

MINUTES OF THE ADJOURNED REGULAR MEETING
OF THE BOARD OF DIRECTORS OF
COUNTY SANITATION DISTRICT NO. 15
HELD AT THE OFFICE OF THE DISTRICT
VIA TELECONFERENCE

December 13, 2021
1:30 o'clock, P.M.

The Board of Directors of County Sanitation District No. 15 of Los Angeles County met pursuant to adjournment as declared by the Secretary at the regular meeting held November 24, 2021, via teleconference. The Secretary reported that a copy of the Notice of Adjournment was posted as required by law and that proper affidavits of the posting are on file in the Secretary's Office.

There were present: Sho Tay, Director from Arcadia
Margaret Finlay, Alternate Director from Duarte
Cory C. Moss, Director from Industry
H. Manuel Ortiz, Director from Irwindale
Charlie Klinakis, Director from La Puente
Holly Mitchell, Director from Los Angeles County
Tom Adams, Director from Monrovia
Kimberly Ann Cobos-Cawthorne, Director from Montebello
Victor Gordo, Director from Pasadena
Polly Low, Director from Rosemead
Chin Ho Liao, Director from San Gabriel
Susan Jakubowski, Alternate Director from San Marino
Rachelle Arizmendi, Director from Sierra Madre
Gloria Olmos, Director from South El Monte
Cynthia Sternquist, Alternate Director from Temple City
Letty Lopez-Viado, Director from West Covina
Cathy Warner, Alternate Director from Whittier
Richard Barakat, Chairperson, Alternate Director from Bradbury

Absent: Emmanuel J. Estrada, Director from Baldwin Park
Jessica Ancona, Director from El Monte
Yvonne Yiu, Director from Monterey Park

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

RE: PUBLIC COMMENT The Chairperson 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 LOS ANGELES COUNTY A certificate from the Executive Officer-Clerk of the Board of Supervisors of the County of Los Angeles was presented to the Secretary certifying that pursuant to Section 7 of the Rules of the Board of Supervisors, Supervisor Holly Mitchell assumed the Office of Chair of the Board of Supervisors at 9:30 a.m., on Tuesday, December 7, 2021, to serve in such capacity until December 13, 2022, or until the election or succession of her successor, which automatically places Supervisor Mitchell on the Board of Directors of this District.

Upon motion of Director Finlay, duly seconded and unanimously carried by a roll-call vote, the certificate was accepted and ordered filed.

RE: MINUTES Upon motion of Director Finlay, duly seconded and unanimously carried by a roll-call vote, the minutes of the adjourned regular meeting held November 15, 2021, were approved.

RE: DISTRICT EXPENSES The following expenses for the month of October 2021 were presented and upon motion of Director Finlay, duly seconded and unanimously carried by a roll-call vote, were approved:

Local District Expenses:	
Operations & Maintenance (O & M)	\$ 59,911.96
Capital	36,903.59
Allocated Expenses:	
Joint Administration	374,466.10
Technical Support	439,927.62
Joint Outfall	<u>1,518,661.48</u>
Total Expenses	<u>\$2,429,870.75</u>

RE: RESOLUTION PROCLAIMING A LOCAL EMERGENCY, RATIFYING THE PROCLAMATION OF A STATE OF EMERGENCY ON MARCH 4, 2020 BY CALIFORNIA GOVERNOR AND AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE LEGISLATIVE BODY - ADOPT

A proposed Resolution of the Board of Directors of the County Sanitation District No. 15 of Los Angeles County Proclaiming a Local Emergency, Ratifying the Proclamation of a State of Emergency on March 4, 2020 by California Governor and Authorizing Remote Teleconference Meetings of the Legislative Body, was presented. Remote teleconference meetings, during the continued existence of the Governor’s proclaimed state

of COVID-19 emergency, will be conducted under the provisions of AB 361 which added California Government Code Section 54953(e), to the Brown Act. Under the provisions of AB 361 and Government Code Section 54953(e), each District must adopt, by majority vote, a resolution making certain findings about the continuing COVID state of emergency and health and safety risks of conducting their meeting in person. By statute, this Resolution and its referenced findings, are only legally valid for 30 days. The Resolution was attached to the agenda. A recommendation was made to adopt the Resolution.

