



ORANGE COUNTY SANITATION DISTRICT SPECIAL NOTICE REGARDING CORONAVIRUS (COVID-19) AND ATTENDANCE AT PUBLIC MEETINGS

Governor Newsom signed Assembly Bill (AB) 361 on September 16, 2021, which, in part, addresses the conduct of public meetings in light of the continued State of Emergency order.

Effective October 1, 2021, AB 361 suspends the requirements located in California Government Code, Section 54953, Subdivision (b), Paragraph (3) specifically pertaining to the conduct of public meetings. As such, the Orange County Sanitation District (OC San) Board of Directors has determined that due to the size of OC San's Board of Directors (25), and the health and safety of the members, the Board of Directors will be participating in meetings of the Board telephonically and via Internet accessibility.

PUBLIC PARTICIPATION

Your participation is always welcome. OC San offers several ways in which to interact during meetings. You will find information as to these opportunities below.

ONLINE MEETING PARTICIPATION

You may join the meeting live via Teams on your computer or similar device or web browser by using the link below:

[Click here to join the meeting](#)

We suggest testing joining a Teams meeting on your device prior to the commencement of the meeting. For recommendations, general guidance on using Teams, and instructions on joining a Teams meeting, [please click here](#).

Please mute yourself upon entry to the meeting. Please raise your hand if you wish to speak during the public comment section of the meeting. The Clerk of the Board will call upon you by using the name you joined with.

Meeting attendees are not provided the ability to make a presentation during the meeting. Please contact the Clerk of the Board at least 48 hours prior to the meeting if you wish to present any items. Additionally, camera feeds may be controlled by the meeting moderator to avoid inappropriate content.

HOW TO PARTICIPATE IN THE MEETING BY TELEPHONE

To join the meeting from your phone: Dial (213) 279-1455
When prompted, enter the Phone Conference ID: 631 411 998#

All meeting participants may be muted during the meeting to alleviate background noise. If you are muted, please use *6 to unmute. You may also mute yourself on your device.

Please raise your hand to speak by use *5, during the public comment section of the meeting. The Clerk of the Board will call upon you by using the last 4 digits of your phone number as identification.

NOTE: All attendees will be disconnected from the meeting at the beginning of Closed Session. If you would like to return to the Open Session portion of the meeting, please login or dial-in to the Teams meeting again and wait in the Lobby for admittance.

VIEW THE MEETING ONLINE ONLY

The meeting will be available for online viewing only at:

<https://ocsd.legistar.com/Calendar.aspx>

HOW TO SUBMIT A COMMENT

You may provide verbal comment in real time during the meeting. In order to provide a verbal comment, please raise your hand as described above or alert the Clerk of the Board before or during the public comment period.

You may also submit your comments and questions in writing for consideration in advance of the meeting by using the eComment feature available online at: <https://ocsd.legistar.com/Calendar.aspx> or sending them to OCSanClerk@ocsan.gov with the subject line "PUBLIC COMMENT ITEM # (insert the item number relevant to your comment)" or "PUBLIC COMMENT NON-AGENDA ITEM".

You may also submit comments and questions for consideration during the meeting by using the eComment feature available online at: <https://ocsd.legistar.com/Calendar.aspx>. The eComment feature will be available for the duration of the meeting.

All written public comments will be provided to the legislative body and may be read into the record or compiled as part of the record.

TECHNICAL SUPPORT PRIOR TO AND DURING MEETINGS

For technical assistance before and during the meeting, please call 714-593-7431. For any other questions and/or concerns, please contact the Clerk of the Board's office at 714-593-7433. Thank you, in advance, for your patience in working with these technologies. We appreciate your interest in OC San!

February 16, 2022

NOTICE OF REGULAR MEETING

**BOARD OF DIRECTORS
ORANGE COUNTY SANITATION DISTRICT**

Wednesday, February 23, 2022 – 6:00 P.M.

ACCESSIBILITY FOR THE GENERAL PUBLIC

Your participation is always welcome. Specific information as to how to participate in this meeting is detailed in the Special Notice attached to this agenda. In general, OC San offers several ways in which to interact during meetings: you may join the meeting live via Teams on your computer or similar device or web browser, join the meeting live via telephone, view the meeting online, and/or submit comments for consideration before or during the meeting.

