

ORANGE COUNTY SANITATION DISTRICT

MINUTES

BOARD OF DIRECTORS

NOVEMBER 20, 2024



**Board Room
Headquarters
18480 Bandilier Circle
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 Ryan Gallagher on Wednesday, November 20, 2024 at 6:05 p.m. in the Orange County Sanitation District Headquarters. Director Stephen Faessel delivered the invocation and led the Pledge of Allegiance.

A-1 APPOINTMENTS TO THE ORANGE COUNTY SANITATION DISTRICT BOARD OF DIRECTORS [2024-3968](#)

Originator: Kelly Lore

Clerk of the Board Kelly Lore provided a late communication regarding Item No. A-1.

WITHOUT OBJECTION ACTION TAKEN TO RECEIVE AND FILE THE FOLLOWING:

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

<u>Agency</u>	<u>Director</u>	<u>Alternate Director</u>
Yorba Linda Water District	Tom Lindsay	Gene Hernandez

ROLL CALL AND DECLARATION OF QUORUM

The Clerk of the Board declared a quorum present as follows:

PRESENT: Joyce Ahn, Debbie Baker, Pat Burns, Jon Dumitru, Stephen Faessel, Ryan Gallagher, Glenn Grandis, Johnathan Ryan Hernandez, Farrah Khan, Stephanie Klopfenstein, Tom Lindsey, Christine Marick, Jordan Nefulda, Andrew Nguyen, Robert Ooten, Robbie Pitts, David Shawver, Schelly Sustarsic, Chad Wanke, Bruce Whitaker, John Withers, Jose Medrano (Alternate), Bonnie Peat (Alternate) and Donald Wagner (Alternate)

ABSENT: Brad Avery

STAFF PRESENT: Rob Thompson, General Manager; Lorenzo Tyner, Assistant General Manager; Jennifer Cabral, Director of Communications; Mike Dorman, Director of Engineering; Laura Maravilla, Director of Human Resources; Wally Ritchie, Director of Finance; Lan Wiborg, Director of Environmental Services; Kelly Lore, Clerk of the Board; Mo Abiodun; Yiping Cao; Mortimer Caparas; Sam Choi; Daisy Covarrubias; Raul Cuellar; Don Cutler; Thys DeVries; Martin Dix; Justin Fenton; Al Garcia; Charlie Guess; David Haug; Mark Kawamoto; Tina Knapp; Tom Meregillano; Rob Michaels; Rebecca Polcyn; Kevin Schuler; Kevin Work; Ruth Zintzun; and Mike Zedek were present in the Board Room. Cheri Calisang and Loriann Shimomura were present telephonically.

OTHERS PRESENT: Ryan Baron, General Counsel; Shawn Cobb, Special Counsel, Allen Matkins; Phillip Lem, Special Counsel, Payne and Fears; Rita Padilla; Dr. Robert Padilla; and Laura El-Mahmoud, were present in the Board Room. Alternate Director Art Perry, CMSD, was present telephonically.

PUBLIC COMMENTS:

None.

SPECIAL PRESENTATIONS:**1. QUILTS OF HONOR - SPECIAL PRESENTATION [2024-3934](#)**

Originator: Kelly Lore

Rita Padilla, Dr. Robert Padilla, and Laura El-Mahmoud from Quilts of Honor provided a handmade quilt to Maintenance Superintendent David Haug to recognize and honor the sacrifices he made during his 23 years of honorable service in the United States Air Force.

Special Presentation from Quilts of Honor.

2. EMPLOYEE SERVICE AWARDS [2024-3933](#)

Originator: Kelly Lore

Chair Gallagher introduced Director of Environmental Services Lan Wiborg who presented a 35-year service award to Engineering Supervisor Mike Zedek. Chair Gallagher also recognized Records Management Technician Yolanda Herrera for her 25-years of service and Senior Mechanic Gilbert Padilla for his 20-years of service.

20-year Service Award

Gilbert Padilla, Senior Mechanic - Division 880

25-year Service Award

Yolanda Herrera, Records Management Technician - Division 320

35-year Service Awards

Mike Zedek, Engineering Supervisor - Division 620

Director Jonathan Ryan Hernandez arrived at the meeting at 6:11 p.m.

REPORTS:

Chair Gallagher announced that OC San Administrative Offices would be closed on Thursday and Friday, November 28 and 29, for the Thanksgiving holiday. Additionally, due to the holidays, next month's Board meeting would be held a week earlier, on Wednesday, December 18.

Chair Gallagher stated that at the December 18th Board of Directors meeting, the Board would recognize outgoing Board members and encouraged them to attend to be recognized for their contributions to OC San.

Chair Gallagher reported that the proposed regular meeting dates for the Board of Directors and Committee meetings for 2025 were on the agenda, but did not include Special Board of

Director meetings scheduled for Board Orientation and the Strategic Planning process. These meetings will take place on the third Wednesday of each month, from January through April 2025.

