



CALL TO ORDER

A regular meeting of the Steering Committee of the Orange County Sanitation District was called to order by Board Vice-Chairman Ryan Gallagher on Wednesday, August 23, 2023 at 5:00 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: Ryan Gallagher, Pat Burns, Christine Marick, John Withers, Jon Dumitru and Robert Ooten
ABSENT: Chad Wanke

STAFF PRESENT: Rob Thompson, General Manager; Lorenzo Tyner, Assistant General Manager; Michael Dorman, Director of Engineering; Laura Maravilla, Director of Human Resources; Riaz Moinuddin, Director of Operations and Maintenance; Wally Ritchie, Director of Finance; Lan Wiborg, Director of Environmental Services; Kelly Lore, Clerk of the Board; Mo Abiodun; Jennifer Cabral; Tanya Chong; Daisy Covarrubias; Raul Cuellar; Thys DeVries; Tina Knapp; Rebecca Long; Rob Michaels; Cindy Murra; and Valerie Ratto were present in Conference Room A. Martin Dix, Lazaro Eleuterio, Justin Fenton, and Thomas Vu were present telephonically.

OTHERS PRESENT: Brad Hogin, General Counsel; Lindsay Caro and Gary Weisberg, Associate Counsel, Woodruff & Smart; Jeffrey Smith, Special Counsel; Cori Takkinen and Eric O'Donnell, Townsend Public Affairs; and Irene McCormack, Communications Consultant, Katz & Associates were present in Conference Room A. Eric Sapirstein, ENS Resources, was present telephonically.

PUBLIC COMMENTS:

None.

REPORTS:

Vice-Chair Gallagher and General Manager Rob Thompson did not provide reports.

CONSENT CALENDAR:**1. APPROVAL OF MINUTES**[2023-3136](#)**Originator:** Kelly Lore

MOVED, SECONDED, AND DULY CARRIED TO:

Approve minutes of the Regular meeting of the Steering Committee held July 26, 2023.

AYES: Ryan Gallagher, Pat Burns, Christine Marick, John Withers, Jon Dumitru and Robert Ooten**NOES:** None**ABSENT:** Chad Wanke**ABSTENTIONS:** None**2. LEGISLATIVE AFFAIRS UPDATE FOR THE MONTH OF JULY 2023**[2023-3144](#)**Originator:** Rob Thompson

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

Receive and file the Legislative Affairs Update for the month of July 2023.

AYES: Ryan Gallagher, Pat Burns, Christine Marick, John Withers, Jon Dumitru and Robert Ooten**NOES:** None**ABSENT:** Chad Wanke**ABSTENTIONS:** None**3. PUBLIC AFFAIRS UPDATE FOR THE MONTH OF JULY 2023**[2023-3145](#)**Originator:** Rob Thompson

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

Receive and file the Public Affairs Update for the month of July 2023.

AYES: Ryan Gallagher, Pat Burns, Christine Marick, John Withers, Jon Dumitru and Robert Ooten**NOES:** None**ABSENT:** Chad Wanke**ABSTENTIONS:** None

4. **AMENDMENTS TO ANNUAL PROFESSIONAL DESIGN SERVICES AGREEMENTS AND ON-CALL MAINTENANCE AND REPAIR MASTER SERVICES CONTRACTS** [2023-3148](#)

