

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

In response to concerns about the Novel Coronavirus (COVID-19), and in accordance with the provisions of California Government Code Section 54953(e), Directors will attend these meetings via teleconference. To join the meeting, 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	September 14, 2022	At 1:30 P.M.
Governing Body	Director	Alternate
ALHAMBRA	MALONEY	ANDRADE-STADLER
ARTESIA	RAMOSO	TAJ
BELL	ARROYO	SALEH
BELL GARDENS	PULIDO	FLORES
BELLFLOWER	DUNTON	SANTA INES
CERRITOS	VO	BARROWS
COMMERCE	REBOLLO	ALTAMIRANO
COMPTON	SHARIF	-----
DOWNEY	BLANCA PACHECO	FROMETA
LONG BEACH	R. GARCIA	-----
LOS ANGELES CITY	N. MARTINEZ	BUSCAINO
MONTEBELLO	COBOS-CAWTHORNE	PERALTA
MONTEREY PARK	H. LO	SORNOSO
NORWALK	RAMIREZ	PEREZ
PARAMOUNT	CUELLAR STALLINGS	AGUAYO
PICO RIVERA	SANCHEZ	CAMACHO
SAN GABRIEL	DING	MENCHACA
SOUTH GATE	RIOS	DAVILA
VERNON	LOPEZ	W. DAVIS
WHITTIER	VINATIERI	WARNER (Chairperson)
LOS ANGELES COUNTY	MITCHELL	SOLIS

CONSENT AGENDA

1. Public Comment
2. Receive and Order Filed as Follows:
 - (a) Certificate of Ms. Monica Arroyo, Presiding Officer of the City of Bell
 - (b) Action Appointing Mr. Ali Saleh as Alternate Director of the City of Bell
 - (c) Action Appointing Ms. Isabel Aguayo as Alternate Director of the City of Paramount
3. Approve Minutes of Regular Meeting Held July 27, 2022
4. Approve May and June 2022 Expenses in Amount of \$39,712,887.33

Summary: Local District expenses represent costs incurred for operations, maintenance, and capital projects that are the sole responsibility of the individual District. Allocated expenses represent the District's proportionate share of expenses made by District No. 2, the Administrative District, on its behalf pursuant to either the Joint Administration Agreement or the Joint Outfall Agreement. These Agreements provide for the joint administration, technical support and management of the operations, maintenance, and capital costs associated with all of the shared facilities for all of the signatory Districts, along with the methodology for determining the proportionate costs for each participating District. District No. 2 also acts as the Administrative District for the Solid Waste System expenses which are managed pursuant to the Solid Waste Management System Agreement, the Los Angeles County Refuse Disposal Trust Fund Agreement, and a series of Joint Powers Agreements. District No. 2 also acts as the Administrative District for

4. Contd.

Stormwater Management expenses the Districts incur, and are later reimbursed for, in assisting their member cities and unincorporated Los Angeles County address stormwater compliance issues. A listing of Districts' payments and previously approved budgets can be found on the Districts' website at lacsdc.org/financial-documents. This item is consistent with the Districts' Guiding Principle of commitment to fiscal responsibility and prudent financial stewardship.

Local District Expenses:	
Operations & Maintenance	\$ 262,893.40
Capital	2,051,751.59
Allocated Expenses:	
Joint Administration	1,161,749.75
Technical Support	1,225,970.44
Joint Outfall	4,436,711.46
Solid Waste System Expenses:	
Operations & Maintenance	24,113,141.56
Allocated Expenses	2,400,859.98
Capital	4,024,227.60
Stormwater Expenses:	
Operations & Maintenance	35,581.55
Total Expenses	<u>\$39,712,887.33</u>

5. Approve *Resolution of the Board of Directors of 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*

Summary: Remote teleconferenced 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 is attached to the agenda.

6. Authorize Payment to Lewis, Brisbois, Bisgaard & Smith LLP, in Amounts of \$208,749.35 and \$217,834.35, for Legal Services Rendered and Reimbursement of Expenses Advanced in Various Districts' Matters for Months of May 2022 and June 2022, Respectively

7. Re: Annexation No. 58 to District

(a) Adopt Resolution for Making Application to Local Agency Formation Commission (LAFCO) for Annexation and Amendment to Sphere of Influence (SOI); Review, Consider and Find Adequate California Environmental Quality Act (CEQA) Document; and Consent to Waiver of Protest Proceedings

(b) Adopt Joint Resolution with County of Los Angeles and Greater Los Angeles County Vector Control District Approving and Accepting Negotiated Exchange of Property Tax Revenues Resulting from Annexation

Summary: Annexation No. 58 consists of an existing 80,000-square-foot warehouse in the City of Los Angeles. 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 LAFCO, approves the CEQA document, and consents to a waiver of the LAFCO protest hearing. This resolution also authorizes LAFCO to amend the District's SOI since a portion of the territory is outside of the District's existing SOI boundary. 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 CEQA document are attached.

