

MINUTES OF THE REGULAR MEETING OF THE  
BOARD OF DIRECTORS OF  
COUNTY SANITATION DISTRICT NO. 8  
HELD AT THE OFFICE OF THE DISTRICT  
VIA TELECONFERENCE

December 14, 2022  
1:30 o'clock, P.M.

The Board of Directors of County Sanitation District No. 8 of Los Angeles County met in regular session via teleconference.

There were present: Emma Sharif, Director from Compton  
Robert Garcia, Director from Long Beach  
Janice Hahn, Director from Los Angeles County  
Lula Davis-Holmes, Chairperson, Director from Carson

Absent: Paul Krekorian, Alternate Director from Los Angeles City

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

RE: CHAIRPERSON  
ELECTION OF  
Upon motion of Director Hahn, duly seconded and unanimously carried by a roll-call vote, Director Davis-Holmes was elected Chairperson of this Board.

RE: PUBLIC COMMENT  
The Chairperson announced this was the time for any questions or comments by members of the public. There were no public comments or questions to address the Board on any matters.

RE: DIRECTOR FROM  
LOS ANGELES COUNTY  
A certificate from the Executive Officer-Clerk of the Board of Supervisors of the County of Los Angeles was presented to the Secretary certifying that pursuant to Section 7 of the Rules of the Board of Supervisors, Supervisor Janice Hahn assumed the Office of Chair of the Board of Supervisors at 9:30 a.m., on Tuesday, December 6, 2022, to serve in such capacity until December 5, 2023, or until the election or succession of her successor, which automatically places Supervisor Han on the Board of Directors of this District.

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

RE: SECOND DIRECTOR  
FROM LOS ANGELES COUNTY  
A copy of an action taken by the Board of Supervisors of the County of Los Angeles at a meeting held December 6, 2022, was presented to the Secretary stating that Supervisor Ms. Holly Mitchell, a member of the Board of Supervisors of the County of Los Angeles, was appointed to serve as second Director from the County.

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

RE: MINUTES  
Upon motion of Director Sharif, duly seconded and unanimously carried by a roll-call vote, the minutes of the regular meeting held November 9, 2022, were approved.

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

Local District Expenses:  
Operations & Maintenance (O & M) \$ 2,491.75  
Allocated Expenses:  
Technical Support (8.46)

Joint Outfall  
Total Expenses

(646,578.19)  
\$(644,094.90)

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

A proposed *Resolution of the Board of Directors of the County Sanitation District No. 8 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 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, Government Code Section 54953(e), at their first next meeting, 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 Sharif, duly seconded and unanimously carried by a roll-call vote, the following Resolution was adopted:

RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
COUNTY SANITATION DISTRICT NO. 8 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 BODIES

WHEREAS, the County Sanitation District No. 8 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 September 22, 2022 (the "County Order") includes recommendations for the protection of persons with elevated risk factors for severe health outcomes due to COVID-19 infection; 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. 8 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. 8 of Los Angeles County this 14<sup>th</sup> day of December 2022 by the following vote:

AYES: Four (4)

NOES: None

ABSTAIN: None

ABSENT: One (1)

RE: FACILITIES PLANNING  
ANNEXATION FEE RATE  
ORDINANCE - ADOPT  
FIND EXEMPT FROM CEQA

*An Ordinance Prescribing Fees for the Annexation of Territory to County Sanitation District No. 8 of Los Angeles County (Ordinance) was presented for the Board’s consideration. 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), both adopted in 2007, according to 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; and in November 2022, the proposed ordinance was introduced to the Board. This item is consistent with the Districts' Guiding Principles of commitment to continual improvement; and commitment to fiscal responsibility and prudent financial stewardship.

Notice of the public hearing on the proposed Ordinance was published twice in *Our Weekly*, a weekly newspaper. A recommendation was made to the Board that a public hearing be conducted and, thereafter, the proposed Ordinance be adopted. A copy of the Ordinance accompanied the agenda.

This being the time and place set by District staff for a public hearing on the proposed Ordinance, upon motion of Director Hahn, the Chairperson opened the public hearing. In response to the Chairperson's question, the Secretary reported that no telephone calls, correspondence, or other public input was received by the District. The Chairperson announced that this was the time for any presentations by members of the public. There being none, upon motion of Director Sharif, the Chairperson closed the public hearing.

Upon motion of Director Sharif, duly seconded and unanimously carried by a roll-call vote, *An Ordinance Prescribing Fees for the Annexation of Territory to County Sanitation District No. 8 of Los Angeles County* (Ordinance), to become effective January 14, 2023, was adopted by the following vote:

AYES: Directors Sharif, Garcia, Hahn, and Davis-Holmes

NOES: None

ABSENT: Directors Krekorian

ABSTAIN: None

*An Ordinance Prescribing Fees for the Annexation of Territory to County Sanitation District No. 8 of Los Angeles County* was adopted. Furthermore, the Board found that adoption of the Ordinance is exempt from the California Environmental Quality Act (CEQA) under Section 15273 of State Guidelines for Implementation of CEQA on the basis that CEQA does not apply to the modification of rates or other charges by the District which are for the purpose of meeting operating expenses necessary for the District to provide services such as annexation, as reported to the Board of Directors by the Chief Engineer and General Manager and as reflected in the official minutes of the District on file at the office of the District.

