

**ORANGE COUNTY SANITATION DISTRICT**

**MINUTES**

**BOARD OF DIRECTORS**

**JANUARY 27, 2021**



**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 Chairman David Shawver on January 27, 2021 at 6:03 p.m. in the Administration Building. Chair Shawver announced 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). Director Brooke Jones delivered the invocation and led the Pledge of Allegiance.

**1. APPOINTMENTS TO THE ORANGE COUNTY SANITATION DISTRICT BOARD OF DIRECTORS [2020-1387](#)**

**Originator:** Kelly Lore

Late Communication was received regarding an appointment from the City of Villa Park after the publication of the agenda.

**WITHOUT OBJECTION ACTION TAKEN TO:**

Receive and file minute excerpts of member agencies relating to appointments to the Orange County Sanitation District Board of Directors:

| <b>Agency</b>               | <b>Director</b>     | <b>Alternate Director</b> |
|-----------------------------|---------------------|---------------------------|
| City of Brea                | Glenn Parker        | Steven Vargas             |
| City of Buena Park          | Art Brown           | Connor Traut              |
| City of Fullerton           | Jesus Silva         | Nick Dunlap               |
| City of La Palma            | Marshall Goodman    | Nitesh Patel              |
| City of Newport Beach       | Brad Avery          | Joy Brenner               |
| City of Placentia           | Chad Wanke          | Ward Smith                |
| City of Seal Beach          | Sandra Massa-Lavitt | Schelly Sustarsic         |
| City of Stanton             | David Shawver       | Carol Warren              |
| Irvine Ranch Water District | John Withers        | Doug Reinhart             |
| City of Villa Park          | Chad Zimmerman      | Robert Collacott          |

**ROLL CALL AND DECLARATION OF QUORUM**

The Clerk of the Board proceeded to roll call and declared a quorum present as follows:

- PRESENT:** Brad Avery, Stacy Berry, Art Brown, Doug Chaffee, Mark Chirco, Stephen Faessel, Ryan Gallagher, Marshall Goodman, Patrick Harper, Johnathan Ryan Hernandez, Brooke Jones, Steve Jones, Anthony Kuo, Sandra Massa-Lavitt, Mark Murphy, Andrew Nguyen, Robert Ooten, Glenn Parker, David Shawver, Jesus Silva, Chad Wanke, John Withers, Chad Zimmerman and Dan Kalmick (Alternate)
- ABSENT:** Rose Espinoza

**STAFF MEMBERS PRESENT:** Kelly Lore, Clerk of the Board; and Mortimer Caparas were present in the Board Room. General Manager Jim Herberg; 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, Jennifer Cabral, Jackie Castro, Brian Engeln, Tina Knapp, Joshua Martinez, Kym Smyth, and Thomas Vu participated telephonically.

**OTHERS PRESENT:** Brad Hogin (General Counsel) was present in the Board Room.

**PUBLIC COMMENTS:**

No public comments were provided.

The Clerk of the Board stated that Committee Assignment correspondence was received from Chairman Shawver which was provided to the Board members and made available to the public.

**SPECIAL PRESENTATIONS:**

Chair Shawver introduced Director of Engineering Kathy Millea who presented Administrative Assistant Kym Smith with her 30 year service award.

Chair Shawver also acknowledged employees who could not be in attendance :

- 20 Years: Arturo Diaz, Principal Environmental Specialist
- 25 Years: Debbie Marchegiano, Administrative Assistant

**2. COMMENDATIONS TO OUTGOING BOARD MEMBERS [2021-1400](#)**

**Originator:** Kelly Lore

Chair Shawver presented Commendations to outgoing Board Members.

| <b>CITY/AGENCY</b> | <b>DIRECTOR</b> | <b>ALTERNATE DIRECTOR</b> |
|--------------------|-----------------|---------------------------|
| Brea               |                 | Cecilia Hupp              |
| Huntington Beach   | Erik Peterson   |                           |
| La Habra           | Tim Shaw        |                           |

**3. UPDATE ON GWRS FINAL EXPANSION PROJECT [2021-1414](#)**

**Originator:** Jim Herberg

Sandy Scott Roberts, GWRS Program Manager at the Orange County Water District provided an informative PowerPoint presentation regarding the GWRS Final Expansion project.

ITEM RECEIVED AS AN:

Information Item.

**REPORTS:**

Chair Shawver provided information regarding the new Committee appointments and acknowledged and thanked all who have previously on the various committees and welcomed new Committee members.

Chair Shawver provided date and times of the upcoming Special Board meetings including Board of Directors Orientation, Strategic Plan Workshop, and a Virtual Tour.

General Manager Jim Herberg presented a COVID-19 update noting that a total of 52 employees have tested positive from May 2020 to date, with all but six recovered and back to work. He announced his weekly COVID-19 update email to the Board of Directors with additional information of OC San's progress as we move through this pandemic will be sent tomorrow.

Mr. Herberg stated that OC San receives the majority of its income through apportionments from the County of Orange. Through December 2020, OC San had received 2.5 percent more revenue than through December 2019. He also reported there is no immediate revenue impact as a result of the pandemic.

