

# SPECIAL NOTICE PUBLIC ATTENDANCE & PARTICIPATION AT PUBLIC MEETINGS

Board of Directors Meeting Wednesday, June 26, 2024 6:00 p.m.

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.

# **IN-PERSON MEETING ATTENDANCE**

You may attend the meeting in-person at the following location:

Orange County Sanitation District
Administration Building
10844 Ellis Avenue
Fountain Valley, CA 92708

# **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, <u>please click here</u>.

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: 254 178 841#

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.

# WATCH THE MEETING ONLINE

The meeting will be available for online viewing at:

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

# SUBMIT A COMMENT

You may submit your comments and questions in writing for consideration in advance of the meeting by using the eComment feature available online at: <a href="https://ocsd.legistar.com/Calendar.aspx">https://ocsd.legistar.com/Calendar.aspx</a> or sending them to <a href="https://ocsan.gov">OCSanClerk@ocsan.gov</a> 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: <a href="https://ocsd.legistar.com/Calendar.aspx">https://ocsd.legistar.com/Calendar.aspx</a>. 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.

For any questions and/or concerns, please contact the Clerk of the Board's office at 714-593-7433. Thank you for your interest in OC San!

June 20, 2024

# **NOTICE OF REGULAR MEETING**

# BOARD OF DIRECTORS ORANGE COUNTY SANITATION DISTRICT

Wednesday, June 26, 2024 - 6:00 P.M.

Administration Building 10844 Ellis Avenue Fountain Valley, CA 92708

# **ACCESSIBILITY FOR THE GENERAL PUBLIC**

Your participation is always welcome. Specific information as to how to participate in this meeting is detailed on the Special Notice attached to this agenda. In general, OC San offers several ways in which to interact during this meeting: you may participate in person, 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, June 26, 2024 at 6:00 p.m.

Clerk of the

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, June 26, 2024 - 6:00 PM
Board Room
Administration Building
10844 Ellis Avenue
Fountain Valley, CA 92708
(714) 593-7433

ACCOMMODATIONS FOR THE DISABLED: If you require any special disability related accommodations, please contact the Orange County Sanitation District (OC San) Clerk of the Board's office at (714) 593-7433 at least 72 hours prior to the scheduled meeting. Requests must specify the nature of the disability and the type of accommodation requested.

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 RECORDING: A 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: Rob Thompson, rthompson@ocsan.gov / (714) 593-7110 Asst. General Manager: Lorenzo Tyner, ltyner@ocsan.gov / (714) 593-7550 Director of Engineering: Mike Dorman, mdorman@ocsan.gov / (714) 593-7014

Director of Environmental Services: Lan Wiborg, wiborg@ocsan.gov / (714) 593-7450 Director of Finance: Wally Ritchie, writchie@ocsan.gov / (714) 593-7570

Director of Human Resources: Laura Maravilla, Imaravilla, @ocsan.gov / (714) 593-7007

Director of Operations & Maintenance: Riaz Moinuddin, rmoinuddin@ocsan.gov / (714) 593-7269

# **CALL TO ORDER**

**Board Chairman Chad Wanke** 

# **INVOCATION AND PLEDGE OF ALLEGIANCE**

Director Bob Ooten, Costa Mesa Sanitary District

# ROLL CALL AND DECLARATION OF QUORUM

Clerk of the Board

## **PUBLIC COMMENTS:**

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## **SPECIAL PRESENTATIONS:**

## 1. RECOGNITION OF THE VIDEO CONTEST WINNERS

2024-3666

### **RECOMMENDATION:**

Recognize the winners of the 2024 OC San Video Contest.

Originator: Kelly Lore

### 2. EMPLOYEE SERVICE AWARDS

2024-3653

### 35-year Service Awards

Robert Livingston, Program Assistant - Division 830

Originator: Kelly Lore

### 3. RECOGNITION OF BOARD CHAIRMAN CHAD P. WANKE

2024-3623

The Board of Directors and Staff will recognize Board Chairman Chad Wanke for his service as Orange County Sanitation District's Board Chairman.

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.

#### 4. APPROVAL OF MINUTES

2024-3660

## **RECOMMENDATION:**

A. Approve minutes of the Special meeting of the Board of Directors held May 22, 2024; and

B. Approve minutes of the Regular meeting of the Board of Directors held May 22, 2024.

Originator: Kelly Lore

Attachments: Agenda Report

<u>05-22-2024 Board of Directors Special Meeting Minutes</u> 05-22-2024 Board of Directors Regular Meeting Minutes

# 5. RESOLUTION NO. OC SAN 24-05 COMMENDING BOARD CHAIRMAN 202 CHAD P. WANKE

<u>2024-3603</u>

# RECOMMENDATION:

Adopt Resolution No. OC SAN 24-05, entitled: "A Resolution of the Board of Directors of the Orange County Sanitation District commending Chad P. Wanke for his outstanding contributions and dedication to public service as Chairman of the Orange County Sanitation District's Board of Directors".

