

Orange County Sanitation District

MINUTES

BOARD MEETING

April 24, 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 April 24, 2019 at 6:03 p.m. in the Administration Building. Director Doug Chaffee 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	David Shawver, Chair		Carol Warren
A	Brad Avery		Joy Brenner
	Allan Bernstein	X	Chuck Puckett
X	Doug Chaffee		Michelle Steel
X	Robert Collacott		Chad Zimmerman
X	James M. Ferryman		Bob Ooten
X	Phil Hawkins		Brooke Jones
	Steven Jones	X	John O'Neill
X	Peter Kim		Marshall Goodman
X	Lucille Kring		Denise Barnes
X	Sandra Massa-Lavitt		Schelly Sustarsic
X	Mark Murphy		Kim Nichols
X	Richard Murphy		Dean Grose
	Steve Nagel	X	Patrick Harper
X	Andrew Nguyen		Al Krippner
X	Glenn Parker		Steven Vargas
X	Erik Peterson		Mike Posey
A	Tim Shaw		Tom Beamish
X	Christina Shea		Anthony Kuo
A	Jesus J. Silva		Jan Flory
X	Fred Smith		Sunny Park
X	Chad Wanke		Ward Smith
A	John Withers		Douglas Reinhart
X	Mariellen Yarc		Stacy Berry
	VACANT	X	Cecilia Iglesias

STAFF MEMBERS PRESENT: Jim Herberg, General Manager; Rob Thompson, Assistant General Manager; Lorenzo Tyner, Assistant General Manager; Celia Chandler, Director of Human Resources; Mike Dorman, Engineering Manager; Kelly Lore, Clerk of the Board; Bob Bell; Jennifer Cabral; Rod Collins; Damein Frabizio; Al Garcia; Mark Kawamoto; Tina Knapp; Riaz Moinuddin; Tyler Ramirez; Wally Ritchie; Paul Spassoff; and Roya Sohanaki.

OTHERS PRESENT: Brad Hogin (General Counsel); Rich ten Bosch, Black and Veatch; and Austin Mejia, Supervisor Chaffee's office.

PUBLIC COMMENTS:

None.

SPECIAL PRESENTATIONS:

Assistant General Manager Lorenzo Tyner presented 25-year employee service awards to Mark Kawamoto, Engineering Supervisor – Division 620; and Paul M. Spassoff, Office Assistant – Division 620.

REPORTS

Board Chairman Shawver reminded everyone that the Operations and Administration Committee meetings will be held at Plant No. 2 in Huntington Beach in May; with both meetings to begin at 4:00 p.m. with a Tour of Plant No. 2. Alternate Directors were encouraged to attend as well.

Chair Shawver also reminded the Directors and Alternate Directors of the mandated AB 1661 sexual harassment prevention training which OCSD will host on May 9 and May 15 at 2:00 p.m.

Chair Shawver updated the Board on the recent OCSD/SAWPA Joint Policy Committee Meeting; and the Sacramento Advocacy day where he described visits to: State Water Resources Control Board regarding current legislation and possible new regulations; Offices of Senator Hertzberg regarding: his water recycling bill; Offices of Assemblymember Cooley regarding video storage; and Offices of Assemblymember Bloom regarding microfibers.

General Manager Herberg provided information regarding OCSD's participation in an Infrastructure Roundtable organized by Congressman Harley Rouda's office today. Vice-Chair Withers represented OCSD as a participant on the panel and invited the Congressman to tour our facility.

Mr. Herberg indicated that OCSD had won the Superior Achievement Award for Odor Control Program and the Facilities Master Plan received an Honor Award from the American Academy of Environmental Engineers and that Director of Engineering, Kathy Millea was in Washington DC accepting the awards on behalf of the Sanitation District.

Mr. Herberg announced two save the dates: Honor Walk May 22nd at 4:00 p.m. and the 65th Anniversary Open House & Centrifuge Ribbon Cutting VIP event on July 27th at 9:00 a.m.

CONSENT CALENDAR:

1. **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 March 27, 2019.

AYES: Chaffee; Collacott; Ferryman; Harper (Alternate); Hawkins; Iglesias (Alternate); Kim; Kring; Massa-Lavitt; M. Murphy; R. Murphy; Nguyen; O'Neill (Alternate); Parker; Peterson; Puckett (Alternate); Shawver; Shea; F. Smith; Wanke; and Yarc

NOES: None

ABSTENTIONS: None

ABSENT: Avery; Shaw; Silva; and Withers

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

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

Received and filed the approved minutes of the following committees:

- A. Steering Committee Meeting of February 27, 2019
- B. Operations Committee Meeting of March 6, 2019
- C. LaPA Committee Meeting of March 11, 2019
- D. Administration Committee Meeting of March 13, 2019
- E. Steering Committee Special Meeting of March 18, 2019
- F. GWRS Steering Committee Meeting of January 14, 2019

3. **REPORT OF THE INVESTMENT TRANSACTIONS FOR THE MONTH OF MARCH 2019** (Lorenzo Tyner)

Received and filed the report of the Investment Transactions for the month of March 2019.

