

MINUTES OF THE REGULAR MEETING
OF THE BOARD OF DIRECTORS OF
COUNTY SANITATION DISTRICT NO. 28
HELD AT THE OFFICE OF THE DISTRICT
VIA TELECONFERENCE

July 27, 2022
1:30 o'clock, P.M.

The Board of Directors of County Sanitation District No. 28 of Los Angeles County met in regular session via teleconference.

There were present: Kim Bowman, Director from La Cañada Flintridge
Keith Eich, Director from La Cañada Flintridge
Richard B. Gunter III, Director from La Cañada Flintridge
Teresa "Terry" Walker, Director from La Cañada Flintridge
Michael T. Davitt, Chairperson, Director from La Cañada Flintridge

Absent: None

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: MINUTES Upon motion of Director Eich, duly seconded and unanimously carried by a roll-call vote, the minutes of the regular meeting held May 25, 2022, were approved.

RE: DISTRICT EXPENSES The following expenses for the month of April 2022 were presented and upon motion of Director Eich, duly seconded and unanimously carried by a roll-call vote, were approved:

Local District Expenses:	
Operations & Maintenance (O & M)	\$ 2,893.80
Allocated Expenses:	
Joint Administration	9,710.73
Technical Support	6,987.87
Joint Outfall	<u>43,268.21</u>
Total Expenses	<u>\$62,860.61</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 *A Resolution of the Board of Directors of the County Sanitation District No. 28 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 Eich, 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. 28 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. 28 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. 28 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. 28 of Los Angeles County this 27th day of July 2022 by the following vote:

AYES: Five (5)

NOES: None

ABSTAIN: None

ABSENT: None

RE: APPROPRIATIONS LIMIT
FOR FISCAL YEAR 2022-23
ESTABLISH AND ADOPT

A letter discussing 2022-23 fiscal year budgetary matters accompanied the agenda. The Government Code requires the governing body of each local jurisdiction to establish, by resolution, an appropriations limit for each

fiscal year. The documentation used in the determination of the appropriations limits must be available 15 days prior to this action being taken. The method by which the Districts' appropriations limits were calculated has been available to the public at the Districts' Joint Administration Office since May 23, 2022, and was provided to the Directors with the letter of June 3, 2022, mailed with 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.

The appropriations limit for fiscal year 2022-23 has been determined by adjusting the previous fiscal year's limits using the factors specified in the Government Code. The appropriations limit has also been adjusted to include mandated costs, all in accordance with the procedures outlined in Article XIII B of the Constitution and Section 7910 of the Government Code. A recommendation was made that, in order to comply with legal requirements, this Board adopt an appropriations limit of \$1,304,724 for fiscal year 2022-23.

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

BE IT RESOLVED, that pursuant to Section 7910 of the Government Code of the State of California, the Board of Directors of County Sanitation District No. 28 of Los Angeles County does hereby establish and adopt an appropriations limit of \$1,304,724 for fiscal year 2022-23, utilizing the population change and the change in the personal per capita income.

RE: BUDGET 2022-23
OPERATING FUND

In a letter dated June 3, 2022, to the Board, matters were discussed pertaining to the budget for the 2022-23 fiscal year. A sewerage system final budget for the 2022-23

fiscal year was presented and a recommendation was made that the budget be adopted.

Upon motion of Director Eich, duly seconded and unanimously carried by a roll-call vote, the sewerage system final budget for 2022-23 was approved, adopted, and ordered filed.

RE: TAX LEVY
OPERATING FUND

Data for the tax levy necessary for the Operating Fund was presented and a recommendation was made that the tax levy be requested in accordance therewith.