Chair Gallagher reported that the Directors and Alternate Directors would receive talking points tomorrow regarding OC San activities, to assist them in reporting to their councils, boards, and community groups.

Chair Gallagher stated that on December 3, OC San would host a Capital Facilities Capacity Charge workshop to benefit member agencies. The workshop will provide an overview of the program and the calculation of the charges. A plant tour will also be offered to attendees immediately following the workshop.

General Manager Rob Thompson reported on his recent meetings and presentations with the following groups: the South Orange County Wastewater Authority, the National Water Research Institute, and a tour he gave to the Huntington Beach Harbor Commission; the City of Seal Beach regarding OC San's Seal Beach Pump Station Construction project; Supervisor Chaffee and his staff; and the City of Orange, City of Buena Park, and OC Waste & Recycling. He also stated that Board Chairman Gallagher, Board Vice-Chairman Jon Dumitru, and Board Members Chad Wanke and Pat Burns, attended the Southern California Water Coalition annual meeting with him.

Mr. Thompson reported that OC San recently received the following awards: the 2024 Corporate Transformation Award from Institute of Asset Management and the 2025 National Environmental Achievement Award with honors in the following categories: Public Information & Education for the "Connection Newsletter" and Workforce Development for the "Employee Development Program". Mr. Thompson also stated that OC San will continue its annual participation in Toys for Tots, with collections taking place through December 16th.

CONSENT CALENDAR:

3. APPROVAL OF MINUTES

[2024-3920](#)

Originator: Kelly Lore

MOVED, SECONDED, AND DULY CARRIED TO:

Approve minutes of the Regular meeting of the Board of Directors held October 23, 2024 and the Special meeting of the Board of Directors held October 25, 2024.

AYES: Joyce Ahn, Debbie Baker, Pat Burns, Jon Dumitru, Stephen Faessel, Ryan Gallagher, Glenn Grandis, Johnathan Ryan Hernandez, Farrah Khan, Stephanie Klopfenstein, Tom Lindsey, Christine Marick, Jordan Nefulda, Andrew Nguyen, Robert Ooten, Robbie Pitts, David Shawver, Schelly Sustarsic, Chad Wanke, Bruce Whitaker, John Withers, Jose Medrano (Alternate), Bonnie Peat (Alternate) and Donald Wagner (Alternate)

NOES: None

ABSENT: Brad Avery

ABSTENTIONS: None

4. PROPOSED BOARD OF DIRECTORS & COMMITTEE MEETING DATES FOR CALENDAR YEAR 2025 [2024-3758](#)

Originator: Kelly Lore

MOVED, SECONDED, AND DULY CARRIED TO:

Approve the calendar of meeting dates for the 2025 calendar year for the Board of Directors and the following Committees: Administration, Operations, and Steering.

AYES: Joyce Ahn, Debbie Baker, Pat Burns, Jon Dumitru, Stephen Faessel, Ryan Gallagher, Glenn Grandis, Johnathan Ryan Hernandez, Farrah Khan, Stephanie Klopfenstein, Tom Lindsey, Christine Marick, Jordan Nefulda, Andrew Nguyen, Robert Ooten, Robbie Pitts, David Shawver, Schelly Sustarsic, Chad Wanke, Bruce Whitaker, John Withers, Jose Medrano (Alternate), Bonnie Peat (Alternate) and Donald Wagner (Alternate)

NOES: None

ABSENT: Brad Avery

ABSTENTIONS: None

RECEIVE AND FILE:

5. COMMITTEE MEETING MINUTES [2024-3483](#)

Originator: Kelly Lore

WITHOUT OBJECTION ACTION TAKEN TO RECEIVE AND FILE THE FOLLOWING:

- A. Minutes of the Steering Committee Meeting held September 25, 2024
- B. Minutes of the Operations Committee Meeting held October 2, 2024
- C. Minutes of the Administration Committee Meeting held October 9, 2024

6. REPORT OF THE INVESTMENT TRANSACTIONS FOR THE MONTH OF OCTOBER 2024 [2024-3795](#)

Originator: Wally Ritchie

WITHOUT OBJECTION ACTION TAKEN TO RECEIVE AND FILE THE FOLLOWING:

Report of the Investment Transactions for the month of October 2024.

OPERATIONS COMMITTEE:**7. SOUTHERN CALIFORNIA EDISON - AMENDMENT NO. 5 TO THE POWER PURCHASE AGREEMENT AT PLANT NO. 2 [2024-3949](#)**

Originator: Riaz Moinuddin

MOVED, SECONDED, AND DULY CARRIED TO:

Approve and authorize the Board Chairman to execute Amendment No. 5 to the Power Purchase Agreement (QFID-05) with Southern California Edison (SCE) Company and Orange County Sanitation District (OC San), to allow for the extension of the term and to adjust the price for all energy delivered to SCE during the extension period.