Mr. Herberg reported that vaccination request letters were sent by the California Association of Sanitation Agencies (CASA) to the California Vaccination Task Force on behalf of its member agencies asking for vaccinations for the essential employees in the wastewater industry. OC San also sent a joint letter with Orange County Water District to Dr. Chau from the Orange County Health Care Agency, requesting vaccinations for our essential employees. Mr. Herberg stated that we will continue to work with the Water Emergency Response Organization of Orange County (WEROC) who has taken the lead for water and wastewater agencies in Orange County in the vaccination process. Water and wastewater employees are currently slated in the 1C vaccination phase.

**CONSENT CALENDAR:**

**4. APPROVAL OF MINUTES**

**[2020-1385](#)**

**Originator:** Kelly Lore

MOVED, SECONDED, AND DULY CARRIED TO:

Approve Minutes of the Regular Meeting of the Board of Directors held December 16, 2020.

**AYES:** Brad Avery, Stacy Berry, Doug Chaffee, Mark Chirco, Stephen Faessel, Ryan Gallagher, Marshall Goodman, Patrick Harper, Johnathan Ryan Hernandez, Brooke Jones, Steve Jones, Anthony Kuo, Sandra Massa-Lavitt, Mark Murphy, Andrew Nguyen, Robert Ooten, Glenn Parker, David Shawver, Jesus Silva, Chad Wanke, John Withers, Chad Zimmerman and Dan Kalmick (Alternate)

**NOES:** None

**ABSENT:** Rose Espinoza

**ABSTENTIONS:** Art Brown

**RECEIVE AND FILE:**

**5. COMMITTEE MEETING MINUTES**

**[2020-1386](#)**

**Originator:** Kelly Lore

WITHOUT OBJECTION ACTION TAKEN TO RECEIVE AND FILE THE FOLLOWING:

A. Minutes of the Steering Committee Meeting held October 28, 2020

B. Minutes of the GWRS Steering Committee Meeting held on October 12, 2020

**6. REPORT OF THE INVESTMENT TRANSACTIONS FOR THE MONTH  
OF DECEMBER 2020**

**[2020-1279](#)**

**Originator:** Lorenzo Tyner

WITHOUT OBJECTION ACTION TAKEN TO RECEIVE AND FILE THE FOLLOWING:

Report of the Investment Transactions for the month of December 2020.

**OPERATIONS COMMITTEE:**

None.

**ADMINISTRATION COMMITTEE:**

None.

**LEGISLATIVE AND PUBLIC AFFAIRS COMMITTEE:**

None.

**STEERING COMMITTEE:**

**7. GENERAL MANAGER'S FISCAL YEAR 2020-2021 WORK PLAN  
MID-YEAR UPDATE**

**[2021-1452](#)**

**Originator:** Jim Herberg

MOVED, SECONDED, AND DULY CARRIED TO:

Receive and file the General Manager's Fiscal Year 2020-2021 Work Plan Mid-Year Update.

**AYES:** Brad Avery, Stacy Berry, Doug Chaffee, Mark Chirco, Stephen Faessel, Ryan Gallagher, Marshall Goodman, Patrick Harper, Johnathan Ryan Hernandez, Brooke Jones, Steve Jones, Anthony Kuo, Sandra Massa-Lavitt, Mark Murphy, Andrew Nguyen, Robert Ooten, Glenn Parker, David Shawver, Jesus Silva, Chad Wanke, John Withers, Chad Zimmerman and Dan Kalmick (Alternate)

**NOES:** None

**ABSENT:** Rose Espinoza

**ABSTENTIONS:** Art Brown

**8. UPDATE TO THE ESTABLISHED RULES OF PROCEDURE FOR THE CONDUCT OF BUSINESS OF THE ORANGE COUNTY SANITATION DISTRICT** [2021-1453](#)

**Originator:** Jim Herberg

Late communication was received regarding Item No. 8B which was pulled from consideration. Staff also stated that at the recommendation of the Steering Committee, the Resolution in Item No. 8A was revised.

MOVED, SECONDED, AND DULY CARRIED TO:

A. Adopt Resolution No. OC SAN 21-01 entitled, "A Resolution of the Board of Directors of the Orange County Sanitation District establishing Rules of Procedure for the Conduct of Business of the Orange County Sanitation District; and repealing Resolution No. OCSD 19-19"; and

~~B. Adopt Resolution No. OC SAN 21-02 entitled, "A Resolution of the Board of Directors of the Orange County Sanitation District establishing Board of Directors Protocols".~~

**AYES:** Brad Avery, Stacy Berry, Doug Chaffee, Mark Chirco, Stephen Faessel, Ryan Gallagher, Marshall Goodman, Patrick Harper, Johnathan Ryan Hernandez, Brooke Jones, Steve Jones, Anthony Kuo, Sandra Massa-Lavitt, Mark Murphy, Andrew Nguyen, Robert Ooten, Glenn Parker, David Shawver, Jesus Silva, Chad Wanke, John Withers, Chad Zimmerman and Dan Kalmick (Alternate)

**NOES:** None

**ABSENT:** Rose Espinoza

**ABSTENTIONS:** Art Brown

**NON-CONSENT:**

None.

**INFORMATION ITEMS:**

None.

**AB 1234 DISCLOSURE REPORTS:**

None.

**CLOSED SESSION:**

None.

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

None.

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

None.

**ADJOURNMENT:**

At 7:01 p.m., Chair Shawver adjourned the meeting until the Special Meeting of the Board of Directors (Board Member Orientation) on February 4, 2021 at 2:00 p.m. in memory of OC San employees Dan Chemotti and Linda Losurdo.

Submitted by:



Kelly A. Lore, MMC  
Clerk of the Board