

ORANGE COUNTY SANITATION DISTRICT

MINUTES

BOARD OF DIRECTORS

NOVEMBER 16, 2022



**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 Vice-Chairman Ryan Gallagher on Wednesday, November 16, 2022 at 6:00 p.m. in the Administration Building of the Orange County Sanitation District. Director John Withers 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, Kim Carr, Stephen Faessel, Ryan Gallagher, Marshall Goodman, Patrick Harper, Johnathan Ryan Hernandez, Steve Jones, Anthony Kuo, Sandra Massa-Lavitt, Paulo Morales, Jordan Nefulda (Alternate), Andrew Nguyen, Kim Nichols, Robert Ooten, Glenn Parker, David Shawver, Donald Wagner, John Withers and Chad Zimmerman

ABSENT: Art Brown, Rose Espinoza, Brooke Jones, Jesus Silva and Chad Wanke

STAFF PRESENT: Jim Herberg, General Manager; Lorenzo Tyner, Assistant General Manager; Kelly Lore, Clerk of the Board; and Brian Engeln were present in Conference Rooms A & B. Rob Thompson, 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; Mo Abiodun; Andrew Brown; Jennifer Cabral; Mortimer Caparas; Tanya Chong; Raul Cuellar; Brian Engeln; Tina Knapp; Rebecca Long; Rob Michaels; Victoria Pilko; Valerie Ratto; Wally Ritchie; Kevin Schuler; Eros Yong; Thomas Vu and Ruth Zintzun were in attendance telephonically.

OTHERS PRESENT: Brad Hogin, General Counsel, and Gary Weisberg, Associate Counsel, were present in Conference Rooms A & B.

PUBLIC COMMENTS:

None.

SPECIAL PRESENTATIONS:**1. EMPLOYEE SERVICE AWARDS****[2022-2608](#)**

Originator: Kelly Lore

Vice-Chair Gallagher presented the following:

30-year Service Award

Jim Herberg, General Manager - Division 110

20-year Service Awards

Kurt Rathert, Plant Operator - Division 840
James Arthur, Power Plant Operator II - Division 870

REPORTS:

Vice-Chairman Gallagher thanked all for attending the State of OC San; announced that there were approximately 125 attendees that varied from elected officials, community and business members, and industry contacts; and referenced the program details. He stated that a link to the OC San Annual Report was provided to those attended, made available on OC San's website, and will be made available in the monthly Board talking points.

Vice-Chair Gallagher announced Commendations of Appreciation will be presented to the outgoing Directors and Alternate Directors at the December 15 Board meeting. The Clerk will send invitations to those members.

General Manager Jim Herberg reported that Assistant General Manager Lorenzo Tyner provided an update on the rate study at the Steering Committee meeting, and additional updates will be provided to the Committees and the Board of Directors in December. He further stated that the Prop. 218 notice period will begin in February.

Mr. Herberg provided a brief update to the recent spill of approximately 10,000 gallons in Newport Beach which closed a portion of the Newport Harbor for a few days. He stated that staff is conducting an assessment and will provide an update to the Operations Committee in December.

Mr. Herberg reminded the Board of the OC San Administrative Offices closures on Thursday, November 24 and Friday, November 25 in observance of Thanksgiving; and stated the December Steering and Board meetings will be held on Thursday, December 15.

Mr. Herberg requested that the meeting be adjourned in memory of Director Andrew Nguyen's wife Jacquelyne who recently lost her battle from an extended illness.

CONSENT CALENDAR:**2. PROPOSED BOARD OF DIRECTORS & COMMITTEE MEETING
DATES FOR CALENDAR YEAR 2023****[2022-2453](#)**

Originator: Kelly Lore

MOVED, SECONDED, AND DULY CARRIED TO:

Approve the calendar of meeting dates for the 2023 calendar year for the Board of Directors and the following Committees: Administration, Legislative and Public Affairs, Operations, and Steering.

