

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: 213 160 990#

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!

May 18, 2022

NOTICE OF REGULAR MEETING

BOARD OF DIRECTORS ORANGE COUNTY SANITATION DISTRICT

Wednesday, May 25, 2022 - 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 at the above location and in the manner indicated on Wednesday, May 25, 2022 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, May 25, 2022 - 6:00 PM **Board Room 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

Board Vice-Chairman Chad Wanke

INVOCATION AND PLEDGE OF ALLEGIANCE

Board Vice-Chairman Chad Wanke (Placentia)

ROLL CALL AND DECLARATION OF QUORUM

Clerk of the Board

PUBLIC COMMENTS:

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SPECIAL PRESENTATIONS:

1. NATIONAL WATER RESEARCH INSTITUTE (NWRI) SPECIAL PRESENTATION

2022-2300

Presentation of NWRI annual activity updates by NWRI Executive Director Kevin M. Hardy.

Originator: Kelly Lore

2. EMPLOYEE SERVICE AWARDS

2022-2305

30-year Service Award

William Moline, Operations Supervisor, Division 840

25-year Service Award

Julie Kardos, Engineering Assistant II, Division 770

20-year Service Award

Anthony Pimentel, Principal Environmental Specialist, Division 630

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.

ELECTIONS:

3. NOMINATIONS FOR CHAIRPERSON AND VICE CHAIRPERSON OF THE ORANGE COUNTY SANITATION DISTRICT BOARD OF DIRECTORS

2022-2175

RECOMMENDATION:

- A. Open nominations for Chairperson of the Board of Directors. (Election to be held at the regular June Board of Directors meeting unless only one candidate is nominated.)
- B. Open nominations for Vice Chairperson of the Board of Directors. (Election to be held at the regular June Board of Directors meeting unless only one candidate is nominated.)

Originator: Kelly Lore

Attachments: Agenda Report

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.

4. APPROVAL OF MINUTES

2022-2294

RECOMMENDATION:

Approve Minutes of the Regular Board of Directors Meeting held April 27, 2022.

Originator: Kelly Lore

Attachments: Agenda Report

04-27-2022 Board Meeting Minutes

RECEIVE AND FILE:

5. REPORT OF THE INVESTMENT TRANSACTIONS FOR THE MONTH 2021-2015
OF APRIL 2022

RECOMMENDATION: Receive and file the following:

Report of the Investment Transactions for the month of April 2022.

Originator: Lorenzo Tyner

Attachments: Agenda Report

Report of the Investment Transactions - April 2022

6. COMMITTEE MEETING MINUTES

2022-2060

RECOMMENDATION: Receive and file the following:

A. Minutes of the Steering Committee Meeting held March 23, 2022

- B. Minutes of the Operations Committee Meeting held April 6, 2022
- C. Minutes of the Legislative and Public Affairs Committee Meeting held April 11, 2022
- D. Minutes of the Administration Committee Meeting held April 13, 2022

Originator: Kelly Lore

Attachments: Agenda Report

03-23-2022 Steering Committee Minutes 04-06-2022 Operations Committee Minutes 04-11-2022 LaPA Committee Minutes

04-13-2022 Administration Committee Minutes

OPERATIONS COMMITTEE:

7. INSTALLATION AND DISPOSAL OF ACTIVATED CARBON FOR PLANT NO. 1 T&D ODOR CONTROL SYSTEM, SPECIFICATION NO. S-2022-1316BD

2022-2313

RECOMMENDATION:

- A. Approve a Purchase Order Contract to Karbonous, Inc. to provide Installation and Disposal of Activated Carbon for Plant No. 1 T&D Odor Control System, Specification No. S-2022-1316BD, for a total annual amount not to exceed \$202,920 for the period beginning August 1, 2022 through July 31, 2023, with four one-year renewal options; and
- B. Approve an annual contingency of \$20,292 (10%).

Originator: Riaz Moinuddin

Attachments: Agenda Report

8. SEAL BEACH PUMP STATION REPLACEMENT, PROJECT NO. 3-67

2022-2314

RECOMMENDATION:

Approve a Monitoring Wells Relocation Agreement between the Orange County Sanitation District and Orange County Water District for Seal Beach Pump Station Replacement, Project No. 3-67, in a form approved by General Counsel.

Originator: Kathy Millea

Attachments: Agenda Report

OCWD Monitoring Wells Relocation Agreement

9. PLANT NO. 2 OXYGEN REACTOR PURGE VALVE AND ACTUATOR ASSEMBLIES REPLACEMENT

2022-2315

RECOMMENDATION:

- A. Approve a Sole Source Purchase Order to Integrated Process Technologies for the purchase of four DeZurik 20" 316 SST Oxygen Cleaned Purge Air Control Valves and Limitorque Actuator assemblies for the Plant No. 2 Activated Sludge Plant in an amount not to exceed \$200,597; and
- B. Approve a contingency of \$20,059 (10%).

