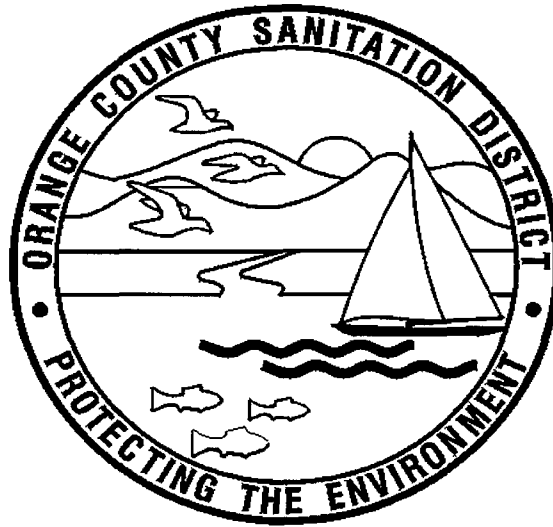


Orange County Sanitation District

MINUTES

BOARD MEETING

February 25, 2015



**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 February 25, 2015, at 6:01 p.m., in the Administration Building. Director Mariellen Yarc delivered the invocation and led the Pledge of Allegiance.

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

ACTIVE DIRECTORS

ALTERNATE DIRECTORS

X	Tom Beamish, Chair		Rose Espinoza
X	John Nielsen, Vice-Chair		Allan Bernstein
A	Lisa Bartlett		Michelle Steel
	David Benavides	X	Sal Tinajero
X	Steven Choi		Lynn Schott
X	Keith Curry		Scott Peotter
	Ellery Deaton	X	Sandra Massa-Lavitt
A	Tyler Diep		Joy Neugebauer
X	James M. Ferryman		Bob Ooten
X	Steven Jones		Kris Beard
	Jim Katapodis	X	Erik Peterson
X	Robert Kiley		Michael Beverage
X	Peter Kim		Michele Steggell
X	Lucille Kring		Jordan Brandman
X	Greg Mills		Robert Collacott
X	Richard Murphy		Shelley Hasselbrink
X	Steve Nagel		Michael Vo
A	Glenn Parker		Cecilia Hupp
X	Gregory Sebourn		Jan Flory
X	David Shawver		Carol Warren
X	Fred Smith		Steve Berry
X	Teresa Smith		Mark Murphy
X	Chad Wanke		Constance Underhill
X	John Withers		Douglas Reinhart
X	Mariellen Yarc		Stacy Berry

STAFF MEMBERS PRESENT: Jim Herberg, General Manager; Bob Ghirelli, Assistant General Manager; Rob Thompson, Director of Engineering; Lorenzo Tyner, Director of Finance & Administrative Services; Ed Torres, Director of Operations & Maintenance; Nick Arhontes, Director of Facility Support Services; Kelly Lore, Acting Clerk of the Board; Jim Colston; Norbert Gaia; Al Garcia; Stephanie Good; Elvia Harvey; Andrew Nau; Kelly Newell; and Paula Zeller.

OTHERS PRESENT: Brad Hogin (General Counsel); Michael Beverage (Alternate Director, YLWD); Dan Bunce (Brown and Caldwell); Robert Collacott (Alternate Director, City of Villa Park); Steve Filarsky (Consultant); and Robert Ooten (Alternate Director, CMSD)

PUBLIC COMMENTS:

None.

SPECIAL PRESENTATIONS:

Director of Facility Support Services, Nick Arhontes, presented a 25 year Service Award to Mark Esquer, Division 330, Engineering Manager.

Director T. Smith arrived at 6:10 p.m.

Director of Engineering, Rob Thompson, presented a 25 year Service Award to Vladimir Kogan, Division 790, Senior Scientist.

REPORTS:

Chair Beamish announced the date of March 12, for the second Board Orientation; Nerissa Director Tour dates of March 17 & March 19; and notified the Board that requests for support letters for the WaterSmart Grant will be sent to the member agencies on February 26.

