

Orange County Sanitation District
MINUTES
BOARD MEETING
May 20, 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 May 20, 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
X	Keith Bohr		Don Hansen
X	Bill Dalton		Andrew Do
A	Jon Dumitru		Denis Bilodeau
X	Troy Edgar		Ken Stephens
X	James M. Ferryman		Bob Ooten
X	Phil Luebben		Prakash Narain
	Patsy Marshall	X	Fred Smith
X	Roy Moore		Ron Garcia
X	Joy Neugebauer		Al Krippner
A	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; Ed Torres; Lorenzo Tyner; Lilia Kovac; Chris Cervellone; Bret Colson; Dean Fisher; Norbert Gaia; Michael Gold; Tod Haynes; Dave Heinz; Michelle Hetherington; Doug Hauser; John Linder; Mike Moore; Jeff Reed; Doug Hauser; Yvonne Schwab; Juanita Skillman; Ryal Wheeler, Chuck Winsor; Paula Zeller

OTHERS PRESENT: Brad Hogin, General Counsel; Gino Rampagna; Dave Greenwood

PUBLIC COMMENTS

There were no comments.

REPORT OF THE CHAIR

Doug Davert, Board Chair, briefly reported on his trip to Washington, D.C. to receive two awards for the GWRs project. Dave Greenwood, outgoing president of the California Water Environment Association was recognized and presented the Operator of the Year Award to Doug Hauser, Senior Plant Operator. Service awards were presented to Mike Moore and Chris Cervellone for 25 years of service. Chair Davert requested Christopher Townsend, Townsend and Associates, provide a brief overview on the May 19th election and its implications to the state budget. The Clerk of the Board reported a correction for the number of acres proposed to be annexed on agenda item No. 5(a) to be 499.1 acres.

REPORT OF THE GENERAL MANAGER

Jim Ruth, General Manager, presented an overview of the security assessment of the Sanitation District and OCWD, Leadership Academy, and the budget status.

REPORT OF THE GENERAL COUNSEL

There was no report.

1. a) This being the annual meeting fixed by the Board at which nominations are to be made for the office of Chair and Vice Chair of the Orange County Sanitation District, General Counsel declared the nominations open.

Director Doug Davert was nominated as a candidate for the office of Chair of the Orange County Sanitation District. Rules of Procedure for the Conduct of Business allow for a vote the same day as nominations, in the event there is only one nominee for each position. The vote was polled and the Clerk of the Board cast the unanimous ballot for Director Doug Davert as the Chair of the Orange County Sanitation District.

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- b. Director Larry Crandall was nominated as a candidate for the office of Vice Chair of the Orange County Sanitation District. A vote was polled and the Clerk of the Board cast the unanimous ballot for Director Larry Crandall as the Vice Chair of the Orange County Sanitation District.

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>04/15/09</u>	<u>04/30/09</u>
Totals	\$28,597,476.71	\$8,856,949.94

Director Crandall abstained from discussion and voting on Warrant No. 20303. Director Dalton abstained from discussion and voting on Warrant Nos. 20475 and 20654. Director Luebben abstained from discussion and voting on Warrant Nos. 19786, 20186, 20383, 20397, and 20697. Director Shawver abstained from discussion and voting on Warrant No. 20614. Directors Bohr, Shea, and Sidhu abstained from discussion and voting on all warrants. Abstentions were pursuant to California Government Code Section 84308.

CONSENT CALENDAR

Consideration of motion to approve all agenda items appearing on the Consent Calendar not specifically removed from same, as follows:

3. MOVED, SECONDED AND DULY CARRIED: Approve the minutes for the regular meeting held on April 22, 2009, to be filed and deemed approved, as mailed.

STEERING COMMITTEE

Vice Chair Crandall reported the Steering Committee had approved a renewal of agreements for state and federal advocacy and approved forwarding the Rancho Santiago Annexation to the board for consideration...

4. MOVED, SECONDED AND DULY CARRIED: Order Steering Committee Minutes for the regular meeting held on April 22, 2009 to be filed.
5.
 - a) MOVED, SECONDED AND DULY CARRIED: Authorize staff to annex approximately 499.1 acres to Orange County Sanitation District (OCSD) in the vicinity of Rancho Santiago Boulevard, in areas within the City of Orange, and an unincorporated area of Orange County;
 - b) Adopt Resolution No. OCSD 09-05, authorizing initiation of proceedings to annex said territory to OCSD (Proposed Annexation No. OCSD-63 – Rancho Santiago Annexation); and,
 - c) Defer collection of associated fees for proposed Annexation No. OCSD-63 – Rancho Santiago Annexation until a sewer connection is permitted.