OPERATIONS COMMITTEE:

4. **PLANT NOS. 1 AND 2 CENTRAL GENERATION ENGINE OVERHAULS**
(Rob Thompson)

MOVED, SECONDED, AND DULY CARRIED TO: Authorize the General Manager to commence negotiations with identified firms for the overhaul of two central generation engines located at Plant No. 1 and Plant No. 2 Central Generation Facilities.

AYES: Chaffee; Collacott; Ferryman; Harper (Alternate); Hawkins; Iglesias (Alternate); Kim; Kring; Massa-Lavitt; M. Murphy; R. Murphy; Nguyen; O'Neill (Alternate); Parker; Peterson; Puckett (Alternate); Shawver; Shea; F. Smith; Wanke; and Yarc

NOES: None

ABSTENTIONS: None

ABSENT: Avery; Shaw; Silva; and Withers

5. **65-75 TON A/T CRANE REPLACEMENT** (Rob Thompson)

MOVED, SECONDED, AND DULY CARRIED TO:

- A. Approve a Purchase Order to Western Pacific Crane & Equipment for the purchase of a 70-ton rough terrain crane using Sourcewell (formerly National Joint Powers Alliance) Cooperative Contract #032515-GUS, for a total amount not to exceed \$679,413; and
- B. Approve a contingency of \$33,971 (5%) to accommodate for fluctuations in pricing/freight costs.

AYES: Chaffee; Collacott; Ferryman; Harper (Alternate); Hawkins; Iglesias (Alternate); Kim; Kring; Massa-Lavitt; M. Murphy; R. Murphy; Nguyen; O'Neill (Alternate); Parker; Peterson; Puckett (Alternate); Shawver; Shea; F. Smith; Wanke; and Yarc

NOES: None

ABSTENTIONS: None

ABSENT: Avery; Shaw; Silva; and Withers

6. **SITE ACCESS AND LICENSE AGREEMENT – 2899 MENDOZA DRIVE, COSTA MESA** (Rob Thompson)

MOVED, SECONDED, AND DULY CARRIED TO: Approve a Site Access and License agreement with Costa Mesa Sanitary District (CMSD) and the City of Costa Mesa, to allow mobilization of an odor control chemical dosing station and injection of chemicals into the Baker-Main Interceptor at 2899 Mendoza Drive in the city of Costa Mesa, in a form approved by General Counsel.

AYES: Chaffee; Collacott; Ferryman; Harper (Alternate); Hawkins; Iglesias (Alternate); Kim; Kring; Massa-Lavitt; M. Murphy; R. Murphy; Nguyen; O'Neill (Alternate); Parker; Peterson; Puckett (Alternate); Shawver; Shea; F. Smith; Wanke; and Yarc

NOES: None

ABSTENTIONS: None

ABSENT: Avery; Shaw; Silva; and Withers

ADMINISTRATION COMMITTEE:

Committee Chair Wanke stated that two Ordinances were approved for introduction at the Administration Committee but have been moved to Non-Consent.

LEGISLATIVE & PUBLIC AFFAIRS COMMITTEE:

7. **LEGISLATIVE AFFAIRS UPDATE FOR THE MONTH OF MARCH 2019**
(Rebecca Long)

Received and filed the Legislative Affairs Update for the month of March 2019.

8. **PUBLIC AFFAIRS UPDATE FOR THE MONTH OF MARCH 2019**
(Jennifer Cabral)

Received and filed the Public Affairs Update for the month of March 2019.

STEERING COMMITTEE:

9. **NEWHOPE-PLACENTIA TRUNK REPLACEMENT, PROJECT NO. 2-72**
(Kathy Millea)

MOVED, SECONDED, AND DULY CARRIED TO:

- A. Adopt Resolution No. OCSD 19-03 entitled, "A Resolution of the Board of Directors of Orange Sanitation District Amending the Proposition 84 Integrated Regional Water Management Program 2015 Implementation Grant Funding Contract for Newhope-Placentia Trunk Sewer Replacement Project 2-72, and Repealing Resolution No. OCSD 16-20"; and
- B. Approve Amendment No. 1 to the Contract between the Orange County Sanitation District and the Santa Ana Watershed Project Authority (SAWPA) to allow the Newhope-Placentia Trunk Replacement, Project No. 2-72, to receive Proposition 84 related grant funds up to \$1,000,000.

