

ORANGE COUNTY SANITATION DISTRICT

MINUTES

BOARD OF DIRECTORS

MARCH 22, 2023



**Board Room
Administration Building
10844 Ellis Avenue
Fountain Valley, CA 92708
(714) 593-7433**

CALL TO ORDER

A regular meeting of the Board of Directors of the Orange County Sanitation District was called to order by Board Chairman Chad Wanke on Wednesday, March 22, 2023 at 6:08 p.m. in the Administration Building of the Orange County Sanitation District. Director Scott Minikus delivered the invocation and led the Pledge of Allegiance.

ROLL CALL AND DECLARATION OF QUORUM

The Clerk of the Board declared a quorum present as follows:

PRESENT: Brad Avery, Pat Burns, Doug Chaffee, Jon Dumitru, Rose Espinoza, Stephen Faessel, Ryan Gallagher, Glenn Grandis, Phil Hawkins, Johnathan Ryan Hernandez, Steve Jones, Christine Marick, Scott Minikus, Jordan Nefulda, Andrew Nguyen, Robert Ooten, Robbie Pitts, David Shawver, Susan Sonne, Schelly Sustarsic, Chad Wanke, John Withers and Debbie Baker (Alternate)

ABSENT: Farrah Khan and Bruce Whitaker

STAFF PRESENT: Rob Thompson, General Manager; Lorenzo Tyner, Assistant General Manager; Celia Chandler, Director of Human Resources; Kathy Millea, Director of Engineering; Riaz Moinuddin, Director of Operations and Maintenance; Lan Wiborg, Director of Environmental Services; Laura Maravilla, Human Resources Manager; Kelly Lore, Clerk of the Board; Lorraine Baltierra; Jennifer Cabral; Mortimer Caparas; Cliff Casanova; Raul Cuellar; Rhea DeGuzman; Mike Dorman; Brian Engeln; Shallee Riley; Adam Nazaroff; Wally Ritchie; Eros Yong; Thomas Vu; and Ruth Zintzun were present in the Board Room. Tanya Chong; Beck Gass; Tina Knapp; Rob Michaels; Valerie Ratto; Kevin Schuler; Thomas Vu; and Mike Zedek were in attendance telephonically.

OTHERS PRESENT: Brad Hogin, General Counsel; Paul Cuzman; Peggy Hepler; Craig Maunders; Jeff Mohr; Alicia Pulide; Larry Reid; and Sandra Rodriguez were present in the Board Room.

PUBLIC COMMENTS:

Paul R. Cuzman and Craig S. Maunders spoke in opposition of Item No. 2.

Clerk of the Board Kelly Lore stated that after the publication of the agenda she received two additional protests which were distributed to the Board of Directors and were made available to the public.

SPECIAL PRESENTATIONS:**1. EMPLOYEE SERVICE AWARDS****[2023-2865](#)**

Originator: Kelly Lore

Director of Engineering Kathy Millea presented Engineering Supervisor Adam Nazaroff with a 20 year service award. Chair Wanke also acknowledged IT Supervisor Warren Sternin, who could not be in attendance, for his 20 years of service with OC San.

20-year Service Awards

Adam Nazaroff, Engineering Supervisor - Division 770

Warren Sternin, IT Supervisor - Division 250

REPORTS:

Chair Wanke thanked the Board Members for attending the second portion of the Board Orientation “Meet the Executive Management Team” on March 15. He also stated that, as part of Orientation, tours of Plant No. 1 and Plant No. 2 were made available prior to the Operations and Administration Committee meetings in March and April.

Chair Wanke announced that due to the large number of Special Board Meetings in the past few months, that the meeting scheduled for Wednesday, March 29 at 3:00 p.m., and other tentative dates to begin the Strategic Planning process, would be postponed until further notice. He suggested that if a Director had questions regarding the process to contact staff.

