

Notice and Agenda

REGULAR MEETING — BOARD OF DIRECTORS — COUNTY SANITATION DISTRICT NO. 2

To be held at the OFFICE OF THE DISTRICT  
1955 Workman Mill Road, Whittier, California

*For the public to join the meeting virtually, click <https://us02web.zoom.us/j/8091438308> or enter the Meeting ID 809 143 8308 into the Zoom app on your smartphone or computer. Alternatively, you may join by phone by calling (669) 900-9128 and entering the Meeting ID. You may find further information at: <http://www.lacsd.org/agendas>*

THE DISTRICT MAY TAKE ACTION ON ANY AGENDA ITEM LISTED BELOW

WEDNESDAY	May 24, 2023	At 1:30 P.M.
Governing Body	Director	Alternate
ALHAMBRA	ANDRADE-STADLER	MAZA
ARTESIA	MANALO	TAJ
BELL	ARROYO	SALEH
BELL GARDENS	CORTEZ	BARCENA
BELLFLOWER	SANTA INES	HAMADA
CERRITOS	BARROWS	-----
COMMERCE	ARGUMEDO	ALTAMIRANO
COMPTON	SHARIF	-----
DOWNEY	FROMETA	TRUJILLO
LONG BEACH	RICHARDSON	SARO
LOS ANGELES CITY	KREKORIAN	MC OSKER
MONTEBELLO	TORRES	JIMENEZ
MONTEREY PARK	SANCHEZ	WONG
NORWALK	VALENCIA	PEREZ
PARAMOUNT	AGUAYO	CUELLAR STALLINGS
PICO RIVERA	LUTZ	CAMACHO
SAN GABRIEL	HARRINGTON	DING
SOUTH GATE	AVALOS	DAVILA
VERNON	LARIOS	-----
WHITTIER	VINATIERI	WARNER (chairperson)
LOS ANGELES COUNTY	HAHN	HORVATH

**CONSENT AGENDA**

1. Public Comment
2. Receive and Order Filed as Follows:
  - (a) Certificate of Mr. Hugo Argumedo, Presiding Officer of the City of Commerce
  - (b) Certificate of Ms. Crystal Larios, Presiding Officer of the City of Vernon
3. Approve Minutes of Regular Meeting Held May 10, 2023
4. Authorize Payment to Lewis, Brisbois, Bisgaard & Smith LLP, in Amount of \$160,913.00, for Legal Services Rendered and Reimbursement of Expenses Advanced in Various Districts' Matters for Month of March 2023

**REGULAR AGENDA**

1. Re: Contract with Insituform Technologies, LLC, in Amount of Approximately \$3,644,748, for Construction of [Oak Street-Center Avenue Trunk Sewer Rehabilitation](#) (Project)
  - (a) Report on Bids and Award and Order Executed Contract
  - (b) Order Staff to Review Insurance and Surety Bonds for Performance and Payment and, if Sufficient, Order Secretary to Execute Contract Evidencing Approval of Bonds and Insurance

Summary: The Project will consist of rehabilitation of approximately 13,594 feet of existing 22- to 27-inch-diameter corroded concrete pipe and appurtenant structures that were constructed in the 1920s. The work is located within the City of Inglewood and unincorporated area of Los Angeles County as shown on the attached map. The bid summary/recommendation to award is attached. Staff has determined that the Project is exempt or otherwise not subject to the provisions of the California Environmental Quality Act (CEQA) pursuant to California Public Resources Code Section 21080(b)(4) and Title 14 of the

## 1. Contd.

California Code of Regulations (“CEQA Guidelines”) Section 15301. This item is consistent with the Districts’ Guiding Principles to protect financial and facility assets through prudent investment and maintenance programs; and commitment to operational excellence (protection of public health and the environment, regulatory compliance, and cost effectiveness).

## 2. Report on Bids and Award of Orders as Follows:

## (a) Installation of Electrical Conduit and Wire at Scholl Canyon Landfill (SCLF) Maintenance Yard

Summary: To ensure continuous operations during the final waste placement at the SCLF, the maintenance yard will require relocation to the north. Although the relocation of the structures and facilities can be performed by the Districts, the electrical services will be performed by the contractor. The electrical services performed by the contractor will be to construct, furnish, wire, and install an electrical distribution system for the relocated maintenance yard. The bid summary/recommendation to award is attached. This item is consistent with the Districts’ Guiding Principle of commitment to operational excellence (protection of public health and the environment, regulatory compliance, and cost effectiveness).

