

Orange County Sanitation District

MINUTES

BOARD MEETING

May 25, 2011



**Administration Building
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 April 20, 2011, at 6:30 p.m., in the Administration Building. Following the Pledge of Allegiance and invocation, a quorum was declared present by the Associate Clerk of the Board as follows:

ACTIVE DIRECTORS

ALTERNATE DIRECTORS

X	Larry Crandall, Chair		Steve Nagel
A	Troy Edgar, Vice Chair		Ken Stephens
X	John Anderson		Jim Winder
X	Tom Beamish		Rose Espinoza
X	Joe Carchio		Matthew Harper
X	Bill Dalton		Andrew Do
X	Jon Dumitru		Denis Bilodeau
X	James M. Ferryman		Bob Ooten
X	Michael Levitt		Gordon Shanks
X	Jeffrey Lalloway		Steven Choi
X	Roy Moore		Ron Garcia
X	Prakash Narain		Doug Bailey
X	Joy Neugebauer		Al Krippner
X	Janet Nguyen		Shawn Nelson
X	John Nielsen		Jerry Amante
X	Sharon Quirk-Silva		Pat McKinley
X	Brad Reese		Robert Fauteux
X	Steven Rosansky		Nancy Gardner
X	David Shawver		Carol Warren
X	Harry Sidhu		Gail Eastman
X	Fred Smith		Steve Berry
X	Sal Tinajero		David Benavides
X	Constance Underhill		Joseph Aguirre
X	Mark Waldman		Steven Hwangbo
X	John Withers		Douglas Reinhart

STAFF MEMBERS PRESENT: Jim Ruth, General Manager; Bob Ghirelli, Assistant General Manager; Jim Herberg, Assistant General Manager; Nick Arhontes, Director of Facilities Support Services; Lorenzo Tyner, Director of Finance & Administrative Services; Jeff Reed, Director of Human Resources; Lilia Kovac, Associate Clerk of the Board; Cindi Ambrose; Mariam Angold; Jim Burror; Deon Carrico; Ron Coss; Jim Davidson; Michael Gold; Mike Larkin; Bea Mitchell; Mark Mutz; Alex Shabaan; Kathy Waldron; and Paula Zeller.

OTHERS PRESENT: Brad Hogin, General Counsel; Denise Bell; Ken Capehart, Michael Moore.

PUBLIC COMMENTS:

There were no public comments.

REPORTS:

Board Chair Crandall announced the appointment of Director John Nielsen to the Operations Committee as Vice Chair. Chair Crandall announced the passing of General Counsel Tom Woodruff on May 17th, and that the Board meeting would be adjourned in his memory. Chair Crandall also attended a tour at Plant 1 with Assemblyman Don Wagner May 13th, and a briefing of the fuel cell with Congressman Dana Rohrabacher on May 18th. Mr. Crandall announced that he and Vice Chair Troy Edgar will be traveling to Washington, D.C. to meet with the Orange County delegation; and he reviewed the meeting schedule for May.

Director of Facilities Support Services, Nick Arhontes, presented a 25-year service award to Jim Davidson. Director of Operations and Maintenance, Ed Torres, presented a 20-year service award to Mariam Angold.

General Manager, Jim Ruth, announced that Maria Ayala is the new Clerk of the Board and is scheduled to begin Tuesday, May 31st. Mr. Ruth briefly reported on a Workshop for Women in Wastewater; labor negotiations, budget update and Beyond 2012 progress.

ELECTIONS:

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 Larry Crandall 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 on the same day as nominations, in the event there is only one nominee for each position. The vote was polled and the Associate Clerk of the Board cast the unanimous ballot for Director Larry Crandall as the Chair of the Orange County Sanitation District.

-
- B. Director Troy Edgar was nominated as a candidate for the office of Vice Chair of the Orange County Sanitation District. A vote was polled and the Associate Clerk of the Board cast the unanimous ballot for Director Troy Edgar as the Vice Chair of the Orange County Sanitation District.

RATIFICATION OF PAYMENT OF CLAIMS:

2. MOVED, SECONDED, AND DULY CARRIED: Ratify payment of claims of the District, by roll call vote, as follows:

<u>Claims Paid for the Period Ending:</u>	<u>04/15/11</u>	<u>04/30/11</u>
Totals	\$10,951,433.05	\$43,152,485.78

Directors Dalton, Dumitru, Nguyen, Nielsen, Sidhu and Tinajero abstained from discussion and voting on all warrants pursuant to California Government Code Section 84308.

CONSENT CALENDAR:

3. MOVED, SECONDED, AND DULY CARRIED: Approve Minutes for the Regular Meeting held on April 20, 2011.
4. MOVED, SECONDED, AND DULY CARRIED: Adopt Resolution No. OCSD 11-05, Adopting a Conflict of Interest Code Which Supersedes All Prior Conflict of Interest Codes and Amendments Previously Adopted.
5. MOVED, SECONDED, AND DULY CARRIED: Approve a three-year Memorandum of Understanding with California State University, Fullerton Auxiliary Services Corporation for Continued Operation of the Center for Demographic Research, for the period July 1, 2011 through June 30, 2014, for a total amount not to exceed \$235,642.

