

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. 2 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.

RESOLUTION OF THE BOARD OF DIRECTORS OF THE COUNTY SANITATION DISTRICT NO. 2 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, the County Sanitation District No. 2 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 County of Los Angeles Department of Public Health Order of the Health Officer issued March 3, 2022 (the "County Order") includes recommendations that all persons within the jurisdiction of the County of Los Angeles public health agency always practice required and recommended infection control measures when among others, especially in an indoor setting; 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 individuals with underlying health conditions that make them susceptible to severe COVID-19 illness and individuals who are not and cannot be vaccinated, that COVID-19 infection remains a significant health hazard to all residents, 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 THE COUNTY SANITATION DISTRICT NO. 2 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, recommendations from health officers include ongoing masking, and social distancing practices especially for indoor settings and particularly for individuals who, due to vaccine status or underlying health conditions, continue to be at risk for severe illness, 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 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. 2 of Los Angeles County this 27th day of April 2022 by the following vote:

AYES: Sixteen (16)

NOES: None

ABSTAIN: None

ABSENT: Five (5)

RE: SOLID WASTE MANAGEMENT
PUENTE HILLS MATERIALS RECOVERY
FACILITY STORM WATER CAPTURE
MEHTA MECHANICAL COMPANY, INC.
DBA MMC, INC. - CONTRACT NO. 5081
ACCEPTANCE OF THE WORK

Mehta Mechanical Company, Inc. dba MMC, Inc., has completed the work in connection with Contract No. 5081 for construction of the Puente Hills Materials Recovery Facility (PHMRF) Storm Water Capture (Project) within the time allowed by the contract, and in accordance with its terms. The Project consisted of constructing a stormwater collection system at the

PHMRF to comply with state regulations on stormwater discharge issued by the California State Water Resources Control Board. The Project included the construction of four lift stations, a storage basin, and installation of pumps, tanks, piping, and electrical and control equipment. Three change orders totaling \$932,877.77 were approved for this Project. A recommendation was made to accept this work.

The work in connection with Contract No. 5081, entered into by Mehta Mechanical Company, Inc. dba MMC, Inc., on February 7, 2018, for construction of the Puente Hills Materials Recovery Facility Storm Water Capture, 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 \$5,169,879.77 was authorized in accordance with the terms of the contract.

RE: WASTEWATER MANAGEMENT
POMONA WATER RECLAMATION
PLANT INFLUENT SEWER GATE
STRUCTURE - J.R. FILANC
CONSTRUCTION COMPANY, INC.
CONTRACT NO. 5302
ACCEPTANCE OF THE WORK

J.R. Filanc Construction Company, Inc., has completed the work in connection with Contract No. 5302 for construction of the Pomona Water Reclamation Plant Influent Sewer Gate Structure (Project) within the time allowed by the contract, and in accordance with its terms. The Project consisted of replacing an existing slide gate structure that is over 50 years old and had exceeded its useful life. The new automated slide gate and structure

will provide operational flexibility by allowing influent flows to be better controlled and will result in an increase in recycled water produced. Five change orders totaling \$139,730.93 were approved for this Project. A recommendation was made to accept this work.

The work in connection with Contract No. 5302, entered into by J.R. Filanc Construction Company, Inc., on August 5, 2020, for construction of the Pomona Water Reclamation Plant Influent Sewer Gate Structure, 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 \$837,890.93 was authorized in accordance with the terms of the contract.

RE: WASTEWATER MANAGEMENT
SAN JOSE CREEK WATER RECLAMATION
PLANT STAGE TWO PROCESS AIR
DISTRIBUTION UPGRADES
STEVE P. RADOS - CONTRACT NO. 5339
ACCEPTANCE OF THE WORK

Steve P. Rados has completed the work in connection with Contract No. 5339 for construction of the San Jose Creek Water Reclamation Plant Stage Two Process Air Distribution Upgrades (Project) within the time allowed by the contract, and in accordance with its terms. The Project consisted of removal and replacement of deteriorated air piping, wash water piping, and flow

modification baffles to improve the energy efficiency and reliability of the treatment process. The existing piping was installed in the 1980s and was in poor condition due to corrosion. Three change orders totaling \$9,885.23 were approved for this Project. A recommendation was made to accept this work.