Chair Wanke reminded the Directors of the upcoming GWRS Final Expansion event on April 14, which will celebrate the final expansion of the world’s largest water recycling facility, now able to produce 130 million gallons of water each day. He stated that Directors interested in attending should contact the Clerk for registration information.

Chair Wanke stated that Directors would receive talking points regarding OC San activities for use while reporting out to their councils, boards, and community groups. In addition, he stated that with so many new Directors, an offer to have OC San staff provide a presentation at an upcoming council or agency meeting was extended, and if interested, to please let the Clerk know.

General Manager Rob Thompson stated that bottled GWRS water was made available for the Directors to sample at the meeting; and that the water would also be available at the dedication ceremony on April 14.

Mr. Thompson reported that OC San’s Honor Walk program is back after a three year hiatus and explained the nomination process intended to recognize former employees and Board Members who have made significant contributions to OC San. He stated that the selected winners receive a personalized brick in the Honor Walk at the front entrance of the Administration Building, and that once the new Headquarters Building is complete, the Honor Walk would be relocated. Mr. Thompson asked that Board Member nominations be sent to the Clerk of the Board.

Mr. Thompson announced that former General Manager Jim Herberg was recently recognized by the American Society for Public Administration for the John W. Gaston, Jr., Award for Excellence in Public Service Management; and that OC San and OCWD received the Grand Prize for Design for “A Headworks Divided - The Key to Unlocking Expanded Water Reuse in Orange County, CA” by the American Academy Of Environmental Engineers And Scientists.

General Counsel Brad Hogin reminded the Board Members to refrain from texting during Board and Committee meetings. He also addressed the Board adopted process to request teleconferencing for attendance at meetings, noting that both the Director and Alternate Director must both be unable to attend a meeting in person prior to requesting teleconferencing.

PUBLIC HEARING:

2. PROPOSED ORDINANCE NO. OC SAN-58 ADOPTING REGIONAL SEWER SERVICE CHARGES [2023-2839](#)

Originator: Lorenzo Tyner

Chair Wanke opened the public hearing at 6:29 p.m. Clerk of the Board Kelly Lore provided two additional written comment(s) in objection; and with no other comment or objection, Chair Wanke closed the public hearing at 6:30 p.m. At the request of the Chairman, Assistant General Manager Lorenzo Tyner provided a brief staff report; Ms. Lore stated that there were a total of 97 protests, which did not constitute a majority protest.

MOVED, SECONDED, AND DULY CARRIED TO:

A. Conduct a Public hearing under Proposition 218 for Proposed Multi-Year Regional Sewer Service Charges and under Health and Safety Code Section 5473.1 for collection of charges on the tax roll.

- Open Public Hearing
- Receive Public Comment
- Close Public Hearing

B. Direct the Clerk of the Board to tabulate the results of the protest received and report the number of protests to the Board of Directors.

If no majority protest:

C. Motion to read Ordinance No. OC SAN-58 by title only and waive second reading of said entire ordinance.

D. Adopt Ordinance No. OC SAN-58, entitled: "An Ordinance of the Board of Directors of Orange County Sanitation District Adopting Regional Sewer Service Charges and Repealing Ordinance No. OCSD-49"; and

E. Adopt Resolution No. OC SAN 23-10, entitled: "A Resolution of the Board of Directors of the Orange County Sanitation District Directing the County Tax Collector-Treasurer to Include Regional Sanitary Sewer Service Charges on the Tax Roll for Fiscal Years 2023-2024 Through 2027-2028."