AYES: Joyce Ahn, Debbie Baker, Pat Burns, Jon Dumitru, Stephen Faessel, Ryan Gallagher, Glenn Grandis, Johnathan Ryan Hernandez, Farrah Khan, Stephanie Klopfenstein, Tom Lindsey, Christine Marick, Jordan Nefulda, Andrew Nguyen, Robert Ooten, Robbie Pitts, David Shawver, Schelly Sustarsic, Chad Wanke, Bruce Whitaker, John Withers, Jose Medrano (Alternate), Bonnie Peat (Alternate) and Donald Wagner (Alternate)

NOES: None

ABSENT: Brad Avery

ABSTENTIONS: None

8. DIGESTER K DOME REPAIR AT PLANT NO. 2, PROJECT NO. FR2-0032, SPECIFICATION NO. S-2024-630BD [2024-3950](#)

Originator: Mike Dorman

MOVED, SECONDED, AND DULY CARRIED TO:

A. Approve a Services Contract to Structural Preservation Systems for Digester K Dome Repair at Plant No. 2, Project No. FR2-0032, Specification No. S-2024-630BD, for a total amount not to exceed \$876,707; and

B. Approve a contingency of \$131,506 (15%).

AYES: Joyce Ahn, Debbie Baker, Pat Burns, Jon Dumitru, Stephen Faessel, Ryan Gallagher, Glenn Grandis, Johnathan Ryan Hernandez, Farrah Khan, Stephanie Klopfenstein, Tom Lindsey, Christine Marick, Jordan Nefulda, Andrew Nguyen, Robert Ooten, Robbie Pitts, David Shawver, Schelly Sustarsic, Chad Wanke, Bruce Whitaker, John Withers, Jose Medrano (Alternate), Bonnie Peat (Alternate) and Donald Wagner (Alternate)

NOES: None

ABSENT: Brad Avery

ABSTENTIONS: None

9. **PROCUREMENT OF TWO BAR SCREEN CARRIAGE ASSEMBLIES AT PLANT NO. 2** [2024-3951](#)

Originator: Riaz Moinuddin

MOVED, SECONDED, AND DULY CARRIED TO:

- A. Approve a Sole Source Purchase Order to Veolia WTS Services, USA, formerly Suez Treatment Solutions, to procure two complete carriage assembly Bar Screen Units for Plant No. 2, for a total amount not to exceed \$433,092, plus applicable sales tax; and
- B. Approve a contingency of \$43,309 (10%).

AYES: Joyce Ahn, Debbie Baker, Pat Burns, Jon Dumitru, Stephen Faessel, Ryan Gallagher, Glenn Grandis, Johnathan Ryan Hernandez, Farrah Khan, Stephanie Klopfenstein, Tom Lindsey, Christine Marick, Jordan Nefulda, Andrew Nguyen, Robert Ooten, Robbie Pitts, David Shawver, Schelly Sustarsic, Chad Wanke, Bruce Whitaker, John Withers, Jose Medrano (Alternate), Bonnie Peat (Alternate) and Donald Wagner (Alternate)

NOES: None

ABSENT: Brad Avery

ABSTENTIONS: None

10. **BIOSOLIDS HAULING SERVICE CONTRACT, SPECIFICATION NO. S-2024-624BD** [2024-3952](#)

Originator: Lan Wiborg

MOVED, SECONDED, AND DULY CARRIED TO:

- A. Approve General Services Contracts to two contractors: Synagro-West, LLC and Rust Logistics, Inc. to provide biosolids hauling services from Orange County Sanitation District's Reclamation Plant Nos. 1 and 2 to the various management facilities, Specification No. S-2024-624BD, each for a three-year period, effective January 1, 2025 through December 31, 2027, for a total amount not to exceed \$9,000,000 per contract which includes unit prices per ton for biosolids hauling, monthly fuel surcharge, and annual consumer price index (CPI) adjustment; and
- B. Approve two (2) optional one-year renewals for \$3,000,000 per year, per contract; and
- C. Approve a 10% contingency per contract; and
- D. Approve the addition of the new contracts to the Biosolids Program effective January 1, 2025.

- AYES:** Joyce Ahn, Debbie Baker, Pat Burns, Jon Dumitru, Stephen Faessel, Ryan Gallagher, Glenn Grandis, Johnathan Ryan Hernandez, Farrah Khan, Stephanie Klopfenstein, Tom Lindsey, Christine Marick, Jordan Nefulda, Andrew Nguyen, Robert Ooten, Robbie Pitts, David Shawver, Schelly Sustarsic, Chad Wanke, Bruce Whitaker, John Withers, Jose Medrano (Alternate), Bonnie Peat (Alternate) and Donald Wagner (Alternate)
- NOES:** None
- ABSENT:** Brad Avery
- ABSTENTIONS:** None

11. SOUTH PERIMETER WALL AND SOIL IMPROVEMENTS AT PLANT NO. 2, CONTRACT NO. P2-128A AS PART OF DIGESTER REPLACEMENT AT PLANT NO. 2, PROJECT NO. P2-128 [2024-3953](#)

