

Call, Notice, and Agenda

SPECIAL MEETING — BOARD OF DIRECTORS — COUNTY SANITATION DISTRICT NO. 27/
NEWHALL RANCH SANITATION DISTRICT

To be held in the HEARING ROOM
OF THE BOARD OF SUPERVISORS
Kenneth Hahn Hall of Administration, Los Angeles, 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. **You may find further information at:**
<http://bos.lacounty.gov/Board-Meeting/Board-Agendas>*

TUESDAY	December 6, 2022			At 9:30 A.M.
BARGER	HORVATH	HAHN (Chairperson)	MITCHELL	SOLIS

At the call of the Chairperson, a special meeting of the Boards of Directors of County Sanitation District No. 27 and Newhall Ranch Sanitation District of Los Angeles County will be held at the above time and place for the purpose of:

1. Recommendation: Receive and Order filed certificate of the Presiding Officer of the Board of Supervisors and the action electing the Chairperson Pro Tem (both Districts)
2. Recommendation: Approve minutes of the regular meetings held September 13, 2022 (both Districts)
3. Recommendation: Approve July, August, and September 2022 expenses in total amounts of \$2,726.56 (District No. 27) (3) and \$119,251.37 (Newhall Ranch Sanitation District) (5)
4. Recommendation: Approve Resolution of continuing to ensure the safety of members of the public and employees while guaranteeing the public's right to attend and participate in meetings of local legislative bodies and making necessary findings for continued teleconferenced meetings (both Districts)
5. Recommendation: Adopt policies as follows:
 - (a) [*Purchasing Policy*](#)
 - (b) [*Investment Policy*](#)
 - (c) [*Debt Management Policy*](#)
 - (d) [*Wastewater Financial Reserve Policy*](#)
6. Recommendation: Re: Revised Annexation Fee Ordinance
 - (a) Introduce An Ordinance Prescribing Fees for the Annexation of Territory to Newhall Ranch Sanitation District of Los Angeles County and Waive Reading of Said Ordinance in its Entirety
 - (b) Establish January 31, 2023, 9:30 a.m., at the Board of Supervisors as the Date, Time, and Place for Public Hearing on Ordinance; Order Publication of Required Public Notices

Adjourn



November 17, 2022

Boards of Directors
County Sanitation District No. 27 and
Newhall Ranch Sanitation District
of Los Angeles County

Directors:

The enclosed consolidated agenda includes the following items for the regular meeting of the Boards of Directors of District No. 27 and Newhall Ranch Sanitation District meeting Tuesday, December 6, 2022.

1. Certificate of Presiding Officer/Chairperson Pro Tem (both Districts). The new Chair and Chair pro tem of the Board of Supervisors automatically become the Chairperson and Chairperson pro tem of the Board of Directors of these Sanitation Districts.

2. Minutes. (3 and 5) Copies of the minutes have been provided to each of the Directors.

3. District Expenses. (3 and 5) Local Districts' expenses represent costs incurred for operations, maintenance, and capital projects that are the sole responsibility of the individual District. Each District's share of allocated expenses represents its proportionate share of expenditures made by District No. 2, the Administrative District, on behalf of the individual districts that are parties to the Joint Administration Agreement. This Agreement provides for the joint administration and technical support for all of the signatory Districts along with the methodology for allocating these costs to each District. A listing of Districts' payments and previously approved budgets can be found on the Districts' website at lacsd.org/financial-documents. This item is consistent with the Districts' Guiding Principle of commitment to fiscal responsibility and prudent financial stewardship.

