

ORANGE COUNTY SANITATION DISTRICT

MINUTES

BOARD OF DIRECTORS

SEPTEMBER 23, 2020



**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 Chairman David Shawver on September 23, 2020 at 6:01 p.m. in the Administration Building. Director Collacott delivered the invocation and led the Pledge of Allegiance. The meeting was held telephonically and via audio/video teleconferencing in accordance with the Governor's Executive Order No. N-29-20, due to the Coronavirus Pandemic (COVID-19).

ROLL CALL AND DECLARATION OF QUORUM

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

PRESENT: Doug Chaffee, Robert Collacott, James Ferryman, Steve Jones, Brooke Jones, Peter Kim, Sandra Massa-Lavitt, Nelida Mendoza, Mark Murphy, Richard Murphy, Steve Nagel, Andrew Nguyen, Glenn Parker, Erik Peterson, Tim Shaw, David Shawver, Christina Shea, Jesus Silva, Fred Smith, Chad Wanke, John Withers, Mariellen Yarc and Joy Brenner (Alternate)

ABSENT: Allan Bernstein and Lucille Kring

STAFF MEMBERS PRESENT: Jim Herberg, General Manager; Kelly Lore, Clerk of the Board; and Brian Engeln were present in the Board Room. Assistant General Manager Lorenzo Tyner; Assistant General Manager Rob Thompson; Director of Engineering Kathy Millea; Director of Environmental Services Lan Wiborg; Director of Human Resources Celia Chandler; Dean Fisher; Tina Knapp; and Thomas Vu participated telephonically.

OTHERS PRESENT: Brad Hogin (General Counsel) was present in the Board Room.

PUBLIC COMMENTS:

None.

SPECIAL PRESENTATIONS:

Chair Shawver and General Manager Jim Herberg acknowledged the Employee Service Awards for September:

Shabbir Basrai 25 years
Senior Engineer

Fawn Elizondo 30 years
Program Assistant

REPORTS:

Chair Shawver announced the State of the District event is scheduled for Friday, October 30 from 9 a.m. to 10 a.m. and will be held virtually this year to comply with COVID-19 guidelines. The event will be open to local, state, and federal dignitaries with a special presentation by Congressman Lou Correa. The Clerk of the Board will forward additional information tomorrow

Chair Shawver announced that he and the Vice-Chair will celebrate employees who volunteer time and effort to support OCSD's educational mission through the Volunteer Incentive Program at a special virtual event.

Chair Shawver also reminded the Directors that talking points regarding OCSD activities will be sent by the Clerk tomorrow to assist with reporting to your councils, boards, and community groups.

Mr. Herberg reported that an additional case of COVID-19 was reported by an employee at OCSD. This is the first case reported in over 8 weeks and the 10th case at OCSD, with the first nine cleared and back at work. He stated that his weekly update email will be provided to the Board tomorrow.

Mr. Herberg briefly reported on OCSD's participation in three separate Wastewater Based Epidemiology (WBE) efforts with regulators and researchers at the local, state, and national levels. He stated that to sustain and expand the COVID-19 wastewater surveillance effort, OCSD has joined the California Association of Sanitation Agencies (CASA) and other agencies to seek financial support from the Gates and the Rockefeller Foundations.

Mr. Herberg announced recent awards OCSD received including the Water Environment Federation and National Association of Clean Water Agencies "Utility of the Future Today" and the NACWA Platinum Peak Performance Award. He also stated that the electronic CIP Annual Report for fiscal year 2019-2020 was provided in tonight's agenda packet.

Mr. Herberg reported on OCSD's annual preparation for the wet weather season (Oct. 15, 2020 - April 15, 2021) including completing pre-defined tasks throughout the treatment plants and collections systems, reviewing Emergency Response Plan documents, evaluating high flow strategies, and conducting annual high flow training for operations staff.

Mr. Herberg announced the Headworks Rehabilitation Project at Plant No. 1 for a construction contract budgeted at \$293 million was just advertised to bid. The Headworks Project is the largest project to date at Plant No. 1 and is scheduled to start in March 2021 and is anticipated to take six years to complete.