AYES: Brad Avery, Kim Carr, Stephen Faessel, Ryan Gallagher, Marshall Goodman, Patrick Harper, Johnathan Ryan Hernandez, Steve Jones, Anthony Kuo, Sandra Massa-Lavitt, Paulo Morales, Jordan Nefulda (Alternate), Andrew Nguyen, Kim Nichols, Robert Ooten, Glenn Parker, David Shawver, Donald Wagner, John Withers and Chad Zimmerman

NOES: None

ABSENT: Art Brown, Rose Espinoza, Brooke Jones, Jesus Silva and Chad Wanke

ABSTENTIONS: None

3. APPROVAL OF MINUTES

[2022-2609](#)

Originator: Kelly Lore

MOVED, SECONDED, AND DULY CARRIED TO:

Approve Minutes of the Regular Board of Directors Meeting held October 26, 2022.

AYES: Brad Avery, Kim Carr, Stephen Faessel, Ryan Gallagher, Marshall Goodman, Patrick Harper, Johnathan Ryan Hernandez, Steve Jones, Anthony Kuo, Sandra Massa-Lavitt, Paulo Morales, Jordan Nefulda (Alternate), Andrew Nguyen, Kim Nichols, Robert Ooten, Glenn Parker, David Shawver, Donald Wagner, John Withers and Chad Zimmerman

NOES: None

ABSENT: Art Brown, Rose Espinoza, Brooke Jones, Jesus Silva and Chad Wanke

ABSTENTIONS: None

RECEIVE AND FILE:

4. COMMITTEE MEETING MINUTES

[2022-2066](#)

Originator: Kelly Lore

WITHOUT OBJECTION ACTION TAKEN TO RECEIVE AND FILE THE FOLLOWING:

A. Minutes of the Steering Committee Meeting held September 28, 2022

B. Minutes of the Operations Committee Meeting held October 5, 2022

5. **REPORT OF THE INVESTMENT TRANSACTIONS FOR THE MONTH OF OCTOBER 2022** [2022-2388](#)

Originator: Lorenzo Tyner

WITHOUT OBJECTION ACTION TAKEN TO RECEIVE AND FILE THE FOLLOWING:

Report of the Investment Transactions for the month of October 2022.

OPERATIONS COMMITTEE:

6. **SONAR INSPECTION OF LARGE-DIAMETER SEWERS AND SIPHONS** [2022-2621](#)

Originator: Riaz Moinuddin

MOVED, SECONDED, AND DULY CARRIED TO:

A. Approve a General Services Contract to Pipe and Plant Solutions, Inc. to provide Sonar Inspection Services, Specification No. S-2022-1327, for a total amount not to exceed \$344,949; and

B. Approve a contingency of \$34,495 (10%).

AYES: Brad Avery, Kim Carr, Stephen Faessel, Ryan Gallagher, Marshall Goodman, Patrick Harper, Johnathan Ryan Hernandez, Steve Jones, Anthony Kuo, Sandra Massa-Lavitt, Paulo Morales, Jordan Nefulda (Alternate), Andrew Nguyen, Kim Nichols, Robert Ooten, Glenn Parker, David Shawver, Donald Wagner, John Withers and Chad Zimmerman

NOES: None

ABSENT: Art Brown, Rose Espinoza, Brooke Jones, Jesus Silva and Chad Wanke

ABSTENTIONS: None

7. **PURCHASE OF SODIUM HYPOCHLORITE (BLEACH SOLUTION) FOR ODOR CONTROL AND PLANT WATER DISINFECTION IN THE TREATMENT PLANTS** [2022-2622](#)

Originator: Riaz Moinuddin

MOVED, SECONDED, AND DULY CARRIED TO:

- A. Approve a Chemical Supplier Agreement to Olin Corporation dba Olin Chlor Alkali Products and Vinyls for the purchase of Sodium Hypochlorite (Bleach), Specification No. C-2022-1346BD, for the period beginning December 1, 2022 through May 31, 2023 for a unit price of \$1.728 per gallon delivered, plus applicable sales and excise tax, for a total estimated cost of \$632,708;
- B. Approve the option to renew the Chemical Supplier Agreement over a five-year period, expiring November 30, 2027, with renewal terms not to exceed a 12-month term; and
- C. Approve renewal adjustments of unit pricing with a not to exceed unit price of \$2.16/gallon (25%).

