

MINUTES OF THE REGULAR MEETING OF THE
BOARD OF DIRECTORS OF
COUNTY SANITATION DISTRICT NO. 29
HELD AT THE OFFICE OF THE DISTRICT

February 13, 2019
1:30 o'clock, P.M.

The Board of Directors of County Sanitation District No. 29 of Los Angeles County met in regular session.

There were present: Larry Forester, Director from Signal Hill
Edward H. J. Wilson, Director from Signal Hill
Lori Y. Woods, Director from Signal Hill
Tina Hansen, Chairperson, Director from Signal Hill

Absent: Robert D. Copeland, Director from Signal Hill

Also present: Kimberly S. Christensen, Secretary to the Board

RE: PUBLIC COMMENTS
ITEMS NOT POSTED
ON AGENDA

The Chairperson announced this was the time for public comment. The Secretary then called the following speakers:

Mr. Earle Hartling, Recycling Coordinator, Technical Services Department, addressed the Boards regarding employee negotiations.

Ms. Melissa Fischer, Supervising Engineer II, Engineering Department, addressed the Boards regarding employee negotiations. Written speaker notes were submitted to the Secretary and are attached as well as on file with supporting documents.

Mr. Mo Bina, Senior Engineer, Wastewater Management Department, addressed the Boards regarding employee negotiations. Copies of two letters were submitted to the Secretary and retained on file.

As reported in the Status Report, the Chief Engineer and General Manager responded to comments and updated the Directors on the subject matter.

RE: MINUTES

held January 9, 2019, were approved.

Upon motion of Director Forester, duly seconded and unanimously carried, the minutes of the regular meeting

RE: DISTRICT EXPENSES

duly seconded and unanimously carried, were approved:

The following expenses for the month of November 2018 were presented and upon motion of Director Forester,

Local District Expenses:

Operations & Maintenance (O & M)
Capital

\$ 43,570.89
7,410.88

Allocated Expenses:

Joint Administration
Technical Support
Joint Outfall

7,833.62
8,362.27
72,201.47

Total Expenses

\$139,379.13

RE: SEWER SYSTEM MANAGEMENT PLAN
DEVELOPMENT PLAN AND SCHEDULE AS
REQUIRED BY STATE WATER RESOURCES
CONTROL BOARD - APPROVE

In 2006, the State Water Resources Control Board adopted an order that established General Waste Discharge Requirements (WDRs) for all publicly owned or operated sanitary sewer systems within the State of California. The WDRs require owners and operators of sewer collection systems to develop and implement a Sewer System Management Plan (SSMP) which were attached to the agenda. The SSMP, approved by the Board in February 2009 and February 2014, is required to be updated and approved once every five years. A recommendation was made that the Board approve the updated February 2019 Sewer System Management Plan.

Upon motion of Director Forester, duly seconded and unanimously carried, the Board of Directors of County Sanitation District No. 29 of Los Angeles County approved the Sewer System Management Plan.

RE: JOINT ADMINISTRATION OFFICE
COMPREHENSIVE ANNUAL FINANCIAL
REPORT FOR FISCAL YEAR ENDING
JUNE 30, 2018 - RECEIVE AND
ORDER FILED

Copies of the Districts' Comprehensive Annual Financial Report (CAFR) for the fiscal year ending June 30, 2018, which includes the annual audit required by state and federal laws, have been previously mailed to the Directors. This item is consistent with the Districts' Guiding Principles of commitment to fiscal

responsibility and prudent financial stewardship, and to protect financial and facility assets through prudent investment and maintenance programs. A recommendation was made to receive and order filed the Districts' CAFR for fiscal year ending June 30, 2018.

Upon motion of Director Forester, duly seconded and unanimously carried, the Comprehensive Annual Financial Report for the fiscal year ended June 30, 2018, which includes the annual audit required by state and federal laws, and was previously mailed to the Directors, was accepted and ordered filed.

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

TINA HANSEN
Chairperson

ATTEST:

KIMBERLY S. CHRISTENSEN
Secretary

/ak

BOARD ADDRESS

13 February 2019

Melissa Fischer

We have been told that a 7% swap is a non-starter. That is not true. All of this began with a 7% swap in 1982. I would like to enter into the record this memo dated June 25, 1982 by David Thompson who was then the Personnel Manager. I hope you all understand that before 1982, employees paid from their salaries the 7% contribution to CalPERS. In 1982, instead of taking a 7% COLA, that 7% was swapped to the agency to pay our 7% contribution to the fund.

This is the backup for that. Let me quote from the Personnel Manager in 1982: "...since the Districts are paying your normal employee's contribution in lieu of a salary increase, your actual gross salary times 1.07 will be used for special pay and overtime computation...This higher rate is also reported to PERS as your salary for retirement purposes."

If you read further in the memo, there is a question: "Will this 7 percent normal employee contribution still be the employee's money now that the Districts are paying it? Answer: Yes."

You have ignored the PEPRA Petition submitted a year ago. You have ignored the Declaration of No Confidence in management submitted by 983 employees, two-thirds of the staff of the agency. 5.5 months have gone by without a response. The Chief Engineer has ignored notice of her unethical conduct that violates the Code of Ethics of the American Society of Civil Engineers. Since receiving notice in October, she has committed identical violations, ignoring the notice. In November, 177 employees submitted an Accountability Letter, again asking for redress of ethics violations. No credible response was given. In December, actually, January 4th is the date of the letter, 377 employees signed the December Accountability Letter decrying the unethical, non-transparent culture here and asking for redress.

You have let the deadline of January 31, 2019 come and go. Accordingly, we are pursuing the following Accountability Measures:

- We are filing charges of ethics violations against the Chief Engineer with the American Society of Civil Engineers. We are investigating potential charges of negligence under the California State Board of Professional Engineers Codes of Conduct;
- We are filing professional misconduct charges against Wes Beverlin, Districts' Legal Counsel, for blatantly on video making false statements about the Brown Act that thwarted Directors' efforts to authorize our retroactive COLAs;
- We are filing charges of favoritism, cronyism, and fraud involving managers, some Directors, and the agency, as applicable, with the California Fair Political Practices Commission, the Los Angeles County District Attorney's Office, and the U.S. Attorney, and any other jurisdictions that may be applicable;
- We are seeking industry censure. We are writing letters to universities, top universities, notifying them of what is going on here so they can warn their students – Do not come to work for L. A. County San. It doesn't matter what's in your job offer. Thirty-five years later they are going to renege.
- We are telling Southern California sanitation agencies - Good news for you, you have a hiring advantage! Because the morale is in the toilet at L. A. County San.
- We are telling comparable sanitation agencies, and these are agencies identified by our Financial Management Department, considered to be equal – equivalent – to our agency. The highest is paying \$700-a-year for equivalent service that you are paying \$250-a-year for. They are paying more than 2.5 times what you pay, and we're going to let them know that you're squeezing your employees for some trivial percentage of your budget.
- We are going to notify regulatory agencies: Regional Water Quality Control Boards, State Water Quality Control Board, CalRecycle, California Air Resources Board, Air Pollution Control Districts, Local Enforcement Agencies; and,
- Industry Associations like CASA and SCAP, and the Water Environment Federation, and the American Academy of Environmental Engineers and Scientists, the Association of Compost Producers, and, Solid Waste Association of North America.

We're making sure the entire industry knows what is going on here. You expect us to do our jobs professionally and effectively. We expect you to not cut our salary when you have absolutely no financial need to do so. We expect to be treated with respect. We expect this agency's affairs to be conducted ethically and transparently, and we will not stop asking for that.