## INDUSTRY PUBLIC UTILITIES COMMISSION CITY OF INDUSTRY



REGULAR MEETING AGENDA JULY 14, 2022 8:30 A.M.

President Cory C. Moss Commissioner Michael Greubel Commissioner Cathy Marcucci Commissioner Mark D. Radecki Commissioner Newell W. Ruggles



Location: City Council Chamber, 15651 Mayor Dave Way, City of Industry, California

#### Addressing the Commission:

#### **NOTICE OF TELEPHONIC MEETING:**

- Pursuant to AB 361 (Government Code Section 54953(e)), this meeting will be held in person and telephonically. Members of the public can attend the hybrid meeting and offer public comments either in person or telephonically, by calling the following conference call number: 657-204-3264, then entering the following Conference ID: 122 702 707#. Pursuant to the Governor's Executive Order, and in compliance with the Americans with Disabilities Act, if you need special assistance to participate in the IPUC meeting (including assisted listening devices), please contact the City Clerk's Office at (626) 333-2211 by 5:00 p.m. on Tuesday, July 12, 2022, to ensure that reasonable arrangements can be made to provide accessibility to the meeting.
- Agenda Items: Members of the public may address the Industry Public Utilities Commission on any matter listed on the Agenda. In order to conduct a timely meeting, there will be a three-minute time limit per person for any matter listed on the Agenda.
- Public Comments (Non-Agenda Items Only): Anyone wishing to address the IPUC on an item not on the Agenda may do so during the "Public Comments" period. In order to conduct a timely meeting, there will be a three-minute time limit per person for the Public Comments portion of the Agenda. State law prohibits the IPUC from taking action on a specific item unless it appears on the posted Agenda.

#### Agendas and other writings:

In compliance with Government Code Section 54957.5(b), staff reports and other public records permissible for disclosure related to open session agenda items are available at City Hall, 15625 Mayor Dave Way, City of Industry, California, at the office of the Secretary of the IPUC during regular business hours, Monday through Thursday, 8:00 a.m. to 5:00 p.m., Fridays 8:00 a.m. to 4:00 pm. City Hall doors are closed between 12:00 p.m. to 1:00 p.m. each day. Any person with a question concerning any agenda item may call the City Clerk's Office at (626) 333-2211.

- Call to Order
- 2. Flag Salute
- 3. Roll Call
- 4. Public Comments

#### 5. **CONSENT CALENDAR**

All matters listed under the Consent Calendar are considered to be routine and will be enacted by one vote. There will be no separate discussion of these items unless members of the Industry Public Utilities Commission (IPUC) request specific items be removed from the Consent Calendar for separate action.

5.1 Consideration of the Register of Demands for July 14, 2022

RECOMMENDED ACTION: Approve the Register of Demands and authorize the appropriate IPUC officials to pay the bills.

5.2 Consideration of Resolution No. IPUC 2022-13 - A RESOLUTION OF THE INDUSTRY PUBLIC UTILITIES COMMISSION, APPROVING BLANKET PURCHASE ORDERS FOR VENDORS TOTALING \$10,000 AND OVER FOR FY 2022-2023

RECOMMENDED ACTION: 13.

Adopt Resolution No. IPUC 2022-

5.3 Consideration of Resolution No. IPUC 2022-14 – A RESOLUTION OF THE INDUSTRY PUBLIC UTILITIES COMMISSION CONTINUING THE AUTHORIZATION OF REMOTE TELECONFERENCE MEETINGS PURSUANT TO AB 361

RECOMMENDED ACTION: 14.

Adopt Resolution No. IPUC 2022-

5.4 Report from the General Manager for the La Puente Valley County Water District regarding the Industry Public Utilities Water Operations

RECOMMENDED ACTION:

Receive and file the report.

- 6. PUBLIC UTILITIES DIRECTOR COMMENTS
- 7. **AB 1234 REPORTS**
- 8. **COMMISSIONER COMMUNICATIONS**
- 9. Adjournment. The next regular Industry Public Utilities Commission Meeting is Thursday, August 11, 2022, at 8:30 a.m.

