

ORANGE COUNTY SANITATION DISTRICT

MINUTES

BOARD OF DIRECTORS

SPECIAL MEETING

SEPTEMBER 29, 2021



**Board Room
Administration Building
10844 Ellis Avenue
Fountain Valley, CA 92708
(714) 593-7433**

CALL TO ORDER

A special meeting of the Board of Directors of the Orange County Sanitation District was called to order by Board Chairman John Withers on September 29, 2021 at 6:15 p.m. in the Administration Building. Director Steve Jones delivered the invocation and led the Pledge of Allegiance. Chair Withers announced that the meeting was being 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). Chair Withers announced the meeting guidelines.

ROLL CALL AND DECLARATION OF QUORUM

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

PRESENT: Art Brown, Kim Carr, Doug Chaffee, Mark Chirco, Rose Espinoza, Stephen Faessel, Ryan Gallagher, Marshall Goodman, Brooke Jones, Steve Jones, Sandra Massa-Lavitt, Paulo Morales, Andrew Nguyen, Kim Nichols, Robert Ooten, Glenn Parker, David Shawver, Jesus Silva, Chad Wanke, John Withers, Chad Zimmerman and Farrah Khan (Alternate)

ABSENT: Patrick Harper and Johnathan Ryan Hernandez

STAFF PRESENT: Kelly Lore, Clerk of the Board, and Brian Engeln were present in the Board Room. Jim Herberg, General Manager; Rob Thompson, Assistant General Manager; Lorenzo Tyner, Assistant General Manager; Celia Chandler, Director of Human Resources; Kathy Millea, Director of Engineering; Lan Wiborg, Director of Environmental Services; Eddie Baker; Angela Brandt; Andrew Brown; Jennifer Cabral; Mortimer Caparas; Ron Cortez; Raul Cuellar; Tyler Hoang; Tina Knapp; Laura Maravilla; Rob Michaels; Jeff Mohr; Andrew Nau; Wally Ritchie; Jim Spears; Thomas Vu; and Ruth Zintzun were in attendance telephonically.

OTHERS PRESENT: Brad Hogin, General Counsel, and Gary Weisberg, Associate Counsel, were present in the Board Room; Dan Fears, Special Counsel, was in attendance telephonically.

PUBLIC COMMENTS:

None.

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

[2021-1851](#)

Originator: Kelly Lore

Chair Withers recognized the following employee service awards:

30-year Service Awards

Ron Cortez - Operations Supervisor, Division 830

Tyler Hoang - Lead Plant Operator, Division 830

REPORTS:

Chair Withers stated that Executive Orders N-25-20 and N-29-20, which temporarily suspended portions of the Brown Act that allowed for public meetings to be held virtually, will expire on September 30, 2021; and explained that AB 361, recently signed by the Governor, will allow Committee and Board meetings to remain virtual under a declared emergency. Chair Withers shared the specifics of the new law and stated that a Special Meeting of the Board of Directors will be held on October 6, 2021 at 5:00 p.m. to hear the initial Resolution. This will be just prior to the Regular Meeting of the Operations Committee Meeting which will meet at a special time of 5:30 p.m.

Chair Withers acknowledged and thanked the following 12 employees who lend their time to assist in outreach goals and provide tours or presentations about OC San: Pegah Behravan, Andrew Brown, Raul Cuellar, Andy DaSilva, Dickie Fernandez, Brad Moore, Cindy Murra, Eros Yong, Cortney Light, Sam Choi, Violet Renick, and Mike Zedek

Chair Withers reported on his recent participation in a Federal Legislative Briefing at OCWD regarding PFAS in the water and wastewater world and the potential impacts to the water industry. He stated that OCWD's President Sheldon and General Manager Mike Markus participated in the forum, along with attendees that included Congressional staff and local elected officials.

Chair Withers reminded the members that they would receive their OC San monthly talking points tomorrow to assist with reporting out to their councils, boards, and community groups.