8. Accept Contract No. 5405 and Order Final Payment to Southwest Pipeline and Trenchless Corporation for Construction of *Joint Outfall C Unit 6G Trunk Sewer Rehabilitation* (Project); Resulting in Total Contract Amount of \$104,777.25

Summary: The Project consisted of lining approximately 603 linear feet of corroded 15-inch-diameter reinforced concrete pipe constructed in 1955. The Project also included rehabilitation of eight manholes with a protective coating system. The work is located in the Cities of Artesia and Cerritos. There were no change orders for this Project.

REGULAR AGENDA1. Report on Bids and Award of Order to *Furnish and Deliver a Gas Chromatograph/Triple Quadrupole Mass Spectrometer System with Autosampler and Data System – Re-Bid*

Summary: The proposed equipment will replace the 19-year-old system that has reached the end of its service life and is no longer supported by the manufacturer, and for which some parts are no longer available for repair. This system is currently used for regulatory monitoring of semi-volatile organic compounds in wastewater, stormwater, surface water, and groundwater samples. Bids for this project were previously received and found to be non-responsive. The bid summary/award recommendation of the re-bid process 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).

2. Authorize Issuance of Purchase Orders as Follows:

- (a) To ACCO Engineered Systems (ACCO) in Amount of Approximately \$114,546 for Preventative Maintenance of Heating, Ventilation, and Cooling Equipment (HVAC) at Various Water Reclamation Plants (WRPs)

Summary: Maintenance of the existing HVAC systems at the WRPs is performed by specialized contractors. The work includes preventative maintenance and service of all HVAC systems, controls, and equipment. Pursuant to authority previously granted by the Board, the preventative maintenance will be completed utilizing the Job Order Contracting program which relies on pre-established, competitively-bid construction and maintenance tasks that will accelerate the delivery of services and reduce administration and procurement costs. 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. This item is consistent with the Districts' Guiding Principle to protect financial and facility assets through prudent investment and maintenance programs.

- (b) To Howden Group, Ltd. (Howden) in Amount of Approximately \$163,707 for Three Replacement Inlet Silencers for the Process Air Compressors (PACs) at San Jose Creek Water Reclamation Plant (WRP)

Summary: The inlet silencers on the three PACs at San Jose Creek WRP are corroded, failing, and need replacement to prevent any corroded material from entering the blower intake of the PACs and causing damage to the units. The PACs provide compressed air to the biological process and are highly critical for compliant operations and the reliable production of recycled water. Howden (formerly Roots-Dresser) is the original equipment manufacturer of the PACs and the inlet silencer equipment. 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).

- (c) To Vapex Environmental Technologies, Inc., (Vapex) in Amount of Approximately \$173,400 for Radical Odor Control System at Long Beach Water Reclamation Plant (WRP)

Summary: The collection and treatment of wastewater generates foul odors and hydrogen sulfide (H₂S), a corrosive gas that has resulted in premature failure of electrical components in computers, network servers at the plant control building, and can accelerate the decline of other plant assets including odor control covers, conveyance channels and concrete surfaces. Vapex has developed an innovative foul odor control system that oxidizes H₂S and reduces foul odors. Based on a pilot study conducted in 2021, staff recommends the purchase of Vapex's Radical Odor Control System for a full-scale evaluation to determine if this technology could be useful at other WRPs. This item is consistent with the Districts' Guiding Principles of commitment to continual improvement; and commitment to operational excellence (protection of public health and the environment, regulatory compliance, and cost effectiveness).

- (d) To Hallsten Corporation (Hallsten) in Amount of Approximately \$199,850 for Aluminum Odor Control Covers at Los Coyotes Water Reclamation Plant (WRP)

Summary: Aluminum covers are used at the treatment plants to control odors. Severe corrosion of the existing aluminum covers over various areas has been observed and presents a serious safety risk as the covers could fail while under worker load. Hallsten aluminum covers have been used in similar applications at treatment plants and other Districts' facilities and have demonstrated superior corrosion resistance and strength compared to competitors. Hallsten aluminum covers are competitively priced and offer superior structural integrity over those of other cover manufacturers, resulting in safer working conditions. This item is consistent with the Districts' Guiding Principles of commitment fiscal responsibility and prudent financial stewardship; and commitment to operational excellence (protection of public health and the environment, regulatory compliance, and cost effectiveness).

