

MINUTES OF THE REGULAR MEETING OF THE
BOARD OF DIRECTORS OF
COUNTY SANITATION DISTRICT NO. 5
HELD AT THE TORRANCE CITY HALL

May 17, 2023
1:30 o'clock, P.M.

The Board of Directors of County Sanitation District No. 5 of Los Angeles County met in regular session.

There were present: Chris Pimentel, Alternate Director from El Segundo
Tasha Cerda, Director from Gardena
Alex Monteiro, Alternate Director from Hawthorne
James T. Butts, Director from Inglewood
Robert Pullen-Miles, Director from Lawndale
James Gazeley, Alternate Director from Lomita
Tim McOsker, Alternate Director from Los Angeles City
Richard Montgomery, Director from Manhattan Beach
Barbara Ferraro, Director from Rancho Palos Verdes
Nils Nehrenheim, Alternate Director from Redondo Beach
Britt Huff, Director from Rolling Hills Estates
John Kaji, Alternate Director from Torrance
Janice Hahn, Director from Los Angeles County

Absent: Albert Vera, Director from Culver City
Jim Roos, Director from Palos Verdes Estates
Patrick Wilson, Director from Rolling Hills

Also present: Kimberly S. Christensen, Secretary to the Board
Jessica Lienau, District Counsel

Upon motion of Director Montgomery, duly seconded and unanimously carried, Director Chen 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: DIRECTOR FROM A certificate from the City Clerk of the City of Manhattan
CITY OF MANHATTAN BEACH Beach was presented to the Secretary stating that at a meeting of the City Council held March 21, 2023, Mr. Richard Montgomery was elected Mayor of the City of Manhattan Beach, which is the designation of the presiding officer of the governing body of that city and automatically places Mr. Montgomery on this Board.

Upon motion of Director Monteiro, duly seconded and unanimously carried, the certificate was accepted and ordered filed.

RE: ALTERNATE DIRECTOR A copy of an action taken by the City Council of the City
FROM CITY OF MANHATTAN BEACH of Manhattan Beach at a meeting held March 21, 2023, was presented to the Secretary stating that Mr. Joe Franklin, a member of the City Council of the City of Manhattan Beach, was appointed to serve as alternate Director from the city.

Upon motion of Director Monteiro, duly seconded and unanimously carried, the action was accepted and ordered filed.

RE: MINUTES Upon motion of Director Monteiro, duly seconded and
held March 15, 2023, were approved. unanimously carried, the minutes of the regular meeting

RE: DISTRICT EXPENSES The following expenses for the months of January and
February 2023 were presented and upon motion of Director Monteiro, duly seconded and unanimously carried, were approved:

Local District Expenses:
Operations & Maintenance
Total Expenses

\$8,812
\$8,812

RE: WASTEWATER MANAGEMENT
MANCHESTER-VERMONT DIVERSION
EXTENSION TRUNK SEWER REHABILITATION
INSITUFORM TECHNOLOGIES, LLC - CONTRACT
NO. 5439 - ACCEPTANCE OF THE WORK

Insituform Technologies, LLC, has completed the work in connection with Contract No. 5439 for construction of the *Manchester-Vermont Diversion Extension Trunk Sewer Rehabilitation* (Project) within the time allowed by the contract, and in accordance with its terms. The Project consisted of lining approximately 6,021 feet of

existing 15-inch-diameter cracked vitrified clay pipe. The Project also included rehabilitation of 21 manholes with a protective coating system. The work is located within the City of Los Angeles. There were no change orders for this Project. A recommendation was made to accept this work.

Upon motion of Director Monteiro, duly seconded and unanimously carried, the work in connection with Contract No. 5439, entered into by Insituform Technologies, LLC, on June 7, 2022, for construction of the *Manchester-Vermont Diversion Extension Trunk Sewer Rehabilitation*, was approved and accepted by this Board of Directors; the Chief Engineer and General Manager was directed to execute and record a Notice of Completion with respect to this work of improvement; and final payment of \$591,296.54 was authorized in accordance with the terms of the contract.

RE: RESOLUTION OF THE BOARD OF
DIRECTORS OF COUNTY SANITATION
DISTRICT NO. 5 OF LOS ANGELES COUNTY
ADOPTING POLICIES AND PROCEDURES
FOR PROVIDING PRIORITY SERVICE TO
AFFORDABLE HOUSING PROJECTS - ADOPT

A proposed *Resolution of the Board of Directors of County Sanitation District No. 5 of Los Angeles County Adopting Policies and Procedures for Providing Priority Service to Affordable Housing Projects* (Resolution) was presented. California Government Code Section 65589.7 requires public agencies that provide water or sewer services to adopt written policies and procedures with

specific objective standards for providing priority service to housing projects that include lower income units. The proposed Resolution would establish the required policies and procedures in accordance with the requirements of the law. Once adopted, these policies and procedures must be updated and approved by the Board every five years. This item is consistent with the Districts' Guiding Principle of commitment to continual improvement. A copy of the proposed Resolution was attached to the agenda. A recommendation was made to adopt the Resolution.

