



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

Governor Newsom signed Assembly Bill (AB) 361 on September 16, 2021, which, in part, addresses the conduct of public meetings in light of the continued State of Emergency order.

Effective October 1, 2021, AB 361 suspends the requirements located in California Government Code, Section 54953, Subdivision (b), Paragraph (3) specifically pertaining to the conduct of public meetings. As such, the Orange County Sanitation District (OC San) Board of Directors has determined that due to the size of OC San'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. OC San offers several ways in which to interact during meetings. You will find information as to these opportunities below.

ONLINE MEETING PARTICIPATION

You may join the meeting live via Teams on your computer or similar device or web browser by using the link below:

[Click here to join the meeting](#)

We suggest testing joining a Teams meeting on your device prior to the commencement of the meeting. For recommendations, general guidance on using Teams, and instructions on joining a Teams meeting, [please click here](#).

Please mute yourself upon entry to the meeting. Please raise your hand if you wish to speak during the public comment section of the meeting. The Clerk of the Board will call upon you by using the name you joined with.

Meeting attendees are not provided the ability to make a presentation during the meeting. Please contact the Clerk of the Board at least 48 hours prior to the meeting if you wish to present any items. Additionally, camera feeds may be controlled by the meeting moderator to avoid inappropriate content.

HOW TO PARTICIPATE IN THE MEETING BY TELEPHONE

To join the meeting from your phone: Dial (213) 279-1455
When prompted, enter the Phone Conference ID: 381 138 605#

All meeting participants may be muted during the meeting to alleviate background noise. If you are muted, please use *6 to unmute. You may also mute yourself on your device.

Please raise your hand to speak by use *5, during the public comment section of the meeting. The Clerk of the Board will call upon you by using the last 4 digits of your phone number as identification.

NOTE: All attendees will be disconnected from the meeting at the beginning of Closed Session. If you would like to return to the Open Session portion of the meeting, please login or dial-in to the Teams meeting again and wait in the Lobby for admittance.

VIEW THE MEETING ONLINE ONLY

The meeting will be available for online viewing only at:

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

HOW TO SUBMIT A COMMENT

You may provide verbal comment in real time during the meeting. In order to provide a verbal comment, please raise your hand as described above or alert the Clerk of the Board before or during the public comment period.

You may also submit your comments and questions in writing for consideration in advance of the meeting by using the eComment feature available online at: <https://ocsd.legistar.com/Calendar.aspx> or sending them to OCSanClerk@ocsan.gov with the subject line "PUBLIC COMMENT ITEM # (insert the item number relevant to your comment)" or "PUBLIC COMMENT NON-AGENDA ITEM".

You may also submit comments and questions for consideration during the meeting by using the eComment feature available online at: <https://ocsd.legistar.com/Calendar.aspx>. The eComment feature will be available for the duration of the meeting.

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

TECHNICAL SUPPORT PRIOR TO AND DURING MEETINGS

For technical assistance before and during the meeting, please call 714-593-7431. For any other questions and/or concerns, please contact the Clerk of the Board's office at 714-593-7433. Thank you, in advance, for your patience in working with these technologies. We appreciate your interest in OC San!

August 17, 2022

NOTICE OF REGULAR MEETING

BOARD OF DIRECTORS
ORANGE COUNTY SANITATION DISTRICT

Wednesday, August 24, 2022 – 6:00 P.M.

ACCESSIBILITY FOR THE GENERAL PUBLIC

Your participation is always welcome. Specific information as to how to participate in this meeting is detailed in the Special Notice attached to this agenda. In general, OC San offers several ways in which to interact during meetings: you may join the meeting live via Teams on your computer or similar device or web browser, join the meeting live via telephone, view the meeting online, and/or submit comments for consideration before or during the meeting.

The Regular Meeting of the Board of Directors of the Orange County Sanitation District will be held at the above location and in the manner indicated on Wednesday, August 24, 2022 at 6:00 p.m.