ITEM NO. 5.1

## AUTHORIZATION FOR PAYMENT OF BILLS Board Meeting July 14, 2022

| <u>FUND</u>  | DESCRIPTION   | DISBURSEMENTS                                    |
|--|---|--|
| 122<br>123<br>161<br>560   | IPU-ELECTRIC CAPITAL IMPROVEMENT IPU-WATER CAPITAL IMPROVEMENT IPUC ELECTRIC FUND IPUC WATER FUND | 2,420.00<br>11,495.00<br>188,607.79<br>31,256.46 |
| TOTAL ALL FUND   | os ·  | 233,779.25                                       |
| <u>BANK</u>  | DESCRIPTION   | DISBURSEMENTS                                    |
| IPUCELEC.WF IPUC ELECTRIC WELLS FARGO CKING IPUC.CHK IPUC WATER BOFA CKING |   | 191,027.79<br>42,751.46                          |
| TOTAL ALL BANK   | CS .  | 233,779.25                                       |

APPROVED PER CITY MANAGER

## Industry Public Utilities Commission Wells Fargo - Electric July 14, 2022

| Check   | Date                           |                          | Payee Name   |                    | Check Amount |
|---------|--------------------------------|--------------------------|--|--------------------|--------------|
| IPUCELE | C.WF.CHK - IPUC Electric W     | ells Fargo CHK           |  |                    |              |
| 11035   | 06/22/2022                     |                          |  |                    |              |
| 11035   | Invoice                        | Date                     | FRONTIER   |                    | \$171.76     |
|         | 2022-00002160                  | 06/07/2022               | Description  | Amount             |              |
|         |                                |                          | 06/07-07/06/22 SVC - GS 408 BREA CYN RD, WALNUT  | \$33.09            |              |
|         | 2022-00002161<br>2022-00002162 | 06/04/2022<br>06/04/2022 | 06/04-07/03/22 SVC - GS 21620 VALLEY BLVD<br>06/04-07/03/22 SVC - EM 21858 GARCIA LN, WALNUT | \$60.47<br>\$78.20 |              |
| 11036   | 06/28/2022                     |                          | FRONTIER   |                    | \$1,276.36   |
|         | Invoice                        | Date                     | Description  | Amount             | \$1,270.30   |
|         | 2022-00002166                  | 06/10/2022               | 06/10-07/09/22 SVC - EM 21508 BAKER PKWY BLDG 22   | \$56.65            |              |
|         | 2022-00002167                  | 06/10/2022               | 06/10-07/09/22 SVC - GS 21640 VALLEY BLVD  | \$56.65            |              |
|         | 2022-00002168                  | 06/10/2022               | 06/10-07/09/22 SVC - EM 21808 GARCIA LN  | \$78.20            |              |
|         | 2022-00002169                  | 06/10/2022               | 06/10-07/09/22 SVC - GS 747 S ANAHEIM PUENTE RD  | \$194.86           |              |
|         | 2022-00002170                  | 06/09/2022               | 06/09-07/08/22 SVC - EM 208 WADDINGHAM WAY   | \$890.00           |              |
|         |                                | , \$                     |  | φοσο.σσ            |              |
| 11037   | 06/28/2022                     |                          | SOUTHERN CALIFOR   | RNIA EDISON        | \$11,154.88  |
|         | Invoice                        | Date                     | Description  | Amount             |              |
|         | 7501394926                     | 06/17/2022               | 05/01-05/31/22 SVC - 208 S WADDINGHAM WAY  | \$8,266.71         |              |
|         | 7501394925                     | 06/17/2022               | 05/01-05/31/22 SVC - 133 N AZUSA AVE   | \$1,860.71         |              |
|         | 7501394915                     | 06/17/2022               | 05/01-05/31/22 SVC - 745 ANAHEIM-PUENTE RD   | \$1,027.46         |              |
| 11038   | 07/06/2022                     |                          | FRONTIER   |                    | \$290.93     |
|         | Invoice                        | Date                     | Description  | Amount             |              |
|         | 2022-00002210                  | 06/19/2022               | 06/19-07/18/22 SVC - EM 21438 BAKER PKWY BLDG 25   | \$56.65            |              |
|         | 2022-00002211                  | 06/19/2022               | 06/19-07/18/22 SVC - GS 21660 VALLEY BLVD  | \$60.51            |              |
|         | 2022-00002212                  | 06/19/2022               | 06/19-07/18/22 SVC - EM 21415 BAKER PKWY   | \$56.65            |              |
| •       | 2022-00002213                  | 06/22/2022               | 06/22-07/21/22 SVC - EM 21733 BAKER PKWY BLDG 21   | \$56.65            |              |
|         | 2022-00002214                  | 06/22/2022               | 06/22-07/21/22 SVC - GS 21858 VALLEY BLVD  | \$60.47            |              |