Originator: Mike Dorman

MOVED, SECONDED, AND DULY CARRIED TO:

- A. Receive and file Bid Tabulation and Recommendation for South Perimeter Wall and Soil Improvements at Plant No. 2, Contract No. P2-128A;
- B. Accept the formal bid withdrawal request received on September 5, 2024, from the initial lowest bidder, Steve P. Rados, Inc. and receive and file the response to request;
- C. Award a Construction Contract Agreement to Ames Construction, Inc., for South Perimeter Wall and Soil Improvements at Plant No. 2, Contract No. P2-128A as part of Digester Replacement at Plant No. 2, Project No. P2-128, for a total amount not to exceed \$25,270,000; and
- D. Approve a contingency of \$2,527,000 (10%).

- AYES:** Joyce Ahn, Debbie Baker, Pat Burns, Jon Dumitru, Stephen Faessel, Ryan Gallagher, Glenn Grandis, Johnathan Ryan Hernandez, Farrah Khan, Stephanie Klopfenstein, Tom Lindsey, Christine Marick, Jordan Nefulda, Andrew Nguyen, Robert Ooten, Robbie Pitts, David Shawver, Schelly Sustarsic, Chad Wanke, Bruce Whitaker, John Withers, Jose Medrano (Alternate), Bonnie Peat (Alternate) and Donald Wagner (Alternate)
- NOES:** None
- ABSENT:** Brad Avery
- ABSTENTIONS:** None

12. SOUTH PERIMETER WALL AND SOIL IMPROVEMENTS AT PLANT NO. 2, CONTRACT NO. P2-128A AS PART OF DIGESTER REPLACEMENT AT PLANT NO. 2, PROJECT NO. P2-128 [2024-3954](#)

Originator: Mike Dorman

MOVED, SECONDED, AND DULY CARRIED TO:

- A. Approve a Professional Construction Services Agreement with Brown and Caldwell to provide construction support services for South Perimeter Wall and Soil Improvements at Plant No. 2, Contract No. P2-128A for a total amount not to exceed \$2,043,717; and
- B. Approve a contingency of \$204,371 (10%).

AYES: Joyce Ahn, Debbie Baker, Pat Burns, Jon Dumitru, Stephen Faessel, Ryan Gallagher, Glenn Grandis, Johnathan Ryan Hernandez, Farrah Khan, Stephanie Klopfenstein, Tom Lindsey, Christine Marick, Jordan Nefulda, Andrew Nguyen, Robert Ooten, Robbie Pitts, David Shawver, Schelly Sustarsic, Chad Wanke, Bruce Whitaker, John Withers, Jose Medrano (Alternate), Bonnie Peat (Alternate) and Donald Wagner (Alternate)

NOES: None

ABSENT: Brad Avery

ABSTENTIONS: None

13. DIGESTER REPLACEMENT AT PLANT NO. 2, PROJECT NO. P2-128 [2024-3955](#)

Originator: Mike Dorman

MOVED, SECONDED, AND DULY CARRIED TO:

Approve a Contingency increase of \$6,288,000 (16%) to the existing Professional Design Services Agreement with Brown and Caldwell for the Digester Replacement at Plant No. 2, Project No. P2-128, for a new total contingency amount of \$10,218,000 (26%).

AYES: Joyce Ahn, Debbie Baker, Pat Burns, Jon Dumitru, Stephen Faessel, Ryan Gallagher, Glenn Grandis, Johnathan Ryan Hernandez, Farrah Khan, Stephanie Klopfenstein, Tom Lindsey, Christine Marick, Jordan Nefulda, Andrew Nguyen, Robert Ooten, Robbie Pitts, David Shawver, Schelly Sustarsic, Chad Wanke, Bruce Whitaker, John Withers, Jose Medrano (Alternate), Bonnie Peat (Alternate) and Donald Wagner (Alternate)

NOES: None

ABSENT: Brad Avery

ABSTENTIONS: None

14. **DIGESTERS REHABILITATION AT PLANT NO. 2, PROJECT NO. P2-137** [2024-3956](#)

Originator: Mike Dorman

MOVED, SECONDED, AND DULY CARRIED TO:

Approve a Contingency Increase of \$1,296,000 (48%) to the existing Professional Design Services Contract with CDM Smith, Inc., for the Digesters Rehabilitation at Plant No. 2, Project No. P2-137, for a total contingency of \$1,566,000 (58%).

