

# **Orange County Sanitation District**

## **MINUTES**

### **BOARD MEETING**

**January 23, 2019**



**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 called to order by Board Chairman David Shawver on January 23, 2019 at 6:03 p.m. in the Administration Building. Chair Shawver delivered the invocation and led the Pledge of Allegiance.

Clerk of the Board Kelly Lore provided Late Communication received from the City of Buena Park and the City of Villa Park regarding recent appointments to the Board of Directors.

1. **RECEIVE AND FILE MINUTE EXCERPTS OF MEMBER AGENCIES RELATING TO APPOINTMENTS TO THE ORANGE COUNTY SANITATION DISTRICT BOARD OF DIRECTORS** (Clerk of the Board)

<b>AGENCY</b>	<b>DIRECTOR</b>	<b>ALT. DIRECTOR</b>
City of Brea	Glenn Parker	Steven Vargas
City of Irvine	Donald P. Wagner	Anthony Kuo
City of Newport Beach	Brad Avery	Joy Brenner
City of Stanton	David Shawver	Carol Warren
Costa Mesa Sanitary District	James Ferryman	Bob Ooten
Yorba Linda Water District	Phil Hawkins	Brooke Jones
City of Buena Park	Fred Smith	Sunny Park
City of Villa Park	Robert Collacott	NONE

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

### ACTIVE DIRECTORS

### ALTERNATE DIRECTORS

X	David Shawver, Chair	Carol Warren
X	Brad Avery	Joy Brenner
X	Allan Bernstein	Chuck Puckett
X	Robert Collacott	NONE
X	Ellery Deaton	Sandra Massa-Lavitt
X	James M. Ferryman	Bob Ooten
X	Phil Hawkins	Brooke Jones
X	Steven Jones	John O'Neill
X	Peter Kim	Marshall Goodman
X	Lucille Kring	Denise Barnes
X	Andrew Nguyen	Al Krippner
X	Richard Murphy	Dean Grose
X	Steve Nagel	Patrick Harper
X	Glenn Parker	Steven Vargas
X	Erik Peterson	Mike Posey
X	Roman Reyna	Cecilia Iglesias
X	Tim Shaw	Tom Beamish

X	Jesus Silva		Ahmad Zahra
X	Fred Smith		Sunny Park
A	Michelle Steel		Shawn Nelson
X	Donald Wagner		Anthony Kuo
X	Chad Wanke		Ward Smith
X	John Withers		Douglas Reinhart
X	Mariellen Yarc		Stacy Berry
	VACANT (Orange)	X	Mark Murphy

**STAFF MEMBERS PRESENT:** Jim Herberg, General Manager; Rob Thompson, Assistant General Manager; Lorenzo Tyner, Assistant General Manager; Celia Chandler, Director of Human Resources; Kelly Lore, Clerk of the Board; Bob Bell; Jennifer Cabral; Damein Frabizio; Dean Fisher; Alfredo Garcia; Heidi Janz; Mark Kawamoto; Tina Knapp; Mark Manzo; Laura Maravilla; Kathy Millea; Jeff Mohr; Riaz Moinuddin; Andrew Nau; Wally Ritchie; and Roya Sohanaki.

**OTHERS PRESENT:** Brad Hogin (General Counsel); Alternate Directors Bob Ooten (CMSD) and Patrick Harper (Fountain Valley); and Rich ten Bosch (Black & Veatch).

**PUBLIC COMMENTS:**

None.

**SPECIAL PRESENTATIONS:**

- A) Chris Palmer Public Affairs Field Coordinator from California Special Districts Association (CSDA) presented the District Transparency Certificate of Excellence to OCSD.
- B) Assistant General Manager Rob Thompson presented a 25-year Employee Service award to Bob Bell, Maintenance Supervisor, Division 822.
- C) Chair Shawver presented a Certificate of Appreciation to Operations Committee Chair – Ellery Deaton for her four years of service on the Board of Directors.