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- (e) To Rite-Way Roofing Corporation in Amount of Approximately \$214,030 for Joint Water Pollution Control Plant (JWPCP) Wastewater Research Maintenance Building Roof Replacement

Summary: The JWPCP Wastewater Research Maintenance Building roof was constructed in 1971 and partially replaced in 1994. The roof has since developed extensive water leaks and requires replacement. 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 are not subject to the provisions of California Environmental Quality Act (CEQA). The activities described herein do not constitute a "Project" as that term is defined in 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 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).

- (f) To Valley Power Systems, Inc., (Valley Power) in Amount of Approximately \$1,297,040 for Two 1,000 Kilowatt (kW) Atlas Copco QAC 1500 TwinPower Portable Emergency Diesel Generators for Various Water Reclamation Plants (WRPs)

Summary: In recent years, Southern California Edison has enacted Public Safety Power Shutdowns (PSPS) to reduce the risk of wildfire events caused by their electrical transmission lines and facilities. While PSPS events reduce the risk of wildfires, they increase vulnerability and risk to Districts' operations. The purchase of two portable 1,000 kW emergency generators is recommended to increase the power resiliency and reliability of the Districts' ten WRPs and various sewage pumping plants and help mitigate the risk of PSPS events. Onsite portable emergency generators allow the quick mobilization of emergency generators to Districts' facilities in response to utility power failures and/or internal plant-specific power issues to ensure compliant operations and production of recycled water. Atlas Copco produces a 1,000 kW portable diesel generator that occupies half the standard footprint of a standard-sized unit and is mounted on a single trailer to provide maximum flexibility for WRP maintenance staff with regards to transporting and storing the unit. Purchase of generators is recommended through the Sourcewell Cooperative Purchase Agreements (Sourcewell). Sourcewell provides nationally leveraged and competitively solicited purchasing contracts. Sourcewell provides a 35 percent discount off the list price and Valley Power is the local authorized Atlas Copco dealer. Purchasing the equipment through Sourcewell is the most cost-effective means of procurement. This item is consistent with the Districts' Guiding Principles of commitment to fiscal responsibility and prudent financial stewardship; commitment to continual improvement; and commitment to operational excellence (protection of public health and the environment, regulatory compliance, and cost effectiveness).

3. Authorize Issuance of Purchase Orders for On-Call Right-of-Way Acquisition Services in Amount of \$100,000 for Three-Year Period as Follows:

- (a) To Epic Land Solutions, Inc. (Epic)
(b) To Overland, Pacific & Cutler, LLC (OPC)
(c) To Paragon Partners Consultants, Inc. (Paragon)

Summary: During peak demand periods, right-of-way acquisition consulting services are needed to augment Districts' staff that is responsible for securing property rights for Districts' sewer construction projects. It is more cost and time effective to use an on-call consultant to perform these services rather than issue separate requests for proposals for each project. Due to the number and variety of upcoming projects, having multiple on-call consultants would ensure that there would be a consultant with the necessary expertise and availability. Proposals were solicited and received from three consulting firms, Epic, OPC, and Paragon, all of which were ranked as qualified to provide the required services at competitive labor rates, which will be fixed for a three-year period. Services will be used on an as-needed basis for potentially all Districts. In accordance with the Purchasing Policy, District No. 2 will issue and administer the proposed purchase orders and expenditures will be allocated according to actual costs attributable to each District. This item is consistent with the Districts' Guiding Principle of commitment to continual improvement.

4. Authorize Extension of Purchase Orders as Follows:

- (a) To Carbon Activated Corporation in Amount of Approximately \$314,600 to Furnish and Deliver Granular Vapor Phase Activated Carbon to Joint Water Pollution Control Plant (JWPCP) and Wastewater Collection System (WCS)

Summary: Activated carbon is used to remove volatile organic and odor causing compounds from gases in wastewater collection and treatment facilities. Carbon Activated Corporation has proposed to extend the contract for a second year per the 2020 contract specification and continue to supply carbon at an increased

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cost of 14 percent above the previous contract. A review of the cost increase in shipping, raw materials, and labor has determined that the increase is justified. The proposal is competitive, and in the best interest of the Districts to extend at this time. Staff recommends that a purchase order be issued to Carbon Activated Corporation in the amount of \$314,600. This item is consistent with the Districts' Guiding Principle to protect financial and facility assets through prudent investment and maintenance programs.

