



ORANGE COUNTY SANITATION DISTRICT
SPECIAL NOTICE REGARDING CORONAVIRUS (COVID-19)
AND ATTENDANCE AT PUBLIC MEETINGS

On March 4, 2020, Governor Newsom proclaimed a State of Emergency in California as a result of the threat of COVID-19. On March 12, 2020 and March 18, 2020, Governor Newsom issued Executive Order N-25-20 and Executive Order N-29-20, which temporarily suspends portions of the Brown Act which addresses the conduct of public meetings.

The General Manager and the Chairman of the Board of Directors have determined that due to the size of the Orange County Sanitation District's Board of Directors (25), and the health and safety of the members, the Board of Directors will be participating in meetings of the Board telephonically and via Internet accessibility.

PUBLIC PARTICIPATION

Your participation is always welcome. The Board of Directors meeting will be available to the public online at:

<https://ocsd.legistar.com/Calendar.aspx>

You may submit your comments and questions in writing for the Board's consideration in advance of the meeting by using the eComment feature available via the webpage above or sending them to OCSanClerk@ocsd.com with the subject line "PUBLIC COMMENT ITEM # (insert the item number relevant to your comment)" or "PUBLIC COMMENT NON-AGENDA ITEM". Submit your written comments by 6:00 p.m. on Tuesday, April 27, 2021.

You may also submit comments and questions for the Board's consideration during the meeting by using the eComment feature that will be available via the webpage above for the duration of the meeting.

All public comments will be provided to the Board and may be read into the record or compiled as part of the record.

Thank you.

April 21, 2021

NOTICE OF REGULAR MEETING

**BOARD OF DIRECTORS
ORANGE COUNTY SANITATION DISTRICT**

Wednesday, April 28, 2021 – 6:00 P.M.

ACCESSIBILITY FOR THE GENERAL PUBLIC

Due to the spread of COVID-19, the Orange County Sanitation District will be holding all upcoming Board and Committee meetings by teleconferencing and Internet accessibility. This meeting will be available to the public online at:

<https://ocsd.legistar.com/Calendar.aspx>

The Regular Meeting of the Board of Directors of the Orange County Sanitation District will be held in the manner indicated above on Wednesday, April 28, 2021 at 6:00 p.m.



Clerk of the Board

Upcoming Meetings:

**Steering Committee -
Board Meeting -**

**Wednesday, May 26, 2021 at 5:00 p.m.
Wednesday, May 26, 2021 at 6:00 p.m.**

Serving:

Anaheim
Brea
Buena Park
Cypress
Fountain Valley
Fullerton
Garden Grove
Huntington Beach
Irvine
La Habra
La Palma
Los Alamitos
Newport Beach
Orange
Placentia
Santa Ana
Seal Beach
Stanton
Tustin
Villa Park
County of Orange
Costa Mesa
Sanitary District
Midway City
Sanitary District
Irvine Ranch
Water District
Yorba Linda
Water District



BOARD OF DIRECTORS
Regular Meeting Agenda
Wednesday, April 28, 2021 - 6:00 PM
Board Room
Administration Building
10844 Ellis Avenue
Fountain Valley, CA 92708
(714) 593-7433

AGENDA POSTING: In accordance with the requirements of California Government Code Section 54954.2, this agenda has been posted outside the main gate of the Sanitation District's Administration Building located at 10844 Ellis Avenue, Fountain Valley, California, and on the Sanitation District's website at www.ocsd.com not less than 72 hours prior to the meeting date and time above. All public records relating to each agenda item, including any public records distributed less than 72 hours prior to the meeting to all, or a majority of the Board of Directors, are available for public inspection in the office of the Clerk of the Board.

AGENDA DESCRIPTION: The agenda provides a brief general description of each item of business to be considered or discussed. The recommended action does not indicate what action will be taken. The Board of Directors may take any action which is deemed appropriate.

MEETING AUDIO: An audio recording of this meeting is available within 24 hours after adjournment of the meeting. Please contact the Clerk of the Board's office at (714) 593-7433 to request the audio file.

NOTICE TO DIRECTORS: To place items on the agenda for a Committee or Board Meeting, the item must be submitted in writing to the Clerk of the Board: Kelly A. Lore, MMC, (714) 593-7433 / klore@ocsd.com at least 14 days before the meeting.