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

BE IT HEREBY DETERMINED, RESOLVED, AND ORDERED AS FOLLOWS:

That pursuant to the provisions of Article 6, Section 4815 of the County Sanitation District Act (Chapter 3, Part 3, Division V, of the Health & Safety Code of the State of California), the Board of Directors of County Sanitation District No. 28 of Los Angeles County does hereby find and declare that the sum of \$801,000 is and will be the amount necessary to maintain, operate, extend, or repair any work or improvements of the District for the collection, treatment, and disposal of sewage, and to defray all other expenses incidental to the exercise of any of the District's powers, except the amounts necessary to acquire, construct, maintain, and operate a refuse transfer or disposal system, or both, and any other expenses incidental to the operation of the system during the ensuing year and prior to the annual levy of taxes for the fiscal year 2023-24, and the Board of Supervisors of Los Angeles County is hereby requested to cause to be levied and collected at the same time and in the same manner as the next general tax levy for the County a tax upon the real property in the District, in an amount sufficient to raise the required amount, to wit: \$801,000, to be paid into the County Treasury to the credit of the Operating Fund of the District.

The Secretary is hereby instructed to furnish a copy of this resolution and statement to the Board of Supervisors of Los Angeles County at least fifteen (15) days before the first day of September 2022.

RE: APPROPRIATIONS
OPERATING FUND 2022-23

Upon motion of Director Eich, duly seconded and unanimously carried by a roll-call vote, the appropriations from the Operating Fund for Fiscal Year 2022-23 were ordered made as shown in the Operating Fund Final Wastewater Budget that was attached to the agenda.

RE: RESOLUTION ESTABLISHING
TIME AND PLACE FOR REGULAR
AND SPECIAL MEETINGS - ADOPT

A proposed *Resolution, Establishing Time and Place for Regular and Special Meetings of the Sanitation District No. 28 of Los Angeles County*, was presented. The Ralph M. Brown Act requires that the Board provide, by ordinance, resolution or other rule, the time and place for regular meetings. It is recommended that regular meetings be held on the fourth Wednesday of every month, except August where no meetings will be held, at 1:30 p.m. in the Board Room of the Joint Administration Office of the Los Angeles County Sanitation Districts, Whittier, California. Special meetings may be called at any time by the Chairperson of the Board as the presiding officer, or by a majority of the members of the Board of Directors, and the notice must be delivered at least twenty-four (24) hours before the time of such meeting as specified in the notice. This item is consistent with the Districts' Guiding Principle to provide transparent communication to our Boards and the public. A copy of the proposed Resolution was attached to the agenda. A recommendation was made to adopt the Resolution.

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

**RESOLUTION ESTABLISHING TIME AND PLACE FOR
REGULAR AND SPECIAL MEETINGS OF THE
SANITATION DISTRICT NO. 28 OF LOS ANGELES COUNTY**

BE IT RESOLVED, that there shall be a regular monthly meeting of the Board of Directors of the District on the fourth Wednesday of every month, at 1:30 p.m. in the Board Room of the Joint Administration office of the Los Angeles County Sanitation Districts, Los Angeles, California, 90601; provided that, should the fourth Wednesday fall upon a legal holiday, said meeting shall be held on the next business day thereafter, at the same time and place, and that no further notice of such regular monthly meeting shall be required and further provided that for convenience and scheduling conflicts, regular meetings may be rescheduled on a majority vote of the Board of Directors.

BE IT RESOLVED, that there shall be no regular monthly meeting of the Board of Directors of the District in the month of August unless deemed necessary.

BE IT FURTHER RESOLVED, that special meetings of the Board of Directors of the District may be called at any time by the Chairman of the Board as the presiding officer, or by a majority of the members of the Board of Directors by delivering personally or by mail written notice to each member of the Board of Directors and to each local newspaper of general circulation, radio station, or television station requesting notice in writing. Such notice shall be delivered personally or by mail at least twenty-four (24) hours before the time of such meeting as specified in the notice. The call and notice shall specify the time and place of the special meeting and the business to be transacted. However, such written notice of special meetings may be dispensed with as to any member who has previously filed a written waiver of notice with the Secretary of the District. Such waiver may be given by fax or electronic mail. Such written notice may also be dispensed with as to any member of the Board of Directors who is actually present at the meeting at the time the special meeting is requested.

