

RESOLUTION NO. OCSD 20-01

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE ORANGE COUNTY SANITATION DISTRICT GRANTING EMERGENCY POWER TO THE GENERAL MANAGER IN THE EVENT THE PUBLIC HEALTH AND SAFETY IS ENDANGERED DUE TO A DISRUPTION OF SEWERAGE SERVICE; AND REPEALING RESOLUTION NO. 75-160

WHEREAS, Orange County Sanitation District (Sanitation District) has the primary responsibility to provide sewage collection, treatment, recycling, and disposal services for metropolitan Orange County, serving a population of approximately 2.6 million people;

WHEREAS, implicit in the nature of said service provided by the aforementioned Sanitation District is the protection of the public health and safety to the greatest extent possible;

WHEREAS, pursuant to the California Emergency Services Act, Sanitation District currently has emergency authority to promulgate orders and regulations necessary to provide for the protection of life and property; and

WHEREAS, continued operation of the Sanitation District's sewerage facilities is essential to the maintenance of said public health and safety.

NOW, THEREFORE, the Board of Directors of the Orange County Sanitation District, DOES HEREBY RESOLVE, DETERMINE, AND ORDER:

Section 1: That in the event of the disruption, or potential disruption, of Sanitation District services due to employee absences or other matters beyond the control of the Sanitation District, the General Manager be, and is hereby authorized, to declare an emergency status to mitigate danger to the public health and safety;

Section 2: That in the event an emergency status is declared by the General Manager, he shall have full and complete authority to implement the following orders and regulations necessary to provide for the protection of life and property:

- (a) Waive provisions of existing salary resolutions prohibiting overtime compensation for management and supervisory personnel and be authorized to pay said personnel overtime compensation at the rate of one and one-half times their regular pay for all hours worked in excess of 40 hours per pay period.
- (b) Employ personnel to operate and maintain the Sanitation District's facilities as needed.
- (c) Employ security personnel or firms to protect the Sanitation District's property as needed.

- (d) Invoke the emergency provisions of the Sanitation District's Purchasing Ordinance regarding procurement of materials and services; and
- (e) Change other provisions of Human Resources Policies and Procedures or Resolutions as the General Manager deems necessary to ensure public safety in the time of emergency, with consent of the Board Chair. The General Manager shall obtain consent from the Vice-Chair in the absence of the Chair. Any changes to Board-approved policies and procedures or resolutions shall be presented to the Board of Directors for ratification at their next regular meeting. Such changes shall only remain in force and effect until necessary to ensure public safety and only during the time of emergency, and

Section 3: That in the event an emergency status is declared by the General Manager, the General Counsel be, and is hereby authorized, to commence any appropriate legal proceedings that the circumstances warrant.

Section 4: Resolution No. 75-160 is hereby repealed.

PASSED AND ADOPTED at a regular meeting of the Board of Directors held March 25, 2020.

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David John Shawver  
Chairman of the Board of Directors

ATTEST:

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Kelly A. Lore, MMC  
Clerk of the Board

APPROVED AS TO FORM:

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Bradley R. Hogin  
General Counsel

STATE OF CALIFORNIA )  
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COUNTY OF ORANGE )

I, Kelly A. Lore, Clerk of the Board of Directors of the Orange County Sanitation District, do hereby certify that the foregoing Resolution No. OCSD 20-01 was passed and adopted at a regular meeting of said Board on the 25th day of March, 2020, by the following vote, to wit:

**AYES:**  
**NOES:**  
**ABSTENTIONS:**  
**ABSENT:**

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of Orange County Sanitation District this 25<sup>th</sup> day of March 2020.

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Kelly A. Lore, MMC  
Clerk of the Board of Directors  
Orange County Sanitation District