- (b) To Carbon Activated Corporation in Amount of Approximately \$860,800 to Furnish Carbon Regeneration Services to Joint Water Pollution Control Plant (JWPCP) and Wastewater Collection System (WCS)

Summary: Activated carbon is used to remove volatile organic and odor causing compounds from gases in wastewater collection and treatment facilities. Regeneration is a process that uses heat to remove impurities absorbed by the activated carbon so that it can be reused. Carbon Activated Corporation has proposed to extend the contract for a second year per the 2020 contract specifications and continue to regenerate carbon at an increased cost of 16 percent above the previous contract. A review of the cost increase in shipping, raw materials, and labor has determined that the increase is justified the proposal is competitive, and in the best interest of the Districts to extend at this time. Staff recommends that a purchase order be issued to Carbon Activated Corporation in the amount of \$860,800. This item is consistent with the Districts' Guiding Principle to protect financial and facility assets through prudent investment and maintenance programs.

5. Approve Change Orders to Construction Contracts as Follows:

- (a) Nos. 46 and 51 to Contract No. 5167 with CSI Electrical Contractors, Inc., for Construction of *Los Coyotes Water Reclamation Plant Power Distribution System Modifications* (Project); Resulting in Total Payment of \$467,725.83 for Extra Work

Summary: As part of the Project, the contractor was required to demolish the existing generators and seal the fuel lines at the wall penetration of the building. During construction, it was determined that sealing fuel lines in place was prohibited by both the underground storage tank regulations and the permit issued by the Los Angeles County Department of Public Works. The contractor was therefore directed to remove the existing fuel lines in their entirety between the generators and the underground storage tank. Separately, the contractor was required to excavate and recompact the existing crushed aggregate base material in the main entrance road prior to repaving. During construction, the contractor discovered that the thickness of the existing base material in the main entrance road was less than that shown in the contract drawings. The contractor was therefore directed to install additional base material to achieve the required thickness. 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).

- (b) No. 7 to Contract No. 5365 with Environmental Construction, Inc., for Construction of *Joint Water Pollution Control Plant (JWPCP) Flare Station Expansion* (Project); Resulting in Payment of \$158,179 for Extra Work

Summary: As part of the Project, the contractor was required to connect the new flare station system to the existing digester gas pipeline while the pipeline remained in service. During construction, it was discovered that at the location where the connection was to be made, the pipeline was encased in concrete, and attempting to connect the active pipeline at this location would pose a safety risk due to the construction techniques required. The contractor was therefore directed to connect the new flare station to the existing digester gas pipeline at an alternate location away from the concrete encased pipe segment. 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).

6. Approve and Order Executed Documents as Follows:

- (a) [Participant Agreement By and Between the County of Los Angeles and Participating Entities for Los Angeles Region-Imagery Acquisition Consortium 7 \("LARIAC7"\) Project](#) at Cost of Approximately \$139,000

Summary: The LARIAC7 program is the seventh iteration of an on-going effort to pool resources from county departments, cities, and special districts to purchase high-resolution aerial photography, digital elevation models, topographic contours, building footprints, and oblique aerial imagery for Los Angeles County. The District previously obtained prior versions of the program data and found that the information is very helpful in conducting analyses, preparing exhibits, and coordinating work with other agencies. The 2020 data are becoming outdated, and this iteration of the program will provide data current as of winter 2023. The cost to the District is based on its proportionate share of data required. 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. This item is consistent with the Districts' Guiding Principle to provide reliable and responsible service with safety first.

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- (b) [Second Amendment to Labor Services Agreement](#) (Amendment) with Minute Man, Inc., (Minute Man)

Summary: Labor services are required at Districts' facilities to perform a variety of tasks including traffic direction, litter removal, cleaning duties, general labor, and grounds maintenance. In July 2017, subsequent to receipt of proposals, the Board approved the *Labor Services Agreement* (Agreement) with Minute Man to provide labor services at Districts' facilities for a two-year period. The Agreement provided for two additional two-year extension periods upon mutual agreement of the parties, with cost increases limited to specifically identified pass-through costs and to the Consumer Price Index. In May 2021, the Board approved the *First Amendment*, which included an increase in the billing rates due to the California Supreme Court's recent changes to the interpretation of prevailing wage requirements for special districts and extended the Agreement for the second and final period through June 2023. This Amendment expands the scope of labor services provided to include general laborers and equipment operators at the PHMRF and SGTS, which are currently provided by another contractor under a contract that expires on September 30, 2022. The amended costs for the additional labor services are approximately \$1.61 million. Minute Man has an excellent employee retention rate and safety record and has agreed to provide the additional required services under all of the other terms and conditions of the Agreement. The activities described herein do not constitute a "Project" as that term is defined in California Public Resources Code ("PRC") Section 21065 and Title 14 of the California Code of Regulations ("CEQA Guidelines") Section 15378. Staff has determined that the activities described are not subject to the provisions of CEQA. This item is consistent with the Districts' Guiding Principles of commitment to fiscal responsibility and prudent financial stewardship; and commitment to operational excellence (protection of public health and the environment, regulatory compliance, and cost effectiveness).