AYES: Brad Avery, Pat Burns, Doug Chaffee, Jon Dumitru, Rose Espinoza, Stephen Faessel, Ryan Gallagher, Glenn Grandis, Phil Hawkins, Steve Jones, Christine Marick, Scott Minikus, Jordan Nefulda, Andrew Nguyen, Robert Ooten, Robbie Pitts, David Shawver, Susan Sonne, Schelly Sustarsic, Chad Wanke, John Withers and Debbie Baker (Alternate)

NOES: Johnathan Ryan Hernandez

ABSENT: Farrah Khan and Bruce Whitaker

ABSTENTIONS: None

3. PROPOSED ORDINANCE NO. OC SAN-59 ADOPTING CAPITAL FACILITIES CAPACITY CHARGES [2023-2840](#)

Originator: Lorenzo Tyner

Chair Wanke opened the public hearing at 6:46 p.m. and with no other comment or objection, Chair Wanke closed the public hearing at 6:46 p.m. Ms. Lore stated that a majority protest did not exist.

MOVED, SECONDED, AND DULY CARRIED TO:

- A. Conduct a Public Hearing for Capital Facilities Capacity Charges:
- Open Public Hearing
 - Receive Public Comment
 - Close Public Hearing
- B. Motion to read Ordinance No. OC SAN-59 by title only and waive second reading of said entire Ordinance; and
- C. Adopt Ordinance No. OC SAN-59, entitled: "An Ordinance of the Board of Directors of the Orange County Sanitation District Adopting Capital Facilities Capacity Charges, and Repealing Ordinance No. OC SAN-57".

AYES: Brad Avery, Pat Burns, Doug Chaffee, Jon Dumitru, Rose Espinoza, Stephen Faessel, Ryan Gallagher, Glenn Grandis, Phil Hawkins, Johnathan Ryan Hernandez, Steve Jones, Christine Marick, Scott Minikus, Jordan Nefulda, Andrew Nguyen, Robert Ooten, Robbie Pitts, David Shawver, Susan Sonne, Schelly Sustarsic, Chad Wanke, John Withers and Debbie Baker (Alternate)

NOES: None

ABSENT: Farrah Khan and Bruce Whitaker

ABSTENTIONS: None

4. **PROPOSED ORDINANCE NO. OC SAN-60 ADOPTING MISCELLANEOUS CHARGES AND FEES RELATING TO INDUSTRIAL DISCHARGERS, SOURCE CONTROL PERMITTEES AND WASTEHAULERS** [2023-2842](#)

Originator: Lorenzo Tyner

Chair Wanke opened the public hearing at 6:48 p.m. and with no other comment or objection, Chair Wanke closed the public hearing at 6:48 p.m. Ms. Lore stated that a majority protest did not exist.

MOVED, SECONDED, AND DULY CARRIED TO:

- A. Conduct a Public Hearing for Proposed Miscellaneous Charges and Fees relating to Industrial Dischargers, Source Control Permittees, and Wastehaulers;
- Open Public Hearing
 - Receive Public Comment
 - Close Public Hearing
- B. Motion to read Ordinance No. OC SAN-60 by title only and waive second reading of said entire Ordinance; and
- C. Adopt Ordinance No. OC SAN-60 entitled, "An Ordinance of the Board of Directors of Orange County Sanitation District Adopting Miscellaneous Charges and Fees Relating to Industrial Dischargers, Source Control Permittees and Wastehaulers and Repealing Ordinance No. OCSD-51.

AYES: Brad Avery, Pat Burns, Doug Chaffee, Jon Dumitru, Rose Espinoza, Stephen Faessel, Ryan Gallagher, Glenn Grandis, Phil Hawkins, Johnathan Ryan Hernandez, Steve Jones, Christine Marick, Scott Minikus, Jordan Nefulda, Andrew Nguyen, Robert Ooten, Robbie Pitts, David Shawver, Susan Sonne, Schelly Sustarsic, Chad Wanke, John Withers and Debbie Baker (Alternate)

NOES: None

ABSENT: Farrah Khan and Bruce Whitaker

ABSTENTIONS: None

CONSENT CALENDAR:

5. **APPROVAL OF MINUTES** [2023-2833](#)

Originator: Kelly Lore

MOVED, SECONDED, AND DULY CARRIED TO:

Approve minutes of the Special meetings of the Board of Directors on February 15, 2023 and February 16, 2023 and the Regular meeting of the Board of Directors held February 22, 2023.