Originator: Kelly Lore

Attachments: Agenda Report

Resolution No. OC SAN 24-05

# **RECEIVE AND FILE:**

# 6. REPORT OF THE INVESTMENT TRANSACTIONS FOR THE MONTH 2024-3428 OF MAY 2024

RECOMMENDATION: Receive and file the following:

Report of the Investment Transactions for the month of May 2024.

Originator: Wally Ritchie

**Attachments:** Agenda Report

Report of the Investment Transactions - May 2024

# 7. COMMITTEE MEETING MINUTES

2024-3478

RECOMMENDATION: Receive and file the following:

A. Minutes of the Steering Committee Meeting held April 24, 2024

B. Minutes of the Operations Committee Meeting held May 1, 2024

C. Minutes of the Administration Committee Meeting held May 8, 2024

Originator: Kelly Lore

Attachments: Agenda Report

<u>04-24-2024 Steering Committee Minutes</u> <u>05-01-2024 Operations Committee Minutes</u> <u>05-08-2024 Administration Committee Minutes</u>

# **OPERATIONS COMMITTEE:**

8. ENGINEERING PROGRAM CONTRACT PERFORMANCE REPORT

2024-3647

# **RECOMMENDATION:**

Receive and file the Engineering Program Contract Performance Report for the period ending March 31, 2024.

**Originator:** Mike Dorman

Attachments: Agenda Report

Contract Performance Report for period ending 03/31/2024

9. TRICKLING FILTER C CENTER MAST ASSEMBLY REPLACEMENT AT 2024-3648 PLANT NO. 2, PROJECT NO. MP2-019

# RECOMMENDATION:

- A. Approve a Sole Source General Services Contract to Jamison Engineering Contractors, Inc. for Trickling Filter C Center Mast Assembly Replacement at Plant No. 2, Project No. MP2-019, for a total amount not to exceed \$274,800 and;
- B. Approve a contingency of \$27,480 (10%).

**Originator:** Riaz Moinuddin

**Attachments:** Agenda Report

General Services Contract - MP2-019

# 10. DIGESTER C, D, F, AND G MECHANICAL REHABILITATION AT PLANT NO. 2, PROJECT NO. FE20-02

<u>2024-3649</u>

# **RECOMMENDATION:**

- A. Receive and file Bid Tabulation and Recommendation for Digester C, D, F, and G Mechanical Rehabilitation at Plant No. 2, Project No. FE20-02;
- B. Award a Construction Contract Agreement to J.F. Shea Construction, Inc. for Digester C, D, F, and G Mechanical Rehabilitation at Plant No. 2, Project No. FE20-02, for a total amount not to exceed \$3,694,000; and
- C. Approve a contingency of \$369,400 (10%).

Originator: Mike Dorman

Attachments: Agenda Report

Construction Contract Agreement - FE20-02
Presentation - FE20-02 Contract Award

# 11. SUNFLOWER PUMP REPLACEMENT AT PLANT NO. 1, PROJECT NO. <u>2024-3650</u> FE19-04

# **RECOMMENDATION:**

Approve a contingency increase of \$318,480 (15%) to the construction contract with GSE Construction Company Inc. for Sunflower Pump Replacement at Plant No. 1, Project No. FE19-04, for a total construction contingency of \$530,800 (25%).

**Originator:** Mike Dorman

**Attachments:** Agenda Report

<u>Presentation - FE19-04 Sunflower Contingency Increase</u>

# 12. OCEAN OUTFALL SYSTEM REHABILITATION, PROJECT NO. J-117

2024-3651

# RECOMMENDATION:

Approve a contingency increase of \$727,933 (8.5%) to the Professional Construction Services Agreement with Brown and Caldwell for Ocean Outfall System Rehabilitation, Project No. J-117, Outfall Low Flow Pump Station, Contract No. J-117B, for a new total contingency not to exceed \$1,584,324 (18.5%).

**Originator:** Mike Dorman

**Attachments:** Agenda Report

Presentation - J-117 Consultant Contingency

# 13. **HEADQUARTERS COMPLEX AT PLANT NO. 1, PROJECT NO. P1-128** 2024-3652 RECOMMENDATION:

- A. Approve a project budget increase of \$1,500,000 for Headquarters Complex at Plant No. 1, Project No. P1-128 for a new total project budget of \$171,000,000; and
- B. Approve a contingency increase of \$1,538,175 (1.5%) to the existing Construction Contract No. P1-128A with Swinerton Builders for Headquarters Complex at Plant No. 1, Project No. P1-128, for a total contingency of \$6,665,424 (6.5%).

