

ORANGE COUNTY SANITATION DISTRICT

MINUTES

BOARD OF DIRECTORS

DECEMBER 14, 2023



**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 Vice-Chairman Ryan Gallagher on Thursday, December 14, 2023 at 6:00 p.m. in the Administration Building of the Orange County Sanitation District. Director David Shawver delivered the invocation and led the Pledge of Allegiance.

ROLL CALL AND DECLARATION OF QUORUM

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

PRESENT: Brad Avery, Pat Burns, Doug Chaffee, Jon Dumitru, Rose Espinoza, Ryan Gallagher, Glenn Grandis, Phil Hawkins, Farrah Khan, Stephanie Klopfenstein, Christine Marick, Jordan Nefulda, Andrew Nguyen, Robert Ooten, Robbie Pitts, David Shawver, Susan Sonne, Schelly Sustarsic, Bruce Whitaker, John Withers and Natalie Meeks (Alternate)

ABSENT: Marshall Goodman, Johnathan Ryan Hernandez, Scott Minikus and 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; Jackie Castro; Daisy Covarrubias, Tanya Chong; Thys DeVries; Brian Engeln; Justin Fenton; Rob Michaels; Victoria Pilko; Eros Yong; and Ruth Zintzun were present in the Board Room. Irene Green and Thomas Vu were in attendance telephonically.

OTHERS PRESENT: Brad Hogin, General Counsel; Rod Coppedge, Special Council; Joyce Ahn, City of Buena Park Council Member; and Jesus Gaona-Perez were present in the Board Room. Alternate Director Art Perry, CMSD; Tedi Jackson; and Blayne Goodman were in attendance telephonically.

PUBLIC COMMENTS:

None.

Clerk of the Board Kelly Lore stated that correspondence had been received from Midway City Sanitary District with a confirmation of the their appointments of Andrew Nguyen as Director and Tyler Diep as Alternate Director to OC San's Board.

SPECIAL PRESENTATIONS:**1. EMPLOYEE SERVICE AWARDS**

[2023-3328](#)

Originator: Kelly Lore

Vice-Chair Gallagher recognized the following:

25-year Service Awards

Jesus Baez, Senior Mechanic - Division 870

20-year Service Award

Shane Milligan, Lead Power Plant Operator - Division 870

Doug Rech, Senior Mechanic - Division 880

Laura Terriguez, Scientist - Division 630

REPORTS:

Vice-Chair Gallagher stated that the Directors would receive talking points regarding OC San activities to assist while reporting out to their councils, boards, and community groups.

Vice-Chair Gallagher reminded the Board members that the OC San administration offices would be closed December 25, 26, and January 1. He also stated that the Operations and the Administration Committees were dark in January; and the Steering and Board Meetings were moved up a week to Wednesday, January 17, 2024.

General Manager Rob Thompson stated that on January 17, the Steering Committee would meet at a special time of 3:00 p.m. The Board of Directors meeting will also meet at a special time of 4:30 p.m. to provide a tour of the new Headquarters building, and then continue with the Board meeting at Plant No. 1 at 6:00 p.m.

Mr. Thompson announced that OC San was awarded with the 2024 National Environmental Achievement Award in the Community Leadership category for the Final Expansion of the Groundwater Replenishment System. He also stated that OC San Plant No.1 had received Cal/VPP Star Recognition, which is the highest level of recognition under Cal/OSHA's Voluntary Protection Program (VPP). The designation is to recognize employers and their employees who have implemented safety and health programs that go beyond minimal Cal/OSHA standards.

Mr. Thompson reported that due to our extraordinary record keeping, OC San had successfully recuperated over \$330,000 in COVID related expenses from the Federal Emergency Management Agency. The expenses included personal protective equipment, disinfection supplies, and emergency response time. This was all possible due to our meticulous record keeping. No additional reimbursement is anticipated.

Mr. Thompson thanked OC San staff and Board members who participated in the Spark of Love toy drive in connection with the Fountain Valley Fire Department. OC San collected over 100 toys for Orange County kids in need.

Mr. Thompson provided a brief update to the Raul Palazuelos litigation and stated the case had been successfully resolved.

CONSENT CALENDAR:**2. APPROVAL OF MINUTES**[2023-3329](#)**Originator:** Kelly Lore

MOVED, SECONDED, AND DULY CARRIED TO:

Approve minutes of the Regular meeting of the Board of Directors held November 15, 2023.