AYES: Brad Avery, Kim Carr, Stephen Faessel, Ryan Gallagher, Marshall Goodman, Patrick Harper, Johnathan Ryan Hernandez, Steve Jones, Anthony Kuo, Sandra Massa-Lavitt, Paulo Morales, Jordan Nefulda (Alternate), Andrew Nguyen, Kim Nichols, Robert Ooten, Glenn Parker, David Shawver, Donald Wagner, John Withers and Chad Zimmerman

NOES: None

ABSENT: Art Brown, Rose Espinoza, Brooke Jones, Jesus Silva and Chad Wanke

ABSTENTIONS: None

8. CONSTRUCTION OUTREACH SUPPORT SERVICES

[2022-2623](#)

Originator: Kathy Millea

MOVED, SECONDED, AND DULY CARRIED TO:

- A. Approve a Professional Consultant Services Agreement with Katz & Associates, Inc. to provide Construction Outreach Support Services, Specification No. CS-2022-1329BD, for a total amount not to exceed \$450,000 for a three-year term;
- B. Approve a contingency of \$45,000 (10%) for the first three-year term;
- C. Approve two (2) one-year optional renewals for an annual amount not to exceed \$150,000 per year; and
- D. Approve an annual contingency of \$15,000 (10%) for each optional year.

AYES: Brad Avery, Kim Carr, Stephen Faessel, Ryan Gallagher, Marshall Goodman, Patrick Harper, Johnathan Ryan Hernandez, Steve Jones, Anthony Kuo, Sandra Massa-Lavitt, Paulo Morales, Jordan Nefulda (Alternate), Andrew Nguyen, Kim Nichols, Robert Ooten, Glenn Parker, David Shawver, Donald Wagner, John Withers and Chad Zimmerman

NOES: None

ABSENT: Art Brown, Rose Espinoza, Brooke Jones, Jesus Silva and Chad Wanke

ABSTENTIONS: None

9. REPLACEMENT OF GAS FLARE PIPING AT PLANT NO. 2 [2022-2624](#)

Originator: Riaz Moinuddin

MOVED, SECONDED, AND DULY CARRIED TO:

A. Approve a Purchase Order to Vicon Enterprise, Inc. for replacement of digester gas piping to three gas flares at Plant No. 2, Specification No. S-2022-1365BD, for a total amount not to exceed \$ 285,000; and

B. Approve a contingency of \$ 28,500 (10%).

AYES: Brad Avery, Kim Carr, Stephen Faessel, Ryan Gallagher, Marshall Goodman, Patrick Harper, Johnathan Ryan Hernandez, Steve Jones, Anthony Kuo, Sandra Massa-Lavitt, Paulo Morales, Jordan Nefulda (Alternate), Andrew Nguyen, Kim Nichols, Robert Ooten, Glenn Parker, David Shawver, Donald Wagner, John Withers and Chad Zimmerman

NOES: None

ABSENT: Art Brown, Rose Espinoza, Brooke Jones, Jesus Silva and Chad Wanke

ABSTENTIONS: None

10. CENGEN COOLING WATER PIPE REPLACEMENT AT PLANT NO. 2, PROJECT NO. FE20-04 [2022-2625](#)

Originator: Kathy Millea

MOVED, SECONDED, AND DULY CARRIED TO:

- A. Receive and file Bid Tabulation and Recommendation for Cengen Cooling Water Pipe Replacement at Plant No. 2, Project No. FE20-04;
- B. Award a Construction Contract to Innovative Construction Solutions, Inc. for Cengen Cooling Water Pipe Replacement at Plant No. 2, Project No. FE20-04, for a total amount not to exceed \$3,487,600; and
- C. Approve a contingency of \$348,760 (10%).

AYES: Brad Avery, Kim Carr, Stephen Faessel, Ryan Gallagher, Marshall Goodman, Patrick Harper, Johnathan Ryan Hernandez, Steve Jones, Anthony Kuo, Sandra Massa-Lavitt, Paulo Morales, Jordan Nefulda (Alternate), Andrew Nguyen, Kim Nichols, Robert Ooten, Glenn Parker, David Shawver, Donald Wagner, John Withers and Chad Zimmerman

NOES: None

ABSENT: Art Brown, Rose Espinoza, Brooke Jones, Jesus Silva and Chad Wanke

ABSTENTIONS: None

11. SEAL BEACH PUMP STATION REPLACEMENT, PROJECT NO. 3-67 [2022-2626](#)

Originator: Kathy Millea

MOVED, SECONDED, AND DULY CARRIED TO:

- A. Approve a project budget increase of \$13,000,000 for Seal Beach Pump Station Replacement, Project No. 3-67, for a new total project budget of \$100,000,000; and
- B. Approve a contingency increase of \$155,183 (2.6%) to the existing Professional Design Services Agreement with Lee & Ro, Inc. for Seal Beach Pump Station Replacement, Project No. 3-67, for a new total contingency amount of \$749,968 (12.6%).