Clerk of the Board

- 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, August 24, 2022 - 6:00 PM
Board Room
Administration Building
10844 Ellis Avenue
Fountain Valley, CA 92708
(714) 593-7433

ACCOMMODATIONS FOR THE DISABLED: If you require any special disability related accommodations, please contact the Orange County Sanitation District (OC San) Clerk of the Board's office at (714) 593-7433 at least 72 hours prior to the scheduled meeting. Requests must specify the nature of the disability and the type of accommodation requested.

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 OC San's Administration Building located at 10844 Ellis Avenue, Fountain Valley, California, and on the OC San's website at www.ocsan.gov 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 at <https://ocsd.legistar.com/Calendar.aspx> or by contacting the Clerk of the Board at (714) 593-7433.

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@ocsan.gov at least 14 days before the meeting.

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

General Manager: Jim Herberg, jherberg@ocsan.gov / (714) 593-7300
Asst. General Manager: Lorenzo Tyner, ltyner@ocsan.gov / (714) 593-7550
Asst. General Manager: Rob Thompson, rthompson@ocsan.gov / (714) 593-7310
Director of Human Resources: Celia Chandler, cchandler@ocsan.gov / (714) 593-7202
Director of Engineering: Kathy Millea, kmillea@ocsan.gov / (714) 593-7365
Director of Environmental Services: Lan Wiborg, lwiborg@ocsan.gov / (714) 593-7450
Director of Operations & Maintenance: Riaz Moinuddin, rmoinuddin@ocsan.gov / (714) 593-7269

CALL TO ORDER

Board Chairman Chad Wanke

INVOCATION AND PLEDGE OF ALLEGIANCE

Vice-Chairman Ryan Gallagher, City of Tustin

ROLL CALL AND DECLARATION OF QUORUM

Clerk of the Board

PUBLIC COMMENTS:

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

SPECIAL PRESENTATIONS:**1. EMPLOYEE SERVICE AWARDS****[2022-2474](#)****30-year Service Award**

Kevin Ramey, Lead Mechanic - Division 880

25-year Service Awards

Juan Ambriz, Environmental Tech - Division 820

Deirdre Bingman, Principal Environmental Specialist - Division 610

Larry Jones, Data Management Tech II - Division 250

Frank Steiger, Engineering Supervisor - Division 760

20-year Service Award

Gary Tuiasosopo-Kemper, Operations Supervisor - Division 830

Originator: Kelly Lore

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.

PUBLIC HEARING:

2. COLLECTION OF SEWER SERVICE CHARGES VIA THE TAX ROLL [2022-2248](#)

RECOMMENDATION:

- A. Conduct a public hearing to receive input on a report filed with the Clerk of the Board entitled: "Sewer Service Charges for Collection on Tax Rolls for Fiscal Year 2022-23":
 - 1. Open the Public Hearing
 - 2. Receive staff report and recommendations
 - 3. Report of written communications by Clerk of the Board
 - 4. Public Comment
 - 5. Close Public Hearing
 - 6. Discussion by Board of Directors;
- B. Unless there is a majority protest, adopt the Report, which has the assessor's parcel numbers and amount of charges for collection on the tax rolls;
- C. Adopt Resolution No. OC SAN 22-25 entitled, "A Resolution of the Board of Directors of the Orange County Sanitation District adopting the Report proposing to collect Sewer Service Fees on the Tax Roll for Fiscal Year 2022/2023";
- D. Authorize execution of the "Certification of Assessment";
- E. Direct staff to file a certified copy of the adopted Resolution, Report, and the Certification of Assessment with the County Auditor-Controller; and
- F. Direct staff to coordinate collection of sanitary sewer service charges on the general Orange County tax rolls with the County Auditor-Controller, Assessor, and Tax Collector.

Originator: Lorenzo Tyner

Attachments: [Agenda Report](#)
[Resolution No. OC SAN 22-25](#)
[Prop 218 Certification of Assessment](#)

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.

