

ORANGE COUNTY SANITATION DISTRICT

MINUTES

BOARD OF DIRECTORS

APRIL 22, 2020



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

**MEETING HELD TELEPHONICALLY IN ACCORDANCE WITH THE
GOVERNOR'S EXECUTIVE ORDER NO. N-29-20, DUE TO THE
CORONAVIRUS PANDEMIC (COVID-19)**

CALL TO ORDER

A regular meeting of the Board of Directors of the Orange County Sanitation District was called to order by Board Chairman David Shawver on April 22, 2020 at 6:05 p.m. Director Brad Avery delivered the invocation and led the Pledge of Allegiance. Chair Shawver announced that the meeting was 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).

The Clerk of the Board announced the teleconference meeting guidelines and stated that votes will be taken by roll call.

ROLL CALL AND DECLARATION OF QUORUM

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

PRESENT: Brad Avery, Allan Bernstein, Doug Chaffee, Robert Collacott, James Ferryman, Steve Jones, Brooke Jones, Peter Kim, Lucille Kring, Sandra Massa-Lavitt, Mark Murphy, Richard Murphy, Steve Nagel, Andrew Nguyen, Glenn Parker, Erik Peterson, Tim Shaw, David Shawver, Christina Shea, Jesus Silva, Fred Smith, Chad Wanke, John Withers and Mariellen Yarc

ABSENT: Cecilia Iglesias

STAFF MEMBERS PRESENT: Jim Herberg, General Manager; Kelly Lore, Clerk of the Board; Al Garcia, and Tyler Ramirez were present in the Board Room. Assistant General Manager Lorenzo Tyner, Assistant General Manager Rob Thompson, Director of Engineering Kathy Millea, Director of Environmental Services Lan Wiborg, Director of Human Resources Celia Chandler, Tina Knapp, and Wally Ritchie participated telephonically.

OTHERS PRESENT: Brad Hogin (General Counsel) was present in the Board Room; Dennis Mulqueeney (Alliant Services) participated telephonically.

PUBLIC COMMENTS:

None.

SPECIAL PRESENTATIONS:

None.

REPORTS:

Board Chair Shawver stated that due to COVID-19 restrictions, the Mandatory Sexual Harassment Prevention training that would normally take place in person, will now only be available online this year and the Clerk of the Board will email the details next week.

Chair Shawver also reminded the Board the May Legislative and Public Affairs Committee meeting has been cancelled and that the regular meetings of the Operations and

Administration Committees will be held telephonically in May.

General Manager Jim Herberg stated that OCSD's activities and updates related to COVID-19 continue to be sent to the Board via email each week, and that he and the Board Chair and Vice Chair have a weekly meeting regarding the pandemic. He stated that OCSD continues to collect, treat, and reuse the 185 million gallons of wastewater that enters through our collection system into OCSD with continued compliance with regulatory and permit requirements being met during the pandemic.

Mr. Herberg reported that the Board Members will begin receiving general talking points regarding OCSD activities for use in reporting to your Councils, boards, and community groups. The Clerk of the Board will provide these suggested talking points via email on the Thursday following the Board Meeting.

CONSENT CALENDAR:

1. APPROVAL OF MINUTES

[2020-1000](#)

Originator: Kelly Lore

MOVED, SECONDED, AND DULY CARRIED TO:

Approve Minutes of the Regular Meeting of the Board of Directors held March 25, 2020.

AYES: Brad Avery, Allan Bernstein, Doug Chaffee, Robert Collacott, James Ferryman, Steve Jones, Brooke Jones, Peter Kim, Lucille Kring, Sandra Massa-Lavitt, Mark Murphy, Richard Murphy, Steve Nagel, Andrew Nguyen, Glenn Parker, Erik Peterson, Tim Shaw, David Shawver, Christina Shea, Jesus Silva, Fred Smith, Chad Wanke, John Withers and Mariellen Yarc

NOES: None

ABSENT: Cecilia Iglesias

ABSTENTIONS: None

2. PLANT NO. 2 CENTRAL GENERATION STEAM TURBINE REHABILITATION, PROJECT NO. MP-105

[2019-796](#)

Originator: Kathy Millea

MOVED, SECONDED, AND DULY CARRIED TO:

- A. Approve a Change Order to the Sole Source Purchase Order with Dresser-Rand for the Central Generation Steam Turbine Rehabilitation at Plant No. 2, for an additional amount not to exceed \$238,796 plus applicable taxes and shipping, for a total amount not to exceed \$484,220 plus applicable taxes and shipping; and
- B. Decrease contingency from \$49,085 (20%) to \$12,271 (5%).