(b) *Furnish and Deliver Filter Media Anthracite*

Summary: Anthracite is used as media in the filters that provide tertiary treatment at the water reclamation plants. Over time, the anthracite breaks down and the smaller particles eventually wash out of the filter bed, reducing filter performance and requiring periodic replenishment of the filter media. The bid summary/recommendation to award is attached. This item is consistent with the Districts’ Guiding Principle of commitment to operational excellence (protection of public health and the environment, regulatory compliance, and cost effectiveness).

## 3. Authorize Issuance of Purchase Order to Cigna Insurance Company (Cigna) in Amount of Approximately \$982,838 for Long-Term Disability (LTD) Insurance Coverage for Three-Year Period

Summary: Group LTD insurance is provided for Districts’ employees with lengths of coverage specified in employee labor agreements. Cook Insurance Services, the Districts’ broker, solicited quotes from LTD insurance companies. Cigna, our current carrier, proposed to lower their rate from 19 cents per \$100 of covered salary to 18 cents per \$100 of covered salary, for a three-year period. The change in rate results in a savings of approximately \$18,201 per year. There were no LTD insurance companies that proposed a lower rate. This item is consistent with the Districts’ Guiding Principles to maintain salaries and benefits, based on metrics, to attract and retain a dedicated and talented staff; and commitment to fiscal responsibility and prudent financial stewardship.

4. Approve [Addendum to Final Initial Study/Mitigated Negative Declaration \(Addendum\) for Gardena Pumping Plant Facility Replacement](#) (Project) and Recommended Project Described Therein

Summary: In 2019, the District No. 5 Board adopted a Final Initial Study/Mitigated Negative Declaration (Final IS/MND) and approved the Project, which involves construction of a new wastewater pumping plant to replace the existing Gardena Pumping Plant. The new pumping plant will be located adjacent to the existing plant on property owned by the Districts. Subsequent to Project approval, changes were made to the design including increasing the height and footprint of the proposed pumping plant and installation of additional equipment. The Addendum evaluates the environmental impacts associated with these changes and compares them to the original Project. Staff has reviewed the Final IS/MND and the Addendum and determined that, based on staff’s independent judgment, the changes to the approved Project would not result in any new environmental impacts and would not trigger any additional or new mitigation measures. Therefore, preparation of a subsequent MND is not required and the Addendum is appropriate in accordance with the provisions of the California Environmental Quality Act (CEQA). In July 2022, a Joint Outfall Agreement was approved by the Boards of 17 Districts (including Districts Nos. 2 and 5) that made certain local sewerage facilities, including the Gardena Pumping Plant, part of the Joint Outfall System, for which District No. 2 is the appointed agent. Consequently, lead agency responsibility for the Project under CEQA has transferred from District No. 5 to District No. 2. This item is consistent with the Districts’ Guiding Principle of commitment to operational excellence (protection of public health and the environment, regulatory compliance, and cost effectiveness).

## 5. Approve and Order Executed Agreements for Management of Biosolids Generated at Joint Water Pollution Control Plant (JWPCP) as Follows:

(a) [Agreement for the Removal, Transportation and Reuse of Biosolids](#) with Synagro-WWT, Inc., (Synagro)(b) [Agreement for the Removal, Transportation and Reuse of Biosolids](#) with Holloway Environment Solutions, LLC, (Holloway)(c) [Agreement for the Removal, Transportation and Reuse of Biosolids](#) with Denali Water Solutions, LLC, (Denali)

Summary: Biosolids are produced in the wastewater treatment process. The majority of the biosolids generated in the Districts’ system are produced at the JWPCP. The JWPCP biosolids are managed through a diversified portfolio of three private contractors, the Tulare Lake Compost Facility which is owned and operated by the Districts, and the Inland Empire Regional Compost Facility, a Joint Powers

5. Contd.

Authority between the Districts and the Inland Empire Utilities Agency. Staff allocates loads to various facilities to cost effectively ensure reliability and diversity of reuse options, vendors, and geographic areas. Three existing biosolids management agreements will expire on May 31, 2023. A Request for Proposals for biosolids management services was released and three proposals are recommended for award as follows:

Contractor	Management Technology	Base Fee (\$/wet ton)	Annual Costs
Synagro	Composting	\$63.37 to \$95.00	\$11.7M
Denali	Land application	\$65.33	\$3.6M
Holloway	Landfilling	\$68.00	\$3.6M

The December 2022 weighted average JWPCP biosolids management fee, including fuel price adjustments, was \$62.31/WT. Based on the recommended allocations and proposed fees, the weighted average biosolids management fee would increase to \$71.90/WT, which represents a \$9.59/WT, or 15 percent, increase. This increase reflects not only inflation, but also the inclusion of prevailing wage requirements for the transport component of the contracted work. All of the proposed Agreements would begin on June 1, 2023, for a three-year term, with two optional one-year extensions. Staff has determined that the Project is exempt or otherwise not subject to the provisions of the California Environmental Quality Act (CEQA) pursuant to Title 14 of the California Code of Regulations (“CEQA Guidelines”) Sections 15301. This item is consistent with the Districts’ Guiding Principle of commitment to operational excellence (protection of public health and the environment, regulatory compliance, and cost effectiveness).

6. Approve and Order Executed Documents as Follows:

- (a) Equipment Design, Build and Operations Agreement (Agreement) with Tetra Tech BAS, Inc., (Tetra Tech) in Amount of Approximately \$13,198,693 for Joint Water Pollution Control Plant (JWPCP) Biogas Conditioning System 2 (BCS-2)

Summary: The Districts has implemented a food waste recycling program at the JWPCP which has resulted in increased biogas production in the plant’s digesters. The biogas is currently used at the JWPCP to generate electricity and to make vehicle fuel. With increasing deliveries of food waste slurry to the JWPCP, there is currently more biogas being generated than the existing infrastructure at the site can beneficially use. The proposed project will install a new biogas conditioning system (BCS) to produce biomethane that meets SoCalGas standards for pipeline injection. In the short term, biomethane will be dispensed at the JWPCP fuel station, currently being expanded to serve heavy-duty trucks. A Request for Proposals was solicited from six BCS suppliers and two responded. Of these, Tetra Tech was ranked higher with lower capital cost. Expected revenue from vehicle fuel and pipeline gas sales provides BCS-2 a five-year payback period. The Agreement includes a lump sum design-build price of \$12,118,321 and three years of operation and maintenance services at \$1,080,372. Staff has determined that approval of the Agreement does not constitute a “Project” under the California Environmental Quality Act (CEQA) pursuant to California Public Resources Code Section 21065 and Title 14 of the California Code of Regulations (“CEQA Guidelines”) Section 15378. The decision to proceed with the Project and the commencement of construction are contingent on the Board approving the Project and adopting the related CEQA document at a subsequent meeting. This item is consistent with the Districts’ Guiding Principles to maximize use of our assets and resources (recycled water, recyclables, and energy); and to provide leadership in our industry through innovation, compliance, and cost effectiveness.

- (b) Sewer Relocation Agreement (Agreement) with Duarte Unified School District (DUSD) for Relocation of Portion of Joint Outfall “B” Unit 8H Trunk Sewer (Sewer)

Summary: To accommodate construction of a new gymnasium for Duarte High School, DUSD has requested the Districts’ permission to relocate approximately 500 feet of the Sewer located in an easement through DUSD property. The proposed Agreement requires DUSD to prepare the necessary environmental documents and relocate the affected portion of the Sewer in accordance with the Districts’ specifications at no cost to the Districts. In addition, DUSD must grant an easement to the Districts for access to and maintenance of the relocated Sewer at no cost, and the existing easement held by District No. 15 will be quitclaimed. Staff has determined that approval of the Agreement does not constitute a “Project” under the California Environmental Quality Act (CEQA) pursuant to California Public Resources Code Section 21065 and Title 14 of the California Code of Regulations (“CEQA Guidelines”) Section 15378. As owner of the Sewer, District No. 2 must approve the Agreement, and District No. 15, as holder of the existing easement to be quitclaimed, must approve the action by District No. 2. This item is consistent with the Districts’ Guiding Principles to provide reliable and responsible services with safety first; and to protect financial and facility assets through prudent investment and maintenance programs.