AYES: Brad Avery, Pat Burns, Doug Chaffee, Jon Dumitru, Rose Espinoza, Ryan Gallagher, Glenn Grandis, Phil Hawkins, Stephanie Klopfenstein, Christine Marick, Jordan Nefulda, Andrew Nguyen, Robert Ooten, Robbie Pitts, David Shawver, Susan Sonne, Schelly Sustarsic, Bruce Whitaker, John Withers and Natalie Meeks (Alternate)

NOES: None

ABSENT: Marshall Goodman, Johnathan Ryan Hernandez, Farrah Khan, Scott Minikus and Chad Wanke

ABSTENTIONS: None

3. SALES TAX REIMBURSEMENTS FOR CHEMICAL PURCHASES[2023-3345](#)**Originator:** Wally Ritchie

MOVED, SECONDED, AND DULY CARRIED TO:

Approve the California Department of Tax and Fee Administration counteroffer in the amount of \$12,541.24, as set forth below, which represents a settlement of 14.5% of the remaining claimed amounts totaling \$86,234.

AYES: Brad Avery, Pat Burns, Doug Chaffee, Jon Dumitru, Rose Espinoza, Ryan Gallagher, Glenn Grandis, Phil Hawkins, Stephanie Klopfenstein, Christine Marick, Jordan Nefulda, Andrew Nguyen, Robert Ooten, Robbie Pitts, David Shawver, Susan Sonne, Schelly Sustarsic, Bruce Whitaker, John Withers and Natalie Meeks (Alternate)

NOES: None

ABSENT: Marshall Goodman, Johnathan Ryan Hernandez, Farrah Khan, Scott Minikus and Chad Wanke

ABSTENTIONS: None

RECEIVE AND FILE:**4. COMMITTEE MEETING MINUTES**[2023-2732](#)**Originator:** Kelly Lore

WITHOUT OBJECTION ACTION TAKEN TO RECEIVE AND FILE THE FOLLOWING:

- A. Minutes of the Steering Committee Meeting held October 25, 2023
- B. Minutes of the Operations Committee Meeting held November 1, 2023
- C. Minutes of the Administration Committee Meeting held November 8, 2023

5. REPORT OF THE INVESTMENT TRANSACTIONS FOR THE MONTH OF NOVEMBER 2023 [2023-3116](#)

Originator: Wally Ritchie

WITHOUT OBJECTION ACTION TAKEN TO RECEIVE AND FILE THE FOLLOWING:

Report of the Investment Transactions for the month of November 2023.

OPERATIONS COMMITTEE:

6. ORANGE COUNTY SANITATION DISTRICT 2023 ASSET MANAGEMENT PLAN [2023-3347](#)

Originator: Mike Dorman

MOVED, SECONDED, AND DULY CARRIED TO:

Adopt the Orange County Sanitation District 2023 Asset Management Plan.

AYES: Brad Avery, Pat Burns, Doug Chaffee, Jon Dumitru, Rose Espinoza, Ryan Gallagher, Glenn Grandis, Phil Hawkins, Stephanie Klopfenstein, Christine Marick, Jordan Nefulda, Andrew Nguyen, Robert Ooten, Robbie Pitts, David Shawver, Susan Sonne, Schelly Sustarsic, Bruce Whitaker, John Withers and Natalie Meeks (Alternate)

NOES: None

ABSENT: Marshall Goodman, Johnathan Ryan Hernandez, Farrah Khan, Scott Minikus and Chad Wanke

ABSTENTIONS: None

7. CONTROL CENTER OFFICES AND DAY TRAINING ROOM REMODELING AT PLANT NO. 1, PROJECT FR1-0007R [2023-3348](#)

Originator: Mike Dorman

MOVED, SECONDED, AND DULY CARRIED TO:

- A. Receive and file Bid Tabulation and Recommendation for Control Center Offices and Day Training Room Remodeling at Plant No. 1, Project No. FR1-0007R;
- B. Award a Construction Contract to A 2 Z Construct, Inc. for Control Center Offices and Day Training Room Remodeling at Plant No. 1, Project No. FR1-0007R, for a total amount not to exceed \$348,000; and
- C. Approve a contingency of \$34,800 (10%).

