

Orange County Sanitation District

***CORRECTED* MINUTES**

BOARD MEETING

March 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 March 25, 2015, at 6:01 p.m., in the Administration Building. Boy Scout Troop 591 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
X	Lisa Bartlett		Michelle Steel
X	Sal Tinajero		David Benavides
X	Steven Choi		Lynn Schott
X	Keith Curry		Scott Peotter
	Ellery Deaton	X	Sandra Massa-Lavitt
	Tyler Diep	X	Joy Neugebauer
X	James M. Ferryman		Bob Ooten
X	Steven Jones		Kris Beard
X	Jim Katapodis		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
X	Glenn Parker		Cecilia Hupp
X	Gregory Sebourn		Doug Chaffee
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

1. **MOVED, SECONDED, AND DULY CARRIED TO:** Receive and file Minute Excerpts of member agencies relating to appointments to the Orange County Sanitation District Board, as follows:

City / Agency
Santa Ana

Active Director
Sal Tinajero

Alternate Director
David Benavides

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

NOES: None

ABSTENTIONS: None

ABSENT: None

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; Jennifer Cabral; Norbert Gaia; Al Garcia; Javitta Malone; Rich Spencer and Paula Zeller.

OTHERS PRESENT: Brad Hogin (General Counsel); Robert Ooten (Alternate Director, CMSD) and Huntington Beach Boy Scout Troop 591.

PUBLIC COMMENTS:

None.

SPECIAL PRESENTATIONS:

Director of Operations and Maintenance, Ed Torres presented Maintenance Supervisor, Alan Ralph (Division 850) a service award for 25 years of service.

Director Choi arrived at 6:06 p.m.

REPORTS:

Chair Beamish reported that on March 17, Director Curry and Director Kiley had taken a tour on the Nerissa. Both Directors commented how educational the tour was and encouraged everyone to participate in the future.

Chair Beamish also announced that OCSD will be offering board members, mandatory AB 1825 Sexual Harassment Training on May 7. The Clerk of the Board will send out further information.

Director Bartlett arrived at 6:08 p.m.

Director Katapodis and Director Yarc arrived at 6:10 p.m.

Chair Beamish reported that he, Vice-Chair Nielsen, General Manager Herberg, and Public Affairs Specialist Rebecca Long attended Washington D.C. Lobby Days on March 17-19 where they met with various congressional staff to discuss district-wide priorities including four main issues; the water recycling feasibility study, WaterSmart Grant, Relocation of Rip Rap, and Municipal bond tax exempt status.

Vice Chair Nielsen also reported that while in Washington, they attended a reception with the Subcommittee on Water Resources and Environment where they discussed the Clean Water Act and various water resource programs with Chairman Gibbs and the committee. He stated that the District has a fine national and international reputation, and he felt it was a very productive, worthwhile trip.

Chair Beamish further stated that they invited everyone they met with to attend a ribbon cutting ceremony tentatively scheduled for late May, at Orange County Water District for the expansion of the Groundwater Replenishment System.

Director Jones arrived at 6:13 p.m.

General Manager Jim Herberg reported on highlights from his Monthly report including: Governance Finance Officers Award; 2014 Outstanding Wastewater Treatment Project in State of California; OCEC Outstanding Engineer of Merit (Mike Lahlou); Cessation of Disinfection effective March 17; Budget processes; WEROC Survey of Local Waterwater system capabilities in major power outage; Hydrogen fueling station agreement; Class and compensation study to be completed by 12/31/15 and medical reopener with bargaining units.

CONSENT CALENDAR:

2. MOVED, SECONDED, AND DULY CARRIED TO:

- A. Approve minutes for the Regular Board Meeting held on February 25, 2015; and
- B. Approve minutes for the Special Board Meeting held on March 12, 2015.

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

NOES: None

ABSTENTIONS: None

ABSENT: None

3. **MOVED, SECONDED, AND DULY CARRIED TO:** Approve the Employee Lending Agreement between Orange County Sanitation District and Costa Mesa Sanitary District to contract an Alternate District Engineer on an as-needed basis from March 25, 2015 through March 26, 2016, with an option to renew for a subsequent 12 months, as a workforce development opportunity.

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

NOES: None

ABSTENTIONS: None

ABSENT: None

OPERATIONS COMMITTEE:

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

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

NOES: None

ABSTENTIONS: None

ABSENT: None

5. **MOVED, SECONDED, AND DULY CARRIED TO:** Approve a budget increase of \$2,800,000 for a total project budget of \$25,873,000 for the Gisler-Redhill System Improvements, Reach B, Contract No. 7-37.

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

NOES: None

ABSTENTIONS: None

ABSENT: None

ADMINISTRATION COMMITTEE:

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

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

NOES: None

ABSTENTIONS: None

ABSENT: None

7. **MOVED, SECONDED, AND DULY CARRIED TO:** Approve the Senior Human Resources Analyst Lending Agreement between Orange County Sanitation District (OCSD) and Costa Mesa Sanitary District (CMSD), to contract an OCSD Senior Human Resources Analyst as the Interim Human Resources Manager from March 21, 2015 through June 30, 2015, as a workforce development opportunity.