AYES: Brad Avery, Pat Burns, Doug Chaffee, Jon Dumitru, Rose Espinoza, Stephen Faessel, Ryan Gallagher, Glenn Grandis, Phil Hawkins, Johnathan Ryan Hernandez, Steve Jones, Christine Marick, Scott Minikus, Jordan Nefulda, Andrew Nguyen, Robert Ooten, Robbie Pitts, David Shawver, Susan Sonne, Schelly Sustarsic, Chad Wanke, John Withers and Debbie Baker (Alternate)

NOES: None

ABSENT: Farrah Khan and Bruce Whitaker

ABSTENTIONS: None

RECEIVE AND FILE:

6. COMMITTEE MEETING MINUTES [2023-2723](#)

Originator: Kelly Lore

WITHOUT OBJECTION ACTION TAKEN TO RECEIVE AND FILE THE FOLLOWING:

- A. Minutes of the Steering Committee Meeting held January 25, 2023
- B. Minutes of the Operations Committee Meeting held February 1, 2023
- C. Minutes of the Administration Committee Meeting held February 8, 2023

7. REPORT OF THE INVESTMENT TRANSACTIONS FOR THE MONTH OF FEBRUARY 2023 [2023-2800](#)

Originator: Lorenzo Tyner

WITHOUT OBJECTION ACTION TAKEN TO RECEIVE AND FILE THE FOLLOWING:

Report of the Investment Transactions for the month of February 2023.

OPERATIONS COMMITTEE:

8. CHEMICAL SYSTEMS REHABILITATION AT PLANT NO. 2, PROJECT NO. P2-135 [2023-2859](#)

Originator: Kathy Millea

MOVED, SECONDED, AND DULY CARRIED TO:

- A. Find that Chemical Systems Rehabilitation at Plant No. 2, Project No. P2-135 is exempt from CEQA under the Class 1 categorical exemptions set forth in California Code of Regulations Section 15301 and authorize staff to file a Notice of Exemption with the OC Clerk-Recorder;
- B. Approve a Professional Design Services Agreement with Lee & Ro, Inc. to provide engineering services for Chemical Systems Rehabilitation at Plant No. 2, Project No. P2-135, for an amount not to exceed \$862,328; and
- C. Approve a contingency of \$86,233 (10%).

AYES: Brad Avery, Pat Burns, Doug Chaffee, Jon Dumitru, Rose Espinoza, Stephen Faessel, Ryan Gallagher, Glenn Grandis, Phil Hawkins, Johnathan Ryan Hernandez, Steve Jones, Christine Marick, Scott Minikus, Jordan Nefulda, Andrew Nguyen, Robert Ooten, Robbie Pitts, David Shawver, Susan Sonne, Schelly Sustarsic, Chad Wanke, John Withers and Debbie Baker (Alternate)

NOES: None

ABSENT: Farrah Khan and Bruce Whitaker

ABSTENTIONS: None

9. REPLACEMENT OF GAS FLARE PIPING AT PLANT NO. 2

[2023-2860](#)

Originator: Riaz Moinuddin

MOVED, SECONDED, AND DULY CARRIED TO:

Approve a contingency increase of \$65,550 (23%) to the Purchase Order Contract with Vicon Enterprise, Inc. for the replacement of digester gas piping at Plant No. 2, Specification No. S-2022-1365BD, for a new total contingency amount of \$94,050 (33%).

