

# **Orange County Sanitation District**

## **MINUTES BOARD MEETING April 25, 2001**



**ADMINISTRATIVE OFFICES  
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 25, 2001, at 7:00 p.m., in the District's Administrative Offices. Following the Pledge of Allegiance and invocation the roll was called and the Secretary reported a quorum present as follows:

**ACTIVE DIRECTORS**

**ALTERNATE DIRECTORS**

X	Norman Z. Eckenrode, Chair		Constance Underhill
X	Peter Green, Vice Chair		Dave Garofalo
X	Steve Anderson		Steve Simonian
X	Don Bankhead		Jan Flory
X	Shawn Boyd		John Larson
X	Guy Carrozzo		Larry Crandall
A	Brian Donahue		Bill Estrada
X	James M. Ferryman		Arlene Schafer
X	John M. Gullixson		Michael Duvall
X	Alice B. Jempsa		Arthur DeBolt
X	Tony Kawashima		Tracy Worley
A	Beth Krom		Mike Ward
X	Mark Leyes		Bruce Broadwater
X	Shirley McCracken		Tom Daly
X	Pat McGuigan		Alberta Christy
X	Roy Moore		Marty Simonoff
X	Mark A. Murphy		Joanne Coontz
X	Joy Neugebauer		Grace Epperson
X	Russell Patterson		Richard A. Freschi
X	Anna L. Piercy		Tim Keenan
X	Tod Ridgeway		Gary Adams
X	Jerry Sigler		Jim Dow
X	Jim Silva		Chuck Smith
X	Peer Swan		Darryl Miller
	Paul Walker	X	Kenneth Blake

**STAFF MEMBERS PRESENT:** Blake Anderson, General Manager; Penny Kyle, Board Secretary; Bob Ghirelli; Lisa Lawson; Dave Ludwin; Patrick Miles; Bob Ooten; Lisa Tomko; Gary Streed; Mark Esquer; Paula Zeller; Sonja Wassgren; Ingrid Hellebrand; Chuck Winsor; Jan Collins; Ryal Wheeler

**OTHERS PRESENT:** Thomas L. Woodruff, General Counsel; Alternate Director Alberta Christy; Don Hughes; Dean Albright; Joey Racano; Irwin Haydock; Jan Vandersloot; Dennis Baker; Don McGee; Greg Saul; Judith M. Gielow; Brian Brady; Greg Woodside; Tony Henrich

## PUBLIC COMMENTS

The following persons spoke about ocean discharge issues and expressed their opposition to the waiver: Don McGee, Jan Vandersloot, Dean Albright, Joey Racano, Irwin Haydock, Dennis Baker.

## REPORT OF THE CHAIR

Chair Eckenrode reminded the Directors that if they left the Board Room during the meeting for recusant purposes during a vote, they must notify the Board Secretary or other minute taker that their action should be reflected in the minutes. Leaving the room will not be noted in the minutes.

Chair Eckenrode announced that the PDC Committee would be meeting on May 17 at 5:00 p.m. The change in date was due to the League of Cities meeting on May 3<sup>rd</sup>.

Chair Eckenrode also announced that he was inviting the following Directors to attend upcoming Steering Committee meetings, as follows:

May 23, 2001	Director Beth Krom
June 27, 2001	Director Tony Kawashima
July 18, 2001	Director Alice Jempsa
August 22, 2001	Director Tod Ridgeway
September 26, 2001	Director Roy Moore

As a reminder, the Chair reported that nominations will be open at the May 23<sup>rd</sup> board meeting for the election of the Chair, and the election would take place at the June 27<sup>th</sup> meeting for both the Chair and the Vice Chair of the Orange County Sanitation District.

It was announced the District received an award from the Government Finance Officers Association for the District's Comprehensive Annual Financial Report for fiscal year ended June 30, 2000. This report qualified for a certification of achievement for excellence in financial reporting. The formal presentation of this award will be made at a future meeting.

It was also announced that the District was the recipient of the California Water Environment Association's State Award for Small Budget Public Education Program. This award was for the District's Orange County Fair booth in July 2000. Ingrid Hellebrand, Communications Specialist, who was in charge of the effort, was then recognized and gave a brief slide presentation of the effectiveness of the District's booth at the Orange County fair.

## REPORT OF THE GENERAL MANAGER

Blake Anderson, General Manager, responded to some of the public comments received that evening regarding the District's plan for the next few months relative to the level of treatment of ocean discharge. Efforts would be focused on ocean science, treatment technology and related financing, regulations and permitting issues, and communication outreach.