PASSED AND ADOPTED by the Board of Directors of the County Sanitation District No. 28 of Los Angeles County this 27th day of July 2022 by the following votes:

AYES: Directors Bowman, Eich, Gunter, Walker and Davitt

NOES: None

ABSTAIN: None

ABSENT: None

RE: UPDATE ON PURE WATER SOUTHERN CALIFORNIA PROJECT, A PARTNERSHIP WITH METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA - DISCUSS

Prior to the meeting in regular session, the Chief Engineer and General Manager gave a brief presentation on the Pure Water Southern California Program (Program), formerly known as the Regional Recycled Water Project. He stated that a lot has happened in the subject of water

relating to the drought and funding that will specifically benefit the Program.

The importance of the Program was discussed. Southern California gets over 60 percent of its water from Northern California's Delta and the Colorado River. Both of those systems are stressed from ongoing drought. Lake Oroville, a key reservoir in Northern California, reached its lowest water point ever last year. He pointed out the "bathtub ring," a white line, due to chemical reactions, which is typically submerged in water. Lake Mead and Lake Powell, large reservoirs on the Colorado River, are at their lowest levels; therefore, the state is in crisis. Studies have shown that water levels in the last three years are at their lowest and continue to drop. This region imports approximately 2 million acre-feet (AF) of water from the Colorado River, which supplies 15 states. The Los Angeles County Flood Control District, which replenishes the groundwater basins, collected less rain. The Program will provide for an increase and constant water supply that is weatherproof.

Since 1962, the Districts has been producing recycled water. The Whittier Narrows Water Reclamation Plant (WRP) was the first of its kind in the nation, purposely built to replenish groundwater. He showed a map of the Districts' 11 wastewater treatment plants, of which 10 of these plants currently have water recycling components. Most of the water from those plants is recycled groundwater used for replenishment or irrigation. The 11th plant is the Joint Water Pollution Control Plant (JWPCP) in Carson. That facility takes in industrial wastewater and solids from the upstream plants. The effluent at this plant is too salty and has a high number of dissolved solids. Changes in technology over the last 10 years now allow for recycling effluent at the JWPCP.

The Districts has been working for 14 years with Metropolitan Water District (MWD) and entered into a formal partnership. The Districts has done good work on an advanced treatment pilot which consisted of running a demonstration facility at the JWPCP. JWPCP receives 260 million gallons per day (GPD) of wastewater (almost two-thirds of the total flow in the Districts' system) which goes through primary and secondary treatment and is then discharged to the ocean. Approximately half a million GPD is sent to the demonstration plant for advanced treatment and is used for demonstration purposes to regulators.

He showed an aerial photo of the JWPCP, the Advanced Water Treatment (AWT) demonstration facility, and the future location of the full-scale facility. The primary role of the Districts is to deliver treated water from the JWPCP to MWD to be used at the AWT Facility to be purified. MWD funded the demonstration plant. Over 20 years ago, the Districts purchased the adjacent property that belonged to the Fletcher Oil Refinery which closed in the 1980s. The property is currently being remediated and is now suitable for development. It was a foresight of his predecessors and the Board to purchase the 31 acres for plant expansion and it will now site the AWT Facility. One component of the Program is the AWT process, and the second component is conveying the water out of Carson. There are plans for a future in-person tour for Directors. Currently, a virtual tour of the demonstration plant is being offered.

The Project starts with an AWT facility, near the JWPCP. A large pipeline is needed to convey the purified water. The primary role of the pipeline is to replenish groundwater basins throughout Southern California. The Program would be able to produce water year in and year out, and if water is not available from the State Water Project and the Colorado River. The groundwater basins serve as a water-storage bank for the region.

The main pipeline would serve the West Coast Basin, Central Basin, Rio Hondo Spreading Grounds, Main San Gabriel Basin, and Santa Fe Spreading Grounds. Phase 2 would connect to MWD's Weymouth Plant to provide an additional supply to the state and Colorado system.