Upon motion of Director Finlay, duly seconded and unanimously carried by a roll-call vote, the following Resolution was adopted:

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
COUNTY SANITATION DISTRICT NO. 15 OF LOS ANGELES COUNTY
PROCLAIMING A LOCAL EMERGENCY, RATIFYING THE PROCLAMATION OF A STATE OF
EMERGENCY ON MARCH 4, 2020 BY CALIFORNIA GOVERNOR AND AUTHORIZING
REMOTE TELECONFERENCE MEETINGS OF THE LEGISLATIVE BODY

WHEREAS, County Sanitation District No. 15 of Los Angeles County (“District”) is committed to preserving and nurturing public access and participation in meetings of the District’s Board of Directors and committees; and

WHEREAS, all meetings of the District’s Board of Directors are open and public, pursuant to the requirements of the Ralph M. Brown Act (California Government Code Sections 54950-54963) (the “Brown Act”), so that any member of the public may attend, participate, observe and watch the District’s Board of Directors conduct business; and

WHEREAS, the Brown Act, Section 54953(e), allows for conducting and participating in meetings by members of a legislative body, without compliance with the requirements of the Brown Act Section 54953(b)(3), subject to the existence of certain conditions; and

WHEREAS, a required condition under the Brown Act Section 54953(e) is the declaration of a state of emergency by the Governor pursuant to California Government Code Section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within California caused by the conditions outlined and described in California Government Code Section 8558; and

WHEREAS, a proclamation of a state of emergency is made when there is an actual incident, threat of disaster, or extreme peril to the safety of persons and property within the jurisdictions that are within the District’s boundaries, caused by natural, technological, or human-induced disasters; and

WHEREAS, it is further required that the state or local officials have imposed or recommended measures to promote social distancing, or the Board of Directors of the District have held a meeting where it considered and determined that meeting in person would present imminent risks to the health or safety of attendees; and

WHEREAS, such conditions now exist in the District as Governor Newsom declared a State of Emergency on March 4, 2020 as a result of the threat of COVID-19; and

WHEREAS, the Centers for Disease Prevention and Control, in its publication “How to Protect Yourself & Others” updated August 13, 2021, have recommended social distancing practices, including staying 6 feet away from others and avoiding crowds and poorly ventilated spaces in order to protect individuals and others from COVID-19; and

WHEREAS, the County of Los Angeles Department of Public Health Order of the Health Officer issued September 17, 2021 (the “County Order”) includes a finding that the existing community transmission of COVID-19 in Los Angeles County remains high and continues to present a high risk of infection and harm to the health of those who are not and cannot be vaccinated against COVID-19 especially when there is an absence of capacity limits and physical distancing requirements for both indoor and outdoor settings. The County Order further finds that COVID-19 infection remains a significant health hazard to all residents; and

WHEREAS, the District’s Board of Directors does hereby find that the ongoing and significant risks associated with COVID-19 infection, especially in the absence of capacity limits and physical distancing requirements for indoor activities, on those who are not and cannot be vaccinated, and that COVID-19 infection remains a significant health hazard to all residents, has caused, and will continue to cause, conditions of peril to the safety of persons within the District that are likely to be beyond the control of services, personnel, equipment and facilities of the District, and desires to proclaim a local emergency and ratify the proclamation of a state of emergency by the Governor of the State of California, and further, ratify the County Order findings related to the ongoing health hazards of COVID-19; and

WHEREAS, as a consequence of the declared state of emergency and the local emergency, the Board of Directors of the District does hereby find that the District shall continue to conduct its meetings in accordance with the provisions and requirements of the Brown Act Section 54953(e), and that the legislative bodies of the District shall comply with the requirements to provide the public with access to, and an opportunity to comment at all meetings of the District’s legislative bodies in accordance with the requirements of the Brown Act Section 54953(e)(2); and

WHEREAS, the District will continue its practice of live streaming its meetings via the Zoom software platform which allows members of the public to observe and participate in the meetings via video or call-in options, and will continue to offer members of the public an opportunity to make oral comments during the meetings and/or submit written comments before the meetings.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF COUNTY SANITATION DISTRICT NO. 15 OF LOS ANGELES COUNTY DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Recitals. The Recitals set forth above are true, correct, and are incorporated in this Resolution by reference.