AYES: Brad Avery, Pat Burns, Doug Chaffee, Jon Dumitru, Rose Espinoza, Ryan Gallagher, Glenn Grandis, Phil Hawkins, Stephanie Klopfenstein, Christine Marick, Jordan Nefulda, Andrew Nguyen, Robert Ooten, Robbie Pitts, David Shawver, Susan Sonne, Schelly Sustarsic, Bruce Whitaker, John Withers and Natalie Meeks (Alternate)

NOES: None

ABSENT: Marshall Goodman, Johnathan Ryan Hernandez, Farrah Khan, Scott Minikus and Chad Wanke

ABSTENTIONS: None

**8. TRICKLING FILTER VALVE REPLACEMENT AT PLANT NO. 1, [2023-3349](#)
PROJECT NO. FR1-0017**

Originator: Mike Dorman

MOVED, SECONDED, AND DULY CARRIED TO:

- A. Receive and file Bid Tabulation and Recommendation for Trickling Filter Valve Replacement at Plant No. 1, Project No. FR1-0017;
- B. Award a Construction Contract to Vicon Enterprise Incorporated for Trickling Filter Valve Replacement at Plant No. 1, Project No. FR1-0017, for a total amount not to exceed \$257,300; and
- C. Approve a contingency of \$25,730 (10%).

AYES: Brad Avery, Pat Burns, Doug Chaffee, Jon Dumitru, Rose Espinoza, Ryan Gallagher, Glenn Grandis, Phil Hawkins, Stephanie Klopfenstein, Christine Marick, Jordan Nefulda, Andrew Nguyen, Robert Ooten, Robbie Pitts, David Shawver, Susan Sonne, Schelly Sustarsic, Bruce Whitaker, John Withers and Natalie Meeks (Alternate)

NOES: None

ABSENT: Marshall Goodman, Johnathan Ryan Hernandez, Farrah Khan, Scott Minikus and Chad Wanke

ABSTENTIONS: None

9. **PUMP STATION PORTABLE GENERATOR CONNECTORS, PROJECT NO. FE19-01** [2023-3350](#)

Originator: Mike Dorman

MOVED, SECONDED, AND DULY CARRIED TO:

Approve a contingency increase of \$72,449 (6%) to the contract for Pacific International Electric Company, Inc., dba Pacific Industrial Electric, for Pump Station Portable Generator Connectors, Project No FE19-01, for an already approved total contract amount not to exceed \$1,207,479; and a total contingency of \$193,197 (16%).

AYES: Brad Avery, Pat Burns, Doug Chaffee, Jon Dumitru, Rose Espinoza, Ryan Gallagher, Glenn Grandis, Phil Hawkins, Stephanie Klopfenstein, Christine Marick, Jordan Nefulda, Andrew Nguyen, Robert Ooten, Robbie Pitts, David Shawver, Susan Sonne, Schelly Sustarsic, Bruce Whitaker, John Withers and Natalie Meeks (Alternate)

NOES: None

ABSENT: Marshall Goodman, Johnathan Ryan Hernandez, Farrah Khan, Scott Minikus and Chad Wanke

ABSTENTIONS: None

10. **ENGINEERING PROGRAM CONTRACT PERFORMANCE REPORT** [2023-3351](#)

Originator: Mike Dorman

MOVED, SECONDED, AND DULY CARRIED TO:

Receive and file the Engineering Program Contract Performance Report for the period ending September 30, 2023.

AYES: Brad Avery, Pat Burns, Doug Chaffee, Jon Dumitru, Rose Espinoza, Ryan Gallagher, Glenn Grandis, Phil Hawkins, Stephanie Klopfenstein, Christine Marick, Jordan Nefulda, Andrew Nguyen, Robert Ooten, Robbie Pitts, David Shawver, Susan Sonne, Schelly Sustarsic, Bruce Whitaker, John Withers and Natalie Meeks (Alternate)

NOES: None

ABSENT: Marshall Goodman, Johnathan Ryan Hernandez, Farrah Khan, Scott Minikus and Chad Wanke

ABSTENTIONS: None

11. **ACTIVATED SLUDGE CLARIFIER ENTRY IMPROVEMENTS AT PLANT NO. 2, PROJECT NO. FR2-0023** [2023-3352](#)

Originator: Mike Dorman

MOVED, SECONDED, AND DULY CARRIED TO:

- A. Receive and file Bid Tabulation and Recommendation for Activated Sludge Clarifier Entry Improvements at Plant No. 2, Project No. FR2-0023;
- B. Award a Construction Contract to Tharsos Inc. for Activated Sludge Clarifier Entry Improvements at Plant No. 2, Project No. FR2-0023, for a total amount not to exceed \$1,171,000; and
- C. Approve a contingency of \$117,100 (10%).

