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## **SPECIAL MEETING**

### **CALL TO ORDER**

A special meeting of the Steering Committee of the Orange County Sanitation District was called to order by Board Chairman Chad Wanke on Thursday, December 15, 2022 at 5:01 p.m. in the Administration Building of the Orange County Sanitation District.

### **ROLL CALL AND DECLARATION OF QUORUM:**

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

**PRESENT:** Chad Wanke, Ryan Gallagher, Marshall Goodman, Sandra Massa-Lavitt and John Withers  
**ABSENT:** None

**STAFF PRESENT:** Rob Thompson, Assistant General Manager; Lorenzo Tyner, Assistant General Manager; Kelly Lore, Clerk of the Board; Mo Abiodun; and Mortimer Caparas were present in Conference Room A. Jim Herberg, 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; Andrew Brown; Jennifer Cabral; Tanya Chong; Raul Cuellar; Daisy Covarrubias; Tina Knapp; Rob Michaels; Valerie Ratto; Wally Ritchie; Thomas Vu; Eros Yong; and Ruth Zintzun were present telephonically.

**OTHERS PRESENT:** Brad Hogin, General Counsel, was present in Conference Room A; and Anni Larkins was present telephonically.

### **PUBLIC COMMENTS:**

None.

### **REPORTS:**

Chair Wanke and General Manager Jim Herberg did not provide reports.

### **CONSENT CALENDAR:**

#### **1. APPROVAL OF MINUTES**

[2022-2640](#)

**Originator:** Kelly Lore

MOVED, SECONDED, AND DULY CARRIED TO:

Approve Minutes of the Regular Meeting of the Steering Committee held November 16, 2022.

**AYES:** Chad Wanke, Ryan Gallagher, Marshall Goodman and Sandra Massa-Lavitt

**NOES:** None

**ABSENT:** John Withers

**ABSTENTIONS:** None

**2. GRANT OF EASEMENT TO SOUTHERN CALIFORNIA EDISON [2022-2659](#)**

**Originator:** Kelly Lore

MOVED, SECONDED, AND DULY CARRIED TO: Recommend to the Board of Directors to:

Authorize the Orange County Sanitation District to grant an easement to Southern California Edison (Document ID. TD1820057) for purposes of installation of underground electrical lines for the construction of the new pedestrian bridge to the Headquarters Complex at the corner of Ellis Avenue and Bandilier Circle in the City of Fountain Valley, APN No. 156-181-02, in a form approved by General Counsel.

**AYES:** Chad Wanke, Ryan Gallagher, Marshall Goodman and Sandra Massa-Lavitt

**NOES:** None

**ABSENT:** John Withers

**ABSTENTIONS:** None

**NON-CONSENT:**

**3. LEGISLATIVE AND PUBLIC AFFAIRS COMMITTEE [2022-2435](#)**

**Originator:** Kelly Lore

Chair Wanke provided a brief explanation of the item.

MOVED, SECONDED, AND DULY CARRIED TO: Recommend to the Board of Directors to:

- A. Approve the sunseting of the Legislative and Public Affairs Committee, and move the consideration of legislative and public affairs matters to the Steering Committee; and
- B. Adopt Resolution No. OC SAN 22-37 entitled, "A Resolution of the Board of Directors of the Orange County Sanitation District establishing Rules of the Procedure for the Conduct of Business of the Orange County Sanitation District; and repealing Resolution No. OC SAN 21-04".

**AYES:** Chad Wanke, Ryan Gallagher, Marshall Goodman and Sandra Massa-Lavitt

**NOES:** None

**ABSENT:** John Withers

**ABSTENTIONS:** None

**INFORMATION ITEMS:**

None.

**DEPARTMENT HEAD REPORTS:**

None.

*Director John Withers arrived at the meeting at approximately 5:17 p.m. during Closed Session.*

**CLOSED SESSION:**

**CONVENED IN CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTIONS 54957(a), 54957(b)(1) & 54956.9(d)(2).**

The Committee convened in closed session at 5:05 p.m. Item CS-4 was not heard. 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)(2)**

[2022-2662](#)

CONVENED IN CLOSED SESSION:

Number of Potential Cases: 1

Claim received from OHL USA, Inc. re Contract No. 2-72 & 2-72C Newhope-Placentia Trunk Sewer Project.

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**CS-2 THREAT TO PUBLIC SERVICES OR FACILITIES - GOVERNMENT CODE SECTION 54957(a)** [2022-2653](#)

CONVENED IN CLOSED SESSION:

Conference with Information Technology Systems & Operations Manager regarding cyber security.

**CS-3 PUBLIC EMPLOYMENT - GOVERNMENT CODE SECTION 54957(b) (1)** [2022-2636](#)

**Originator:** Kelly Lore

CONVENED IN CLOSED SESSION:

Public Employment

Title: Appointment of General Manager.

**CS-4 CONFERENCE WITH LEGAL COUNSEL RE EXISTING LITIGATION - GOVERNMENT CODE SECTION 54956.9(d)(1)** [2022-2684](#)

DID NOT CONVENE IN CLOSED SESSION:

Number of Cases: 2

- A. Bayside Village Marina, LLC v. Orange County Sanitation District; Orange County Sanitation District Board of Directors; and Does 1-25, Inclusive, Superior Court of the State of California for the County of Orange - Central Justice Center Case No. 30-2021-01194238-CU-WM-CXC.
- B. 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.

**RECONVENED IN REGULAR SESSION.**

The Committee reconvened in regular session at 5:49 p.m.

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

General Counsel Brad Hogin stated there was no reportable action.

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

None.

**BOARD OF DIRECTORS INITIATED ITEMS FOR A FUTURE MEETING:**

Director Goodman requested an item be brought back to discuss the method of audit procedures by the Audit Ad Hoc Committee.

**ADJOURNMENT:**

Chair Wanke declared the special meeting adjourned at 5:50 p.m. to the next regular Steering Committee meeting to be held on Wednesday, January 25, 2023 at 5:00 p.m.

Submitted by:



Kelly A. Lore, MMC  
Clerk of the Board