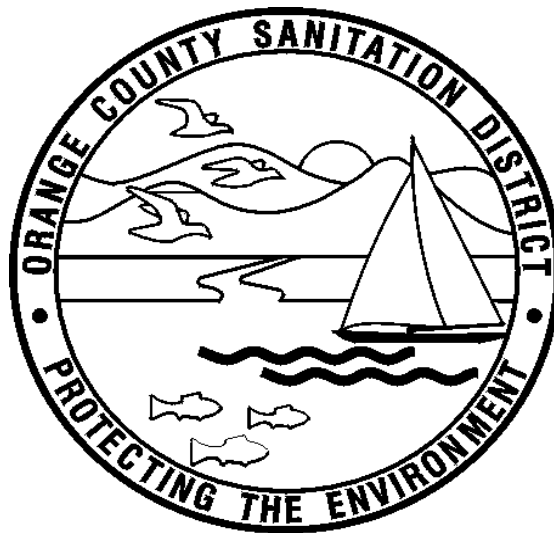


Orange County Sanitation District

MINUTES

BOARD MEETING

August 22, 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 August 22, 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	Troy Edgar, Chair		Gerri Graham-Mejia
X	John Anderson, Vice Chair		Jim Winder
X	Tom Beamish		Rose Espinoza
X	Joe Carchio		Devin Dwyer
X	Larry Crandall		Steve Nagel
A	Bill Dalton		Kris Beard
X	Jon Dumitru		Denis Bilodeau
X	Gail Eastman		Harry Sidhu
X	James M. Ferryman		Bob Ooten
X	Jeffrey Lalloway		Steven Choi
A	Michael Levitt		Gordon Shanks
X	Prakash Narain		Doug Bailey
X	Scott Nelson		Constance Underhill
X	Joy Neugebauer		Al Krippner
X	Janet Nguyen		Shawn Nelson
X	John Nielsen		Jerry Amante
X	Gregory Sebourn		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; Ed Torres, Director of Operations and Maintenance; Lorenzo Tyner, Director of Finance & Administrative Services; Jeff Reed, Director of Human Resources; Maria E. Ayala, Clerk of the Board; Cindi Ambrose; Rich Castillon; Jim Colston; Norbert Gaia; Elaine Galvez; Nakeisha Turner; and Paula Zellar.

OTHERS PRESENT: Brad Hogin, General Counsel; Drew Kolosky; Chris Marks; and Jeff Thurber.

PUBLIC COMMENTS:

Chair Edgar announced that the public comment requests would be heard at the time that Agenda Item No. 11 would be considered, as both requests were speaking to that particular item.

REPORTS:

Chair Edgar welcomed new OCSD Board Director Gregory Sebourn from the City of Fullerton. Director Sebourn replaces former Director Sharon Quirk-Silva.

Chair Edgar announced that today is Director Withers birthday and wished him well. He announced that the recent Open House received over 1,200 people in attendance and over 600 tours provided. Chair Edgar also briefly reported on the Sanitation District's recent Open House.

Ed Torres, Director of Operations and Maintenance, introduced Elaine Galvez, Laboratory Assistant. He presented her with a service award for her 20 years of service to the Sanitation District.

Jim Ruth, General Manager, reported on the following from his General Manager's Monthly Status Report: save the dates of October 17 for the Sanitation District's Strategic Plan Update Workshop, and October 18 for the Secondary Treatment Celebration; and an auditing firm was recently hired for SAWPA.

Jim Herberg, Assistant General Manager, gave an informative presentation on the Ground Water Replenishment System.

RATIFICATION OF PAYMENT OF CLAIMS:

- 1. 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>07/15/12</u>	<u>07/31/12</u>
Totals	\$6,728,548.85	\$53,062,575.29

Directors Dumitru, Edgar, Nguyen, Nielsen, and Sebourn abstained.