General Manager, Jim Herberg, provided a brief report from his Monthly Update, which included: Community outreach efforts: 14 plant tours, participation in the Garden Grove Tet Festival, Science Night at Sunny Hills High School tours for Assembly Member Ling Ling Chang and Assembly Member Matt Harper, and an upcoming tour for Assembly Member Young Kim on March 6; Annual Honor Walk nominations which are due March 16; and the sale of excess air omission credits.

1. Received and filed Minute Excerpts of member agencies relating to appointments to the Orange County Sanitation District Board, as follows:

<u>City / Agency</u>	<u>Active Director</u>	<u>Alternate Director</u>
Buena Park	Fred Smith	Steve Berry
Fullerton	Greg Sebourn	Doug Chaffee
OC Board of Supervisors	Lisa Bartlett	Michelle Steel

CONSENT CALENDAR:

2. **MOVED, SECONDED, AND DULY CARRIED TO:** Approve minutes for the Regular Board Meeting held on January 28, 2015.

AYES: Beamish; Choi; Curry; Ferryman; Jones; Kiley; Kim; Kring; Mills; R. Murphy; Nagel; Nielsen; Sebourn; Shawver; F. Smith; Tinajero; Wanke; Withers; and Yarc

NOES: None

ABSTENTIONS: Massa-Lavitt (Alternate); Peterson (Alternate) and T. Smith

ABSENT: Bartlett; Diep and Parker

OPERATIONS COMMITTEE:

3. **MOVED, SECONDED, AND DULY CARRIED TO:** Approve minutes of the February 4, 2015 meeting of the Operations Committee.

AYES: Choi; Curry; Ferryman; Jones; Kiley; Kim; Kring; Massa-Lavitt (Alternate); Mills; R. Murphy; Nagel; Nielsen; Sebourn; Shawver; F. Smith; T. Smith; Tinajero; Wanke; Withers; and Yarc

NOES: None

ABSTENTIONS: Beamish; and Peterson (Alternate)

ABSENT: Bartlett; Diep and Parker

4. **MOVED, SECONDED, AND DULY CARRIED TO:**

A. Approve a Professional Design Services Agreement with Brown & Caldwell to provide engineering design services for the Ocean Outfall System, Project No. J-117, for an amount not to exceed \$6,778,015; and

B. Approve a contingency of \$677,801 (10%).

AYES: Beamish; Choi; Curry; Ferryman; Jones; Kiley; Kim; Kring; Massa-Lavitt (Alternate) Mills; R. Murphy; Nagel; Nielsen; Peterson (Alternate); Sebourn; Shawver; F. Smith; T. Smith; Tinajero; Wanke; Withers; and Yarc

NOES: None

ABSTENTIONS: None

ABSENT: Bartlett; Diep and Parker

ADMINISTRATION COMMITTEE:

5. **MOVED, SECONDED, AND DULY CARRIED TO:** Approve minutes of the February 11, 2015 meeting of the Administration Committee.

AYES: Beamish; Choi; Curry; Ferryman; Jones; Kiley; Kim; Kring; Massa-Lavitt (Alternate) Mills; R. Murphy; Nagel; Nielsen; Sebourn; Shawver; F. Smith; Tinajero; Wanke; Withers; and Yarc

NOES: None

ABSTENTIONS: Peterson (Alternate) and T. Smith

ABSENT: Bartlett; Diep and Parker

6. **MOVED, SECONDED, AND DULY CARRIED TO:** Receive and file Orange County Sanitation District Second Quarter Financial Report for the period ended December 31, 2014.

AYES: Beamish; Choi; Curry; Ferryman; Jones; Kiley; Kring; Massa-Lavitt (Alternate); Mills; R. Murphy; Nagel; Nielsen; Peterson (Alternate); Sebourn; Shawver; F. Smith; Tinajero; Wanke; Withers; and Yarc

NOES: None

ABSTENTIONS: Kim and T. Smith

ABSENT: Bartlett; Diep and Parker

7. **MOVED, SECONDED, AND DULY CARRIED TO:** Approve the FY 2015-16 budget assumptions and direct staff to incorporate these parameters in preparing the FY 2015-16 budget update.

