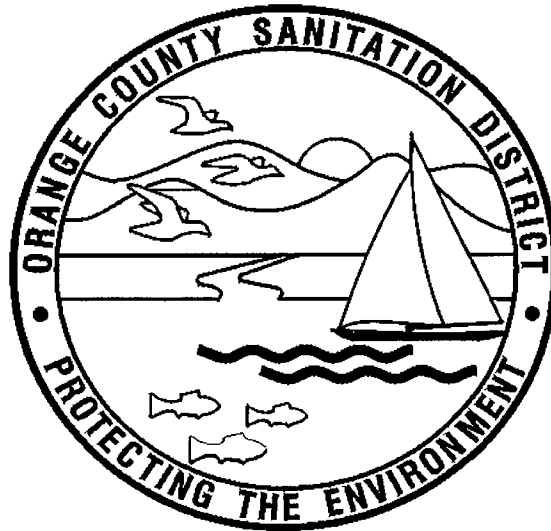


Orange County Sanitation District

MINUTES

BOARD MEETING

May 22, 2013



**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 22, 2013, at 6:30 p.m., in the Administration Building. Director Shaw delivered the invocation and led the Pledge of Allegiance.

The Clerk of the Board declared a quorum present as follows:

ACTIVE DIRECTORS

ALTERNATE DIRECTORS

X	Troy Edgar, Chair		Richard Murphy
X	John Anderson, Vice Chair		Gene Hernandez
X	Tom Beamish		Rose Espinoza
X	David Benavides		Sal Tinajero
X	Steven Choi		Christina Shea
A	Keith Curry		Rush Hill
X	Tyler Diep		Al Krippner
	James M. Ferryman	X	Bob Ooten
X	Steven Jones		Kris Beard
X	Peter Kim		Gerard Goedhart
	Lucille Kring	X	Jordan Brandman
X	Michael Levitt		Gordon Shanks
X	Brett Murdock		Christine Marick
X	Steve Nagel		Mark McCurdy
X	Prakash Narain		Doug Bailey
X	Scott Nelson		Constance Underhill
X	Janet Nguyen		Shawn Nelson
X	John Nielsen		Jerry Amante
X	Brad Reese		Greg Mills
X	Gregory Sebourn		Jan Flory
X	Joe Shaw		Joe Carchio
X	David Shawver		Carol Warren
X	Fred Smith		Steve Berry
X	Teresa Smith		Mark Murphy
X	John Withers		Douglas Reinhart

STAFF MEMBERS PRESENT: Jim Herberg, General Manager; Bob Ghirelli, Assistant General Manager; Nick Kanetis, Director of Engineering, 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; Jennifer Cabral; Jim Colston; Norbert Gaia; Al Garcia; Kelly Lore; Michael Reidler; Rob Thompson; and Paula Zellar.

OTHERS PRESENT: Brad Hugin, General Counsel; Allan Ghidella; and Cris Barrios.

PUBLIC COMMENTS:

Allan Ghidella and Cris Barrios each spoke to the problems and unanticipated fees encountered during their permitting process with the County of Orange and the Sanitation District.

There was considerable dialogue amongst the Board regarding the issues brought forward by Mr. Barrios.

REPORTS:

Nick Arhontes, Director of Facility Support Services, presented Michael Reidler, Source Control Inspector II, with a 30-Year Service Award.

Mr. Herberg, General Manager, announced the recent demise of a current OCSD employee, Kyle McCarthy. Mr. Herberg spoke a few words about Mr. McCarthy and asked that a moment of silence be observed in his memory (moment of silence observed).

Maria Ayala, Clerk of the Board, announced the revision to the General Manager’s recommendation on Agenda Item #19 and the supplemental agenda item for tonight’s meeting, under closed session, as follows:

- (4) CONFERENCE WITH LABOR NEGOTIATORS
(Government Code Section 54957.6)

Agency Designated Representative: James D. Herberg, General Manager

Unrepresented Employees: Executive Management Group

Chair Edgar briefly reported out from tonight’s Steering Committee meeting on the legislative contracts and a potential upcoming legislative workshop

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>04/15/13</u>	<u>04/30/13</u>
Totals	\$8,656,754.75	\$7,674,024.35

Directors Brandman (Alternate) abstained.

