



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: 958 877 561#

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!

January 18, 2023

NOTICE OF SPECIAL MEETING

**STEERING COMMITTEE
ORANGE COUNTY SANITATION DISTRICT**

Wednesday, January 25, 2023 – 4:00 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 Special Meeting of the Steering Committee of the Orange County Sanitation District will be held at the above location and in the manner indicated on Wednesday, January 25, 2023 at 4:00 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



STEERING COMMITTEE
Special Meeting Agenda
Wednesday, January 25, 2023 - 4:00 PM
Conference Room A
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**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.

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 Committee, after one motion, without discussion. Any items withdrawn from the Consent Calendar for separate discussion will be considered in the regular order of business.

1. APPROVAL OF MINUTES**[2022-2646](#)****RECOMMENDATION:**

Approve Minutes of the Regular Meeting of the Legislative and Public Affairs Committee held November 14, 2022.

Originator: Kelly Lore

Attachments: [Agenda Report](#)
[11-14-2022 LaPA Committee Minutes](#)

2. APPROVAL OF MINUTES [2023-2704](#)**RECOMMENDATION:**

Approve Minutes of the Special Meeting of the Steering Committee held December 15, 2022.

Originator: Kelly Lore

Attachments: [Agenda Report](#)
[12-15-2022 Steering Committee Minutes](#)

3. PUBLIC AFFAIRS UPDATE FOR THE MONTHS OF NOVEMBER & DECEMBER 2022 AND JANUARY 2023 [2023-2719](#)

RECOMMENDATION: Recommend to the Board of Directors to:

Receive and file the Public Affairs Update for the months of November & December 2022 and January 2023.

Originator: Jim Herberg

Attachments: [Agenda Report](#)
[Outreach Report Nov-Dec 2022 and Jan 2023](#)

4. LEGISLATIVE AFFAIRS UPDATE FOR THE MONTHS OF NOVEMBER & DECEMBER 2022 AND JANUARY 2023 [2023-2739](#)

RECOMMENDATION: Recommend to the Board of Directors to:

Receive and file the Legislative Affairs Update for the months of November & December 2022 and January 2023.

Originator: Jim Herberg

Attachments: [Agenda Report](#)
[Federal Legislative Update](#)
[State Legislative Update](#)
[Grant Tracker 2023](#)

NON-CONSENT:**5. GENERAL MANAGER'S FY 2022-2023 WORK PLAN MID-YEAR UPDATE [2023-2738](#)**

RECOMMENDATION: Recommend to the Board of Directors to:

Receive and file the General Manager's FY 2022-2023 Work Plan Mid-Year Update.

Originator: Jim Herberg

Attachments: [Agenda Report](#)
[GM's FY 2022-2023 Work Plan Mid-Year Update](#)

6. DEFERRED COMPENSATION PLAN 457(b) ON BEHALF OF ORANGE COUNTY SANITATION DISTRICT BOARD OF DIRECTORS [2023-2737](#)

RECOMMENDATION: Recommend to the Board of Directors to:

Adopt Resolution No. OC SAN 23-XX entitled: "A Resolution of the Board of Directors of Orange County Sanitation District (OC San), approving payment by OC San to OC San's 457(b) Deferred Compensation Plan ("457 Plan") on behalf of OC San's Director-Employees in lieu of Contributions Pursuant to the Federal Insurance Contributions Act ("FICA"), as mandated by the Federal Omnibus Budget Reconciliation Act of 1990 ("OBRA"); and Repealing Resolution No. OCSD 98-4".

Originator: Lorenzo Tyner

Attachments: [Agenda Report](#)
[OCSD 98-04 Redlined](#)
[Resolution No. OC SAN 23-XX](#)

7. DEFERRED PAYMENT AGREEMENT REQUEST FOR CHARGES AND FEES OWED BY NOR-CAL BEVERAGE CO., INC. INDUSTRIAL WASTEWATER DISCHARGE PERMITTEE [2023-2743](#)

RECOMMENDATION: Recommend to the Board of Directors to:

Approve the request for a deferred payment agreement for charges owed for user fees with Nor-Cal Beverage Co., Inc. in the amount of \$986,149.55.

Originator: Lorenzo Tyner

Attachments: [Agenda Report](#)
[Nor-Cal Beverage Deferred Payment Agreement 2023](#)
[Appendix A Nor-Cal Beverage](#)

8. APPOINTMENT OF ROBERT C. THOMPSON TO THE POSITION OF GENERAL MANAGER, APPROVAL OF AN AT-WILL EMPLOYMENT AGREEMENT ON BEHALF OF THE BOARD OF DIRECTORS WITH GENERAL MANAGER ROBERT C. THOMPSON, AND AUTHORIZATION OF THE BOARD CHAIRMAN TO EXECUTE THE AT-WILL EMPLOYMENT AGREEMENT [2023-2741](#)

RECOMMENDATION: Recommend to the Board of Directors to:

- A. Adopt Resolution No. OC SAN 23-XX, entitled "A Resolution of the Board of Directors Appointing Robert C. Thompson to the Position of General Manager for the Orange County Sanitation District and Authorizing the Chair of the Board

of Directors to Enter into an At-Will Employment Agreement Effective February 10, 2023”;

- B. Approve the At-Will Agreement, attached hereto, with Mr. Thompson specifying terms and conditions of employment for General Manager services beginning February 10, 2023; and
- C. Authorize the Board Chairman to execute the At-Will Employment Agreement, attached hereto.

Originator: Celia Chandler

Attachments: [Agenda Report](#)
[Resolution OC SAN 23-XX GM Appointment](#)
[General Manager At-Will Agreement 2023 Thompson](#)
[GM Salary Schedule \(Current\)](#)

INFORMATION ITEMS:

9. **EDUCATIONAL EXHIBIT UPDATE, HEADQUARTERS COMPLEX AT PLANT NO. 1, PROJECT NO. P1-128A** [2023-2712](#)

RECOMMENDATION:

Information Item.

Originator: Kathy Millea

Attachments: [Agenda Report](#)
[Presentation - Educational Exhibit Update HQ Complex](#)

DEPARTMENT HEAD REPORTS:

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)[2023-2711](#)

RECOMMENDATION: Convene in Closed Session:

Number of Potential Cases: 1

Potential initiation of litigation regarding Miller-Holder Easement.

Attachments: [Agenda Report](#)
[GC Memo re Miller-Holder Steering 1-25-23](#)

CS-2 CONFERENCE WITH LEGAL COUNSEL RE ANTICIPATED LITIGATION - GOVERNMENT CODE SECTION 54956.9(d)(2)[2023-2742](#)

RECOMMENDATION: Convene in Closed Session:

Number of Potential Cases: 1

Claim received from Matt Cortez Law, PC for Thomas Nguyen of Thomas Solar Energy re OC San Project No. FR1-0007 Control Center Offices & Day Training Room Remodeling at Plant No. 1.

Attachments: [Agenda Report](#)
[GC Memo re Thomas Solar Energy Steering 1-25-23](#)

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 meeting until the Regular Meeting of the Steering Committee on February 22, 2023 at 5:00 p.m.