AYES: Brad Avery, Pat Burns, Doug Chaffee, Jon Dumitru, Rose Espinoza, Ryan Gallagher, Glenn Grandis, Phil Hawkins, Stephanie Klopfenstein, Christine Marick, Jordan Nefulda, Andrew Nguyen, Robert Ooten, Robbie Pitts, David Shawver, Susan Sonne, Schelly Sustarsic, Bruce Whitaker, John Withers and Natalie Meeks (Alternate)

NOES: None

ABSENT: Marshall Goodman, Johnathan Ryan Hernandez, Farrah Khan, Scott Minikus and Chad Wanke

ABSTENTIONS: None

12. PURCHASE OF ELECTRIC FORKLIFTS

[2023-3353](#)

Originator: Riaz Moinuddin

MOVED, SECONDED, AND DULY CARRIED TO:

- A. Approve a Purchase Order to Equipment Depot California, Inc. for the purchase of four Caterpillar electric forklifts, using Sourcewell Cooperative Contract #091520-MCF for an amount not to exceed \$ 285,070; and
- B. Approve a contingency of \$14,254 (5%).

AYES: Brad Avery, Pat Burns, Doug Chaffee, Jon Dumitru, Rose Espinoza, Ryan Gallagher, Glenn Grandis, Phil Hawkins, Stephanie Klopfenstein, Christine Marick, Jordan Nefulda, Andrew Nguyen, Robert Ooten, Robbie Pitts, David Shawver, Susan Sonne, Schelly Sustarsic, Bruce Whitaker, John Withers and Natalie Meeks (Alternate)

NOES: None

ABSENT: Marshall Goodman, Johnathan Ryan Hernandez, Farrah Khan, Scott Minikus and Chad Wanke

ABSTENTIONS: None

13. TRICKLING FILTER C ROTATING ASSEMBLY REPLACEMENT FOR PLANT NO. 2, PROJECT NO. MP2-019

[2023-3354](#)

Originator: Riaz Moinuddin

MOVED, SECONDED, AND DULY CARRIED TO:

- A. Approve a Sole Source Purchase Order Contract to Ovivo USA, LLC for a direct replacement Center Mast Assembly for the Plant No. 2 Trickling Filter "C" Center Rotating Assembly Replacement at Plant No. 2, Project No. MP2-019, for a total amount not to exceed \$586,272; and
- B. Approve a contingency of \$58,627 (10%).

AYES: Brad Avery, Pat Burns, Doug Chaffee, Jon Dumitru, Rose Espinoza, Ryan Gallagher, Glenn Grandis, Phil Hawkins, Stephanie Klopfenstein, Christine Marick, Jordan Nefulda, Andrew Nguyen, Robert Ooten, Robbie Pitts, David Shawver, Susan Sonne, Schelly Sustarsic, Bruce Whitaker, John Withers and Natalie Meeks (Alternate)

NOES: None

ABSENT: Marshall Goodman, Johnathan Ryan Hernandez, Farrah Khan, Scott Minikus and Chad Wanke

ABSTENTIONS: None

14. PROCUREMENT OF CENTRIFUGAL PUMPS FOR SPARE INVENTORY AT PLANT NO. 1

[2023-3355](#)

Originator: Riaz Moinuddin

MOVED, SECONDED, AND DULY CARRIED TO:

- A. Approve a Sole Source Purchase Order Contract to Flo-Systems for the purchase of spare inventory Centrifugal Pumps assemblies: two Clockwise Directional Pumps and two Counterclockwise Directional Pumps, for a total amount not to exceed \$320,453, including applicable sales tax and freight; and
- B. Approve a contingency of \$32,045 (10%).