District No. 27 –

Local District Expenses:

Operations & Maintenance	\$1,008.52
Capital	174.21

Allocated Expenses:

Joint Administration	1,543.83
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Total Expenses

\$2,726.56

Newhall Ranch Sanitation District –

Local District Expenses:

Operations & Maintenance (O & M)	\$ 93,599.23
Capital	12,270.56

Allocated Expenses:

Joint Administration	7,910.55
Technical Support	5,471.03

Total Expenses

\$119,251.37

4. AB 361 Resolution. (3 and 5) Acting on behalf of the Governing body of the County, and on behalf of entities for which the Board members serve as governing members (Governing Members), and for commissions, task forces, etc., which were, or are, created either by the Board or Governing Members or at their direction, and are subject to the Brown Act: find in accordance with Assembly Bill (AB) 361 Section 3(e)(3), California Government Code Section 54953(e)(3) that the Board has reconsidered the circumstances of the State of Emergency due to the COVID-19 pandemic and that the State of Emergency remains active and that local officials continue to recommend measures to promote social distancing; and

instruct the Executive Officer of the Board to place on the meeting agendas for the Board and the agendas for those entities for which the Board members sit as the Governing Members, not more than 30 calendar days after these findings are adopted, an agenda item entitled "Findings to Continue Teleconference Meetings under AB361 and Related Actions," and include these same findings for adoption, and continue to do so not more than 30 calendar days after each time these findings are adopted until instructed to cease doing so.

5. Financial Policies and Purchasing Policy. (3 and 5) As part of the continuing effort to ensure the Districts follows best practices as it relates to financial matters, revisions to certain policies are being recommended. First, sound Investment, Debt Management, and Financial Reserve Policies are crucial to maintaining the Districts' financial stability, and changes are being proposed to the existing policies to ensure consistency across the Districts, ensure transparency in Districts' finances, and improve the Districts' investment performance. Second, the Districts' Purchasing Policy establishes rules for purchase of materials, supplies, equipment, services, and construction projects. Proposed revisions to the policy clarify certain provisions, ensure current practices are incorporated into the policy, and add provisions for related business practices. In October 2022, the Personnel Committee, comprised of the Chairs of all of the active Districts, unanimously endorsed the proposed ordinance. A letter summarizing these proposed changes is attached. Links to the policies showing proposed revisions can be found on the posted agenda on the Districts' website (www.lacsd.org). 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.

6. Annexation Fee Ordinance (5) Properties outside the jurisdictional boundary of the District must be annexed to the District before sewerage service can be provided. The cost of processing the annexation application is borne by the applicant pursuant to the District's existing Master Annexation Fee Ordinance and Annexation Fee Rate Ordinance (Existing Ordinances), which were both adopted in 2019. The current method of calculating the fee is a tiered acreage-based approach. However, this method results in inequities in certain circumstances. Furthermore, the cost to process an annexation application does not vary significantly between a large or small property. The proposed ordinance, which is attached, supersedes the Existing Ordinances and establishes a flat fee of \$2,000 per annexation application, which is more equitable and representative of the actual cost to process each annexation. In October 2022, the Personnel Committee, comprised of the Chairs of all active Districts, unanimously endorsed the proposed ordinance. This item is consistent with the Districts' Guiding Principles of commitment to continual improvement; and commitment to fiscal responsibility and prudent financial stewardship.

Very truly yours,



Robert C. Ferrante

RCF:drs
Enclosures

**RESOLUTION FOR CONTINUING TO ENSURE THE SAFETY OF MEMBERS
OF THE PUBLIC AND EMPLOYEES WHILE GUARANTEEING
THE PUBLIC'S RIGHT TO ATTEND AND PARTICIPATE IN MEETINGS OF LOCAL
LEGISLATIVE BODIES AND MAKING NECESSARY FINDINGS
FOR CONTINUED TELECONFERENCED MEETINGS**

As stated at the Board of Supervisors' September 28, 2021 meeting, we must ensure that the public's right to attend and participate in local legislative body meetings is exercised under conditions that ensure attendees' and employees' safety. Our Legislature passed AB 361 to enhance public access to local legislative body meetings during the COVID-19 pandemic and future applicable emergencies.

Under AB 361, to continue to meet via teleconferencing, the local legislative body must adopt, by a majority vote, specific findings within 30 days of the first use of the teleconferencing meeting rules after October 1, 2021, and within every 30 days thereafter.

