



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. On June 11, 2021, Governor Newsom issued Executive Order N-08-21, which continues the suspension of portions of the Brown Act which addresses the conduct of public meetings through September 30, 2021.

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@ocsan.gov 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, September 28, 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.

September 22, 2021

NOTICE OF SPECIAL MEETING

**BOARD OF DIRECTORS
ORANGE COUNTY SANITATION DISTRICT**

Wednesday, September 29, 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 Special Meeting of the Board of Directors of the Orange County Sanitation District will be held in the manner indicated above on Wednesday, September 29, 2021 at 6:00 p.m.



Clerk of the Board

Upcoming Meetings:

**GWRS Steering Committee -
Steering Committee -
Board Meeting -**

**Monday, October 11, 2021 at 5:00 p.m.
Wednesday, October 27, 2021 at 5:00 p.m.
Wednesday, October 27, 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
Special Meeting Agenda
Wednesday, September 29, 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@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

CALL TO ORDER

(Board Chairman John Withers)

INVOCATION AND PLEDGE OF ALLEGIANCE

Steve Jones, City of Garden Grove

ROLL CALL AND DECLARATION OF QUORUM

Clerk of the Board

PUBLIC COMMENTS:

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 of Directors consideration in advance of the meeting by using the eComment feature available via the webpage above 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". Submit your written comments by 6:00 p.m. on September 28, 2021.

You may also submit comments and questions for the Board of Directors 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 of Directors and may be read into the record or compiled as part of the record.

SPECIAL PRESENTATIONS:

1. EMPLOYEE SERVICE AWARDS

[2021-1851](#)

30-year Service Awards

Ron Cortez - Operations Supervisor, Division 830

Tyler Hoang - Lead Plant Operator, 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.

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.

2. APPROVAL OF MINUTES [2021-1860](#)**RECOMMENDATION:**

Approve Minutes of the Regular Meeting of the Board of Directors held August 25, 2021.

Originator: Kelly Lore

Attachments: [Agenda Report](#)
[08-25-2021 Board Meeting Minutes](#)

RECEIVE AND FILE:**3. CAPITAL IMPROVEMENT PROGRAM ANNUAL REPORT [2021-1424](#)****RECOMMENDATION:**

Receive and file the Capital Improvement Program Annual Report for Fiscal Year 2020-2021.

Originator: Kathy Millea

Attachments: [Agenda Report](#)
[CIP Annual Report 2020-21](#)

4. COMMITTEE MEETING MINUTES [2021-1548](#)

RECOMMENDATION: Receive and file the following:

- A. Minutes of the Operations Committee Meeting held July 7, 2021
- B. Minutes of the Legislative and Public Affairs Committee Meeting held July 12, 2021
- C. Minutes of the Administration Committee Meeting held July 14, 2021
- D. Minutes of the Steering Committee Meeting held July 28, 2021

Originator: Kelly Lore

Attachments: [Agenda Report](#)
[07-07-2021 Operations Committee Minutes](#)
[07-12-2021 LaPA Committee Minutes](#)
[07-14-2021 Administration Committee Minutes](#)
[07-28-2021 Steering Committee Minutes](#)

5. REPORT OF THE INVESTMENT TRANSACTIONS FOR THE MONTH OF AUGUST 2021 [2021-1698](#)

RECOMMENDATION: Receive and file the following:

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

Originator: Lorenzo Tyner

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

OPERATIONS COMMITTEE:**6. PUMP STATION PORTABLE GENERATOR CONNECTORS, PROJECT NO. FE19-01** [2021-1840](#)

RECOMMENDATION:

- A. Receive and file Bid Tabulation and Recommendation for Pump Station Portable Generator Connectors, Project No. FE19-01;
- B. Award a Construction Contract to Pacific International Electric Company, Inc., dba Pacific Industrial Electric, for Pump Station Portable Generator Connectors, Project No. FE19-01, for an amount not to exceed \$1,207,479; and
- C. Approve a contingency of \$120,748 (10%).