AYES: Brad Avery, Pat Burns, Doug Chaffee, Jon Dumitru, Rose Espinoza, Stephen Faessel, Ryan Gallagher, Glenn Grandis, Phil Hawkins, Johnathan Ryan Hernandez, Steve Jones, Christine Marick, Scott Minikus, Jordan Nefulda, Andrew Nguyen, Robert Ooten, Robbie Pitts, David Shawver, Susan Sonne, Schelly Sustarsic, Chad Wanke, John Withers and Debbie Baker (Alternate)

NOES: None

ABSENT: Farrah Khan and Bruce Whitaker

ABSTENTIONS: None

10. ENGINEERING PROGRAM CONTRACT PERFORMANCE REPORT

[2023-2861](#)

Originator: Kathy Millea

MOVED, SECONDED, AND DULY CARRIED TO:

Receive and file the Engineering Program Contract Performance Report for the period ending December 31, 2022.

AYES: Brad Avery, Pat Burns, Doug Chaffee, Jon Dumitru, Rose Espinoza, Stephen Faessel, Ryan Gallagher, Glenn Grandis, Phil Hawkins, Johnathan Ryan Hernandez, Steve Jones, Christine Marick, Scott Minikus, Jordan Nefulda, Andrew Nguyen, Robert Ooten, Robbie Pitts, David Shawver, Susan Sonne, Schelly Sustarsic, Chad Wanke, John Withers and Debbie Baker (Alternate)

NOES: None

ABSENT: Farrah Khan and Bruce Whitaker

ABSTENTIONS: None

11. URBAN RUNOFF OPTIMIZATION STUDY, PROJECT NO. PS21-06 [2023-2862](#)

Originator: Kathy Millea

MOVED, SECONDED, AND DULY CARRIED TO:

- A. Find that the Urban Runoff Optimization Study, Project No. PS21-06 is exempt from CEQA under the statutory exemptions set forth in California Code of Regulations Section 15262 and authorize staff to file a Notice of Exemption with the OC Clerk-Recorder;
- B. Approve a Professional Services Agreement with Michael Baker International, Inc. to provide engineering services for the Urban Runoff Optimization Study, Project No. PS21-06, for an amount not to exceed \$711,230; and
- C. Approve a contingency of \$71,123 (10%).

AYES: Brad Avery, Pat Burns, Doug Chaffee, Jon Dumitru, Rose Espinoza, Stephen Faessel, Ryan Gallagher, Glenn Grandis, Phil Hawkins, Johnathan Ryan Hernandez, Steve Jones, Christine Marick, Scott Minikus, Jordan Nefulda, Andrew Nguyen, Robert Ooten, Robbie Pitts, David Shawver, Susan Sonne, Schelly Sustarsic, Chad Wanke, John Withers and Debbie Baker (Alternate)

NOES: None

ABSENT: Farrah Khan and Bruce Whitaker

ABSTENTIONS: None

12. REGIONAL ODOR AND CORROSION CONTROL SERVICES (ROCCS) PROGRAM, SPECIFICATION NO.C-2017-899BD - CONTINGENCY INCREASE [2023-2863](#)

Originator: Riaz Moinuddin

MOVED, SECONDED, AND DULY CARRIED TO:

Approve a chemical unit price contingency increase of \$398 per dry ton (an additional 40% of the base price) to the Ferrous Chloride contract with Hill Brothers Chemical Company for the remainder of the term, July 1, 2022 through June 30, 2023. The new unit price will not exceed \$1,397 per dry ton (\$1,297 for the product, plus \$100 for freight).

AYES: Brad Avery, Pat Burns, Doug Chaffee, Jon Dumitru, Rose Espinoza, Stephen Faessel, Ryan Gallagher, Glenn Grandis, Phil Hawkins, Johnathan Ryan Hernandez, Steve Jones, Christine Marick, Scott Minikus, Jordan Nefulda, Andrew Nguyen, Robert Ooten, Robbie Pitts, David Shawver, Susan Sonne, Schelly Sustarsic, Chad Wanke, John Withers and Debbie Baker (Alternate)

NOES: None

ABSENT: Farrah Khan and Bruce Whitaker

ABSTENTIONS: None

13. PURCHASE OF LIQUID FERRIC CHLORIDE

[2023-2864](#)

