

ORANGE COUNTY SANITATION DISTRICT

MINUTES

BOARD OF DIRECTORS

NOVEMBER 15, 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 Chairman Chad Wanke on Wednesday, November 15, 2023 at 6:00 p.m. in the Administration Building of the Orange County Sanitation District. Director Brad Avery 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, Jon Dumitru, Rose Espinoza, Ryan Gallagher, Marshall Goodman, Glenn Grandis, Johnathan Ryan Hernandez, Stephanie Klopfenstein, Scott Minikus, Jordan Nefulda, Andrew Nguyen, Robert Ooten, Robbie Pitts, David Shawver, Susan Sonne, Schelly Sustarsic, Chad Wanke, Bruce Whitaker, John Withers, Cecilia Hupp (Alternate) and Tom Lindsey (Alternate)

ABSENT: Doug Chaffee, Stephen Faessel and Farrah Khan

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; Jennifer Cabral; Mortimer Caparas; Belen Carrillo; Jackie Castro; Tanya Chong; Daisy Covarrubias; Raul Cuellar; Gregg Deterding; Thys DeVries; Martin Dix; Brian Engeln; Justin Fenton; Al Garcia; Dionne Kardos; Tina Knapp; Rebecca Long; Tom Meregillano; Rob Michaels; Valerie Ratto; Carrie Robles; Eros Yong; Mike Zedek; and Ruth Zintzun were present in the Board Room.

OTHERS PRESENT: Brad Hogin, General Counsel; Monica Covarrubias; and Sola Abiodun were present in the Board Room. Jesus Gaona Perez was present telephonically.

PUBLIC COMMENTS:

None.

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

[2023-3300](#)

Originator: Kelly Lore

Chair Wanke introduced Director of Environmental Services Lan Wiborg who presented a 25-year service award to Environmental Protection Manager Tom Meregillano. Administration Manager Jennifer Cabral presented a 20-year service award to Principal Public Affairs Specialist Daisy Covarrubias.

Chair Wanke recognized the service award recipients who could not be in attendance and thanked them for their service.

35-year Service Award

Jim Campbell, Senior Environmental Specialist - Division 630

25-year Service Awards

Christina Thomas, Senior Environmental Specialist - Division 820

Tom Meregillano, Environmental Protection Manager - Division 610

20-year Service Award

Daisy Covarrubias, Principal Public Affairs Specialist - Division 140

REPORTS:

Chair Wanke announced that due to the holiday schedule, next month's Board meeting will be held on Thursday, December 14 at 6:00 p.m. He asked that Board Members contact their Alternates and let the Clerk of the Board know if they are unable to attend.

Chair Wanke stated that the calendar of Board and Committee meeting dates for 2024 was on the agenda for approval, but wanted to note the January 2024 meeting, which would normally take place on the 24th, was moved to January 17 due to various conflicts.

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

General Manager Rob Thompson reported on the necessary reallocation of funds within the Biosolids Account Pool to ensure efficient management of biosolids. He stated that to support for additional biosolids loads diverted from the other management vendors, OC San transferred \$1,266,000 from the Rialto Bioenergy Facility LLC contract purchase order to increase the SYNAGRO-Nursery Products and South Kern Manufacturing Facility account by the same amount.

Mr. Thompson reported a scheduled Headquarters update for next month will not take place and, instead, a Board Member tour of the Headquarters will take place in January. He stated the Clerk of the Board will send information regarding the date and time in the near future.

Mr. Thompson reported on his attendance at the One Water Summit in Arizona to receive the US Water Prize 2023 Award in the Public Sector category for the Groundwater Replenishment System Final Completion and stated he would be attending WACO in November to present on Supercritical Water Oxidation.

Mr. Thompson stated that he would be attending the upcoming State of the City for Huntington Beach and the swearing in ceremony for Board Member Glenn Grandis, who will be appointed as the Mayor of Fountain Valley.

Mr. Thompson announced that OC San is participating in the Spark of Love toy drive in conjunction with the Fountain Valley Fire Department. He invited the Board Members to participate by bringing an unwrapped toy by December 14.

CONSENT CALENDAR:**2. APPROVAL OF MINUTES**[2023-3293](#)**Originator:** Kelly Lore

MOVED, SECONDED, AND DULY CARRIED TO:

Approve minutes of the Regular meeting of the Board of Directors held October 25, 2023; and minutes of the Special meeting of the Board of Directors held on October 27, 2023.