OPERATIONS COMMITTEE

6. **MOVED, SECONDED AND DULY CARRIED:** Order Operations Committee Minutes for the meeting held on May 6, 2009 to be filed as corrected.
7. **MOVED, SECONDED AND DULY CARRIED:** Approve the final Sewer System Management Plan prepared by staff dated May 1, 2009.
8. **MOVED, SECONDED AND DULY CARRIED:** a) Award a contract to Polydyne, Inc., for the Purchase of Liquid Cationic Polymer, Specification No. C-2008-395BD, for a unit price of \$1.975 per active pound delivered for Solution polymer plus applicable sales tax, and \$1.85 per active pound delivered for Mannich polymer plus applicable sales tax, for an estimated annual amount of \$2,282,500 for the period July 1, 2009 through June 30, 2010, and four one-year renewal options; and,
 - b) Approve a 10% annual unit price contingency.
9. **MOVED, SECONDED AND DULY CARRIED:** a) Award a contract to U.S. Peroxide, LLC, for Regional Odor and Corrosion Control Services, Specification No. C-2009-405BD, at the unit prices of \$1.78/gallon delivered plus tax for Ferrous Chloride; \$1.72/gallon delivered plus tax for Hydrogen Peroxide (27%), indexed to the natural gas previous quarter average NYMEX Henry-Hub gas base price of \$9.00 per MMBtu, and an escalation index factor of an additional \$0.025/gallon for every increase of \$1.00 above the indexed cost; and, \$2.19/gallon delivered plus tax for Bioxide, for an estimated annual amount of \$3,300,000, for the period July 1, 2009 through June 30, 2010, and four one-year renewal options;
 - b) Award a contract to Hill Brothers Chemical Company for Regional Odor and Corrosion Control Services, Specification No. C-2009-405BD, for an initial delivered unit price of \$1.736/gallon plus tax for Magnesium Hydroxide, indexed to the natural gas previous month's daily average NYMEX Henry-Hub gas base price of \$13.25 per MMBtu, and an escalation index factor of an additional \$0.06 per gallon for every increase of \$1.00 above the indexed cost, for an estimated annual amount of \$2,500,000 for the period July 1, 2009 through June 30, 2010, and four one-year renewal options; and,
 - c) Approve a 10% annual unit price contingency.
10. **MOVED, SECONDED AND DULY CARRIED:** Approve Amendment No. 4 to the Agreement for Private Operation and Maintenance of Oxygen Generation System at Plant No. 2 with Air Products and Chemicals, Inc., (P.O. 43063-OB), extending the contract for a two-year period beginning February 2, 2010 to February 1, 2012, for an annual amount of \$321,766.80 adjusted annually based on the Consumer Price Index for the Los Angeles/Orange County/Riverside area.
11. **MOVED, SECONDED AND DULY CARRIED:** Authorize staff to enter into negotiations with Malcolm Pirnie, Inc. for construction support services for Replacement of the Rocky Point Pump Station, Contract No. 5-50.

12. MOVED, SECONDED AND DULY CARRIED: Authorize staff to enter into negotiations with Dudek, Inc. for construction support services for Bayside Drive Improvement, Contract No. 5-61.
13. MOVED, SECONDED AND DULY CARRIED: Receive and file the ADA Compliance Feasibility Study for P1 Miscellaneous Buildings Office Improvements, Project No. FE07-08, dated August 2008, prepared by Willdan.
14. MOVED, SECONDED AND DULY CARRIED: Approve Amendment No. 9 to the Professional Services Agreement with Integrated Program Management Consultants, a joint venture of Parsons Water and Infrastructure, Inc., and CH2M Hill, Inc., authorizing:
 - a) Establish an amount not to exceed \$15,877,732 for year eight (Fiscal Year 2009-10) of the ten-year contract; and,
 - b) Increase the total amount of the ten-year contract to a total amount not to exceed \$108,954,978.
15. MOVED, SECONDED AND DULY CARRIED: a) Approve Plans and Specifications for the P2 Plant Water PS Discharge Piping, Project No. FE07-17, on file at the office of the Clerk of the Board;
 - b) Approve Addendum Nos. 1 and 2 to the plans and specifications;
 - c) Receive and file bid tabulation and recommendation;
 - d) Receive and file letter dated February 5, 2009, from Atlas Allied, Inc., requesting relief of their bid in the amount of \$323,900 due to a mathematical error;
 - e) Award a contract to Ken Thompson, Inc., for P2 Plant Water PS Discharge Piping, Project No. FE07-17, for an amount not to exceed \$460,000; and,
 - f) Approve a contingency of \$92,000 (20%).

ADMINISTRATION COMMITTEE

16. MOVED, SECONDED AND DULY CARRIED: Order Administration Committee Minutes for the meeting held on May 13, 2009 to be filed.

GWR SYSTEM STEERING COMMITTEE

17. MOVED, SECONDED AND DULY CARRIED: Approve Joint Groundwater Replenishment System Steering Committee Minutes for the meeting held on March 9, 2009, to be filed.

NON-CONSENT CALENDAR

There were no items.

CLOSED SESSION

There was no closed session.

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



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