The Regular Meeting of the Board of Directors of the Orange County Sanitation District will be held at the above location and in the manner indicated on Wednesday, February 23, 2022 at 6:00 p.m.



Clerk of the Board

Serving:

Anaheim

Brea

Buena Park

Cypress

Fountain Valley

Fullerton

Garden Grove

Huntington Beach

Irvine

La Habra

La Palma

Los Alamitos

Newport Beach

Orange

Placentia

Santa Ana

Seal Beach

Stanton

Tustin

Villa Park

County of Orange

Costa Mesa
Sanitary District

Midway City
Sanitary District

Irvine Ranch
Water District

Yorba Linda
Water District



BOARD OF DIRECTORS
Regular Meeting Agenda
Wednesday, February 23, 2022 - 6:00 PM
Board Room
Administration Building
10844 Ellis Avenue
Fountain Valley, CA 92708
(714) 593-7433

AGENDA POSTING: In accordance with the requirements of California Government Code Section 54954.2, this agenda has been posted outside the main gate of the OC San's Administration Building located at 10844 Ellis Avenue, Fountain Valley, California, and on the OC San's website at www.ocsan.gov not less than 72 hours prior to the meeting date and time above. All public records relating to each agenda item, including any public records distributed less than 72 hours prior to the meeting to all, or a majority of the Board of Directors, are available for public inspection in the office of the Clerk of the Board.

AGENDA DESCRIPTION: The agenda provides a brief general description of each item of business to be considered or discussed. The recommended action does not indicate what action will be taken. The Board of Directors may take any action which is deemed appropriate.

MEETING AUDIO: An audio recording of this meeting is available within 24 hours after adjournment of the meeting at <https://ocsd.legistar.com/Calendar.aspx> or by contacting the Clerk of the Board at (714) 593-7433.

NOTICE TO DIRECTORS: To place items on the agenda for a Committee or Board Meeting, the item must be submitted in writing to the Clerk of the Board: Kelly A. Lore, MMC, (714) 593-7433 / klore@ocsan.gov at least 14 days before the meeting.

FOR ANY QUESTIONS ON THE AGENDA, BOARD MEMBERS MAY CONTACT STAFF AT:

General Manager: Jim Herberg, jherberg@ocsan.gov / (714) 593-7300
Asst. General Manager: Lorenzo Tyner, ltyner@ocsan.gov / (714) 593-7550
Asst. General Manager: Rob Thompson, rthompson@ocsan.gov / (714) 593-7310
Director of Human Resources: Celia Chandler, cchandler@ocsan.gov / (714) 593-7202
Director of Engineering: Kathy Millea, kmillea@ocsan.gov / (714) 593-7365
Director of Environmental Services: Lan Wiborg, lwiborg@ocsan.gov / (714) 593-7450
Director of Operations & Maintenance: Riaz Moinuddin, rmoinuddin@ocsan.gov / (714) 593-7269

CALL TO ORDER

Board Chairman John Withers

INVOCATION AND PLEDGE OF ALLEGIANCE

Ron Bates, City of Los Alamitos

ROLL CALL AND DECLARATION OF QUORUM

Clerk of the Board

1. APPOINTMENTS TO THE ORANGE COUNTY SANITATION DISTRICT BOARD OF DIRECTORS [2022-2122](#)**RECOMMENDATION:**

Receive and file minute excerpts of member agencies relating to appointments to the Orange County Sanitation District Board of Directors:

Agency
City of La Palma

Director
Marshall Goodman

Alternate Director
Nitesh Patel

Originator: Kelly Lore

PUBLIC COMMENTS:

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SPECIAL PRESENTATIONS:**2. EMPLOYEE SERVICE AWARDS**[2022-2123](#)**20-year Service Awards**

Gary Conklin, Senior Engineer - Division 750

Roy Reynolds, Maintenance Supervisor - Division 880

Phil Sullivan, Construction Inspector - Division 770

Originator: Kelly Lore**REPORTS:**

The Board Chairperson and the General Manager may present verbal reports on miscellaneous matters of general interest to the Directors. These reports are for information only and require no action by the Directors.

