



## **ORANGE COUNTY SANITATION DISTRICT** **SPECIAL NOTICE REGARDING CORONAVIRUS (COVID-19)** **AND ATTENDANCE AT PUBLIC MEETINGS**

On March 4, 2020, Governor Newsom proclaimed a State of Emergency in California as a result of the threat of COVID-19. On March 12, 2020 and March 18, 2020, Governor Newsom issued Executive Order N-25-20 and Executive Order N-29-20, which temporarily suspends portions of the Brown Act which addresses the conduct of public meetings. On June 11, 2021, Governor Newsom issued Executive Order N-08-21, which continues the suspension of portions of the Brown Act which addresses the conduct of public meetings through September 30, 2021.

The General Manager and the Chairman of the Board of Directors have determined that due to the size of the Orange County Sanitation District'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. The Board of Directors meeting will be available to the public online at:

**<https://ocsd.legistar.com/Calendar.aspx>**

You may submit your comments and questions in writing for the Board's consideration in advance of the meeting by using the eComment feature available via the webpage above or sending them to [OCSanClerk@ocsd.com](mailto:OCSanClerk@ocsd.com) with the subject line "PUBLIC COMMENT ITEM # (insert the item number relevant to your comment)" or "PUBLIC COMMENT NON-AGENDA ITEM". Submit your written comments by 6:00 p.m. on Tuesday, June 22, 2021.

You may also submit comments and questions for the Board's consideration during the meeting by using the eComment feature that will be available via the webpage above for the duration of the meeting.

All public comments will be provided to the Board and may be read into the record or compiled as part of the record.

Thank you.

June 16, 2021

**NOTICE OF REGULAR MEETING**

**BOARD OF DIRECTORS  
ORANGE COUNTY SANITATION DISTRICT**

**Wednesday, June 23, 2021 – 6:00 P.M.**

**ACCESSIBILITY FOR THE GENERAL PUBLIC**

**Due to the spread of COVID-19, the Orange County Sanitation District will be holding all upcoming Board and Committee meetings by teleconferencing and Internet accessibility. This meeting will be available to the public online at:**

**<https://ocsd.legistar.com/Calendar.aspx>**

The Regular Meeting of the Board of Directors of the Orange County Sanitation District will be held in the manner indicated above on Wednesday, June 23, 2021 at 6:00 p.m.

  
\_\_\_\_\_  
Clerk of the Board

***Upcoming Meetings:***

**GWRS Steering Committee -  
Steering Committee -  
Board Meeting -**

**Monday, July 12, 2021 at 5:00 p.m.  
Wednesday, July 28, 2021 at 5:00 p.m.  
Wednesday, July 28, 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, June 23, 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.ocsd.com](http://www.ocsd.com) 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@ocsd.com](mailto:klore@ocsd.com) at least 14 days before the meeting.

**FOR ANY QUESTIONS ON THE AGENDA, BOARD MEMBERS MAY CONTACT STAFF AT:**

General Manager: Jim Herberg, [jherberg@ocsd.com](mailto:jherberg@ocsd.com) / (714) 593-7300  
Asst. General Manager: Lorenzo Tyner, [lttyner@ocsd.com](mailto:lttyner@ocsd.com) / (714) 593-7550  
Asst. General Manager: Rob Thompson, [rthompson@ocsd.com](mailto:rthompson@ocsd.com) / (714) 593-7310  
Director of Human Resources: Celia Chandler, [cchandler@ocsd.com](mailto:cchandler@ocsd.com) / (714) 593-7202  
Director of Engineering: Kathy Millea, [kmillea@ocsd.com](mailto:kmillea@ocsd.com) / (714) 593-7365  
Director of Environmental Services: Lan Wiborg, [lwiborg@ocsd.com](mailto:lwiborg@ocsd.com) / (714) 593-7450