Originator: Riaz Moinuddin

MOVED, SECONDED, AND DULY CARRIED TO:

- A. Approve a Chemical Supplier Agreement with Penccco, Inc. for the purchase of liquid ferric chloride, Specification No. C-2023-1381BD, for the period beginning May 1, 2023 through October 31, 2023, for a unit price of \$1,250 per dry ton delivered, plus applicable sales tax, for a total six-month estimate of \$2,500,000;
- B. Approve a Chemical Supplier Agreement with Kemira Water Solutions, Inc. for the purchase of liquid ferric chloride, Specification No. C-2023-1381BD, for the period beginning May 1, 2023 through October 31, 2023, for a unit price of \$1,153.97 per dry ton delivered, plus applicable sales tax, for a total six-month estimate of \$1,730,955;
- C. Approve the option to renew the Chemical Supplier Agreement with Penccco, Inc. over a five-year period beginning May 1, 2023 through April 30, 2028 with renewal terms not to exceed a 12-month term, and renewal adjustments of unit pricing not to exceed a unit price of \$1,562.50 per dry ton delivered (25%); and
- D. Approve the option to renew the Chemical Supplier Agreement with Kemira Water Solutions, Inc. over a five-year period beginning May 1, 2023 through April 30, 2028 with renewal terms not to exceed a 12-month term, and renewal adjustments of unit pricing not to exceed a unit price of \$1,442.46 per dry ton delivered (25%).

- AYES:** Brad Avery, Pat Burns, Doug Chaffee, Jon Dumitru, Rose Espinoza, Stephen Faessel, Ryan Gallagher, Glenn Grandis, Phil Hawkins, Johnathan Ryan Hernandez, Steve Jones, Christine Marick, Scott Minikus, Jordan Nefulda, Andrew Nguyen, Robert Ooten, Robbie Pitts, David Shawver, Susan Sonne, Schelly Sustarsic, Chad Wanke, John Withers and Debbie Baker (Alternate)
- NOES:** None
- ABSENT:** Farrah Khan and Bruce Whitaker
- ABSTENTIONS:** None

ADMINISTRATION COMMITTEE:**14. UPDATE TO RECORDS MANAGEMENT PROGRAM PROCEDURES AND RECORDS RETENTION SCHEDULE RESOLUTION [2023-2873](#)**

Originator: Kelly Lore

MOVED, SECONDED, AND DULY CARRIED TO:

Adopt Resolution No. OC SAN 23-08, entitled: "A Resolution of the Board of Directors of the Orange County Sanitation District Adopting the Records Management Program Procedures and Records Retention Schedule, Authorizing Destruction of Obsolete Records, and Repealing Resolution No. OC SAN 22-10".

- AYES:** Brad Avery, Pat Burns, Doug Chaffee, Jon Dumitru, Rose Espinoza, Stephen Faessel, Ryan Gallagher, Glenn Grandis, Phil Hawkins, Johnathan Ryan Hernandez, Steve Jones, Christine Marick, Scott Minikus, Jordan Nefulda, Andrew Nguyen, Robert Ooten, Robbie Pitts, David Shawver, Susan Sonne, Schelly Sustarsic, Chad Wanke, John Withers and Debbie Baker (Alternate)
- NOES:** None
- ABSENT:** Farrah Khan and Bruce Whitaker
- ABSTENTIONS:** None

15. UPDATES TO ORANGE COUNTY SANITATION DISTRICT PERSONNEL POLICIES AND PROCEDURES [2023-2874](#)

Originator: Celia Chandler

MOVED, SECONDED, AND DULY CARRIED TO:

Adopt Resolution No. OC SAN 23-09, entitled: "A Resolution of the Board of Directors of the Orange County Sanitation District adopting a Board of Directors Personnel Policies and Procedures Manual providing for Classification, Compensation, and Other Terms, Conditions, Policies, and Procedures Governing Employment of Orange County Sanitation District Employees; and Repealing Resolution No. OCSD 18-18 and Resolution No. OC SAN 22-07 and all other Amendments Affecting These Policies".