General Manager Jim Herberg stated that the Annual Capital Improvement Program Report was provided in the agenda packet. Chair Withers requested that a hard copy be provided to all of the new Directors.

Mr. Herberg provided a brief update on the construction of the Headquarters Building stating the site is now cleared and the contractor has begun to bring in equipment. He stated that updates will continue to be provided as construction progresses.

Mr. Herberg provided an update on completion of the Newhope-Placentia project in Anaheim and Fullerton allowing additional water to be made available for the GWRS. He stated that an additional 6 MGD of wastewater that previously flowed into the Santa Ana River Interceptor line, which cannot be reclaimed, is being diverted to Plant No. 1; and that once the Yorba Linda Pump Station is abandoned, an additional 2 MGD will also be diverted for GWRS.

CONSENT CALENDAR:**2. APPROVAL OF MINUTES [2021-1860](#)****Originator:** Kelly Lore

MOVED, SECONDED, AND DULY CARRIED TO:

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

AYES: Art Brown, Kim Carr, Doug Chaffee, Mark Chirco, Stephen Faessel, Ryan Gallagher, Marshall Goodman, Brooke Jones, Steve Jones, Sandra Massa-Lavitt, Paulo Morales, Andrew Nguyen, Kim Nichols, Robert Ooten, Glenn Parker, David Shawver, Jesus Silva, Chad Wanke, John Withers and Chad Zimmerman**NOES:** None**ABSENT:** Patrick Harper and Johnathan Ryan Hernandez**ABSTENTIONS:** Rose Espinoza and Farrah Khan (Alternate)**RECEIVE AND FILE:****3. CAPITAL IMPROVEMENT PROGRAM ANNUAL REPORT [2021-1424](#)****Originator:** Kathy Millea

WITHOUT OBJECTION ACTION TAKEN TO RECEIVE AND FILE THE FOLLOWING:

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

4. COMMITTEE MEETING MINUTES [2021-1548](#)**Originator:** Kelly Lore

WITHOUT OBJECTION ACTION TAKEN TO 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

5. REPORT OF THE INVESTMENT TRANSACTIONS FOR THE MONTH OF AUGUST 2021 [2021-1698](#)**Originator:** Lorenzo Tyner

WITHOUT OBJECTION ACTION TAKEN TO RECEIVE AND FILE THE FOLLOWING:

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

OPERATIONS COMMITTEE:

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

Originator: Kathy Millea

MOVED, SECONDED, AND DULY CARRIED TO:

- 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%).

AYES: Art Brown, Kim Carr, Doug Chaffee, Mark Chirco, Rose Espinoza, Stephen Faessel, Ryan Gallagher, Marshall Goodman, Brooke Jones, Steve Jones, Sandra Massa-Lavitt, Paulo Morales, Andrew Nguyen, Kim Nichols, Robert Ooten, Glenn Parker, David Shawver, Jesus Silva, Chad Wanke, John Withers, Chad Zimmerman and Farrah Khan (Alternate)

NOES: None

ABSENT: Patrick Harper and Johnathan Ryan Hernandez

ABSTENTIONS: None

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

Originator: Kathy Millea

MOVED, SECONDED, AND DULY CARRIED TO:

- 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%).

AYES: Art Brown, Kim Carr, Doug Chaffee, Mark Chirco, Rose Espinoza, Stephen Faessel, Ryan Gallagher, Marshall Goodman, Brooke Jones, Steve Jones, Sandra Massa-Lavitt, Paulo Morales, Andrew Nguyen, Kim Nichols, Robert Ooten, Glenn Parker, David Shawver, Jesus Silva, Chad Wanke, John Withers, Chad Zimmerman and Farrah Khan (Alternate)

NOES: None

ABSENT: Patrick Harper and Johnathan Ryan Hernandez

ABSTENTIONS: None

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

Originator: Kathy Millea

MOVED, SECONDED, AND DULY CARRIED TO:

- 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%).