## Industry Public Utilities Commission Wells Fargo - Electric July 14, 2022

| Check   | Date                        |                | Payee Name                                    |                     | Check Amoun          |
|---------|-----------------------------|----------------|---|---------------------|----------------------|
| IPUCELE | C.WF.CHK - IPUC Electric We | ells Fargo CHK |   |                     |                      |
|         |                             |                |   |                     | w.                   |
| 11039   | 07/06/2022                  |                | TPX COMMUNIC                                  | ATIONS              | \$877.26             |
|         | Invoice                     | Date           | Description                                   | Amount              | 40.7.20              |
|         | 158251217-0                 | 06/23/2022     | INTERNET SVC - SUBSTATION                     | \$877.26            |                      |
| 11040   | 07/14/2022                  |                | CALPINE ENERG                                 | SY SOLUTIONS, LLC   | \$126,975.43         |
|         | Invoice                     | Date           | Description                                   | Amount              | ψ120,010.1c          |
|         | 221780016526989             | 06/27/2022     | WHOLESALE USE - MAY 2022                      | \$126,975.43        |                      |
| 11041   | 07/14/2022                  |                | CNC ENGINEER                                  | ING                 | \$36,030.00          |
|         | Invoice                     | Date           | Description                                   | Amount              | ,,                   |
|         | 505620                      | 06/30/2022     | ELECTRICAL CAPITAL IMPROVEMENTS - INDUSTRY BL | \$19,340.00         |                      |
|         | 505621                      | 06/30/2022     | AUTOMATIC METER READING                       | \$2,420.00          |                      |
|         | 505622                      | 06/30/2022     | REMOTE MONITORING - WADDINGHAM SUBSTATION     | \$220.00            |                      |
|         | 505623                      | 06/30/2022     | CITY ELECTRICAL FACILITIES                    | \$14,050.00         |                      |
| 11042   | 07/14/2022                  |                | COUNTY OF LA                                  | - DEPT OF AGRICULTL | \$121.17             |
|         | Invoice                     | Date           | Description                                   | Amount              |                      |
|         | 221869A                     | 06/13/2022     | PEST CONTROL - WADDINGHAM POWER PLANT         | \$121.17            |                      |
| 11043   | 07/14/2022                  |                | NV5, INC.                                     |                     | \$1,785.00           |
|         | Invoice                     | Date           | Description                                   | Amount              | 7.,.00.00            |
|         | 271592                      | 05/27/2022     | ON-CALL ELEC ENG SVC - APR 2022               | \$1,785.00          |                      |
| 11044   | 07/14/2022                  |                | PACIFIC UTILITY                               | INSTALLATION        | \$12,345.00          |
|         | Invoice                     | Date           | Description                                   | . Amount            | Ţ. <u>_</u> ,_ 70.00 |
|         | 25958                       | 05/31/2022     | SUBSTATION MAINT                              | \$1,365.00          |                      |
|         |                             |                |   |                     |                      |

## Industry Public Utilities Commission Wells Fargo - Electric July 14, 2022

| Check Date                                      |  |   | Payee Name | Check Amount            |  |  |
|---|--|---|------------|-------------------------|--|--|
| IPUCELEC.WF.CHK - IPUC Electric Wells Fargo CHK |  |   |            |                         |  |  |
| 25960<br>25959<br>25957                         | 05/31/2022<br>05/31/2022<br>05/31/2022 | SUBSTATION MAINT SUBSTATION MAINT UTILITY OPERATIONS & SVCS | \$41       | 00.00<br>15.00<br>55.00 |  |  |

| Checks | Status | Count | Transaction Amount |
|--------|--------|-------|--------------------|
|        | Total  | 10    | \$191,027.79       |

