

Orange County Sanitation District

MINUTES

BOARD MEETING

March 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 March 25, 2009 at 6:30 p.m., in the Administrative Offices. Following the Pledge of Allegiance led by Moira Sullivan and invocation by Director Quirk, 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
X	Keith Bohr	Don Hansen
X	Bill Dalton	Andrew Do
X	Jon Dumitru	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 Mac Aloney
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; Penny Kyle, Clerk of the Board; Nick Arhontes; Jim Herberg; Ed Torres; Lorenzo Tyner; Lilia Kovac, Associate Clerk of the Board; Bret Colston, Ann Crafton; Kim Erickson; Michael Gold; Norbert Gaia; Jeff Peterson; Jeff Reed; Juanita Skillman; Moira Sullivan; Simon Watson; Ryal Wheeler, Chuck Winsor; Paula Zeller

OTHERS PRESENT: Brad Hogin, General Counsel; Gino Rampagna; 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>
Garden Grove	Bill Dalton	Andrew Do

PUBLIC COMMENTS

There were no comments.

REPORT OF THE CHAIR

Doug Davert, Board Chair, referred the directors to a letter mailed from Jim Ruth, General Manager, regarding biosolids management in response to comments made at last month's meeting. He also announced that OCSD will be receiving an award from the National Association of Clean Water Agencies in Milwaukee, Wisconsin in July 2009. Following the review of upcoming meetings, he acknowledged Nick Arhontes, Director of Operations & Maintenance who presented 30-year service awards to Jeff Peterson and Ryal Wheeler, and a 20-year service award to Paula Zeller.

REPORT OF THE GENERAL MANAGER

General Manager, Jim Ruth, provided a brief recap of his monthly report addressing the secondary treatment new grant, the progress on the SAWPA agreement negotiations; IRWD contract negotiations; the sale of emission reduction credits; the review of agreement between OCSD and O.C. Water District on the GWRS project; and internal labor negotiations training.

REPORT OF THE GENERAL COUNSEL

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

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>02/15/09</u>	<u>02/28/09</u>
Totals	\$14,730,395.05	\$13,823,964.42

Director Crandall abstained from discussion and voting on Warrant No. 18549. Director Dalton abstained from discussion and voting on Warrant Nos. 18503 and 18684. Director Luebben abstained from discussion and voting on Warrant Nos. 18193, 18565 and 18764. Director Shawver abstained from discussion and voting on Warrant Nos. 18646, 18659 and 18806. Directors Bohr, Norby, Shea, and Sidhu abstained from discussion and voting on all Warrants. Abstentions were pursuant to California Government Code Section 84308.

CONSENT CALENDAR

2. **MOVED, SECONDED AND DULY CARRIED:** Approve the minutes for the regular meeting held on February 25, 2009, to be filed and deemed approved, as mailed.

STEERING COMMITTEE

3. **MOVED, SECONDED AND DULY CARRIED:** Approve the Steering Committee Minutes for the meeting held on February 25, 2009 to be filed.

Chair Davert reported the Steering Committee had directed staff to identify and initiate discussions to return local sewers back to cities in the service area. The Steering Committee also received a legislative update.

OPERATIONS COMMITTEE

4. **MOVED, SECONDED AND DULY CARRIED:** Order Operations Committee Minutes for the meeting held on March 4, 2009 to be filed.
5. **MOVED, SECONDED AND DULY CARRIED:** a) Approve a contingency increase of \$69,885 (45%) to the Professional Design Services Agreement with The Austin Company for Laboratory Refurbishment at Plant No. 1, Job No. J-97, for a total contingency of \$77,650 (50%); and,

b) Approve a budget increase of \$70,000 for Laboratory refurbishments at Plant No. 1, Job No. J-97, for a total budget amount of \$487,000.
6. **MOVED, SECONDED AND DULY CARRIED:** a) Approve Plans and Specifications for the P1P2 In-Plant Public Address System Expansion, Project No. FE07-34, on file at the office of the Clerk of the Board;

b) Approve Addendum Nos. 1 through 4 to the plans and specifications;

c) Receive and file bid tabulation and recommendation;

d) Award a contract to FEI Enterprises, Inc., for the P1P2 In-Plant Public Address System Expansion, Project No. FE07-34, for an amount not to exceed \$285,000; and,