Mr. Herberg indicated that a recent press release regarding the design contract for OCSD's largest Plant No. 2 project with a \$300 million budget for the construction of six new thermophilic digesters and six new Class A batch tanks at Plant No. 2 has led to the possibility of an interview with VX News who reached out to the Vice-Chair and connected with OCSD staff. Mr. Herberg stated he will keep the Board informed of any publications.

CONSENT CALENDAR:

1. APPROVAL OF MINUTES

[2020-1231](#)

Originator: Kelly Lore

MOVED, SECONDED, AND DULY CARRIED TO:

Approve Minutes of the Regular Meeting of the Board of Directors held August 26, 2020.

AYES: Doug Chaffee, Robert Collacott, James Ferryman, Steve Jones, Brooke Jones, Peter Kim, Sandra Massa-Lavitt, Nelida Mendoza, Mark Murphy, Richard Murphy, Steve Nagel, Andrew Nguyen, Glenn Parker, Erik Peterson, Tim Shaw, David Shawver, Christina Shea, Jesus Silva, Fred Smith, Chad Wanke, John Withers and Mariellen Yarc

NOES: None

ABSENT: Allan Bernstein and Lucille Kring

ABSTENTIONS: Joy Brenner (Alternate)

RECEIVE AND FILE:

2. REPORT OF THE INVESTMENT TRANSACTIONS FOR THE MONTH OF AUGUST 2020 [2020-1099](#)

Originator: Lorenzo Tyner

WITHOUT OBJECTION, ACTION TAKEN TO: Receive and file the following:

Report of the Investment Transactions for the month of August 2020.

3. CAPITAL IMPROVEMENT PROGRAM ANNUAL REPORT [2020-1196](#)

Originator: Kathy Millea

WITHOUT OBJECTION, ACTION TAKEN TO: Receive and file the following:

Receive and File the Capital Improvement Program Annual Report.

4. COMMITTEE MEETING MINUTES [2020-1233](#)

Originator: Kelly Lore

WITHOUT OBJECTION, ACTION TAKEN TO: Receive and file the following:

A. Minutes of the Operations Committee Meeting held July 1, 2020

B. Minutes of the Administration Committee Meeting held July 8, 2020

C. Minutes of the Legislative and Public Affairs Committee Meeting held July 13, 2020

D. Minutes of the Steering Committee Meeting held July 22, 2020

OPERATIONS COMMITTEE:

5. CAPITAL IMPROVEMENT PROGRAM CONTRACT PERFORMANCE REPORT [2020-1239](#)

Originator: Kathy Millea

MOVED, SECONDED, AND DULY CARRIED TO:

Receive and file the Capital Improvement Program Contract Performance Report for the period ending June 30, 2020.

AYES: Doug Chaffee, Robert Collacott, James Ferryman, Steve Jones, Brooke Jones, Peter Kim, Sandra Massa-Lavitt, Nelida Mendoza, Mark Murphy, Richard Murphy, Steve Nagel, Andrew Nguyen, Glenn Parker, Erik Peterson, Tim Shaw, David Shawver, Christina Shea, Jesus Silva, Fred Smith, Chad Wanke, John Withers, Mariellen Yarc and Joy Brenner (Alternate)

NOES: None

ABSENT: Allan Bernstein and Lucille Kring

ABSTENTIONS: None

**6. GISLER-RED HILL INTERCEPTOR REHABILITATION, PROJECT NO. [2020-1240](#)
7-65**

Originator: Kathy Millea

MOVED, SECONDED, AND DULY CARRIED TO:

A. Approve a Professional Design Services Agreement with CDM Smith to provide engineering services for Gisler-Red Hill Interceptor Rehabilitation, Project No. 7-65, for an amount not to exceed \$1,754,000; and