## Industry Public Utilities Commission Bank of America - Water July 14, 2022

| Check   | Date                        |            | Payee Name                                   |                  | Check Amount                            |
|---------|-----------------------------|------------|--|------------------|---|
| IPUC.CH | K - IPUC Water BofA Checkir | ng         |  |                  |   |
| 40588   | 06/08/2022                  |            | SOUTHERN CALIFO                              | RNIA EDISON      | \$25,827.41                             |
|         | Invoice                     | Date       | Description                                  | Amount           | 420,027.11                              |
|         | 2022-00002119               | 06/03/2022 | 05/02-05/31/22 SVC - 1991 WORKMAN MILL U     | \$25,827.41      |   |
| 40589   | 07/14/2022                  |            | CNC ENGINEERING                              |                  | \$11,720.00                             |
|         | Invoice                     | Date       | Description                                  | Amount           |   |
|         | 505625                      | 06/30/2022 | 4TH AVE & TRAILSIDE WATERLINE IMPROVEMENTS   | \$11,495.00      |   |
|         | 505626                      | 06/30/2022 | CIWS MANAGEMENT & OPERATION - PUENTE BASIN W | \$225.00         |   |
| 40590   | 07/14/2022                  |            | INDUSTRY PUBLIC U                            | ITILITIES COMMIS | \$2,000.00                              |
|         | Invoice                     | Date       | Description                                  | Amount           |   |
|         | JUL-22                      | 06/20/2022 | REPLENISH PAYROLL ACCOUNT FOR JULY 2022      | \$2,000.00       |   |
| 40591   | 07/14/2022                  |            | INDUSTRY PUBLIC U                            | ITILITIES COMMIS | \$22.95                                 |
|         | Invoice                     | Date       | Description                                  | Amount           | ,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,, |
|         | 9/20/2021                   | 06/02/2022 | CRRCT DPSIT ERROR - FRONTIER REFUND FOR IPUC | \$22.95          |   |
| 40592   | 07/14/2022                  |            | ROWLAND WATER D                              | ISTRICT          | \$3,181.10                              |
|         | Invoice                     | Date       | Description                                  | Amount           | 40,.01.10                               |
|         | I-05312022-A                | 05/31/2022 | CONTRACT SVC - MAY 2022                      | \$2,573.49       |   |
|         | I-05312022-B                | 05/31/2022 | CONTRACT SVC - MAY 2022                      | \$607.61         |   |
|         |                             |            |  |                  |   |

| Transaction Amount | Count | Status | Checks |
|--------------------|-------|--------|--------|
| \$42,751,46        | 5     | Total  |        |

ITEM NO. 5.2



### **MEMORANDUM**

TO: Honorable President Moss and Commissioners

FROM: Joshua Nelson, Public Utilities Director

STAFF: Yamini Pathak, Director of Finance

DATE: July 14, 2022

SUBJECT: Consideration of Resolution No. 2022-13, a Resolution of the

Industry Public Utilities Commission, Approving Blanket Purchase Orders for Vendors Totaling \$10,000.00 and Over for

FY 2022-2023

#### **BACKGROUND:**

A blanket purchase order ("BPO") Vendor List is a list of all vendors with whom IPUC anticipates spending over \$10,000.00 in the fiscal year. On June 23, 2022, IPUC approved and adopted its budget for FY 2022-23 ("FY 23"). The FY 23 BPO Vendor List was developed in line with the FY 23 Adopted Budget.

#### **DISCUSSION:**

BPOs are a customary financial practice among cities in California, and in summary, are utilized to pay for goods and supplies, professional or maintenance services, and/or equipment with vendors with whom IPUC regularly conducts business with during the fiscal year. Although most BPOs can be created under the Public Utilities Director's purchasing authority, as an added level of fiscal control and transparency, at the beginning of each fiscal year a list of BPOs for vendors with whom the IPUC regularly conducts business, that total \$10,000.00 and over annually, is presented to IPUC for formal approval. This streamlines the purchasing process where necessary and assists staff to efficiently obtain goods and supplies, professional or maintenance services, and/or equipment to tend to its day-to-day operations.

BPOs are not intended to bypass or supersede the bidding provisions as outlined in the City's Municipal Code (which also applies to IPUC) or intended to bypass the City's standard agreements and terms. Departments must adhere to the requirements of the City's procurement policy, and must obtain informal bidding, quotes, or go through a formal procurement process as necessary. Finance will strictly enforce the procurement policy, and ensure departments are adhering to the correct purchasing procedures.

