



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: 786 518 340#

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!

November 11, 2021

NOTICE OF MEETING

**BOARD OF DIRECTORS
ORANGE COUNTY SANITATION DISTRICT**

Wednesday, November 17, 2021 – 6:00 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 Regular Meeting of the Board of Directors of the Orange County Sanitation District will be held in the manner indicated above on
Wednesday, November 17, 2021 at 6:00 p.m.



Clerk of the Board

Upcoming Meetings:

**Steering Committee -
Board Meeting -**

**Wednesday, December 15, 2021 at 5:00 p.m.
Wednesday, December 15, 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
Regular Meeting Agenda
Wednesday, November 17, 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.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. 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

Director Anthony Kuo, City of Irvine

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.

SPECIAL PRESENTATIONS:**1. EMPLOYEE SERVICE AWARDS****[2021-1965](#)****30-year Service Awards**

Lori McKinley, Principal Environmental Specialist, Division 620

20-year Service Awards

Enrique Pantoja, Senior Plant Operator, Division 830

Ernest Savedra, Lead Mechanic, Division 820

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 [2021-1941](#)**RECOMMENDATION:**

Approve Minutes of the Board of Directors Meeting held October 27, 2021.

Originator: Kelly Lore

Attachments: [Agenda Report](#)
[10-27-2021 Board Meeting Minutes](#)

3. PROPOSED BOARD OF DIRECTORS & COMMITTEE MEETING DATES FOR CALENDAR YEAR 2022 [2021-1957](#)**RECOMMENDATION:**

Approve the calendar of meeting dates for the 2022 calendar year for the Board of Directors and the following Committees: Administration, Legislative and Public Affairs, Operations, and Steering.

Originator: Kelly Lore

Attachments: [Agenda Report](#)
[Draft Condensed Calendar 2022](#)

RECEIVE AND FILE:**4. COMMITTEE MEETING MINUTES [2021-1550](#)**

RECOMMENDATION: Receive and file the following:

- A. Minutes of the Legislative and Public Affairs Committee Meeting held September 13, 2021
- B. Minutes of the Steering Committee Special Meeting held September 29, 2021
- C. Minutes of the Operations Committee Special Meeting held October 6, 2021
- D. Minutes of the Administration Committee Meeting held October 13, 2021

Originator: Kelly Lore

Attachments: [Agenda Report](#)
[09-13-2021 LaPA Committee Minutes](#)
[09-29-2021 Steering Committee Minutes](#)
[10-06-2021 Operations Committee Minutes](#)
[10-13-2021 Administration Committee Minutes](#)

5. **REPORT OF THE INVESTMENT TRANSACTIONS FOR THE MONTH OF OCTOBER 2021** [2021-1701](#)

RECOMMENDATION: Receive and file the following:

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

Originator: Lorenzo Tyner

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

OPERATIONS COMMITTEE:

6. **OPERATIONS AND MAINTENANCE COATING REHABILITATION PROGRAM ON-CALL SERVICE CONTRACT** [2021-1961](#)

RECOMMENDATION:

- A. Approve a Service Contract for Operations and Maintenance Coating Rehabilitation Program On-Call Services with Arena Painting Contractors Inc., per Specification No. S-2021-1264BD, for a total amount not to exceed \$628,182 per year, for the period of December 7, 2021 through December 6, 2022, with four optional, one-year renewals; and
- B. Approve an annual contingency of \$62,818 (10%).

Originator: Rob Thompson

Attachments: [Agenda Report](#)
[S-2021-1264BD Final Agreement](#)

7. **PLANT NO. 2 TRICKLING FILTER PUMP STATION VARIABLE FREQUENCY DRIVE REPLACEMENT** [2021-1962](#)

RECOMMENDATION:

- A. Approve a Service Contract with Baker Electric, Inc. for Plant No. 2 Trickleing Filter Pump Station Variable Frequency Drive Replacement, per Specification S-2021-1273BD, for a total amount not to exceed \$191,290; and
- B. Approve a contingency of \$19,129 (10%).