B. Approve a contingency of \$175,400 (10%).

AYES: Doug Chaffee, Robert Collacott, James Ferryman, Steve Jones, Brooke Jones, Peter Kim, Sandra Massa-Lavitt, Nelida Mendoza, Mark Murphy, Richard Murphy, Steve Nagel, Andrew Nguyen, Glenn Parker, Erik Peterson, Tim Shaw, David Shawver, Christina Shea, Jesus Silva, Fred Smith, Chad Wanke, John Withers, Mariellen Yarc and Joy Brenner (Alternate)

NOES: None

ABSENT: Allan Bernstein and Lucille Kring

ABSTENTIONS: None

**7. PURCHASE SPARE INVENTORY PARTS FOR SCHWING CAKE [2020-1241](#)
PUMPS**

Originator: Rob Thompson

MOVED, SECONDED, AND DULY CARRIED TO:

A. Approve a Sole Source Purchase Order to Schwing BioSet for the purchase of spare inventory parts for the Schwing Cake Pumps for the Truckloading and Thickening and Dewatering facilities, for a total amount not to exceed \$228,193, plus applicable sales tax and shipping; and

B. Approve a contingency of \$11,410 (5%).

AYES: Doug Chaffee, Robert Collacott, James Ferryman, Steve Jones, Brooke Jones, Peter Kim, Sandra Massa-Lavitt, Nelida Mendoza, Mark Murphy, Richard Murphy, Steve Nagel, Andrew Nguyen, Glenn Parker, Erik Peterson, Tim Shaw, David Shawver, Christina Shea, Jesus Silva, Fred Smith, Chad Wanke, John Withers, Mariellen Yarc and Joy Brenner (Alternate)

NOES: None

ABSENT: Allan Bernstein and Lucille Kring

ABSTENTIONS: None

8. PLAN2020-00 ON-CALL PLANNING STUDIES

[2020-1242](#)

Originator: Kathy Millea

MOVED, SECONDED, AND DULY CARRIED TO:

A. Approve annual Professional Services Agreements with AECOM Technical Services, Inc.; Black & Veatch Corporation; Brown and Caldwell; GHD Inc.; HDR Engineering, Inc.; Hazen and Sawyer; and Stantec Consulting Services Inc. for On-Call Planning Studies Master Contract No. PLAN2020-00, for the term November 1, 2020 through October 31, 2021, with a maximum annual contract limitation not to exceed \$600,000 per Consultant; and

B. Approve two additional one-year optional extensions.

AYES: Doug Chaffee, Robert Collacott, James Ferryman, Steve Jones, Brooke Jones, Peter Kim, Sandra Massa-Lavitt, Nelida Mendoza, Mark Murphy, Richard Murphy, Steve Nagel, Andrew Nguyen, Glenn Parker, Erik Peterson, Tim Shaw, David Shawver, Christina Shea, Jesus Silva, Fred Smith, Chad Wanke, John Withers, Mariellen Yarc and Joy Brenner (Alternate)

NOES: None

ABSENT: Allan Bernstein and Lucille Kring

ABSTENTIONS: None

9. DIGESTER CLEANING AND DISPOSAL CONTRACT

[2020-1243](#)

Originator: Rob Thompson

MOVED, SECONDED, AND DULY CARRIED TO:

A. Approve a Service Contract for Digester Cleaning and Disposal with American Process Group, Inc., per Specification No. S-2020-1165BD, for a total amount not to exceed \$4,636,674 per year, for the period of November 1, 2020 through October 31, 2025, with four optional one-year renewals; and

B. Approve an annual contingency of \$463,667 (10%).

AYES: Doug Chaffee, Robert Collacott, James Ferryman, Steve Jones, Brooke Jones, Peter Kim, Sandra Massa-Lavitt, Nelida Mendoza, Mark Murphy, Richard Murphy, Steve Nagel, Andrew Nguyen, Glenn Parker, Erik Peterson, Tim Shaw, David Shawver, Christina Shea, Jesus Silva, Fred Smith, Chad Wanke, John Withers, Mariellen Yarc and Joy Brenner (Alternate)

NOES: None

ABSENT: Allan Bernstein and Lucille Kring

ABSTENTIONS: None

10. BAY BRIDGE PUMP STATION REPLACEMENT, PROJECT NO. 5-67 [2020-1244](#)

Originator: Kathy Millea

MOVED, SECONDED, AND DULY CARRIED TO:

Approve a contingency increase of \$1,784,250 (25%) to the Professional Design Services Agreement with Arcadis U.S., Inc. for Bay Bridge Pump Station Replacement, Project No. 5-67, for a total contingency of \$2,497,950 (35%).