As such, outlined below is a summary of the City's Code, as it pertains to the Purchasing and Bidding Procedures (Chapter 3.04), that departments must follow and adhere to when obtaining goods and supplies, professional or maintenance services, and/or equipment

Any additional purchase orders beyond dollar amounts approved in the BPO will be submitted to the Public Utilities Director or IPUC, following procedures set forth in the City Code and Purchasing Policy.

**Supplies & Equipment** (Section 3.04.050) - For supplies and equipment, purchases of \$100,000.00 and under may be made at the discretion of the Public Utilities Director on the open market with the solicitation of at least three (3) written proposals.

Upon the approval of the IPUC, BPOs will be created for all vendors the IPUC regularly conducts business with for supplies and equipment for FY 22.

Pursuant to Section 3.04.040 of the Code, purchases of supplies and equipment over \$100,000.00 require a formal bidding process and formal approval by the IPUC. Should items over \$100,000.00 be taken to IPUC during the current fiscal year, BPOs will be created for these items as IPUC approves them.

**Services** (Section 3.04.055) - Procurement of professional services of an estimated value of ten thousand dollars or less may be made by the Public Utilities Director at his or her discretion on the open market without specific solicitation or competitive bidding requirements. Professional services greater than ten thousand dollars shall require prior approval by the IPUC. For the purposes of this section, professional services shall include, without limitation, consultants, advisors, attorneys, architects, planners and engineers so long as the service performed does not constitute a public works project.

IPUC is proposing BPOs for services that include on-going periodic facilities maintenance for vendors the IPUC regularly conducts business with. These services exclude public works projects. IPUC is requesting BPOs to streamline the purchase order and invoice processing flow for repetitive, required services for day-to-day operations.

#### **BPO Vendor List for FY 23**

The BPO Vendor List for FY 23, attached as Exhibit A, includes all vendors with whom the IPUC regularly conducts business. The BPO amounts are estimated amounts based on historical spending levels; all BPO amounts are in line with the FY 23 Adopted Budget.

BPOs will also be utilized for all vendors that total less than \$10,000.00 annually, and with whom the IPUC conducts business on a recurring basis throughout the fiscal year.

#### **FISCAL IMPACT:**

The BPOs for all vendors listed in Exhibit A total \$55,000.00. This has been accounted for and included in the FY 23 Adopted Budget.

Approval of Blanket Purchase Orders for FY 23 July 14, 2022 Page 3 of 3

#### **RECOMMENDED ACTION:**

Staff recommends the IPUC Board adopt Resolution No. 2022-13, approving the BPO Vendor List for vendors totaling \$10,000.00 and over for FY 23.

#### Attachments:

- 1. Resolution No. IPUC 2022-13-Resolution Approving the FY 22-23 Blanket Purchase Orders for Vendors Totaling \$10,000 and Over.
- 2. Exhibit A FY 23 Blanket Purchase Order Vendor List

#### **RESOLUTION NO. IPUC 2022-13**

RESOLUTION OF THE INDUSTRY PUBLIC UTILITIES COMMISSION, APPROVING BLANKET PURCHASE ORDERS FOR VENDORS TOTALING \$10,000.00 AND OVER FOR FY 2022-2023

- WHEREAS, in FY 2016-17 ("FY 17"), the Financial Services Department ("Finance") implemented several new internal controls and financial procedures citywide, in which blanket purchase orders ("BPOs") were identified as a critical fiscal control that allows the Industry Public Utilities Commission ("IPUC") to procure goods and supplies, professional or maintenance services, and/or equipment in a timely manner to efficiently administer the day-to-day operations of the IPUC; and
- WHEREAS, BPOs are a customary financial practice among public agencies in California; and in summary, are utilized to pay for goods and services with vendors that IPUC regularly conducts business with during the fiscal year; and
- WHEREAS, annually, after the IPUC's operating budget is adopted, the Finance Department presents to the IPUC for its consideration a BPO Vendor List for all vendors with whom IPUC anticipates spending over \$10,000.00 in the upcoming fiscal year; and
- WHEREAS, on June 23, 2022, the IPUC approved and adopted its budget for FY 2022-23 ("FY 23"); and
- WHEREAS, the FY 23 BPO Vendor List was developed in accordance with Chapter 3.04 of the City of Industry's Municipal Code (which applies to the IPUC) as it pertains to purchasing and bidding procedures; and
- **WHEREAS**, the FY 23 BPO Vendor List was also developed in accordance with the FY 23 Adopted Budget.
- NOW, THEREFORE, THE INDUSTRY PUBLIC UTILITIES COMMISSION DOES HEREBY FIND, DETERMINE, AND RESOLVE AS FOLLOWS:
- **Section 1.** The above recitals are true and correct and are incorporated herein by reference.
- <u>Section 2.</u> The IPUC hereby approves the list of BPOs, attached hereto as Exhibit A, and incorporated herein by reference, for all vendors that total \$10,000.00 and over for FY 23.
- <u>Section 3.</u> The IPUC authorizes the Public Utilities Director, and/or his designee, to prepare and execute all BPOs identified and listed on said Exhibit A.
- <u>Section 4.</u> The provisions of this Resolution are severable and if any provision, clause, sentence, word or part thereof is held illegal, invalid, unconstitutional, or