Originator: Wally Ritchie

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

A. Approve Amendments to the following Annual Professional Design Services Agreements:

1. Amendment No. 3 - Arcadis U.S., Inc. FE21-00-02
2. Amendment No. 3 - Black & Veatch Corporation FE21-00-03
3. Amendment No. 3 - Brown and Caldwell FE21-00-04
4. Amendment No. 3 - CDM Smith, Inc. FE21-00-05
5. Amendment No. 3 - CIVILTEC Engineering, Inc. FE21-00-06
6. Amendment No. 3 - Dudek FE21-00-07
7. Amendment No. 3 - GHD, Inc. FE21-00-08
8. Amendment No. 3 - HDR Engineering, Inc. FE21-00-09
9. Amendment No. 4 - Ardurra Group, Inc. FE21-00-10 (*Successor firm*)
10. Amendment No. 3 - Kennedy/Jenks Consultants, Inc. FE21-00-11
11. Amendment No. 3 - Kleinfelder, Inc. FE21-00-12
12. Amendment No. 3 - Michael Baker International, Inc. FE21-00-13
13. Amendment No. 3 - ProjectLine Technical Services, Inc. FE21-00-14
14. Amendment No. 3 - SPEC Services, Inc. FE21-00-15
15. Amendment No. 3 - SVA Architects, Inc. FE21-00-16
16. Amendment No. 3 - Tetra Tech, Inc. FE21-00-17
17. Amendment No. 3 - Woodard & Curran, Inc. FE21-00-18; and

B. Approve Amendments to the following On-Call Maintenance and Repair Master Services Contracts:

1. Amendment No. 2 - Charles King Company S-2021-1234BD
2. Amendment No. 2 - Jamison Engineering Contractors, Inc. S-2021-1234BD
3. Amendment No. 2 - J.R. Filanc Construction Co., Inc. S-2021-1234BD
4. Amendment No. 2 - Shimmick Construction, Inc. S-2021-1234BD
5. Amendment No. 2 - W.A. Rasic Construction Company, Inc. S-2021-1234BD
6. Amendment No. 2 - Kiewit Infrastructure West Co. S-2021-1234BD
7. Amendment No. 2 - O'Connell Engineering & Construction, Inc. S-2021-1234BD

AYES: Ryan Gallagher, Pat Burns, Christine Marick, John Withers, Jon Dumitru and Robert Ooten

NOES: None

ABSENT: Chad Wanke

ABSTENTIONS: None

5. **WASTEHAULER STATION SAFETY AND SECURITY IMPROVEMENTS, PROJECT NO. FE20-01** [2023-3107](#)

Originator: Mike Dorman

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

Approve a contingency increase of \$101,387 (6%) to the construction contract with LEED Electric, Inc. for Wastehauler Station Safety and Security Improvements, Project No. FE20-01, for a total construction contingency of \$270,367 (16%).

AYES: Ryan Gallagher, Pat Burns, Christine Marick, John Withers, Jon Dumitru and Robert Ooten

NOES: None

ABSENT: Chad Wanke

ABSTENTIONS: None

6. **UPDATE TO POSITION TITLES IN THE IDENTITY THEFT PREVENTION PROGRAM** [2023-3153](#)

Originator: Wally Ritchie

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

Adopt Resolution No. OC SAN 23-18 entitled: "A Resolution of the Board of Directors of the Orange County Sanitation District Adopting an Update to the Identity Theft Prevention Program in order to comply with the Fair and Accurate Credit Transaction Act of 2003; and Repealing Resolution No. OCSD 09-03".

AYES: Ryan Gallagher, Pat Burns, Christine Marick, John Withers, Jon Dumitru and Robert Ooten

NOES: None

ABSENT: Chad Wanke

ABSTENTIONS: None

7. **UPDATE TO FINANCIAL TRANSACTIONS POLICY** [2023-3152](#)

Originator: Wally Ritchie

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

Adopt Resolution No. OC SAN 23-19 entitled: "A Resolution of the Board of Directors of the Orange County Sanitation District, Authorizing the Establishment of Miscellaneous Banking Accounts, Establishing Policies Governing the Transactions related thereto, and Designating Employees to act on Orange County Sanitation District's behalf for said accounts; and Repealing Resolution No. OCSD 18-06".

NON-CONSENT:**8. BENEFITS FOR UNREPRESENTED MANAGER GROUP EMPLOYEES [2023-3141](#)**

Originator: Laura Maravilla

Director of Human Resources Laura Maravilla provided an overview of the item.