AYES: Art Brown, Kim Carr, Doug Chaffee, Mark Chirco, Rose Espinoza, Stephen Faessel, Ryan Gallagher, Marshall Goodman, Brooke Jones, Steve Jones, Sandra Massa-Lavitt, Paulo Morales, Andrew Nguyen, Kim Nichols, Robert Ooten, Glenn Parker, David Shawver, Jesus Silva, Chad Wanke, John Withers, Chad Zimmerman and Farrah Khan (Alternate)

NOES: None

ABSENT: Patrick Harper and Johnathan Ryan Hernandez

ABSTENTIONS: None

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

Originator: Kathy Millea

MOVED, SECONDED, AND DULY CARRIED TO:

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

AYES: Art Brown, Kim Carr, Doug Chaffee, Mark Chirco, Rose Espinoza, Stephen Faessel, Ryan Gallagher, Marshall Goodman, Brooke Jones, Steve Jones, Sandra Massa-Lavitt, Paulo Morales, Andrew Nguyen, Kim Nichols, Robert Ooten, Glenn Parker, David Shawver, Jesus Silva, Chad Wanke, John Withers, Chad Zimmerman and Farrah Khan (Alternate)

NOES: None

ABSENT: Patrick Harper and Johnathan Ryan Hernandez

ABSTENTIONS: None

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

Originator: Rob Thompson

MOVED, SECONDED, AND DULY CARRIED TO:

- 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%).

AYES: Art Brown, Kim Carr, Doug Chaffee, Mark Chirco, Rose Espinoza, Stephen Faessel, Ryan Gallagher, Marshall Goodman, Brooke Jones, Steve Jones, Sandra Massa-Lavitt, Paulo Morales, Andrew Nguyen, Kim Nichols, Robert Ooten, Glenn Parker, David Shawver, Jesus Silva, Chad Wanke, John Withers, Chad Zimmerman and Farrah Khan (Alternate)

NOES: None

ABSENT: Patrick Harper and Johnathan Ryan Hernandez

ABSTENTIONS: None

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

Originator: Rob Thompson

MOVED, SECONDED, AND DULY CARRIED TO:

- 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.

AYES: Art Brown, Kim Carr, Doug Chaffee, Mark Chirco, Rose Espinoza, Stephen Faessel, Ryan Gallagher, Marshall Goodman, Brooke Jones, Steve Jones, Sandra Massa-Lavitt, Paulo Morales, Andrew Nguyen, Kim Nichols, Robert Ooten, Glenn Parker, David Shawver, Jesus Silva, Chad Wanke, John Withers, Chad Zimmerman and Farrah Khan (Alternate)

NOES: None

ABSENT: Patrick Harper and Johnathan Ryan Hernandez

ABSTENTIONS: None

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

Originator: Rob Thompson

MOVED, SECONDED, AND DULY CARRIED TO:

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.

AYES: Art Brown, Kim Carr, Doug Chaffee, Mark Chirco, Rose Espinoza, Stephen Faessel, Ryan Gallagher, Marshall Goodman, Brooke Jones, Steve Jones, Sandra Massa-Lavitt, Paulo Morales, Andrew Nguyen, Kim Nichols, Robert Ooten, Glenn Parker, David Shawver, Jesus Silva, Chad Wanke, John Withers, Chad Zimmerman and Farrah Khan (Alternate)

NOES: None

ABSENT: Patrick Harper and Johnathan Ryan Hernandez

ABSTENTIONS: None

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

Originator: Rob Thompson

MOVED, SECONDED, AND DULY CARRIED TO:

- 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%).

