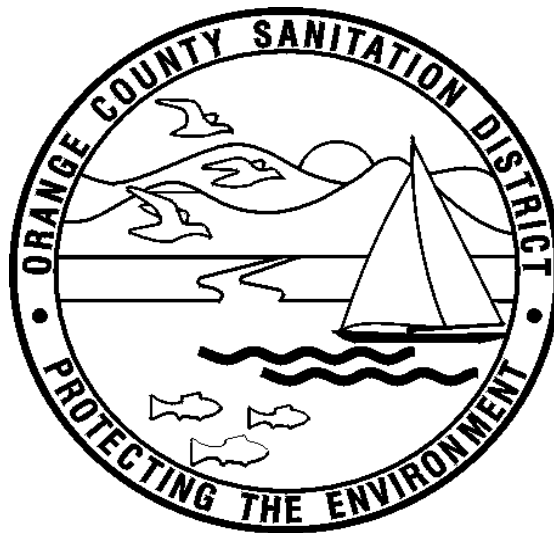


# **Orange County Sanitation District**

## **MINUTES**

### **BOARD MEETING**

**May 23, 2012**



**Administration Building  
10844 Ellis Avenue  
Fountain Valley, California 92708-7018**

## ROLL CALL

A regular meeting of the Board of Directors of the Orange County Sanitation District was held on May 23, 2012, at 6:30 p.m., in the Administration Building. Following the invocation and Pledge of Allegiance, a quorum was declared present by the Associate Clerk of the Board as follows:

### ACTIVE DIRECTORS

### ALTERNATE DIRECTORS

X	Larry Crandall, Chair		Steve Nagel
X	Troy Edgar, Vice Chair		Gerri Graham-Mejia
X	John Anderson		Jim Winder
	Tom Beamish	X	Rose Espinoza
X	Joe Carchio		Devin Dwyer
X	Bill Dalton		Kris Beard
X	Jon Dumitru		Denis Bilodeau
A	Gail Eastman		Harry Sidhu
	James M. Ferryman	X	Bob Ooten
A	Jeffrey Lalloway		Steven Choi
X	Michael Levitt		Gordon Shanks
X	Prakash Narain		Doug Bailey
X	Scott Nelson		Constance Underhill
X	Joy Neugebauer		Al Krippner
	Janet Nguyen	X	Shawn Nelson
X	John Nielsen		Jerry Amante
X	Sharon Quirk-Silva		Pat McKinley
X	Brad Reese		Rick Barnett
X	Steven Rosansky		Nancy Gardner
X	Don Schweitzer		Ron Garcia
X	David Shawver		Carol Warren
X	Fred Smith		Steve Berry
X	Sal Tinajero		David Benavides
X	Mark Waldman		Steven Hwangbo
X	John Withers		Douglas Reinhart

**STAFF MEMBERS PRESENT:** Jim Ruth, General Manager; Bob Ghirelli, Assistant General Manager; Jim Herberg, Assistant General Manager; Nick Arhontes, Director of Facilities Support Services; Lorenzo Tyner, Director of Finance & Administrative Services; Jeff Reed, Director of Human Resources; Lilia Kovac, Associate Clerk of the Board; Cindi Ambrose; Patrick Carnahan; Jim Colston; Tim Foley; Norbert Gaia; Ken Hernandez; Bea Mitchell; Rob Thompson; Nakeisha Turner; and Paula Zellar.

**OTHERS PRESENT:** Brad Hogin, General Counsel; Al Krippner; Drew Kolosky

## **PUBLIC COMMENTS:**

None.

## **REPORTS:**

Nick Arhontes, Director of Facilities Support Services, presented Tim Foley, Source Control Inspector, with a Service Award for his 20 years of service to the Sanitation District.

Lorenzo Tyner, Director of Finance & Administrative Services, presented Pat Carnahan, Safety and Health Specialist, with a Service Award for his 25 years of service to the Sanitation District.

Chair Crandall reported briefly on the CASA Conference at which he represented the Orange County Sanitation District.