CONSENT CALENDAR:

2. MOVED, SECONDED, AND DULY CARRIED: Approve minutes for the Regular Board Meeting held on April 24, 2013.
3. MOVED, SECONDED, AND DULY CARRIED:
 - A. Award a Service Contract to American Integrated Services, Inc. for Grit and Screenings Removal Rebid, Specification No. S-2013-559BD-R, for a total amount not to exceed \$755,935.00 for the period June 10, 2013 through June 30, 2014, with four one-year renewal options; and,
 - B. Approve a contingency of \$75,593.00 (10%).
4. MOVED, SECONDED, AND DULY CARRIED: Authorize the General Manager to negotiate a Professional Consultant Services Agreement with AECOM Technical Services, Inc. for engineering support services during construction of Balboa Trunk Sewer Rehabilitation, Project No. 5-47.
5. MOVED, SECONDED, AND DULY CARRIED: Approve a Quitclaim Sewer Transfer Agreement between Orange County Sanitation District and the City of Anaheim transferring ownership of 15,922 linear feet of local sewers in Ball Road, Walnut Street, Katella Avenue, and Ninth Street to the City at no cost to OCSD, in a form approved by General Counsel.

PUBLIC HEARING – LOCAL SEWER SERVICE CHARGES

6. A. Open hearing for proposed extension of local sewer service charges under Health and Safety Code section 5473.1 for collection of charges on the tax roll.
- B. Receive public comment.
- C. Close hearing.
- D. Motion to read Ordinance No. OCSD-43 by title only and waive reading of said entire ordinance on May 22, 2013.

Chair Edgar opened the public hearing on agenda item 6. No public comment was received.

Roll Call Vote was taken on Items 6E and 6F:

- E. MOVED, SECONDED, AND DULY CARRIED: Adopt Ordinance No. OCSD-43, an Ordinance of the Board of Directors of Orange County Sanitation District Amending Ordinance No. OCSD-38 To Extend The Stated Effective Period Of The Existing Local Sanitary Sewer Service

Charges For Customers Receiving Local Sanitary Sewer Service In Former Revenue Area 7: Adopting Revised Table A Extending Stated Effective Period Of Existing Local Sanitary Sewer Service Charges And Revised Table B Property Use Classifications.

- F. MOVED, SECONDED, AND DULY CARRIED: Adopt Resolution No. OCSD 13-07, A Resolution of the Board of Directors Directing the County Tax Collector-Treasurer to include Local Sanitary Sewer Service Charges on the Tax Roll for Fiscal Year 2013-2014, and for Each Fiscal Year Thereafter Unless Otherwise Amended by the Board.

Director Nguyen abstained.

STEERING COMMITTEE:

7. MOVED, SECONDED, AND DULY CARRIED: Approve minutes for the Steering Committee Meeting held on April 24, 2013.

OPERATIONS COMMITTEE:

8. MOVED, SECONDED, AND DULY CARRIED: Approve minutes for the Operations Committee Meeting held on May 1, 2013.
9. MOVED, SECONDED, AND DULY CARRIED: Approve Amendment No. 1 to the Professional Services Agreements with V&A Consulting Engineers, Inc., and CSI Services, Inc., providing for on-call Coatings Inspection, Corrosion Testing, and Confined-Space Entry Services for Collection System and Treatment Plant Projects, extending the contract period from July 1, 2013 to August 31, 2013.
10. MOVED, SECONDED, AND DULY CARRIED: Approve Amendment No. 1 to the Professional Services Agreements with Ninyo & Moore, and Converse Consultants, providing for on-call Materials Testing, Inspection, and other Geotechnical Testing Services for Collection System and Treatment Plant Projects, extending the contract period from July 1, 2013 to August 31, 2013.
11. MOVED, SECONDED, AND DULY CARRIED: Approve Amendment No. 1 to the Professional Services Agreements with Stantec Consulting, and Bush and Associates, providing for on-call Surveying Services for Collection System and Treatment Plant Projects, extending the contract period from July 1, 2013 to August 31, 2013.
12. MOVED, SECONDED, AND DULY CARRIED:
- A. Approve a Sole Source Agreement with ALS Environmental for the purpose of collecting and analyzing foul air samples at locations at both the Orange County Sanitation District (OCSD) treatment plants, in

separate events, for a total amount not to exceed \$282,776, plus any applicable taxes or sample shipping fees;