The work in connection with Contract No. 5339, entered into by Steve P. Rados on February 4, 2021, for construction of the San Jose Creek Water Reclamation Plant Stage Two Process Air Distribution Upgrades, 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 \$2,959,885.23 was authorized in accordance with the terms of the contract.

REGULAR AGENDA

RE: FACILITIES PLANNING
CYBERSECURITY THREAT HUNTING
AND USER BEHAVIOR ANALYTICS
FOR COMPUTER NETWORK FOR
TWO-YEAR PERIOD - AUTHORIZE
ISSUANCE OF PURCHASE ORDER TO
COMPUTER AID, INC.

The growing proliferation and sophistication of cybersecurity threats requires the ability for the Districts to actively scan the computer network for internal threats and to collect forensic information for use in responding to potential cybersecurity incidents. The Districts' current cybersecurity services provide a perimeter defense to our network only. The proposed services from Computer Aid, Inc., (CAI) will provide the ability to look for

intruders that have already breached the perimeter of our system and provide the tools to expel them. The proposed services will integrate with the Districts' existing cybersecurity detection and response services that are already being provided by CAI. The Board previously authorized issuance of a purchase order to CAI as a result of a competitive selection process. Issuing an additional purchase order to CAI is the most cost-effective approach to acquiring the necessary services. 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). A recommendation was made to authorize the Chief Engineer and General Manager, in his capacity as Purchasing Agent, to authorize issuance of purchase order to Computer Aid, Inc., in the amount of approximately \$517,000 for cybersecurity threat hunting and user behavior analytics for computer network for a two-year period.

Upon motion of Director Davila, duly seconded and unanimously carried by a roll-call vote, the Purchasing Agent was authorized to issue a purchase order to Compute Aid, Inc., for cybersecurity threat hunting and user behavior analytics for computer network for a two-year period, at a cost of approximately \$517,000.

RE: WASTERWATER MANAGEMENT
POMONA WATER RECLAMATION PLANT
ADVANCED AERATION CONTROLS
AUTHORIZE ISSUANCE OF PURCHASE
ORDER TO - ACCO ENGINEERED SYSTEMS

On January 12, 2022, the Board approved an agreement for professional services with Carollo Engineers, Inc., to participate in a Department of Energy awarded project to research and implement state-of-the-art treatment plant process controls with the goal of energy savings ranging from 20 to 50 percent. To support this effort, ACCO

Engineered Systems (ACCO) will modify existing process air piping and electrical system and will install the required District-furnished instrumentation and controls as part of the Pomona Water Reclamation Plant (WRP) Advanced Aeration Controls (Project). Pursuant to authority previously granted by the Board, the Project will be completed utilizing the Job Order Contracting program which relies on pre-established, competitively-bid construction tasks that will accelerate project delivery and reduce administration and design costs. Staff has determined that the activities described herein are exempt or otherwise not subject to the provisions of the California Environmental Quality Act (CEQA) pursuant to California Public Resources Code Section 21084 and Title 14 of the California Code of Regulations (“CEQA Guidelines”) Section 15301. This item is consistent with the Districts’ Guiding Principles to provide leadership in our industry through innovation, compliance, and cost effectiveness; and to undertake research to improve the Districts’ operations and services and advance practices of our industry. A recommendation was made to authorize the Chief Engineer and General Manager, in his capacity as Purchasing Agent, to authorize issuance of purchase order to ACCO Engineered Systems (ACCO) in the amount of approximately \$1,384,569 for Pomona Water Reclamation Plant advanced aeration controls.

Upon motion of Director Davila, duly seconded and unanimously carried by a roll-vote, the Purchasing Agent was authorized to issue a purchase order to ACCO Engineered Systems for Pomona Water Reclamation Plant advanced aeration controls, at a cost of approximately \$1,384,569.

RE: WASTEWATER MANAGEMENT
LOS COYOTES WATER RECLAMATION
PLANT POWER DISTRIBUTION SYSTEM
MODIFICATIONS - CSI ELECTRICAL
CONTRACTORS, INC. - CONTRACT
NO. 5167 APPROVE CHANGE ORDER
NO. 37 - EXTRA WORK

As part of the Los Coyotes Water Reclamation Plant Power Distribution System Modifications (Project), the contractor was required to relocate or replace 27 light poles and install them using the existing anchoring system. During construction, it was determined that the existing anchor studs were rusted, had damaged threads, and required modification or replacement to mount the new light poles. Therefore, the contractor was directed

to modify or replace the anchor support system at all 27 locations to properly secure the light poles. This item is consistent with the Districts’ Guiding Principle to protect financial and facility assets through prudent investment and maintenance programs. The claim has been reviewed and the work determined to be beyond the scope of the plans and specifications. A recommendation was made to approve Change Order No. 37 to Contract No. 5167 with CSI Electrical Contractors, Inc., for the construction of Los Coyotes Water Reclamation Plant Power Distribution System Modifications; resulting in payment of \$126,290 for extra work.