AYES: Brad Avery, Kim Carr, Stephen Faessel, Ryan Gallagher, Marshall Goodman, Patrick Harper, Johnathan Ryan Hernandez, Steve Jones, Anthony Kuo, Sandra Massa-Lavitt, Paulo Morales, Jordan Nefulda (Alternate), Andrew Nguyen, Kim Nichols, Robert Ooten, Glenn Parker, David Shawver, Donald Wagner, John Withers and Chad Zimmerman

NOES: None

ABSENT: Art Brown, Rose Espinoza, Brooke Jones, Jesus Silva and Chad Wanke

ABSTENTIONS: None

ADMINISTRATION COMMITTEE:**12. CONSOLIDATED FINANCIAL REPORT FOR THE FIRST QUARTER ENDED SEPTEMBER 30, 2022 [2022-2627](#)**

Originator: Lorenzo Tyner

MOVED, SECONDED, AND DULY CARRIED TO:

Receive and file the Orange County Sanitation District First Quarter Financial Report for the period ended September 30, 2022.

AYES: Brad Avery, Kim Carr, Stephen Faessel, Ryan Gallagher, Marshall Goodman, Patrick Harper, Johnathan Ryan Hernandez, Steve Jones, Anthony Kuo, Sandra Massa-Lavitt, Paulo Morales, Jordan Nefulda (Alternate), Andrew Nguyen, Kim Nichols, Robert Ooten, Glenn Parker, David Shawver, Donald Wagner, John Withers and Chad Zimmerman

NOES: None

ABSENT: Art Brown, Rose Espinoza, Brooke Jones, Jesus Silva and Chad Wanke

ABSTENTIONS: None

13. GENERAL MANAGER APPROVED PURCHASES AND ADDITIONS TO THE PRE-APPROVED OEM SOLE SOURCE LIST [2022-2628](#)

Originator: Lorenzo Tyner

MOVED, SECONDED, AND DULY CARRIED TO:

A. Receive and file Orange County Sanitation District purchases made under the General Manager's authority for the period of July 1, 2022 to September 30, 2022; and

B. Approve the following additions to the pre-approved OEM Sole Source List:

- BEAMEX - Maintenance and Support for CMX Calibration Software and CMX Business Bridge Software
- FORD HALL COMPANY INC. - Weir Wolf/Algae Sweep Automation Cleaning Equipment Parts and Service
- MIDWAY MANUFACTURING & MACHINE - Custom Brackets & Fittings for Vehicles / Electric Carts and Portable Equipment
- VAPEX ENVIRONMENTAL TECHNOLOGIES - SENTINEL Scrubber Monitor/Controller Products

- AYES:** Brad Avery, Kim Carr, Stephen Faessel, Ryan Gallagher, Marshall Goodman, Patrick Harper, Johnathan Ryan Hernandez, Steve Jones, Anthony Kuo, Sandra Massa-Lavitt, Paulo Morales, Jordan Nefulda (Alternate), Andrew Nguyen, Kim Nichols, Robert Ooten, Glenn Parker, David Shawver, Donald Wagner, John Withers and Chad Zimmerman
- NOES:** None
- ABSENT:** Art Brown, Rose Espinoza, Brooke Jones, Jesus Silva and Chad Wanke
- ABSTENTIONS:** None

14. COOPERATIVE PROCUREMENT AGREEMENTS [2022-2629](#)

Originator: Lorenzo Tyner

MOVED, SECONDED, AND DULY CARRIED TO:

Authorize the purchasing of information technology products, services, and solutions utilizing Cooperative Procurement Agreements (CPA) such as, but not limited to, OMNIA Partners Public Sector (formerly U.S. Communities), NASPO ValuePoint, and U.S. General Services Administration GSA Schedule 70/ GSA Multiple Award Schedule (MAS) for the period January 1, 2023 through December 31, 2023 for a total amount not to exceed \$2,000,000, in accordance with Ordinance No. OCSD-56, Section 2.03(B) Cooperative Purchases, with two (2) one-year renewal options.