inapplicable to any person or circumstances, such illegality, invalidity, unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, sections, words or parts thereof of the Resolution or their applicability to other persons or circumstances.

<u>Section 5.</u> The Secretary shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

**PASSED, APPROVED AND ADOPTED** by the Industry Public Utilities Commission at a regular meeting held on July 14, 2022, by the following vote:

|      | AYES:           | COMMISSIONER:   |                         |
|------|-----------------|-----------------|-------------------------|
|      | NOES:           | COMMISSIONER:   |                         |
|      | ABSTAIN:        | COMMISSIONER:   |                         |
|      | ABSENT:         | COMMISSIONER:   |                         |
|      |                 |                 |                         |
|      |                 |                 |                         |
|      |                 |                 | Cory C. Moss, President |
| AT   | TEST:           |                 |                         |
|      |                 |                 |                         |
| Juli | e Gutierrez-Rob | oles, Secretary |                         |

# Industry Public Utilities Blanket Purchase Order Vendor List for FY 2022-23 ("FY 23") Exhibit A Vendors Totaling \$10,000 and Over

#### **SERVICES**

| Item # | Vendor Name         | FY 23<br>Proposed Amount | Primary Purpose            |
|--------|---------------------|--------------------------|----------------------------|
| 1      | Garcia's Fence Corp | 15,000                   | Fence maintenance services |

15,000.00 \$

#### **SUPPLIES**

| Item# | Vendor Name            | FY 23<br>Proposed Amount | Primary Purpose   |
|-------|------------------------|--------------------------|---|
| 2     | B2 Print               | 10,000                   | Office supplies - letterhead, envelopes, & business cards |
| 3     | Amazon                 | 10,000                   | Office and miscellaneous supplies                         |
|       | Home Depot             |                          | Property maintenance supplies                             |
|       | Lowe's                 |                          | Property maintenance supplies                             |
|       | Merritt's Ace Hardware | 10,000                   | Property maintenance supplies                             |

\$ 40,000.00

|           | <u> </u> | == 000 00 |
|-----------|----------|-----------|
| TOTAL IPU | Ψ.       | 55.000.00 |
| IOIALIFO  | Ψ        | 00,000.00 |
|           |          |           |

**ITEM NO. 5.3** 

#### **RESOLUTION NO. IPUC 2022-14**

A RESOLUTION OF THE INDUSTRY PUBLIC UTILITIES COMMISSION CONTINUING THE AUTHORIZATION OF REMOTE TELECONFERENCE MEETINGS PURSUANT TO AB 361

#### **RECITALS**

**WHEREAS**, the Industry Public Utilities Commission ("IPUC") is committed to preserving and encouraging public access and participation in its meetings; and

WHEREAS, all meetings of the IPUC are open and public, as required by the Ralph M. Brown Act (Gov. Code §§54950 – 54963) ("Brown Act"), so that any member of the public may attend, participate, and observe the IPUC conduct its business; and

WHEREAS, in March 2020 as a response to the ongoing COVID-19 pandemic, Governor Newsom issued Executive Orders N-25-20 and N-29-20. These orders suspended certain elements of the Brown Act and specifically allowed for legislative bodies as defined by the Brown Act to hold their meetings entirely electronically with no physical meeting place. On June 11, 2021, Governor Newsom issued Executive Order N-08-21, which provided that the provisions in Executive Order N-29-20 suspending certain elements of the Brown Act would continue to apply through September 30, 2021; and

