

AGENDA

BOARD OF DIRECTORS ORANGE COUNTY SANITATION DISTRICT

**DISTRICT'S ADMINISTRATIVE OFFICES
10844 ELLIS AVENUE
FOUNTAIN VALLEY, CA 92708**

REGULAR MEETING

February 22, 2006 – 7:00 P.M.

1. Invocation and Pledge of Allegiance
2. Roll Call
3. Consideration of motion to receive and file minute excerpts of member agencies relating to appointment of Directors, if any.

<u>City/Agency</u>	<u>Active Director</u>	<u>Alternate Director</u>
Fountain Valley	Larry Crandall	John Collins
Newport Beach	Tod Ridgeway	Don Webb
Tustin	Doug Davert	Tony Kawashima
Villa Park	Richard A. Freschi	Bob Fauteux
Board of Supervisors	Jim Silva	Lou Correa

4. Appointment of Chair pro tem, if necessary
5. Public Comments
6. The Chair, General Manager and General Counsel present verbal reports on miscellaneous matters of general interest to the Directors. These reports are for information only and require no action by the Directors.
 - a. Report of Chair; consideration of Resolutions or recommendations, presentations and awards
 - b. Report of General Manager
 1. Update on treatment costs and level of treatment (Jim Herberg)
 - c. Report of General Counsel
7. If no corrections or amendments are made, the minutes for the regular meeting held on January 25, 2006, will be deemed approved as mailed and be so ordered by the Chair.

8. Ratifying payment of claims of the District, by roll call vote, as follows:

<u>ALL DISTRICTS</u>	<u>01/15/06</u>	<u>01/31/06</u>
Totals	\$15,960,672.83	\$18,182,410.63

CONSENT CALENDAR

9. Consideration of motion to approve all agenda items appearing on the Consent Calendar not specifically removed from same, as follows:

END OF CONSENT CALENDAR

10. Consideration of items deleted from Consent Calendar, if any.

COMMITTEE REPORTS AND RECOMMENDED ACTIONS

11. **STEERING COMMITTEE**

Consent Calendar

- a. Order draft Steering Committee Minutes for the meeting held on January 25, 2006, to be filed.
- b. Approve Amendment No. 1 to the contract with James D. Ruth, Interim General Manager, extending the contract to December 31, 2006; three weeks paid leave; and a \$100,000 life insurance policy.

Non-Consent Calendar

- c. Review and consideration of agenda items considered by the Steering Committee re the February 22, 2006 meeting.
- d. Consideration of items deleted from Steering Committee Consent Calendar, if any.

12. **OPERATIONS, MAINTENANCE AND TECHNICAL SERVICES COMMITTEE (OMTS)**

OMTS Consent Calendar

- a. Order draft Operations, Maintenance and Technical Services Committee Minutes for the meeting held on February 1, 2006 to be filed.
- b. Award a contract to V & A Consulting Engineering, Inc. for Sewer Line Video Inspection Review Services, Specification No. S-2005-241, providing services for assessing the physical condition of sewers from existing CCTV videotapes, for an amount not to exceed \$469,800.

- c. Approve Change Order No. 5 to Purchase Order No. 101758-OB for Purchase of Cationic Polymer, Specification No. C-2003-143, issued to Polydyne Inc., for a unit rate increase of \$0.70 per active pound for Solution Polymer increasing the total price to \$1.75 per active pound plus tax, and a unit rate increase in Mannich Polymer of \$0.249, increasing the total price to \$1.529 per active pound plus tax, for an estimated amount of \$1,280,000 for the period July 1, 2006 through June 30, 2007.
- d. (1) Authorize the General Manager to participate in the Santa Ana Watershed Stormwater Quality Task Force project for reevaluation of water quality standards as they relate to storm water and dry weather flows; and,

(2) Authorize an additional amount of \$20,000 for a total amount not to exceed \$30,000 to the Santa Ana Watershed Project Authority (SAWPA), for participation in Phases II and III of the project.
- e. Approve a Reimbursement Agreement with the City of Placentia for a two-year pilot project to assist the city in improving their sewer system management program and operations and maintenance, to achieve improved compliance with the Regional Water Quality Control Board's Waste Discharge Requirements Order (WDR), in a form acceptable to the General Counsel.

Non-Consent Calendar

- f. Consideration of items deleted from OMTS Consent Calendar, if any.

