

Orange County Sanitation District
MINUTES
BOARD MEETING
February 25, 2009



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 February 25, 2009 at 6:30 p.m., in the 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	Doug Davert, Chair		John Nielson
X	Larry Crandall, Vice Chair		Steve Nagel
X	John Anderson		Jim Winder
X	Charles Antos		Gordon Shanks
X	Tom Beamish		Rose Espinoza
A	Keith Bohr		Don Hansen
X	Bill Dalton		Steven Jones
	Jon Dumitru	X	Denis Bilodeau
X	Troy Edgar		Ken Stephens
X	James M. Ferryman		Bob Ooten
X	Phil Luebben		Prakash Narain
X	Patsy Marshall		Fred Smith
X	Roy Moore		Ron Garcia
X	Joy Neugebauer		Al Krippner
X	Chris Norby		Janet Nguyen
X	Sharon Quirk		Pam Keller
X	Brad Reese		Bill MacAloney
X	David Shawver		Carol Warren
X	Christina Shea		Steven Choi
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	John Withers		Douglas Reinhart

STAFF MEMBERS PRESENT: Jim Ruth, General Manager; Bob Ghirelli, Assistant General Manager; Lilia Kovac, Associate Clerk of the Board; Nick Arhontes; Jim Herberg; Ed Torres; Lorenzo Tyner; Michael Gold; Norbert Gaia; Ryal Wheeler, Paula Zeller

OTHERS PRESENT: Brad Hogin, General Counsel; Drew Kolosky, Liberty Composting

MOVED, SECONDED AND DULY CARRIED: Receive and file minute excerpts of member agencies relating to appointment of Directors as follows:

<u>City/Agency</u>	<u>Active Director</u>	<u>Alternate Director</u>
Brea County of Orange Seal Beach	Roy Moore Chris Norby Charles Antos	Ron Garcia Janet Nguyen Gordon Shanks

PUBLIC COMMENTS

Mr. Drew Kolosky from Liberty Composting, addressed the Board members with reference to an offer to purchase the Sanitation District's Kings County property with the option to receive biosolids at a reduced rate contingent on sale of the property.

REPORT OF THE CHAIR

Doug Davert, Board Chair, announced that the dedication of the Steve Anderson Lift Station is scheduled for April 17, 2009. Chair Davert also reported that the trip to Washington, D.C., had proved to be productive by being able to meet with congressional staff. He also reported that the Sanitation District has been notified that it will be receiving a \$300,000 grant from the EPA to assist with upgrades to full secondary treatment.

REPORT OF THE GENERAL MANAGER

General Manager, Jim Ruth, briefed the Board members on the budget process and deferred the presentation of detailed budget assumptions to Lorenzo Tyner, Director of Finance and Administration. Mr. Ruth also provided a brief report of his monthly report.

REPORT OF THE GENERAL COUNSEL

Brad Hogin, General Counsel, reported there was a hearing scheduled in the Los Angeles courts on Kern County's Measure 'E' which bans the application of biosolids in the county.

RATIFICATION OF PAYMENT OF CLAIMS

MOVED, SECONDED AND DULY CARRIED: Ratify payment of claims, as corrected and set forth on Exhibits "A" and "B", attached hereto and made a part of these minutes.

<u>ALL DISTRICTS</u>	<u>01/15/09</u>	<u>01/31/09</u>
Totals	\$13,782,001.84	\$45,088,113.93

Director Crandall abstained from discussion and voting on Warrant No. 17755. Director Dalton abstained from discussion and voting on Warrant No. 17706. Director Luebben abstained from discussion and voting on Warrant Nos. 17769, 17834, 18007, and 18141. Director Shawver abstained from discussion and voting on Warrant No. 18043. Directors Norby, Shea, and Sidhu abstained from discussion and voting on all Warrants. Abstentions were pursuant to California Government Code Section 84308.

CONSENT CALENDAR

3. MOVED, SECONDED AND DULY CARRIED: Approve the minutes for the regular meeting held on January 28, 2009, to be filed and deemed approved, as mailed.

STEERING COMMITTEE

4. MOVED, SECONDED AND DULY CARRIED: Approve the Steering Committee Minutes for the meeting held on January 28, 2009 to be filed.
5. MOVED, SECONDED AND DULY CARRIED: Adopt the 2009 Legislative Platform and Goals.

OPERATIONS COMMITTEE

6. MOVED, SECONDED AND DULY CARRIED: Order Operations Committee Minutes for the meeting held on February 4, 2009 to be filed.
7. a) MOVED, SECONDED AND DULY CARRIED: Approve a Professional Consultant Services Agreement with Black & Veatch Corporation to provide construction support services for the Central Generation Automation, Job No. J-79-1, for an amount not to exceed \$779,546; and,
b) Approve a contingency of \$77,954 (10%).
8. Item pulled for discussion.

9. a) **MOVED, SECONDED AND DULY CARRIED:** Approve a Professional Design Services Agreement with Malcolm Pirnie, Inc. for Newport Force Main Condition Assessment, Project No. 5-60, providing for engineering design services for an amount not to exceed \$1,120,418; and,
b) Approve a contingency of \$112,042 (10%).
10. a) **MOVED, SECONDED AND DULY CARRIED:** Approve a Professional Design Services Agreement with Malcolm Pirnie, Inc. for CenGen Cooling Water System Replacement, Job No. J-109, providing for engineering design services for an amount not to exceed \$1,489,877; and,
b) Approve a contingency of \$148,988 (10%).
11. Item pulled for discussion.

NON-CONSENT CALENDAR

8. Jim Herberg, Director of Engineering, clarified that the funds for this project are being funded from other projects' unspent funds.

MOVED, SECONDED AND DULY CARRIED: Establish a budget for Outfall Land Section and OOBs Piping Rehabilitation, Project No. J-112, in the amount of \$7,858,836.
11. Ed Torres, Director of Technical Services, informed the Board of Directors that biosolids would be sent to Arizona.

MOVED, SECONDED AND DULY CARRIED: Approve Amendment No. 3 to the Agreement for the Management of Biosolids, specifying biosolids from Orange County Sanitation District will no longer be transported to or beneficially reused at any sites operated by Tule Ranch / Magan Farms in Kern County, California, in a form approved by General Counsel

ADMINISTRATION COMMITTEE

12. **MOVED, SECONDED AND DULY CARRIED:** Order Administration Committee Minutes for the meeting held on February 11, 2009 to be filed.
13. **MOVED, SECONDED AND DULY CARRIED:** Approve the FY 2009-10 budget assumptions and direct staff to incorporate these parameters in preparing the FY 2009-10 budget update.

NON-CONSENT CALENDAR

No items to be considered.

CLOSED SESSION

CONVENE IN CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTION

54956.9(c): The Board convened in closed session at 7:00 p.m. pursuant to Government Code Section 54956.9(c) to discuss one matter (Agenda Item No. 14). 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 Clerk of the Board in the official Book of Confidential Minutes of Board and Committee Closed Meetings.

RECONVENE IN REGULAR SESSION: The Board reconvened in regular session at 7:06 p.m.

ADJOURNMENT: The Chair declared the meeting adjourned at 7:08 p.m.



Lilia Kovac
Associate Clerk of the Board
Orange County Sanitation District