AYES: Brad Avery, Pat Burns, Doug Chaffee, Jon Dumitru, Rose Espinoza, Ryan Gallagher, Glenn Grandis, Phil Hawkins, Stephanie Klopfenstein, Christine Marick, Jordan Nefulda, Andrew Nguyen, Robert Ooten, Robbie Pitts, David Shawver, Susan Sonne, Schelly Sustarsic, Bruce Whitaker, John Withers and Natalie Meeks (Alternate)

NOES: None

ABSENT: Marshall Goodman, Johnathan Ryan Hernandez, Farrah Khan, Scott Minikus and Chad Wanke

ABSTENTIONS: None

15. JANITORIAL SERVICES AT ORANGE COUNTY SANITATION DISTRICT HEADQUARTERS COMPLEX

[2023-3356](#)

Originator: Riaz Moinuddin

MOVED, SECONDED, AND DULY CARRIED TO:

- A. Approve a Purchase Order Agreement with Team One Management for Janitorial Maintenance Services at the Orange County Sanitation District's (OC San) Headquarters Complex, utilizing the County of Orange Contract No. MA-012-22011179, from the Notice to Proceed through January 31, 2025, for a total amount not to exceed \$458,400; and
- B. Approve a contingency of \$45,840 (10%).

AYES: Brad Avery, Pat Burns, Doug Chaffee, Jon Dumitru, Rose Espinoza, Ryan Gallagher, Glenn Grandis, Phil Hawkins, Stephanie Klopfenstein, Christine Marick, Jordan Nefulda, Andrew Nguyen, Robert Ooten, Robbie Pitts, David Shawver, Susan Sonne, Schelly Sustarsic, Bruce Whitaker, John Withers and Natalie Meeks (Alternate)

NOES: None

ABSENT: Marshall Goodman, Johnathan Ryan Hernandez, Farrah Khan, Scott Minikus and Chad Wanke

ABSTENTIONS: None

16. PLAN2024-00 ON-CALL PLANNING STUDIES

[2023-3357](#)

Originator: Mike Dorman

MOVED, SECONDED, AND DULY CARRIED TO:

- A. Approve Professional Services Agreements with HDR Engineering, Inc.; Brown and Caldwell; Arcadis U.S., Inc.; Stantec Consulting Services Inc.; Black & Veatch Corporation; and Hazen and Sawyer for PLAN2024-00, On-Call Planning Studies master contracts, for the term of January 1, 2024, through December 31, 2026, with a maximum annual contract limitation not to exceed \$1,000,000 per Consultant; and
- B. Approve two (2) additional one-year optional extensions.

AYES: Brad Avery, Pat Burns, Doug Chaffee, Jon Dumitru, Rose Espinoza, Ryan Gallagher, Glenn Grandis, Phil Hawkins, Stephanie Klopfenstein, Christine Marick, Jordan Nefulda, Andrew Nguyen, Robert Ooten, Robbie Pitts, David Shawver, Susan Sonne, Schelly Sustarsic, Bruce Whitaker, John Withers and Natalie Meeks (Alternate)

NOES: None

ABSENT: Marshall Goodman, Johnathan Ryan Hernandez, Farrah Khan, Scott Minikus and Chad Wanke

ABSTENTIONS: None

17. DIGESTER GAS FACILITIES REPLACEMENT, PROJECT NO. J-124 [2023-3358](#)

Originator: Mike Dorman

MOVED, SECONDED, AND DULY CARRIED TO:

Approve a contingency increase of \$9,400,000 (79.86%) to the existing Professional Design Services Agreement (PDSA) with Brown and Caldwell for Digester Gas Facilities Replacement, Project No. J-124, for a total contract amount of \$11,770,000 and a new total contingency amount of \$10,577,000 (89.86%).

AYES: Brad Avery, Pat Burns, Doug Chaffee, Jon Dumitru, Rose Espinoza, Ryan Gallagher, Glenn Grandis, Phil Hawkins, Stephanie Klopfenstein, Christine Marick, Jordan Nefulda, Andrew Nguyen, Robert Ooten, Robbie Pitts, David Shawver, Susan Sonne, Schelly Sustarsic, Bruce Whitaker, John Withers and Natalie Meeks (Alternate)

NOES: None

ABSENT: Marshall Goodman, Johnathan Ryan Hernandez, Farrah Khan, Scott Minikus and Chad Wanke

ABSTENTIONS: None

18. SEAL BEACH PUMP STATION REPLACEMENT, PROJECT NO. 3-67 [2023-3359](#)

Originator: Mike Dorman

MOVED, SECONDED, AND DULY CARRIED TO:

- A. Approve a project budget increase of \$19,400,000 for Seal Beach Pump Station Replacement, Project No. 3-67, for a new total project budget of \$134,000,000;
- B. Receive and file Bid Tabulation and Recommendation for Seal Beach Pump Station Replacement, Project No. 3-67;
- C. Award a Construction Contract to Walsh Construction Company II, LLC for Seal Beach Pump Station Replacement, Project No. 3-67, for a total amount not to exceed \$97,032,743; and
- D. Approve a contingency of \$9,703,274 (10%).