Mr. Anderson then reported the District was in receipt of a report issued by the Orange County Grand Jury titled "Sewage Spills, Beach Closures: Trouble in Paradise?" The report deals with the management of restaurant grease in Orange County, and recommends there should be standard countywide grease ordinances that specify proper maintenance and the local sewerage authority

should be required to enforce the ordinances. The report, sent to 50 public entities, will require every agency mentioned in the report to respond within the next 90 days to the issues.

#### REPORT OF THE GENERAL COUNSEL

The General Counsel had no report.

#### APPROVAL OF MINUTES

The Chair ordered that the minutes of the regular meeting held March 28, 2001 be deemed approved, as mailed.

#### RATIFICATION OF PAYMENT OF CLAIMS

MOVED, SECONDED AND DULY CARRIED: Ratify payment of claims set forth on exhibits "A" and "B", attached hereto and made a part of these minutes, and summarized below:

<u>ALL DISTRICTS</u>	<u>03/15/01</u>	<u>03/31/01</u>
Totals	\$4,825,838.23	\$5,013,868.88

Director Patterson abstained on warrant number 34663.

#### NON-CONSENT CALENDAR

11. DRAFT STEERING COMMITTEE MINUTES: A verbal report was presented by Director Eckenrode, Chair of the Steering Committee, re the April 25, 2001 meeting.

The Chair ordered the draft Steering Committee Minutes for the meeting held on March 28, 2001 to be filed.

12. DRAFT OPERATIONS, MAINTENANCE AND TECHNICAL SERVICES COMMITTEE MINUTES: The Chair ordered the draft Operations, Maintenance and Technical Services Committee Minutes for the meeting held on April 4, 2001 to be filed.

13. DRAFT PLANNING, DESIGN AND CONSTRUCTION COMMITTEE MINUTES: A verbal report was presented by Director Patterson, Vice Chair of the Planning, Design and Construction Committee, re the April 5, 2001 meeting.

The Chair then ordered the draft Planning, Design and Construction Committee Minutes for the meeting held April 5, 2001 to be filed.

- c. MOVED, SECONDED AND DULY CARRIED: Ratify Change Order No. 2 to Grit Removal System, Job No. J-52, with Norman A. Olsson Construction Company, authorizing an addition of \$73,120 and 20 calendar days, increasing the total contract amount not to exceed \$811,547.
- d. MOVED, SECONDED AND DULY CARRIED: Approve the plans and specifications for the Replacement of Miller-Holder Trunk Sewer Siphon, Contract No. 3-2-1, on file at the office of the Board Secretary.

- e. MOVED, SECONDED AND DULY CARRIED: (1) Approve Professional Services Agreement with Brown and Caldwell to provide engineering services for Trunk Sewer Mapping Project, Contract No. 1-98, for an amount not to exceed \$1,166,000; and (2) Approve a budget amendment of \$1,354,000 for Trunk Sewer Mapping Project, Contract No. 1-98, for a total budget of \$1,709,000.
- f. MOVED, SECONDED AND DULY CARRIED: Approve Addendum No. 8 to the Professional Services Agreement with Parsons Engineering Science, Inc., for Plant Reinvention/Automation Project, Job No. J-42, providing additional engineering services for benefit/cost evaluation of 71 liquid stream reinvention ideas, and the production of eleven additional P&ID drawings, in the amount of \$240,945, for a total amount not to exceed \$7,736,724.
- g. MOVED, SECONDED AND DULY CARRIED: Establish a budget of \$715,000 for Clarifiers E and G Rehabilitation Project at Plant No. 2, Job No. P2-85-1.
- h. MOVED, SECONDED AND DULY CARRIED: Approve Addendum No. 2 to the Consulting Services Agreement with the Lewis Group to provide additional services related to the Capital Project Management Process Phase 1 Report in the amount of \$18,969, for a total amount not to exceed \$115,886.

14. DRAFT FINANCE, ADMINISTRATION AND HUMAN RESOURCES COMMITTEE MINUTES: A verbal report was presented by Director McCracken, Chair of the Finance, Administration and Human Resources Committee, re the April 11, 2001 meeting.

The Chair then ordered the draft Finance, Administration and Human Resources Committee Minutes for the meeting held April 11, 2001 to be filed.