CONSENT CALENDAR: *Consent Calendar Items are considered to be routine and will be enacted, by the Board of Directors, after one motion, without discussion. Any items withdrawn from the Consent Calendar for separate discussion will be considered in the regular order of business.*

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

3. MOVED, SECONDED, AND DULY CARRIED: Authorize the General Manager to approve Amendment No. 7 to extend the agreement with Air Products and Chemicals, Inc., for Private Operation and Maintenance of Oxygen Generation System at Plant No. 2, Purchase Order 43063-OB for an additional five (5) month period beginning retroactively August 1, 2012, through December 31, 2012, at no additional cost to the District.
4. MOVED, SECONDED, AND DULY CARRIED: Authorize the General Counsel to appear and represent the interest of the Orange County Sanitation District in the matter of *City of Brea v. State of California*, Sacramento County Superior Court Case No. 34-2012-8000-1204.

STEERING COMMITTEE:

5. MOVED, SECONDED, AND DULY CARRIED: Approve minutes of the July 25, 2012, Steering Committee Meeting.
6. MOVED, SECONDED, AND DULY CARRIED: Decline Proposal from EnerTech to Enter into a New Agreement for Management of Biosolids.

OPERATIONS COMMITTEE:

7. MOVED, SECONDED, AND DULY CARRIED: Approve minutes of the August 1, 2012, Steering Committee Meeting.
8. MOVED, SECONDED, AND DULY CARRIED: Approve a contingency increase of \$79,540 (10%) to the Professional Design Services Agreement with AECOM Technical Services for the Balboa Trunk Sewer Rehabilitation, Project No. 5-47, for a total contingency of \$159,280 (20%).
9. MOVED, SECONDED, AND DULY CARRIED: Approve a contingency increase of \$266,248 (13%) to the construction contract with J. Fletcher Creamer & Son, Inc., for Interplant Gas Line Rehabilitation, Project No. J-106, for a total contingency of \$409,612 (20%)
10. MOVED, SECONDED, AND DULY CARRIED: Approve a budget increase of \$97,000 for Central Generation Automation, Project J-79-1, for a total budget amount of \$23,443,000.

NON-CONSENT:

At this time, public comment requests were heard as follows:

Chris Marks (Terra Renewal)

Mr. Marks read a statement submitted to the Board regarding Terra Renewal's concerns over the awarding of the contract in Item 11.

Jeff Thurber (Terra Renewal)

Mr. Thurber expressed his concerns over the Sanitation District's procurement process.

Mr. Herberg provided a brief follow-up informative on this item as a result of the discussion from the Operations Committee Meeting earlier in the month. Mr. Herberg also responded to various questions from the Board.

11. A. **MOVED, SECONDED, AND DULY CARRIED:** Receive and file Statement of Complaint for the Recommendation of Biosolids Management Contract Award letter dated July 12, 2012 from Terra Renewal West LLC protesting award to Tule Ranch;
- B. Receive and file letter dated July 23, 2012 to Terra Renewal West LLC responding to the Statement of Complaint; and,
- C. Approve a contract with Tule Ranch to manage the Orange County Sanitation District's biosolids from Reclamation Plant No. 1 and Treatment Plant No. 2 for land application and/or landfill disposal (Specification No. S-2011-513BD), for the period commencing on January 1, 2013 through December 31, 2017, with one five-year renewal option, for the unit price of \$54.50 per ton for land application, for a total annual amount not to exceed \$19,000,000.

CLOSED SESSION:

CONVENED IN CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTIONS: 54956.9(a)

The Board convened in closed session at 7:21 p.m. to discuss one item. Confidential Minutes of the closed Session have been prepared in accordance with the above Government Code Sections and are maintained by the Clerk of the Board in the Official Book of Confidential Minutes of Board and Committee Closed Meetings.

RECONVENE IN REGULAR SESSION: The Committee reconvened in regular session at 7:40 p.m.

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

No report from closed session.

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

Vice-Chair Anderson and Director Crandall each reported on attending the CASA Conference.

ADJOURNMENT:

The Chair declared the meeting adjourned at 7:10 p.m. until the next regular meeting on September 26, 2012, at 6:30 p.m.



Maria E. Ayala
Clerk of the Board