

**Orange County Sanitation District**  
**MINUTES**  
**BOARD MEETING**  
**March 22, 2006**



**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 March 22, 2006 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	Steve Anderson, Chair	Steve Simonian
X	James M. Ferryman, Vice Chair	Arlene Schafer
X	Charles Antos	Paul Yost
X	Don Bankhead	Leland Wilson
X	Carolyn Cavecche	Steve Ambriz
X	Alberta Christy	Mike Garcia
X	Larry Crandall	John Collins
A	Bill Dalton	Mark Rosen
X	Doug Davert	Tony Kawashima
X	Michael Duvall	Jim Winder
X	Norman Eckenrode	Constance Underhill
X	Richard Freschi	Bob Fauteux
X	Sukhee Kang	Steven Choi
X	Phil Luebben	Lydia Sondhi
X	Patsy Marshall	Jim Dow
X	Darryl Miller	Douglas Reinhart
X	Roy Moore	John Beauman
X	Joy Neugebauer	Vivian Kirkpatrick-Pilger
X	Ken Parker	Catherine Driscoll
X	Tod Ridgeway	Don Webb
X	David Shawver	Brian Donahue
X	Harry Sidhu	Bob Hernandez
X	Jim Silva	Lou Correa
X	Dave Sullivan	Debbie Cook
X	Mark Waldman	Ralph Rodriguez

**STAFF MEMBERS PRESENT:** Jim Ruth, Interim General Manager; Penny Kyle, Board Secretary; Nick Arhontes; Bret Colson; Bob Ghirelli; Dave Ludwin; Patrick Miles; Lisa Tomko; Lorenzo Tyner; Simon Watson; Marc Brown; William Cassidy; Sam Mowbray; Chuck Winsor; John Linder; Dan Tremblay; Chris Stacklin

**OTHERS PRESENT:** Brad Hogin, General Counsel; Don Hughes; Lisa Arosteguy; Mark Miller; Mike Corman; Jim Marx

### PUBLIC COMMENTS

There were no public comments

### REPORT OF THE CHAIR

Chair Anderson reported the Sanitation District held a special celebration for the completion of the new Trickling Filter Facility at Plant No 1. Guests included representatives from the offices of Senators Barbara Boxer, Tom Umberg, and Congressman Miller; and guest speakers from the EPA, Santa Ana Regional Water Quality Control Board and Orange County Coastkeeper.

Director Norm Eckenrode, representative on the National Water Research Institute (NWRI) Board of Directors, received on behalf of the Sanitation District NWRI's third Award of Excellence for the groundwater replenishment system project.

The meeting schedule for April was reviewed. It was noted that in addition to the standing committees, the Cooperative Projects Grants Committee would meet on April 6<sup>th</sup> at 4:00 p.m.; the Legislative Affairs Committee would meet on April 11<sup>th</sup> at 8:00 a.m.; and a special FAHR committee meeting would meet on April 19<sup>th</sup> at 5:00 p.m.

Chair Anderson also advised at the CIP Workshop held on March 15<sup>th</sup> staff identified up to \$474 million in projects that could be canceled or deferred to future years. He encouraged those Directors who were unable to attend the first workshop to attend the second CIP Workshop which would be held on March 29<sup>th</sup> at 5:00 p.m.

### REPORT OF THE GENERAL MANAGER

Jim Ruth, Interim General Manager, introduced Bret Colson, Public Information Office Manager, to the Directors. He also reviewed activities included in his status report that was placed in the Directors' meeting folders that evening.

Bob Ghirelli, Director of Technical Services, recognized Dan Tremblay for 30 years of service to the Sanitation District.

Nick Arhontes, Director of Regional Assets & Services, introduced William Cassidy who provided an update on damages to the Santa Ana River Interceptor line and the Newhope Trunk Sewer by a Caltrans contractor who is working on the 22 Freeway.

### REPORT OF THE GENERAL COUNSEL

General Counsel Brad Hogin had no report.

### APPROVAL OF MINUTES

The Chair ordered that the minutes of the regular meeting held February 22, 2006, be deemed approved as corrected.

Director Marshall abstained.

**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.

<u>ALL DISTRICTS</u>	<u>02/15/06</u>	<u>02/28/06</u>
<u>Totals</u>	\$32,019,576.86	\$12,246,166.17

Director Shawver abstained. Director Cavecche abstained from discussion and voting on Warrant Nos. 78509, 78576 and 78898. Director Davert abstained from discussion and voting on Warrant Nos. 78506 and 78796. Abstentions were pursuant to California Government Code Section 84308.