Originator: Kathy Millea

Attachments: [Agenda Report](#)
[FE19-01 Contract Agreement & Exhibit A](#)

7. CONDITION ASSESSMENT ON-CALL CONTRACTOR SUPPORT SERVICES SPECIFICATION NO. S-2021-1255BD [2021-1841](#)

RECOMMENDATION:

- A. Approve a Service Contract with Jamison Engineering for Condition Assessment On-Call Contractor Support Services, Specification S-2021-1255BD, for the period of November 1, 2021 through October 31, 2022, for a total amount not to exceed \$783,470, with four, one-year renewal options; and
- B. Approve an annual contingency of \$78,347 (10%).

Originator: Kathy Millea

Attachments: [Agenda Report](#)
[S-2021-1255BD Contract & SOW](#)

8. **EPSA MOTOR COOLING IMPROVEMENTS AT PLANT NO. 2, PROJECT NO. FE19-06** [2021-1842](#)

RECOMMENDATION:

- A. Receive and file Bid Tabulation and Recommendation for EPSA Motor Cooling Improvements at Plant No. 2, Project No. FE19-06;
- B. Award a Construction Contract to Mehta Mechanical Company Inc. dba MMC Inc. for EPSA Motor Cooling Improvements at Plant No. 2, Project No. FE19-06, for a total amount not to exceed \$854,000; and
- C. Approve a contingency of \$85,400 (10%).

Originator: Kathy Millea

Attachments: [Agenda Report](#)
[FE19-06 Contract](#)

9. **ENGINEERING PROGRAM CONTRACT PERFORMANCE REPORT** [2021-1843](#)

RECOMMENDATION:

Receive and file the Engineering Program Contract Performance Report for the period ending June 30, 2021.

Originator: Kathy Millea

Attachments: [Agenda Report](#)
[CIP Contract Report Period Ending 2021-06-30](#)

10. **PLANT NO. 2 PRIMARY DISTRIBUTION STRUCTURE B GATES REPAIR** [2021-1844](#)

RECOMMENDATION:

- A. Approve a Service Contract to J.R. Filanc Construction Co. to repair ten slide gates for Plant No. 2 Primary Distribution Structure, per Specification No. S-2021-1249BD, for a total amount not to exceed \$309,500, including sales tax and freight; and
- B. Approve a contingency of \$46,425 (15%).

Originator: Rob Thompson

Attachments: [Agenda Report](#)
[S-2021-1249BD Final Contract and SOW](#)

11. FLEET PURCHASE OF REPLACEMENT VEHICLES, LIGHT DUTY TRUCKS, AND MEDIUM DUTY TRUCKS FOR FY21-22 [2021-1845](#)RECOMMENDATION:

- A. Approve a Purchase Order to National Auto Fleet Group to purchase one Ford F550 service body utility truck and five Ford F250 service body utility trucks using Sourcewell Cooperative Contract No. 120716-NAF, for a total amount of \$326,408; and
- B. Approve a 5% contingency of \$16,321.

Originator: Rob Thompson

Attachments: [Agenda Report](#)

12. ON-CALL MAINTENANCE AND REPAIR MASTER SERVICES CONTRACTS - SPECIFICATION NO. S-2021-1234BD [2021-1846](#)RECOMMENDATION:

- A. Approve Master Services Contracts to provide on-call maintenance and repair services, Specification No. S-2021-1234BD, for a one-year period effective December 1, 2021 through November 30, 2022, with two, one-year renewal options, in accordance with Ordinance No. OC SAN-56, Section 2.03(F), with the seven qualified firms, for bids less than \$300,000:
1. Jamison Engineering Contractor, Inc.
 2. Charles King Company
 3. J.R. Filanc Construction Company, Inc.
 4. Shimmick Construction Company, Inc.
 5. W.A. Rasic Construction Company, Inc.
 6. Kiewit Infrastructure West Co.
 7. O'Connell Engineering & Construction, Inc.; and
- B. Authorize the General Manager to add or delete firms as necessary to maintain a qualified base of up to seven firms in accordance with the Request for Qualifications Specification No. S-2021-1234BD.