7. Authorize Chief Engineer and General Manager (Chief Engineer) to Execute [Fourth Amendment to License Agreement](#) (Amendment) with Friends of Wilmington Sports Complex, LLC, (FWSC) for Interim Operation of Wilmington Athletic Complex (WAC)

Summary: The WAC is located adjacent to the Joint Water Pollution Control Plant (JWPCP) on 18 acres of Districts' property in the Wilmington neighborhood of the City of Los Angeles (City). In the 1960s, the Districts purchased what was then vacant land to act as buffer for the JWPCP and support potential plant expansion. In the late 1970s, the Districts leased the property to a local organization, which constructed athletic fields and ancillary facilities on the premises. In July 2021, the Board authorized the Chief Engineer to terminate the lease and enter into a License Agreement (License) with FWSC to operate the WAC on an interim basis while the Districts negotiates a long-term Lease Agreement (Lease) with the City's Department of Recreation and Parks. In June 2022, the Board approved a deal term sheet for the Lease and authorized the Chief Engineer to execute the Lease. The License expires on September 30, 2022, but staff continues to work with the City on the Lease. In order to allow additional time to finalize the Lease, staff recommends that the Board authorize the Chief Engineer to execute the attached Amendment, which will extend the term of the License through December 31, 2022. Staff has determined that authorizing the Chief Engineer to execute the Amendment 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 fee title holder of the WAC property, District No. 8 must authorize the action requested, and District No. 2, as the administrative District, must approve the authority granted by District No. 8. This item is consistent with the Districts' Guiding Principle of commitment to continual improvement.

8. Approve Settlement with Former District Employee Cody Huff and Authorize District Counsel to Execute Compromise and Release in Connection with Pending Workers' Compensation Appeals Board Proceedings

Summary: During the course of his employment with the Districts, Mr. Cody Huff sustained injuries to multiple body parts, including his lower back, neck and psyche. Mr. Huff's attorney and District Counsel have agreed on a proposed settlement in the form of Compromise and Release in the amount of \$35,000. Approximately \$4,350 is statutorily required for permanent disability. The remaining approximately \$30,650 represents the settlement amount. District Counsel believes the settlement is cost effective and recommends that the proposed settlement be approved.

9. Reject Claims of Damages and/or Injuries as follows:

- (a) Claim by Ciciely McBride, Alleging Injuries to Neck and Back Due to Vehicle Collision
- (b) Claim by Detrich Jennings, Alleging Damages to Vehicle, Injuries to Neck and Back, and Headaches Due to Vehicle Collision
- (c) Claim by Saraya Hollis, Alleging Injuries to Neck and Back Due to Vehicle Collision
- (d) Claim by Clifford Flores, Alleging Damages to Left Side of Vehicle and Injuries to Left Hip, Back, and Neck due to Vehicle Collision

9. Contd.

Summary: Three claims were received on August 8, 2022, from Ciciely McBride, Detrich Jennings, and Saraya Hollis (regarding the same accident), alleging damages and injuries resulting from a Districts' vehicle colliding into the claimants' vehicles. The Districts' vehicle tracking system and other records indicate that a Districts' vehicle was not in the area of the alleged incident; therefore, it is highly unlikely the damage was caused by a Districts' employee. A fourth claim was received on August 8, 2022, from Clifford Flores, alleging a Districts' vehicle negligently merged into the claimant's lane, colliding with the claimant's vehicle, resulting in property damage and injuries. The location of the incident is outside of the Districts' service area, and the Districts' vehicle tracking system and other records indicate that a Districts' vehicle was not in the area of the alleged incident; therefore, it is highly unlikely the damage was caused by a Districts' employee. District Counsel has reviewed the claims and recommends that the claims be rejected. This item is consistent with the Districts' Guiding Principle of commitment to fiscal responsibility and prudent financial stewardship.

