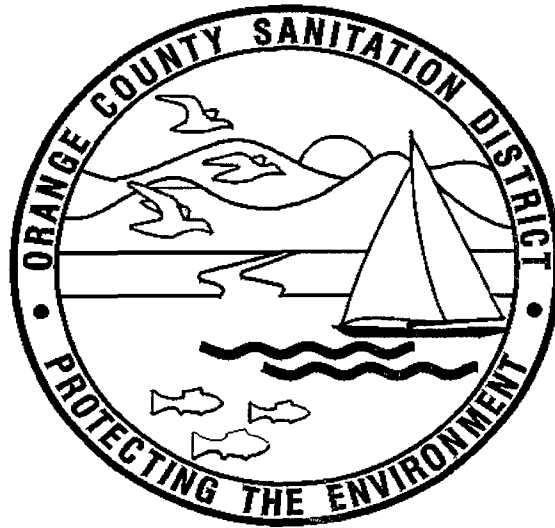


Orange County Sanitation District

MINUTES

BOARD MEETING

April 22, 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 April 22, 2015, at 6:03 p.m., in the Administration Building. Director Nagel 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 | Tom Beamish, Chair | | Rose Espinoza |
| A | John Nielsen, Vice-Chair | | Allan Bernstein |
| X | Lisa Bartlett | | Michelle Steel |
| X | Sal Tinajero | | David Benavides |
| X | Steven Choi | | Lynn Schott |
| A | Keith Curry | | Scott Peotter |
| X | Ellery Deaton | | Sandra Massa-Lavitt |
| A | Tyler Diep | | 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 |
| | Glenn Parker | X | Cecilia Hupp |
| X | Gregory Sebourn | | Doug Chaffee |
| X | David Shawver | | Carol Warren |
| X | Fred Smith | | Steve Berry |
| X | Teresa Smith | | Mark Murphy |
| | Chad Wanke | X | 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, Clerk of the Board; Jennifer Cabral; Ann Crafton; Norbert Gaia; Al Garcia; Stephanie Good; Lori Klinger; Andrew Nau; Rich Spencer and Paula Zeller.

OTHERS PRESENT: Brad Hogin (General Counsel); Michael Beverage (Alternate Director, YLWD); Robert Collacott (Alternate Director, Villa Park); Doug Davert (EOCWD); Steve Filarsky (Filarsky & Watt); Robert Ooten (Alternate Director, CMSD).

PUBLIC COMMENTS:

None.

SPECIAL PRESENTATION

Director of Engineering, Rob Thompson presented a service award to Louie Eroles, Division 760, Engineering Assistant II for 25 years of service.

Director of Operations and Maintenance, Ed Torres presented a service award to Ddaze Phuong, Division 830, Lead Plant Operator for 25 years of service.

Principal Public Affairs Specialist, Jennifer Cabral showed the Board the winning video of the Public Service Announcement Video Contest; and then presented a certificate and a check to the winners of the contest, Christian Michaels and Emily Elder from El Dorado High School.

Director Murphy departed the meeting at 6:12 p.m.

REPORTS:

Chair Beamish announced that the AB 1825 Mandatory Discrimination/Harassment Training will be held at OCSD, May 7th at 2:00 p.m. He also announced that Board Chair and Vice-Chair nominations will take place at the next Board Meeting in May.

General Counsel Brad Hogin, explained the nomination process.

General Manager Jim Herberg announced that Kelly Lore had been appointed as Clerk of the Board. He also informed the Board of upcoming dignitary tours including: Congressman Alan Lowenthal’s office and Assembly member Young Kim. Mr. Herberg announced that the Honor Walk celebration will be held on May 27th at 4:00 p.m. and the GWRS Expansion ribbon cutting ceremony will also take place at a later date to be determined.