AYES: Joyce Ahn, Debbie Baker, Pat Burns, Jon Dumitru, Stephen Faessel, Ryan Gallagher, Glenn Grandis, Johnathan Ryan Hernandez, Farrah Khan, Stephanie Klopfenstein, Tom Lindsey, Christine Marick, Jordan Nefulda, Andrew Nguyen, Robert Ooten, Robbie Pitts, David Shawver, Schelly Sustarsic, Chad Wanke, Bruce Whitaker, John Withers, Jose Medrano (Alternate), Bonnie Peat (Alternate) and Donald Wagner (Alternate)

NOES: None

ABSENT: Brad Avery

ABSTENTIONS: None

15. **OPERATIONS AND MAINTENANCE FACILITY IMPROVEMENTS AT PLANT NO. 2, PROJECT NO. P2-138** [2024-3957](#)

Originator: Mike Dorman

MOVED, SECONDED, AND DULY CARRIED TO:

Approve a contingency increase of \$2,532,649 (32%) to the existing Professional Design Services Agreement with Stantec Architecture, Inc. for the Operations and Maintenance Facility Improvements at Plant No. 2, Project No. P2-138, for a total contingency of \$3,324,102 (42%).

AYES: Joyce Ahn, Debbie Baker, Pat Burns, Jon Dumitru, Stephen Faessel, Ryan Gallagher, Glenn Grandis, Johnathan Ryan Hernandez, Farrah Khan, Stephanie Klopfenstein, Tom Lindsey, Christine Marick, Jordan Nefulda, Andrew Nguyen, Robert Ooten, Robbie Pitts, David Shawver, Schelly Sustarsic, Chad Wanke, Bruce Whitaker, John Withers, Jose Medrano (Alternate), Bonnie Peat (Alternate) and Donald Wagner (Alternate)

NOES: None

ABSENT: Brad Avery

ABSTENTIONS: None

At the request of Director John Withers Item No. 16 was pulled and heard separately.

16. PROGRESSIVE DESIGN-BUILD OWNER ADVISOR, PROGRAM MANAGEMENT, AND PROFESSIONAL ENGINEERING SUPPORT SERVICES, PROJECT NO. PDB24-00 [2024-3958](#)

Originator: Mike Dorman

Director of Engineering Mike Dorman responded to questions regarding the costs and lack of additional bidders.

MOVED, SECONDED, AND DULY CARRIED TO:

- A. Approve a Professional Services Agreement with Hazen and Sawyer to provide engineering services for Progressive Design-Build Owner Advisor, Program Management, and Professional Engineering Support Services, Project No. PDB24-00, for an amount not to exceed \$19,340,000; and
- B. Approve a contingency of \$1,934,000 (10%).
- C. Find approval of the Professional Services Agreement with Hazen and Sawyer is not a project subject to the California Environmental Quality Act.

AYES: Joyce Ahn, Debbie Baker, Pat Burns, Jon Dumitru, Stephen Faessel, Ryan Gallagher, Glenn Grandis, Johnathan Ryan Hernandez, Farrah Khan, Stephanie Klopfenstein, Tom Lindsey, Christine Marick, Jordan Nefulda, Andrew Nguyen, Robert Ooten, Robbie Pitts, David Shawver, Schelly Sustarsic, Chad Wanke, Bruce Whitaker, John Withers, Jose Medrano (Alternate), Bonnie Peat (Alternate) and Donald Wagner (Alternate)

NOES: None

ABSENT: Brad Avery

ABSTENTIONS: None

ADMINISTRATION COMMITTEE:

17. CONSOLIDATED FINANCIAL REPORT FOR THE FIRST QUARTER ENDED SEPTEMBER 30, 2024 [2024-3937](#)

Originator: Wally Ritchie

MOVED, SECONDED, AND DULY CARRIED TO:

Receive and file the Orange County Sanitation District First Quarter Financial Report for the period ended September 30, 2024.

AYES: Joyce Ahn, Debbie Baker, Pat Burns, Jon Dumitru, Stephen Faessel, Ryan Gallagher, Glenn Grandis, Johnathan Ryan Hernandez, Farrah Khan, Stephanie Klopfenstein, Tom Lindsey, Christine Marick, Jordan Nefulda, Andrew Nguyen, Robert Ooten, Robbie Pitts, David Shawver, Schelly Sustarsic, Chad Wanke, Bruce Whitaker, John Withers, Jose Medrano (Alternate), Bonnie Peat (Alternate) and Donald Wagner (Alternate)

NOES: None

ABSENT: Brad Avery

ABSTENTIONS: None

18. PUBLIC AFFAIRS UPDATE FOR THE MONTH OF OCTOBER 2024 [2024-3938](#)

Originator: Jennifer Cabral

MOVED, SECONDED, AND DULY CARRIED TO:

Receive and file the Public Affairs Update for the month of October 2024.