7. Authorize Payment to Aon Risk Services, Inc., (Aon) for Umbrella General Liability Insurance Coverage from Great American Assurance Company (GAAC) and Allied World National Assurance Company (AWAC) for All Districts' Operations at Annual Premium of \$962,740

Summary: Proposals were solicited from 45 companies through Aon, the Districts' insurance broker, for renewal of umbrella general liability insurance, which covers wastewater, solid waste management, and energy recovery operations. Of the companies that were approached, two companies provided quotes which, combined, will provide the desired coverage. The best offer was from GAAC, the Districts' current carrier, with an excess layer from AWAC. The overall premium increased by approximately 8 percent over last year. The recommended coverage is for one year with a \$20 million limit, including a \$5 million self-insured retention. The Districts procures \$1 million of underlying automobile liability insurance and self-insure for both automobile liability and general liability up to the \$5 million self-insured retention amount. Overall, this level of coverage is the most cost-effective and appropriate approach for excess liability insurance. This item is consistent with the Districts' Guiding Principle of commitment to fiscal responsibility and prudent financial stewardship.

8. Adopt *An Ordinance Prescribing Fee and Charge Rates for Solid Waste Management Activities at the Puente Hills Materials Recovery Facility (MRF) and the South Gate Transfer Station (SGTS)* and find that Ordinance is Exempt from California Environmental Quality Act Under Public Resources Code Section 21080(b)(8) because Rates and Charges are for Purpose of Meeting Operational Expenses, Purchasing Equipment, and Funding Capital Projects Necessary to Maintain Services within Existing Service Areas

Summary: A letter describing the recommended Board action and the rate increases planned was provided to the Directors prior to a public hearing and the introduction of the Ordinance on May 10, 2023. A copy of the letter and the proposed Ordinance accompanies the agenda. The Ordinance would increase the municipal solid and inert waste (MSW) rate at the Puente Hills MRF from \$81.73 per ton to \$93.99 per ton, and the MSW rate at SGTS would increase from \$87.86 per ton to \$101.04 per ton, effective July 1, 2023. Changes to the rates for hard-to-handle and bulky items, pull-offs, and uncovered loads capable of producing litter, are also proposed at both facilities. The proposed rate increases are necessary to offset increasing operational and capital costs. 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.

#### Adjourn

#### Status Report:

Prior to or during the meeting session, the Chief Engineer and General Manager may update the Directors on various matters concerning the Districts that may be of current interest to the Directors.

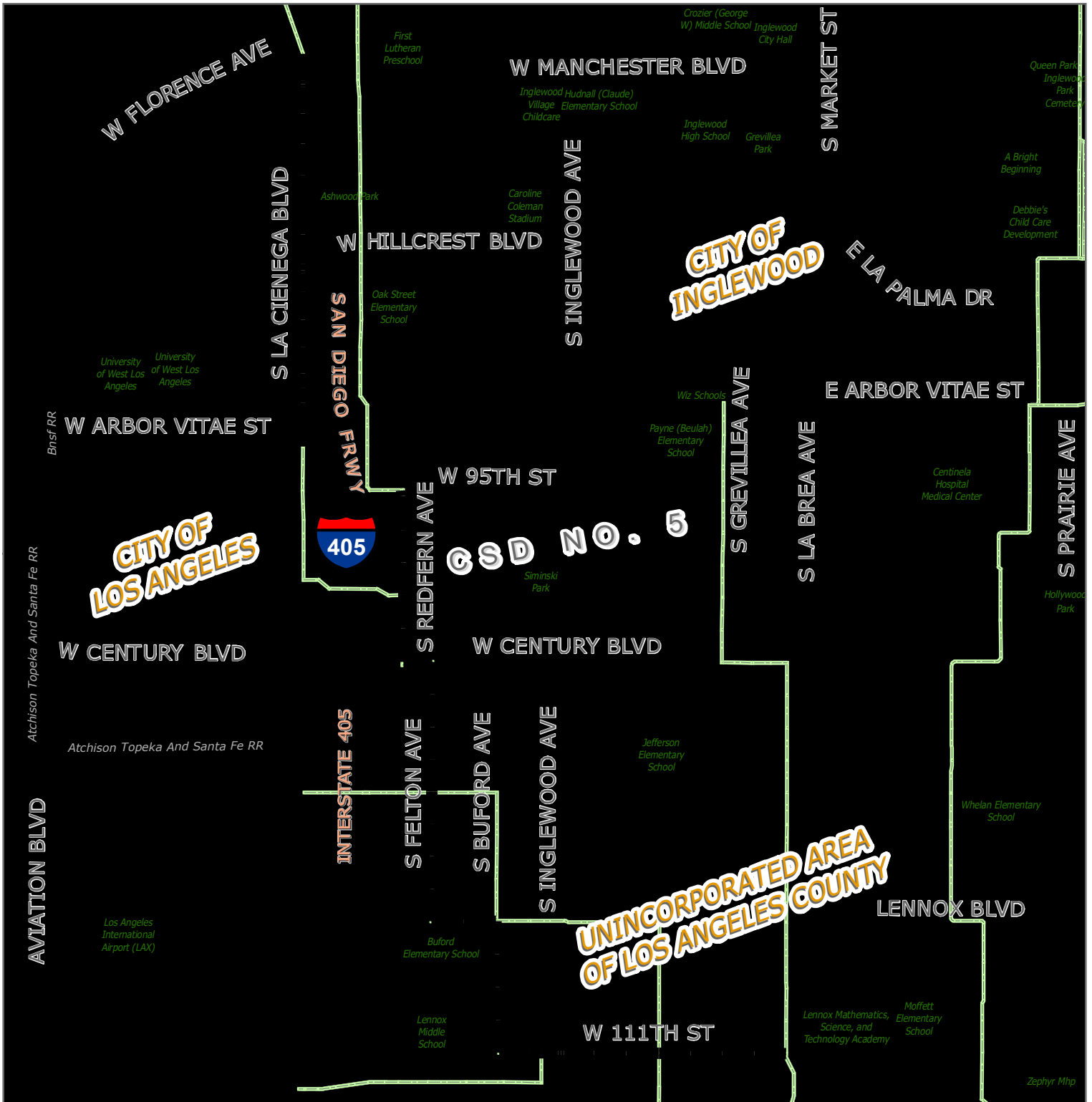
#### Public Comment:

Members of the public may address the Board of Directors on any item shown on the agenda or matter under the Board's authority. A "Request to Address Board of Directors" form is available. In compliance with the Americans with Disabilities Act, if you require special assistance to participate in this meeting, please contact the Secretary to the Boards' Office (562) 908-4288, extension 1100. Notification of 48 hours prior to the meeting will enable staff to make reasonable arrangements to ensure accessibility to this meeting. (28CFR 35.101 et seq. ADA Title II).

#### Document Requests:

Links to supporting documents are available online at the time of posting. Agendas and supporting documents or other writings that will be distributed to Board members in connection with matters subject to discussion or consideration at this meeting that are not exempt from disclosure under the Public Records Act are available for inspection following the posting of this agenda at the office of the Secretary to the Boards of Directors located at the Districts' Joint Administration Building, 1955 Workman Mill Road, Whittier, California, 90601, or at the time of the meeting at the address posted on this agenda.

# OAK STREET-CENTER AVENUE TRUNK SEWER REHABILITATION



TO: BOARD OF DIRECTORS OF LOS ANGELES  
COUNTY SANITATION DISTRICT NO. 2

RE: AGENDA ITEM NO. R-1(a)

FOR BOARD MEETING May 24, 2023

BIDS were received at the District Office on April 20, 2023

FOR Oak Street-Center Avenue Trunk Sewer Rehabilitation

No. of Bids Received: 2

<u>BIDDER</u>	<u>TOTAL BID</u>
Insituform Technologies, LLC	<u>\$3,644,748.00</u>
SAK Construction, LLC	<u>\$4,758,775.00</u>

RECOMMENDATION:

Award contract to Insituform Technologies, LLC, low bidder, in the amount of \$3,644,748.00.

Engineer's Estimate: \$5,100,000.00



Robert C. Ferrante  
Chief Engineer and  
General Manager

TO: BOARD OF DIRECTORS OF COUNTY SANITATION  
DISTRICT NO. 2 OF LOS ANGELES COUNTY

RE: AGENDA ITEM NO. R-2(a) FOR BOARD MEETING MAY 24, 2023

BIDS were received at the District Office on Thursday, April 6, 2023 at 11:00 a.m.

FOR INSTALLATION OF ELECTRICAL CONDUIT AND WIRE AT SCHOLL CANYON LANDFILL  
MAINTENANCE YARD

No. of Bids Received: 4

<u>BIDDER</u>	<u>TOTAL BID AMOUNT</u>
Industrial Pro Power Services, LLC	\$274,575.00
Carol Electric Company	339,770.00
L.A. Electricom, Inc.	445,600.00
Big Sky Electric	459,000.00

RECOMMENDATION:

Award purchase order to Industrial Pro Power Services, LLC. the lowest responsive and responsible bidder, in the amount of approximately \$274,575.00 for installation of electrical conduit and wire at Scholl Canyon Landfill Maintenance Yard.