RE: FACILITIES PLANNING  
E&B NATURAL RESOURCES  
MANAGEMENT CORPORATION  
QUITCLAIM DEED NO. 382 - APPROVE

E&B Natural Resources Management Corporation (E&B) is the successor-in-interest to a lease dated October 2, 1944, for an oil well site known as Arthur No. 2 located at the former Fletcher Oil Refinery Company (FORCO) site adjacent to the Joint Water

Pollution Control Plant. In 2015, E&B plugged and abandoned the oil well in accordance with state requirements. Under the proposed Quitclaim Deed, E&B will convey to the District all of its rights under the lease pertaining to the Arthur No. 2 site, including the right to conduct drilling and rights to use the surface and subsurface up to 500 feet below ground, which will accommodate future site redevelopment and construction of the Pure Water Southern California project. E&B will retain its statutory liability as the operator of record of the plugged oil well. This item is consistent with the Districts' Guiding Principle to maximize use of our assets and resources (recycled water, recyclables, and energy). A recommendation was made to approve and order executed and recorded Quitclaim Deed No. 382 from E&B for oil and gas well site at the former FORCO site.

Upon motion of Director Sharif, duly seconded and unanimously carried, Quitclaim Deed No. 382 from E&B Natural Resources Management Corporation, a description of which is contained in District's files, was approved; and the Chairperson and Secretary were authorized and instructed to accept and record Quitclaim Deed No. 382, on behalf of the District, and the Secretary was instructed to have the documents recorded.

QUITCLAIM NO. 382 executed on 382 dated November 8, 2022, from E&B Natural Resources Management Corporation, a California corporation, to County Sanitation District No. 8 of Los Angeles County, a county sanitation district organized and existing under provisions of the County Sanitation District Act, California Health &

Safety Code Section 4700 et seq. (the District), is hereby accepted by Kimberly S. Christensen, Secretary to the Board of Directors of the District, pursuant to authority conferred by the Board of Directors of the District on December 14, 2022, and grantee consents to recordation.

RE: FACILITIES PLANNING  
FIFTH AMENDMENT TO LICENSE  
AGREEMENT FOR INTERIM OPERATION  
OF WILMINGTON ATHLETIC COMPLEX  
FRIENDS OF WILMINGTON SPORTS  
COMPLEX, LLC - AUTHORIZE CHIEF  
ENGINEER AND GENERAL MANAGER  
TO EXECUTE

A recommendation was made to authorize the Chief Engineer and General Manager to execute the *Fifth Amendment to License Agreement* with Friends of Wilmington Sports Complex, LLC, for the interim operation of Wilmington Sports Complex. The Wilmington Athletic Complex (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 December 31, 2022, but staff continues to work with the City on the Lease. In order to allow additional time to finalize the Lease, it is recommended that the Board authorize the Chief Engineer to execute the attached Amendment, which will extend the term of the License by three months, through March 31, 2023. 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.

Upon motion of Director Sharif, duly seconded and unanimously carried by a roll-call vote, the Chief Engineer and General Manager, on behalf of the District, was authorized to execute an amendment to the Agreement entered into with Friends of Wilmington Sports Complex, LLC, Contract No. 5422 dated September 3, 2021, as amended February 17, 2022 (Contract No. 5422A), June 29, 2022 (Contract No. 5422B), August 31, 2022 (Contract No. 5422C), and September 14, 2022 (Contract No. 5422D), providing interim operations of Wilmington Athletic Complex.

RE: JOINT ADMINISTRATION  
PURCHASING POLICY, INVESTMENT  
POLICY, DEBT MANAGEMENT POLICY,  
WASTEWATER FINANCIAL RESERVE  
POLICY, AND JOINT OUTFALL SYSTEM  
FINANCIAL RESERVE POLICY - ADOPT

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 revisions. A letter summarizing these proposed changes was attached to the agenda. Links to the policies showing proposed revisions can be found on the posted agenda on the Districts' website ([www.lacsd.org](http://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. A recommendation was made that the Purchasing Policy, Investment Policy, Debt Management Policy, Wastewater Financial Reserve Policy, and Joint Outfall System Reserve Policy be approved and adopted.

Director Croft from the City of Lakewood, Districts Nos. 2, 3, and 19, asked if inflation was the rationale for the Purchasing Policy change to increase the Chief Engineer and General Manager's authorization to settle and reject claims to \$100,000 from \$5,000.

In response to Director Croft, the Chief Engineer and General Manager stated that the Purchasing Policy has different levels of authority for staff. The Board considers approval of claims over \$100,000. The proposed change will make this item consistent with other authority levels in the Purchasing Policy. All proposed changes were discussed with the Personnel Committee, and it concurred with moving the item forward to each District.

In response to the Director Warner from the City of Whittier, District No. 2, the Chief Engineer and General Manager stated that this is the first time this item is being considered for some Districts. A detailed letter along with the financial policies was attached to the agendas.

Upon motion of Director Sharif, duly seconded and unanimously carried by a roll-call vote, the Purchasing Policy, Investment Policy, Debt Management Policy, Wastewater Financial Reserve Policy, and Joint Outfall System Reserve Policy were considered, approved, and adopted.

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

LULA DAVIS-HOLMES  
Chairperson

ATTEST:

KIMBERLY S. CHRISTENSEN  
Secretary

/drs