CONSENT CALENDAR:

Consent Calendar Items are considered to be routine and will be enacted, by the Board of Directors, after one motion, without discussion. Any items withdrawn from the Consent Calendar for separate discussion will be considered in the regular order of business.

3. APPROVAL OF MINUTES[2022-2124](#)**RECOMMENDATION:**

Approve Minutes of the Board of Directors Meeting held January 26, 2022.

Originator: Kelly Lore**Attachments:** [Agenda Report](#)
[01-26-2022 Board Meeting Minutes](#)**4. 2022 CONFLICT OF INTEREST CODE**[2022-2128](#)**RECOMMENDATION:**

Adopt Resolution No. OC SAN 22-09 entitled, "A Resolution of the Board of Directors of Orange County Sanitation District adopting a Conflict of Interest Code which supersedes all prior Conflict of Interest Codes and amendments previously adopted".

Originator: Kelly Lore**Attachments:** [Agenda Report](#)
[Resolution No. OC SAN 22-09](#)
[2022 Draft Conflict of Interest Code](#)

RECEIVE AND FILE:**5. REPORT OF THE INVESTMENT TRANSACTIONS FOR THE MONTH OF JANUARY 2022 [2021-2011](#)**

RECOMMENDATION: Receive and file the following:

Report of the Investment Transactions for the month of January 2022.

Originator: Lorenzo Tyner

Attachments: [Agenda Report](#)
[Report of the Investment Transactions for the Month of January 2022](#)

6. COMMITTEE MEETING MINUTES [2022-2057](#)

RECOMMENDATION: Receive and file the following:

- A. Minutes of the Legislative and Public Affairs Committee Meeting held November 8, 2021
- B. Minutes of the Operations Committee Meeting held December 1, 2021
- C. Minutes of the Administrative Committee Meeting held December 8, 2021
- D. Minutes of the Steering Committee Meeting held December 15, 2021

Originator: Kelly Lore

Attachments: [Agenda Report](#)
[11-08-2021 LaPA Committee Minutes](#)
[12-01-2021 Operations Committee Minutes](#)
[12-08-2021 Administration Committee Minutes](#)
[12-15-2021 Steering Committee Minutes](#)

OPERATIONS COMMITTEE:**7. TRICKLING FILTER SLUDGE AND SCUM PUMPS REPLACEMENT AT PLANT NO. 1, PROJECT NO. FE19-03 [2022-2129](#)**

RECOMMENDATION:

- A. Receive and file Bid Tabulation and Recommendation for Trickling Filter Sludge and Scum Pumps Replacement at Plant No. 1, Project No. FE 19-03;
- B. Award a Construction Contract to Garney Pacific, Inc. for Trickling Filter Sludge and Scum Pumps Replacement at Plant No. 1, Project No. FE19-03, for an amount not to exceed \$778,000; and
- C. Approve a contingency of \$77,800 (10%).

Originator: Kathy Millea

Attachments: [Agenda Report](#)
[FE19-03 Construction Contract](#)

8. CENTRAL GENERATION PRESSURE VESSEL INTEGRITY RELIABILITY ASSESSMENT, PROJECT NO. PS20-05 [2022-2131](#)

RECOMMENDATION:

- A. Approve a Professional Consultant Services Agreement CS-2021-1267BD to Pond & Company for the Central Generation Pressure Vessel Integrity and Reliability Assessment, PS20-05, at Plant Nos. 1 and 2, for a total amount not to exceed \$235,133; and
- B. Approve a contingency of 23,513 (10%)

Originator: Kathy Millea

Attachments: [Agenda Report](#)
[CS-2021-1267BD Agreement](#)

9. THICKENING AND DEWATERING BUILDING PIPE SUPPORT IMPROVEMENTS AT PLANT NO. 1, PROJECT NO. FE20-06 [2022-2132](#)

RECOMMENDATION:

- A. Receive and file Bid Tabulation and Recommendation for Thickening and Dewatering Building Pipe Support Improvements at Plant No. 1, Project No. FE20-06;
- B. Award a Construction Contract to Garney Pacific, Inc. for Thickening and Dewatering Building Pipe Support Improvements at Plant No. 1, Project No. FE20-06 for an amount not to exceed \$793,000; and
- C. Approve a contingency of \$79,300 (10%).