Originator: Riaz Moinuddin

Attachments: Agenda Report

10. DIRECT ACCESS ENERGY PURCHASE CONTRACT

2022-2316

RECOMMENDATION:

- A. Approve Master Service Agreements with two additional energy service providers:
 - Constellation NewEnergy and
 - NRG/Direct Energy; and
- B. Delegate to the General Manager and Purchasing Manager the authority to enter into Transaction Agreements, in a form approved by General Counsel, with the following energy service providers:
 - Shell Energy Solutions, or
 - Constellation NewEnergy, or
 - NRG/Direct Energy.

Originator: Riaz Moinuddin

Attachments: Agenda Report

Master Service Agreement - Constellation NewEnergy
Master Service Agreement NRG Direct Energy
Master Service Agreement - Shell Energy Solutions

11. SODIUM HYDROXIDE (CAUSTIC SODA) 50%, SPECIFICATION NO. C-2018-915BD - CONTINGENCY INCREASE

2022-2317

RECOMMENDATION:

Approve a unit price contingency increase of \$44.40 per dry ton (an additional 6% of the base cost) to the Liquid Caustic Soda (50%) contract with Brenntag Pacific for the term July 1, 2022 through June 30, 2023, for a new total contingency amount not to exceed \$112.80 per dry ton (16%) with a total estimated usage of \$481,153.

Originator: Riaz Moinuddin

Attachments: Agenda Report

12. LIQUID FERRIC CHLORIDE SPECIFICATION NO. C-2019-1037BD CONTINGENCY INCREASE

2022-2318

RECOMMENDATION:

- A. Approve a unit price contingency of \$175 per dry ton (26%) to the liquid Ferric Chloride Agreement with Pencco, Inc., Specification No.C-2019-1037BD, for the period beginning July 1, 2022 through June 30, 2023. New unit cost not to exceed \$849 per dry ton, for a total estimated annual amount of \$3,947,024;
- B. Approve a unit price contingency of \$277 per dry ton (40%) to the liquid Ferric Chloride Agreement with Kemira, Inc., Specification No.C-2019-1037BD, for the period beginning July 1, 2022 through June 30, 2023. New dry ton unit cost not to exceed \$965 per dry ton, for a total estimated annual amount of \$1,936,062; and
- C. Approve a fuel surcharge of 2.5% on Ferric Chloride deliveries from Kemira, Inc. with quarterly Consumer Price Index (CPI) adjustments.

Originator: Riaz Moinuddin

Attachments: Agenda Report

13. REGIONAL ODOR AND CORROSION CONTROL SERVICES (ROCCS) PROGRAM, SPECIFICATION NO. C-2017-899BD - CONTINGENCY INCREASE

2022-2319

RECOMMENDATION:

- A. Approve a chemical unit price contingency increase of \$146 per dry ton (an additional 20% of the base price) to the Ferrous Chloride Contract with Hill Brothers Chemical Company for the term July 1, 2022 through June 30, 2023, for a new total unit price contingency of \$257.30 per dry ton (35%) for total estimated usage of \$3,028,675;
- B. Approve a unit price contingency increase of 15% for application and field services fees for Ferrous Chloride with Hill Brothers Chemical Company for a new total unit price contingency of \$7.50 (30%);
- C. Approve a fuel surcharge of 4% on Ferrous Chloride deliveries with Hill Brothers Chemical Company, with quarterly Consumer Price Index (CPI) adjustments;
- D. Approve a chemical unit price contingency increase of \$65 per dry ton (an additional 12% of the base price) to the Magnesium Hydroxide Contract with Hill Brothers Chemical Company for the term July 1, 2022 through June 30, 2023, for a new total unit price contingency of \$146.26 per dry ton (27%) for total estimated usage of \$2,637,031; and
- E. Approve a chemical unit price contingency increase of \$0.58/gal (an additional 17% of the base price) to the Calcium Nitrate Contract with USP Technologies for the term July 1, 2022 through June 30, 2023, for a new total unit price contingency of \$1.06/gal (32%) a total estimated usage of \$847,427.

Originator: Riaz Moinuddin

Attachments: Agenda Report

ADMINISTRATION COMMITTEE:

14. CONSOLIDATED FINANCIAL REPORT FOR THE THIRD QUARTER ENDED MARCH 31, 2022

2022-2333

RECOMMENDATION:

Receive and file the Orange County Sanitation District Third Quarter Financial Report for the period ended March 31, 2022.

