

Orange County Sanitation District

MINUTES

BOARD MEETING

June 24, 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 June 24, 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
	John Anderson	X	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
	Patsy Marshall	X	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
	Don Webb	X	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; Bret Colson; Norbert Gaia; Michael Gold; Jeff Reed; Juanita Skillman; Simon Watson; Paula Zeller

OTHERS PRESENT: Brad Hogin, General Counsel; Gino Rampagna; Alternate Director Al Krippner; Richard Corneille

PUBLIC COMMENTS

There were no comments.

REPORT OF THE CHAIR

Doug Davert, Board Chair, reported on a tour of the Groundwater Replenishment System taken by Attorney General Jerry Brown on June 17, and an open house held by EnerTech in Rialto on June 11. It was also reported that he and Vice Chair Crandall were planning to travel to Washington, DC, from July 7 – 10.

Richard Corneille, Vice President of CDM, presented the American Council of Engineering Companies (ACEC) Golden State Award for the Groundwater Replenishment System project to Chair Davert, and reported the project also won the Grand Award and the Grand Conceptor Award.

It was announced that the Operations Committee would be meeting on July 1, and the Administration Committee is scheduled for July 8.

REPORT OF THE GENERAL MANAGER

Jim Ruth, General Manager, provided a brief overview of his monthly status report and referred to items included in the Directors' meeting folders. He also reported on the efficiency changes that were made to the 2009/10 budget, and that should the state decide to extract some of the local government property tax, additional service options would be provided to the Board for consideration.

REPORT OF THE GENERAL COUNSEL

There was no 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>05/15/09</u>	<u>05/31/09</u>
Totals	\$22,921,490.10	\$13,288,340.21

Director Crandall abstained from discussion and voting on Warrant No. 21425. Director Dalton abstained from discussion and voting on Warrant No. 20838. Director Dumitru abstained from discussion and voting on Warrant Nos. 21123, 21094, 21459 and 21476. Director Luebben abstained from discussion and voting on Warrant Nos. 20752, 20753, 21077 and 21148. Director Shawver abstained from discussion and voting on Warrant Nos. 21186 and 21375. 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 (2-4)

2. **MOVED, SECONDED AND DULY CARRIED:** Approve the minutes for the regular meeting held on May 20, 2009, to be filed and deemed approved, as mailed.

Director Winder abstained.
3. **MOVED, SECONDED AND DULY CARRIED:** Adopt Resolution No. OCSD 09-06, Establishing the Annual Appropriations Limit for Fiscal Year 2009-10, for the Orange County Sanitation District in accordance with the Provisions of Division 9 of Title 1 of the California Government Code.
4. **MOVED, SECONDED AND DULY CARRIED:** Ratify use of General Manager's purchasing authority, Resolution No. OCSD 07-04, authorizing the issuance of Change Order No. 1 to P.O. No. 71076-OS to Jamison Engineering Contractors, Inc. for emergency repairs to Plant No. 1 reclaimed water line, for an additional amount of \$61,259.91 for a total amount not to exceed \$136,259.91.

STEERING COMMITTEE (5)

5. **MOVED, SECONDED AND DULY CARRIED:** Order Steering Committee Minutes for the regular meeting held on May 20, 2009 to be filed.

OPERATIONS COMMITTEE (6 - 12)

Agenda Item No. 9 was pulled by Director Norby for discussion.

6. **MOVED, SECONDED AND DULY CARRIED:** Order Operations Committee Minutes for the meeting held on June 3, 2009 to be filed.
7. **MOVED, SECONDED AND DULY CARRIED:** Receive and file the 2008-2010 Asset Management Plan prepared by Sanitation District staff.
8. **MOVED, SECONDED AND DULY CARRIED:** a) Approve an agreement with Corrpro Companies, Inc. for Corrosion Management Staffing Support Services, Specification CS-2009-413BD, for the period July 1, 2009 through June 30, 2010, for a total annual amount not to exceed \$793,480, with four one-year renewable options; and,

b) Approve a contingency of \$79,348 (10%).
10. **MOVED, SECONDED AND DULY CARRIED:** Approve Amendment No. 1 to the Professional Services Consultant Agreement with Black and Veatch for the Electronic Operations and Maintenance Manual Project, Specification No. CS-2006-290BD (SP-53), for an additional amount of \$1,295,000 increasing the total contract amount from \$1,807,000 to a total amount not to exceed \$3,102,000.

11. **MOVED, SECONDED AND DULY CARRIED:** a) Approve a contingency increase of \$70,441 (5%) to the Professional Design Services Agreement with Black & Veatch Corporation, for the Power Monitoring and Control Systems, Job No. J-33-3, for a total contingency of \$307,388 (25%); and,

b) Authorize staff to negotiate a Professional Construction Services Agreement with Black & Veatch Corporation for construction support services for said project.
12. **MOVED, SECONDED AND DULY CARRIED:** a) Authorize staff to negotiate Amendment No. 1 to the Professional Design Services Agreement with DLT&V Systems Engineering for software programming services for Power Monitoring and Control Systems, Job No. J-33-3; and,

b) Authorize staff to negotiate a Purchase Agreement with Wonderware as a sole source provider for software for Power Monitoring and Control Systems, Job No. J-33-3.
9. Jim Herberg, Director of Engineering, responded to Director Norby's questions and concern on increased costs if more firms stop utilizing the services provided by the Center for Demographic Research. A motion was then made to approve extending the Memorandum of Understanding for one year at a cost of \$68,000. The motion failed for lack of a second. It was then:

MOVED, SECONDED AND DULY CARRIED: Approve Amendment No. 1 to the Memorandum of Understanding with California State University, Fullerton Auxiliary Services Corporation, for a one-year contract with the Center for Demographic Research, extending one additional year for the period of July 1, 2009 through June 30, 2010, for \$71,000, for a total amount not to exceed \$244,671.