AYES: Brad Avery, Pat Burns, Doug Chaffee, Jon Dumitru, Rose Espinoza, Ryan Gallagher, Glenn Grandis, Phil Hawkins, Stephanie Klopfenstein, Christine Marick, Jordan Nefulda, Andrew Nguyen, Robert Ooten, Robbie Pitts, David Shawver, Susan Sonne, Schelly Sustarsic, Bruce Whitaker, John Withers and Natalie Meeks (Alternate)

NOES: None

ABSENT: Marshall Goodman, Johnathan Ryan Hernandez, Farrah Khan, Scott Minikus and Chad Wanke

ABSTENTIONS: None

19. SEAL BEACH PUMP STATION REPLACEMENT, PROJECT NO. 3-67 [2023-3360](#)

Originator: Mike Dorman

MOVED, SECONDED, AND DULY CARRIED TO:

- A. Approve a Professional Construction Services Agreement with Lee & Ro, Inc. to provide construction support services for Seal Beach Pump Station Replacement, Project No. 3-67, for a total amount not to exceed \$6,148,000; and
- B. Approve a contingency of \$614,800 (10%).

AYES: Brad Avery, Pat Burns, Doug Chaffee, Jon Dumitru, Rose Espinoza, Ryan Gallagher, Glenn Grandis, Phil Hawkins, Stephanie Klopfenstein, Christine Marick, Jordan Nefulda, Andrew Nguyen, Robert Ooten, Robbie Pitts, David Shawver, Susan Sonne, Schelly Sustarsic, Bruce Whitaker, John Withers and Natalie Meeks (Alternate)

NOES: None

ABSENT: Marshall Goodman, Johnathan Ryan Hernandez, Farrah Khan, Scott Minikus and Chad Wanke

ABSTENTIONS: None

Director Farrah Khan arrived at the meeting at 6:10 p.m.

ADMINISTRATION COMMITTEE:

20. UPDATE TO RECORDS MANAGEMENT PROGRAM PROCEDURES AND RECORDS RETENTION SCHEDULE RESOLUTION [2023-3364](#)

Originator: Kelly Lore

MOVED, SECONDED, AND DULY CARRIED TO:

Adopt Resolution No. OC SAN 23-21 entitled: "A Resolution of the Board of Directors of the Orange County Sanitation District Adopting the Records Management Program Procedures and Records Retention Schedule, Authorizing Destruction of Obsolete Records, and Repealing Resolution No. OC SAN 23-08".

AYES: Brad Avery, Pat Burns, Doug Chaffee, Jon Dumitru, Rose Espinoza, Ryan Gallagher, Glenn Grandis, Phil Hawkins, Farrah Khan, Stephanie Klopfenstein, Christine Marick, Jordan Nefulda, Andrew Nguyen, Robert Ooten, Robbie Pitts, David Shawver, Susan Sonne, Schelly Sustarsic, Bruce Whitaker, John Withers and Natalie Meeks (Alternate)

NOES: None

ABSENT: Marshall Goodman, Johnathan Ryan Hernandez, Scott Minikus and Chad Wanke

ABSTENTIONS: None

21. BACKUP APPLIANCES FOR INDUSTRIAL CONTROL SYSTEM AND OFFICE NETWORKS [2023-3365](#)

Originator: Wally Ritchie

MOVED, SECONDED, AND DULY CARRIED TO:

A. Approve a Purchase Order Contract to Nth Generation Computing, Inc. for the purchase of Backup Appliances for Industrial Control System (ICS) and Office Networks, Specification No. E-2023-1428BD, for a total amount not to exceed \$796,975 plus applicable sales tax; and