3. APPROVAL OF MINUTES [2022-2478](#)**RECOMMENDATION:**

Approve Minutes of the Regular Board of Directors Meeting held July 27, 2022.

Originator: Kelly Lore

Attachments: [Agenda Report](#)
[07-27-2022 Board Meeting Minutes](#)

4. GENERAL MANAGER APPROVED PURCHASES AND ADDITIONS TO THE PRE-APPROVED OEM SOLE SOURCE LIST [2022-2456](#)**RECOMMENDATION:**

A. Receive and file Orange County Sanitation District purchases made under the General Manager's authority for the period of April 1, 2022 to June 30, 2022; and

B. Approve the following additions to the pre-approved OEM Sole Source List:

- DIG-SMART, LLC - Dig-Smart Enterprise Software (Dig-Smart Fusion Server & Dig-Smart WebAPI)
- NEWPORT HARBOR SHIPYARD - Paint and Repair Services for the Nerissa Vessel
- WATERMAN GATES - Waterman Engineered Products, Parts, and Equipment

Originator: Lorenzo Tyner

Attachments: [Agenda Report](#)

5. INTERNAL AUDIT SERVICES [2022-2482](#)**RECOMMENDATION:**

Approve additional funds of \$40,235 to Blanket Purchase Order 106736-OB, for Eide Bailly LLP for internal audit services, for a new total amount not to exceed \$115,235.

Originator: Lorenzo Tyner

Attachments: [Agenda Report](#)

RECEIVE AND FILE:

6. REPORT OF THE INVESTMENT TRANSACTIONS FOR THE MONTH OF JULY 2022 [2021-2018](#)

RECOMMENDATION: Receive and file the following:

Report of the Investment Transactions for the month of July 2022.

Originator: Lorenzo Tyner

Attachments: [Agenda Report](#)
[Report of the Investment Transactions - July 2022](#)

7. COMMITTEE MEETING MINUTES [2022-2063](#)

RECOMMENDATION: Receive and file the following:

- A. Minutes of the GWRS Steering Committee Meeting held April 11, 2022
- B. Minutes of the Steering Committee Meeting held June 22, 2022

Originator: Kelly Lore

Attachments: [Agenda Report](#)
[04-11-2022 GWRS Steering Committee Meeting Minutes](#)
[06-22-2022 Steering Committee Minutes](#)

OPERATIONS COMMITTEE:

None.

ADMINISTRATION COMMITTEE:

None.

LEGISLATIVE AND PUBLIC AFFAIRS COMMITTEE:

None.

STEERING COMMITTEE:

None.

NON-CONSENT:

8. TREASURER’S REPORT FOR THE FOURTH QUARTER ENDED JUNE 30, 2022 [2021-2019](#)

RECOMMENDATION:

Receive and file the Orange County Sanitation District Fourth Quarter Treasurer's Report for the period ended June 30, 2022.

Originator: Lorenzo Tyner

Attachments: [Agenda Report](#)
[Fourth Quarter Treasurer's Report - Period Ended June 30, 2022](#)

9. CONTINUATION OF TELECONFERENCED PUBLIC MEETINGS [2022-2479](#)**RECOMMENDATION:**

Adopt Resolution No. OC SAN 22-24 entitled, "A Resolution of the Board of Directors of the Orange County Sanitation District authorizing the continuation of Remote Meetings pursuant to Government Code Section 54953".

Originator: Kelly Lore

Attachments: [Agenda Report](#)
[Resolution No. OC SAN 22-24](#)

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 LABOR NEGOTIATORS - GOVERNMENT CODE SECTION 54957.6 [2022-2484](#)**

RECOMMENDATION: Convene in Closed Session:

Designated Representatives: General Manager James Herberg, Assistant General Managers Lorenzo Tyner and Rob Thompson, Director of Human Resources Celia Chandler, and Chief Negotiator Laura Kalty.

Employee Organizations: (1)

International Union of Operating Engineers, Local 501.