AYES: Brad Avery, Pat Burns, Doug Chaffee, Jon Dumitru, Rose Espinoza, Stephen Faessel, Ryan Gallagher, Glenn Grandis, Phil Hawkins, Johnathan Ryan Hernandez, Steve Jones, Christine Marick, Scott Minikus, Jordan Nefulda, Andrew Nguyen, Robert Ooten, Robbie Pitts, David Shawver, Susan Sonne, Schelly Sustarsic, Chad Wanke, John Withers and Debbie Baker (Alternate)

NOES: None

ABSENT: Farrah Khan and Bruce Whitaker

ABSTENTIONS: None

STEERING COMMITTEE:**16. LEGISLATIVE AFFAIRS UPDATE FOR THE MONTH OF FEBRUARY 2023 [2023-2882](#)**

Originator: Rob Thompson

MOVED, SECONDED, AND DULY CARRIED TO:

Receive and file the Legislative Affairs Update for the month of February 2023.

AYES: Brad Avery, Pat Burns, Doug Chaffee, Jon Dumitru, Rose Espinoza, Stephen Faessel, Ryan Gallagher, Glenn Grandis, Phil Hawkins, Johnathan Ryan Hernandez, Steve Jones, Christine Marick, Scott Minikus, Jordan Nefulda, Andrew Nguyen, Robert Ooten, Robbie Pitts, David Shawver, Susan Sonne, Schelly Sustarsic, Chad Wanke, John Withers and Debbie Baker (Alternate)

NOES: None

ABSENT: Farrah Khan and Bruce Whitaker

ABSTENTIONS: None

17. PUBLIC AFFAIRS UPDATE FOR THE MONTH OF FEBRUARY 2023 [2023-2883](#)

Originator: Rob Thompson

MOVED, SECONDED, AND DULY CARRIED TO:

Receive and file the Public Affairs Update for the month of February 2023.

AYES: Brad Avery, Pat Burns, Doug Chaffee, Jon Dumitru, Rose Espinoza, Stephen Faessel, Ryan Gallagher, Glenn Grandis, Phil Hawkins, Johnathan Ryan Hernandez, Steve Jones, Christine Marick, Scott Minikus, Jordan Nefulda, Andrew Nguyen, Robert Ooten, Robbie Pitts, David Shawver, Susan Sonne, Schelly Sustarsic, Chad Wanke, John Withers and Debbie Baker (Alternate)

NOES: None

ABSENT: Farrah Khan and Bruce Whitaker

ABSTENTIONS: None

NON-CONSENT:

None.

INFORMATION ITEMS:

None.

AB 1234 DISCLOSURE REPORTS:

Director Stephen Faessel reported on his attendance at the recent ISDOC meeting and Director David Shawver reported on his attendance at the recent OCCOG meeting.

CLOSED SESSION:

CONVENED IN CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTION 54959(d)(4).

The Board convened in closed session at 6:52 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)**

[2023-2880](#)

CONVENED IN CLOSED SESSION:

Number of Potential Cases: 1

Potential initiation of litigation regarding Miller-Holder Rhone Lane Easement.

RECONVENED IN REGULAR SESSION.

The Board reconvened in regular session at 7:10 p.m.

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

General Counsel Brad Hogin reported that the Board of Directors voted unanimously to hire and retain Katz and Associates as a public relations consultant and a Lobbyist to assist staff in connection with the Rhone Lane encroachments.

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

None.

BOARD OF DIRECTORS INITIATED ITEMS FOR A FUTURE MEETING:

None.

ADJOURNMENT:

At 7:11p.m., Chair Wanke adjourned the meeting until the Regular meeting of the Board of Directors to be held on Wednesday, April 26, 2023 at 6:00 p.m.

Submitted by:

Kelly A. Lore, MMC
Clerk of the Board