- e) Approve a contingency of \$57,000 (20%).
7. **MOVED, SECONDED AND DULY CARRIED:** a) Ratify Amendment No. 1 to Purchase Order No. 102907-OB issued to Hampton-Tedder Technical Services providing Electrical Acceptance Testing Services for Collection System and Treatment Plant Projects, Specification No. PSA-2007-003, for an additional amount of \$150,000; and,
- b) Approve Amendment No. 2 to Purchase Order No. 102907-OB issued to Hampton-Tedder Technical Services providing for Electrical Acceptance Testing Services for Collection System and Treatment Plant Projects, Specification No. PSA-2007-003, for an additional amount of \$250,000; and,
 - c) Approve a contingency of \$24,000 (3%).

ADMINISTRATION COMMITTEE

8. **MOVED, SECONDED AND DULY CARRIED:** Order Administration Committee Minutes for the meeting held on March 11, 2009 to be filed.
9. **MOVED, SECONDED AND DULY CARRIED:** a) Adopt Resolution No. OCSD 09-02, Approving the Deferred Compensation Plan with ING Financial Services for Officers and Employees of the District, and Repealing Resolution Nos. OCSD 03-27 and 05-27; and,
- b) Authorize the General Manager, or his designee, to execute all documents necessary to effect said Deferred Compensation Plan, in a form approved by General Counsel.

GWR SYSTEM STEERING COMMITTEE

10. **MOVED, SECONDED AND DULY CARRIED:** Approve Joint Groundwater Replenishment System Steering Committee Minutes for the meeting held on January 12, 2009, to be filed.

NON-CONSENT CALENDAR

11. **MOVED, SECONDED AND DULY CARRIED:** a) Approve Plans and Specifications for the Replacement of the Bitter Point Pump Station, Contract No. 5-49, on file at the office of the Clerk of the Board;
- b) Approve Addendum Nos. 1, 2, 3, 4, 5, and 6 to the plans and specifications;
 - c) Receive and file bid tabulation and recommendation;

- d) Award a contract to Kiewit/Mass, A Joint Venture, for the Replacement of the Bitter Point Pump Station, Contract No. 5-49, for a total amount not to exceed \$19,992,000; and,
- e) Approve a contingency of \$1,599,360 (8%).

CLOSED SESSION

There was no closed session.

OTHER BUSINESS AND COMMUNICATIONS OR SUPPLEMENTAL AGENDA ITEMS, IF ANY

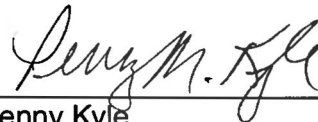
Michael Gold informed the Board of Directors about OCSD's support for AB 1100 by Assembly Member Mike Duvall. This bill would allow the bottling of recycled water, such as GWR water, for educational and demonstration purposes only.

Gold also discussed the status of the economic stimulus funds for wastewater infrastructure. He stated that the State Water Resources Control Board adopted a resolution specifying that 65 percent of the \$280 million would be made available as grants to disadvantaged communities and projects that were supposed to receive bond funding but were frozen due to lack of bond sales. The remaining 35 percent of the funds would be distributed as loans to agencies through the Clean Water State Revolving Loan Fund (SRF) program.

Under these guidelines, OCSD would not be eligible to receive any grant funds.

Gold reported that a coalition of urban wastewater agencies, including San Francisco, Los Angeles City and County, Oakland and Orange County have been working to change the criteria so that all economic stimulus funds would be distributed as grants and our efforts focused on a bill moving quickly through the legislature. He said the bill would be taken up on March 26.

ADJOURNMENT: The Chair declared the meeting adjourned at 7:18 p.m.



Penny Kyle
Clerk of the Board
Orange County Sanitation District