FOR ANY QUESTIONS ON THE AGENDA, BOARD MEMBERS MAY CONTACT STAFF AT:

General Manager: Jim Herberg, jherberg@ocsd.com / (714) 593-7300
Asst. General Manager: Lorenzo Tyner, lttyner@ocsd.com / (714) 593-7550
Asst. General Manager: Rob Thompson, rthompson@ocsd.com / (714) 593-7310
Director of Human Resources: Celia Chandler, cchandler@ocsd.com / (714) 593-7202
Director of Engineering: Kathy Millea, kmillea@ocsd.com / (714) 593-7365
Director of Environmental Services: Lan Wiborg, lwiborg@ocsd.com / (714) 593-7450

CALL TO ORDER

Board Chairman David Shawver

INVOCATION AND PLEDGE OF ALLEGIANCE

Director Glenn Parker, City of Brea

ROLL CALL AND DECLARATION OF QUORUM

Clerk of the Board

PUBLIC COMMENTS:

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SPECIAL PRESENTATIONS:

Employee Service Awards for April 2021:

30 Years: Quynh Nguyen, Engineering Associate
Dean Fisher, Engineering Manager

REPORTS:

The Board Chairperson and the General Manager may present verbal reports on miscellaneous matters of general interest to the Directors. These reports are for information only and require no action by the Directors.

CONSENT CALENDAR:

Consent Calendar Items are considered to be routine and will be enacted, by the Board of Directors, after one motion, without discussion. Any items withdrawn from the Consent Calendar for separate discussion will be considered in the regular order of business.

1. APPROVAL OF MINUTES

[2021-1564](#)

RECOMMENDATION:

Approve Minutes of the Special Meeting of the Board of Directors held March 17, 2021 and of the Regular Meeting of the Board of Directors held March 24, 2021.

Originator: Kelly Lore

Attachments: [Agenda Report](#)
[03-17-2021 Board Strategic Planning Meeting Minutes](#)
[03-24-2021 Board Meeting Minutes](#)

RECEIVE AND FILE:

2. REPORT OF THE INVESTMENT TRANSACTIONS FOR THE MONTH OF MARCH 2021 [2020-1330](#)

RECOMMENDATION: Receive and file the following:

Report of the Investment Transactions for the month of March 2021.

Originator: Lorenzo Tyner

Attachments: [Agenda Report](#)
[Investment Transactions for the Month of March 2021](#)

3. COMMITTEE MEETING MINUTES [2021-1543](#)

RECOMMENDATION: Receive and file the following:

- A. Minutes of the GWRS Steering Committee Meeting held January 11, 2021
- B. Minutes of the Steering Committee Meeting held February 24, 2021
- C. Minutes of the Operations Committee Meeting held March 3, 2021
- D. Minutes of the Legislative and Public Affairs Committee Meeting held March 8, 2021
- E. Minutes of the Administration Committee Meeting held March 10, 2021

Originator: Kelly Lore

Attachments: [Agenda Report](#)
[01-11-2021 GWRS Steering Committee Meeting Minutes](#)
[02-24-2021 Steering Committee Minutes](#)
[03-03-2021 Operations Committee Minutes](#)
[03-08-2021 LaPA Committee Minutes](#)
[03-10-2021 Administration Committee Minutes](#)

OPERATIONS COMMITTEE:

4. FLEET PURCHASE OF REPLACEMENT VEHICLES LT. DUTY TRUCKS, MED. DUTY TRUCKS, SEDANS/SUVs FOR FY20/21 [2021-1585](#)

RECOMMENDATION:

- A. Approve a Purchase Order to National Auto Fleet Group for the purchase of one new Ford Transit Cargo Van, four new Ford Escape Hybrid compact SUVs, four new Ford F250 Utility Body trucks, one new Ford F350 Crew truck, and two new F550 Mechanic Utility trucks using Sourcewell Cooperative Contract No. 120716-NAF for a total amount of \$631,418 plus freight; and

B. Approve a contingency of \$31,571 (5%).

Originator: Rob Thompson

Attachments: [Agenda Report](#)

5. 24-MONTH / 12,000-HOUR SERVICE ON THREE THICKENING CENTRIFUGES AT PLANT NO. 1 [2021-1586](#)

RECOMMENDATION:

A. Approve a Sole Source Purchase Order Contract to GEA Mechanical Equipment US Inc. to perform Original Equipment Manufacturer recommended 24-month/12,000-hour service on three Thickening Centrifuges at Plant No. 1, for a total amount not to exceed \$723,158; and

B. Approve a contingency of \$72,316 (10%).

Originator: Rob Thompson

Attachments: [Agenda Report](#)

6. PLANT BOILER SYSTEM RELIEF AT PLANT NO. 2, PROJECT NO. FE18-15 [2021-1587](#)

RECOMMENDATION:

A. Receive and file Bid Tabulation and Recommendation for Plant Boiler System Relief at Plant No. 2, Project No. FE18-15;

B. Award a Construction Contract to Mehta Mechanical Company, Inc., dba MMC, Inc. for a total amount not to exceed \$230,000; and

C. Approve a contingency of \$34,500 (15%).

Originator: Kathy Millea

Attachments: [Agenda Report](#)
[FE18-15 Contract Agreement & Exhibit A](#)

7. ASSIGNMENT, WELL TRANSFER, AND OPERATORSHIP AGREEMENT WITH CHEVRON U.S.A. INC. [2021-1588](#)

RECOMMENDATION:

Approve the Assignment, Well Transfer, and Operatorship Agreement between the Orange County Sanitation District and Chevron U.S.A. Inc. to accept the assignment of the NC-79 well located at Plant No. 2, API # 05921580, along with the related rights and obligations.