AYES: Art Brown, Kim Carr, Doug Chaffee, Mark Chirco, Rose Espinoza, Stephen Faessel, Ryan Gallagher, Marshall Goodman, Brooke Jones, Steve Jones, Sandra Massa-Lavitt, Paulo Morales, Andrew Nguyen, Kim Nichols, Robert Ooten, Glenn Parker, David Shawver, Jesus Silva, Chad Wanke, John Withers, Chad Zimmerman and Farrah Khan (Alternate)

NOES: None

ABSENT: Patrick Harper and Johnathan Ryan Hernandez

ABSTENTIONS: None

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

Originator: Rob Thompson

MOVED, SECONDED, AND DULY CARRIED TO:

- 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%).

AYES: Art Brown, Kim Carr, Doug Chaffee, Mark Chirco, Rose Espinoza, Stephen Faessel, Ryan Gallagher, Marshall Goodman, Brooke Jones, Steve Jones, Sandra Massa-Lavitt, Paulo Morales, Andrew Nguyen, Kim Nichols, Robert Ooten, Glenn Parker, David Shawver, Jesus Silva, Chad Wanke, John Withers, Chad Zimmerman and Farrah Khan (Alternate)

NOES: None

ABSENT: Patrick Harper and Johnathan Ryan Hernandez

ABSTENTIONS: None

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

Originator: Rob Thompson

MOVED, SECONDED, AND DULY CARRIED TO:

- 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%.

AYES: Art Brown, Kim Carr, Doug Chaffee, Mark Chirco, Rose Espinoza, Stephen Faessel, Ryan Gallagher, Marshall Goodman, Brooke Jones, Steve Jones, Sandra Massa-Lavitt, Paulo Morales, Andrew Nguyen, Kim Nichols, Robert Ooten, Glenn Parker, David Shawver, Jesus Silva, Chad Wanke, John Withers, Chad Zimmerman and Farrah Khan (Alternate)

NOES: None

ABSENT: Patrick Harper and Johnathan Ryan Hernandez

ABSTENTIONS: None

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

Originator: Kathy Millea

MOVED, SECONDED, AND DULY CARRIED TO:

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.

AYES: Art Brown, Kim Carr, Doug Chaffee, Mark Chirco, Rose Espinoza, Stephen Faessel, Ryan Gallagher, Marshall Goodman, Brooke Jones, Steve Jones, Sandra Massa-Lavitt, Paulo Morales, Andrew Nguyen, Kim Nichols, Robert Ooten, Glenn Parker, David Shawver, Jesus Silva, Chad Wanke, John Withers, Chad Zimmerman and Farrah Khan (Alternate)

NOES: None

ABSENT: Patrick Harper and Johnathan Ryan Hernandez

ABSTENTIONS: None

ADMINISTRATION COMMITTEE:

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

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, 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

AYES: Art Brown, Kim Carr, Doug Chaffee, Mark Chirco, Rose Espinoza, Stephen Faessel, Ryan Gallagher, Marshall Goodman, Brooke Jones, Steve Jones, Sandra Massa-Lavitt, Paulo Morales, Andrew Nguyen, Kim Nichols, Robert Ooten, Glenn Parker, David Shawver, Jesus Silva, Chad Wanke, John Withers, Chad Zimmerman and Farrah Khan (Alternate)

NOES: None

ABSENT: Patrick Harper and Johnathan Ryan Hernandez

ABSTENTIONS: None

18. REIMBURSEMENTS TO BOARD MEMBERS AND STAFF

[2021-1857](#)

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, 2020 through June 30, 2021.

AYES: Art Brown, Kim Carr, Doug Chaffee, Mark Chirco, Rose Espinoza, Stephen Faessel, Ryan Gallagher, Marshall Goodman, Brooke Jones, Steve Jones, Sandra Massa-Lavitt, Paulo Morales, Andrew Nguyen, Kim Nichols, Robert Ooten, Glenn Parker, David Shawver, Jesus Silva, Chad Wanke, John Withers, Chad Zimmerman and Farrah Khan (Alternate)

NOES: None

ABSENT: Patrick Harper and Johnathan Ryan Hernandez

ABSTENTIONS: None

LEGISLATIVE AND PUBLIC AFFAIRS COMMITTEE:**19. PUBLIC AFFAIRS UPDATE FOR THE MONTHS OF JULY AND AUGUST 2021**[2021-1863](#)**Originator:** Jim Herberg