NON-CONSENT CALENDAR:

6. Assistant General Manager, Jim Herberg, provided an update to reflect the expanded scope of work and current negotiated terms with the City of Tustin. It was then,
- A. MOVED, SECONDED, AND DULY CARRIED: Approve a Reimbursement Agreement with the City of Irvine for the construction of a portion of the Orange County Sanitation District's Gisler-Redhill System Improvements, Reach B, Contract No. 7-37 for an amount not to exceed \$150,000 to be paid to the City of Irvine; in a form approved by General Counsel;
- B. Approve a Reimbursement Agreement with the City of Tustin for the construction of a portion of the Orange County Sanitation District's Gisler-Redhill System Improvements, Reach B, Contract No. 7-37 for an amount not to exceed \$225,000 to be paid to the City of Tustin; in a form approved by General Counsel; and,

- C. Approve a Reimbursement Agreement with the City of Tustin, for conducting sewer repairs for the Newport Avenue/SR55 Northbound Ramp Reconfiguration Project, for the amount not to exceed \$100,000 to be paid to the Orange County Sanitation District, in a form approved by General Counsel.

STEERING COMMITTEE:

Chair Crandall reported that the Committee members received an update on the property tax revenue options, Public Affairs activities, legislative update, and met in closed session.

7. MOVED, SECONDED, AND DULY CARRIED: Approve minutes of the April 20, 2011, Steering Committee meeting.

OPERATIONS COMMITTEE:

8. MOVED, SECONDED, AND DULY CARRIED: Approve minutes of the May 4, 2011, Operations Committee meeting.
9. MOVED, SECONDED, AND DULY CARRIED: Authorize the General Manager to issue Amendment No. 1 to Task Order 07-00-13-01 to Professional Services Agreement with Tran Consulting Engineers, Inc., providing additional design services for P2 Power Building A, B, D & CenGen HVAC Addition, Project No. FE07-32, for an additional amount of \$44,401.28, increasing the total amount not to exceed \$66,612.20.
10. A. MOVED, SECONDED, AND DULY CARRIED: Approve Amendment No. 2 to the Professional Design Services Agreement with Black and Veatch providing additional design services for Outfall Land Section and Ocean Outfall Booster Pump Station (OOBS) Piping Rehabilitation, Project No. J-112, for an additional amount of \$2,073,316, increasing the total amount not to exceed \$3,365,130; and,
B. Approve a contingency of \$207,332 for a total contingency of \$334,513 (9.94%).
11. A. MOVED, SECONDED, AND DULY CARRIED: Approve Amendment No. 11 to the Professional Services Agreement with Integrated Program Management Consultants, a joint venture of Parsons Water and Infrastructure, Inc. and CH2M Hill, Inc., authorizing:
B. Establishing an amount not to exceed \$8,400,000 for year ten (Fiscal Year 2011-12) of the ten-year agreement; and,
C. Reducing the amount of the ten-year agreement by \$1,357,838 for a total amount not to exceed \$121,367,140.

OPERATIONS COMMITTEE: (Cont'd)

12. A. MOVED, SECONDED, AND DULY CARRIED: Award a contract to US Peroxide, Inc. for the purchase of Hydrogen Peroxide, Specification No. C-2011-480, for the period July 1, 2011 through June 30, 2012 for a unit price of \$1.750 per gallon delivered, plus applicable sales tax for a total annual amount not to exceed \$1,615,000 with four one-year renewal options; and
- B. Approve a unit price contingency of 10%.

ADMINISTRATION COMMITTEE:

13. MOVED, SECONDED, AND DULY CARRIED: Approve minutes of the May 11, 2011, Administration Committee meeting.

NON-CONSENT CALENDAR

14. A. MOVED, SECONDED, AND DULY CARRIED: Consider, receive, and file Addendum No. 5 to the Orange County Water District (OCWD) Final Program EIR/EIS Groundwater Replenishment System (GWRS), Modified Phase II Expansion Project, also known and herein referenced as the GWRS Initial Expansion Project;
- B. Adopt Resolution No. OCSD 11-06, Adopting Findings with Respect to the California Environmental Quality Act in Consideration of the GWRS Final Program EIR/EIS (FEIR) as Augmented by Addendum No. 5 to the FEIR and Related Actions;
- C. Approve Reimbursement Agreement with OCWD entitled "Reimbursement Agreement Between The Orange County Water District and The Orange County Sanitation District For Construction of Portions of GWRS Initial Expansion Under The Secondary Activated Sludge Facility 2 at Plant No. 1, Job No. P1-102," in a form approved by General Counsel, for an estimated amount not to exceed \$100,000, to be reimbursed to the Sanitation District;
- D. Authorize the General Manager to ratify a change order to the Secondary Activated Sludge Facility 2 at Plant No. 1, Job No. P1-102, to construct portions of the GWRS Initial Expansion Project for an amount not to exceed \$100,000; and,
- E. Approve a Storage Tanks Lease and License Agreement By and Between the Sanitation District and OCWD, for installation of two 7.5 million gallon storage tanks on Sanitation District's Plant No. 1 site for \$1 per year.

CLOSED SESSION:

CONVENED IN CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTIONS: 54956.9(a) and 54954.5(f).

The Board convened in closed session at 7:00 p.m. to discuss two matters. Confidential Minutes of the Closed Session have been prepared in accordance with the above Government Code Sections and are maintained by the Clerk of the Board in the Official Book of Confidential Minutes of Board and Committee Closed Meetings.

Director Dumitru recused himself from the closed session.

RECONVENE IN REGULAR SESSION: The Board reconvened in regular session at 7:21 p.m.

CONSIDERATION OF ACTION, IF ANY, ON MATTERS CONSIDERED IN CLOSED SESSION:

None

OTHER BUSINESS AND COMMUNICATIONS OR SUPPLEMENTAL AGENDA ITEMS, IF ANY:

None

ADJOURNMENT:

The Chair declared the meeting adjourned at 7:22 p.m. in memory of Tom Woodruff.



Lilia Kovac, CMC
Associate Clerk of the Board