13. PLANNING, DESIGN AND CONSTRUCTION COMMITTEE (PDC)

PDC Consent Calendar

- a. Order draft Planning, Design and Construction Committee Minutes for the special meeting held on January 26, 2006, and the regular meeting held on February 2, 2006, to be filed. (*Minutes to be distributed at 02/22/06 Board Meeting.*)
- b. Ratify Change Order No. 6 to Gisler-Redhill Trunk Improvements, Reach "A", Contract No. 7-36; Orange Trunk Improvements, Contract No. 7-39; Gisler-Redhill/North Trunk Improvements, Contract No. 7-41; and City of Tustin Project Nos. 6106 and 6151 with ARB, Inc., authorizing an addition of \$55,000 and five calendar days time extension, increasing the total contract amount to \$20,224,324.
- c. (1) Ratify Change Order No. 11 to Effluent Pump Station Annex, Job No. J-77, with J.F. Shea Construction, Inc., authorizing an addition of \$100,302, increasing the total contract amount to \$44,393,556; and,

(2) Ratify Change Order No. 12 for an Adjustment of Engineered Quantities, authorizing an increase of \$138,502, increasing the total contract amount to \$44,532,058.
- d. Ratify Change Order No. 18 to Bushard Trunk Sewer Rehabilitation, Job No. I-2-4, with Steve P. Rados, Inc., authorizing a credit of \$823,407 for deletion

of work scope from the contract, decreasing the total contract amount to \$34,886,706.

- e. Ratify Change Order No. 25 to Primary Clarifiers 16-31 and Related Facilities, Job No. P1-37, with Margate Construction, authorizing an addition of \$116,822, increasing the total contract amount to \$72,088,850.
- f. Approve a Professional Services Agreement with Camp, Dresser & McKee, Inc. for engineering services for 66kV Substation at Plant No. 1, Job No. P1-97, for an amount not to exceed \$779,381.
- g. (1) Approve budget increase of \$96,000, increasing the total project budget to \$3,172,000; and,

(2) Approve Amendment No. 1 to the Professional Services Agreement with M. J. Schiff & Associates, Inc. providing for final design and construction support services for Interplant Gas Line Rehabilitation, Job No. J-106, for an additional amount of \$119,147, increasing the total amount not to exceed \$257,526.
- h. Approve Amendment No. 2 to the Professional Services Agreement with MWH Americas, Inc. to provide construction support services for Rehabilitation of the Activated Sludge Plant at Plant No. 2, Job No. P2-74, for an additional amount of \$564,338, increasing the total contract amount not to exceed \$2,753,699.
- i. Approve Amendment No. 5 to the Professional Services Agreement with Lee & Ro, Inc., providing for additional design engineering services for Replacement of the Bitter Point Pump Station, Contract No. 5-49; Replacement of the Rocky Point Pump Station, Contract No. 5-50; Rehabilitation of the 14th Street Pump Station, Contract No. 5-51; and Rehabilitation of the "A" Street Pump Station, Contract No. 5-52, for an additional amount of \$1,017,316, increasing the total amount not to exceed \$4,480,816.
- j. Authorize the General Manager to enter into a sole source agreement with Southern California Edison for the procurement of a temporary power service connection at the intersection of Ellis Avenue and Bushard Street in connection with Bushard Trunk Sewer Rehabilitation, Job No. I-2-4, for the duration of construction at the intersection, for an estimated amount of \$350,000.
- k. Approve time extensions to Cooperative Project Contract Agreements: Contract No. 0403 with Costa Mesa Sanitary District; Contract No. 0409 with Garden Grove Sanitary District; Contract No. 0404 with the City of Fountain Valley; and Contract No. 0130 with the City of Orange.
- l. Approve a budget amendment of \$1,511,800 for a total project budget of \$3,810,376 for Realignment and Rehabilitation of the Big Canyon Offsite Trunk Sewer, Contract No. 5-62.

Non-Consent Calendar

- m. Consideration of items deleted from PDC Consent Calendar, if any.