MOVED, SECONDED, AND DULY CARRIED TO:

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

AYES: Art Brown, Kim Carr, Doug Chaffee, Mark Chirco, Rose Espinoza, Stephen Faessel, Ryan Gallagher, Marshall Goodman, Brooke Jones, Steve Jones, Sandra Massa-Lavitt, Paulo Morales, Andrew Nguyen, Kim Nichols, Robert Ooten, Glenn Parker, David Shawver, Jesus Silva, Chad Wanke, John Withers, Chad Zimmerman and Farrah Khan (Alternate)**NOES:** None**ABSENT:** Patrick Harper and Johnathan Ryan Hernandez**ABSTENTIONS:** None**20. LEGISLATIVE AFFAIRS UPDATE FOR THE MONTHS OF JULY/AUGUST 2021**[2021-1864](#)**Originator:** Jim Herberg

MOVED, SECONDED, AND DULY CARRIED TO:

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

AYES: Art Brown, Kim Carr, Doug Chaffee, Mark Chirco, Rose Espinoza, Stephen Faessel, Ryan Gallagher, Marshall Goodman, Brooke Jones, Steve Jones, Sandra Massa-Lavitt, Paulo Morales, Andrew Nguyen, Kim Nichols, Robert Ooten, Glenn Parker, David Shawver, Jesus Silva, Chad Wanke, John Withers, Chad Zimmerman and Farrah Khan (Alternate)**NOES:** None**ABSENT:** Patrick Harper and Johnathan Ryan Hernandez**ABSTENTIONS:** None**STEERING COMMITTEE:**

None.

NON-CONSENT:None.

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

ITEM RECEIVED AS:

Information Only.

AB 1234 DISCLOSURE REPORTS:

Director Dave Shawver provided information regarding his recent attendance at the monthly OCCOG meeting.

Director Faessel provided information regarding his attendance at the recent ISDOC meeting.

CLOSED SESSION:**CONVENED IN CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTIONS 54956.9(d)(4), 54956.8, 54957.6 & 54956.9(d)(1).**

The Board convened in closed session at 6:49 p.m. Items CS-2(B), CS-2(C), and CS-3 were not heard. Confidential minutes of the Closed Sessions have been prepared in accordance with the above Government Code Sections and are maintained by the Clerk of the Board in the Official Book of Confidential Minutes of Board and Committee Closed Session meetings.

CS-1 CONFERENCE WITH LEGAL COUNSEL RE ANTICIPATED LITIGATION - GOVERNMENT CODE SECTION 54956.9(d)(4)[2021-1881](#)

CONVENED 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.

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

CONVENED IN CLOSED SESSION:
Item CS-2B and CS-2C were not heard.

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.

**CS-3 CONFERENCE WITH LABOR NEGOTIATORS - GOVERNMENT
CODE SECTION 54957.6**

[2021-1879](#)

ITEM NOT HEARD:

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.

**CS-4 CONFERENCE WITH REAL PROPERTY NEGOTIATORS -
GOVERNMENT CODE SECTION 54956.8**

[2021-1880](#)

CONVENED 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

RECONVENED IN REGULAR SESSION.

The Board reconvened in regular session at 7:29 p.m.

CONSIDERATION OF ACTION, IF ANY, ON MATTERS CONSIDERED IN CLOSED SESSION:

General Counsel Brad Hogin did not provide a report.

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

None.

BOARD OF DIRECTORS INITIATED ITEMS FOR A FUTURE MEETING:

None.

ADJOURNMENT:

At 7:30 p.m., Chair Withers adjourned the meeting until the Regular Meeting of the Board of Directors to be held on Wednesday, October 27, 2021 at 6:00 p.m.

Submitted by:

Kelly A. Lore, MMC
Clerk of the Board