Originator: Rob Thompson

Attachments: [Agenda Report](#)
[S-2021-1273BD Final Agreement](#)

8. ENGINEERING PROGRAM CONTRACT PERFORMANCE REPORT [2021-1963](#)**RECOMMENDATION:**

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

Originator: Kathy Millea

Attachments: [Agenda Report](#)
[CIP Contract Report](#)

9. PURCHASE OF INVENTORY CENTRIFUGE REPLACEMENT PARTS [2021-1964](#)**RECOMMENDATION:**

A. Approve a Sole Source Purchase Order to GEA Mechanical Equipment US Inc. for the Purchase and Replenishment of Inventory Replacement Parts for Thickening and Dewatering Centrifuges, for the period beginning December 1, 2021 through November 30, 2022, to maintain equipment warranty, for a total amount not to exceed \$1,116,000; and

B. Approve a contingency of \$111,600 (10%).

Originator: Rob Thompson

Attachments: [Agenda Report](#)

ADMINISTRATION COMMITTEE:**10. OCEAN MODELING SUPPORT PROJECT [2021-1986](#)****RECOMMENDATION:**

A. Approve Amendment extending the Agreement between the Orange County Sanitation District and Southern California Coastal Water Research Project regarding Ocean Outfall Plume Modeling, to provide physical and biogeochemical modeling of the Orange County Sanitation District's ocean discharge, at a cost not to exceed \$135,000, for a total amount not to exceed \$383,000;

B. Approve a contingency of 13,500 (10%); and

C. Approve an agreement performance period extension to December 31, 2024.

Originator: Lan Wiborg

Attachments: [Agenda Report](#)
[Amendment No. 1 Modeling Agreement](#)
[Original SCCWRP Research Project Agreement](#)

11. CONSOLIDATED FINANCIAL REPORT FOR THE FIRST QUARTER ENDED SEPTEMBER 30, 2021 [2021-1987](#)

RECOMMENDATION:

Receive and file the Orange County Sanitation District First Quarter Financial Report for the period ended September 30, 2021.

Originator: Lorenzo Tyner

Attachments: [Agenda Report](#)
[Consolidated Financial Report for the First Quarter Ended September 30 2021](#)

12. MICROSOFT ENTERPRISE LICENSE AGREEMENT (ELA) FOR MICROSOFT ENTERPRISE SOFTWARE LICENSES [2021-1988](#)

RECOMMENDATION:

A. Approve a Purchase Order for a three-year contract to purchase Microsoft Enterprise licenses under the Microsoft ELA in accordance with Microsoft Volume Enterprise Enrollment - for State and Local government, Riverside County Master Licensing Agreement 01E73970, payable annually and with a contract expiration date of December 31, 2024, for a total amount not to exceed \$1,470,495; and

B. Approve a contingency of 220,574 (15%).

Originator: Lorenzo Tyner

Attachments: [Agenda Report](#)
[Insight MS EA Quote Request](#)

13. PROPERTY MANAGEMENT SERVICES FOR 18350 MT. LANGLEY STREET AND 18368-18375-18381-18384 BANDILIER CIRCLE, FOUNTAIN VALLEY [2021-1989](#)

RECOMMENDATION:

Approve Amendment No. 5 to the sole source agreement with The Muller Company for Property Management Services for 18350 Mt. Langley Street and 18368-18375-18381-18384 Bandilier Circle in Fountain Valley, for the period of January 1, 2022 through January 31, 2023 for a management fee of \$3,200 per month plus other incurred expenses, including an additional renewal period of twelve (12) months.

Originator: Lorenzo Tyner

Attachments: [Agenda Report](#)
[Amendment No. 5](#)

**14. GENERAL MANAGER APPROVED PURCHASES AND ADDITIONS TO [2021-1990](#)
THE PRE-APPROVED OEM SOLE SOURCE LIST**

RECOMMENDATION:

- A. Receive and file Orange County Sanitation District purchases made under the General Manager’s authority for the period of July 1, 2021 to September 30, 2021; and
- B. Approve the following additions to the pre-approved OEM Sole Source List for the period of July 1, 2021 to September 30, 2021:
 - ACCUSONIC (A BRAND OF ADS LLC) - Maintenance and Repair of Accusonic Equipment
 - DR. KRISTY FORSGREN - Fish Liver Histopathology Analysis and Reporting
 - EATON - Uninterruptible Power Supply (UPS) Parts and Service
 - MOBIUS INSTITUTE - Mobius iLearnReliability Enterprise Training Product
 - NIXON-EGLI EQUIPMENT CO. - Modifications & Custom Equipment Installation on Welder Service Truck
 - OVIVO - Trickling Filter Materials and Repairs
 - TRIMBLE WATER - Trimble Unity Software and Support