Originator: Kathy Millea

Attachments: [Agenda Report](#)
[Assignment and Well Transfer Agreement](#)

8. TRICKLING FILTER SLUDGE PUMP ROOM EXHAUST FAN RELOCATION AT PLANT NO. 2, PROJECT NO. FR2-0013 **2021-1589**

RECOMMENDATION:

- A. Receive and file Bid Tabulation and Recommendation for Trickling Filter Sludge Pump Room Exhaust Fan Relocation at Plant No. 2, Project No. FR2-013;
- B. Reject low bid from MLC Constructors, Inc. as non-responsive;
- C. Award a Construction Contract to Mehta Mechanical Co., Inc. DBA MMC, Inc. for Trickling Filter Sludge Pump Room Exhaust Fan Relocation at Plant No. 2, Project No. FR2-0013, for a total amount not to exceed \$184,000; and
- D. Approve a contingency of \$36,800 (20%).

Originator: Kathy Millea

Attachments: [Agenda Report](#)
[FR2-0013 Contract Agreement Package](#)

9. HEADQUARTERS COMPLEX AT PLANT NO. 1, PROJECT NO. P1-128A **2021-1590**

RECOMMENDATION:

- A. Approve a Professional Services Agreement with AECOM Technical Services, Inc. to provide construction management, testing, and inspection services for Headquarters Complex at Plant No. 1, Project No. P1-128A, for an amount not to exceed \$6,750,000; and
- B. Approve a contingency of \$675,000 (10%).

Originator: Kathy Millea

Attachments: [Agenda Report](#)
[P1-128A Professional Service Agreement Scope of Work Presentation - P1-128A PSA Const Mgmt](#)

**10. NEWHOPE-PLACENTIA TRUNK SEWER REPLACEMENT, PROJECT [2021-1591](#)
NO. 2-72B****RECOMMENDATION:**

Approve a contingency increase of \$2,038,470 (3.5%) to the construction contract with Group OHL USA, Inc. for Newhope-Placentia Trunk Sewer Replacement, Project Nos. 2-72B and 2-72C, for a total construction contingency of \$5,824,200 (10%).

Originator: Kathy Millea

Attachments: [Agenda Report](#)
[Presentation - 2-72B 2-72C Contingency](#)

ADMINISTRATION COMMITTEE:

None.

LEGISLATIVE AND PUBLIC AFFAIRS COMMITTEE:**11. LEGISLATIVE AFFAIRS UPDATE FOR THE MONTH OF MARCH 2021 [2021-1596](#)****RECOMMENDATION:**

Receive and file the Legislative Affairs Update for the month of March 2021.

Originator: Jim Herberg

Attachments: [Agenda Report](#)
[ENS Legislative Update](#)
[Federal Legislative Matrix - ENS Resources](#)
[TPA Legislative Update](#)
[State Legislative Matrix - TPA](#)
[Grant Matrix](#)
[ENS Presentation](#)
[ENS OC San Infrastructure Bill Summary](#)
[TPA Presentation](#)

12. PUBLIC AFFAIRS UPDATE FOR THE MONTH OF MARCH 2021 [2021-1597](#)**RECOMMENDATION:**

Receive and file the Public Affairs Update for the month of March 2021.

Originator: Jim Herberg

Attachments: [Agenda Report](#)
[Outreach & Media Summary Report March 2021](#)
[Presentation](#)

STEERING COMMITTEE:**13. PROPOSED ANNEXATION NO. OC SAN-66 - MASS ANNEXATION OF FIVE AREAS IN ANAHEIM, VILLA PARK, AND YORBA LINDA [2021-1610](#)****RECOMMENDATION:**

- A. Authorize Staff to annex five Areas to Orange County Sanitation District within the Cities of Yorba Linda, Anaheim, and Villa Park;
- B. Authorize the General Manager to execute associated Annexation documents in a form approved by General Counsel;
- C. Adopt Resolution No. OC SAN 21-07 entitled, "A Resolution of the Board of Directors of the Orange County Sanitation District authorizing initiation of proceedings and requesting the Orange County Local Agency Formation Commission to take proceedings for the Annexation to the Orange County Sanitation District, of territory in the Cities of Yorba Linda, Anaheim, and Villa Park (Annexation No. OC SAN-66 - Mass Annexation of Five Areas in Anaheim, Villa Park, and Yorba Linda)"; and
- D. Forego past Annexation, Capital Facility Capacity Charges, and Annual User Fees for the parcels to be annexed which are currently discharging sewer flows to the Orange County Sanitation District.