**CONSENT CALENDAR**

9. Consideration of motion to approve all agenda items appearing on the Consent Calendar not specifically removed from same, as follows:
  - a. Item removed from agenda.
  - b. MOVED, SECONDED AND DULY CARRIED: Approve Utility Agreement No. 12-UT-935 with the State of California, Department of Transportation (Caltrans) to reimburse the Sanitation District for relocation design and inspection costs associated with the relocation of an existing 12-inch VCP sewer at the intersection of Orangethorpe Avenue and Imperial Highway within the city of Yorba Linda for an amount not to exceed \$85,000.

**COMMITTEE REPORTS AND RECOMMENDED ACTIONS**

11. STEERING COMMITTEE: A brief verbal report was presented by Chair Anderson re the March 22, 2006 meeting.

Steering Committee Consent Calendar

- a. MOVED, SECONDED AND DULY CARRIED: Order draft Steering Committee Minutes for the meeting held on February 22, 2006, to be filed.
- b. MOVED, SECONDED AND DULY CARRIED: (1) Authorize the Interim General Manager to pursue and select real property, within budgeted funds, on behalf of the District for possible purchase;  
  
(2) Authorize the Interim General Manager and Board Chair to negotiate a Purchase and Sale Agreement to acquire the selected property for a purchase price not to exceed \$10,500,000, contingent upon final approval of the Board of Directors, in a form acceptable to General Counsel; and,  
  
(3) Approve the use of the acquired property for the North County Yard.

Steering Committee Non-Consent Calendar

- c. No items were considered.

12. OPERATIONS, MAINTENANCE AND TECHNICAL SERVICES COMMITTEE

OMTS Consent Calendar

- a. **MOVED, SECONDED AND DULY CARRIED:** Order draft Operations, Maintenance and Technical Services Committee Minutes for the meeting held on March 1, 2006, to be filed.
- b. **MOVED, SECONDED AND DULY CARRIED:** (1) Receive and file Summary Report re Investigation of Discharge Permit Violation for Dioxin, Phase I, dated March 1, 2006; and,  
  
(2) Approve increase in expenditure for Columbia Analytical Laboratories for dioxin testing by \$50,000 to bring the total purchase order for FY 05/06 to \$80,000.

Non-Consent Calendar

- c. No items were considered.

13. PLANNING, DESIGN AND CONSTRUCTION COMMITTEE

Dave Ludwin introduced Marc Brown, Senior Engineering Data Management Specialist, who provided an overview of the Sanitation District's Engineering Document Management System.

PDC Consent Calendar

- a. **MOVED, SECONDED AND DULY CARRIED:** Order draft Planning, Design and Construction Committee Minutes for the regular meeting held on March 2, 2006, to be filed.
- b. **MOVED, SECONDED AND DULY CARRIED:** Approve a Professional Services Agreement with Earth Tech, providing for engineering services for Rehabilitation of Magnolia Trunk Sewer, Contract No. 3-58, for an amount not to exceed \$699,096.
- c. **MOVED, SECONDED AND DULY CARRIED:** Approve a Professional Services Agreement with Carollo Engineers for studies and a preliminary design report for Headworks Rehabilitation/ Refurbishment at Plant No. 1, Job No. P1-71, for an amount not to exceed \$339,738.

- d. **MOVED, SECONDED AND DULY CARRIED:** Approve a Professional Services Agreement with Camp, Dresser & McKee, Inc. for engineering services including Design-Build bid document preparation for Cable Tray Improvements at Plant Nos. 1 and 2, Job No. J-47, for an amount not to exceed \$2,251,548.
- e. **MOVED, SECONDED AND DULY CARRIED:** Approve Amendment No. 1 to the Professional Services Agreement with Malcolm Pirnie, Inc. providing for construction support services for the Bushard Trunk Sewer Rehabilitation, Job No. I-2-4, for an additional amount of \$137,937, increasing the total amount not to exceed \$223,045.
- f. **MOVED, SECONDED AND DULY CARRIED:** Approve Amendment No. 1 to the Professional Services Agreement with Brown and Caldwell for engineering services for Plant No. 2 Primary Sludge Feed System Project, Job No. P2-91, providing for additional engineering services for an additional amount of \$212,816, and an additional \$100,000 for General Manager task order approvals, increasing the total amount not to exceed \$2,990,366.
- g. **MOVED, SECONDED AND DULY CARRIED:** Approve Amendment No. 4 to the Professional Services Agreement with Camp, Dresser, & McKee for Rehabilitation of Odor Control Facilities, Job No. J-71-8, providing for additional engineering services, for an additional amount of \$327,172, increasing the total amount not to exceed \$4,918,704.
- h. **MOVED, SECONDED AND DULY CARRIED:** Approve Amendment No. 6 to a Professional Services Agreement with Lee & Ro, Inc., providing for additional engineering and construction support services for Replacement of the Bitter Point Pump Station, Contract No. 5-49; Replacement of the Rocky Point Pump Station, Contract No. 5-50; Rehabilitation of the 14<sup>th</sup> Street Pump Station, Contract No. 5-51; and Rehabilitation of the "A" Street Pump Station, Contract No. 5-52, for an additional amount of \$328,566, increasing the total amount not to exceed \$4,809,382.
- i. **MOVED, SECONDED AND DULY CARRIED:** Approve a Cooperative Agreement with the City of Huntington Beach for remaining work to be completed on the Bushard Trunk Sewer Rehabilitation, Job No. I-2-4.
- j. **MOVED, SECONDED AND DULY CARRIED:** Approve a Reimbursement Agreement with Orange County Water District for Bushard Trunk Sewer Rehabilitation, Job No. I-2-4.
- k. **MOVED, SECONDED AND DULY CARRIED:** (1) Approve a Sole Source Agreement with Southern California Edison for engineering services, fees, materials, and labor for 66kV Substation at Plant No. 1, Job No. P1-97, for an amount not to exceed \$6,052,000;  
  