Upon motion of Director Davila, duly seconded and unanimously carried by a roll-call vote, Change Order No. 37 to Contract No. 5167 with CSI Electrical Contractors, Inc., for the construction of Los Coyotes Water Reclamation Plant Power Distribution System Modifications, resulting in a payment of \$126,290, was approved.

RE: SOLID WASTE MANAGEMENT
NON-DISCLOSURE AGREEMENT
ARAKELIAN ENTERPRISES INC.
DBA ATHENS SERVICES
CONTRACT NO. 5440 - APPROVE

Arakelian Enterprises Inc. dba Athens Services (Athens) submitted offers to lease Downey Area Recycling and Transfer Facility (DART) and the sort line at the Puente Hills Material Recovery Facility (PHMRF) in response to requests for proposals issued in December 2021.

Athens was the only proposer for lease of the sort line at PHMRF and was the highest ranked proposal of three received for leasing DART. The Districts has started lease negotiations and, as part of the due diligence process, has requested to review Athens’s financial records. Athens requires that the Districts executes the *Non-Disclosure Agreement* (Agreement) prior to releasing the records. Staff has determined that the 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. This item is consistent with the Districts’ Guiding Principle of commitment to fiscal responsibility and prudent financial stewardship. A recommendation was made to approve and order executed an Agreement with Arakelian Enterprises Inc. dba Athens Services concerning potential lease of Downey Area Recycling and Transfer Facility and sort line at Puente Hills Material Recovery Facility, and order that the Agreement be recorded.

Upon motion of Director Davila, duly seconded and unanimously carried by a roll-call vote, the Board of Directors of County Sanitation District No. 2 of Los Angeles County found and determined that it would be

to the advantage of the District to enter into a *Non-Disclosure Agreement* with Arakelian Enterprises Inc. dba Athens Services providing for potential lease of Downey Area Recycling and Transfer Facility and sort line at Puente Hills Material Recovery Facility, as set forth in the Agreement and under terms and conditions contained therein. All the terms and conditions of the *Non-Disclosure Agreement*, Contract No. 5440, dated April 27, 2022, were accepted and approved, and the Chairperson and Secretary were authorized to execute the Agreement on behalf of the District.

RE: HUMAN RESOURCES
TAB MONTI - CLAIM - EXECUTE
COMPROMISE AND RELEASE PENDING
WORKERS' COMPENSATION APPEALS
BOARD PROCEEDINGS
AUTHORIZE SETTLEMENT

During the course of his employment with the Districts, Mr. Tab Monti sustained injuries to multiple body parts, including his back and knees. Mr. Monti's attorney and District Counsel have agreed on a proposed settlement in the form of Compromise and Release in the amount of \$109,418.13. Approximately \$69,739.68 is statutorily required as a Medicare Set Aside (MSA). The remaining

approximately \$39,678.45 represents the settlement amount. District Counsel believes the settlement is cost effective and recommends that the proposed settlement be approved. A recommendation was made to approve settlement with former District employee Tab Monti and authorize District Counsel to execute Compromise and Release in connection with pending Workers' Compensation Appeals Board proceedings.

Upon motion of Director Davila, duly seconded and unanimously carried by a roll-call vote, payment of \$109,418.13 to Mr. Tab Monti was authorized in full settlement of their claim for sustained injuries to multiple body parts, including his back and knees. Furthermore, District Counsel was authorized to execute a Compromise and Release in the amount \$109,418.13 in connection with the pending Workers' Compensation Appeals Board proceedings.

Upon motion of Director Davila, duly seconded and unanimously carried, the meeting was adjourned in memory of Detective Alexis Gonzalez.

CATHY WARNER
Chairperson

ATTEST:

KIMBERLY S. CHRISTENSEN
Secretary

/ee