Originator: Lorenzo Tyner

Attachments: [Agenda Report](#)

**15. IMPLEMENTATION OF SERVICENOW IT SERVICE MANAGEMENT [2021-1991](#)
SOFTWARE**

RECOMMENDATION:

- A. Approve a Professional Services Agreement to Computer Aid, Inc. (CAI) to provide ServiceNow IT Service Management software and implementation services, Specification No. CS-2021-1244BD, for a total amount not to exceed \$474,505; and
- B. Approve a contingency of 47,451 (10%).

Originator: Lorenzo Tyner

Attachments: [Agenda Report](#)
[CS-2021-1244BD Final Agreement](#)

16. **ORANGE COUNTY SANITATION DISTRICT ANNUAL COMPREHENSIVE FINANCIAL REPORT FOR THE YEAR END JUNE 30, 2021** [2021-1992](#)

RECOMMENDATION:

Receive and file the Orange County Sanitation District's Annual Comprehensive Financial Report (ACFR) for the year ended June 30, 2021, prepared by staff and audited by Macias Gini & O'Connell LLP (MGO), Certified Public Accountants, along with the following reports prepared by MGO:

1. Report to the Board of Directors; and
2. Independent Accountants' Report on Agreed-Upon Procedures Applied to Appropriations Limit Worksheets.

Originator: Lorenzo Tyner

Attachments: [Agenda Report](#)
[Report to the Board of Directors](#)
[Independent Accountant's Report on Applying Agreed-Upon Procedures Related to Appropriations Limit Calculation ACFR for the Year Ended 06-30-2021](#)
[Presentation - ACFR Staff](#)
[Presentation - MGO](#)

17. **SECTION 115 TRUST PENSION ACCOUNT CONTRACT AWARD** [2021-1993](#)

RECOMMENDATION:

- A. Approve a Professional Services Agreement to Public Agency Retirement Services to establish and oversee Orange County Sanitation District's Internal Revenue Service (IRS) Code Section 115 pension trust administration and investment management services;
- B. Adopt Resolution No. OC SAN 21-17 entitled: "A Resolution of the Board of Directors of Orange County Sanitation District Adopting a Post-Employment Benefit Trust Agreement with Public Agency Retirement Services; and Authorizing Officers to Execute Documents and Agreements"; and
- C. Authorize staff to make an initial investment of up to \$15 million into the Section 115 pension trust.

Originator: Lorenzo Tyner

Attachments: [Agenda Report](#)
[PARS Agreement](#)
[Resolution No. OC SAN 21-17 \(PARS\)](#)

LEGISLATIVE AND PUBLIC AFFAIRS COMMITTEE:**18. LEGISLATIVE AFFAIRS UPDATE FOR THE MONTHS OF SEPTEMBER/OCTOBER 2021 [2021-1982](#)****RECOMMENDATION:**

Receive and file the Legislative Affairs Update for the months of September and October 2021.

Originator: Jim Herberg

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

19. PUBLIC AFFAIRS UPDATE FOR THE MONTHS OF SEPTEMBER AND OCTOBER 2021 [2021-1983](#)**RECOMMENDATION:**

Receive and file the Public Affairs Update for the months of September and October 2021.

Originator: Jim Herberg

Attachments: [Agenda Report](#)
[Outreach Report September and October 2021](#)
[Presentation - Public Affairs Update](#)

STEERING COMMITTEE:**20. AMENDMENT NO. 4 TO THE REAL PROPERTY LEASE AGREEMENT, SPECIFICATION NO. L-018, WITH TREESAP FARMS, LLC. [2021-1998](#)****RECOMMENDATION:**

Approve Amendment No. 4 to the Real Property Lease Agreement, Specification No. L-018, with TreeSap Farms, LLC, providing for a lease extension effective December 1, 2021 through November 30, 2026, with the option to renew for one additional 5-year period, at an annual rate of \$8,623.74 plus the seasonally-adjusted change in the Consumer Price Index for all Urban Consumers.