10. CLOSED SESSION – *Conference with Legal Counsel Pursuant to Government Code Section 54956.9(d)(2) – Potential Litigation Regarding Dispute with Barrett Business Services, Inc., Approve and Order Executed Amended Joint Stipulation and Settlement Agreement with Barrett Business Services, Inc., and Plaintiffs in Kaanaana et al. v. Barrett Business Services, Inc. et al., L.A. Superior Court Case No. BC496090*

Summary: At a December 7, 2021, mediation, the parties tentatively reached a global settlement of all claims. Of the total settlement amount, the District would be responsible for \$3,150,000 to settle a recent California Supreme Court (Court) ruling that requires special districts to pay prevailing wage for contract employees performing operation and maintenance activities. Historically, contractors are only paid prevailing wages for construction of publicly owned or funded facilities. The Board approved the tentative settlement at the January 26, 2022, meeting. However, the Court must approve any settlement for class action matters. The Court has since ordered that the initial written settlement document prepared by the plaintiff be revised to address the claims more specifically and describe how the settlement would be distributed. The amended settlement document does not change the amount of the contribution by the District, but rather addresses the Court's concerns which is a necessary prerequisite for the Court to approve the settlement on the same financial terms as the original approval. The *Amended Joint Stipulation and Settlement Agreement* will supersede the previous version approved by the Board on January 26, 2022. The Chief Engineer and General Manager and District Counsel still believe the settlement is cost-effective, and in the District's best interest and recommend reapproval of the settlement on the same financial terms as the original approval. *The Board may meet in closed session to discuss this matter with District Counsel and staff.*

11. Re: Sanitary Sewer Overflow (SSO) in the City of Long Beach, SSO Event ID No. 871320

- (a) CLOSED SESSION – *Conference with Legal Counsel Pursuant to Government Code Section 54956.9(d)(2) – Potential Litigation – California Regional Water Quality Control Board – Los Angeles Region, Administrative Civil Liability (ACL) Complaint Relating to SSO Event ID No. 871320*
- (b) Delegate Authority to Chief Engineer and General Manager and District Counsel to Execute *Settlement Agreement* with California Regional Water Quality Control Board – Los Angeles Region, to Resolve ACL Complaint Relating to SSO Event ID No. 871320 and to Take all Further Actions Necessary to Effectuate Settlement of this Matter including Implementation of Associated Supplemental Environmental Projects

Summary: This matter is related to confidential settlement negotiations with the Los Angeles Regional Water Quality Control Board regarding a sewer spill that occurred in December 2020 and discharged to the Los Cerritos Channel. *The Chief Engineer and General Manager and District Counsel will discuss this matter in closed session.*

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.

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 the County Sanitation District No. 2 of Los Angeles County this 14th day of September 2022 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Chairperson