B. Approve a contingency of \$79,697 (10%).

AYES: Brad Avery, Pat Burns, Doug Chaffee, Jon Dumitru, Rose Espinoza, Ryan Gallagher, Glenn Grandis, Phil Hawkins, Farrah Khan, Stephanie Klopfenstein, Christine Marick, Jordan Nefulda, Andrew Nguyen, Robert Ooten, Robbie Pitts, David Shawver, Susan Sonne, Schelly Sustarsic, Bruce Whitaker, John Withers and Natalie Meeks (Alternate)

NOES: None

ABSENT: Marshall Goodman, Johnathan Ryan Hernandez, Scott Minikus and Chad Wanke

ABSTENTIONS: None

22. ADOPT ORANGE COUNTY SANITATION DISTRICT'S DEBT POLICY [2023-3367](#)

Originator: Wally Ritchie

MOVED, SECONDED, AND DULY CARRIED TO:

Adopt Resolution No. OC SAN 23-22 entitled: "A Resolution of the Board of Directors of the Orange County Sanitation District Adopting the Orange County Sanitation District's Debt Policy and Repealing Resolution No. OC SAN 21-21".

AYES: Brad Avery, Pat Burns, Doug Chaffee, Jon Dumitru, Rose Espinoza, Ryan Gallagher, Glenn Grandis, Phil Hawkins, Farrah Khan, Stephanie Klopfenstein, Christine Marick, Jordan Nefulda, Andrew Nguyen, Robert Ooten, Robbie Pitts, David Shawver, Susan Sonne, Schelly Sustarsic, Bruce Whitaker, John Withers and Natalie Meeks (Alternate)

NOES: None

ABSENT: Marshall Goodman, Johnathan Ryan Hernandez, Scott Minikus and Chad Wanke

ABSTENTIONS: None

23. INVEST AND/OR REINVEST ORANGE COUNTY SANITATION DISTRICT'S FUNDS AND ADOPT INVESTMENT POLICY STATEMENT [2023-3368](#)

Originator: Wally Ritchie

MOVED, SECONDED, AND DULY CARRIED TO:

Adopt Resolution No. OC SAN 23-23 entitled: "A Resolution of the Board of Directors of the Orange County Sanitation District Authorizing the Orange County Sanitation District's Treasurer to Invest and/or Reinvest the Orange County Sanitation District's Funds, Adopting the Orange County Sanitation District's Investment Policy Statement and Performance Benchmarks, and Repealing Resolution No. OC SAN 22-36".

AYES: Brad Avery, Pat Burns, Doug Chaffee, Jon Dumitru, Rose Espinoza, Ryan Gallagher, Glenn Grandis, Phil Hawkins, Farrah Khan, Stephanie Klopfenstein, Christine Marick, Jordan Nefulda, Andrew Nguyen, Robert Ooten, Robbie Pitts, David Shawver, Susan Sonne, Schelly Sustarsic, Bruce Whitaker, John Withers and Natalie Meeks (Alternate)

NOES: None

ABSENT: Marshall Goodman, Johnathan Ryan Hernandez, Scott Minikus and Chad Wanke

ABSTENTIONS: None

24. PROFESSIONAL CONSULTANT SERVICES AGREEMENT FOR INVESTMENT MANAGEMENT SERVICES [2023-3369](#)

Originator: Lorenzo Tyner

MOVED, SECONDED, AND DULY CARRIED TO:

Approve a Professional Consultant Services Agreement contract to Insight North America LLC to provide Investment Management Services, Specification No. CS-2023-1418BD, for five years, with two (2) optional two-year renewals.

- AYES:** Brad Avery, Pat Burns, Doug Chaffee, Jon Dumitru, Rose Espinoza, Ryan Gallagher, Glenn Grandis, Phil Hawkins, Farrah Khan, Stephanie Klopfenstein, Christine Marick, Jordan Nefulda, Andrew Nguyen, Robert Ooten, Robbie Pitts, David Shawver, Susan Sonne, Schelly Sustarsic, Bruce Whitaker, John Withers and Natalie Meeks (Alternate)
- NOES:** None
- ABSENT:** Marshall Goodman, Johnathan Ryan Hernandez, Scott Minikus and Chad Wanke
- ABSTENTIONS:** None

STEERING COMMITTEE:**25. LEGISLATIVE AFFAIRS UPDATE FOR THE MONTH OF NOVEMBER 2023 [2023-3370](#)**

Originator: Rob Thompson

MOVED, SECONDED, AND DULY CARRIED TO:

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

- AYES:** Brad Avery, Pat Burns, Doug Chaffee, Jon Dumitru, Rose Espinoza, Ryan Gallagher, Glenn Grandis, Phil Hawkins, Farrah Khan, Stephanie Klopfenstein, Christine Marick, Jordan Nefulda, Andrew Nguyen, Robert Ooten, Robbie Pitts, David Shawver, Susan Sonne, Schelly Sustarsic, Bruce Whitaker, John Withers and Natalie Meeks (Alternate)
- NOES:** None
- ABSENT:** Marshall Goodman, Johnathan Ryan Hernandez, Scott Minikus and Chad Wanke
- ABSTENTIONS:** None

26. PUBLIC AFFAIRS UPDATE FOR THE MONTH OF NOVEMBER 2023 [2023-3371](#)

Originator: Rob Thompson

MOVED, SECONDED, AND DULY CARRIED TO:

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

- AYES:** Brad Avery, Pat Burns, Doug Chaffee, Jon Dumitru, Rose Espinoza, Ryan Gallagher, Glenn Grandis, Phil Hawkins, Farrah Khan, Stephanie Klopfenstein, Christine Marick, Jordan Nefulda, Andrew Nguyen, Robert Ooten, Robbie Pitts, David Shawver, Susan Sonne, Schelly Sustarsic, Bruce Whitaker, John Withers and Natalie Meeks (Alternate)
- NOES:** None

ABSENT: Marshall Goodman, Johnathan Ryan Hernandez, Scott Minikus and Chad Wanke
ABSTENTIONS: None

NON-CONSENT:

27. SOLICITATION OF GENERAL LEGAL COUNSEL SERVICES

[2023-3372](#)

Originator: Wally Ritchie

Board Vice-Chair Gallagher provided an overview of the General Legal Services Ad Hoc Committee's discussion from the Committee's meeting earlier today and requested any input on the General Legal Services Ad Hoc Committee's recommendations. He stated that it was the consensus of the Ad Hoc Committee to proceed with an RFP + small percentage cost component for solicitation. The Committee requested a flexible solicitation with the option to submit a proposal for legal services as a whole, as a portion, or as only one category of the seven categories discussed. It was agreed that staff would provide the initial written scoring component; and would provide all scores to the Ad Hoc Committee to draw the line. It was recommended that the Ad Hoc Committee interview all firms above the line drawn for all disciplines, and would then provide a recommendation to the Steering Committee; the full Steering Committee will interview the top two firms for General Counsel and make a recommendation to the Board of Directors. The Ad Hoc Committee also recommended that the Contract duration be five (5) years with one (1) five-year extension.

INFORMATION ITEMS:

None.

AB 1234 DISCLOSURE REPORTS:

Director Jon Dumitru reported on his recent meeting with NWRI Director Kevin Hardy; and stated the committee would be dark in December. Director Dave Shawver reported on his attendance at the OCCOG meeting and stated the committee would be dark in December.

CLOSED SESSION:

CONVENED IN CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(D)(1).

The Board convened in closed session at 6:17 p.m. to hear one item. Item No. CS-1 was 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 LEGAL COUNSEL RE ANTICIPATED LITIGATION - GOVERNMENT CODE SECTION 54956.9(d)(4)[2023-3373](#)

DID NOT CONVENE IN CLOSED SESSION:

Number of Potential Cases: 1

Potential initiation of litigation regarding Miller-Holder Easement.

CS-2 CONFERENCE WITH LEGAL COUNSEL RE EXISTING LITIGATION - GOVERNMENT CODE SECTION 54956.9(D)(1)[2023-3374](#)

CONVENED IN CLOSED SESSION:

Number of Cases: 2

Fernando Herrera Workers' Compensation Claim, Workers Compensation Appeals Board, Case Nos. ADJ12271396 and ADJ16380462

RECONVENED IN REGULAR SESSION.

The Board reconvened in regular session at 6:21 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.

Director Shawver wished everyone a very happy holiday season.

ADJOURNMENT:

At 6:23 p.m., Vice Chair Gallagher adjourned the meeting until the next Regular Meeting of the Board of Directors to be held on Wednesday, January 17, 2024 at 6:00 p.m

Submitted by:



Kelly A. Lore, MMC
Clerk of the Board