Originator: Lorenzo Tyner

Attachments: [Agenda Report](#)
[Amendment No. 4 - TreeSap Farms](#)

21. AGREEMENT TO PROVIDE SEWERAGE SERVICES BY ORANGE COUNTY SANITATION DISTRICT TO A PORTION OF THE CITY OF LONG BEACH, CALIFORNIA [2021-2001](#)

RECOMMENDATION:

Approve the Agreement between the City of Long Beach Board of Water Commissioners and Orange County Sanitation District to provide Out of Service Area sewage collection and treatment services, in a form approved by General Counsel.

Originator: Kathy Millea

Attachments: [Agenda Report](#)
[Draft Out of Area Sewer Service Agreement](#)
[Presentation - Long Beach Out of Service Area Agreement](#)

NON-CONSENT:

22. HEALTH REIMBURSEMENT ARRANGEMENT REOPENER RESULTS FOR THE SUPERVISORY AND PROFESSIONAL MANAGEMENT GROUP [2021-1976](#)

RECOMMENDATION:

- A. Adopt Resolution No. OC SAN 21-19 entitled: "A Resolution of the Board of Directors of the Orange County Sanitation District approving the Health Reimbursement Arrangement (HRA) Plan for the Supervisory and Professional Management Group identified through the 2020-2021 HRA Reopener Negotiations";
- B. Approve the agreement with the Supervisory and Professional Management Group (SPMG) to implement the Health Reimbursement Arrangement (HRA; also referenced as Health Retirement Account in MOU) with employee-funded contributions in the form of mandatory vacation, sick and compensatory leave payouts.
- C. Authorize the Orange County Sanitation District to pay the annual administrative costs of the HRA plan for the SPMG bargaining units, for a maximum exposure of approximately \$8,250 annually, based on current headcounts.
- D. Direct staff to initiate the procurement process for an HRA consultant and/or vendor upon concluding negotiations with the remaining represented bargaining units (Local 501 and OCEA), in order to include all negotiated HRA plans as one package.

Originator: Celia Chandler

Attachments: [Agenda Report](#)
[Resolution No. OC SAN 21-19](#)

23. CONTINUATION OF TELECONFERENCED PUBLIC MEETINGS [2021-1966](#)

RECOMMENDATION:

Adopt Resolution No. OC SAN 21-20 entitled, "A Resolution of the Board of Directors of the Orange County Sanitation District authorizing the continuation of Remote Meetings pursuant to Government Code Section 54953".

Originator: Lorenzo Tyner

Attachments: [Agenda Report](#)
[Resolution No. OC SAN 21-20](#)

24. STRATEGIC PLAN 2021 [2021-1956](#)

RECOMMENDATION:

- A. Adopt the Orange County Sanitation District Strategic Plan 2021; and
- B. Direct staff to implement the goals contained in the Strategic Plan.

Originator: Jim Herberg

Attachments: [Agenda Report](#)
[Strategic Plan 2021](#)
[Presentation - Strategic Plan Adoption](#)

INFORMATION ITEMS:

None.

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 EXISTING LITIGATION - [2021-1995](#)
GOVERNMENT CODE SECTION 54956.9(d)(1)**

RECOMMENDATION: Convene in Closed Session:

Number of Cases: 3

- A. Gilbert Barela v. Orange County Sanitation District; Steve Thornburg; Roy Reynolds; and Does 1-100, inclusive. Superior Court of California, County of Orange, Case No. 30-2021-01220927-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](#)
[Memo re Barela Litigation Board 11-17-21](#)
[Memo re Janz Litigation Board 11-17-21](#)
[Memo re Palazuelos Litigation Board 11-17-21](#)

CS-2 CONFERENCE WITH LEGAL COUNSEL RE ANTICIPATED LITIGATION - GOVERNMENT CODE SECTION 54956.9(d)(4) [2021-1996](#)

RECOMMENDATION: Convene in Closed Session:

Number of Potential Cases: 2

- A. Potential litigation - Initiation of Litigation - Claim against California Department of Tax and Fee Administration, for reimbursement of sales tax paid on chemical purchases.
- B. Potential litigation - Initiation of Litigation - Claim against USS Cal Builders Inc. for pipeline repair costs.

Attachments: [Agenda Report](#)
[Memo re CA Department of Tax and Fee Administration Board 11-17-21](#)
[Memo re USS Cal Builders Inc Board 11-17-21](#)

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 December 15, 2021 at 6:00 p.m.