Originator: Kathy Millea

Attachments: [Agenda Report](#)
[FE20-06 Contract](#)

10. ENGINEERING PROGRAM CONTRACT PERFORMANCE REPORT [2022-2133](#)

RECOMMENDATION:

Receive and file the Engineering Program Contract Performance Report for the period ending December 31, 2021.

Originator: Kathy Millea

Attachments: [Agenda Report](#)
[CIP Contract Report](#)

- 11. CHANGE ORDER TO WESTAIR GASES AND EQUIPMENT FOR PLANT NO. 2 LIQUID OXYGEN EMERGENCY PURCHASE ORDER NO. 107389-OB** [2022-2134](#)

RECOMMENDATION:

- A. Approve a Change Order to Purchase Order No. 107389-OB, with WestAir Gases and Equipment, for an additional amount of \$180,000 for Plant No. 2 liquid oxygen, for the period of February 1, 2022 through August 19, 2022, for a unit price of \$0.50 per 100CF, delivery \$180, hazmat \$20, and fuel charge \$20, for a total estimated annual amount of \$275,000; and
- B. Approve a (15%) unit price contingency.

Originator: Rob Thompson

Attachments: [Agenda Report](#)

- 12. PRIMARY SEDIMENTATION BASINS NO. 6-31 RELIABILITY IMPROVEMENTS AT PLANT NO. 1, PROJECT NO. P1-133** [2022-2135](#)

RECOMMENDATION:

- A. Receive and file Bid Tabulation and Recommendation for Primary Sedimentation Basins No. 6-31 Reliability Improvements at Plant No. 1, Project No. P1-133;
- B. Award a Construction Contract to Shimmick Construction Company, Inc. for Primary Sedimentation Basins No. 6-31 Reliability Improvements at Plant No. 1, Project No. P1-133, for an amount not to exceed \$6,275,000; and
- C. Approve a contingency of \$627,500 (10%).

Originator: Kathy Millea

Attachments: [Agenda Report](#)
[P1-133 Contract](#)
[Presentation - P1-133 Construction](#)

- 13. ACTIVATED SLUDGE CLARIFIER REPAIRS AT PLANT NO. 2, PROJECT NO. FR2-0018** [2022-2136](#)

RECOMMENDATION:

- A. Receive and file Bid Tabulation and Recommendation for Activated Sludge Clarifier Repairs at Plant No. 2, Project No. FR2-0018;

- B. Receive and file Award Protest from J.R. Filanc Construction Co., Inc. dated December 20, 2021 concerning the award to W.M. Lyles Co.;
- C. Receive and file Award Protest from Shimmick Construction Co., Inc. dated December 22, 2021 concerning the non-responsive bids submitted by all other contractors;
- D. Receive and file Orange County Sanitation District's determination letter dated January 4, 2022, issued to all bidders, recommending the rejection of all bids and re-advertising the project; and
- E. Reject all bids and direct staff to re-advertise this project for bid.

Originator: Kathy Millea

Attachments: [Agenda Report](#)
[FR2-0018 Protest - JR Filanc](#)
[FR2-0018 Protest - Shimmick](#)
[FR2-0018 Notice of Determination to all Bidders](#)

ADMINISTRATION COMMITTEE:

14. MID-YEAR CONSOLIDATED FINANCIAL REPORT FOR THE PERIOD ENDED DECEMBER 31, 2021 [**2022-2144**](#)

RECOMMENDATION:

Receive and file the Orange County Sanitation District Mid-Year Consolidated Financial Report for the period ended December 31, 2021.