ADMINISTRATION COMMITTEE (13 – 20)

13. **MOVED, SECONDED AND DULY CARRIED:** Order Administration Committee Minutes for the meeting held on June 10, 2009 to be filed
14. **MOVED, SECONDED AND DULY CARRIED:** Adopt Resolution No. OCSD 09-07, Adopting the Records Management Program Policy and Procedures, Retention Schedule and Record Series Definitions, Authorizing Destruction of Obsolete Records, and Repealing Resolution No. OCSD 08-06.
15. **MOVED, SECONDED AND DULY CARRIED:** a) Authorize the General Manager to enter into contracts for Temporary Employment Services (Specification No. CS-2009-421BD) with temporary service firms for a total amount not to exceed \$450,000 per year, for a one-year period (July 1, 2009 through June 30, 2010), with a one-year renewal option;

b) Approve an annual contingency of \$50,000 (11%); and,

c) Authorize the General Manager to add or delete such firms as necessary to meet work requirements as identified by the Human Resources Division.

16. MOVED, SECONDED AND DULY CARRIED: Adopt Resolution No. OCSD 09-08, Establishing Use Charges for the 2009-10 Fiscal Year Pursuant to the Wastewater Treatment and Disposal Agreement with the Santa Ana Watershed Project Authority.
17. MOVED, SECONDED AND DULY CARRIED: Adopt Resolution OCSD 09-09, Authorizing Certain District Officers to Execute Documents Necessary to Obtain Purchasing Card Accounts with Commerce Bank, N.A.
18. MOVED, SECONDED AND DULY CARRIED: Approve an amended Memorandum of Understanding to the California State Association of Counties Excess Workers' Compensation Program effective March 6, 2009, in a form approved by General Counsel.
19. MOVED, SECONDED AND DULY CARRIED: a) Renew the District's Excess General Liability Insurance for the period July 1, 2009 through June 30, 2010, in an amount not to exceed \$370,498;
 b) Renew the District's Excess Workers' Compensation Insurance for the period July 1, 2009 through June 30, 2010, at a rate not to exceed .0028 (estimated premium of \$180,687 based on estimated 2009-10 payroll);
 c) Renew the District's All-Risk Property and Flood Insurance for the period July 1, 2009 through June 30, 2010, in an amount not to exceed \$468,394; and,
 d) Renew the District's Boiler & Machinery Insurance Program for the period July 1, 2009 through June 30, 2010, in an amount not to exceed \$19,000.
20. MOVED, SECONDED AND DULY CARRIED: Approve the proposed revisions to the Operating, Capital, Debt/COP Service and Self-Insurance Budgets for FY 2009-10, as follows:

	Originally Adopted Budget FY 2009-10	Proposed Revised Budget FY 2009-10
Operations, Maintenance & Working Capital	\$154,038,030	\$156,116,920
Worker's Compensation Self Insurance	535,000	718,000
General Liability and Property Self-Insurance	1,606,200	2,106,200
Capital Improvement Program	228,907,000	259,068,000
Debt/COP Service	84,297,030	77,076,280
TOTAL	\$469,383,260	\$495,085,400

GWR SYSTEM STEERING COMMITTEE (21)

21. A brief report was given by Vice Chair Crandall regarding the Joint Groundwater Replenishment System Steering Committee meeting held on June 8, 2009.

NON-CONSENT CALENDAR (22)

22. **MOVED, SECONDED AND DULY CARRIED:** a) Approve Plans and Specifications for the Plant 1 Headworks Scrubber Complex Improvements, Project No. FE06-01, on file at the office of the Clerk of the Board;
- b) Approve Addendum No. 1 to the plans and specifications;
- c) Receive and file bid tabulation and recommendation;
- d) Reject low bid received from Trinity Process Solutions, Inc., in the amount of \$364,686.17, as nonresponsive;
- e) Award a contract to S.S. Mechanical Corporation, for Plant 1 Headworks Scrubber Complex Improvements, Project No. FE06-01, for an amount not to exceed \$369,676; and,
- f) Approve a contingency of \$73,935 (20%).


CLOSED SESSION

There was no closed session.

OTHER BUSINESS AND COMMUNICATIONS OR SUPPLEMENTAL AGENDA ITEMS, IF ANY

Chair Davert recognized Michael Gold, Legislative Affairs Liaison, who gave a brief update on the state budget's struggle for approval, and the possible issuance of I.O.U.'s the following month.

ADJOURNMENT: The Chair declared the meeting adjourned at 7:15 p.m.


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