AYES: Joyce Ahn, Debbie Baker, Pat Burns, Jon Dumitru, Stephen Faessel, Ryan Gallagher, Glenn Grandis, Johnathan Ryan Hernandez, Farrah Khan, Stephanie Klopfenstein, Tom Lindsey, Christine Marick, Jordan Nefulda, Andrew Nguyen, Robert Ooten, Robbie Pitts, David Shawver, Schelly Sustarsic, Chad Wanke, Bruce Whitaker, John Withers, Jose Medrano (Alternate), Bonnie Peat (Alternate) and Donald Wagner (Alternate)

NOES: None

ABSENT: Brad Avery

ABSTENTIONS: None

19. RENEWAL OF ESRI GIS ENTERPRISE LICENSE AGREEMENT SUBSCRIPTION AND SUPPORT [2024-3939](#)

Originator: Wally Ritchie

MOVED, SECONDED, AND DULY CARRIED TO:

- A. Approve Amendment No. 3 of Agreement 334620 with Environmental Systems Research Institute, Inc. for the renewal of the Sole Source GIS Enterprise License Agreement, for a three-year period commencing December 31, 2024, through December 30, 2027, for a total amount not to exceed \$494,000; and
- B. Approve a not to exceed contingency of \$24,700 (5%).

AYES: Joyce Ahn, Debbie Baker, Pat Burns, Jon Dumitru, Stephen Faessel, Ryan Gallagher, Glenn Grandis, Johnathan Ryan Hernandez, Farrah Khan, Stephanie Klopfenstein, Tom Lindsey, Christine Marick, Jordan Nefulda, Andrew Nguyen, Robert Ooten, Robbie Pitts, David Shawver, Schelly Sustarsic, Chad Wanke, Bruce Whitaker, John Withers, Jose Medrano (Alternate), Bonnie Peat (Alternate) and Donald Wagner (Alternate)

NOES: None

ABSENT: Brad Avery

ABSTENTIONS: None

20. CONTINGENCY INCREASE FOR ANNUAL TRUE-UP OF MICROSOFT ENTERPRISE LICENSE AGREEMENT (ELA) FOR MICROSOFT ENTERPRISE SOFTWARE LICENSES [2024-3940](#)

Originator: Wally Ritchie

MOVED, SECONDED, AND DULY CARRIED TO:

Approve a contingency increase of \$525,748 (36%) to the existing Contract for annual true-up of the Microsoft ELA for a new total contingency amount of \$746,322 (51%).

AYES: Joyce Ahn, Debbie Baker, Pat Burns, Jon Dumitru, Stephen Faessel, Ryan Gallagher, Glenn Grandis, Johnathan Ryan Hernandez, Farrah Khan, Stephanie Klopfenstein, Tom Lindsey, Christine Marick, Jordan Nefulda, Andrew Nguyen, Robert Ooten, Robbie Pitts, David Shawver, Schelly Sustarsic, Chad Wanke, Bruce Whitaker, John Withers, Jose Medrano (Alternate), Bonnie Peat (Alternate) and Donald Wagner (Alternate)

NOES: None

ABSENT: Brad Avery

ABSTENTIONS: None

21. MICROSOFT ENTERPRISE LICENSE AGREEMENT (ELA) FOR MICROSOFT ENTERPRISE SOFTWARE LICENSES [2024-3941](#)

Originator: Wally Ritchie

MOVED, SECONDED, AND DULY CARRIED TO:

A. Approve a Purchase Order for a three-year contract to purchase Microsoft Enterprise licenses under the Microsoft ELA in accordance with Microsoft Volume Enterprise Enrollment - for State and Local government, Riverside County Master Licensing Agreement 01E73970, payable annually and with a contract expiration date of December 31, 2027, for a total amount not to exceed \$2,255,657; and

B. Approve a contingency of \$451,131 (20%).

AYES: Joyce Ahn, Debbie Baker, Pat Burns, Jon Dumitru, Stephen Faessel, Ryan Gallagher, Glenn Grandis, Johnathan Ryan Hernandez, Farrah Khan, Stephanie Klopfenstein, Tom Lindsey, Christine Marick, Jordan Nefulda, Andrew Nguyen, Robert Ooten, Robbie Pitts, David Shawver, Schelly Sustarsic, Chad Wanke, Bruce Whitaker, John Withers, Jose Medrano (Alternate), Bonnie Peat (Alternate) and Donald Wagner (Alternate)

NOES: None

ABSENT: Brad Avery

ABSTENTIONS: None

22. GENERAL MANAGER APPROVED PURCHASES AND ADDITIONS TO THE PRE-APPROVED OEM SOLE SOURCE LIST [2024-3942](#)

Originator: Wally Ritchie

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, 2024 to September 30, 2024; and
- B. Approve the following additions to the pre-approved Original Equipment Manufacturers (OEM) Sole Source List:
- ROCKWELL ENGINEERING & EQUIPMENT CO - Horizontal Pump (*Replaces OEM Manufacturer VAUGHAN COMPANY, INC. - Designated Representative*)
 - VEOLIA WTS SERVICES USA, INC. - Bar Screen Repair Parts (*Replaces OEM Manufacturer SUEZ WTS/ VEOLIA WTS - Name Change*)