It is imperative that we take the necessary actions to ensure the public's right to attend and participate in local legislative body meetings is not put at risk and to safeguard the safety of members of the public and employees of local legislative bodies, in alignment with our Health Officer's recommendations to reduce crowding indoors and to support physical distancing.

I, THEREFORE, MOVE that the Board of Supervisors (Board), acting on its behalf, and on behalf of entities for which the Board members serve as governing members (Governing Members), and for commissions, task forces, etc., which were or are created either by the Board or Governing Members or at their direction and are subject to the Brown Act: 1. Find, in accordance with AB 361 Section 3(e)(3), California Government Code section 54953(e)(3), that the Board has reconsidered the circumstances of the State of Emergency due to the COVID-19 pandemic and that the State of Emergency remains active; 2. Find, in accordance with AB 361 Section 3(e)(3), California Government Code section 54953(e)(3), that local officials continue to recommend measures to promote social distancing; and 3. Instruct the Executive Office to place on the meeting agendas for the Board and the agendas for those entities for which the Board members sit as the Governing Members not more than 30 calendar days after these findings are adopted an agenda item entitled "Findings to Continue Teleconference Meetings under AB 361 and Related Actions," and include these same findings for adoption; and instruct the Executive Office to continue to do so not more than 30 calendar days after each time these findings are adopted until instructed to cease doing so.

PASSED AND ADOPTED by the Board of Directors of the County Sanitation District No. 27 and Newhall Ranch Sanitation District of Los Angeles County this 6th day of December 2022 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

JANICE HAHN
Chairperson



November 9, 2022

Boards of Directors
Los Angeles County Sanitation Districts

Directors:

Financial Policies

The agenda for upcoming meetings of the Boards of Directors contains an item regarding proposed revisions to several District policies.

FINANCIAL POLICIES

Financial policies form the cornerstone of the Districts' financial practices and are intended to provide guidance when preparing budgets, adopting rates, and developing long-term capital programs. Use of the policies helps create financial stability, allowing us to provide the vital services in a cost-effective manner, weather periods of economic downturn without having to impose significant rate increases, and construct capital projects in a timely fashion despite fluctuations in costs from year to year. Revisions to the financial policies are recommended that will ensure consistency across the Districts, ensure transparency in Districts' finances, and improve the Districts' investment performance. These revisions were endorsed by the Personnel Committee on October 26, 2022.

One administrative change is consolidation of each of the individual Districts' Investment, Debt Management and Wastewater Financial Reserve policies into common policies adopted by all of the Districts. With few exceptions, the existing individual District policies are identical to each other. Consolidating the policies will streamline the adoption of the policies and improve transparency.

Other recommended revisions to the financial policies are as follows:

Investment Policy

- Addition of state issued bonds (all 50 states) and local agencies (within California only) as permitted investments.
- Clarification that downgraded securities are treated as "A" rated policies for the purposes of limit testing, eliminating the need to sell securities at a loss when they are downgraded.
- Removal of a provision allowing Investments between the Districts' Solid Waste System and the Joint Outfall System for the Clearwater Tunnel Project. Alternative financing has been secured for the Clearwater Tunnel and this provision is no longer needed.
- Reduction of audits for compliance with investment limits from quarterly to semi-annually.

Debt Management Policy

- Addition of a provision for federal low-interest loans through the Water Infrastructure Finance and Innovation Act or WIFIA.
- Removal of two debt instruments that are no longer applicable.
 - CIF debt is no longer applicable due to changes in the most recently adopted connection fee ordinances

- As mentioned above, a debt agreement between the Districts' Solid Waste System and the Joint Outfall System for the Clearwater Tunnel Project is no longer needed.
- Addition of a provision to encourage participation and selection of disadvantaged businesses for underwriting services.