CONSENT CALENDAR:

- 1. **MOVED, SECONDED, AND DULY CARRIED TO:** Approve minutes for the Regular Board Meeting held on March 25, 2015; and

AYES: Bartlett; Beamish; Choi; Deaton; Ferryman; Jones; Katapodis; Kiley; Kim; Kring; Mills; Nagel; Sebourm; Shawver; F. Smith; T. Smith; Tinajero; Withers; and Yarc

NOES: None

ABSTENTIONS: Hupp (Alternate) and Underhill (Alternate)

ABSENT: Curry; Diep; R. Murphy and Nielsen

2. **MOVED, SECONDED, AND DULY CARRIED TO:** Approve reallocation of FY 2014-15 insurance benefits budget funds by vendor rather than individual line item and as follows to align with actual costs. Total program costs will remain within the approved budget of \$11,133,080.

- A. Employee Benefit Specialists (medical, dental, and vision plans; Employee Assistance Program) - Not to Exceed \$10,492,580
- B. Prudential (basic life, long-term disability, short-term disability) – Not to Exceed \$610,000
- C. The Standard (EMT & Manager disability) - Not to Exceed \$30,500

AYES: Bartlett; Beamish; Choi; Deaton; Ferryman; Hupp (Alternate); Jones; Katapodis; Kiley; Kim; Kring; Mills; Nagel; Sebourn; Shawver; F. Smith; T. Smith; Tinajero; Underhill (Alternate); Withers and Yarc

NOES: None

ABSTENTIONS: None

ABSENT: Curry; Diep; R. Murphy and Nielsen

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

- A. Receive and file bid tabulation and recommendation for Plant 1 Potable Water System Improvements, Project No. FE09-04;
- B. Award a construction contract to ODC Engineering and Technology, Project No. FE09-04, for a total amount not to exceed \$168,500; and
- C. Approve a contingency of \$25,275 (15%).

AYES: Bartlett; Beamish; Choi; Deaton; Ferryman; Hupp (Alternate); Jones; Katapodis; Kiley; Kim; Kring; Mills; Nagel; Sebourn; Shawver; F. Smith; T. Smith; Tinajero; Underhill (Alternate); Withers and Yarc

NOES: None

ABSTENTIONS: None

ABSENT: Curry; Diep; R. Murphy and Nielsen

4. **MOVED, SECONDED, AND DULY CARRIED TO:** Authorize the General Manager to negotiate a license agreement with Air Products and Chemicals, Inc. for the operation of a Hydrogen Dispensing Station at Plant 1 in a form recommended by General Counsel.

AYES: Bartlett; Beamish; Choi; Deaton; Ferryman; Hupp (Alternate); Jones; Katapodis; Kiley; Kim; Kring; Mills; Nagel; Sebourn; Shawver; F. Smith; T. Smith; Tinajero; Underhill (Alternate); Withers and Yarc

NOES: None

ABSTENTIONS: None

ABSENT: Curry; Diep; R. Murphy and Nielsen

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

A. Receive and file bid tabulation and recommendation;

B. Award a construction contract to Environmental Construction, Inc. for Trunk Line Odor Control Improvements, Project No. P1-123, for a total amount not to exceed \$5,344,626; and

C. Approve a contingency of \$534,463 (10%).

AYES: Bartlett; Beamish; Choi; Deaton; Ferryman; Hupp (Alternate); Jones; Katapodis; Kiley; Kim; Kring; Mills; Nagel; Sebourn; Shawver; F. Smith; T. Smith; Tinajero; Underhill (Alternate); Withers and Yarc

NOES: None

ABSTENTIONS: None

ABSENT: Curry; Diep; R. Murphy and Nielsen

OPERATIONS COMMITTEE:

6. **MOVED, SECONDED, AND DULY CARRIED TO:** Approve minutes of the April 1, 2015 meeting of the Operations Committee.

