

Orange County Sanitation District

MINUTES

BOARD MEETING

March 26, 2008



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 26, 2008 at 6:30 p.m., in the District's Administrative Offices. Following the Pledge of Allegiance and invocation, the roll was called and the Clerk of the Board reported a quorum present as follows:

ACTIVE DIRECTORS

ALTERNATE DIRECTORS

X	James M. Ferryman, Chair		Bob Ooten
X	Doug Davert, Vice Chair		Jim Palmer
	Charles Antos	X	Gordon Shanks
X	Don Bankhead		Sharon Quirk
X	Larry Crandall		Gus Ayer
X	Bill Dalton		Steven Jones
A	Jon Dumitru		Carolyn Cavecche
X	Rose Espinoza		James Gomez
X	Richard Freschi		Brad Reese
A	Don Hansen		Jill Hardy
X	Phil Luebben		Prakash Narain
X	Patsy Marshall		Jim Dow
X	Darryl Miller		Douglas Reinhart
X	Roy Moore		Ron Garcia
X	Joy Neugebauer		Al Krippner
A	Chris Norby		Janet Nguyen
X	Ken Parker		Catherine Driscoll
X	Christina Shea		Steven Choi
X	David Shawver		David Cadena
X	Harry Sidhu		Lucille Kring
X	Sal Tinajero		David Benavides
X	Constance Underhill		Joseph Aguirre
X	Mark Waldman		Henry Charoen
X	Don Webb		Leslie Daigle
X	Jim Winder		John Anderson

STAFF MEMBERS PRESENT: Jim Ruth, General Manager; Bob Ghirelli, Assistant General Manager; Penny Kyle, Clerk of the Board; Nick Arhontes; Jim Herberg; Ed Torres; Lorenzo Tyner; Lilia Kovac; Michael Gold; Tod Haynes; Randy Kleinman; Sonja Morgan; Chuck Winsor; Paula Zeller

OTHERS PRESENT: Brad Hogin, General Counsel

MOVED, SECONDED AND DULY CARRIED: Receive and file minute excerpts from the following re appointment of active and alternate Directors, as follows:

<u>City/Agency</u>	<u>Active Director</u>	<u>Alternate Director</u>
Garden Grove	Bill Dalton	Steven Jones

PUBLIC COMMENTS

There were no public comments

REPORT OF THE CHAIR

Chair Ferryman reviewed the meeting schedule, and recognized Director of Engineering Jim Herberg, who presented a service award to Sid Kirk for 20 years of service. Assistant General Manager Bob Ghirelli was then recognized who presented a service award to Penny Kyle for 25 years of service.

REPORT OF THE GENERAL MANAGER

General Manager, Jim Ruth, provided a brief overview of his March Status report that was included in the Directors' agenda package.

REPORT OF THE GENERAL COUNSEL

General Counsel, Brad Hogin, did not have a report.

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>02/15/08</u>	<u>02/29/08</u>
Totals	\$18,093,564.92	\$8,414,861.58

Directors Shea and Sidhu abstained from discussion and voting on all warrants. Abstentions were pursuant to California Government Code Section 84308.

CONSENT CALENDAR

7. a. MOVED, SECONDED AND DULY CARRIED: Order the minutes for the regular meeting held on February 27, 2008, to be filed and deemed approved, as mailed.

COMMITTEE REPORTS AND RECOMMENDED ACTIONS

8. **STEERING COMMITTEE**

Chair Ferryman reported that the Steering Committee considered a policy naming district-owned land, building and facilities, and proposed transfer of district sewers to the Costa Mesa Sanitary District. The Committee also received an update from Townsend and Associates on state legislation.

Consent Calendar

- a. **MOVED, SECONDED AND DULY CARRIED:** Order Steering Committee Minutes for the meeting held on February 27, 2008, to be filed.

Non-Consent Calendar

- b. No items were considered.