14. FINANCE, ADMINISTRATION AND HUMAN RESOURCES COMMITTEEFAHR Consent Calendar

- a. Order draft Finance, Administration and Human Resources Committee Minutes for the meeting held on February 8, 2006, to be filed.
- b. Receive and file report of General Manager approved purchases in amounts exceeding \$50,000 in accordance with Board purchasing policies.
- c. Receive and file the FY 2005-06 Quarterly and Mid-Year Consolidated Financial Reports for the period ended December 31, 2005.
- d. Approve the FY 2006-07 and FY 2007-08 Budget Assumptions and direct staff to prepare the FY 2006-07 – 2007-08 Budgets incorporating these parameters.
- e. (1) Approve a Purchase Order Contract with Lance, Soll & Lunghard, Certified Public Accountants, as the District's contracted internal auditors for FY 2005-06, for the period of March 1, 2006 through February 28, 2007, for an amount not to exceed \$58,670, with an option to renew the contract for two one-year periods based on approval by the FAHR Committee; and,
(2) Direct Lance, Soll & Lunghard to perform specific internal auditing assignments as the FAHR Committee deems necessary.
- f. Approve revised pricing with Cambridge Integrated Services Group, Inc. for third-party administration of Workers' Compensation as provided in Flat Fee Option B.
- g. (1) Adopt Resolution No. OCSD06-02, a Resolution of the Board of Directors of the Orange County Sanitation District Authorizing the Execution and Delivery by the District of an Installment Purchase Agreement, a Trust Agreement, a Standby Certificate Purchase Agreement, a Purchase Contract and a Remarketing Agreement in connection with the execution and delivery of Orange County Sanitation District Certificates of Participation, Series 2006, Authorizing the Execution and Delivery of such Certificates Evidencing Principal in an Aggregate Amount of Not to Exceed \$200,000,000, Authorizing the Distribution of an Official Statement in Connection Therewith and Authorizing the Execution of Necessary Documents and Certificates and Related Actions.

FAHR Non-Consent Calendar

- h. Consideration of items deleted from FAHR Consent Calendar, if any.

15. CIP OVERSIGHT COMMITTEE

Consent Calendar

- a. Order draft CIP Oversight Committee Minutes for the meeting held on February 9, 2006, to be filed. (*Minutes to be distributed at 02/22/06 Board Meeting.*)

Non-Consent Calendar

- b. Consideration of items deleted from CIP Oversight Committee Consent Calendar, if any.

16. LEGISLATIVE AFFAIRS COMMITTEE

Consent Calendar

- a. Order draft Legislative Affairs Committee Minutes for the meeting held on February 14, 2006, to be filed. (*Minutes to be distributed at 02/22/06 Board Meeting.*)

Non-Consent Calendar

- b. Consideration of items deleted from Legislative Affairs Committee Consent Calendar, if any.

17. GWR SYSTEM STEERING COMMITTEE (GWRSSC)

GWRSSC Consent Calendar

- a. Order Joint Groundwater Replenishment System Steering Committee Minutes for the meeting held on January 9, 2006, to be filed.

GWRSSC Non-Consent Calendar

- b. Consideration of items deleted from GWRSSC Consent Calendar, if any.

NON-CONSENT CALENDAR

18. (1) Adopt Resolution No. OCSD 06-03, Certifying the Initial Study/Negative Declaration for the College Avenue Pump Station Rehabilitation Project, Contract No. 7-47, prepared by CH2MHill; and (2) Approve the College Avenue Pump Station Rehabilitation Project, Contract No. 7-47.
19. Consideration of the following actions regarding environmental documentation required to modify the certified 1999 Strategic Plan Final Program Environmental Impact Report (PEIR):

- (a) Receive and file Addendum No. 8 to 1999 PEIR for the Bushard Trunk Sewer Rehabilitation, Job No. I-2-4, prepared by Environmental Science Associates;
- (b) Approve a budget amendment of \$2,000,000 increasing the total project budget to \$65,580,000;
- (c) Approve Plans and Specifications for Bushard Trunk Sewer Rehabilitation, Job No. I-2-4A, on file at the office of the Board Secretary;
- (d) Approve Addenda Nos. 1, 2, 3, 4, and 5 to the plans and specifications;
- (e) Receive and file bid tabulation and recommendation; and,
- (f) Award a construction contract to Mike Bubalo Construction Co., Inc. for Bushard Trunk Sewer Rehabilitation, Job No. I-2-4A, for an amount not to exceed \$11,191,500.

20. Recess by Board of Directors, Orange County Sanitation District

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21. Call to Order, Board of Directors, Orange County Sanitation District Financing Corporation:

- a. Roll Call
- b. If no corrections or amendments are made, the Minutes for the meeting held on June 22, 2005, will be deemed approved and be so ordered by the Chair.
- c. Report of the Director of Finance
- d. Adopt Resolution No. FC-03, Authorizing the Execution and Delivery by the Corporation of an Installment Purchase Agreement and a Trust Agreement in connection with the execution and delivery of Orange County Sanitation District Certificates of Participation, Series 2006; Authorizing the Execution and Delivery of such Certificates Evidencing Principal in an Aggregate Amount of Not to Exceed \$200,000,000 and; Authorizing the Execution of Necessary Documents and Certificates and Related Actions. *(See Agenda Report for Agenda Item No. 14(g)).*

22. Adjourn, Board of Directors, Orange County Sanitation District Financing Corporation.

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23. Reconvene, Board of Directors, Orange County Sanitation District

24. Closed Session

CLOSED SESSION: During the course of conducting the business set forth on this agenda as a regular meeting of the Board, the Chair may convene the Board in closed session to consider matters of pending real estate negotiations, pending or potential litigation, or personnel matters, pursuant to Government Code Sections 54956.8, 54956.9, 54957 or 54957.6, as noted.