COUNTY SANITATION DISTRICT NO. 2 OF LOS ANGELES COUNTY

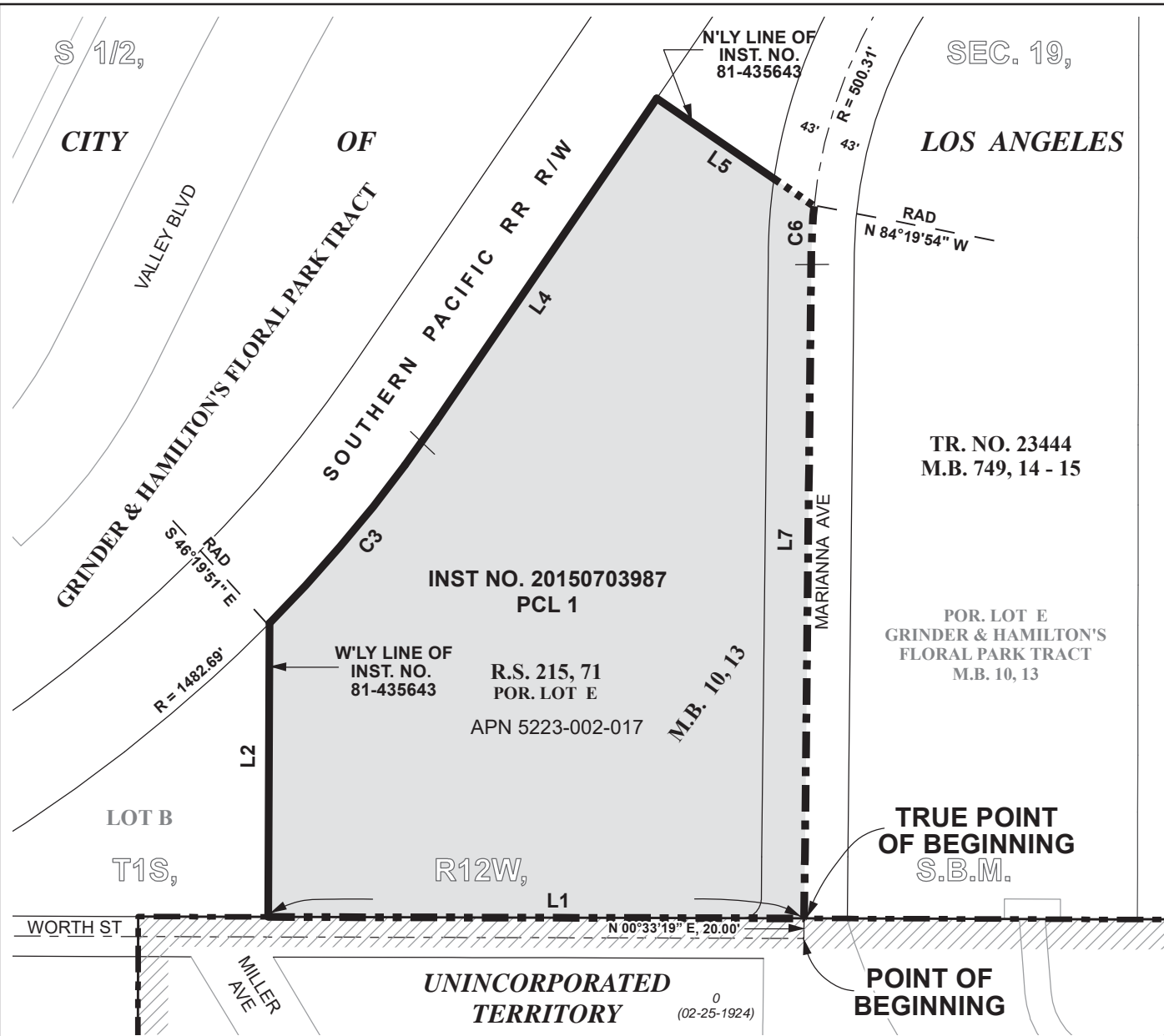
PROPOSED ANNEXATION NO. 58

AGENDA DATE: Resolution Making Application to LAFCO September 14, 2022

LOCATION: Thomas Brothers Map Page 635 Grid E2
Located on the northwest corner of Marianna Avenue and Worth Street, all within the City of Los Angeles.

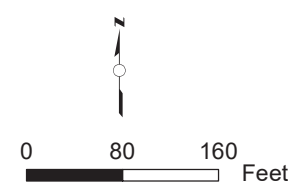
PROCESSING FEES:	District	\$ 3,120.00
	Local Agency Formation Commission	3,500.00
	State Board of Equalization	<u>500.00</u>
	Total:	\$ <u>7,120.00</u>

DESCRIPTION & REMARKS: The annexation consists of an existing 80,000 square-foot warehouse. Additionally, an amendment to the sphere of influence of the District by LAFCO is required.



COURSE DATA

L1	N 89°52'56" W	521.38'
L2	N 00°07'04" E	306.61'
C3	R = 1482.69'	L = 243.42' D = 09°24'24"
L4	N 34°15'45" E	388.72'
L5	S 55°44'15" E	191.02'
C6	R = 500.31'	L = 44.65' D = 05°06'47"
L7	S 00°33'19" W	665.92'



Annexation No. 58 shown thus

Boundary of Sanitation District No. 2 prior to Annexation No. 58 shown thus

City Boundary

Prior Annexations shown thus

Area of Annexation 7.374 ± Acres

ANNEX. NO. (RECORDING DATE)

COUNTY SANITATION DISTRICT NO. 2
OF LOS ANGELES COUNTY, CA
OFFICE OF CHIEF ENGINEER
ROBERT C. FERRANTE
CHIEF ENGINEER & GENERAL MANAGER

ANNEXATION NO. 58
TO
COUNTY SANITATION DISTRICT NO. 2

Recorded:

LA County Assessor Landbase,
CAMS Centerline, DPW City boundary
LA County Sanitation Districts:
AnnexationLayer and District Layer

NOTICE OF FINDING/CERTIFICATE OF FILING

ANNEXATION NO. 58 TO COUNTY SANITATION DISTRICT NO. 2

THOMAS BROTHERS MAP PAGE 635 GRID E2

The annexation consists of an existing 80,000 square-foot warehouse.

1. **BASED UPON REVIEW AND STUDY, I FIND AND CERTIFY THAT:**

- The annexation **is exempt** from the provisions of the California Environmental Quality Act, pursuant to the State CEQA Guidelines,

Section:

Reason:

- The **Mitigated Negative Declaration** is adequate for consideration of the annexation.