Originator: Mike Dorman

Attachments: Agenda Report

Presentation - P1-128 Construction Contingency

# **ADMINISTRATION COMMITTEE:**

# 14. GANN APPROPRIATIONS LIMIT FOR FISCAL YEAR 2024-25

2024-3662

# **RECOMMENDATION:**

Adopt Resolution No. OC SAN 24-06, entitled: "A Resolution of the Board of Directors of the Orange County Sanitation District Establishing the Annual Appropriations Limit for Fiscal Year 2024-25 for the Orange County Sanitation District in Accordance with the Provisions of Division 9 of Title 1 of the California Government Code".

Originator: Wally Ritchie

Attachments: Agenda Report

Resolution No. OC SAN 24-06 - Gann

# 15. FY 2024-25 USE CHARGES FOR SANTA ANA WATERSHED PROJECT AUTHORITY

**2024-3663** 

### RECOMMENDATION:

Adopt Resolution No. OC SAN 24-07, entitled: "A Resolution of the Board of Directors of the Orange County Sanitation District Establishing Use Charges for the 2024-25 Fiscal Year Pursuant to the Wastewater Treatment and Disposal Agreement with the Santa Ana Watershed Project Authority ("SAWPA")".

Originator: Wally Ritchie

**Attachments:** Agenda Report

Resolution No. OC SAN 24-07 - SAWPA

### 16. FY 2024-25 PROPERTY - LIABILITY INSURANCE RENEWALS

2024-3664

# **RECOMMENDATION:**

Approve the Orange County Sanitation District FY 2024-25 Property-Liability Insurance Renewals included in the FY 2024-25 Budget for the not-to-exceed amounts specified below:

Property and Boiler & Machinery - Not to Exceed	\$2	2,906,254
Excess General Liability Insurance - Not to Exceed	\$1	,704,203
Excess Workers' Compensation Insurance - Not to Exceed	\$	437,293
Earthquake Insurance - Not to Exceed	\$	222,583
TOTAL	\$5	,270,333

Originator: Wally Ritchie

Attachments: Agenda Report

# 17. PROPOSED FISCAL YEAR 2024-25 AND FISCAL YEAR 2025-26 BUDGET

**2024-3665** 

# **RECOMMENDATION:**

Approve the proposed Operating, Capital, Debt Service, and Self-Insurance Budgets for FY 2024-25 and FY 2025-26 as follows:

	FY 2024-25	FY 2025-26
Net Operating	\$232,674,493	\$239,114,716
Self-Insurance - Workers' Comp.	1,124,029	1,182,835
Self-Insurance - Property & Gen. Liability	4,402,500	4,767,000
Net Capital Improvement Program	223,075,113	279,436,128
Debt/COP Service	61,027,421	60,431,104
Intra-District Joint Equity Purchase/Sale (1)	3,500,000	3,500,000
Total	\$525,803,556	\$588,431,783

<sup>(1)</sup> Cash to/from Revenue Area 14 (RA14) in exchange for capital assets to/from Consolidated Revenue Area 15 (RA15)

Originator: Wally Ritchie

Attachments: Agenda Report

<u>Draft FY2024-25 and FY2025-26 Budget</u> Presentation - FY24-25 and FY25-26 Budget

## STEERING COMMITTEE:

### 18. LEGISLATIVE AFFAIRS UPDATE FOR THE MONTH OF MAY 2024

2024-3679

# **RECOMMENDATION:**

Receive and file the Legislative Affairs Update for the month of May 2024.

**Originator:** Rob Thompson

Attachments: Agenda Report

Federal Legislative Update

**Federal Matrix** 

State Legislative Update

**State Matrix** 

H.R. 7944 Letter of Support - Rep. Katie Porter
H.R. 7944 Letter of Support - Rep. Linda Sanchez
H.R. 7944 Letter of Support - Rep. Lou Correa
H.R. 7944 Letter of Support - Rep. Michelle Steel
H.R. 7944 Letter of Support - Rep. Young Kim

## 19. PUBLIC AFFAIRS UPDATE FOR THE MONTH OF MAY 2024

2024-3680

# **RECOMMENDATION:**

Receive and file the Public Affairs Update for the month of May 2024.

**Originator:** Rob Thompson

Attachments: Agenda Report

Outreach and Media Report - May 2024

WPAA Local Public Affairs Report - May 2024

# 20. PUBLIC AFFAIRS STRATEGIC PLAN FOR FISCAL YEARS 2022-2024 2024-3681 SUMMARY

# **RECOMMENDATION:**

Receive and file the Proposed Public Affairs Strategic Plan for Fiscal Years 2022- 2024 Summary.