Reports relating to (a) purchase and sale of real property; (b) matters of pending or potential litigation; (c) employment actions or negotiations with employee representatives; or which are exempt from public disclosure under the California Public Records Act, may be reviewed by the Board during a permitted closed session and are not available for public inspection. At such time as the Board takes final action on any of these subjects, the minutes will reflect all required disclosures of information.

- a. Convene in closed session, if necessary
 - b. Reconvene in regular session
 - c. Consideration of action, if any, on matters considered in closed session
25. Matters which a Director may wish to place on a future agenda for action and staff report.
26. Other business and communications or supplemental agenda items, if any
27. Future Meeting Date: The next Board of Directors regular meeting is scheduled for March 22, 2006, at 7:00 p.m.
28. Adjournment

Agenda Posting: In accordance with the requirements of California Government Code Section 54954.2, this agenda has been posted in the main lobby of the District's Administrative offices not less than 72 hours prior to the meeting date and time above. All written materials relating to each agenda item are available for public inspection in the office of the Board Secretary.

Items Not Posted: In the event any matter not listed on this agenda is proposed to be submitted to the Board for discussion and/or action, it will be done in compliance with Section 54954.2(b) as an emergency item or because there is a need to take immediate action, which need came to the attention of the Board subsequent to the posting of agenda, or as set forth on a supplemental agenda posted in the manner as above, not less than 72 hours prior to the meeting date.

Public Comments: Any member of the public may address the Board of Directors on specific agenda items or matters of general interest. As determined by the Chair, speakers may be deferred until the specific item is taken for discussion and remarks may be limited to three minutes.

Matters of interest addressed by a member of the public and not listed on this agenda cannot have action taken by the Board of Directors except as authorized by Section 54954.2(b). If you wish to speak, please complete a Speaker's Form (located at the table outside of the Board Room) and give it to the Board Secretary.

Consent Calendar: All matters placed on the Consent Calendar are considered as not requiring discussion or further explanation and unless any particular item is requested to be removed from the Consent Calendar by a Director, staff member or member of the public in attendance, there will be no separate discussion of these items. All items on the Consent Calendar will be enacted by one action approving all motions, and casting a unanimous ballot for resolutions included on the consent calendar. All items removed from the Consent Calendar shall be considered in the regular order of business.

Members of the public who wish to remove an item from the Consent Calendar shall, upon recognition by the Chair, state their name, address and designate by number the item to be removed from the Consent Calendar.

The Chair will determine if any items are to be deleted from the Consent Calendar.

Items Continued: Items may be continued from this meeting without further notice to a Committee or Board meeting held within five (5) days of this meeting per Government Code Section 54954.2(b)(3).

Meeting Adjournment: This meeting may be adjourned to a later time and items of business from this agenda may be considered at the later meeting by Order of Adjournment and Notice in accordance with Government Code Section 54955 (posted within 24 hours).

Accommodations for the Disabled: The Board of Directors Meeting Room is wheelchair accessible. If you require any special disability related accommodations, please contact the Orange County Sanitation District Board Secretary's office at (714) 593-7130 at least 72 hours prior to the scheduled meeting. Requests must specify the nature of the disability and the type of accommodation requested.

NOTICE TO DIRECTORS: To place items on the agenda for the Regular Meeting of the Board of Directors, items shall be submitted to the Board Secretary no later than the close of business 14 days preceding the Board meeting. The Board Secretary shall include on the agenda all items submitted by Directors, the General Manager and General Counsel and all formal communications.

Interim General Manager	James D. Ruth	(714) 593-7110	jruth@ocsd.com
Board Secretary	Penny Kyle	(714) 593-7130	pkyle@ocsd.com
Director/Engineering	David Ludwin	(714) 593-7300	dludwin@ocsd.com
Director/Finance/Treasurer	Lorenzo Tyner	(714) 593-7550	ltynr@ocsd.com
Director/Human Resources	Lisa Tomko	(714) 593-7145	ltomko@ocsd.com
Director/Information Technology	Patrick Miles	(714) 593-7280	pmiles@ocsd.com
Director/Operations & Maintenance	Jim Herberg	(714) 593-7020	jherberg@ocsd.com
Director/Technical Services	Bob Ghirelli	(714) 593-7400	rghirelli@ocsd.com
Acting Director/Public Affairs	Lisa Tomko	(714) 593-7145	ltomko@ocsd.com
Director/Regional Assets & Services	Nick Arhontes	(714) 593-7210	narhontes@ocsd.com
General Counsel	Brad Hogin	(714) 564-2606	brh@wss-law.com

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