Originator: Lorenzo Tyner

Attachments: Agenda Report

Consolidated Financial Report for the Third Quarter Ended

March 31, 2022

15. GENERAL MANAGER APPROVED PURCHASES AND ADDITIONS TO <u>2022-2334</u> 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 January 1, 2022 to March 31, 2022; and
- B. Approve the following additions to the pre-approved OEM Sole Source List for the period of January 1, 2022 to March 31, 2022:
 - CARRIER CORPORATION Carrier Corporation HVAC Products
 - COOPER BESSEMER LSVB Engine Training
 - GATES FIBERGLASS INSTALLERS On-site/Field Fiberglass Tank & Ducting Repairs
 - TPC Training TPC Online Training and Certification Program
 - TRIMBLE WATER Trimble Unity Software License

Originator: Lorenzo Tyner

Attachments: Agenda Report

16. IBM TIVOLI MAXIMO AND WEBSPHERE (ENTERPRISEONE) ANNUAL 2022-2335 SUBSCRIPTION AND SUPPORT, SPECIFICATION NO. S-2019-1045BD

RECOMMENDATION:

- A. Approve a contingency increase of \$10,472 (6.03%) to the IBM Tivoli Maximo and Websphere (EnterpriseOne) Annual Subscription and support contract with Dataskill, Specification No. S-2019-1045BD, for the period July 1, 2022 through June 30, 2023, for a new total contingency amount not to exceed \$36,538 (21.03%); and
- B. Approve an annual contingency of \$34,754 (20%) for one remaining renewal period.

Originator: Lorenzo Tyner

Attachments: Agenda Report

LEGISLATIVE AND PUBLIC AFFAIRS COMMITTEE:

17. PUBLIC AFFAIRS UPDATE FOR THE MONTH OF APRIL 2022 20.

2022-2322

RECOMMENDATION:

Receive and file the Public Affairs Update for the month of April 2022.

Originator: Jim Herberg

Attachments: Agenda Report

Outreach and Media Summary Report - April 2022

OC Register CA Water Edition 2022

Wastewater 101 - Citizens Academy (Virtual)

Doing Business with OC San

18. PUBLIC AFFAIRS STRATEGIC PLAN FOR FISCAL YEARS 2020-2022 2022-2323 YEAR-END REPORT

RECOMMENDATION:

Receive and file the Public Affairs Strategic Plan for Fiscal Years 2020 - 2022 Year-End Report.

Originator: Jim Herberg

Attachments: Agenda Report

Public Affairs Strategic Plan FY 2020-2022 Presentation - PAO Strat Plan Yr End Report

19. LEGISLATIVE AFFAIRS UPDATE FOR THE MONTH OF APRIL 2022 2022-2324

RECOMMENDATION:

Receive and file the Legislative Affairs Update for the month of April 2022.

Originator: Jim Herberg

Attachments: Agenda Report

Federal Legislative Update - ENS Resources
Federal Legislative Matrix - ENS Resources
Presentation - ENS Legislative Update

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<u>State Legislative Update - TPA</u> State Legislative Matrix - TPA

Presentation - TPA Legislative Update

Grant Tracker 2022

STEERING COMMITTEE:

None.

NON-CONSENT:

20. CONTINUATION OF TELECONFERENCED PUBLIC MEETINGS

2022-2301

RECOMMENDATION:

Adopt Resolution No. OC SAN 22-14 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: Kelly Lore

Attachments: Agenda Report

Resolution No. OC SAN 22-14

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 THREAT TO PUBLIC SERVICES OR FACILITIES - GOVERNMENT CODE SECTION 54957(a)

<u>2022-2336</u>

RECOMMENDATION: Convene in Closed Session:

Consultation with the Information Technology Systems & Operations Manager regarding cyber security.

Attachments: Agenda Report

General Counsel Memo re Cyber Security Board 05-25-22

CS-2 CONFERENCE WITH LEGAL COUNSEL RE EXISTING LITIGATION - 2022-2337 GOVERNMENT CODE SECTION 54956.9(d)(1)

RECOMMENDATION: Convene in Closed Session:

Number of Cases: 1

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.

Attachments: Agenda Report

General Counsel Memo re Janz Litigation Board 05-25-22

CS-3 CONFERENCE WITH LABOR NEGOTIATORS - GOVERNMENT CODE 2022-2338 SECTION 54957.6

RECOMMENDATION: Convene in Closed Session:

Designated Representatives: General Manager James Herberg, Assistant General Managers Lorenzo Tyner and Rob Thompson, Director of Human Resources Celia Chandler, and Chief Negotiator Laura Kalty.

Employee Organizations: (3)

International Union of Operating Engineers, Local 501; Orange County Employees Association; and the Supervisors and Professionals Group.

Attachments: Agenda Report

General Counsel Memo re Labor Negotiations Board

05-25-22

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 June 22, 2022 at 6:00 p.m.