Originator: Lorenzo Tyner

Attachments: [Agenda Report](#)
[Mid-Year Consolidated Financial Report for the period ended December 31, 2021](#)

15. DESIGNATION OF APPLICANT'S AGENT FOR DISASTER RELIEF [**2022-2145**](#)

RECOMMENDATION:

Adopt Resolution No. OC SAN 22-06, entitled: "A Resolution of the Board of Directors of the Orange County Sanitation District authorizing the General Manager or either Assistant General Manager to Execute State Office of Emergency Services and/or Federal Emergency Management Agency Documents and Relevant Permit Applications for Present and Future Disaster Relief Applications; and Repealing Resolution No. OCSD 19-01".

Originator: Kelly Lore

Attachments: [Agenda Report](#)
[FEMA Designation Resolution OC SAN 22-06](#)
[006-Cal OES 130](#)

16. GENERAL MANAGER APPROVED PURCHASES AND ADDITIONS TO THE PRE-APPROVED OEM SOLE SOURCE LIST [2022-2146](#)

RECOMMENDATION:

- A. Receive and file Orange County Sanitation District purchases made under the General Manager's authority for the period of October 1, 2021 to December 31, 2021; and
- B. Approve the following additions to the pre-approved OEM Sole Source List for the period of October 1, 2021 to December 31, 2021:
- ACOEM - Vibralign Fixture Laser Alignment Training
 - BEAMEX - Beamex Instrumentation Test Equipment Hardware and Software Training
 - HAYWORD-GORDON - Hayward-Gordon Pumps, Mixers, and Parts
 - INTERTECH - Modicon PLC Hardware, Software, and Network Training
 - MIDWAY MFG. & MACHINE COMPANY - Rechargeable Carbon Canisters
 - WSG & SOLUTIONS, INC. - Grit Classifier Repair Parts

Originator: Lorenzo Tyner

Attachments: [Agenda Report](#)

17. UNIFORM AND JANITORIAL ARTICLES RENTAL SERVICE [2022-2147](#)

RECOMMENDATION:

- A. Approve a service contract to Cintas Corporation No. 3 to provide Uniform and Janitorial Articles Rental Service, Specification No. S-2021-1277BD, for a total amount not to exceed \$839,512 for the period beginning April 1, 2022, through March 31, 2025, with one (1) three-year renewal period option; and
- B. Approve a three-year contingency of \$83,951 (10%).

Originator: Rob Thompson

Attachments: [Agenda Report](#)
[S-2021-1277BD Final Service Contract](#)

18. AMENDMENT TO OCSD PERSONNEL POLICIES AND PROCEDURES [2022-2148](#)RECOMMENDATION:

Adopt Resolution No. OC SAN 22-07 entitled: "A Resolution of the Board of Directors of the Orange County Sanitation District amending the Board of Directors Personnel Policies and Procedures Manual providing for classification, compensation, and other terms, conditions, policies, and procedures governing employment of District employees to include the addition of Policy No. 6.6, Diversity, Equity, and Inclusion; and Amending Resolution No. OCSD 18-18".

Originator: Celia Chandler

Attachments: [Agenda Report](#)
[Resolution No. OC SAN 22-07 Amendment to 18-18](#)
[Policy No. 6.6, Diversity, Equity, and Inclusion](#)
[Resolution No. OCSD 18-18](#)

19. INTERNAL AUDIT UPDATE [2022-2149](#)RECOMMENDATION:

Receive and file the Orange County Sanitation District Contracts Procurement Process Internal Audit Report dated January 4, 2022.

Originator: Lorenzo Tyner

Attachments: [Agenda Report](#)
[Internal Audit Report - Contracts Procurement Process](#)
[List of Past Audits](#)
[Audit Schedule](#)

LEGISLATIVE AND PUBLIC AFFAIRS COMMITTEE:**20. PUBLIC AFFAIRS STRATEGIC PLAN FOR FISCAL YEARS 2020-2022** [2022-2137](#)
MIDYEAR UPDATERECOMMENDATION:

Receive and file the Public Affairs Strategic Plan for Fiscal Years 2020 - 2022 Midyear Update.