Engineer's Estimate: \$350,000.00



Robert C. Ferrante  
Chief Engineer and  
General Manager



TO: BOARD OF DIRECTORS OF COUNTY SANITATION  
DISTRICT NO. 2 OF LOS ANGELES COUNTY

RE: AGENDA ITEM NO. R-2(b)

FOR BOARD MEETING MAY 24, 2023

BIDS were received at the District Office on Tuesday, March 28, 2023 at 11:00 a.m.

FOR FURNISH AND DELIVER FILTER MEDIA ANTHRACITE

No. of Bids Received: 3

<u>BIDDER</u>	<u>TOTAL BID AMOUNT</u>
Anthracite Filter Media	\$151,810.00
Carbon Activated	247,012.54
CEI Anthracite	325,282.20

RECOMMENDATION:

Award purchase order to Anthracite Filter Media, the lowest responsive and responsible bidder, in the amount of approximately \$151,810.00 to furnish and deliver filter media anthracite.

Engineer's Estimate: \$163,095.53



Robert C. Ferrante  
Chief Engineer and  
General Manager





May 3, 2023

Board of Directors  
County Sanitation Districts Nos. 1, 2, 3, 5,  
8, 15, 16, 17, 18, 19, 21, 23, 29, and  
South Bay Cities Sanitation District

Dear Directors:

**Rate Increase for Puente Hills Materials Recovery  
Facility (MRF) and South Gate Transfer Station (SGTS)**

The agenda for the May 10, 2023, meeting of the Board of Directors of Sanitation District No. 2 includes an item to consider introducing a new Rate Ordinance (Ordinance) for the Puente Hills MRF and SGTS. The proposed Ordinance would increase the Municipal Solid and Inert Waste (MSW) rate at the Puente Hills MRF from \$81.73 per ton to \$93.99 per ton and at SGTS from \$87.86 per ton to \$101.04 per ton. Changes to the rates for hard-to-handle and bulky items, pull-offs, and uncovered loads capable of producing litter, are also proposed at both facilities. The proposed Ordinance is attached to the agenda. If approved, the new Ordinance would take effect July 1, 2023.

The proposed rate increases are necessary to offset increasing operational and capital costs. A schedule of the current and proposed rates for all waste types is attached.

Should any Director have questions regarding the new rates, please contact me at extension 1501 or Mr. Mark Revilla, Solid Waste Management Department Head, at extension 2415.

Very truly yours,

Robert C. Ferrante

RCF:gc  
Attachment

**PUENTE HILLS MATERIALS RECOVERY FACILITY  
RECOMMENDED MSW AND RECYCLABLES RATES**

	<b>CURRENT RATE</b>	<b>RATE EFFECTIVE JULY 1, 2023</b>
Municipal Solid and Inert Waste (1-ton minimum charge)	\$81.73 per ton	\$93.99 per ton
Hard-to-Handle, Bulky Items (1-ton minimum charge)	\$96.73 per ton	\$108.99 per ton
Segregated Uncontaminated Green Waste (1-ton minimum charge)	\$89.37 per ton	\$89.37 per ton
Food Waste (1-ton minimum charge)	\$82.95 per ton	\$91.25 per ton
Food Waste/Green Waste Program (1-ton minimum charge)	\$117.67 per ton	\$117.67 per ton
Pull-Off's	\$50.14 per load	\$57.66 per load

**Notes:**

- 1.) Uncovered Loads Capable of Producing Litter: \$5.06 per ton or \$5.06 per load surcharge.
- 2.) All rates include the following state, county and local fees and taxes (fees expressed on a per ton basis do not apply to Green Waste, Food Waste, and Pull-Off's):
  - a) California Integrated Solid Waste Management Fee: \$1.40 per ton
  - b) Los Angeles County Solid Waste Management Fee: \$1.50 per ton
  - c) Los Angeles County Department of Health Services Regulatory Service Fee: \$0.41 per ton
- 3.) Rates for materials that benefit the operation of the facility or that promote solid waste management alternatives are subject to change without notice.
- 4.) All Food Waste placed with Green Waste must be in plastic bags.