Financial Reserve Policies

- Update of uses of the Natural Disaster and Self-Insured Retention Fund to include not only deductible and self-insure retention costs, but also costs above the Districts' insured limits. This is recommended to expand this fund's coverage for costs above the Districts' insured limits, in addition to covering the deductible and self-insured retention layers.
- Inclusion of all Joint Administration Funds to ensure all funds are covered under the Wastewater Policy.
- Addition of Rate Stabilization Fund to the Wastewater Policy, which is currently tracked but not held as a separate fund.
- Addition of Fee-in-Lieu and Puente Hills Landfill Park Settlement related funds in the Solid Waste Policy.

PURCHASING POLICY

Revisions are also recommended for the Purchasing Policy, which establishes rules for purchase of materials, supplies, equipment, services, and construction projects. Most of the revisions clarify and improve wording.

Purchasing Policy

- Authorizes the Purchasing Agent to procure temporary property rights up to \$100,000 to accommodate construction of District's projects.
- Clarifies reporting responsibilities to the Board on any action taken with emergency authority: requires a report at the next Board meeting and approval by the Board when the work is complete.
- Increases authority to settle or reject claims up to \$100,000 from the current authority of \$5,000.
- Adds a provision to allow issuance of orders and contracts without Board approval when there is an urgent need, and the Board is not expected to meet. Ratification by the Board is required at the next meeting.

CONCLUSION

The proposed Policies will be presented to each Board for adoption over the next several months. You may find the link to the policies on the posted agenda on the Districts' website (www.lacsd.org), or you may contact Kim Christensen at kchristensen@lacsd.org, for hard copies to be mailed directly to you. If approved, the new Policies will take effect after adoption by all of the Boards.

Very truly yours,



Robert C. Ferrante

RCF:MAE

**AN ORDINANCE PRESCRIBING FEES FOR THE ANNEXATION OF TERRITORY TO
NEWHALL RANCH SANITATION DISTRICT OF LOS ANGELES COUNTY**

**THE BOARD OF DIRECTORS OF NEWHALL RANCH SANITATION DISTRICT OF LOS
ANGELES COUNTY ORDAINS AS FOLLOWS:**

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PART I -- GENERAL PROVISIONS

SECTION 1.01 – SHORT TITLE

This Ordinance shall be known as the *Annexation Fee Ordinance of Newhall Ranch Sanitation District of Los Angeles County*.

SECTION 1.02 – PURPOSE

The purpose of this Ordinance is to recover the District's cost of furnishing administrative services for the annexation of territory to the District, and to provide for the collection and transfer of annexation fees imposed by other agencies.

SECTION 1.03 – AUTHORITY

The District is empowered to prescribe, revise, and collect fees, tolls, rates, rentals, or other charges for services and facilities furnished by it in connection with its sewerage system pursuant to California Health & Safety Code §5471.

SECTION 1.04 – ADMINISTRATION

The Chief Engineer shall administer, implement, and enforce the provisions of this Ordinance.

SECTION 1.05 – VALIDITY

If any court holds any part, section, subsection, paragraph, sentence, clause or phrase of this Ordinance to be invalid or unconstitutional for any reason, that decision does not affect the validity or constitutionality of the remainder of this Ordinance. The Board of Directors declares that it would have adopted each provision of this Ordinance irrespective of the validity of any other provision.

SECTION 1.06 – SUPERSESSION

This Ordinance shall supersede the *Master Annexation Fee Ordinance of Newhall Ranch Sanitation District of Los Angeles County* and the *Annexation Fee Rate Ordinance of Newhall Ranch Sanitation District of Los Angeles County*, both adopted on December 10, 2019, with respect to any rights, duties or privileges arising after the effective date of this Ordinance.

SECTION 1.07 – EFFECTIVE DATE

This Ordinance shall become effective thirty days after its adoption.

PART II -- DEFINITIONS

This Ordinance shall be construed according to the following definitions:

SECTION 2.01 – ACT

Act shall mean the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (California Government Code §§56000 *et seq.*) and as thereafter amended.

SECTION 2.02 – AGENCY FEES

Agency Fees shall mean fees and charges imposed by LAFCO pursuant to California Government Code §56383, by the SBE pursuant to California Government Code § 54902.5, and any other fees and charges imposed by other public agencies that the Chief Engineer may from time to time determine are necessary or convenient for the District to collect in connection with annexation applications.