- AYES:** Brad Avery, Kim Carr, Stephen Faessel, Ryan Gallagher, Marshall Goodman, Patrick Harper, Johnathan Ryan Hernandez, Steve Jones, Anthony Kuo, Sandra Massa-Lavitt, Paulo Morales, Jordan Nefulda (Alternate), Andrew Nguyen, Kim Nichols, Robert Ooten, Glenn Parker, David Shawver, Donald Wagner, John Withers and Chad Zimmerman
- NOES:** None
- ABSENT:** Art Brown, Rose Espinoza, Brooke Jones, Jesus Silva and Chad Wanke
- ABSTENTIONS:** None

15. EMISSION REDUCTION CREDITS BROKER SOLICITATION [2022-2630](#)

Originator: Lan Wiborg

MOVED, SECONDED, AND DULY CARRIED TO:

Approve the solicitation for an Emission Reduction Credits (ERCs) brokerage firm to identify and secure a buyer(s) for the sale of surplus Reactive Organic Gases (ROG) ERCs at the best available value and to handle all market evaluations of ERCs, negotiations, and financial transactions with all appropriate parties.

- AYES:** Brad Avery, Kim Carr, Stephen Faessel, Ryan Gallagher, Marshall Goodman, Patrick Harper, Johnathan Ryan Hernandez, Steve Jones, Anthony Kuo, Sandra Massa-Lavitt, Paulo Morales, Jordan Nefulda (Alternate), Andrew Nguyen, Kim Nichols, Robert Ooten, Glenn Parker, David Shawver, Donald Wagner, John Withers and Chad Zimmerman
- NOES:** None
- ABSENT:** Art Brown, Rose Espinoza, Brooke Jones, Jesus Silva and Chad Wanke
- ABSTENTIONS:** None

**16. ORANGE COUNTY SANITATION DISTRICT ANNUAL [2022-2631](#)
COMPREHENSIVE FINANCIAL REPORT FOR THE YEAR END JUNE
30, 2022**

Originator: Lorenzo Tyner

MOVED, SECONDED, AND DULY CARRIED TO:

Receive and file the Orange County Sanitation District’s (OC San) Annual Comprehensive Financial Report (ACFR) for the year ended June 30, 2022, prepared by staff and audited by Davis Farr, Certified Public Accountants, along with the following reports prepared by Davis Farr:

1. Report to the Board of Directors;
2. Independent Accountants’ Report on Agreed-Upon Procedures Applied to Appropriations Limit Worksheets; and
3. Report on Internal Control Over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance With Government Auditing Standards.

- AYES:** Brad Avery, Kim Carr, Stephen Faessel, Ryan Gallagher, Marshall Goodman, Patrick Harper, Johnathan Ryan Hernandez, Steve Jones, Anthony Kuo, Sandra Massa-Lavitt, Paulo Morales, Jordan Nefulda (Alternate), Andrew Nguyen, Kim Nichols, Robert Ooten, Glenn Parker, David Shawver, Donald Wagner, John Withers and Chad Zimmerman
- NOES:** None
- ABSENT:** Art Brown, Rose Espinoza, Brooke Jones, Jesus Silva and Chad Wanke
- ABSTENTIONS:** None

LEGISLATIVE AND PUBLIC AFFAIRS COMMITTEE:**17. PUBLIC AFFAIRS UPDATE FOR THE MONTHS OF SEPTEMBER AND OCTOBER 2022 [2022-2633](#)**

Originator: Jim Herberg

MOVED, SECONDED, AND DULY CARRIED TO:

Receive and File the Public Affairs Update for the months of September and October 2022.

