all other affected counties, Districts, or cities are as follows:

Counties: None

Districts: None

Cities: Arcadia, Azusa, Baldwin Park, Bradbury, Covina, Duarte, Glendora, Irwindale, La Verne, Monrovia, San Dimas, Walnut and West Covina
 - (d) The territory is uninhabited. A description of the exterior boundaries of such territory is set forth in Exhibit "A" hereof.
 - (e) It is desired that the proposed annexation provide for and be made subject to the following terms and conditions:
 - (1) The retention by District of the deposited sum of \$7,650.00 as the fee required by the Board of Directors for said annexation.
 - (2) The negotiated exchange of property tax revenues between affected agencies resulting from said annexation to District.
 - (f) The reasons for this proposal are as follows:
 - (1) The District is empowered to and is engaged in providing sewerage facilities which can best serve the territory proposed to be annexed with sewage disposal service. Based on the information provided by the property owners, the District's sewerage facilities have or, in accordance with current policy, will have adequate capacity to collect, treat, and dispose of the wastewater anticipated to be generated on the subject property. Actual sewer hook-up will not be allowed until payment of the connection fee and shall be subject to all circumstances then existent including the availability of capacity. Disposal of the treated wastewater will be in accordance with waste discharge permits issued by the appropriate California Regional Water Quality Control Board.
 - (2) Said territory is proposed to be developed, and the property owners have requested in writing that the territory be provided with sewage disposal service.
 - (3) Said territory must be annexed to District before sewage disposal service is provided.
 - (g) This proposal is consistent with the sphere of influence of the District.
 - (h) In accordance with the requirements of California Health & Safety Code Section 4830, the territory subject to this annexation will benefit from the annexation.
 - (i) It is hereby requested that proceedings be taken for the change of organization proposed, according to the terms and conditions stated above and in a manner provided by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.
2. Said District consents to waiver of protest proceedings pursuant to Section 56663 of the Government Code.

3. The Clerk of the District is hereby authorized and directed to file a certified copy of this resolution with the Executive Officer of the Local Agency Formation Commission of Los Angeles County.

RE: SERVICE CHARGE REPORT RECEIVE
AND ORDER FILED - SET PUBLIC HEARING
FOR MAY 24, 2023, AND GIVE REQUIRED
NOTICE

Prior to meeting in regular session, the Chief Engineer and General Manager stated that all agendas have an item related to the Wastewater Revenue Program. A report titled *County Sanitation District No. 22 Service Charge Report for Fiscal Year 2023-24*, prepared in

accordance with Section 5473 of the Health and Safety Code of the State of California and which establishes the formula for the calculation of a sewage unit that represents the average daily quantity of sewage flow and strength from a single-family home (SFH), was presented. The Chief Engineer and General Manager stated that all Boards will be taking action to order the Wastewater Service Charge Report (Report) filed with the Clerk of the Districts' Board of Directors; setting the date, time, and place for a public hearing on the Report; and order publication of the required public notices. The public hearing is required to collect the service charge on the property tax roll. This is the most efficient way to collect the service charge. The Districts is not setting new rates at this time; the rates were set a few years ago.

Filing of the Report is required each year to collect the wastewater service charge on the property tax roll. The current service charge rate per single-family home is \$14.75 per month (\$177 per year). The rate for fiscal year 2023-24, as previously adopted by the Board of Directors, is \$15.00 per month (\$180 per year). A letter discussing the service charge rate, the fiscal year 2023-24 preliminary budget, and related matters accompanied the agenda. Staff recommends that the Public Hearing be held at the Board meeting scheduled for May 24, 2023. This item is consistent with the Districts' Guiding Principles of commitment to fiscal responsibility and prudent financial stewardship; and to plan for both short-term and long-term needs to minimize the need for significant rate increases.

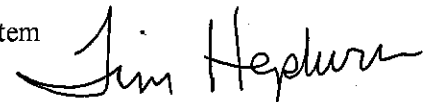
A recommendation was made that, in accordance with Section 5473 of the Health and Safety Code, the Board instruct the District Clerk to publish newspaper notices to inform the public of the date, time, and place for a public hearing on the Service Charge Report, and that the public hearing be set for May 24, 2023, at 1:30 p.m. in the District's Board Room at the Joint Administration Office, 1955 Workman Mill Road, Whittier, California, for the purpose of public discussion of the adopted service charge and industrial surcharge rates, and in order to continue to collect these charges on the next property tax roll. After the public hearing is closed, the Board must adopt the Service Charge Report in order to ensure collection of the service charge through property tax billing.

Upon motion of Director Barakat, duly seconded and unanimously carried, the *County Sanitation District No. 22 Service Charge Report for Fiscal Year 2023-24* was ordered filed with the Clerk of the District, and the Board does hereby fix May 24, 2023, at 1:30 p.m. as the date and time, and in the District's Board Room at the Joint Administration Office, 1955 Workman Mill Road, Whittier, California, as the place for a public hearing on *County Sanitation District No. 22 Service Charge Report for Fiscal Year 2023-24*, the proposed service charge and industrial wastewater surcharge rates, and the collection of the service charge on the property tax roll.

The Clerk of this Board shall cause notice of the filing of the Report and the time and place of the public hearing to be published once a week for two successive weeks in the *San Gabriel Valley Tribune*, a weekly newspaper, and in such other publications as are deemed appropriate by the Chief Engineer and General Manager.

The meeting was adjourned by the Chairperson pro tem.

TIM HEPBURN
Chairperson pro tem



ATTEST:



KIMBERLY S. CHRISTENSEN
Secretary

/ee