- c. MOVED, SECONDED AND DULY CARRIED: Receive and file Treasurer's Report for the month of March 2001.
- d. MOVED, SECONDED AND DULY CARRIED: Adopt Resolution No. OCSD 01-09, amending Resolution No. 98-33, Amending Human Resources Policies and Procedures Manual.
- e. MOVED, SECONDED AND DULY CARRIED: Approve 2001-02 Budget Allocation and Delegation of Discretionary Authority to the FAHR Committee for Initiation of Forensic Audits or other investigations if determined by the FAHR Committee as necessary, in an amount not to exceed \$30,000.
- f. MOVED, SECONDED AND DULY CARRIED: Approve an At-Will Employment Policy for the Executive Management Team.

Directors Gullixson and Leyes opposed.

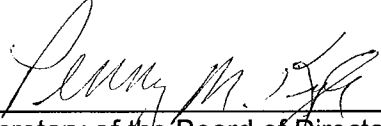
- g. MOVED, SECONDED AND DULY CARRIED: Approve agreement with Steve Filarsky of Filarsky & Watt, LLP, to serve as District's Labor Representative re SPMT Group meet and confer process in accordance with the recommendations of the FAHR Committee; and to provide the FAHR Committee with a copy of the executed agreement.

15. DRAFT JOINT GROUNDWATER REPLENISHMENT SYSTEM COOPERATIVE COMMITTEE MINUTES: The Chair ordered the draft Joint Groundwater Replenishment System Cooperative Committee Minutes for the meeting held on March 19, 2001 to be filed.
16. MOVED, SECONDED AND DULY CARRIED: (a) Authorize the General Manager to negotiate terms and conditions for a renewal of the contract with BP Energy Company for Purchase of Natural Gas, Specification No. 9900-28, at the floating Southern California Border price plus marketers premium, with provisions for four one-year extensions, for an estimated annual amount not to exceed \$3,900,000; and (b) Authorize the General Manager to solicit proposals, negotiate, and award a new contract for the Purchase of Natural Gas, Specification No. C2001-38-BD, at the floating Southern California Border price plus marketers premium, with provisions for four one-year extensions effective August 1, 2001 per, for an estimated annual amount not to exceed \$3,900,000 should the negotiations for a renewal of the contract with BP Energy Company fail; and, (c) Authorize the Director of Finance, if market conditions are favorable, to negotiate fixed prices under the new or renewed natural gas contract, before the effective date of the contract and during the duration of the contract, without further Board authorization.
17. MOVED, SECONDED AND DULY CARRIED: (1) Approve Addenda Nos. 1, 2, and 3 to the plans and specifications for Standby Power and Reliability Improvements to Treatment Plant Nos. 1 and 2, Job No. J-33-1A, on file at the office of the Board Secretary; (2) Receive and file bid tabulation and recommendation; and (3) Award a contract to Southern Contracting Company for Standby Power and Reliability Improvements to Treatment Plant Nos. 1 and 2, Job No. J-33-1A, for an amount not to exceed \$6,329,000.
18. MOVED, SECONDED AND DULY CARRIED: Approve Amendment No.1 to the Letter Agreement dated September 22, 1999, with Municipal Water District of Orange County (MWDOC) for a multi-agency Water Use Efficiency Program, authorizing an increase in the annual funding of \$41,250 for years two through five of the program, increasing the total annual amount to \$866,250, and a total project amount not to exceed \$4,275,863.
19. There was no closed session.
21.
  - a. MOVED, SECONDED AND DULY CARRIED: Authorize consideration of Item 21(b) and (c) listed below which arose subsequent to the posting of the agenda and which requires action at this time pursuant to authority of Government Code Section 54954.2(b)(2).
  - b. The Director of Engineering gave a brief verbal report.
  - c. MOVED, SECONDED AND DULY CARRIED: Approve a Flow Accommodation Agreement with Irvine Ranch Water District to allow the US Food & Drug Administration (FDA) to discharge sewage flow from a new FDA laboratory to the Orange County Sanitation District, in a form approved by General Counsel.

Director Peer Swan abstained.

Director Peer Swan announced that he would no longer be a Director for the Sanitation District effective May 15, and introduced Brian Brady who will be appointed by Irvine Ranch Water District as the District's representative.

ADJOURNMENT: The Chair declared the meeting adjourned at 8:45 p.m.

  
Secretary of the Board of Directors of  
Orange County Sanitation District