AYES: Brad Avery, Allan Bernstein, Doug Chaffee, Robert Collacott, James Ferryman, Steve Jones, Brooke Jones, Peter Kim, Lucille Kring, Sandra Massa-Lavitt, Mark Murphy, Richard Murphy, Steve Nagel, Andrew Nguyen, Glenn Parker, Erik Peterson, Tim Shaw, David Shawver, Christina Shea, Jesus Silva, Fred Smith, Chad Wanke, John Withers and Mariellen Yarc

NOES: None

ABSENT: Cecilia Iglesias

ABSTENTIONS: None

3. **12KV DISTRIBUTION B AND EAST RAS PUMP STATION ROOFING REPLACEMENT, PROJECT NO. FE18-19** [2019-828](#)

Originator: Kathy Millea

MOVED, SECONDED, AND DULY CARRIED TO:

- A. Receive and file Bid Tabulation for 12kV Distribution B and East RAS Pump Station Roofing Replacement, Project No. FE18-19;
- B. Reject single low bid from H2M Construction, Inc. as non-responsive; and
- C. Authorize the Purchasing Manager to conduct a Negotiated Procurement for a construction contract for 12kV Distribution B and East RAS Pump Station Roofing Replacement, Project No. FE 18-19, in accordance with Purchasing Ordinance No. OCSD-52.

AYES: Brad Avery, Allan Bernstein, Doug Chaffee, Robert Collacott, James Ferryman, Steve Jones, Brooke Jones, Peter Kim, Lucille Kring, Sandra Massa-Lavitt, Mark Murphy, Richard Murphy, Steve Nagel, Andrew Nguyen, Glenn Parker, Erik Peterson, Tim Shaw, David Shawver, Christina Shea, Jesus Silva, Fred Smith, Chad Wanke, John Withers and Mariellen Yarc

NOES: None

ABSENT: Cecilia Iglesias

ABSTENTIONS: None

4. **TRUCKLINE SAMPLER POWER FEED AT PLANT NO. 2, PROJECT NO. FE18-17** [2019-831](#)

Originator: Kathy Millea

MOVED, SECONDED, AND DULY CARRIED TO:

- A. Receive and file Bid Tabulation and Recommendation for Truckline Sampler Power Feed at Plant No. 2, Project No. FE18-17;
- B. Award a Construction Contract to M. Brey Electric, Inc. for Truckline Sampler Power Feed at Plant No. 2, Project No. FE18-17, for an amount not to exceed \$101,050; and
- C. Approve a contingency of \$20,210 (20%).

AYES: Brad Avery, Allan Bernstein, Doug Chaffee, Robert Collacott, James Ferryman, Steve Jones, Brooke Jones, Peter Kim, Lucille Kring, Sandra Massa-Lavitt, Mark Murphy, Richard Murphy, Steve Nagel, Andrew Nguyen, Glenn Parker, Erik Peterson, Tim Shaw, David Shawver, Christina Shea, Jesus Silva, Fred Smith, Chad Wanke, John Withers and Mariellen Yarc

NOES: None

ABSENT: Cecilia Iglesias

ABSTENTIONS: None

5. **GEOTECHNICAL TESTING SERVICES** [2020-1002](#)

Originator: Kathy Millea

MOVED, SECONDED, AND DULY CARRIED TO:

Approve an amendment to the Professional Services Agreement with Ninyo and Moore to provide on-call Materials Testing, Inspection, and Geotechnical Testing Services for Collection System and Treatment Plant projects, PSA2019-003, for an additional amount not to exceed \$300,000, for a total contract amount of \$600,000.

AYES: Brad Avery, Allan Bernstein, Doug Chaffee, Robert Collacott, James Ferryman, Steve Jones, Brooke Jones, Peter Kim, Lucille Kring, Sandra Massa-Lavitt, Mark Murphy, Richard Murphy, Steve Nagel, Andrew Nguyen, Glenn Parker, Erik Peterson, Tim Shaw, David Shawver, Christina Shea, Jesus Silva, Fred Smith, Chad Wanke, John Withers and Mariellen Yarc

NOES: None

ABSENT: Cecilia Iglesias

ABSTENTIONS: None

6. SURVEYING SERVICES[2020-1003](#)**Originator:** Kathy Millea

MOVED, SECONDED, AND DULY CARRIED TO:

Approve a Professional Services Agreement to provide on-call Surveying Services for Collection System and Treatment Plant projects, PSA2019-002, effective May 1, 2020 through April 30, 2022, for an amount not to exceed \$150,000 with Cannon Corporation.