(2) Approve a monthly charge of \$15,732 for maintenance and equipment replacement costs; and,

(3) Increase the project budget in the amount of \$4,302,947 for a total amount of \$9,475,538.

- I. MOVED, SECONDED AND DULY CARRIED: Reject all bids submitted for Tenant Improvement for Engineering/Construction Trailer Complex 'C', Job No. FE04-36.

Non-Consent Calendar

No items were considered.

14. FINANCE, ADMINISTRATION AND HUMAN RESOURCES COMMITTEE

FAHR Consent Calendar

- a. MOVED, SECONDED AND DULY CARRIED: Order draft Finance, Administration and Human Resources Committee Minutes for the meeting held on March 1, 2006, to be filed.
- b. MOVED, SECONDED AND DULY CARRIED: Approve SAFETY-POL-101, 102, 107, 202, and 402, and 405 as provided for in Resolution No. OCSD 02-5, regarding the District's Injury and Illness Prevention Program Policy.

FAHR Non-Consent Calendar

No items were considered.

15. LEGISLATIVE AFFAIRS COMMITTEE

Legislative Affairs Committee Consent Calendar

- a. The meeting scheduled for March 14, 2006 was cancelled.

**NON-CONSENT CALENDAR**

16. MOVED, SECONDED AND DULY CARRIED: Approve renewal of Purchase Order No. 101758-OB for Purchase of Cationic Polymer, Specification No. C-2003-143, issued to Polydyne Inc., with a unit rate increase of \$0.70 per active pound for Solution Polymer increasing the total price to \$1.75 per active pound plus tax, and a unit rate increase in Mannich Polymer of \$0.249, increasing the total price to \$1.529 per active pound plus tax, for an estimated amount of \$1,280,000 for the period July 1, 2006 through June 30, 2007.
17. MOVED, SECONDED AND DULY CARRIED: Approve a sole source Professional Design Services Agreement with Albert Grover and Associates, providing for engineering services for Bushard Trunk Sewer Rehabilitation, Job No. I-2-4, for an amount not to exceed \$65,000.

18. **MOVED, SECONDED AND DULY CARRIED:** (a) Receive and file the letter dated March 6, 2006 from Omni Metal Finishing, Inc., regarding a settlement proposal for Administrative Complaint re Permit No. 2-1.520; and,
- (b) Authorize the General Manager to negotiate and enter into a settlement agreement with Omni Metal Finishing, Inc., which would impose a maximum of \$55,000 in administrative penalties against Omni and require Omni to make improvements and additions to Omni's existing pretreatment facility to ensure compliance.
19. **CONVENE IN CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTION 54956.9:** The Board convened in closed session at 8:23 p.m. pursuant to Government Code Section 54956.9. Confidential minutes of the Closed Session held by the Board of Directors have been prepared in accordance with California Government Code Section 54957.2 and are maintained by the Board Secretary in the Official Book of Confidential Minutes of Board and Committee Closed Meetings.

**RECONVENE IN REGULAR SESSION:** The Board reconvened in regular session at 8:35 p.m.

**ADJOURNMENT:** The Chair declared the meeting adjourned at 8:40 p.m.



---

Penny M. Kyle  
Secretary to the Board of Directors of  
Orange County Sanitation District