Section 2. Proclamation of Local Emergency. The Board of Directors of the District does hereby proclaim that a local emergency now exists throughout the territory of the District and, as described in the County Order, there remains evidence of sustained and high community transmission rates of COVID-19 resulting in high risks of infection and harm to the health of those who are not and cannot be vaccinated against COVID-19, especially when there is an absence of capacity limits and physical distancing requirements for both indoor and outdoor settings, and COVID-19 infection remains a significant health hazard to all residents of the District.

Section 3. Ratification of Governor’s Proclamation of a State of Emergency. The District’s Board of Directors hereby ratifies the Governor of the State of California’s Proclamation of a State of Emergency, effective as of its issuance date of March 4, 2020.

Section 4. Remote Teleconference Meetings. The Chief Engineer and General Manager, staff and legislative bodies are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including, without limitation, conducting open and public meetings in accordance with the Brown Act Section 54953(e) and all other applicable provisions of the Brown Act.

Section 5. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of (i) 30 days after the date of this resolution, or such time that the District’s Board of Directors adopts a subsequent resolution in accordance with the Brown Act Section 54953(e)(3) to extend the time during which the legislative bodies of the District may continue to teleconference without compliance with the requirements of the Brown Act Section 54953(b)(3).

PASSED AND ADOPTED by the Board of Directors of County Sanitation District No. 15 of Los Angeles County this 13th day of December 2021 by the following vote:

AYES: Directors Tay, Finlay, Moss, Ortiz, Klinakis, Adams, Cobos-Cawthorne, Gordo, Low, Liao, Jakubowski, Arizmendi, Olmos, Sternquist, Lopez-Viado, Warner, Mitchell, and Barakat

NOES: None

ABSENT: Directors Estrada, Ancona, and Yiu

ABSTAIN: None

RE: FINANCIAL MANAGEMENT
SURCHARGE PROCESSING - ROSEMEAD
PROCESSING MEATS, INC. - AUTHORITY
TO SETTLE SURCHARGE OBLIGATION
AND SECURE COLLECTION

Rosemead Processing Meats, Inc., does not dispute the connection fee amount due; however, it has claimed that it is not in a financial position to submit payment in full and has expressed a willingness to pay the balance in monthly installments. This authorization includes any amounts otherwise due and any additional amounts that

become due prior to institution of litigation or settlement. This item is consistent with the Districts' Guiding Principle of commitment to fiscal responsibility and prudent financial stewardship. A recommendation was made to authorize settlement of the industrial wastewater surcharge fee obligations of Rosemead Processing Meats, Inc., in the principal sum of \$15,868.93, plus penalty and interest; and to authorize the Chief Engineer and General Manager and District Counsel to take all the appropriate steps to secure collection of all past due amounts, including the authority to institute litigation, stipulate to judgment, and execute a settlement agreement that provides for a payment of the indebtedness on a periodic basis.

Upon motion of Director Finlay, duly seconded and unanimously carried by a roll-call vote, settlement of the industrial wastewater surcharge obligations due from Rosemead Processing Meats, Inc., in the principal sum of \$15,868.93, plus penalty and interest, was authorized; and the Chief Engineer and General Manager and District Counsel were authorized to take all the appropriate steps to secure collection of all past due amounts now due together with any amounts that may later become due, including the authority to institute litigation, stipulate to judgment, and execute a settlement agreement that provides for a payment of the indebtedness on a periodic basis.

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

RICHARD BARAKAT
Chairperson

ATTEST:

KIMBERLY S. CHRISTENSEN
Secretary

/mh