



### **CALL TO ORDER**

A regular meeting of the Steering Committee of the Orange County Sanitation District was called to order by Board Chairman John Withers on Wednesday, August 25, 2021 at 5:00 p.m. in the Administration Building of the Orange County Sanitation District. Chair Withers stated that the meeting was being 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).

Due to technical difficulties, the meeting recording was without audio and, once resolved, the meeting resumed at 5:24 p.m.

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

Roll call was taken and a quorum was declared present, as follows:

**PRESENT:** John Withers, Chad Wanke, Ryan Gallagher, Brooke Jones, Sandra Massa-Lavitt, Jesus Silva and Glenn Parker  
**ABSENT:** None

**STAFF MEMBERS PRESENT:** General Manager Jim Herberg, Clerk of the Board Kelly Lore, and Joshua Martinez 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, Andrew Brown, Jennifer Cabral, Tanya Chong, Raul Cuellar, Martin Dix, Laurie Klinger, Tina Knapp, Laura Maravilla, Jeffrey Mohr, Andrew Nau, and Thomas Vu participated telephonically.

**OTHERS PRESENT:** Brad Hogin, General Counsel, and Gary Weisberg, Associate Counsel, were present in the Board Room.

### **PUBLIC COMMENTS:**

No public comments were provided.

Clerk of the Board Kelly Lore stated that late communication was received regarding a change to the attachment on Item No. 2 which was provided to the Committee Members and made available to the public.

**REPORTS:**

Chair Withers did not provide a report.

General Manager Jim Herberg did not provide a report.

**CONSENT CALENDAR:****1. APPROVAL OF MINUTES**[2021-1791](#)

**Originator:** Kelly Lore

MOVED, SECONDED, AND DULY CARRIED TO:

Approve Minutes of the Regular Meeting of the Steering Committee held July 28, 2021.

**AYES:** John Withers, Chad Wanke, Ryan Gallagher, Brooke Jones, Sandra Massa-Lavitt, Jesus Silva and Glenn Parker

**NOES:** None

**ABSENT:** None

**ABSTENTIONS:** None

**2. GENERAL MANAGER'S FISCAL YEAR 2021-22 WORK PLAN**[2021-1790](#)

**Originator:** Jim Herberg

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

Approve the General Manager's Fiscal Year 2021-22 Work Plan.

**AYES:** John Withers, Chad Wanke, Ryan Gallagher, Brooke Jones, Sandra Massa-Lavitt, Jesus Silva and Glenn Parker

**NOES:** None

**ABSENT:** None

**ABSTENTIONS:** None

**NON-CONSENT:****3. GENERAL MANAGER'S COMPENSATION AND BENEFITS**[2021-1801](#)

**Originator:** Celia Chandler

Mr. Herberg left the Board Room during the discussion on Item No. 3.

Chair Withers provided a brief recap of the General Manager's performance evaluation.

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

Approve a performance-based non-base building lump sum merit payment of 2.5% for the General Manager based on Fiscal Year 2020/2021 job performance, as authorized in Resolution No. OCSD 19-12.

**AYES:** John Withers, Chad Wanke, Ryan Gallagher, Brooke Jones, Sandra Massa-Lavitt, Jesus Silva and Glenn Parker  
**NOES:** None  
**ABSENT:** None  
**ABSTENTIONS:** None

*Director Jesus Silva departed the meeting at approximately 5:40 p.m.*

**4. BAY BRIDGE PUMP STATION FORCE MAIN ISOLATION VALVE REPLACEMENT, PROJECT NO. FRC-0013** [2021-1804](#)

**Originator:** Kathy Millea

Director of Engineering Kathy Millea provided a PowerPoint presentation which explained the necessary repairs.

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

A. Ratify Approval of an Emergency Repair Service Contract to Charles King Company for Bay Bridge Pump Station Force Main Isolation Valve Replacement, Project No. FRC-0013, for an amount not to exceed \$289,585; and

B. Approve a contingency of \$144,793 (50%).

**AYES:** John Withers, Chad Wanke, Ryan Gallagher, Brooke Jones, Sandra Massa-Lavitt and Glenn Parker  
**NOES:** None  
**ABSENT:** Jesus Silva  
**ABSTENTIONS:** None

**5. BAY BRIDGE PUMP STATION VALVE REPLACEMENT, PROJECT NO. FRC-0002** [2021-1792](#)

**Originator:** Kathy Millea

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

Approve a contingency increase of \$269,100 (45%) to the service contract with Innovative Construction Solutions for Bay Bridge Pump Station Valve Replacement, Project No. FRC-0002, Specification No. S-2020-1192BD, for a total contingency of \$328,900 (55%).

**AYES:** John Withers, Chad Wanke, Ryan Gallagher, Brooke Jones, Sandra Massa-Lavitt and Glenn Parker  
**NOES:** None  
**ABSENT:** Jesus Silva  
**ABSTENTIONS:** None

**INFORMATION ITEMS:**

None.

**DEPARTMENT HEAD REPORTS:**

None.

**CLOSED SESSION:**

**CONVENED IN CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTIONS 54956.9(d)(4), 54956.9(d)(1) & 54956.8.**

The Committee convened in closed session at 5:48 p.m. to hear three items. 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) [2021-1745](#)**

CONVENED IN CLOSED SESSION:

Number of Cases: 1

Potential initiation of eminent domain litigation regarding property owned by Bayside Village Marina, LLC.

**CS-2 CONFERENCE WITH LEGAL COUNSEL RE EXISTING LITIGATION - GOVERNMENT CODE SECTION 54956.9(d)(1) [2021-1752](#)**

CONVENED IN CLOSED SESSION:

Number of Cases: 1

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.

**CS-3 CONFERENCE WITH REAL PROPERTY NEGOTIATORS -  
GOVERNMENT CODE SECTION 54956.8**[2021-1822](#)

CONVENED IN CLOSED SESSION:

Number of Cases: 1

Property: Portions of 300 East Coast Highway, Newport Beach, CA; APN No. 440-132-60.

Agency negotiators: General Manager Jim Herberg, Assistant General Manager Lorenzo Tyner, Assistant General Manager Rob Thompson, Director of Engineering Kathy Millea, and Controller Wally Richie.

Negotiating parties: Bayside Village Marina, LLC

Under negotiation: Price and terms of payment

**RECONVENE IN REGULAR SESSION.**

The Committee reconvened in regular session at 5:53 p.m.

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

General Counsel Brad Hogin did not provide a report.

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

None.

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

None.

**ADJOURNMENT:**

Chair Withers declared the meeting adjourned at 5:54 p.m. to the Special Meeting of the Steering Committee to be held on Wednesday, September 29, 2021 at 5:00 p.m.

Submitted by:



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Kelly A. Lore, MMC  
Clerk of the Board