AYES: Bartlett; Beamish; Choi; Deaton; Ferryman; Hupp (Alternate); Jones; Katapodis; Kiley; Kim; Kring; Mills; Nagel; Sebourn; Shawver; F. Smith; T. Smith; Tinajero; Underhill (Alternate); Withers and Yarc

NOES: None

ABSTENTIONS: None

ABSENT: Curry; Diep; R. Murphy and Nielsen

7. **MOVED, SECONDED, AND DULY CARRIED TO:** Approve Change Order No. 4 to Purchase Order 104251-OB to US Peroxide, for the Purchase of hydrogen peroxide, Specification No. C-2011-480, authorizing a unit price increase from \$1.867 per gallon to \$1.923 per gallon delivered, plus applicable sales tax, for the period July 1, 2015 through June 30, 2016, at a cost not to exceed \$1,100,000.

AYES: Bartlett; Beamish; Choi; Deaton; Ferryman; Hupp (Alternate); Jones; Katapodis; Kiley; Kim; Kring; Mills; Nagel; Sebourn; Shawver; F. Smith; T. Smith; Tinajero; Underhill (Alternate); Withers and Yarc

NOES: None

ABSTENTIONS: None

ABSENT: Curry; Diep; R. Murphy and Nielsen

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

- A. Approve a Site Access and License agreement with Pacific Quality Partners, to allow mobilization of a chemical dosing station and injection of chemicals at 1355 West Imperial Highway in the city of Brea, for a term of 36 months, at a total cost of \$2,280 per month for the first 12 months, in a form approved by General Counsel; and
- B. Approve the General Manager, or his designee, to negotiate future monthly license fees, after one year, up to three percent price escalation per year, beginning July 1, 2016 and annually thereafter.

AYES: Bartlett; Beamish; Choi; Deaton; Ferryman; Hupp (Alternate); Jones; Katapodis; Kiley; Kim; Kring; Mills; Nagel; Sebourn; Shawver; F. Smith; T. Smith; Tinajero; Underhill (Alternate); Withers and Yarc

NOES: None

ABSTENTIONS: None

ABSENT: Curry; Diep; R. Murphy and Nielsen

Operations Chair Sebourn recused himself from Item 9 and left the meeting during the vote.

9. MOVED, SECONDED, AND DULY CARRIED TO:

- A. Approve a Professional Consultant Services Agreement with Carollo Engineers, Inc. to provide construction support services for Trunk Line Odor Control Improvements, Project No. P1-123, for an amount not to exceed \$529,970; and
- B. Approve a contingency of \$52,997 (10%).

AYES: Bartlett; Beamish; Choi; Deaton; Ferryman; Hupp (Alternate); Jones; Katapodis; Kiley; Kim; Kring; Mills; Nagel; Shawver; F. Smith; T. Smith; Tinajero; Underhill (Alternate); Withers and Yarc

NOES: None

ABSTENTIONS: None

ABSENT: Curry; Diep; R. Murphy; Nielsen and Sebourn (recused)

10. MOVED, SECONDED, AND DULY CARRIED TO:

- A. Approve a budget increase of \$450,000, increasing the total amount not to exceed \$3,250,000;
- B. Approve a Professional Services Agreement with CDM Smith, Inc., to provide Engineering Services for Effluent Reuse Study, Project No. SP-173, for an amount not to exceed \$2,008,510;
- C. Approve a contingency of \$200,850 (10%); and,
- D. Authorize staff to negotiate a cost-sharing agreement with the Orange County Water District for future Board approval.

AYES: Bartlett; Beamish; Choi; Deaton; Ferryman; Hupp (Alternate); Jones; Katapodis; Kiley; Kim; Kring; Mills; Nagel; Sebourn; Shawver; F. Smith; T. Smith; Tinajero; Underhill (Alternate); Withers and Yarc

NOES: None

ABSTENTIONS: None

ABSENT: Curry; Diep; R. Murphy and Nielsen

11. MOVED, SECONDED, AND DULY CARRIED TO:

- A. Approve a Professional Design Services Agreement with AECOM to provide engineering design services for the South Perimeter Security & Storm Water Improvements at Plant No. 1, Project No. P1-125, for an amount not to exceed \$567,003; and
- B. Approve a contingency of \$56,700 (10%).