**CALL TO ORDER**

Board Chairman David Shawver

**INVOCATION AND PLEDGE OF ALLEGIANCE**

Stacy Berry, City of Cypress

**ROLL CALL AND DECLARATION OF QUORUM**

Clerk of the Board

**PUBLIC COMMENTS:**

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*You may also submit comments and questions for the Board of Directors consideration during the meeting by using the eComment feature that will be available via the webpage above for the duration of the meeting. All public comments will be provided to the Board of Directors and may be read into the record or compiled as part of the record.*

**SPECIAL PRESENTATIONS:**

**SP-1 EMPLOYEE SERVICE AWARDS - JUNE 2021**

MarcoPolo Velasco, Principal Staff Analyst - 30 years  
Madankumar Patel, Senior Engineer - 20 years

**SP-2 RECOGNITION OF BOARD CHAIRMAN DAVID SHAWVER**

**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.*

**1. APPROVAL OF MINUTES**

**[2021-1655](#)**

**RECOMMENDATION:**

Approve Minutes of the Regular Meeting of the Board of Directors held May 26, 2021.

**Originator:** Kelly Lore

**Attachments:** [Agenda Report](#)  
[05-26-2021 Board Meeting Minutes](#)

**2. RESOLUTION NO. OC SAN 21-12 COMMENDING BOARD CHAIRMAN DAVID JOHN SHAWVER [2021-1645](#)**

RECOMMENDATION:

Adopt Resolution No. OC SAN 21-12, entitled: "A Resolution of the Board of Directors of the Orange County Sanitation District commending David John Shawver for his outstanding contributions and dedication to public service as Chairman of the Orange County Sanitation District's Board of Directors".

**Originator:** Kelly Lore

**Attachments:** [Agenda Report](#)  
[OC SAN 21-12 Dave Shawver Commendation](#)

RECEIVE AND FILE:

**3. COMMITTEE MEETING MINUTES [2021-1545](#)**

RECOMMENDATION: Receive and file the following:

- A. Minutes of the Steering Committee Meeting held April 28, 2021
- B. Minutes of the Operations Committee Meeting held May 5, 2021
- C. Minutes of the Administration Committee Meeting held May 12, 2021

**Originator:** Kelly Lore

**Attachments:** [Agenda Report](#)  
[04-28-2021 Steering Committee Minutes](#)  
[05-05-2021 Operations Committee Minutes](#)  
[05-12-2021 Administration Committee Minutes](#)

**4. REPORT OF THE INVESTMENT TRANSACTIONS FOR THE MONTH OF MAY 2021 [2021-1695](#)**

RECOMMENDATION: Receive and file the following:

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

**Originator:** Lorenzo Tyner

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

**OPERATIONS COMMITTEE:**

5. **COOPERATIVE PROCUREMENT WITH STATE OF CALIFORNIA, DEPARTMENT OF GENERAL SERVICES FOR FUEL PURCHASE PROGRAM** [2021-1690](#)

**RECOMMENDATION:**

- A. Authorize the use of the State of California, Department of General Services Master Service Agreement No. 5-19-99-19 with WEX Bank for Fleet Payment System Services for the period beginning July 1, 2021 through June 30, 2022, for a total not to exceed \$250,000, with four one-year renewal options; and
- B. Approve a \$50,000 (20%) contingency per year.

**Originator:** Rob Thompson

**Attachments:** [Agenda Report](#)

6. **AGREEMENT FOR NATURAL GAS, SPECIFICATION NO. C-2021-1227BD** [2021-1691](#)

**RECOMMENDATION:**

Approve the Master Retail Natural Gas Supply agreement with Constellation NewEnergy - Gas Division, LLC for the purchase of Natural Gas, Specification No. C-2021-1227BD, for the period August 1, 2021 through July 31, 2022 for \$0.035 per Million British Thermal Units (MMBtu) over the Natural Gas Intelligence Weekly Gas Price Index Monthly Bid for the SoCal Citygate for a total estimated annual cost of \$715,000 with four one-year renewal options.