Originator: Rob Thompson

Attachments: [Agenda Report](#)
[S-2021-1234BD - Jamison Engineering Contractors Inc](#)
[S-2021-1234BD - Charles King Company](#)
[S-2021-1234BD - J R Filanc Construction Co Inc](#)
[S-2021-1234BD - Shimmick Construction Inc](#)
[S-2021-1234BD - W A Rasic Construction Company, Inc](#)
[S-2021-1234BD - Kiewit Infrastructure West Co](#)
[S-2021-1234BD - O'Connell Engineering & Construction, Inc](#)

13. PROCUREMENT OF 21 ELECTRIC CARTS [2021-1847](#)**RECOMMENDATION:**

- A. Approve a Purchase Order to Southwest Toyota Lift for the purchase of 21 electric carts using OMNIA Partners Cooperative Contract No. EV2671 for a total amount not to exceed \$432,283, including tax and freight; and
- B. Approve a contingency of \$21,615 (5%).

Originator: Rob Thompson

Attachments: [Agenda Report](#)

14. MANHOLE FRAME AND COVER SERVICES, SPECIFICATION NO. S-2021-1258BD [2021-1848](#)**RECOMMENDATION:**

- A. Approve a Service Contract to Ayala Engineering, Inc. to provide Manhole Frame & Cover Replacement Services, Specification No. S-2021-1258BD, for a total amount not to exceed \$992,105 for the period beginning November 1, 2021 through October 31, 2022, with four, one-year renewal options; and
- B. Approve a contingency of \$148,816 (15%).

Originator: Rob Thompson

Attachments: [Agenda Report](#)
[Service Contract S-2021-1258BD](#)

15. AGREEMENT FOR PURCHASE OF ANIONIC POLYMER, SPECIFICATION NO. C-2021-1252BD [2021-1849](#)**RECOMMENDATION:**

- A. Approve a Chemical Supplier Agreement to Polydyne, Inc. for the purchase of Liquid Anionic Polymer, Specification No. C-2021-1252BD, for the period of November 1, 2021 through October 31, 2022, for a unit price of \$4.50 per active pound delivered, plus applicable sales tax for a total estimated annual amount of \$685,125, with four, one-year renewal options; and
- B. Approve an annual unit price contingency of 10%.

Originator: Rob Thompson

Attachments: [Agenda Report](#)
[C 2021-1252BD Chemical Agreement](#)

16. REDHILL RELIEF SEWER RELOCATION AT STATE ROUTE 55, PROJECT NO. FE18-13 [2021-1850](#)

RECOMMENDATION:

Approve the First Amendment to Utility Agreement No. OCSD-1005, between the Orange County Sanitation District and the Orange County Transportation Authority agreeing to a funding increase for the relocation and protection of the Redhill Relief Sewer at State Route 55 in the City of Santa Ana.

Originator: Kathy Millea

Attachments: [Agenda Report](#)
[OCTA First Amendment to Utility Agreement OCSD-1005](#)
[OCTA Utility Agreement OCSD-1005](#)
[Presentation - Redhill Relief OCTA](#)

ADMINISTRATION COMMITTEE:

17. GENERAL MANAGER APPROVED PURCHASES AND ADDITIONS TO THE PRE-APPROVED OEM SOLE SOURCE LIST [2021-1856](#)

RECOMMENDATION:

- A. Receive and file Orange County Sanitation District purchases made under the General Manager’s authority for the period of April 1, 2021 to June 30, 2021; and
- B. Approve the following additions to the pre-approved OEM Sole Source List for the period of April 1, 2021 to June 30, 2021:
 - CBS Arcsafe - Remote Switch Actuators
 - MILTON ROY - Pumps and Equipment
 - MONTEREY BAY AQUARIUM RESEARCH INSTITUTE (MBARI) - Ocean Mooring Support
 - RDI TECHNOLOGIES, INC. - Iris M and Iris MX Systems
 - SEAL ANALYTICAL, INC - DEENA Automated Digestion System, Parts, and Software

Originator: Lorenzo Tyner

Attachments: [Agenda Report](#)

18. REIMBURSEMENTS TO BOARD MEMBERS AND STAFF [2021-1857](#)

RECOMMENDATION:

Receive and file report of reimbursements to Board Members and Staff per Government Code Section 53065.5 for the period July 1, 2020 through June 30, 2021.

Originator: Lorenzo Tyner

Attachments: [Agenda Report](#)
[20-21 Employee Reimbursement Report](#)

LEGISLATIVE AND PUBLIC AFFAIRS COMMITTEE:

19. PUBLIC AFFAIRS UPDATE FOR THE MONTHS OF JULY AND AUGUST 2021 [2021-1863](#)

RECOMMENDATION:

Receive and file the Public Affairs Update for the months of July and August 2021.