Originator: Lorenzo Tyner

Attachments: [Agenda Report](#)
[OC SAN 21-07 - Resolution Mass Annexation](#)
[Exhibit to Resolution OC SAN 21-07](#)

NON-CONSENT:**14. PROPOSED ADOPTION OF ORDINANCE NO. OC SAN-55 UPDATING ELECTRONIC REQUIREMENTS FOR THE PRESENTATION OF CLAIMS OR DEMANDS FOR PAYMENT [2021-1603](#)****RECOMMENDATION:**

- A. Introduce Ordinance No. OC SAN-55, entitled: "An Ordinance of the Board of Directors of the Orange County Sanitation District Establishing Requirements for the Presentation of Claims or Demands for Payment; and Repealing Ordinance No. OCSD-17";
- B. Motion to read Ordinance No. OC SAN-55 by title only and waive reading of said entire Ordinance on April 28, 2021;
- C. Set May 26, 2021, as the date for the second reading and adoption of Ordinance No. OC SAN-55; and

- D. Direct the Clerk of the Board to publish summaries of the Ordinance as required by law.

Originator: Lorenzo Tyner

Attachments: [Agenda Report](#)
[Ordinance No. OC SAN-55 Claims for Demand and Payment \(Redline\)](#)
[Ordinance No. OC SAN-55 Claims for Demand and Payment \(Clean\)](#)

15. PROPOSED ADOPTION OF ORDINANCE NO. OC SAN-56 UPDATING [2021-1604](#) THE PURCHASING ORDINANCE

RECOMMENDATION:

- A. Introduce Ordinance No. OC SAN-56, entitled: “An Ordinance of the Board of Directors of the Orange County Sanitation District Establishing Requirements and Procedures for the Purchase of Goods, Services, and Public Works Projects; and Repealing Ordinance No. OCSD-52”;
- B. Motion to read Ordinance No. OC SAN-56 by title only and waive reading of said entire Ordinance on April 28, 2021;
- C. Set May 26, 2021, as the date for the second reading and adoption of Ordinance No. OC SAN-56; and
- D. Direct the Clerk of the Board to publish summaries of the Ordinance as required by law.

Originator: Lorenzo Tyner

Attachments: [Agenda Report](#)
[OC SAN-56 Purchasing Ordinance - Redline](#)
[OC SAN-56 Purchasing Ordinance - Clean](#)

INFORMATION ITEMS:

None.

AB 1234 DISCLOSURE REPORTS:

This item allows Board members to provide a brief oral report regarding the disclosure of outside committees, conferences, training, seminars, etc. attended at the Agency’s expense, per Government Code §53232.3(d).

CLOSED SESSION:

During the course of conducting the business set forth on this agenda as a regular meeting of the Board, the Chairperson may convene the Board in closed session to consider matters of pending real estate negotiations,

pending or potential litigation, or personnel matters, pursuant to Government Code Sections 54956.8, 54956.9, 54957 or 54957.6, as noted.

Reports relating to (a) purchase and sale of real property; (b) matters of pending or potential litigation; (c) employment actions or negotiations with employee representatives; or which are exempt from public disclosure under the California Public Records Act, may be reviewed by the Board during a permitted closed session and are not available for public inspection. At such time the Board takes final action on any of these subjects, the minutes will reflect all required disclosures of information.

CONVENE IN CLOSED SESSION.**CS-1 CONFERENCE WITH LEGAL COUNSEL RE EXISTING LITIGATION - [2021-1613](#)
GOVERNMENT CODE SECTION 54956.9(d)(1)**

RECOMMENDATION: Convene 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.

Attachments: [Agenda Report](#)
[CS-1 Board Memo](#)

**CS-2 CONFERENCE WITH LEGAL COUNSEL RE EXISTING LITIGATION - [2021-1614](#)
GOVERNMENT CODE SECTION 54956.9(d)(1)**

RECOMMENDATION: Convene in Closed Session:

Number of Cases: 1

Klean Waters, Inc. v. Orange County Sanitation District, United States District Court, Central District of California, Southern Division, Case No. 8:15-cv-00627.

Attachments: [Agenda Report](#)
[CS-2 Board Memo](#)

RECONVENE IN REGULAR SESSION.**CONSIDERATION OF ACTION, IF ANY, ON MATTERS CONSIDERED IN CLOSED SESSION:****OTHER BUSINESS AND COMMUNICATIONS OR SUPPLEMENTAL AGENDA ITEMS, IF ANY:****BOARD OF DIRECTORS INITIATED ITEMS FOR A FUTURE MEETING:**

At this time Directors may request staff to place an item on a future agenda.

ADJOURNMENT:

Adjourn the Board meeting until the Regular Meeting of the Board of Directors on May 26, 2021 at 6:00 p.m.