AYES: Beamish; Choi; Curry; Ferryman; Jones; Kiley; Kim; Kring; Massa-Lavitt (Alternate) Mills; R. Murphy; Nagel; Nielsen; Peterson; Sebourn; Shawver; F. Smith; Tinajero; Wanke; Withers; and Yarc

NOES: None

ABSTENTIONS: T. Smith

ABSENT: Bartlett; Diep and Parker

STEERING COMMITTEE:

Chair Beamish pulled Items 10 & 11 to be heard separately with roll call vote.

8. **MOVED, SECONDED, AND DULY CARRIED TO:** Approve minutes for the Steering Committee Meeting held on January 28, 2015.

AYES: Beamish; Choi; Curry; Ferryman; Jones; Kiley; Kim; Kring; Massa-Lavitt (Alternate) Mills; R. Murphy; Nagel; Nielsen; Sebourn; Shawver; F. Smith; T. Smith; Tinajero; Wanke; Withers; and Yarc

NOES: None

ABSTENTIONS: Peterson (Alternate)

ABSENT: Bartlett; Diep and Parker

9. **MOVED, SECONDED, AND DULY CARRIED TO:** Approve and authorize the execution of the compensation agreement with the City of Garden Grove and other taxing entities within the meaning of Health and Safety Code Section 34180(f), as required by the California Department of Finance.

AYES: Beamish; Choi; Curry; Ferryman; Kiley; Kim; Kring; Massa-Lavitt (Alternate) Mills; R. Murphy; Nagel; Nielsen; Peterson (Alternate); Sebourn; Shawver; F. Smith; T. Smith; Tinajero; Wanke; Withers; and Yarc

NOES: None

ABSTENTIONS: Jones

ABSENT: Bartlett; Diep and Parker

10. Consultant Steve Filarsky introduced Item No. 10 and stated that the MOU's presented for approval were prepared as directed by the Board of Directors.

MOVED, SECONDED, AND DULY CARRIED TO:

- A. Adopt Resolution No. OCSD 15-04 entitled, "A Resolution of the Board of Directors of the Orange County Sanitation District approving the Memoranda of Understanding between the Orange County Sanitation District and the Orange County Employees Association (OCEA), for Fiscal Years 2014/2015 & 2015/2016."

- B. Direct staff to finalize and sign the Memoranda of Understanding (MOUs) between Orange County Sanitation District and the three (3) OCEA bargaining units.

Acting Clerk of the Board conducted a roll call vote as follows:

AYES: Beamish; Choi; Curry; Ferryman; Jones; Kiley; Kring; R. Murphy; Nagel; Nielsen; Peterson (Alternate); Sebourn; Shawver; F. Smith; Tinajero; Wanke; Withers; and Yarc

NOES: Kim; Mills; and T. Smith

ABSTENTIONS: Massa-Lavitt (Alternate)

ABSENT: Bartlett; Diep and Parker

11. General Manager, Jim Herberg, introduced Item No. 11. Mr. Herberg explained the status of the following unrepresented employees, and the process for providing these employees with the same proposal (terms) as to those employees in Agenda Item No. 10.

MOVED, SECONDED, AND DULY CARRIED TO:

Adopt Resolution No. OCSD 15-05, entitled, "A Resolution of the Board of Directors of the Orange County Sanitation District approving Salary and Benefit Adjustments for Unrepresented Non-exempt Confidential Employees for Fiscal Years 2014/2015 & 2015/2016."