Mr. Ruth reported on the following from his monthly status report: The Honor Walk Ceremony to recognize Sanitation District retirees; outreach activity; and biosolids land application RFP bid evaluations. Mr. Ruth called upon Jim Herberg, Assistant General Manager, to give an update on EnerTech, who advised that it is not likely that EnerTech will perform to the terms of agreement.

Mr. Ruth reported briefly on the Grand Jury Report regarding Special Districts' reserve policies, consolidation, property taxes, and transparency, where OCSD was not specifically mentioned. However, Mr. Ruth provided a brief summary of OCSD's performance in each of these areas and cited the positive result of LAFCO's review of OCSD operations concerning these issues in 2007.

Chair Crandall called upon Brad Hogin, General Counsel, to provide an update to the Board of Directors regarding a letter received from SAWPA concerning its violation of agreement with OCSD by allowing the discharge of mining waste that originated outside of the SAWPA service area.

## **ELECTIONS:**

1. A. This being the annual meeting fixed by the Board at which nominations are to be made for the office of Chair and Vice Chair of the Orange County Sanitation District, General Counsel declared the nominations open.

Director Troy Edgar was nominated as a candidate for the office of Chair of the Orange County Sanitation District. Rules of Procedure for the Conduct of Business allow for a vote on the same day as nominations, in the event there is only one nominee for each position. The vote was polled and the General Counsel cast the unanimous ballot for Director Troy Edgar as the Chair of the Orange County Sanitation District.

- B. Director John Anderson was nominated as a candidate for the office of Vice Chair of the Orange County Sanitation District. A vote was polled and the General Counsel cast the unanimous ballot for Director John Anderson as the Vice Chair of the Orange County Sanitation District.

**RATIFICATION OF PAYMENT OF CLAIMS:**

- 2. **MOVED, SECONDED, AND DULY CARRIED:** Ratify payment of claims of the District, by roll call vote, as follows:

<u>Claims Paid for the Period Ending:</u>	<u>04/15/12</u>	<u>04/30/12</u>
Totals	\$6,318,505.11	\$7,039,374.85

Directors Dumitru, Shawn Nelson, Nielsen, and Shawver abstained from discussion and voting on all warrants pursuant to California Government Code Section 84308.

**CONSENT CALENDAR:**

- 3. **MOVED, SECONDED, AND DULY CARRIED:** Approve minutes for the Regular Board Meeting held on April 25, 2012.

Director Neugebauer abstained.

- 4. A. **MOVED, SECONDED, AND DULY CARRIED:** Authorize the General Manager to enter into contracts for Temporary Employment Services, Specification No.CS-2009-421BD, with temporary service firms for a total amount not to exceed \$405,000 per year, for a one-year period (July 1, 2012 through June 30, 2013), with a one-year renewal option; and,
  - B. Approve an annual contingency of \$45,000; and,
  - C. Authorize the General Manager to add or delete such firms as necessary to meet work requirements as identified by the Human Resources Department.
- 5. A. **MOVED, SECONDED, AND DULY CARRIED:** Approve Plans and Specifications for Contracts Administration Complex Removal and Purchasing Area ADA Site Improvements, Project No. FE10-03, on file at the office of the Clerk of the Board;
  - B. Approve Addendum No. 1 to the plans and specifications;
  - C. Receive and file bid tabulation and recommendation;

- D. Reject low bid from Roadway Engineering & Construction, Inc., as “Non-Responsive” due to its failure to provide a bid bond in the form required by the Invitation for Bids;
- E. Award a construction contract to De La Riva Construction, Inc., for Contracts Administration Complex Removal and Purchasing Area ADA Site Improvements, Project No. FE10-03, for a total amount not to exceed \$309,463; and,
- F. Approve a contingency of \$46,419 (15%).

### **STEERING COMMITTEE:**

Chair Crandall briefly reported that the committee received a report from Townsend Public Affairs on possible future property tax issues.

- 6. **MOVED, SECONDED, AND DULY CARRIED:** Approve minutes of the April 25, 2012, Steering Committee Meeting.
- 7. Item was pulled and tabled for future discussion at the Strategic Planning meeting to be held in October 2012.