- B. Approve a contingency of \$14,139 (5%);
- C. Approve a Sole Source Agreement with the University of California, Los Angeles for the purpose of analyzing foul air samples by the Odor Profile and Odor Wheel Methods at 34 different locations at both OCSD treatment plants during the warm months of 2013, for a total amount not to exceed \$134,618; and
- D. Approve a contingency of \$6,731 (5%).

13. MOVED, SECONDED, AND DULY CARRIED:

- A. Approve a Sole Source Agreement with Kruger Inc. for equipment procurement, installation, and maintenance services of six electronic noses to be located in Plant No.1 and Plant No. 2, for a total amount not to exceed \$450,000, plus any applicable taxes; and
- B. Approve a contingency of \$22,500 (5%)

14. MOVED, SECONDED, AND DULY CARRIED:

- A. Award a contract to Kemira Water Solutions, Inc., for the purchase of liquid Ferric Chloride, Specification No. C-2013-553BD, for the period July 1, 2013 through June 30, 2014, for a unit price of \$535.00 per dry ton delivered, plus applicable sales tax for an estimated annual amount of \$1,712,280 with four one-year renewal options; and,
- B. Award a contract to Thatcher Company of California, Inc., for the purchase of liquid Ferric Chloride, Specification No. C-2013-553BD, for the period July 1, 2013 through June 30, 2014, for a unit price of \$579.20 per dry ton delivered, plus applicable sales tax for an estimated annual amount of \$610,000 with four one-year renewal options; and,
- C. Award a contract to Pencco, Inc., for the purchase of liquid Ferric Chloride, Specification No. C-2013-553BD, for the period July 1, 2013 through June 30, 2014, for a unit price of \$539.40 per dry ton delivered, plus applicable sales tax for an estimated annual amount of \$576,310 with four one-year renewal options; and,
- D. Award a contract to California Water Technologies, LLC., for the purchase of liquid Ferric Chloride, Specification No. C-2013-553BD, for the period July 1, 2013 through June 30, 2014, for a unit price of \$502.00 per dry ton delivered, plus applicable sales tax for an estimated annual amount of \$537,200 with four one-year renewal options; and,
- E. Approve a unit price contingency of 10% per contract.

15. MOVED, SECONDED, AND DULY CARRIED:

Items A – J:

- A. Award a contract to Hill Brothers Chemical Company, for Regional Odor and Corrosion Control Services, Specification No. C-2013-565BD, for Ferrous Chloride dosing services, at the unit price of \$636.50/dry ton, \$12.65/dry ton freight, delivered, plus tax; for an estimated total annual amount of \$2,450,245; and additional program services for dose site development for an amount not to exceed \$50,000 for the period July 1, 2013 through June 30, 2014, with four one-year renewal options; and,
- B. Award a contract to Hill Brothers Chemical Company, for Regional Odor and Corrosion Control Services, Specification No. C-2013-565BD, for Magnesium Hydroxide dosing services, at a unit price of \$438.79/dry ton, \$29.70/dry ton freight, delivered, plus tax; for an estimated total annual amount of \$2,115,078; and additional program services for dose site development for an amount not to exceed \$50,000 for the period July 1, 2013 through June 30, 2014, with four one-year renewal options; and,
- C. Award a contract to Hill Brothers Chemical Company for Application Services \$100/day for Ferrous Chloride stations and \$150/day for Magnesium Hydroxide stations; for an estimated total annual amount of \$91,250; for Regional Odor and Corrosion Control Services, Specification No. C-2013-565BD, for the period July 1, 2013 through June 30, 2014, with four one-year renewal options; and,
- D. Award contract to Hill Brothers Chemical Company, for Field Services \$100/day for Ferrous Chloride stations and \$100/day for Magnesium Hydroxide stations; for an estimated total annual amount of \$73,000; for Regional Odor and Corrosion Control Services, Specification No. C-2013-565BD, for the period July 1, 2013 through June 30, 2014, with four one-year renewal options; and,
- E. Award contract to Hill Brothers Chemical Company, for Regional Odor and Corrosion Control Services, Specification No. C-2013-565BD, to include a \$190 per hour demurrage fee for mobile dosing upon request for Magnesium Hydroxide at a unit price \$580.00/dry ton, \$29.70/dry ton freight (maximum 48 hours), delivered, plus tax; for the period July 1, 2013 through June 30, 2014, with four one-year renewal options; and,
- F. Award a contract to US Peroxide, LLC, for Regional Odor and Corrosion Control Services, Specification No. C-2013-565BD, for Calcium Nitrate dosing services, at the unit price of \$2.28/gallons, delivered, plus tax; for an estimated total annual amount of \$499,016; and additional program services for dose site development mobilization and demobilization for an annual amount not to exceed \$50,000; for the period July 1, 2013 through June 30, 2014, with four one-year renewal options; and,