AYES: Bartlett; Beamish; Choi; Deaton; Ferryman; Hupp (Alternate); Jones; Katapodis; Kiley; Kim; Kring; Mills; Nagel; Sebourn; Shawver; F. Smith; T. Smith; Tinajero; Underhill (Alternate); Withers and Yarc

NOES: None

ABSTENTIONS: None

ABSENT: Curry; Diep; R. Murphy and Nielsen

ADMINISTRATION COMMITTEE:

- 12. MOVED, SECONDED, AND DULY CARRIED TO:** Approve minutes of the April 8, 2015 meeting of the Administration Committee.

AYES: Bartlett; Beamish; Choi; Deaton; Ferryman; Hupp (Alternate); Jones; Kiley; Kim; Kring; Mills; Nagel; Sebourn; Shawver; F. Smith; T. Smith; Tinajero; Underhill (Alternate); Withers and Yarc

NOES: None

ABSTENTIONS: Katapodis

ABSENT: Curry; Diep; R. Murphy and Nielsen

STEERING COMMITTEE:

13. MOVED, SECONDED, AND DULY CARRIED TO:

- A. Approve minutes of the Regular Steering Committee Meeting held on March 25, 2015.
- B. Approve minutes of the Special Steering Committee Meeting held on March 27, 2015.

C. Approve minutes of the Special Steering Committee Meeting held on April 10, 2015.

AYES: Bartlett; Beamish; Choi; Deaton; Ferryman; Hupp (Alternate); Jones; Katapodis; Kiley; Kim; Kring; Mills; Nagel; Sebourn; Shawver; F. Smith; T. Smith; Tinajero; Underhill (Alternate); Withers and Yarc

NOES: None

ABSTENTIONS: None

ABSENT: Curry; Diep; R. Murphy and Nielsen

14. **MOVED, SECONDED, AND DULY CARRIED TO:** Approve and authorize the execution of the amended 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: Bartlett; Beamish; Choi; Deaton; Ferryman; Hupp (Alternate); Jones; Katapodis; Kiley; Kim; Kring; Mills; Nagel; Sebourn; Shawver; F. Smith; T. Smith; Tinajero; Underhill (Alternate); Withers and Yarc

NOES: None

ABSTENTIONS: None

ABSENT: Curry; Diep; R. Murphy and Nielsen

15. **MOVED, SECONDED, AND DULY CARRIED TO:** Approve first amendment to Agreement with East Orange County Water District (EOCWD), relating to the proposed transfer of ownership of local sewers in Service Area 7, and the appropriate reserve balances.

AYES: Bartlett; Beamish; Choi; Deaton; Ferryman; Hupp (Alternate); Jones; Katapodis; Kiley; Kim; Kring; Mills; Nagel; Sebourn; Shawver; F. Smith; T. Smith; Tinajero; Underhill (Alternate); Withers and Yarc

NOES: None

ABSTENTIONS: None

ABSENT: Curry; Diep; R. Murphy and Nielsen

LEGISLATIVE AND PUBLIC AFFAIRS COMMITTEE:

16. **MOVED, SECONDED, AND DULY CARRIED TO:** Approve minutes of the April 13, 2015 meeting of the Legislative and Public Affairs Committee.

AYES: Bartlett; Beamish; Choi; Deaton; Ferryman; Hupp (Alternate); Jones; Katapodis; Kiley; Kim; Kring; Mills; Nagel; Sebourn; Shawver; F. Smith; T. Smith; Tinajero; Underhill (Alternate); Withers and Yarc

NOES: None

ABSTENTIONS: None

ABSENT: Curry; Diep; R. Murphy and Nielsen

Director Withers departed the meeting at 6:25 p.m.

NON-CONSENT:

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

- A. Motion to read Ordinance No. OCSD-47 by title only and waive reading of said entire Ordinance.