Originator: Jim Herberg

Attachments: [Agenda Report](#)
[Public Affairs Strategic Plan FY 2020-2022](#)
[Communications Audit Report Executive Summary, February 2020](#)
[Presentation - PAO StratPlan MidYr Report](#)

21. PUBLIC AFFAIRS UPDATE FOR THE MONTHS OF NOVEMBER & DECEMBER 2021 AND JANUARY 2022 [2022-2138](#)**RECOMMENDATION:**

Receive and file the Public Affairs Update for the months of November & December 2021 and January 2022.

Originator: Jim Herberg

Attachments: [Agenda Report](#)
[Outreach and Media Report - November & December 2021 and January 2022](#)
[Presentation - PAO Update](#)

22. LEGISLATIVE AFFAIRS UPDATE FOR THE MONTHS OF NOVEMBER & DECEMBER 2021 AND JANUARY 2022 [2022-2139](#)**RECOMMENDATION:**

Receive and file the Legislative Affairs Update for the months of November & December 2021 and January 2022.

Originator: Jim Herberg

Attachments: [Agenda Report](#)
[Federal Update - ENS Resources](#)
[Federal Legislative Matrix - ENS Resources](#)
[State Update - TPA](#)
[Grant Matrix](#)
[Presentation - ENS Legislative Update](#)
[Presentation - TPA Legislative Update](#)

STEERING COMMITTEE:**23. RICHFIELD SUB-TRUNK ENCASEMENT, PROJECT NO. FRC-0011** [2022-2154](#)**RECOMMENDATION:**

Approve a Utility Relocation Agreement with the BNSF Railway Company for a reimbursement amount not to exceed \$121,065 for Richfield Sub-Trunk Encasement, Project No. FRC-0011.

Originator: Kathy Millea

Attachments: [Agenda Report](#)
[Utility Relocation Agreement - OC San BNSF](#)

NON-CONSENT:**24. CONTINUATION OF TELECONFERENCED PUBLIC MEETINGS**[2022-2125](#)**RECOMMENDATION:**

Adopt Resolution No. OC SAN 22-08 entitled, "A Resolution of the Board of Directors of the Orange County Sanitation District authorizing the continuation of Remote Meetings pursuant to Government Code Section 54953".

Originator: Kelly Lore

Attachments: [Agenda Report](#)
[Resolution No. OC SAN 22-08](#)

INFORMATION ITEMS:

None.

AB 1234 DISCLOSURE REPORTS:

This item allows Board members to provide a brief oral report regarding the disclosure of outside committees, conferences, training, seminars, etc. attended at the Agency's expense, per Government Code §53232.3(d).

CLOSED SESSION:

During the course of conducting the business set forth on this agenda as a regular meeting of the Board, the Chairperson may convene the Board in closed session to consider matters of pending real estate negotiations, pending or potential litigation, or personnel matters, pursuant to Government Code Sections 54956.8, 54956.9, 54957 or 54957.6, as noted.

Reports relating to (a) purchase and sale of real property; (b) matters of pending or potential litigation; (c) employment actions or negotiations with employee representatives; or which are exempt from public disclosure under the California Public Records Act, may be reviewed by the Board during a permitted closed session and are not available for public inspection. At such time the Board takes final action on any of these subjects, the minutes will reflect all required disclosures of information.

CONVENE IN CLOSED SESSION.**CS-1 CONFERENCE WITH LABOR NEGOTIATORS - GOVERNMENT CODE SECTION 54957.6**[2022-2157](#)

RECOMMENDATION: Convene in Closed Session:

Designated Representatives: General Manager James Herberg, Assistant General Managers Lorenzo Tyner and Rob Thompson, Director of Human Resources Celia Chandler, and Chief Negotiator Laura Kalty.

Employee Organizations: (3)

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

Attachments: [Agenda Report](#)
[General Counsel Memo re Labor Negotiations Board](#)
[02-23-22](#)

RECONVENE IN REGULAR SESSION.

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

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

BOARD OF DIRECTORS INITIATED ITEMS FOR A FUTURE MEETING:

At this time Directors may request staff to place an item on a future agenda.

ADJOURNMENT:

Adjourn the Board meeting until the Regular Meeting of the Board of Directors on March 23, 2022 at 6:00 p.m.