AYES: Brad Avery, Pat Burns, Jon Dumitru, Rose Espinoza, Ryan Gallagher, Marshall Goodman, Glenn Grandis, Johnathan Ryan Hernandez, Stephanie Klopfenstein, Scott Minikus, Jordan Nefulda, Andrew Nguyen, Robert Ooten, Robbie Pitts, David Shawver, Susan Sonne, Schelly Sustarsic, Chad Wanke, Bruce Whitaker, John Withers, Cecilia Hupp (Alternate) and Tom Lindsey (Alternate)

NOES: None

ABSENT: Doug Chaffee, Stephen Faessel and Farrah Khan

ABSTENTIONS: None

3. PROPOSED BOARD OF DIRECTORS & COMMITTEE MEETING DATES FOR CALENDAR YEAR 2024[2023-2947](#)**Originator:** Kelly Lore

MOVED, SECONDED, AND DULY CARRIED TO:

Approve the calendar of meeting dates for the 2024 calendar year for the Board of Directors and the following Committees: Administration, Operations, and Steering.

AYES: Brad Avery, Pat Burns, Jon Dumitru, Rose Espinoza, Ryan Gallagher, Marshall Goodman, Glenn Grandis, Johnathan Ryan Hernandez, Stephanie Klopfenstein, Scott Minikus, Jordan Nefulda, Andrew Nguyen, Robert Ooten, Robbie Pitts, David Shawver, Susan Sonne, Schelly Sustarsic, Chad Wanke, Bruce Whitaker, John Withers, Cecilia Hupp (Alternate) and Tom Lindsey (Alternate)

NOES: None

ABSENT: Doug Chaffee, Stephen Faessel and Farrah Khan

ABSTENTIONS: None

4. ORANGE COUNTY SANITATION DISTRICT ANNUAL REPORT[2023-3230](#)**Originator:** Rob Thompson

MOVED, SECONDED, AND DULY CARRIED TO:

Receive and file the Orange County Sanitation District Annual Report for Fiscal Year 2022-2023.

AYES: Brad Avery, Pat Burns, Jon Dumitru, Rose Espinoza, Ryan Gallagher, Marshall Goodman, Glenn Grandis, Johnathan Ryan Hernandez, Stephanie Klopfenstein, Scott Minikus, Jordan Nefulda, Andrew Nguyen, Robert Ooten, Robbie Pitts, David Shawver, Susan Sonne, Schelly Sustarsic, Chad Wanke, Bruce Whitaker, John Withers, Cecilia Hupp (Alternate) and Tom Lindsey (Alternate)

NOES: None

ABSENT: Doug Chaffee, Stephen Faessel and Farrah Khan

ABSTENTIONS: None

5. SALES TAX REIMBURSEMENTS FOR CHEMICAL PURCHASES [2023-3297](#)

Originator: Wally Ritchie

MOVED, SECONDED, AND DULY CARRIED TO:

Approve Sole Source Agreements for Tax Consulting and Advocacy Services with Dakessian Law, Ltd. and Equity Recovery Solutions regarding pursuit of refunds for sales tax paid on chemical purchases.

AYES: Brad Avery, Pat Burns, Jon Dumitru, Rose Espinoza, Ryan Gallagher, Marshall Goodman, Glenn Grandis, Johnathan Ryan Hernandez, Stephanie Klopfenstein, Scott Minikus, Jordan Nefulda, Andrew Nguyen, Robert Ooten, Robbie Pitts, David Shawver, Susan Sonne, Schelly Sustarsic, Chad Wanke, Bruce Whitaker, John Withers, Cecilia Hupp (Alternate) and Tom Lindsey (Alternate)

NOES: None

ABSENT: Doug Chaffee, Stephen Faessel and Farrah Khan

ABSTENTIONS: None

6. PAYMENT OF ANNUAL NATIONAL POLLUTANT DISCHARGE AND ELIMINATION SYSTEM (NPDES) PERMIT FEES [2023-3288](#)

Originator: Lan Wiborg

MOVED, SECONDED, AND DULY CARRIED TO:

Authorize the General Manager to approve payment in an amount not to exceed \$953,096 for the annual NPDES ocean discharge permit fees for Fiscal Year 2023-2024.

AYES: Brad Avery, Pat Burns, Jon Dumitru, Rose Espinoza, Ryan Gallagher, Marshall Goodman, Glenn Grandis, Johnathan Ryan Hernandez, Stephanie Klopfenstein, Scott Minikus, Jordan Nefulda, Andrew Nguyen, Robert Ooten, Robbie Pitts, David Shawver, Susan Sonne, Schelly Sustarsic, Chad Wanke, Bruce Whitaker, John Withers, Cecilia Hupp (Alternate) and Tom Lindsey (Alternate)

NOES: None

ABSENT: Doug Chaffee, Stephen Faessel and Farrah Khan

ABSTENTIONS: None

RECEIVE AND FILE:**7. COMMITTEE MEETING MINUTES [2023-2731](#)**

Originator: Kelly Lore

WITHOUT OBJECTION ACTION TAKEN TO RECEIVE AND FILE THE FOLLOWING:

- A. Minutes of the Steering Committee Meeting held September 27, 2023
- B. Minutes of the Operations Committee Meeting held October 4, 2023
- C. Minutes of the Administration Committee Meeting held October 11, 2023

8. REPORT OF THE INVESTMENT TRANSACTIONS FOR THE MONTH OF OCTOBER 2023 [2023-3115](#)

Originator: Wally Ritchie

WITHOUT OBJECTION ACTION TAKEN TO RECEIVE AND FILE THE FOLLOWING:

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

OPERATIONS COMMITTEE:**9. BACK-UP POWER FOR LABORATORY EQUIPMENT AT PLANT NO. 1, PROJECT NO. FR1-0022 [2023-3301](#)**

Originator: Mike Dorman

MOVED, SECONDED, AND DULY CARRIED TO:

Authorize the Purchasing Manager to conduct a Negotiated Procurement for a construction contract for Back-up Power for Laboratory Equipment at Plant No. 1, Project No. FR1-0022, in accordance with Ordinance No. OC SAN-61; Article 5, Public Works Projects; Section 5.02, Selection Process; A, Design-Bid-Build; (1) Competitive Sealed Bids; Sub-section (d), No Bids.

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

10. TRUCK LOADING SCALE REPLACEMENT AT PLANT NO. 2 [2023-3302](#)

Originator: Riaz Moinuddin

MOVED, SECONDED, AND DULY CARRIED TO:

- A. Approve a Sole Source Services Contract to Mettler Toledo, LLC for Truck Loading Scale Replacement at Plant No. 2, Specification No. MP2-014, for a total amount not to exceed \$478,385 including applicable sales tax and freight; and
- B. Approve a contingency of \$95,677 (20%).

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

ADMINISTRATION COMMITTEE:

11. CONSOLIDATED FINANCIAL REPORT FOR THE FIRST QUARTER ENDED SEPTEMBER 30, 2023 [2023-3304](#)

Originator: Wally Ritchie

MOVED, SECONDED, AND DULY CARRIED TO:

Receive and file the Orange County Sanitation District First Quarter Financial Report for the period ended September 30, 2023.

AYES: Brad Avery, Pat Burns, Jon Dumitru, Rose Espinoza, Ryan Gallagher, Marshall Goodman, Glenn Grandis, Johnathan Ryan Hernandez, Stephanie Klopfenstein, Scott Minikus, Jordan Nefulda, Andrew Nguyen, Robert Ooten, Robbie Pitts, David Shawver, Susan Sonne, Schelly Sustarsic, Chad Wanke, Bruce Whitaker, John Withers, Cecilia Hupp (Alternate) and Tom Lindsey (Alternate)

NOES: None

ABSENT: Doug Chaffee, Stephen Faessel and Farrah Khan

ABSTENTIONS: None

12. ORANGE COUNTY SANITATION DISTRICT ANNUAL COMPREHENSIVE FINANCIAL REPORT FOR THE YEAR ENDED JUNE 30, 2023

[2023-3305](#)

Originator: Wally Ritchie

MOVED, SECONDED, AND DULY CARRIED TO:

Receive and file the Orange County Sanitation District's (OC San) Annual Comprehensive Financial Report for the year ended June 30, 2023, prepared by staff, and audited by Davis Farr, Certified Public Accountants, along with the following reports prepared by Davis Farr:

1. Report to the Board of Directors;
2. Independent Accountants' Report on Agreed-Upon Procedures Applied to Appropriations Limit Worksheets;
3. Report on Internal Control Over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance With Government Auditing Standards; and
4. Single Audit Report

AYES: Brad Avery, Pat Burns, Jon Dumitru, Rose Espinoza, Ryan Gallagher, Marshall Goodman, Glenn Grandis, Johnathan Ryan Hernandez, Stephanie Klopfenstein, Scott Minikus, Jordan Nefulda, Andrew Nguyen, Robert Ooten, Robbie Pitts, David Shawver, Susan Sonne, Schelly Sustarsic, Chad Wanke, Bruce Whitaker, John Withers, Cecilia Hupp (Alternate) and Tom Lindsey (Alternate)

NOES: None

ABSENT: Doug Chaffee, Stephen Faessel and Farrah Khan

ABSTENTIONS: None

13. ORANGE COUNTY SANITATION DISTRICT POPULAR ANNUAL FINANCIAL REPORT FOR THE YEAR ENDED JUNE 30, 2023

[2023-3306](#)

Originator: Wally Ritchie

MOVED, SECONDED, AND DULY CARRIED TO:

Receive and file the Orange County Sanitation District Popular Annual Financial Report for the year ended June 30, 2023.