Originator: Jim Herberg

Attachments: [Agenda Report](#)
[Outreach Report July and August](#)
[Presentation - PAO Update](#)

20. LEGISLATIVE AFFAIRS UPDATE FOR THE MONTHS OF JULY/AUGUST 2021 [2021-1864](#)

RECOMMENDATION:

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

Originator: Jim Herberg

Attachments: [Agenda Report](#)
[2021.09.13 Federal Update - ENS](#)
[Federal Legislative Matrix - ENS](#)
[2021.09.13 State Update - TPA](#)
[State Legislative Matrix - TPA](#)
[Grant Matrix 2021-2022](#)
[Presentation - ENS Federal Legislative Update](#)
[Presentation - TPA State Legislative Update](#)

STEERING COMMITTEE:

None.

NON-CONSENT:

None.

INFORMATION ITEMS:**21. STRATEGIC PLAN 2021****[2021-1871](#)****RECOMMENDATION:**

Information Only.

Originator: Jim Herberg**Attachments:** [Agenda Report](#)
[Proposed Strategic Plan 2021](#)
[Strategic Plan 2019](#)**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 ANTICIPATED LITIGATION - GOVERNMENT CODE SECTION 54956.9(d)(4)****[2021-1881](#)****RECOMMENDATION:** Convene in Closed Session:

Number of Potential Cases: 2

- A. Initiation of litigation regarding permittee: Aseptic Technology and Beverage Visions, LLC.
- B. Potential initiation of eminent domain litigation regarding property owned by Bayside Village Marina, LLC.

Attachments: [Agenda Report](#)
[CS-1A Board Memo Aseptic Litigation](#)
[CS-1B Board Memo Eminent Domain Litigation](#)

**CS-2 CONFERENCE WITH LEGAL COUNSEL RE EXISTING LITIGATION - [2021-1882](#)
GOVERNMENT CODE SECTION 54956.9(d)(1)**

RECOMMENDATION: Convene in Closed Session:

Number of Cases: 3

- A. Arlin Blazevic v. Orange County Sanitation District; Natasha Dubrovski; Lorenzo Tyner; and Does 1-100, inclusive. Superior Court of California, County of Orange, Case No. 30-2020-01149812-CU-WT-CJC.
- B. Heidi M. Janz v. Orange County Sanitation District; Its Board of Directors, Officers, Officials, Agents and Celia Chandler, Director of Human Resources and Does 1 through 10, Superior Court of California, County of Orange, Case No. 30-2021-01208616-CU-OE-CJC.
- C. Raul Palazuelos v. Orange County Sanitation District, a government entity; Richard Kwiecien, an individual; and Does 1 through 100, inclusive. Superior Court of California, County of Orange, Case No. 30-2021-01217839-CU-OE-CJC.

Attachments: [Agenda Report](#)
[CS-2A Board Memo re Blazevic Litigation](#)
[CS-2B Board Memo re Janz Litigation](#)
[CS-2C Board Memo re Palazuelos Litigation](#)

**CS-3 CONFERENCE WITH LABOR NEGOTIATORS - GOVERNMENT CODE [2021-1879](#)
SECTION 54957.6**

RECOMMENDATION: Convene in Closed Session:

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

Employee Organizations: International Union of Operating Engineers, Local 501; Orange County Employees Association; and the Supervisors and Professionals Group.

Attachments: [Agenda Report](#)
[CS-3 Board Memo re Labor Negotiations](#)

**CS-4 CONFERENCE WITH REAL PROPERTY NEGOTIATORS - [2021-1880](#)
GOVERNMENT CODE SECTION 54956.8**

RECOMMENDATION: Convene in Closed Session:

Number of Cases: 1

Property: Portions of 300 East Coast Highway, Newport Beach, CA; APN No. 440-132-60.

Agency negotiators: General Manager Jim Herberg, Assistant General Manager Lorenzo Tyner, Assistant General Manager Rob Thompson, Director of Engineering Kathy Millea, and Controller Wally Ritchie.

Negotiating parties: Bayside Village Marina, LLC

Under negotiation: Price and terms of payment

Attachments: [Agenda Report](#)
[CS-4 Board Memo re Real Property](#)

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 October 27, 2021 at 6:00 p.m.