- G. Award a contract to US Peroxide, LLC, for Application Services for \$160/day for Calcium Nitrate stations, for an estimated total annual amount of \$58,400; for Regional Odor and Corrosion Control Services, Specification No. C-2013-565BD, for the period July 1, 2013 through June 30, 2014, with four one-year renewal options; and,
- H. Award contract to US Peroxide, LLC, for delivery charges at \$250/delivery for Calcium Nitrate, for an estimated total annual amount of \$4,500; for Regional Odor and Corrosion Control Services, Specification No. C-2013-565BD, for the period of July 1, 2013 through June 30, 2014, with four one-year renewal options, and
- I. Approve an annual unit price contingency of 15%, per contract.
- J. Approve an annual service price contingency of 15%, per contract.

ADMINISTRATION COMMITTEE:

- 16. MOVED, SECONDED, AND DULY CARRIED: Approve Minutes of the Administration Committee Meeting held on May 8, 2013.
- 17. MOVED, SECONDED, AND DULY CARRIED: Approve the 2013-14 “not-to-exceed” quotes for the following insurances:
 - A. Excess General Liability Insurance – Not to Exceed \$372,000
 - B. Excess Workers’ Compensation – Not to Exceed \$200,000
 - C. All-Risk Property, Flood and Boiler & Machinery insurance – Not to Exceed \$750,000
- 18. MOVED, SECONDED, AND DULY CARRIED: Authorize an additional amount of \$275,000 to Project No. SP-103, Specification No. CS-2012-518BD-R, increasing the total not to exceed amount to \$525,000 for completion of the Piping and Instrumentation Diagrams (P&IDs).

Clerk of Board announced earlier in the meeting the corrected General Manager’s recommendation as follows.

- 19. MOVED, SECONDED, AND DULY CARRIED:
 - A. Authorize the General Manager to enter into contracts for Temporary Employment Services (Specification No. CS-2009-421BD) for a total amount not to exceed \$364,000 per year, for a one-year period (July 1, 2013 through June 30, 2014), with a one-year renewal option with the following temporary service firms; and,
 - 1. Aerotek Inc.: (General, Engineering, Laboratory)
 - 2. AppleOne Employment Services: (General)

3. Material and Contract Services - Procurement Services Associates: (Contract Services)
4. On Assignment Staffing Services- Lab Support: (Laboratory)
5. TEG Staffing: (Human Resources)
6. TekSystems: (Technical)
7. Project Partners: (Technical)
8. Xyon Business Solutions: (Technical)
9. Robert Half, Inc. (General)
10. Procurement Services Associates

- B. Approve an annual contingency of \$36,000; 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; and
- D. Direct the General Manager to obtain prior approval of the Administration Committee before exceeding \$100,000 with any one of the above-listed temporary service firms.

CLOSED SESSION

CONVENED IN CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTIONS: 54957.6 and 54956.9(d)(1).

The Board convened in closed session at 7:11 p.m. to discuss five items. 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 9:24 p.m.

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

None.

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

None.

ADJOURNMENT:

The Chair adjourned the meeting in memory of Kyle McCarthy at 9:25 p.m. until the next regular meeting on June 26, 2013, at 6:30 p.m.



Maria E. Ayala, Clerk of the Board