AYES: Brad Avery, Allan Bernstein, Doug Chaffee, Robert Collacott, James Ferryman, Steve Jones, Brooke Jones, Peter Kim, Lucille Kring, Sandra Massa-Lavitt, Mark Murphy, Richard Murphy, Steve Nagel, Andrew Nguyen, Glenn Parker, Erik Peterson, Tim Shaw, David Shawver, Christina Shea, Jesus Silva, Fred Smith, Chad Wanke, John Withers and Mariellen Yarc

NOES: None

ABSENT: Cecilia Iglesias

ABSTENTIONS: None

7. PLANT NO. 1 PEPS PUMP NO. 2 REPAIR[2020-959](#)**Originator:** Rob Thompson

MOVED, SECONDED, AND DULY CARRIED TO:

- A. Approve a Sole Source Purchase Order for Cortech Engineering to rebuild Primary Effluent Pump Station Pump No. 2 at Plant No. 1 for a total amount not to exceed \$150,888, plus applicable tax and shipping; and
- B. Approve a contingency of \$15,089 (10%).

AYES: Brad Avery, Allan Bernstein, Doug Chaffee, Robert Collacott, James Ferryman, Steve Jones, Brooke Jones, Peter Kim, Lucille Kring, Sandra Massa-Lavitt, Mark Murphy, Richard Murphy, Steve Nagel, Andrew Nguyen, Glenn Parker, Erik Peterson, Tim Shaw, David Shawver, Christina Shea, Jesus Silva, Fred Smith, Chad Wanke, John Withers and Mariellen Yarc

NOES: None

ABSENT: Cecilia Iglesias

ABSTENTIONS: None

8. PLANT NO. 2, REPLACE FOUR PUTZMEISTER HYDRAULIC CYLINDERS FOR TRUCKLOADING SLIDING FRAMES[2020-988](#)**Originator:** Rob Thompson

MOVED, SECONDED, AND DULY CARRIED TO:

- A. Approve a Sole Source Purchase Order for Pumpaction Corp. to procure four Putzmeister Hydraulic Cylinders on the Solid Storage and Truck Loading Bin sliding frames for \$355,254, plus applicable sales tax and shipping; and
- B. Approve a contingency of \$35,526 (10%).

AYES: Brad Avery, Allan Bernstein, Doug Chaffee, Robert Collacott, James Ferryman, Steve Jones, Brooke Jones, Peter Kim, Lucille Kring, Sandra Massa-Lavitt, Mark Murphy, Richard Murphy, Steve Nagel, Andrew Nguyen, Glenn Parker, Erik Peterson, Tim Shaw, David Shawver, Christina Shea, Jesus Silva, Fred Smith, Chad Wanke, John Withers and Mariellen Yarc

NOES: None

ABSENT: Cecilia Iglesias

ABSTENTIONS: None

9. **APPROVE PURCHASE OF AN EPA 624.1 PURGE & TRAP GAS CHROMATOGRAPH-MASS SPECTROMETRY (GC-MS) SYSTEM**

[2020-986](#)

Originator: Lan Wiborg

MOVED, SECONDED, AND DULY CARRIED TO:

Approve a purchase order to VWR for a Purge & Trap Gas Chromatograph-Mass Spectrometry (GC-MS) System in the amount of \$115,226 plus applicable sales tax, which includes the GC-MS system, freight, and three (3) additional years of service at a discounted rate.

AYES: Brad Avery, Allan Bernstein, Doug Chaffee, Robert Collacott, James Ferryman, Steve Jones, Brooke Jones, Peter Kim, Lucille Kring, Sandra Massa-Lavitt, Mark Murphy, Richard Murphy, Steve Nagel, Andrew Nguyen, Glenn Parker, Erik Peterson, Tim Shaw, David Shawver, Christina Shea, Jesus Silva, Fred Smith, Chad Wanke, John Withers and Mariellen Yarc

NOES: None

ABSENT: Cecilia Iglesias

ABSTENTIONS: None

10. **APPROVE THE ADDITION OF FUNDS TO EXISTING CONVENIENCE BLANKET PURCHASE ORDER - VWR**

[2020-992](#)

Originator: Lan Wiborg

MOVED, SECONDED, AND DULY CARRIED TO:

Ratify the approval of additional funds of \$15,000 to be added to existing convenience blanket purchase order 104316 OA with VWR for the purchase of miscellaneous laboratory supplies throughout the year for a total purchase order amount not to exceed \$110,000 to cover the cost of outstanding invoices.