AYES: Brad Avery, Pat Burns, Jon Dumitru, Rose Espinoza, Ryan Gallagher, Marshall Goodman, Glenn Grandis, Johnathan Ryan Hernandez, Stephanie Klopfenstein, Scott Minikus, Jordan Nefulda, Andrew Nguyen, Robert Ooten, Robbie Pitts, David Shawver, Susan Sonne, Schelly Sustarsic, Chad Wanke, Bruce Whitaker, John Withers, Cecilia Hupp (Alternate) and Tom Lindsey (Alternate)

NOES: None

ABSENT: Doug Chaffee, Stephen Faessel and Farrah Khan

ABSTENTIONS: None

STEERING COMMITTEE:

14. LEGISLATIVE AFFAIRS UPDATE FOR THE MONTH OF OCTOBER 2023 [2023-3313](#)

Originator: Rob Thompson

MOVED, SECONDED, AND DULY CARRIED TO:

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

AYES: Brad Avery, Pat Burns, Jon Dumitru, Rose Espinoza, Ryan Gallagher, Marshall Goodman, Glenn Grandis, Johnathan Ryan Hernandez, Stephanie Klopfenstein, Scott Minikus, Jordan Nefulda, Andrew Nguyen, Robert Ooten, Robbie Pitts, David Shawver, Susan Sonne, Schelly Sustarsic, Chad Wanke, Bruce Whitaker, John Withers, Cecilia Hupp (Alternate) and Tom Lindsey (Alternate)

NOES: None

ABSENT: Doug Chaffee, Stephen Faessel and Farrah Khan

ABSTENTIONS: None

15. PUBLIC AFFAIRS UPDATE FOR THE MONTH OF OCTOBER 2023 [2023-3314](#)

Originator: Rob Thompson

MOVED, SECONDED, AND DULY CARRIED TO:

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

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

16. SOLICITATION OF GENERAL LEGAL COUNSEL SERVICES [2023-3315](#)

Originator: Lorenzo Tyner

MOVED, SECONDED, AND DULY CARRIED TO:

- A. Approve conducting an open competitive solicitation for general legal counsel services; and
- B. Assign the General Legal Services Ad Hoc Committee as oversight for the solicitation process.

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

17. 2024 LEGISLATIVE AND REGULATORY PLAN [2023-3320](#)

Originator: Rob Thompson

MOVED, SECONDED, AND DULY CARRIED TO:

Adopt the Orange County Sanitation District 2024 Legislative and Regulatory Plan.

- AYES:** Brad Avery, Pat Burns, Jon Dumitru, Rose Espinoza, Ryan Gallagher, Marshall Goodman, Glenn Grandis, Johnathan Ryan Hernandez, Stephanie Klopfenstein, Scott Minikus, Jordan Nefulda, Andrew Nguyen, Robert Ooten, Robbie Pitts, David Shawver, Susan Sonne, Schelly Sustarsic, Chad Wanke, Bruce Whitaker, John Withers, Cecilia Hupp (Alternate) and Tom Lindsey (Alternate)

NOES: None

ABSENT: Doug Chaffee, Stephen Faessel and Farrah Khan

ABSTENTIONS: None

NON-CONSENT:

18. ORANGE COUNTY SANITATION DISTRICT 2023 STRATEGIC PLAN [2023-3252](#)

Originator: Rob Thompson

Mr. Thompson presented the 2023 Strategic Plan.

MOVED, SECONDED, AND DULY CARRIED TO:

Adopt the Orange County Sanitation District 2023 Strategic Plan.

AYES: Brad Avery, Pat Burns, Jon Dumitru, Rose Espinoza, Ryan Gallagher, Marshall Goodman, Glenn Grandis, Johnathan Ryan Hernandez, Stephanie Klopfenstein, Scott Minikus, Jordan Nefulda, Andrew Nguyen, Robert Ooten, Robbie Pitts, David Shawver, Susan Sonne, Schelly Sustarsic, Chad Wanke, Bruce Whitaker, John Withers, Cecilia Hupp (Alternate) and Tom Lindsey (Alternate)

NOES: None

ABSENT: Doug Chaffee, Stephen Faessel and Farrah Khan

ABSTENTIONS: None

INFORMATION ITEMS:

None.

AB 1234 DISCLOSURE REPORTS:

Director Jon Dumitru provided an update on the NWRI meeting and his attendance at the SCWC event he attended with Vice-Chairman Ryan Gallagher.

CLOSED SESSION:

None.

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

Chair Wanke reminded the Board Members to wear their OC San badge while onsite at OC San.

BOARD OF DIRECTORS INITIATED ITEMS FOR A FUTURE MEETING:

None.

ADJOURNMENT:

At 6:30 p.m., Chair Wanke adjourned the meeting until the next Regular Meeting of the Board of Directors to be held on Thursday, December 14, 2023 at 6:00 p.m.

Submitted by:

Kelly A. Lore, MMC
Clerk of the Board