- The **Environmental Impact Report** is acceptable for consideration of the annexation.

ISSUED BY:

- Los Angeles County Department of Regional Planning

- City of Los Angeles

2. The subject annexation has been set for consideration before the Board of Directors of County Sanitation District No. 2 at their meeting to be held on September 14, 2022, at the time and place as provided for the meeting of said date.
3. The subject annexation and all related documents are on file in the office of the Chief Engineer and General Manager, Los Angeles County Sanitation Districts, 1955 Workman Mill Road, (P.O. Box 4998) Whittier, California and may be examined by any interested person for further particulars. Telephone: (562) 908-4288, extension 2708.



Stan Pegadiotes
Division Engineer
Facilities Planning Department

JOINT RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES
ACTING IN BEHALF OF

Los Angeles County General Fund

Los Angeles County Flood Control

THE BOARD OF DIRECTORS OF COUNTY SANITATION DISTRICT NO. 2 OF LOS ANGELES
COUNTY, AND THE GOVERNING BODIES OF

Greater Los Angeles County Vector Control District

APPROVING AND ACCEPTING NEGOTIATED EXCHANGE OF PROPERTY TAX REVENUES
RESULTING FROM ANNEXATION TO COUNTY SANITATION DISTRICT NO. 2

"ANNEXATION NO. 58"

WHEREAS, pursuant to Section 99 and 99.01 of the Revenue and Taxation Code, prior to the effective date of any jurisdictional change which will result in a special district providing a new service, the governing bodies of all local agencies that receive an apportionment of the property tax from the area must determine the amount of property tax revenues from the annual tax increment to be exchanged between the affected agencies and approve and accept the negotiated exchange of property tax revenues by resolution; and

WHEREAS, the governing bodies of the agencies signatory hereto have made determinations of the amount of property tax revenues from the annual tax increments to be exchanged as a result of the annexation to County Sanitation District No. 2 entitled *Annexation No. 58*;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The negotiated exchange of property tax revenues resulting from the annexation of territory to County Sanitation District No. 2 in the annexation entitled *Annexation No. 58* is approved and accepted.
2. For each fiscal year commencing on July 1, 2022, or after the effective date of this jurisdictional change, whichever is later, the County Auditor shall transfer to County Sanitation District No. 2 a total of 0.5420275 percent of the annual tax increment attributable to the land area encompassed within *Annexation No. 58* as shown on the attached Worksheet.
3. No additional transfer of property tax revenues shall be made from any other tax agencies to County Sanitation District No. 2 as a result of annexation entitled *Annexation No. 58*.
4. No transfer of property tax increments from properties within a community redevelopment project, which are legally committed to a Community Redevelopment Agency, shall be made during the period that such tax increment is legally committed for repayment of the redevelopment project costs.
5. If at any time after the effective date of this resolution, the calculations used herein to determine initial property tax transfers or the data used to perform those calculations are found to be incorrect thus producing an improper or inaccurate property tax transfer, the property tax transfer shall be recalculated and the corrected transfer shall be implemented for the next fiscal year.

The foregoing resolution was adopted by the Board of Supervisors of the County of Los Angeles, the Board of Directors of County Sanitation District No. 2 of Los Angeles County, and the governing bodies of Greater Los Angeles County Vector Control District, signatory hereto.

COUNTY SANITATION DISTRICT NO. 2
OF LOS ANGELES COUNTY

Chairperson, Board of Directors

ATTEST:

Secretary

Date

(SIGNED IN COUNTERPART)

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

RE: AGENDA ITEM NO. R-1 FOR BOARD MEETING SEPTEMBER 14, 2022

BIDS were received at the District Office on Tuesday, June 28, 2022 at 11:00 a.m.

FOR FURNISH AND DELIVER A GAS CHROMATOGRAPH/TRIPLE QUADRUPOLE MASS SPECTROMETER (GC/TQ MS) SYSTEM WITH AUTOSAMPLER AND DATA SYSTEM – RE-BID


No. of Bids Received: 2

<u>BIDDER</u>	<u>TOTAL BID AMOUNT</u>
Thermo Electron North America LLC.	\$267,850.30
Shimadzu Scientific	282,156.68

RECOMMENDATION:

Award purchase order to Thermo Electron North America LLC., the lowest responsive and responsible bidder, in the amount of approximately \$267,850.30 to furnish and deliver a complete GC/TQ MS system with an autosampler and data system, including a five-year service agreement with annual preventative maintenance services.

Engineer's Estimate: \$290,000.00



Robert C. Ferrante
Chief Engineer and
General Manager