AYES: Doug Chaffee, Robert Collacott, James Ferryman, Steve Jones, Brooke Jones, Peter Kim, Sandra Massa-Lavitt, Nelida Mendoza, Mark Murphy, Richard Murphy, Steve Nagel, Andrew Nguyen, Glenn Parker, Erik Peterson, Tim Shaw, David Shawver, Christina Shea, Jesus Silva, Fred Smith, Chad Wanke, John Withers, Mariellen Yarc and Joy Brenner (Alternate)

NOES: None

ABSENT: Allan Bernstein and Lucille Kring

ABSTENTIONS: None

ADMINISTRATION COMMITTEE:

11. RECORDS MANAGEMENT PROGRAM UPDATE [2020-1247](#)

Originator: Kelly Lore

MOVED, SECONDED, AND DULY CARRIED TO:

Adopt Resolution No. OCSD 20-10 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. OCSD 18-22".

AYES: Doug Chaffee, Robert Collacott, James Ferryman, Steve Jones, Brooke Jones, Peter Kim, Sandra Massa-Lavitt, Nelida Mendoza, Mark Murphy, Richard Murphy, Steve Nagel, Andrew Nguyen, Glenn Parker, Erik Peterson, Tim Shaw, David Shawver, Christina Shea, Jesus Silva, Fred Smith, Chad Wanke, John Withers, Mariellen Yarc and Joy Brenner (Alternate)

NOES: None

ABSENT: Allan Bernstein and Lucille Kring

ABSTENTIONS: None

12. GENERAL MANAGER APPROVED PURCHASES AND ADDITIONS TO THE PRE-APPROVED OEM SOLE SOURCE LIST [2020-1248](#)

Originator: Lorenzo Tyner

MOVED, SECONDED, AND DULY CARRIED TO:

- A. Receive and file Orange County Sanitation District purchases made under the General Manager's authority for the period of April 1, 2020 to June 30, 2020; and
- B. Approve the following additions to the pre-approved OEM Sole Source List for the period of April 1, 2020 to June 30, 2020:
- ALHAMBRA FOUNDRY - Manhole Frames and Covers
 - GARDNER DENVER / HOFFMAN - Blower Equipment, Parts and Service
 - GEA WESTFALIA - Centrifuge Parts and Service (*Replaces OEM Manufacturer WESTFALIA - Name Change*)
 - NUTTAL GEAR - Gear Drive Assembly and Related Parts/Equipment
 - SCRIPPS INSTITUTION OF OCEANOGRAPHY (SIO) - Ocean Monitoring Program
 - SPX Flow / LIGHTNIN - Gear Box Repair Parts, Equipment and Service
 - VAC-CON - Sewer Combo Cleaning Truck Rental

AYES: Doug Chaffee, Robert Collacott, James Ferryman, Steve Jones, Brooke Jones, Peter Kim, Sandra Massa-Lavitt, Nelida Mendoza, Mark Murphy, Richard Murphy, Steve Nagel, Andrew Nguyen, Glenn Parker, Erik Peterson, Tim Shaw, David Shawver, Christina Shea, Jesus Silva, Fred Smith, Chad Wanke, John Withers, Mariellen Yarc and Joy Brenner (Alternate)

NOES: None

ABSENT: Allan Bernstein and Lucille Kring

ABSTENTIONS: None

13. REIMBURSEMENTS TO BOARD MEMBERS AND STAFF

[2020-1249](#)

Originator: Lorenzo Tyner

MOVED, SECONDED, AND DULY CARRIED TO:

Receive and file report of reimbursements to Board Members and Staff per Government Code Section 53065.5 for the period July 1, 2019 through June 30, 2020.