Upon motion of Director Monteiro, duly seconded and unanimously carried, the following Resolution was adopted:

RESOLUTION OF THE BOARD OF DIRECTORS OF COUNTY SANITATION DISTRICT NO. 5 OF LOS ANGELES COUNTY ADOPTING POLICIES AND PROCEDURES FOR PROVIDING PRIORITY SERVICE TO AFFORDABLE HOUSING PROJECTS
(California Government Code Section 65589.7)

WHEREAS, the California legislature has declared that the lack of affordable housing is a matter of vital statewide importance; and

WHEREAS, Government Code Section 65589.7 enhances the priority granted to lower-income housing by requiring that public agencies that provide water or sewer services shall adopt written policies and procedures with specific objective standards for providing priority service to housing projects that include lower income units; and

WHEREAS, the Sanitation Districts of Los Angeles County are continually evaluating system requirements and capacity, monitoring planned and proposed project development, and working to ensure there is adequate capacity for future development throughout the Sanitation Districts of Los Angeles County service areas.

NOW, THEREFORE, BE IT RESOLVED, that the following guidelines are hereby adopted by the Board of Directors of County Sanitation District No. 5 of Los Angeles County ("District") with respect to providing priority service to housing projects that include lower income units:

- (1) The District shall devote its best efforts to plan for and, to a reasonable degree (as determined on a case by case basis), prioritize providing sewer connections to residential housing projects that include lower income units as specified in the housing element of a general plan adopted by the legislative body of a county or city within the District's boundaries;

- (2) Development projects that include lower income housing units shall not be denied approval of an application for service, nor shall conditions be imposed thereon or services reduced which are applied for, unless the District makes specific findings that the denial, condition, or reduction is necessary due to the existence of one or more of the following:
 - a. Insufficient water supply or insufficient water treatment or distribution capacity;
 - b. A State Department of Health Services order prohibiting new water connections;
 - c. Insufficient sewer treatment or collection capacity;
 - d. A Regional Water Quality Control Board order prohibiting new sewer connections; or
 - e. The applicant has failed to agree to reasonable terms and conditions.
- (3) Areas with Available Capacity – In times where the District has available capacity in its wastewater collection, treatment and disposal facilities, the provision of public sewer service to residential housing developments will be on an income-neutral basis.
- (4) Areas with Limitations in Capacity – In times where the District experiences service limitations due to capacity or regulatory constraints, service priority shall be given to planned developments that include housing units affordable to lower income households in accordance with Government Code Section 65589.7 and the limitations set therein.
- (5) Procedure – Whenever housing units affordable to lower income households are identified in a city or county housing element, or amendment thereto, from any city or county within the service area of the District, and a developer where the District is the local sewer agency applies for a connection permit, the District will give highest priority to the provision of services to that development and particularly to the affordable housing units contained therein.
- (6) At least once every five (5) years, the District shall update and approve the provisions of this Resolution by subsequent Resolution.

RE: SERVICE CHARGE PROGRAM
 HOLD PUBLIC HEARING ON
 SERVICE CHARGE REPORT, AND
 COLLECTION ON TAX ROLL

The Chief Engineer and General Manager announced that today the Board would hold a public hearing, and the proposed rate increases associated with the service charge, industrial wastewater surcharge, and connection fee rates, and the collection of the service charge on the

property tax roll were presented. Holding a public hearing and then adopting the Service Charge 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 \$14.25 per month (\$171 per year). The rate for fiscal year 2023-24, as previously adopted by the Board of Directors, is \$14.58 per month (\$175 per year). A letter discussing this matter, together with the Service Charge Report, the preliminary budget, and a budget explanation and glossary, accompanies the agenda. 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.

In accordance with Section 5473 of the Health and Safety Code of the State of California, the *County Sanitation District No. 5 Service Charge Report for Fiscal Year 2023-24*, was filed on March 15, 2023, and publication of two newspaper notices for today's public hearing were published in *The Daily Breeze*, a daily newspaper. The Service Charge Report addresses the continued collection of the service charge for the District on the tax roll. These charges are needed to supplement the District's existing revenue sources for the forthcoming fiscal year, as discussed in the letter to the Boards, dated February 3, 2023.

The Chairperson pro tem opened a public hearing on the Service Charge Report for County Sanitation District No. 5 of Los Angeles County. In response to the Chairperson pro tem's question, the Secretary reported that the District has received no correspondence or telephone calls on the Service Charge Report.

There being no further comments, the Chairperson pro tem closed the public hearing.

RE: SERVICE CHARGE PROGRAM
 ADOPT SERVICE CHARGE REPORT

Following the public hearing, upon motion of Director Monteiro, duly seconded and unanimously carried, the Board of Directors of County Sanitation District

No. 5 of Los Angeles County approved and adopted the *County Sanitation District No. 5 Service Charge Report for Fiscal Year 2023-24*, which was filed with the Clerk of the Board on March 15, 2023.

Upon motion of Director Montgomery, duly seconded and unanimously carried, the meeting adjourned.



GEORGE CHEN
Chairperson pro tem

ATTEST:



KIMBERLY S. CHRISTENSEN
Secretary

/ee