



CALL TO ORDER

A special meeting of the Steering Committee of the Orange County Sanitation District was called to order by Board Chairman John Withers on Wednesday, September 29, 2021 at 5:04 p.m. in the Administration Building of the Orange County Sanitation District. Chair Withers stated that the meeting was being held telephonically and via audio/video teleconferencing in accordance with the Governor's Executive Order No. N-29-20, due to the Coronavirus Pandemic (COVID-19).

ROLL CALL AND DECLARATION OF QUORUM:

Roll call was taken and a quorum was declared present, as follows:

PRESENT: John Withers, Chad Wanke, Ryan Gallagher, Brooke Jones, Sandra Massa-Lavitt, Jesus Silva and Glenn Parker
ABSENT: None

STAFF PRESENT: Kelly Lore, Clerk of the Board, and Brian Engeln were present in the Board Room. Jim Herberg, General Manager; Rob Thompson, Assistant General Manager; Lorenzo Tyner, Assistant General Manager; Celia Chandler, Director of Human Resources; Kathy Millea, Director of Engineering; Lan Wiborg, Director of Environmental Services; Janine Aguilar; Angela Brandt; Jennifer Cabral; Mortimer Caparas; Raul Cuellar; Tina Knapp; Joshua Martinez; Rob Michaels; Jeff Mohr; Wally Ritchie; Thomas Vu; and Ruth Zintzun were in attendance telephonically.

OTHERS PRESENT: Brad Hugin, General Counsel, and Gary Weisberg, Associate Counsel, were present in the Board Room.

PUBLIC COMMENTS:

None.

The Clerk of the Board stated that after the publication of the agenda she received late communication that Item Nos. CS-2(b) and CS-2(c) would not be heard this evening.

REPORTS:

Chair Withers stated that Executive Orders N-25-20 and N-29-20, which temporarily suspended portions of the Brown Act that allowed for public meetings to be held virtually, will expire on September 30, 2021; and explained that AB 361, recently signed by the Governor, will allow Committee and Board meetings to remain virtual under a declared emergency. Chair Withers shared the specifics of the new law and stated that a Special Meeting of the

Board of Directors will be held on October 6, 2021 at 5:00 p.m. to hear the initial Resolution. This will be just prior to the Regular Meeting of the Operations Committee Meeting which will meet at a special time of 5:30 p.m.

General Manager Jim Herberg did not provide a report.

CONSENT CALENDAR:

1. APPROVAL OF MINUTES

[2021-1861](#)

Originator: Kelly Lore

MOVED, SECONDED, AND DULY CARRIED TO:

Approve Minutes of the Regular Meeting of the Steering Committee held August 25, 2021.

AYES: John Withers, Chad Wanke, Ryan Gallagher, Brooke Jones, Sandra Massa-Lavitt, Jesus Silva and Glenn Parker

NOES: None

ABSENT: None

ABSTENTIONS: None

NON-CONSENT:

None.

INFORMATION ITEMS:

None.

CLOSED SESSION:

CONVENED IN CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTIONS 54956.9(d)(4), 54956.9(d)(1), 54957.6 & 54956.8.

The Committee convened in closed session at 5:21 p.m. Confidential minutes of the Closed Sessions 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 Session meetings.

CS-1 CONFERENCE WITH LEGAL COUNSEL RE ANTICIPATED LITIGATION - GOVERNMENT CODE SECTION 54956.9(d)(4)

[2021-1852](#)

CONVENED IN CLOSED SESSION:

Number of Potential Cases: 2

- A. Initiation of litigation regarding permittee: Aseptic Technology and Beverage Visions, LLC.
- B. Potential initiation of eminent domain litigation regarding property owned by Bayside Village Marina, LLC.

**CS-2 CONFERENCE WITH LEGAL COUNSEL RE EXISTING LITIGATION - [2021-1867](#)
GOVERNMENT CODE SECTION 54956.9(d)(1)**

CONVENED IN CLOSED SESSION: Item Nos. CS-2(B) and CS-2(B) not heard.

Number of Cases: 3

- A. Arlin Blazevic v. Orange County Sanitation District; Natasha Dubrovski; Lorenzo Tyner; and Does 1-100, inclusive. Superior Court of California, County of Orange, Case No. 30-2020-01149812-CU-WT-CJC.
- B. Heidi M. Janz v. Orange County Sanitation District; Its Board of Directors, Officers, Officials, Agents and Celia Chandler, Director of Human Resources and Does 1 through 10, Superior Court of California, County of Orange, Case No. 30-2021-01208616-CU-OE-CJC.
- C. Raul Palazuelos v. Orange County Sanitation District, a government entity; Richard Kwiecien, an individual; and Does 1 through 100, inclusive. Superior Court of California, County of Orange, Case No. 30-2021-01217839-CU-OE-CJC.

**CS-3 CONFERENCE WITH LABOR NEGOTIATORS - GOVERNMENT [2021-1869](#)
CODE SECTION 54957.6**

CONVENED IN CLOSED SESSION:

Agency Designated Representatives: General Manager Jim Herberg, Assistant General Manager Lorenzo Tyner, and Director of Human Resources Celia Chandler.

Employee Organizations: International Union of Operating Engineers, Local 501; Orange County Employees Association; and the Supervisors and Professionals Group.

**CS-4 CONFERENCE WITH REAL PROPERTY NEGOTIATORS - [2021-1866](#)
GOVERNMENT CODE SECTION 54956.8**

CONVENED IN CLOSED SESSION:

Number of Cases: 1

Property: Portions of 300 East Coast Highway, Newport Beach, CA; APN No. 440-132-60.

Agency negotiators: General Manager Jim Herberg, Assistant General Manager Lorenzo Tyner, Assistant General Manager Rob Thompson, Director of Engineering Kathy Millea, and Controller Wally Ritchie.

Negotiating parties: Bayside Village Marina, LLC

Under negotiation: Price and terms of payment

RECONVENED IN REGULAR SESSION.

The Committee reconvened in regular session at 6:09 p.m.

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

General Counsel Brad Hogin did not provide a report.

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

None.

BOARD OF DIRECTORS INITIATED ITEMS FOR A FUTURE MEETING:

None.

ADJOURNMENT:

Chair Withers declared the meeting adjourned at 6:10 p.m. to the Regular Steering Committee meeting to be held on Wednesday, October 27, 2021 at 5:00 p.m.

Submitted by:

Kelly A. Lore, MMC
Clerk of the Board