AYES: Brad Avery, Allan Bernstein, Doug Chaffee, Robert Collacott, James Ferryman, Steve Jones, Brooke Jones, Peter Kim, Lucille Kring, Sandra Massa-Lavitt, Mark Murphy, Richard Murphy, Steve Nagel, Andrew Nguyen, Glenn Parker, Erik Peterson, Tim Shaw, David Shawver, Christina Shea, Jesus Silva, Fred Smith, Chad Wanke, John Withers and Mariellen Yarc

NOES: None

ABSENT: Cecilia Iglesias

ABSTENTIONS: None

11. PLANT NO. 2 TRICKLING FILTER SOLIDS RETURN SECONDARY SLUDGE PUMP REPAIR [2020-1028](#)

Originator: Rob Thompson

MOVED, SECONDED, AND DULY CARRIED TO:

A. Approve a sole source purchase order contract for the repair of ten (10) Return Secondary Sludge pumps at the Plant No. 2 Trickling Filter Clarifiers, for a total amount not to exceed \$194,234, plus applicable shipping and taxes, to Vaughan's Industrial Repair Co., Inc.; and

B. Approve a contingency of \$19,424 (10%).

AYES: Brad Avery, Allan Bernstein, Doug Chaffee, Robert Collacott, James Ferryman, Steve Jones, Brooke Jones, Peter Kim, Lucille Kring, Sandra Massa-Lavitt, Mark Murphy, Richard Murphy, Steve Nagel, Andrew Nguyen, Glenn Parker, Erik Peterson, Tim Shaw, David Shawver, Christina Shea, Jesus Silva, Fred Smith, Chad Wanke, John Withers and Mariellen Yarc

NOES: None

ABSENT: Cecilia Iglesias

ABSTENTIONS: None

12. ADDITION OF CONTRACTS TO THE BIOSOLIDS ACCOUNT POOL, EFFECTIVE NOVEMBER 16, 2016 [2020-1025](#)

MOVED, SECONDED, AND DULY CARRIED TO:

Ratify the addition of Denali Water Solutions, Inland Empire Regional Composting Authority, Liberty Composting Inc., and Nursery Products, LLC. biosolids contracts to the Biosolids Account Pool, effective November 16, 2016.

- AYES:** Brad Avery, Allan Bernstein, Doug Chaffee, Robert Collacott, James Ferryman, Steve Jones, Brooke Jones, Peter Kim, Lucille Kring, Sandra Massa-Lavitt, Mark Murphy, Richard Murphy, Steve Nagel, Andrew Nguyen, Glenn Parker, Erik Peterson, Tim Shaw, David Shawver, Christina Shea, Jesus Silva, Fred Smith, Chad Wanke, John Withers and Mariellen Yarc
- NOES:** None
- ABSENT:** Cecilia Iglesias
- ABSTENTIONS:** None

RECEIVE AND FILE:

13. **REPORT OF THE INVESTMENT TRANSACTIONS FOR THE MONTH OF MARCH 2020** [2020-906](#)

Originator: Lorenzo Tyner

WITHOUT OBJECTION ACTION TAKEN TO RECEIVED AND FILE THE:

Report of the Investment Transactions for the month of March 2020.

14. **COMMITTEE MEETING MINUTES** [2020-1004](#)

Originator: Kelly Lore

WITHOUT OBJECTION ACTION TAKEN TO RECEIVED AND FILE THE:

Minutes of the Steering Committee Meeting held February 26, 2020.

OPERATIONS COMMITTEE:

None.

ADMINISTRATION COMMITTEE:

None.

LEGISLATIVE AND PUBLIC AFFAIRS COMMITTEE:

None.

STEERING COMMITTEE:

15. **2020-23 SPONSORSHIP OF THE CENTER FOR DEMOGRAPHIC RESEARCH** [2020-1039](#)

Originator: Kathy Millea

MOVED, SECONDED, AND DULY CARRIED TO:

Approve a three-year Memorandum of Understanding with California State University Fullerton Auxiliary Services Corporation for operation of the Center for Demographic Research for the period July 1, 2020 through June 30, 2023, for a total amount not to exceed \$331,504.