AYES: Doug Chaffee, Robert Collacott, James Ferryman, Steve Jones, Brooke Jones, Peter Kim, Sandra Massa-Lavitt, Nelida Mendoza, Mark Murphy, Richard Murphy, Steve Nagel, Andrew Nguyen, Glenn Parker, Erik Peterson, Tim Shaw, David Shawver, Christina Shea, Jesus Silva, Fred Smith, Chad Wanke, John Withers, Mariellen Yarc and Joy Brenner (Alternate)

NOES: None

ABSENT: Allan Bernstein and Lucille Kring

ABSTENTIONS: None

14. TREASURER'S REPORT FOR THE FOURTH QUARTER ENDED JUNE 30, 2020

[2020-1250](#)

Originator: Lorenzo Tyner

MOVED, SECONDED, AND DULY CARRIED TO:

Receive and file the Orange County Sanitation District Fourth Quarter Treasurer's Report for the period ended June 30, 2020.

AYES: Doug Chaffee, Robert Collacott, James Ferryman, Steve Jones, Brooke Jones, Peter Kim, Sandra Massa-Lavitt, Nelida Mendoza, Mark Murphy, Richard Murphy, Steve Nagel, Andrew Nguyen, Glenn Parker, Erik Peterson, Tim Shaw, David Shawver, Christina Shea, Jesus Silva, Fred Smith, Chad Wanke, John Withers, Mariellen Yarc and Joy Brenner (Alternate)

NOES: None

ABSENT: Allan Bernstein and Lucille Kring

ABSTENTIONS: None

15. PENSION COST STRATEGIES

[2020-1251](#)

Originator: Lorenzo Tyner

MOVED, SECONDED, AND DULY CARRIED TO:

Direct staff to advertise a Request for Proposals (RFP) to select a multiple-employer Internal Revenue Service Code Section 115 Trust Pension Account.

AYES: Doug Chaffee, Robert Collacott, James Ferryman, Steve Jones, Brooke Jones, Peter Kim, Sandra Massa-Lavitt, Nelida Mendoza, Mark Murphy, Richard Murphy, Steve Nagel, Andrew Nguyen, Glenn Parker, Erik Peterson, Tim Shaw, David Shawver, Christina Shea, Jesus Silva, Fred Smith, Chad Wanke, John Withers, Mariellen Yarc and Joy Brenner (Alternate)

NOES: None

ABSENT: Allan Bernstein and Lucille Kring

ABSTENTIONS: None

LEGISLATIVE AND PUBLIC AFFAIRS COMMITTEE:

16. PUBLIC AFFAIRS UPDATE FOR THE MONTHS OF JULY THROUGH AUGUST 2020 [2020-1254](#)

Originator: Jim Herberg

MOVED, SECONDED, AND DULY CARRIED TO:

Receive and file the Public Affairs Update for the months of July through August 2020.

AYES: Doug Chaffee, Robert Collacott, James Ferryman, Steve Jones, Brooke Jones, Peter Kim, Sandra Massa-Lavitt, Nelida Mendoza, Mark Murphy, Richard Murphy, Steve Nagel, Andrew Nguyen, Glenn Parker, Erik Peterson, Tim Shaw, David Shawver, Christina Shea, Jesus Silva, Fred Smith, Chad Wanke, John Withers, Mariellen Yarc and Joy Brenner (Alternate)

NOES: None

ABSENT: Allan Bernstein and Lucille Kring

ABSTENTIONS: None

17. ORANGE COUNTY SANITATION DISTRICT BRANDING [2020-1255](#)

Originator: Jim Herberg

MOVED, SECONDED, AND DULY CARRIED TO:

Approve the new Orange County Sanitation District Logo.