WHEREAS, on September 16, 2021 Governor Newsom signed AB 361, which added subsection (e) to Government Code §54953 of the Brown Act, and makes provision for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code §54953(b)(3), subject to the existence of certain conditions; and

WHEREAS, one of the conditions required is that a state of emergency has been declared by the Governor pursuant to Government Code §8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code §8558; and

**WHEREAS,** it is further required that state or local officials have imposed or recommended measures to promote social distancing, or, the legislative body meeting in person would present imminent risks to the health and safety of attendees; and

WHEREAS, in March 2020, in response to the spread of COVID-19 in the State of California, the Governor Proclaimed a State of Emergency pursuant to Government Code §8625, and issued a number of executive orders aimed at containing the COVID-19 virus, and the County of Los Angeles through various Orders of the Los Angeles County Health Officer, continues to impose or recommend measures to promote social distancing; and

WHEREAS, Los Angeles County officials have recommended measures to promote social distancing, and strongly recommend masks for all regardless of vaccination status in an effort to slow the transmission of COVID-19 throughout the State and Los Angeles County; and

WHEREAS, the IPUC is concerned about the health and safety of all individuals of the public who attend public meetings; and

WHEREAS, as a consequence of the continued state of emergency, the IPUC Board adopted Resolution No. IPUC 2021-08 on October 14, 2021, Resolution No. IPUC 2021-09 on November 13, 2021, Resolution No. IPUC 2021-10 on December 13, 2021, Resolution No. IPUC 2022-01 on January 12, 2022, Resolution No. IPUC 2022-02 on February 11, 2022, Resolution No. IPUC 2022-05 on March 13, 2022, Resolution No. IPUC 2022-08 on April 12, 2022, Resolution No. IPUC 2022-09 on May 12, 2022, and Resolution No. IPUC 2022-12 on June 11, 2022, finding and determining that the IPUC would continue to conduct its meetings without compliance with Government Code §54953(b)(3), as authorized by Government Code §54953(e), and that the IPUC would continue to comply with the requirements to provide the public with access to all public meetings as prescribed in §54953(e)(2); and

WHEREAS, pursuant to the provisions of AB 361, the IPUC Board hereby finds and determines that the findings set forth in Resolution No. IPUC 2022-12 remain, and that it is thereby necessary to continue to conduct its meetings without compliance with Government Code §54953(b)(3), as authorized by Government Code §54953(e).

## NOW, THEREFORE, THE INDUSTRY PUBLIC UTILITIES COMMISSION DOES HEREBY FIND, DETERMINE AND RESOLVE AS FOLLOWS:

**SECTION 1:** All of the facts set forth in the Recitals are true and correct, and are incorporated herein by reference.

SECTION 2: The IPUC hereby considers the existing conditions of the state of emergency, local officials in Los Angeles County have recommended or imposed measures to promote social distancing in connection with COVID-19. Based on these facts, findings, and determinations, the IPUC authorizes staff to conduct remote teleconference meetings of the IPUC, under the provisions of Government Code §54953(e).

**SECTION 3:** The Public Utilities Director is hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution and AB 361, including continuing to conduct open and public meetings in accordance with the Brown Act.

SECTION 4: This Resolution shall take effect July 11, 2022, and shall be effective until the earlier of August 10, 2022, or such time as the Industry Public Utilities Commission adopts a subsequent resolution in accordance with Government Code

§54953(e)(3) to extend the time during which the IPUC may continue to meet by teleconference.

**PASSED, APPROVED AND ADOPTED** by the Industry Public Utilities Commission at a regular meeting held on July 14, 2022, by the following vote:

|      | AYES:            | COMMISSIONER: |                         |
|------|------------------|---------------|-------------------------|
|      | NOES:            | COMMISSIONER: |                         |
|      | ABSTAIN:         | COMMISSIONER: |                         |
|      | ABSENT:          | COMMISSIONER: |                         |
|      |                  |               |                         |
|      |                  |               |                         |
|      |                  |               | Cory C. Moss, President |
| ΑT   | TEST:            |               |                         |
|      |                  | •             |                         |
|      |                  |               |                         |
| luli | e Gutierrez-Robl | es Secretary  | _                       |

ITEM NO. 5.4

Verbal Presentation - No Back-Up Material