**SOUTH GATE TRANSFER STATION  
RECOMMENDED MSW AND RECYCLABLES RATES**

	<b>CURRENT RATE</b>	<b>RATE EFFECTIVE JULY 1, 2023</b>
Municipal Solid and Inert Waste (1-ton minimum charge)	\$87.86 per ton	\$101.04 per ton
Hard-to-Handle, Bulky Items (1-ton minimum charge)	\$102.86 per ton	\$116.04 per ton
Pull-Off's	\$50.14 per load	\$57.66 per load

**Notes:**

- 1.) Uncovered Loads Capable of Producing Litter: \$5.06 per ton or \$5.06 per load surcharge.
- 2.) All rates include the following state, county and local fees and taxes (fees expressed on a per ton basis do not apply to Pull-Off's):
  - a) California Integrated Solid Waste Management Fee: \$1.40 per ton
  - b) Los Angeles County Solid Waste Management Fee: \$1.50 per ton
  - c) Los Angeles County Department of Health Services Regulatory Service Fee: \$0.41 per ton

**AN ORDINANCE PRESCRIBING FEE AND CHARGE RATES  
FOR SOLID WASTE MANAGEMENT ACTIVITIES  
AT THE PUENTE HILLS MATERIALS RECOVERY FACILITY (MRF)  
AND THE SOUTH GATE TRANSFER STATION**

**THE BOARD OF DIRECTORS OF COUNTY SANITATION DISTRICT NO. 2 OF LOS ANGELES COUNTY ORDAINS AS FOLLOWS:**

**SECTION 1. SHORT TITLE**

This Ordinance shall be known as the *Sanitation Districts System Solid Waste Rate Ordinance*.

**SECTION 2. PURPOSE**

The purpose of this Ordinance is to establish the fee and charge rates for the Puente Hills MRF and the South Gate Transfer Station, to provide for the issuance of agreements for the acceptance of solid waste and other waste management services, and to provide for customer credit agreements.

**SECTION 3. DISPOSAL FEES AND CHARGES**

The following fee and charge rates are hereby prescribed for the following facilities, effective July 1, 2023, as listed below. These rates are subject to change as described in **Section 6** and **Section 11**:

**A. Puente Hills MRF**

Municipal Solid and Inert Waste (MSW) [1-ton minimum charge]	\$ 93.99 /ton
Hard-to-Handle, Bulky Items (1-ton minimum charge)	108.99 /ton
Pull-Off's	57.66 /load

**B. South Gate Transfer Station**

MSW (1-ton minimum charge)	\$ 101.04 /ton
Hard-to-Handle, Bulky Items (1-ton minimum charge)	116.04 /ton
Pull-Off's	57.66 /load

**SECTION 4. UNCOVERED LOADS**

A surcharge of \$5.06/ton, subject to a minimum charge of \$5.06, will be charged with respect to all uncovered loads capable of producing litter.

**SECTION 5. RECYCLABLE MATERIALS**

- 5.1 The Districts Chief Engineer and General Manager (Chief Engineer) may adjust any fee or charge rate for materials and services that benefit the operation of the facility, or that promote solid waste management alternatives. These materials may include, but are not restricted to, segregated shredded or unshredded organic material suitable for composting or recycling and various other recyclable materials.
- 5.2 The Chief Engineer shall determine the materials and services that are eligible for a rate adjustment and the amount of the rate adjustment. The Chief Engineer shall make the determination in writing and it will be made available to members of the public on request.
- 5.3 The Chief Engineer may purchase loads of recyclable materials that have value to the District or that promote solid waste management alternatives. These materials may include, but are not restricted to: paper, cardboard, plastic containers, glass bottles, aluminum cans, scrap metal, scrap plastic, and commingled recyclables.

**SECTION 6. ADJUSTMENT OF FEES AND CHARGES**

- 6.1 The District's Chief Engineer may adjust the MSW rates in **Section 3** from time-to-time as described in **Sections 6.1.1** and **6.1.2**.
  - 6.1.1 *Upward* by up to five (5) percent, if the facility's Tons Received remains stable or increases averaged over any four consecutive calendar weeks. In no event will the rate

exceed the District's reasonable costs of handling solid waste or increase by more than 20% in any consecutive 12 months.

6.1.2 *Downward* by up to five (5) percent, if the facility's Tons Received declines more than five (5) percent over any four consecutive calendar weeks, except that the MSW fee shall not be less than the MSW rate listed in **Section 3**.