**Originator:** Rob Thompson

**Attachments:** Agenda Report

Public Affairs Strategic Plan, FY 2022-2024

Public Affairs Portfolio, FY 2022-2024

### 21. PUBLIC AFFAIRS STRATEGIC PLAN FOR FISCAL YEARS 2024-2026

2024-3682

**RECOMMENDATION:** 

Receive and file the Public Affairs Strategic Plan for Fiscal Years 2024-2026.

**Originator:** Rob Thompson

Attachments: Agenda Report

Public Affairs Strategic Plan, FY 2024-2026

# 22. GENERAL MANAGER'S FY 2023-2024 WORK PLAN YEAR-END

2024-3683

REPORT

RECOMMENDATION:

Receive and file the General Manager's FY 2023-2024 Work Plan Year-End Report.

Originator: Rob Thompson

Attachments: Agenda Report

General Manager's FY 2023-2024 Work Plan Year-End

Report

### 23. GENERAL MANAGER'S FY 2024-2025 WORK PLAN

2024-3684

RECOMMENDATION:

Receive and file the General Manager's Fiscal Year 2024-2025 Work Plan.

**Originator:** Rob Thompson

Attachments: Agenda Report

General Manager's FY 2024-2025 Work Plan

# **NON-CONSENT:**

# 24. PROFESSIONAL CONSULTANT SERVICES AGREEMENT FOR GENERAL LEGAL SERVICES

**2024-3686** 

# **RECOMMENDATION:**

Authorize Board Chairman Chad P. Wanke, to enter into a Professional Consultant Services Agreement with Best Best & Krieger LLP for General Legal Services, Specification No. CS-2024-1440BD; and appoint Scott Smith as Principal General Counsel; for a five-year term beginning July 1, 2024 through June 30, 2029, with one (1) optional five-year renewal, in a form approved by Special Counsel.

**Originator:** Lorenzo Tyner

Attachments: Agenda Report

**Detailed Scoring** 

Professional Consultant Services Agreement -

CS-2024-1440BD

# 25. PROFESSIONAL CONSULTANT SERVICES AGREEMENT FOR GENERAL LEGAL SERVICES IN THE AREAS OF ENVIRONMENTAL LAW AND AIR QUALITY

**2024-3687** 

# **RECOMMENDATION:**

Approve a Professional Consultant Services Agreement with Allen Matkins Leck Gamble Mallory & Natsis LLP for General Legal Services in the areas of Environmental Law and Air Quality, Specification No. CS-2024-1440BD, for the period beginning July 1, 2024 through June 30, 2029 with one (1) optional five-year renewal.

**Originator:** Lorenzo Tyner

Attachments: Agenda Report

**Detailed Scoring** 

Professional Consultant Services Agreement -

CS-2024-1440BD

# 26. SOLE SOURCE AGREEMENT FOR LEGAL SERVICES WITH WOODRUFF & SMART

**2024-3688** 

### **RECOMMENDATION:**

Approve a Sole Source Agreement for Legal Services with Woodruff & Smart, commencing on July 1, 2024, in a form approved by Special Counsel.

Originator: Lorenzo Tyner

Attachments: Agenda Report

Agreement for Legal Services

# **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).

- · Report from Board Delegate ISDOC
- · Report from Board Delegate NWRI
- Report from Board Delegate OCCOG
- Report from Board Delegate SARFPA
- Report from GWRS Steering Committee Member(s)
- Other

# **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 LEGAL COUNSEL RE EXISTING LITIGATION - 2024-3675 GOVERNMENT CODE SECTION 54956.9(d)(1)

RECOMMENDATION: Convene in Closed Session:

Number of Cases: 1

Orange County Sanitation District, a public entity v. Bayside Village Marina, LLC, a limited liability company; Laguna Beach County Water District, a public entity; and Does 1-100, inclusive; and all Persons Unknown Claiming an Interest in the Property, Superior Court of California, County of Orange, Case No. 30-2022-01251890.

Attachments: Agenda Report

Board CS Memo re Bayside Village Marina 6-26-24

# CS-2 CONFERENCE WITH LABOR NEGOTIATORS - GOVERNMENT CODE <u>2024-3676</u> SECTION 54957.6

RECOMMENDATION: Convene in Closed Session:

Agency Designated Representative: General Manager Robert Thompson.

<u>Benefits for Unrepresented Executive Management Employees:</u> Assistant General Manager, Director of Communications, Director of Engineering, Director of Environmental Services, Director of Finance, Director of Human Resources, and Director of Operations and Maintenance.

Attachments: Agenda Report

Board CS Memo re Labor Negotiations 6-26-24

#### 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 July 24, 2024 at 6:00 p.m.