AYES: Brad Avery, Kim Carr, Stephen Faessel, Ryan Gallagher, Marshall Goodman, Patrick Harper, Johnathan Ryan Hernandez, Steve Jones, Anthony Kuo, Sandra Massa-Lavitt, Paulo Morales, Jordan Nefulda (Alternate), Andrew Nguyen, Kim Nichols, Robert Ooten, Glenn Parker, David Shawver, Donald Wagner, John Withers and Chad Zimmerman

NOES: None

ABSENT: Art Brown, Rose Espinoza, Brooke Jones, Jesus Silva and Chad Wanke

ABSTENTIONS: None

18. DRAFT 2023 LEGISLATIVE AND REGULATORY PLAN [2022-2634](#)

Originator: Jim Herberg

MOVED, SECONDED, AND DULY CARRIED TO:

Approve the Orange County Sanitation District 2023 Legislative and Regulatory Plan.

AYES: Brad Avery, Kim Carr, Stephen Faessel, Ryan Gallagher, Marshall Goodman, Patrick Harper, Johnathan Ryan Hernandez, Steve Jones, Anthony Kuo, Sandra Massa-Lavitt, Paulo Morales, Jordan Nefulda (Alternate), Andrew Nguyen, Kim Nichols, Robert Ooten, Glenn Parker, David Shawver, Donald Wagner, John Withers and Chad Zimmerman

NOES: None

ABSENT: Art Brown, Rose Espinoza, Brooke Jones, Jesus Silva and Chad Wanke

ABSTENTIONS: None

19. LEGISLATIVE AFFAIRS UPDATE FOR THE MONTHS OF SEPTEMBER AND OCTOBER 2022 [2022-2635](#)

Originator: Jim Herberg

MOVED, SECONDED, AND DULY CARRIED TO:

Receive and file the Legislative Affairs Update for the months of September and October 2022.

AYES: Brad Avery, Kim Carr, Stephen Faessel, Ryan Gallagher, Marshall Goodman, Patrick Harper, Johnathan Ryan Hernandez, Steve Jones, Anthony Kuo, Sandra Massa-Lavitt, Paulo Morales, Jordan Nefulda (Alternate), Andrew Nguyen, Kim Nichols, Robert Ooten, Glenn Parker, David Shawver, Donald Wagner, John Withers and Chad Zimmerman

NOES: None

ABSENT: Art Brown, Rose Espinoza, Brooke Jones, Jesus Silva and Chad Wanke

ABSTENTIONS: None

STEERING COMMITTEE:

None.

NON-CONSENT:

20. CONTINUATION OF TELECONFERENCED PUBLIC MEETINGS

[2022-2612](#)

Originator: Jim Herberg

MOVED, SECONDED, AND DULY CARRIED TO:

Adopt Resolution No. OC SAN 22-35 entitled, "A Resolution of the Board of Directors of the Orange County Sanitation District authorizing the continuation of remote meetings pursuant to Government Code Section 54953".

AYES: Brad Avery, Kim Carr, Stephen Faessel, Ryan Gallagher, Marshall Goodman, Patrick Harper, Johnathan Ryan Hernandez, Steve Jones, Paulo Morales, Jordan Nefulda (Alternate), Andrew Nguyen, Kim Nichols, Robert Ooten, Glenn Parker, David Shawver, Donald Wagner, John Withers and Chad Zimmerman

NOES: Anthony Kuo and Sandra Massa-Lavitt

ABSENT: Art Brown, Rose Espinoza, Brooke Jones, Jesus Silva and Chad Wanke

ABSTENTIONS: None

INFORMATION ITEMS:

None.

AB 1234 DISCLOSURE REPORTS:

None.

CLOSED SESSION:**CONVENED IN CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(d)(1).**

The Board convened in closed session at 6:24 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 EXISTING LITIGATION - [2022-2632](#)
GOVERNMENT CODE SECTION 54956.9(d)(1)**

CONVENED 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 Board reconvened in regular session at 6:34 p.m.

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

General Counsel Brad Hogin stated there was no reportable action.

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

None.

BOARD OF DIRECTORS INITIATED ITEMS FOR A FUTURE MEETING:

None.

ADJOURNMENT:

At 6:35 p.m., Vice-Chair Gallagher adjourned the meeting until the Special Meeting of the Board of Directors to be held on Thursday, December 15, 2022 at 6:00 p.m. in memory of Director Andrew Nguyen's wife Jacquelyne.

Submitted by:



Kelly A. Lore, MMC
Clerk of the Board