**REPORTS**

Chair Shawver announced his recent Committee Appointments:

- Richard Murphy (Administration Committee Vice-Chair and the SAWPA Joint Policy Committee Alternate Member)
- Robert Collacott (Operations Committee Vice-Chair)
- Glenn Parker (Steering Committee Member)
- Lucille Kring (LaPA Committee Member & Headquarters Complex Ad Hoc Committee)
- Erik Peterson (GWRS Steering Committee & Headquarters Complex Ad Hoc Committee)

General Manager Jim Herberg provided an update on the process of revising OCSD's Wastewater Discharge Ordinance No. OCSD-48 to address water cremation waste (AB 967) and revisions that are administrative and regulatory in nature. He stated that as part of this process, staff will meet with agency and industry stakeholders; with the ordinance reading and adoption scheduled for March and April.

General Manager Jim Herberg announced that a Board Member Orientation will take place on Wednesday, February 20 at 3:00 p.m., and encouraged the new and current Board Members and Alternates to attend.

**CONSENT CALENDAR:**

**2. APPROVAL OF MINUTES (Clerk of the Board)**

**MOVED, SECONDED, AND DULY CARRIED TO:** Approve the minutes of the Regular Meeting of the Board of Directors held on December 19, 2018.

**AYES:** Avery; Bernstein; Collacott; Deaton; Ferryman; Hawkins; Jones; Kim; Kring; R. Murphy; Nagel; Nguyen; Parker; Peterson; Reyna; Shaw; Shawver; Silva; F. Smith; Wagner; Wanke; Withers and Yarc  
**NOES:** None  
**ABSTENTIONS:** M. Murphy (Alternate)  
**ABSENT:** Steel

**3. PLANT NO. 1 RECTANGULAR PRIMARY CLARIFIER OVERHAUL (Rob Thompson)**

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

- A. Approve a Service Contract to Mehta Mechanical Company Inc., replacing the December 19, 2018 approval of a Purchase Order, for the mechanical rehabilitation and overhaul of twenty-four (24) Primary Clarifier Tanks at Plant No. 1, per Specification No. S-2018-985BD, for a total amount not to exceed \$1,998,000; and
- B. Approve a contingency of \$199,800 (10%).

**AYES:** Avery; Bernstein; Collacott; Deaton; Ferryman; Hawkins; Jones; Kim; Kring; M. Murphy (Alternate); R. Murphy; Nagel; Nguyen; Parker; Peterson; Reyna; Shaw; Shawver; Silva; F. Smith; Wagner; Wanke; Withers and Yarc  
**NOES:** None  
**ABSTENTIONS:** None  
**ABSENT:** Steel

4. **OCEAN OUTFALL SYSTEM REHABILITATION, PROJECT NO. J-117**  
(Rob Thompson)

MOVED, SECONDED, AND DULY CARRIED TO: Authorize staff to purchase Course of Construction insurance for an amount not to exceed \$510,000.

**AYES:** Avery; Bernstein; Collacott; Deaton; Ferryman; Hawkins; Jones; Kim; Kring; M. Murphy (Alternate); R. Murphy; Nagel; Nguyen; Parker; Peterson; Reyna; Shaw; Shawver; Silva; F. Smith; Wagner; Wanke; Withers and Yarc  
**NOES:** None  
**ABSTENTIONS:** None  
**ABSENT:** Steel

5. **RATIFICATION OF PURCHASES UNDER GRAINGER PURCHASE ORDER NO. 105577-OB** (Rob Thompson)

MOVED, SECONDED, AND DULY CARRIED TO:

Approve an increase of \$35,000 to Blanket Purchase Order No. 105577-OB with W.W. Grainger, Inc. for the ratification of purchases of maintenance tools and supplies, in accordance with Ordinance No. OCSD-52, Section 2.03(B): Cooperative Procurement, for the period beginning March 1, 2018 through February 28, 2019, for a total amount not to exceed \$310,000.

**AYES:** Avery; Bernstein; Collacott; Deaton; Ferryman; Hawkins; Jones; Kim; Kring; M. Murphy (Alternate); R. Murphy; Nagel; Nguyen; Parker; Peterson; Reyna; Shaw; Shawver; Silva; F. Smith; Wagner; Wanke; Withers and Yarc  
**NOES:** None  
**ABSTENTIONS:** None  
**ABSENT:** Steel

**RECEIVE AND FILE:** *These items require no action; and without objection, will be so ordered by the Board Chair.*

6. **COMMITTEE MINUTES** (Clerk of the Board)

Received and filed the approved minutes of the following committees:

- A. GWRS Joint Steering Committee Meeting of October 8, 2018
- B. Steering Committee Meeting of November 28, 2018
- C. Operations Committee Meeting of December 5, 2018

7. **REPORT OF THE INVESTMENT TRANSACTIONS FOR THE MONTH OF DECEMBER 2018** (Lorenzo Tyner)

Received and filed the report of the Investment Transactions for the month of December 2018.