AYES: Joyce Ahn, Debbie Baker, Pat Burns, Jon Dumitru, Stephen Faessel, Ryan Gallagher, Glenn Grandis, Johnathan Ryan Hernandez, Farrah Khan, Stephanie Klopfenstein, Tom Lindsey, Christine Marick, Jordan Nefulda, Andrew Nguyen, Robert Ooten, Robbie Pitts, David Shawver, Schelly Sustarsic, Chad Wanke, Bruce Whitaker, John Withers, Jose Medrano (Alternate), Bonnie Peat (Alternate) and Donald Wagner (Alternate)

NOES: None

ABSENT: Brad Avery

ABSTENTIONS: None

23. TRIPLE QUADRUPOLE GAS CHROMATOGRAPH MASS SPECTROMETER (TQ-GC/MS) SYSTEM [2024-3943](#)

Originator: Lan Wiborg

MOVED, SECONDED, AND DULY CARRIED TO:

Approve a Purchase Order to VWR International, LLC for the purchase of a Triple Quadrupole Gas Chromatograph Mass Spectrometer (TQ-GC/MS) System using NASPO Master Agreement No. MA2024005 for a total amount not to exceed \$325,947.

AYES: Joyce Ahn, Debbie Baker, Pat Burns, Jon Dumitru, Stephen Faessel, Ryan Gallagher, Glenn Grandis, Johnathan Ryan Hernandez, Farrah Khan, Stephanie Klopfenstein, Tom Lindsey, Christine Marick, Jordan Nefulda, Andrew Nguyen, Robert Ooten, Robbie Pitts, David Shawver, Schelly Sustarsic, Chad Wanke, Bruce Whitaker, John Withers, Jose Medrano (Alternate), Bonnie Peat (Alternate) and Donald Wagner (Alternate)

NOES: None

ABSENT: Brad Avery

ABSTENTIONS: None

24. 2025 LEGISLATIVE AND REGULATORY PLAN [2024-3945](#)

Originator: Jennifer Cabral

MOVED, SECONDED, AND DULY CARRIED TO:

Adopt the Orange County Sanitation District 2025 Legislative and Regulatory Plan.

AYES: Joyce Ahn, Debbie Baker, Pat Burns, Jon Dumitru, Stephen Faessel, Ryan Gallagher, Glenn Grandis, Johnathan Ryan Hernandez, Farrah Khan, Stephanie Klopfenstein, Tom Lindsey, Christine Marick, Jordan Nefulda, Andrew Nguyen, Robert Ooten, Robbie Pitts, David Shawver, Schelly Sustarsic, Chad Wanke, Bruce Whitaker, John Withers, Jose Medrano (Alternate), Bonnie Peat (Alternate) and Donald Wagner (Alternate)

NOES: None

ABSENT: Brad Avery

ABSTENTIONS: None

25. LEGISLATIVE AFFAIRS UPDATE FOR THE MONTH OF OCTOBER 2024 [2024-3946](#)

Originator: Jennifer Cabral

MOVED, SECONDED, AND DULY CARRIED TO:

Receive and file the Legislative Affairs Update for the month October 2024.

AYES: Joyce Ahn, Debbie Baker, Pat Burns, Jon Dumitru, Stephen Faessel, Ryan Gallagher, Glenn Grandis, Johnathan Ryan Hernandez, Farrah Khan, Stephanie Klopfenstein, Tom Lindsey, Christine Marick, Jordan Nefulda, Andrew Nguyen, Robert Ooten, Robbie Pitts, David Shawver, Schelly Sustarsic, Chad Wanke, Bruce Whitaker, John Withers, Jose Medrano (Alternate), Bonnie Peat (Alternate) and Donald Wagner (Alternate)

NOES: None

ABSENT: Brad Avery

ABSTENTIONS: None

26. ORANGE COUNTY SANITATION DISTRICT ANNUAL COMPREHENSIVE FINANCIAL REPORT FOR THE YEAR ENDED JUNE 30, 2024

[2024-3947](#)

Originator: Wally Ritchie

MOVED, SECONDED, AND DULY CARRIED TO:

Receive and file the Orange County Sanitation District's (OC San) Annual Comprehensive Financial Report for the year ended June 30, 2024, 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: Joyce Ahn, Debbie Baker, Pat Burns, Jon Dumitru, Stephen Faessel, Ryan Gallagher, Glenn Grandis, Johnathan Ryan Hernandez, Farrah Khan, Stephanie Klopfenstein, Tom Lindsey, Christine Marick, Jordan Nefulda, Andrew Nguyen, Robert Ooten, Robbie Pitts, David Shawver, Schelly Sustarsic, Chad Wanke, Bruce Whitaker, John Withers, Jose Medrano (Alternate), Bonnie Peat (Alternate) and Donald Wagner (Alternate)

NOES: None

ABSENT: Brad Avery

ABSTENTIONS: None

27. ORANGE COUNTY SANITATION DISTRICT POPULAR ANNUAL FINANCIAL REPORT FOR THE YEAR ENDED JUNE 30, 2024 [2024-3948](#)

Originator: Wally Ritchie

MOVED, SECONDED, AND DULY CARRIED TO:

Receive and file the Orange County Sanitation District Popular Annual Financial Report for the year ended June 30, 2024.