Attachments: [Agenda Report](#)
[GC Memo Board - Labor Negotiations 8-24-22](#)

CS-2 CONFERENCE WITH LEGAL COUNSEL RE EXISTING LITIGATION - GOVERNMENT CODE SECTION 54956.9(d)(1) [2022-2485](#)

RECOMMENDATION: Convene in Closed Session:

Number of Cases: 3

- A. Robert Morris v. Orange County Sanitation District Permissibly Self-Insured; Claim No. 554823; WCAB No. ADJ11104064.
- B. 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.
- C. Orange County Sanitation District, a public entity v. Bayside Village Marina, LLC, a limited liability company; Laguna Beach County Water District, a public entity; and Does 1-100, inclusive; and all Persons Unknown Claiming an Interest in the Property, Superior Court of California, County of Orange, Case No. 30-2022-01251890.

Attachments: [Agenda Report](#)
[GC Memo Board - Robert Morris Litigation 8-24-22](#)
[GC Memo Board - Bayside Village CEQA Existing Litigation 8-24-22](#)
[GC Memo Board - Bayside Village Eminent Domain Existing Litigation 8-24-22](#)

CS-3 CONFERENCE WITH LEGAL COUNSEL RE ANTICIPATED LITIGATION - GOVERNMENT CODE SECTION 54956.9(d)(4) [2022-2486](#)

RECOMMENDATION: Convene in Closed Session:

Number of Potential Cases: 1

Potential initiation of litigation regarding Cost Recovery for PFAs contamination.

Originator: Lan Wiborg

Attachments: [Agenda Report](#)
[GC Memo Board - PFAs Contamination Antcipated Litigation 8-24-22](#)

CS-4 CONFERENCE WITH LABOR NEGOTIATORS - GOVERNMENT CODE SECTION 54957.6 [2022-2490](#)

RECOMMENDATION: Convene in Closed Session:

Agency Designated Representatives: General Manager James Herberg, Assistant General Manager Lorenzo Tyner, and Director of Human Resources Celia Chandler.

Unrepresented Employees: Confidential Group: Assistant Clerk of the Board; Clerk of the Board; Human Resources Analyst; Human Resources Assistant; Human Resources Supervisor; Secretary to the General Manager; Senior Human Resources Analyst; and Principal Human Resources Analyst.

Attachments: [Agenda Report](#)
[GC Memo Board - Labor Negotiations \(Confidential\) 8-24-22.pdf](#)

CS-5 CONFERENCE WITH LABOR NEGOTIATORS - GOVERNMENT CODE SECTION 54957.6 [2022-2491](#)

RECOMMENDATION: Convene in Closed Session:

Agency Designated Representatives: General Manager James Herberg, Assistant General Manager Lorenzo Tyner and Director of Human Resources Celia Chandler.

Unrepresented Employees: Managers Group: Administration Manager; Controller; Engineering Manager; Environmental Laboratory & Ocean Monitoring Manager; Environmental Protection Manager; Human Resources & Risk Manager; IT Systems & Operations Manager; Maintenance Manager; Operations Manager; and Purchasing and Contracts Manager.

Attachments: [Agenda Report](#)
[GC Memo Board - Labor Negotiations \(Mgrs\) 8-24-22.pdf](#)

**CS-6 CONFERENCE WITH LABOR NEGOTIATORS - GOVERNMENT CODE [2022-2492](#)
SECTION 54957.6**

RECOMMENDATION: Convene in Closed Session:

Agency Designated Representatives: General Manager James Herberg, Assistant General Manager Lorenzo Tyner, and Director of Human Resources Celia Chandler.

Unrepresented Employees: Executive Managers Group: Assistant General Manager; Director of Engineering; Director of Environmental Services; Director of Human Resources; and Director of Operations and Maintenance.

Attachments: [Agenda Report](#)
[GC Memo Board - Labor Negotiations \(Exec Mgrs\) 8-24-22.pdf](#)

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 September 28, 2022 at 6:00 p.m.