AYES: Doug Chaffee, Robert Collacott, James Ferryman, Steve Jones, Brooke Jones, Peter Kim, Sandra Massa-Lavitt, Nelida Mendoza, Mark Murphy, Richard Murphy, Steve Nagel, Andrew Nguyen, Glenn Parker, Erik Peterson, Tim Shaw, David Shawver, Christina Shea, Jesus Silva, Fred Smith, Chad Wanke, John Withers, Mariellen Yarc and Joy Brenner (Alternate)

NOES: None
ABSENT: Allan Bernstein and Lucille Kring
ABSTENTIONS: None

18. LEGISLATIVE AFFAIRS UPDATE FOR THE MONTHS OF JULY THROUGH AUGUST 2020 [2020-1256](#)

Originator: Jim Herberg

MOVED, SECONDED, AND DULY CARRIED TO:

Receive and file the Legislative Affairs Update for the months of July through August 2020.

AYES: Doug Chaffee, Robert Collacott, James Ferryman, Steve Jones, Brooke Jones, Peter Kim, Sandra Massa-Lavitt, Nelida Mendoza, Mark Murphy, Richard Murphy, Steve Nagel, Andrew Nguyen, Glenn Parker, Erik Peterson, Tim Shaw, David Shawver, Christina Shea, Jesus Silva, Fred Smith, Chad Wanke, John Withers, Mariellen Yarc and Joy Brenner (Alternate)

NOES: None

ABSENT: Allan Bernstein and Lucille Kring

ABSTENTIONS: None

STEERING COMMITTEE:

19. TUSTIN AVENUE MANHOLE AND PIPE REPAIR, PROJECT NO. FE17-06 [2020-1257](#)

Originator: Kathy Millea

MOVED, SECONDED, AND DULY CARRIED TO:

Approve a contingency increase of \$70,000 to the construction contract with Nuline Technologies, LLC for Tustin Avenue Manhole and Pipe Repair, Project No. FE17-06, for a total contingency of \$105,000 (30%).

AYES: Doug Chaffee, Robert Collacott, James Ferryman, Steve Jones, Brooke Jones, Peter Kim, Sandra Massa-Lavitt, Nelida Mendoza, Mark Murphy, Richard Murphy, Steve Nagel, Andrew Nguyen, Glenn Parker, Erik Peterson, Tim Shaw, David Shawver, Christina Shea, Jesus Silva, Fred Smith, Chad Wanke, John Withers, Mariellen Yarc and Joy Brenner (Alternate)

NOES: None

ABSENT: Allan Bernstein and Lucille Kring

ABSTENTIONS: None

20. **HEADQUARTERS COMPLEX AT PLANT NO. 1, PROJECT NO. P1-128A** [2020-1258](#)

Originator: Kathy Millea

MOVED, SECONDED, AND DULY CARRIED TO:

Authorize payment to the City of Fountain Valley for Building Department and Public Works Department standard fees related to the Headquarters Complex at Plant No. 1, Project No. P1-128A, for an amount not to exceed \$900,000.

AYES: Doug Chaffee, Robert Collacott, James Ferryman, Steve Jones, Brooke Jones, Peter Kim, Sandra Massa-Lavitt, Nelida Mendoza, Mark Murphy, Richard Murphy, Steve Nagel, Andrew Nguyen, Glenn Parker, Erik Peterson, Tim Shaw, David Shawver, Christina Shea, Jesus Silva, Fred Smith, Chad Wanke, John Withers, Mariellen Yarc and Joy Brenner (Alternate)

NOES: None

ABSENT: Allan Bernstein and Lucille Kring

ABSTENTIONS: None

NON-CONSENT:

None.

INFORMATION ITEMS:

None.

AB 1234 DISCLOSURE REPORTS:

Director Ferryman announced his upcoming meetings for the month.

CLOSED SESSION:

None.

OTHER BUSINESS AND COMMUNICATIONS OR SUPPLEMENTAL AGENDA ITEMS, IF ANY:

None.

BOARD OF DIRECTORS INITIATED ITEMS FOR A FUTURE MEETING:

None.

ADJOURNMENT:

At 6:24 p.m., Chair Shawver adjourned the meeting until the Regular Meeting of the Board of Directors to be held on October 28, 2020 at 6:00 p.m.

Submitted by:

Kelly A. Lore, MMC
Clerk of the Board