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

NOES: None

ABSTENTIONS: None

ABSENT: None

STEERING COMMITTEE:

The Acting Clerk notified the Board of a correction to the minutes to reflect the correct dates.

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

A. Approve minutes for the Special Steering Committee Meeting held on ~~March 25, 2015~~ February 25, 2015; and

B. Approve minutes for the Regular Steering Committee Meeting held on ~~March 25, 2015~~ February 25, 2015.

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

NOES: None

ABSTENTIONS: None

ABSENT: None

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

A. Adopt Resolution No. OCSD 15-08, entitled "A Resolution of the Board of Directors of the Orange County Sanitation District approving and authorizing the application for the WaterSmart Title XVI Water Reclamation and Reuse Feasibility Studies Program Grant Funds and the Execution of Grant Documents with the United States Department of the Interior, Bureau of Reclamation," and

B. Authorizing financial and legal commitment of funding agreement and related documents for funding under the U.S. Bureau of Reclamation, Water 2025, and directing staff to apply for a grant up to \$450,000 for the Effluent Reuse Study, Project No. SP-173.

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

NOES: None

ABSTENTIONS: None

ABSENT: None

LEGISLATIVE AND PUBLIC AFFAIRS COMMITTEE:

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

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

NOES: None

ABSTENTIONS: None

ABSENT: None

11. **MOVED, SECONDED, AND DULY CARRIED TO:** Receive and file the Public Affairs 2015/2016 Strategic Plan.

AYES: Bartlett; Beamish; Choi; Curry; Ferryman; Jones; Katapodis; Kiley; Kim; Kring; Massa-Lavitt (Alternate) Mills; R. Murphy; Nagel; Neugebauer (Alternate); Nielsen; Parker; Sebourn; Shawver; F. Smith; T. Smith; Tinajero; Wanke; Withers; and Yarc
NOES: None
ABSTENTIONS: None
ABSENT: None

NON-CONSENT:

Rob Thompson provided a brief report regarding the proposed project.

Director Withers left the room at 6:20 p.m.

12. **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 Yorba Linda Pump Station Abandonment, Project No. 2-73, prepared by Jacobs Engineering Group; and
- B. Adopt Resolution No. OCSD 15-09, entitled, "A Resolution of the Board of Directors of the Orange County Sanitation District adopting the Mitigated Negative Declaration for the Yorba Linda Pump Station Abandonment, Project No. 2-73; and adopting a Mitigation Monitoring and Reporting Program; and approving the Yorba Linda Pump Station Abandonment, Project No. 2-73."

AYES: Bartlett; Beamish; Choi; Curry; Ferryman; Jones; Katapodis; Kiley; Kim; Kring; Massa-Lavitt (Alternate) Mills; R. Murphy; Nagel; Neugebauer (Alternate); Nielsen; Parker; Sebourn; Shawver; F. Smith; T. Smith; Tinajero; Wanke; and Yarc
NOES: None
ABSTENTIONS: None
ABSENT: Withers

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

- A. Introduce Ordinance No. OCSD-47, entitled "An Ordinance of the Board of Directors of the Orange County Sanitation District, Establishing Requirements and Procedures for the Purchase of Goods, Services, and Public Works Projects; and Repealing Ordinance No. OCSD-44," and

- B. Motion to read Ordinance No. OCSD-47 by title only and waive reading of said entire Ordinance; and
- C. Set April 22, 2015, as the date for the second reading and adoption of Ordinance No. OCSD-47; and
- D. Direct the Clerk of the Board to publish summaries of the Ordinance as required by law.

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

NOES: None

ABSTENTIONS: None

ABSENT: Withers

The Acting Clerk of the Board read the title of Ordinance OCSD-47 aloud.

Director Withers returned to the meeting at 6:25 p.m.

AB1234 REPORTS:

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

- Santa Ana River Flood Control tour of the Seven Oaks Dam
- Borders Committee, \$98 million Draft bicycle and pedestrian assessment study - Phase I and Efficient Border Control were discussed.
- NWRI meeting last week, surface water augmentation and water reuse were discussed and several upcoming dates were provided.

Vice Chair Nielsen also announced that his Washington D.C. trip was reported earlier.

INFORMATION ITEMS:

None.

CONVENED IN CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTIONS: 54956.9(d)(1); 54956.9(d)(2) and 54956.9(d)(4)

The Board convened in closed session at 6:30 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 6:35 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 in closed session the Compromise and Release Settlement Agreement with Darrell Ennis in the amount of \$100,000 for injuries related to his right knee, right hand, right wrist, low back pain, and psyche.

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

Director Withers suggested that OCSD provide some type of news story or celebratory event regarding the Cessation of Disinfection.

Chair Beamish reiterated the starting times for Committee and Board meetings at the request of Director Theresa Smith.

ADJOURNMENT:

Chair Beamish adjourned the meeting at 6:36 p.m. until the Regular Board Meeting on April 22, 2015 at 6:00 p.m.


Kelly A. Lore
Clerk of the Board