SECTION 2.03 – ANNEXATION FEE

Annexation Fee shall mean the sum of the District Fee and Agency Fees.

SECTION 2.04 – BOARD OF DIRECTORS

Board of Directors shall mean the Board of Directors of Newhall Ranch Sanitation District of Los Angeles County.

SECTION 2.05 – CHIEF ENGINEER

Chief Engineer shall mean the Chief Engineer and General Manager of Newhall Ranch Sanitation District of Los Angeles County or his/her designee.

SECTION 2.06 – CONTIGUOUS PARCEL AREA

Contiguous parcel area shall mean “single area” of contiguous parcels, as that term is used by the SBE in calculating fees.

SECTION 2.07 – DISTRICT

District shall mean Newhall Ranch Sanitation District of Los Angeles County.

SECTION 2.08 – DISTRICT FEE

District Fee shall mean that portion of the Annexation Fee imposed by the District pursuant to Government Code §66014 to recover the District’s cost of furnishing administrative services for the annexation of territory to the District.

SECTION 2.09 – LAFCO

LAFCO shall mean the Local Agency Formation Commission of Los Angeles County or any successor agency thereto.

SECTION 2.10 – PARCEL

Parcel shall mean any area of land contained within a single legal description and as shown on maps prepared and filed by the Assessor’s Office of the county in which the land is located.

SECTION 2.11 – SBE

SBE shall mean the State Board of Equalization or any successor agency thereto.

PART III -- ANNEXATION FEE

SECTION 3.01 – IMPOSITION OF ANNEXATION FEE

The applicant requesting or petitioning for annexation to the District shall pay an Annexation Fee. The application for annexation may be for more than one parcel, subject to Section 3.05.

SECTION 3.02 – AMOUNT OF ANNEXATION FEE

- (1) The Annexation Fee shall be the sum of the District Fee and any Agency Fees not directly paid to LAFCO by the applicant.
- (2) The District Fee shall be \$2,000 per single application for annexation to the District, regardless of the number of parcels in the application or if the parcels are contiguous.
- (3) Agency Fees shall be determined in accordance with the procedures established by LAFCO, SBE, and any other local or state agency imposing a charge to complete the annexation.
- (4) The portion of the Annexation Fee attributable to a given parcel that is part of a single application involving multiple parcels shall be equal to the sum of:
 - (a) the District Fee divided by the number of parcels in the application; and
 - (b) the LAFCO fee multiplied by the ratio of the acreage of the parcel to the total acreage of all of the parcels included in the application; and
 - (c) the SBE fee for the contiguous parcel area in which the parcel is located, multiplied by the ratio of the acreage of the parcel to the total acreage of the contiguous parcel area.

SECTION 3.03 – ADJUSTMENT OF DISTRICT FEE

The Chief Engineer may periodically review the amount of the District Fee and adjust it as necessary to recover the District’s cost of furnishing administrative services for the annexation of territory to the District. Any adjustment in the District Fee shall be prescribed in a new Annexation Fee Ordinance that shall be adopted by the Board of Directors and supersede this Ordinance.

SECTION 3.04 – DISPOSITION OF ANNEXATION FEE

The portion of the Annexation Fee payment attributable to the District Fee shall be deposited into the District’s Operating Fund. Following the Board of Directors’ approval of the resolution of making application to LAFCO, the portion of the Annexation Fee payment attributable to any Agency Fees shall be submitted to LAFCO together with the application for annexation.

SECTION 3.05 – ADDITIONAL PARCELS

Additional parcels may be added to an existing annexation application if (a) the additional parcel is within 0.5 miles of any of the parcels included in the existing annexation application, and (b) tax sharing resolutions have not been submitted to other agencies.