**OPERATIONS COMMITTEE:**

Operations Committee Chair Deaton announced that late communication had been provided to the Board regarding a correction to Item No. 8; adding the "R" after the project number, denoting this was a rebid.

**8. PLANT NO. 1 FLEET SERVICES UST LEAK REMEDIATION, PROJECT NO. FE14-05R (Rob Thompson)**

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

- A. Receive and file Bid Tabulation and Recommendation for Engineering/Remediation Resources Group, Inc. for the Fleet Services UST Leak Remediation, Project No. FE-14-05R;
- B. Award a Construction Contract to Engineering/Remediation Resources Group, Inc. for the Fleet Services UST Leak Remediation, Project No. FE14-05R, for a total amount not to exceed \$648,675; and
- C. Approve a contingency of \$129,735 (20%).

**AYES:** Avery; Bernstein; Collacott; Deaton; Ferryman; Hawkins; Jones; Kim; Kring; M. Murphy (Alternate); R. Murphy; Nagel; Nguyen; Parker; Peterson; Reyna; Shaw; Shawver; Silva; F. Smith; Wagner; Wanke; Withers and Yarc

**NOES:** None

**ABSTENTIONS:** None

**ABSENT:** Steel

**9. SEWER RELOCATION AGREEMENT WITH SANTA ANA DEVELOPMENT PARTNERS, LP (Rob Thompson)**

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

- A. Approve a Sewer Relocation Agreement with Santa Ana Development Partners, LP for the segment relocation of the Orange County Sanitation District West Trunk Bypass Sewer within the property located at 2114 East First Street, Santa Ana; and
- B. Authorize the General Manager to execute easement documents per the Sewer Relocation Agreement in a form approved by General Counsel.

**AYES:** Avery; Bernstein; Collacott; Deaton; Ferryman; Hawkins; Jones; Kim; Kring; M. Murphy (Alternate); R. Murphy; Nagel; Nguyen; Parker; Peterson; Reyna; Shaw; Shawver; Silva; F. Smith; Wagner; Wanke; Withers and Yarc

**NOES:** None

**ABSTENTIONS:** None

**ABSENT:** Steel

10. **835 S. BREA DOSING STATION – SITE ACCESS AND LICENSE AGREEMENT, SEWER LICENSE AND MAINTENANCE AGREEMENT, AND ADDENDUM NO. 5 TO FINAL SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT (SEIR) FOR THE FINAL EFFLUENT PUMP STATION ANNEX AND COLLECTION SYSTEM ODOR & CORROSION CONTROL PROGRAM (Rob Thompson)**

MOVED, SECONDED, AND DULY CARRIED TO:

- A. Consider, receive, and file the Orange County Sanitation District's Addendum No. 5 to the Supplemental Environmental Impact Report for the Final Effluent Pump Station Annex and Collection System Odor & Corrosion Control Program, dated December 5, 2018, to add odor and corrosion control chemical facilities in the City of Brea;
- B. Approve a new Site Access and License agreement with Polfit Wellness, Inc. to lease property for the purpose of installing, maintaining, and operating a chemical dosing station at 835 South Brea Boulevard, in the City of Brea, for a term of 36- months, at the following lease terms, in a form approved by General Counsel:
  - February 1, 2019 through January 31, 2020, \$2,600 per month
  - February 1, 2020 through January 31, 2021, \$2,652 per month
  - February 1, 2021 through January 31, 2022, \$2,705 per month;
- C. Approve a new Sewer License and Maintenance Agreement with the City of Brea to allow the Orange County Sanitation District to access, install, and operate the Slip Line within the City Sewer; and
- D. Authorize the General Manager or designee to negotiate beginning June 1, 2021 and subsequently award an option for an additional 36-month lease renewal period.