- 6.2 For the purpose of this Section, "Tons Received" shall mean the number of tons of refuse received in a calendar week. An adjustment shall be made to the calculated Tons Received to compensate for unusual conditions such as holidays and/or interruptions to receiving or other conditions that make the Tons Received calculation not a representative average.
- 6.3 Adjustments to the Disposal Fees and Charges as a result of this Section shall be made with a minimum 21-day notice and become effective on the first day of the next calendar month. In no event will a facility's MSW rate be adjusted more than four times in any consecutive 12 months.
- 6.4 In the event of a change in the MSW rate the Hard-to-Handle, Bulky Items fees and charges rates will be set at the MSW rates plus \$15.00.

## **SECTION 7. SOLID WASTE MANAGEMENT SERVICES AGREEMENT**

The District may enter into agreements with customers for the acceptance of agreed quantities of solid waste, recyclable materials, or other solid waste management services at the Puente Hills MRF and the South Gate Transfer Station. The agreements may establish fees and charges applicable to specific solid waste management services, including processing of commingled recyclables and dry commercial waste and commitments for delivery of agreed quantities of materials. The terms and conditions of agreements under this Section will supersede any fees and charges prescribed in **Sections 3 and 6**. To maintain adequate capacity for the general public, the combined committed tonnage of the waste services agreements will not exceed 50% of the combined capacity of the District's facilities.

## **SECTION 8. CREDIT AGREEMENTS**

The Chief Engineer may offer credit agreements to solid waste facility customers for payment of fees and charges. The Chief Engineer shall establish and enforce policies for administration of credit agreements, subject to all applicable laws and regulations.

## **SECTION 9. COLLECTION OF FEES PURSUANT TO THE PUBLIC RESOURCES CODE**

All fees and charges specified in this Ordinance include an amount necessary to cover fees required pursuant to Sections 48000 through 48008 of the Public Resources Code (imposed by the State of California under Section 48000), Sections 40900 through 41956 of the Public Resources Code (imposed by the County of Los Angeles under Section 41901), and Sections 43200 through 43610.1 of the Public Resources Code (imposed by the County of Los Angeles under Section 43213).

## **SECTION 10. COLLECTION OF FEES AND TAXES PURSUANT TO LOS ANGELES COUNTY ORDINANCES**

All fees and charges specified in this Ordinance include an amount necessary to collect fees imposed by the County of Los Angeles pursuant to Los Angeles County Ordinances Nos. 2008-0056 and 2011-0042.

## **SECTION 11. ADJUSTMENTS FOR GOVERNMENTAL FEES AND CHARGES**

Notwithstanding the requirements listed in **Section 6**, the Chief Engineer may increase or decrease, as appropriate and at any time, any fees and charges specified in **Sections 3, 4, or 5** of this Ordinance by an amount estimated to equal any revision in the fees or taxes specified in **Sections 9 and 10** of this Ordinance, or by an amount estimated to equal any other mandatory fees or taxes imposed by federal, state, or local government which must be paid by County Sanitation District No. 2 of Los Angeles County as operator of the facilities listed in **Section 3**.

## **SECTION 12. REPORTING**

The Chief Engineer will make an annual presentation to the Board of Directors regarding the fees and charges established in this Ordinance. If any adjustments, as described in **Section 6**, are made after the last presentation to the Board of Directors, the Chief Engineer will report on the adjustments at the next regular meeting of the Board of Directors.

**SECTION 13. SUPERSESSION**

This Ordinance supersedes the *Sanitation Districts System Solid Waste Rate Ordinance* adopted July 1, 2021, establishing fees or charges relating to the Puente Hills MRF, the South Gate Transfer Station, and the Downey Area Recycling and Transfer (DART) Facility.

**SECTION 14. EFFECTIVE DATE**

This Ordinance shall become effective on July 1, 2023.

ATTEST:

\_\_\_\_\_  
Clerk, Board of Directors  
County Sanitation District No. 2  
of Los Angeles County

\_\_\_\_\_  
Chairperson, Board of Directors  
County Sanitation District No. 2  
of Los Angeles County

PASSED AND ADOPTED by the Board of Directors of County Sanitation District No. 2 of Los Angeles County on \_\_\_\_\_, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

\_\_\_\_\_  
Secretary, Board of Directors  
County Sanitation District No. 2  
of Los Angeles County