Acting Clerk of the Board conducted a roll call vote as follows:

AYES: Beamish; Choi; Curry; Ferryman; Jones; Kiley; Kring; R. Murphy; Nagel; Nielsen; Peterson (Alternate); Sebourn; Shawver; F. Smith; Tinajero; Wanke; Withers; and Yarc

NOES: Kim; Mills; and T. Smith

ABSTENTIONS: Massa-Lavitt (Alternate)

ABSENT: Bartlett; Diep and Parker

12. **MOVED, SECONDED, AND DULY CARRIED TO:** Adopt Resolution No. OCSD 15-06, entitled, A Resolution of the Board of Directors of the Orange County Sanitation District Adopting a Revised Policy Regarding Board of Directors' Expense Reimbursement and Meeting Attendance and Compensation and Repealing Resolution No. OCSD 14-04.

AYES: Beamish; Choi; Curry; Ferryman; Jones; Kiley; Kim; Kring; Massa-Lavitt (Alternate) Mills; R. Murphy; Nagel; Nielsen; Peterson (Alternate); Sebourn; Shawver; F. Smith; T. Smith; Tinajero; Wanke; Withers; and Yarc

NOES: None

ABSTENTIONS: None

ABSENT: Bartlett; Diep and Parker

LEGISLATIVE AND PUBLIC AFFAIRS SPECIAL COMMITTEE:

13. **MOVED, SECONDED, AND DULY CARRIED TO:** Receive and file the minutes of the February 9, 2015 meeting of the Legislative and Public Affairs Committee.

AYES: Choi; Curry; Ferryman; Jones; Kiley; Kim; Kring; Massa-Lavitt (Alternate) Mills; R. Murphy; Nagel; Nielsen; Peterson (Alternate); Sebourn; Shawver; F. Smith; T. Smith; Tinajero; Wanke; Withers; and Yarc

NOES: None

ABSTENTIONS: Beamish

ABSENT: Bartlett; Diep and Parker

NON-CONSENT:

14. Director of Engineering, Rob Thompson introduced the item and provided a brief report.

MOVED, SECONDED, AND DULY CARRIED TO:

A. Consider, receive, and file the Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the MacArthur Pump Station Rehabilitation, Project No. 7-63, prepared by JACOBS; and

- B. Adopt Resolution No. OCSD 15-07 entitled, "A Resolution of the Board of Directors of the Orange County Sanitation District adopting the Mitigated Negative Declaration for the MacArthur Pump Station Rehabilitation Project No. 7-63; Adopting a Mitigation Monitoring and Reporting Program; and approving the MacArthur Pump Station Rehabilitation Project No. 7-63."

AYES: Beamish; Choi; Curry; Ferryman; Jones; Kiley; Kim; Kring; Massa-Lavitt (Alternate) Mills; R. Murphy; Nagel; Nielsen; Peterson (Alternate); Sebourn; Shawver; F. Smith; T. Smith; Tinajero; Wanke; Withers; and Yarc

NOES: None

ABSTENTIONS: None

ABSENT: Bartlett; Diep and Parker

AB1234 REPORTS:

Director Ferryman reported on the following from the respective committees he is a member of:

- OCCOG, did not meet in February, next meeting is March 26.
- Borders Committee, next meeting is February 27.
- NWRI, met February 24 – EPA here to participate in roundtable. A workshop was held February 25 regarding drought response.
- Director Ferryman also announced that the Santa Clara Valley Water District is sponsoring an upcoming reverse osmosis concentrated management alternative workshop.

INFORMATION ITEMS:

Chair Beamish welcomed newly appointed Director Sal Tinajero from the City of Santa Ana.

CONVENED IN CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTIONS: 54956.9(d)(1); 54956.9(d)(4) and 54957.6

The Board convened in closed session at 6:41 p.m. to discuss three 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.

RECONVENED IN REGULAR SESSION: The Board reconvened in regular session at 6:49 p.m.

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

General Counsel Brad Hogin announced that the Board of Directors unanimously approved the District's participation in the lawsuit "City of Los Angeles v. County of Kern", Case No. S-1500-CV-284100-KCT.

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

None.

ADJOURNMENT:

The Chair adjourned the meeting at 6:50 p.m. until the Regular Board Meeting on March 25, 2015 at 6:00 p.m.



Kelly A. Lore
Acting Clerk of the Board