Building a large pipeline will be a challenge. MWD would take the lead and the Districts would be involved in the process. The preliminary work is looking at the alignment of the conveyance lines. The Districts and MWD are trying to minimize the impact to the local cities by using existing rights-of-way. The conceptual plan for the route of the pipeline through the City of Carson has already been discussed with the City, which has approved of the route.

The AWT Facility uses newer technology that has been around and is proven, although it has not previously been used for this application. Reverse osmosis membranes are demineralizing filters that purify the water. The water is so pure that minerals must be added prior to pumping back into the system. Ultraviolet light oxidation and disinfection removes the remaining impurities and destroys pathogens.

The benefits of the Program were shown on a slide. The Program would produce 150 million gallons of purified water per day (approximately 10 percent of water imported by MWD on a typical year). That is enough for 1.5 million people, 15 percent of Los Angeles County. This would be a significant source of water for the region and the largest recycled water project in the nation. The Program would assist in stabilizing the levels in groundwater basins. The water source would be reliable and droughtproof. If an earthquake should occur on the San Andreas Fault, the two major water supplies to Southern California could be cut off for weeks or months. All the new facilities would be on the west side of the San Andreas Fault and would be more likely to remain in service.

The cost of the Program, as shown on a slide, was estimated in 2018 and is being updated. In 2018, the total cost for construction was \$3.4 billion. Today, the cost of construction is estimated at approximately \$4 billion. The estimated cost included \$1 billion for the AWT Facility and \$2.4 billion for pipelines and groundwater recharge. Annual operation and maintenance costs were estimated at \$130 million. The result is a cost of \$1,800 per acre foot. Compared to other methods like stormwater capture and ocean desalination, the cost for the Program is less expensive. The Districts and MWD are pursuing state and federal grants to bring the cost down.

On Tuesday, May 17, 2022, Governor Gavin Newsom visited the AWT demonstration facility and held a press conference in support of the Program. Governor Newsom made recent revisions to the state budget to provide additional funding in drought relief and grants for water recycling. Governor Newsom is in support of the Program as an innovative and necessary way to create a new supply of water for Southern California. The Districts and MWD are in good position to receive grants to fund the Program. Also present were Mayor Lula Davis-Holmes, City of Carson, and District No. 2 Chairperson Cathy Warner, City of Whittier.

The Chief Engineer and General Manager reviewed the ongoing work related to the Program. One of the big steps that is coming is the issuance of a Notice of Preparation for the project's Environmental Impact Report (EIR) in September. This document seeks comments on the scope of the environmental analysis, especially from other agencies that may have some jurisdiction. A draft EIR for public review is expected in spring 2023 and a final EIR is expected in early 2024.

As previously mentioned, the effluent produced by the JWPCP has not been suitable for recycling due to its high salt concentrations. Enhanced source control of industrial pollutants that may not be removed in the proposed treatment processes is required. The Districts' existing secondary biological treatment facilities are very efficient for stabilizing organic waste for ocean discharge but are insufficient to meet project needs. Enhanced biological treatment like what the Districts has at its WRPs, at San Jose Creek WRP, for example, will be needed for the JWPCP. These will remove more trace organic constituents and nitrogen. The state currently allows the salts removed by the reverse osmosis (concentrate) to be discharged to the ocean, but further testing, evaluation, and possibly treatment will be needed.

The Chief Engineer and General Manager reviewed potential future Board actions. In fall 2022, the MWD will be considering approval of the capital project. In spring 2024, the MWD and the Districts will consider approval of the EIR and Facilities Plan. In late 2024, both agencies will consider approval of the implementation and cost sharing agreements. In 2025-2027, the Boards will be considering approvals to award

design contracts and construction for the JWPCP upgrades and site preparation, including breaking ground. Phase 1 is estimated for completion in 2032. He stated that he will provide updates as the project moves forward.

Director Warner, City of Whittier stated that Directors can email or call the Chief Engineer and General Manager with questions and concerns regarding this matter.

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

MICHAEL T. DAVITT
Chairperson

ATTEST:

KIMBERLY S. CHRISTENSEN
Secretary

/ee