9. **OPERATIONS COMMITTEE**

Consent Calendar

- a. **MOVED, SECONDED AND DULY CARRIED:** Order Operations Committee Minutes for the meeting held on March 5, 2008, to be filed as corrected.
- b. **MOVED, SECONDED AND DULY CARRIED:** Adopt Resolution No. OCSD08-02, Establishing Support for an Enhanced Source Control Program to Reduce the Discharge of Emerging Pollutants of Concern.
- c. **MOVED, SECONDED AND DULY CARRIED:** 1) Approve a budget increase of \$1,867,942 for Headworks Rehabilitation/Refurbishment at Plant No. 1, Job No. P1-71, for a total budget of \$11,024,341;
- 2) Approve a Professional Consultant Services Agreement with Carollo Engineers for Headworks Rehabilitation/Refurbishment at Plant No. 1, Job No. P1-71, providing for construction support services for an amount not to exceed \$493,883; and,
- 3) Approve a 5% contingency (\$24,694).

Non-Consent Calendar

- d. No items were considered.

10. ADMINISTRATION COMMITTEE

Consent Calendar

- a. MOVED, SECONDED AND DULY CARRIED: Order Administration Committee Minutes for the meeting held on March 12, 2008, to be filed.
- b. MOVED, SECONDED AND DULY CARRIED: Approve a contract with Liberty Mutual as the insurance carrier to insure the District's Owner Controlled Insurance Program for General Liability and Workers Compensation, for a five year program, at a cost not to exceed \$18,000,000, in a form approved by General Counsel.

Non-Consent Calendar

- c. No items were considered.

11. GWR SYSTEM STEERING COMMITTEE (GWRSSC)

GWRSSC Consent Calendar

- a. MOVED, SECONDED AND DULY CARRIED: Order Joint Groundwater Replenishment System Steering Committee Minutes for the meeting held on February 11, 2008, to be filed.

GWRSSC Non-Consent Calendar

- b. No items were considered.

NON-CONSENT CALENDAR

12. MOVED, SECONDED AND DULY CARRIED: Authorize the General Manager to purchase insurance policies to insure the Sanitation District's Owner Controlled Insurance Program, for a five-year program, in a form approved by General Counsel, at a cost as follows:

- a. Excess liability insurance, for a cost not to exceed \$1.5 million;
- b. Builder's Risk insurance, for a cost not to exceed \$2.0 million;
- c. Pollution Liability insurance, for a cost not to exceed \$300,000.

13. MOVED, SECONDED AND DULY CARRIED: Ratify use of General Manager's emergency purchasing authority, Resolution No. OCSD 07-04, authorizing the General Manager to issue Purchase Order No. 64912-OS to Moore & Taber Geotechnical Constructors for emergency soil grouting repairs to the 120-inch Ocean Outfall, for a total amount not to exceed \$200,000.

14. **MOVED, SECONDED AND DULY CARRIED:** 1) Ratify the use of General Manager's Purchasing Authority, Resolution No. OCSD 07-04, Section 4.08, authorizing the General Manager to award a Service Agreement, Specification No. FR-2008-366, to Mladen Buntich Construction Company, Inc., for Pacific Coast Highway Force Main Valve Replacements, Project No. FE07-06, for an amount not to exceed \$281,340;
- 2) Ratify Amendment No. 1 for removing sewage from District pipelines to Pacific Coast Highway Force Main Valve Replacement, Specification No. FR-2008-366, with Mladen Buntich Construction Company, Inc., not to exceed an additional \$120,000, increasing the total contract to \$401,340; and,
- 3) Approve a contingency of 20% (\$80,268).

15. CONVENE IN CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTION 54956.9: The Board convened in closed session at 7:15 p.m. pursuant to Government Code Section 54956.9, Subdivision (a).

RECONVENE IN REGULAR SESSION: The Board reconvened in regular session at 7:22 p.m.

In satisfaction of an adverse judgment regarding Heller vs. Orange County Sanitation District; Workers Compensation Appeals Board No. AHM 0098129; AHM Unassigned; Claim No. 7827-0001-01-0029, the Board of Directors ratified payment of \$89,353.39 to the estate of Lynda Heller, and approved payment of \$125,000 to the State Department of Industrial Relations for dependent death benefits.

ADJOURNMENT: The Chair declared the meeting adjourned at 7:24 p.m.



Penny M. Kyle
Clerk of the Board
Orange County Sanitation District