AYES: Brad Avery, Allan Bernstein, Doug Chaffee, Robert Collacott, James Ferryman, Steve Jones, Brooke Jones, Peter Kim, Lucille Kring, Sandra Massa-Lavitt, Mark Murphy, Richard Murphy, Steve Nagel, Andrew Nguyen, Glenn Parker, Erik Peterson, Tim Shaw, David Shawver, Christina Shea, Jesus Silva, Fred Smith, Chad Wanke, John Withers and Mariellen Yarc

NOES: None

ABSENT: Cecilia Iglesias

ABSTENTIONS: None

16. ELECTRONIC SIGNATURES POLICY

[2020-1040](#)

Originator: Lorenzo Tyner

MOVED, SECONDED, AND DULY CARRIED TO:

Adopt a policy for the use of electronic signatures.

AYES: Brad Avery, Allan Bernstein, Doug Chaffee, Robert Collacott, James Ferryman, Steve Jones, Brooke Jones, Peter Kim, Lucille Kring, Sandra Massa-Lavitt, Mark Murphy, Richard Murphy, Steve Nagel, Andrew Nguyen, Glenn Parker, Erik Peterson, Tim Shaw, David Shawver, Christina Shea, Jesus Silva, Fred Smith, Chad Wanke, John Withers and Mariellen Yarc

NOES: None

ABSENT: Cecilia Iglesias

ABSTENTIONS: None

17. RATIFY AMENDMENTS TO PERSONNEL POLICIES AND PROCEDURES IN RESPONSE TO COVID-19 PANDEMIC

[2020-1041](#)

Originator: Celia Chandler

MOVED, SECONDED, AND DULY CARRIED TO:

Pursuant to Resolution No. OCSD 20-01, ratify amendments to Orange County Sanitation District Board of Directors' Personnel Policies and Procedures: 1.4 Recruitment & Selection, 1.11 - Temporary & Contract Worker, 1.12 - Student Internship Program, 3.1.2 - Hours of Work - Exempt Employees, 3.2 - Attendance, 3.3 - Leave-of-Absence with Pay, and 3.4 - Leave-of-Absence Without Pay, effective March 25, 2020 through December 31, 2020 or as soon as the State emergency related to the COVID-19 pandemic is lifted.

- AYES:** Brad Avery, Allan Bernstein, Doug Chaffee, Robert Collacott, James Ferryman, Steve Jones, Brooke Jones, Peter Kim, Lucille Kring, Sandra Massa-Lavitt, Mark Murphy, Richard Murphy, Steve Nagel, Andrew Nguyen, Glenn Parker, Erik Peterson, Tim Shaw, David Shawver, Christina Shea, Jesus Silva, Fred Smith, Chad Wanke, John Withers and Mariellen Yarc
- NOES:** None
- ABSENT:** Cecilia Iglesias
- ABSTENTIONS:** None

NON-CONSENT:

None.

INFORMATION ITEMS:

18. COVID-19 FINANCIAL IMPACT UPDATE [2020-1034](#)

Originator: Lorenzo Tyner

Assistant General Manager Lorenzo Tyner provided a verbal report of the anticipated financial impact of COVID-19.

ITEM RECEIVED AS AN:

Information Item.

19. FY 2020-21 PROPERTY - LIABILITY INSURANCE UPDATE [2020-1017](#)

Originator: Lorenzo Tyner

Dennis Mulqueeney, Alliant Services provided a PowerPoint and responded to questions from the Board.

ITEM RECEIVED AS AN:

Information Item.

20. FY 2020-21 AND FY 2021-22 OPERATING BUDGET UPDATE [2020-1015](#)

Originator: Lorenzo Tyner

Mr. Tyner introduced Controller Wally Ritchie who provided an informative PowerPoint presentation regarding the FY 2020-21 and FY 2021-22 Operating Budget.

ITEM RECEIVED AS AN:

Information Item.

AB 1234 DISCLOSURE REPORTS:

Director Ferryman reported on his recent attendance at the NWRI meeting.

CLOSED SESSION:

None.

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

None.

BOARD OF DIRECTORS INITIATED ITEMS FOR A FUTURE MEETING:

None.

ADJOURNMENT:

At 7:14 p.m., Chair Shawver adjourned the meeting until the Regular Meeting of the Board of Directors to be held on May 27, 2020 at 6:00 p.m.

Submitted by:

Kelly A. Lore, MMC
Clerk of the Board