AYES: Bartlett; Beamish; Choi; Deaton; Ferryman; Hupp (Alternate); Jones; Katapodis; Kiley; Kim; Kring; Mills; Nagel; Sebourn; Shawver; F. Smith; T. Smith; Tinajero; Underhill (Alternate) and Yarc

NOES: None

ABSTENTIONS: None

ABSENT: Curry; Diep; R. Murphy; Nielsen and Withers

Clerk of the Board Kelly Lore read the title of Ordinance OCSD-47 aloud.

MOVED, SECONDED, AND DULY CARRIED TO:

- B. Adopt 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
- C. Direct the Clerk of the Board to publish summaries of the Ordinance as required by law.

AYES: Bartlett; Beamish; Choi; Deaton; Ferryman; Hupp (Alternate); Jones; Katapodis; Kiley; Kim; Kring; Mills; Nagel; Sebourn; Shawver; F. Smith; T. Smith; Tinajero; Underhill (Alternate) and Yarc

NOES: None

ABSTENTIONS: None

ABSENT: Curry; Diep; R. Murphy; Nielsen and Withers

Labor negotiator, Steve Filarsky introduced this item, stating that the proposed Resolution and MOU represents the directive received from the Board.

18. MOVED, SECONDED, AND DULY CARRIED TO:

A. Adopt Resolution No. OCSD 15-10, entitled, "A Resolution of the Board of Directors of the Orange County Sanitation District approving the Memorandum of Understanding between the Orange County Sanitation District and the International Union of Operating Engineers, Local 501 (Local 501), for Fiscal Years 2014/2015 & 2015/2016" and

B. Direct staff to finalize and sign the Memorandum of Understanding (MOU) between Orange County Sanitation District and the Local 501 bargaining unit.

AYES: Bartlett; Beamish; Choi; Deaton; Ferryman; Hupp (Alternate); Jones; Katapodis; Kiley; Kring; Nagel; Sebourn; Shawver; F. Smith; Tinajero; Underhill (Alternate) and Yarc

NOES: Kim; Mills and T. Smith

ABSTENTIONS: None

ABSENT: Curry; Diep; R. Murphy; Nielsen and Withers

AB1234 REPORTS:

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

NWRI - Met yesterday, continually working with five different committees regarding the water industry; Gary Brown, OC Coastkeepers, will be the Chair of the State Water Resources Control Board.

GWRS - 2nd Phase Celebration should be held within the next month or two. He also reported that three underground pumps may have to be replaced.

OCCOG - Voting tomorrow on whether to approve a 15K raise for current OCCOG Manager and possibly increase required work time.

SARFCA - Director Ferryman reported that there remain five reaches of the project that are due to be completed in latest of April 2017.

Director Sebourn stated that on April 8th, he spoke with Cedar Hills Estates HOA who is upstream from the Placentia Trunk line regarding the upsizing of the trunk line along State College Blvd. and Yorba Linda Blvd.

INFORMATION ITEMS:

None.

CONVENED IN CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTIONS: 54956.9(d)(1); 54956.9(d)(2); 54956.9(d)(4) and 54957.6

The Board convened in closed session at 6:30 p.m. to discuss four 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.

Chair Beamish recused himself from Closed Session Item No. 2 and Director Kim recused himself from Closed Session Item No. 3. They both left the meeting during discussion of those items.

RECONVENED IN REGULAR SESSION:

The Board reconvened in regular session at 7:19 p.m.

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

None.

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

Director Kring thanked Nick Arhontes, Director of Facility Support Services and OCSD for their fast response to a sewer spill in the City of Anaheim.

Alternate Director Underhill announced that former Director Roy Moore was gravely ill. The Clerk of the Board will email Mr. Moore's address to the Board as requested.

ADJOURNMENT:

Chair Beamish adjourned the meeting at 7:23 p.m. until the SPECIAL Board Meeting on May 6, 2015 at 6:30 p.m.



Kelly A. Lore
Clerk of the Board