**Originator:** Rob Thompson

**Attachments:** [Agenda Report](#)  
[Master Retail Natural Gas Supply Agreement](#)

7. **MANHOLE FRAME AND COVER REPLACEMENT SERVICES, SPECIFICATION NO. S-2019-1055BD** [2021-1692](#)

**RECOMMENDATION:**

Approve a contingency increase of \$120,433 (approximately 31%) to the Service Contract with Ayala Engineering for Manhole Frame and Cover Replacement Services, Specification No. S-2019-1055BD, for the period November 1, 2020 through October 31, 2021, for a new total contingency amount not to exceed \$178,966 (approximately 46%).

**Originator:** Rob Thompson

**Attachments:** [Agenda Report](#)



**11. COMPLETE ELECTRICAL DATA MANAGEMENT SOLUTION [2021-1711](#)**RECOMMENDATION:

- A. Award a Professional Services Agreement to AVO Multi-Amp Corporation dba Megger to provide Electrical Data Management Services, Specification No. CS-2021-1039BD-R, for a total amount not to exceed \$212,255; and
- B. Approve a contingency of \$31,838 (15%).

**Originator:** Lorenzo Tyner

**Attachments:** [Agenda Report](#)  
[CS-2021-1039BD-R Agreement](#)

**12. APPROVE A CONTINGENCY INCREASE TO EXISTING SERVICE CONTRACT FOR HAZARDOUS WASTE DISPOSAL SERVICES [2021-1712](#)**RECOMMENDATION:

Approve an annual contingency increase of \$150,000 (in addition to the original contingency of \$19,200 for a total annual contingency of \$169,200, in addition to the original contract amount of \$192,000) to the Service Contract with Clean Harbors Environmental Services, Inc., Specification No. S-2017-841, for hazardous waste services, for the contract term ending June 30, 2021, and for the contract term ending June 30, 2022.

**Originator:** Celia Chandler

**Attachments:** [Agenda Report](#)

**13. CLASSIFICATION & COMPENSATION STUDIES [2021-1713](#)**RECOMMENDATION:

- A. Approve a Professional Consultant Services Agreement to Gallagher Benefit Services, Inc. (previously Kaneko and Krammer Corp. dba Koff & Associates) to provide Classification and Compensation Services, Specification No. CS-2021-1229BD, for a total amount not to exceed \$243,660; and
- B. Approve a project contingency of \$24,366 (10%).

**Originator:** Celia Chandler

**Attachments:** [Agenda Report](#)  
[CS-2021-1229BD Agreement](#)

**14. 2021-22 PROPERTY - LIABILITY INSURANCE RENEWALS [2021-1715](#)**

RECOMMENDATION:

Approve the Orange County Sanitation District FY 2021-22 Property-Liability Insurance Renewals included in the FY 2021-22 Budget Update for the not-to-exceed amounts specified below:

Property and Boiler & Machinery - Not to Exceed	\$ 1,484,593
Excess General Liability Insurance - Not to Exceed	\$ 906,635
Excess Workers' Compensation Insurance - Not to Exceed	\$ 271,860
Earthquake Insurance - Not to Exceed	\$ 118,166
<b>TOTAL</b>	<b>\$ 2,781,254</b>

Includes Option #2 of the OC San 2021 Year Over Year Premiums Worksheet which is a reduction to the Flood Limit from \$100M to \$25M and an increase in the deductible from \$500,000 to \$1M.

**Originator:** Lorenzo Tyner

**Attachments:** [Agenda Report](#)  
[OC San 2021 Year Over Year Premiums Worksheet](#)

**LEGISLATIVE AND PUBLIC AFFAIRS COMMITTEE:**

None.

**STEERING COMMITTEE:**

**15. GENERAL MANAGER'S FY 2020-2021 WORK PLAN YEAR-END REPORT [2021-1720](#)**

RECOMMENDATION:

Receive and file the General Manager's FY 2020-2021 Work Plan Year-End Report.