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

Adopt Resolution No. OC SAN 23-16 entitled: "A Resolution of the Board of Directors of the Orange County Sanitation District Approving Benefits Adjustments for Unrepresented Manager Group Employees".

AYES: Ryan Gallagher, Pat Burns, Christine Marick, John Withers, Jon Dumitru and Robert Ooten

NOES: None

ABSENT: Chad Wanke

ABSTENTIONS: None

9. GENERAL MANAGER'S COMPENSATION AND BENEFITS [2023-3142](#)

Originator: Laura Maravilla

Ms. Maravilla stated that the Steering Committee had reviewed the General Manager's job performance for Fiscal Year 2022/2023 and recommended that the Board approve the proposed salary increase. The proposed salary increase will achieve the Board's target of 75th percentile for overall market position and establish a salary for the General Manager that is competitive and supports retention. She noted a clerical error in Section 7 of the agreement which will be changed to provide specific Plan H reference as it substantiates full payment of employer paid member contributions.

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

Adopt Resolution No. OC SAN 23-17 entitled: "A Resolution of the Board of Directors of the Orange County Sanitation District approving a salary increase and salary range adjustment for the General Manager for Fiscal Year 2023/2024." The increase consists of a salary range adjustment and corresponding salary increase of 8.5%, effective in the first pay period of July 2023.

AYES: Ryan Gallagher, Pat Burns, Christine Marick, John Withers, Jon Dumitru and Robert Ooten

NOES: None

ABSENT: Chad Wanke

ABSTENTIONS: None

INFORMATION ITEMS:**10. GRANT POLICY UPDATE**[2023-3101](#)**Originator:** Rob Thompson

Administration Manager Jennifer Cabral; Eric O'Donnell, Townsend Public Affairs; and Eric Sapirstein, ENS Resources, provided updates regarding the grant policy, process, and sources of funding.

ITEM RECEIVED AS AN:

Information item.

DEPARTMENT HEAD REPORTS:

None.

CLOSED SESSION:**CONVENED IN CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTIONS 54956.9(d)(1), 54956.9(d)(2) & 54956.9(d)(4).**

The Committee convened in closed session at 5:26 p.m. General Counsel Brad Hogin stated a potential conflict with regard to Item No. CS-1 and left the meeting during discussion. 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 -
GOVERNMENT CODE SECTION 54956.9(d)(1)**[2023-3158](#)

CONVENED IN CLOSED SESSION:

Number of Cases: 1

- Alexis Tovar Solis and Jose Tovar v. Orange County Sanitation District; and Does 1-10, Superior Court of California, County of Los Angeles, Case No. 21STC24469.

**CS-2 CONFERENCE WITH LEGAL COUNSEL RE ANTICIPATED
LITIGATION - GOVERNMENT CODE SECTION 54956.9(d)(2)**[2023-3159](#)

CONVENED IN CLOSED SESSION:

Number of Potential Cases: 2

- A. Claim/Demand Letter received from Watt Tieder, on behalf of PCL Construction, Inc., re: Contract No. P2-98A for Project A-Side Primary Clarifiers Replacement at Plant 2. Claim regarding a Change Order Proposal RFC No. 44; and
- B. Claim/Compensation Request received from Carolyn Smuts re: Property Damage at 22202 Cape May Lane, Huntington Beach, CA 92646.

CS-3 CONFERENCE WITH LEGAL COUNSEL RE ANTICIPATED LITIGATION - GOVERNMENT CODE SECTION 54956.9(d)(4)

[2023-3135](#)

CONVENED IN CLOSED SESSION:

Number of Potential Cases: 1

Potential initiation of litigation regarding Miller-Holder Rhone Lane Easement.

RECONVENED IN REGULAR SESSION.

The Committee reconvened in regular session at 5:57 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:

Vice-Chair Gallagher declared the meeting adjourned at 5:58 p.m. to the next Regular Steering Committee meeting to be held on Wednesday, September 27, 2023 at 5:00 p.m.

Submitted by:

Kelly A. Lore, MMC
Clerk of the Board