### **OPERATIONS COMMITTEE:**

- 8. **MOVED, SECONDED, AND DULY CARRIED:** Approve minutes of the May 2, 2012, Operations Committee Meeting.
- 9.
  - A. **MOVED, SECONDED, AND DULY CARRIED:** Approve a Professional Consultant Services Agreement with HDR/Schiff, Inc. to provide construction support services for Interplant Gas Line Rehabilitation, Project No. J-106, for an amount not to exceed \$325,000; and,
  - B. Approve a contingency of \$22,750 (7.0%).
- 10.
  - A. **MOVED, SECONDED, AND DULY CARRIED:** Approve a Professional Design Services Agreement with Atkins North America, Inc., for Final Effluent Sampler and Building Area Upgrades, Project No. J-110, providing for engineering design services for an amount not to exceed \$1,764,022; and,
  - B. Approve a contingency of \$176,402 (10%).

11. A. MOVED, SECONDED, AND DULY CARRIED: Approve a Professional Design Services Agreement with the Black & Veatch Corporation for engineering design services for Central Generation Emissions Control at Plant No. 1 and Plant No. 2, Project No. J-111, for an amount not to exceed \$1,988,683; and,
  - B. Approve a contingency of \$198,868 (10%).
  
12. A. MOVED, SECONDED, AND DULY CARRIED: Approve a Task Order with Black & Veatch for Project No. SP-150, Uninterruptible Power System Study, On-Call Planning Studies, PLAN2010-00, Contract Plan2010-01, Task Order No. 2, for a not-to-exceed amount of \$199,853; and,
  - B. Approve a contingency of \$19,985 (10%).
  
13. A. MOVED, SECONDED, AND DULY CARRIED: Approve a contingency increase of \$330,000 (15%) to the Professional Design Services Agreement with The Austin Company for the Title 24 Access Compliance and Building Rehabilitation Project, Project No. P1-115, for a total contingency of \$550,000 (25%); and,
  - B. Authorize the General Manager to negotiate a Professional Services Agreement with The Austin Company to provide architectural services for an Administrative Facilities Master Planning study for the Title 24 Access Compliance and Building Rehabilitation Project, Project No. P1-115.

**ADMINISTRATION COMMITTEE:**

14. MOVED, SECONDED, AND DULY CARRIED: Approve minutes of the May 9, 2012, Administration Committee Meeting.
  
15. MOVED, SECONDED, AND DULY CARRIED: Award professional agreements with TDI Consulting and Brown and Caldwell for Piping and Instrumentation Diagram (P&ID) Redrawing Project, Specification No. CS-2012-518BD, with an aggregate amount not to exceed \$250,000.
  
16. A. MOVED, SECONDED, AND DULY CARRIED: Approve a Purchase Order contract with Scale Datacom, LLC, for the purchase of the Storage Area Network (SAN), Specification No. S-2011-511BD-R, for an amount not to exceed \$389,790;
  - B. Approve a contingency in the amount of \$19,490 (5%).

17. A. MOVED, SECONDED, AND DULY CARRIED: Approve Amendment No. 2 to the Professional Services Agreement for Specification No. CS-2011-499BD, Purchase Order No. 104353-OA, issued to Total Resource Management, Inc. (TRM, Inc.) for Phase 2 of the Implementation of IBM-Maximo Enterprise Asset Management System, for an amount not to exceed \$435,452;
- B. Approve a contingency in the amount of \$43,545 (10%).
18. MOVED, SECONDED, AND DULY CARRIED: Authorize the General Manager to issue new fixed rate Certificates of Participation (COP), to be referred to as Wastewater Refunding Revenue Obligations, in an amount sufficient to refund the outstanding \$91,900,000 of COP Series 2000-A and 2000-B

**CONSIDERATION OF ACTION, IF ANY, ON MATTERS CONSIDERED IN CLOSED SESSION:**

None.

**OTHER BUSINESS AND COMMUNICATIONS OR SUPPLEMENTAL AGENDA ITEMS, IF ANY:**

Chair Crandall announced the following: Operations Committee Meeting, June 6, 2012; and the Administration Committee Meeting, June 13, 2012.

**ADJOURNMENT:**

The Chair declared the meeting adjourned at 7:03 p.m. until the next regular meeting on June 27, 2012, at 6:30 p.m.



Lilia Kovac  
Acting Associate Clerk of the Board