AYES: Chaffee; Collacott; Ferryman; Harper (Alternate); Hawkins; Iglesias (Alternate); Kim; Kring; Massa-Lavitt; M. Murphy; R. Murphy; Nguyen; O'Neill (Alternate); Parker; Peterson; Puckett (Alternate); Shawver; Shea; F. Smith; Wanke; and Yarc

NOES: None

ABSTENTIONS: None

ABSENT: Avery; Shaw; Silva; and Withers

NON-CONSENT:

10. **PROPOSED ADOPTION OF WASTEWATER DISCHARGE REGULATIONS, ORDINANCE NO. OCSD-53** (Lorenzo Tyner)

Assistant General Manager Lorenzo Tyner introduced the Ordinance and provided an overview of the changes included.

MOVED, SECONDED, AND DULY CARRIED TO:

- A. Introduce Ordinance No. OCSD-53, entitled “An Ordinance of the Board of Directors of the Orange County Sanitation District Amending Wastewater Discharge Regulations; and repealing Ordinance No. OCSD-48” for first reading at the April 24, 2019 Board meeting;
- B. Motion to read Ordinance No. OCSD-53 by title only and waive reading of said entire Ordinance on April 24, 2019;
- C. Set May 22, 2019, as the date for the second reading and adoption of Ordinance No. OCSD-53; and
- D. Direct the Clerk of the Board to publish summaries of the Ordinance as required by law.

The Clerk of the Board read the Ordinance title and recorded the following roll call vote:

AYES: Chaffee; Collacott; Ferryman; Harper (Alternate); Hawkins; Iglesias (Alternate); Kim; Kring; Massa-Lavitt; M. Murphy; R. Murphy; Nguyen; O’Neill (Alternate); Parker; Peterson; Puckett (Alternate); Shawver; Shea; F. Smith; Wanke; and Yarc

NOES: None

ABSTENTIONS: None

ABSENT: Avery; Shaw; Silva; and Withers

11. **PROPOSED ORDINANCE NO. OCSD-54 AMENDING SECTION 2.06 OF ARTICLE II, TABLE A, TABLE B, AND TABLE C OF ORDINANCE NO. OCSD-50 CONCERNING CAPITAL FACILITY CAPACITY CHARGES**
(Lorenzo Tyner)

Mr. Tyner introduced the Ordinance and provided an overview of the changes included.

MOVED, SECONDED, AND DULY CARRIED TO:

- A. Introduce Ordinance No. OCSD-54 entitled: “An Ordinance of the Board of Directors of Orange County Sanitation Amending Section 2.06 of Article II Table A, Table B, and Table C of Ordinance No. OCSD-50 Concerning Capital Facility Capacity Charges”;
- B. Motion to read Ordinance No. OCSD-54 by title only and waive reading of said entire ordinance on April 24, 2019;
- C. Set May 22, 2019, as the date for the second reading and adoption of the Ordinance No. OCSD-54; and
- D. Direct the Clerk of the Board to publish summaries of the Ordinance as required by law.

The Clerk of the Board read the Ordinance title and recorded the following roll call vote:

AYES: Chaffee; Collacott; Ferryman; Harper (Alternate); Hawkins; Iglesias (Alternate); Kim; Kring; Massa-Lavitt; M. Murphy; R. Murphy; Nguyen; O'Neill (Alternate); Parker; Peterson; Puckett (Alternate); Shawver; Shea; F. Smith; Wanke; and Yarc

NOES: None

ABSTENTIONS: None

ABSENT: Avery; Shaw; Silva; and Withers

INFORMATION ITEMS:

None.

AB 1234 DISCLOSURE REPORTS: *This item allows Board members to provide a brief oral report regarding the disclosure of outside committees, conferences, training, seminars, etc. attended at the Agency's expense, per Government Code §53232.3(d).*

Director Ferryman provided information regarding the recent OCCOG General Assembly meeting and commended Assistant General Manager Rob Thompson on his presentation. He also provided an update of his recent attendance at meetings of: Waste Not Orange County, NWRI, and the Borders Committee.

CLOSED SESSION:

CONVENED IN CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(d)(1):

The Board convened in closed session at 6:36 p.m. to discuss one item. Item No. CS-1 was not heard. 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 Session Meetings.

RECONVENED IN REGULAR SESSION:

The Board reconvened in regular session at 6:52 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:

Chair Shawver briefly discussed the upcoming Strategic Plan process presented at the Steering Committee meeting.


BOARD OF DIRECTORS INITIATED ITEMS FOR A FUTURE MEETING:

Chair Shawver announced that Board members may request that staff place an item on a future agenda.

ADJOURNMENT:

At 6:59 p.m. Chair Shawver adjourned the meeting until the Regular Meeting of the Board of Directors on May 22, 2019 at 6:00 p.m.

Submitted by:



Kelly A. Lore, MMC
Clerk of the Board