**Originator:** Jim Herberg

**Attachments:** [Agenda Report](#)  
[General Manager's FY 2020-21 Work Plan Year-End Report](#)

**16. INTERIM FOOD WASTE RECEIVING FACILITY, PROJECT NO. P2-124 [2021-1721](#)**

RECOMMENDATION:

- A. Receive and file Bid Tabulation and Recommendation for Interim Food Waste Receiving Facility, Project No P2-124; and
- B. Reject all bids and direct staff to continue efforts to negotiate agreements with food waste pre-processors.

**Originator:** Kathy Millea

**Attachments:** [Agenda Report](#)

**NON-CONSENT:**

**17. PROPOSED FY 2021-22 BUDGET UPDATE**

**[2021-1716](#)**

**RECOMMENDATION:**

Approve the proposed Operating, Capital, Debt Service, and Self-Insurance Budgets for FY 2021-22 as follows:

	<b>FY 2021-22</b>
Net Operating	\$ 183,950,874
Self-Insurance - Workers' Comp.	\$ 841,860
Self-Insurance - Property & Gen. Liability	\$ 2,609,393
Net Capital Improvement Program	\$ 224,560,503
Debt/COP Service(1)	\$ 234,506,355
Intra-District Joint Equity Purchase/Sale(2)	\$ 3,500,000
<b>TOTAL</b>	<b>\$ 649,968,985</b>

(1)Includes \$163,775,355 in maturing and callable debt

(2)Cash to/from Revenue Area 14 (RA14) in exchange for capital assets to/from Consolidated Revenue Area 15 (RA15)

**Originator:** Lorenzo Tyner

**Attachments:** [Agenda Report](#)  
[Presentation - Proposed FY 2021-22 Budget Update](#)  
[Budget Update 2021-2022](#)

**18. PROPOSED ORDINANCE NO. OC SAN-57 UPDATING THE CAPITAL FACILITIES CAPACITY CHARGES ORDINANCE**

**[2021-1714](#)**

**RECOMMENDATION:**

- A. Introduce Ordinance No. OC SAN-57, entitled “An Ordinance of the Board of Directors of the Orange County Sanitation District Amending Requirements for Accessory Dwelling Unit Capital Facilities Capacity Charges, Restating Previously Adopted Charges, and Repealing Ordinance No. OCSD-50 and Ordinance No. OCSD-54”;
- B. Motion to read Ordinance No. OC SAN-57 by title only and waive reading of said entire Ordinance on June 23, 2021;
- C. Set July 28, 2021 as the date for the second reading of Ordinance No. OC SAN-57;

- D. Receive and file the Carollo Engineers letter dated June 2, 2021; and
- E. Direct the Clerk of the Board to publish summaries of the Ordinance as required by law.

**Originator:** Lorenzo Tyner

**Attachments:** [Agenda Report](#)  
[OC SAN-57 Redline](#)  
[OC SAN-57 Clean](#)  
[OCSD-54 Amending Ordinance OCSD-50](#)  
[OCSD-50 Capital Facilities Capacity Charges](#)  
[Carollo Engineers Letter Dated 06-02-21](#)

### **INFORMATION ITEMS:**

**19. ORANGE COUNTY SANITATION DISTRICT CORE VALUES [2021-1700](#)**

**RECOMMENDATION:**

Information Only.

**Originator:** Jim Herberg

**Attachments:** [Agenda Report](#)  
[Core Values - Redline](#)  
[Core Values - Clean](#)

### **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 - [2021-1722](#)  
GOVERNMENT CODE SECTION 54956.9(d)(1)**

RECOMMENDATION: Convene in Closed Session:

Number of Cases: 1

Bayside Village Marina, LLC v. Orange County Sanitation District; Orange County Sanitation District Board of Directors; and Does 1-25, Inclusive, Superior Court of the State of California for the County of Orange - Central Justice Center Case No. 30-2021-01194238-CU-WM-CXC.

**Originator:** Jim Herberg

**Attachments:** [Agenda Report](#)  
[Memo Bayside Village Marina Litigation](#)

**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 July 28, 2021 at 6:00 p.m.