**AYES:** Avery; Bernstein; Collacott; Deaton; Ferryman; Hawkins; Jones; Kim; Kring; M. Murphy (Alternate); R. Murphy; Nagel; Nguyen; Parker; Peterson; Reyna; Shaw; Shawver; Silva; F. Smith; Wagner; Wanke; Withers and Yarc

**NOES:** None

**ABSTENTIONS:** None

**ABSENT:** Steel

11. **PRIMARY TREATMENT REHABILITATION AT PLANT NO. 2, PROJECT NO. P2-98 (Rob Thompson)**

MOVED, SECONDED, AND DULY CARRIED TO:

- A. Approve a Professional Construction Services Agreement with Black & Veatch Corporation to provide construction support services for B/C-Side Primary Clarifiers Interim Repair at Plant No. 2, Contract No. P2-98B, for a total amount not to exceed \$549,534; and
- B. Approve a contingency of \$54,953 (10%).

**AYES:** Avery; Bernstein; Collacott; Deaton; Ferryman; Hawkins; Jones; Kim; Kring; M. Murphy (Alternate); R. Murphy; Nagel; Nguyen; Parker; Peterson; Reyna; Shaw; Shawver; Silva; F. Smith; Wagner; Wanke; Withers and Yarc  
**NOES:** None  
**ABSTENTIONS:** None  
**ABSENT:** Steel

12. **PRIMARY TREATMENT REHABILITATION AT PLANT NO. 2, PROJECT NO. P2-98** (Rob Thompson)

MOVED, SECONDED, AND DULY CARRIED TO:

- A. Receive and file Bid Tabulation and Recommendation for B/C-Side Primary Clarifiers Interim Repair at Plant No. 2, Contract No. P2-98B;
- B. Award a Construction Contract to Myers & Sons Construction, LLC for B/C-Side Primary Clarifiers Interim Repair at Plant No. 2, Contract No. P2-98B, for a total amount not to exceed \$8,665,000; and
- C. Approve a contingency of \$866,500 (10%).

**AYES:** Avery; Bernstein; Collacott; Deaton; Ferryman; Hawkins; Jones; Kim; Kring; M. Murphy (Alternate); R. Murphy; Nagel; Nguyen; Parker; Peterson; Reyna; Shaw; Shawver; Silva; F. Smith; Wagner; Wanke; Withers and Yarc  
**NOES:** None  
**ABSTENTIONS:** None  
**ABSENT:** Steel

**ADMINISTRATION COMMITTEE:**

None.

**LEGISLATIVE & PUBLIC AFFAIRS COMMITTEE:**

None.

**STEERING COMMITTEE:**

13. **GENERAL MANAGER'S FY 2018-2019 WORK PLAN MID-YEAR UPDATE** (Jim Herberg)

MOVED, SECONDED, AND DULY CARRIED TO: Receive and file the General Manager's FY 2018-2019 Work Plan Mid-Year Update and Memorandum.

**AYES:** Avery; Bernstein; Collacott; Deaton; Ferryman; Hawkins; Jones; Kim; Kring; M. Murphy (Alternate); R. Murphy; Nagel; Nguyen; Parker; Peterson; Reyna; Shaw; Shawver; Silva; F. Smith; Wagner; Wanke; Withers and Yarc  
**NOES:** None



**ABSTENTIONS:** None  
**ABSENT:** Steel

**NON-CONSENT:**

None.

**AB 1234 DISCLOSURE REPORTS:**

Director Ferryman reported on his recent attendance at the GWRS Steering Committee meeting and announced upcoming meeting dates for OCCOG, SARWPA, and the Borders Committee.

Chair Shawver reported on his recent attendance at the GWRS Steering Committee meeting and announced that he is the newly appointed Chairman of that committee.

**CLOSED SESSION:**

**CONVENED IN CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTIONS 54956.8 & 54956.9(d)(1):**

The Board convened in closed session at 6:24 p.m. to discuss three items. General Counsel Brad Hogin recused himself from Item CS-1 due to a conflict. Item CS-2 was not heard. Confidential minutes of the Closed Sessions 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 Session Meetings.

**RECONVENED IN REGULAR SESSION:**

The Board reconvened in regular session at 6:44 p.m.

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

General Counsel Brad Hogin did not provide a report.

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

None.

**ADJOURNMENT:**

At 6:46 p.m., Chair Shawver adjourned the meeting until the Special Meeting of the Board of Directors on February 20, 2019 at 3:00 p.m.

Submitted by:



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Kelly A. Lore, MMC  
Clerk of the Board