SECTION 3.06 – REFUND OF FEES

- (1) In the event that an annexation application is terminated pursuant to the terms of Section 4.01, the Chief Engineer shall estimate the costs of District services provided prior to the date of termination and refund any excess portion of the Annexation Fee payment attributable to the District Fee. The District is not responsible for determining or refunding any excess portion of the Annexation Fee payment attributable to the Agency Fees.
- (2) In the event that the Annexation Fee payment is in excess of the final Annexation Fee due pursuant to Section 5.02, the Chief Engineer shall refund the difference to the owner of the affected parcel(s).
- (3) Refunds shall be issued to the parcel owner(s) of record at the time the refund is paid.
- (4) Annexation Fee payments shall not accrue interest during the time the District is processing the annexation application or determining the amount of any refund.

PART IV -- TERMINATION OF APPLICATION

SECTION 4.01 – TERMINATION

An application for annexation shall be terminated if:

- (1) The annexation proceedings are not complete in accordance with the provisions of the Act within five years of submitting the initial application, or
- (2) The applicant withdraws the application.

PART V -- PAYMENT

SECTION 5.01 – PAYMENT OF ANNEXATION FEE

The Annexation Fee is due and payable at the time a request for annexation is made to the District. The Annexation Fee shall be paid to the District either:

- (1) in person at the Joint Administration Office of the Los Angeles County Sanitation Districts, located at 1955 Workman Mill Road, Whittier, California 90601, or

- (2) by mailing the payment to the Los Angeles County Sanitation Districts, Attn: Annexations Program, P.O. Box 4998, Whittier, California 90607, or
- (3) electronically through the District's online payment portal.

SECTION 5.02 – DETERMINATION OF FINAL ANNEXATION FEE

- (1) For annexations in which the owner of a parcel has requested that the District adopt a resolution of application pursuant to Part 3, Chapter 1 of the Act, the Chief Engineer shall recalculate the Annexation Fee at the time the Board of Directors considers the resolution of making application to LAFCO. The final Annexation Fee shall be the sum of the District Fee plus the Agency Fees based on the total acreage of each parcel in the application, as determined by the Chief Engineer, and calculated pursuant to Section 3.02 using the Agency Fees in effect as of the date the request is considered by the Board of Directors.

If the final Annexation Fee is greater than the Annexation Fee paid at the time of application, the owner of each parcel seeking annexation shall pay the difference before the Board of Directors considers the resolution of making application to LAFCO.

If the final Annexation Fee is less than the Annexation Fee paid at the time of application, the District shall refund the difference to the owner of each parcel pursuant to Section 3.06.

- (2) For annexations in which the owner of each parcel has directly petitioned LAFCO pursuant to Part 3, Chapter 2 of the Act and LAFCO has requested the District's assistance in preparing the necessary application, the Chief Engineer shall calculate the final Annexation Fee at the time LAFCO makes its request. The final Annexation Fee shall be the sum of the District Fee plus the Agency Fees based on the total acreage of each parcel in the application, as determined by the Chief Engineer, and calculated pursuant to Section 3.02 using the Agency Fees in effect when LAFCO made its request. The owner of each parcel shall pay this amount before the District commences work on the application.

SECTION 5.03 – ADMINISTRATIVE CHARGES

The Chief Engineer shall add an administrative charge to the Annexation Fee in the event a check tendered for payment is not honored. The Chief Engineer shall establish the amount of the charge to reflect the District's added cost in processing dishonored checks, up to the maximum amount allowed by law, and may adjust it from time to time as required to continue to reflect the District's added cost.

SECTION 5.04 – MANNER OF PAYMENT

The Chief Engineer shall determine the manner in which the Annexation Fee may be paid. If a manner of payment requires the District to pay a transaction fee, the parcel owner shall pay the transaction fee to the District as an additional charge.

[signature page follows]

ATTEST:

Clerk, Board of Directors
Newhall Ranch Sanitation District
of Los Angeles County

Chairperson, Board of Directors
Newhall Ranch Sanitation District
of Los Angeles County

PASSED AND ADOPTED by the Board of Directors of Newhall Ranch Sanitation District of Los Angeles County on _____ by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Secretary, Board of Directors
Newhall Ranch Sanitation District
of Los Angeles County