AYES: Joyce Ahn, Debbie Baker, Pat Burns, Jon Dumitru, Stephen Faessel, Ryan Gallagher, Glenn Grandis, Johnathan Ryan Hernandez, Farrah Khan, Stephanie Klopfenstein, Tom Lindsey, Christine Marick, Jordan Nefulda, Andrew Nguyen, Robert Ooten, Robbie Pitts, David Shawver, Schelly Sustarsic, Chad Wanke, Bruce Whitaker, John Withers, Jose Medrano (Alternate), Bonnie Peat (Alternate) and Donald Wagner (Alternate)

NOES: None

ABSENT: Brad Avery

ABSTENTIONS: None

STEERING COMMITTEE:

28. BOARD OF DIRECTORS COMPENSATION [2024-3967](#)

Originator: Kelly Lore

NO ACTION TAKEN.

Consider the automatic five percent (5%) increase to Board Member Compensation in accordance with Ordinance No. OC SAN-62, effective January 1, 2025.

NON-CONSENT:

None.

INFORMATION ITEMS:

None.

AB 1234 DISCLOSURE REPORTS:

Directors Pat Burns, Stephen Faessel, Bob Ooten, and Dave Shawver provided a report on their recent attendance at various Regional Board Meetings.

Director Bruce Whitaker left the meeting at 6:37 p.m., prior to Closed Session.

CLOSED SESSION:

CONVENED IN CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTIONS 54957.6, 54956.9(d)(1), & 54956.9(d)(2).

The Board convened in closed session at 6:37 p.m. Item Nos. CS-1 and CS-2 were not heard. 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 LABOR NEGOTIATORS - GOVERNMENT CODE SECTION 54957.6 [2024-3962](#)

DID NOT CONVENE IN CLOSED SESSION:

Designated Representatives: General Manager Robert Thompson, Assistant General Manager Lorenzo Tyner, Director of Human Resources Laura Maravilla, and Chief Negotiator Laura Kalty.

Employee Organizations: (3)

International Union of Operating Engineers, Local 501; Orange County Employees Association; and the Supervisory and Professional Management Group.

CS-2 CONFERENCE WITH LEGAL COUNSEL RE EXISTING LITIGATION - GOVERNMENT CODE SECTION 54956.9(d)(1) [2024-3963](#)

DID NOT CONVENE IN CLOSED SESSION:

Number of Cases: 1

Orange County Sanitation District v. Robert M. Jackson, et al., Orange County Superior Court Case No. 30-2024-01379706-CU-OR-CJC.

CS-3 CONFERENCE WITH LEGAL COUNSEL RE ANTICIPATED LITIGATION - GOVERNMENT CODE SECTION 54956.9(d)(2) [2024-3964](#)

CONVENED IN CLOSED SESSION:

Number of Potential Cases: 1

- A. Claim/Demand Letter received from PCL Construction, Inc., re: Contract No. P2-98A for Project A-Side Primary Clarifier Replacement at Plant 2. Claim regarding a Change Order Proposal RFC 44; and
- B. Claim/Demand Letter received from PCL Construction, Inc., re: Contract No. P2-98A for Project A-Side Primary Clarifier Replacement at Plant 2. Claim regarding a Change Order Proposal RFC 52.

Copies of these claims are on file with the Clerk of the Board and available for public inspection.

CS-4 CONFERENCE WITH LEGAL COUNSEL RE ANTICIPATED LITIGATION - GOVERNMENT CODE SECTION 54956.9(d)(2)

[2024-3965](#)

CONVENED IN CLOSED SESSION:

Number of Potential Cases: (1)

Significant exposure to litigation: Claim of Robert Roberts.

A copy of this claim is on file with the Clerk of the Board and available for public inspection.

CS-5 CONFERENCE WITH LEGAL COUNSEL RE EXISTING LITIGATION - GOVERNMENT CODE SECTION 54956.9(d)(1)

[2024-3966](#)

CONVENED IN CLOSED SESSION:

Number of Cases: 1

BKK Working Group, et al. v. Albertsons Companies, Inc., et al., United States District Court Central District of California, Court Case No. 2:18-CV-05836-MWF(PLAx).

RECONVENED IN REGULAR SESSION.

The Board reconvened in regular session at 7:20 p.m.

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

General Counsel Ryan Baron stated there was no reportable action.

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

None.

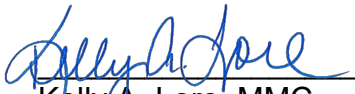
BOARD OF DIRECTORS INITIATED ITEMS FOR A FUTURE MEETING:

None.

ADJOURNMENT:

At 7:20 p.m., Chair Gallagher adjourned the meeting until the next Regular Meeting of the Board of Directors to be held on Wednesday, December 18, 2024 at 6:00 p.m.

Submitted by:



Kelly A. Lore, MMC
Clerk of the Board