



SPECIAL NOTICE
PUBLIC ATTENDANCE & PARTICIPATION AT PUBLIC MEETINGS
Board of Directors Meeting
Wednesday, August 23, 2023
6:00 p.m.

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.

IN-PERSON MEETING ATTENDANCE

You may attend the meeting in-person at the following location:

Orange County Sanitation District
Administration Building
10844 Ellis Avenue
Fountain Valley, CA 92708

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: 302 180 467#

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.

WATCH THE MEETING ONLINE

The meeting will be available for online viewing at:

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

SUBMIT A COMMENT

You may 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.

For any questions and/or concerns, please contact the Clerk of the Board's office at 714-593-7433. Thank you for your interest in OC San!

August 17, 2023

NOTICE OF REGULAR MEETING

**BOARD OF DIRECTORS
ORANGE COUNTY SANITATION DISTRICT**

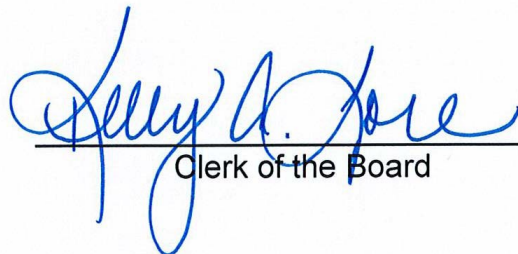
Wednesday, August 23, 2023 – 6:00 P.M.

Administration Building
10844 Ellis Avenue
Fountain Valley, CA 92708

ACCESSIBILITY FOR THE GENERAL PUBLIC

Your participation is always welcome. Specific information as to how to participate in this meeting is detailed on the Special Notice attached to this agenda. In general, OC San offers several ways in which to interact during this meeting: you may participate in person, 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, August 23, 2023 at 6:00 p.m.



Clerk of the Board

- 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, August 23, 2023 - 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 RECORDING: A 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: Rob Thompson, rthompson@ocsan.gov / (714) 593-7110
Asst. General Manager: Lorenzo Tyner, ltyner@ocsan.gov / (714) 593-7550
Director of Engineering: Mike Dorman, mdorman@ocsan.gov / (714) 593-7014
Director of Environmental Services: Lan Wiborg, lwiborg@ocsan.gov / (714) 593-7450
Director of Finance: Wally Ritchie, writchie@ocsan.gov / (714) 593-7570
Director of Human Resources: Laura Maravilla, lmavilla@ocsan.gov / (714) 593-7007
Director of Operations & Maintenance: Riaz Moinuddin, rmoinuddin@ocsan.gov / (714) 593-7269

CALL TO ORDER

Board Chairman Chad Wanke

INVOCATION AND PLEDGE OF ALLEGIANCE

Director Farrah Khan, City of Irvine

ROLL CALL AND DECLARATION OF QUORUM

Clerk of the Board

PUBLIC COMMENTS:

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SPECIAL PRESENTATIONS:

1. COMMENDATIONS TO OUTGOING BOARD MEMBERS [2023-3156](#)

RECOMMENDATION:

Commendation to Outgoing Board Member Steve Jones, City of Garden Grove

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.

PUBLIC HEARING:

2. COLLECTION OF SEWER SERVICE CHARGES VIA THE TAX ROLL [2023-2946](#)

RECOMMENDATION:

A. Conduct a public hearing to receive input on a report filed with the Clerk of the Board entitled: "Sewer Service Charges for Collection on Tax Rolls for Fiscal Year 2023-24":

1. Open the Public Hearing
2. Receive staff report and recommendations
3. Report of written communications by Clerk of the Board
4. Public Comment
5. Close Public Hearing
6. Discussion by Board of Directors;

- B. Unless there is a majority protest, adopt the Report, which has the assessor's parcel numbers and amount of charges for collection on the tax rolls;
- C. Adopt Resolution No. OC SAN 23-14 entitled: "A Resolution of the Board of Directors of the Orange County Sanitation District adopting the Report proposing to collect Sewer Service Fees on the Tax Roll for Fiscal Year 2023/2024";
- D. Authorize execution of the "Certification of Assessment";
- E. Direct staff to file a certified copy of the adopted Resolution, Report, and the Certification of Assessment with the County Auditor-Controller; and
- F. Direct staff to coordinate collection of sanitary sewer service charges on the general Orange County tax rolls with the County Auditor-Controller, Assessor, and Tax Collector.

Originator: Wally Ritchie

Attachments: [Agenda Report](#)
[Resolution No. OC SAN 23-14](#)
[Prop 218 Certification of Assessment](#)

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.

3. APPROVAL OF MINUTES [2023-3134](#)

RECOMMENDATION:

Approve minutes of the Regular meeting of the Board of Directors held July 26, 2023.

Originator: Kelly Lore

Attachments: [Agenda Report](#)
[07-26-2023 Board of Directors Meeting Minutes](#)

4. 2023 CONFLICT OF INTEREST CODE [2023-3128](#)

RECOMMENDATION:

Adopt Resolution No. OC SAN 23-15 entitled: "A Resolution of the Board of Directors of the Orange County Sanitation District adopting a Conflict of Interest Code which supersedes all prior Conflict of Interest Codes and amendments previously adopted".

Originator: Kelly Lore

Attachments: [Agenda Report](#)
[Resolution No. OC SAN 23-15](#)
[2023 Draft Conflict of Interest Code Update](#)

5. GENERAL MANAGER APPROVED PURCHASES AND ADDITIONS TO THE PRE-APPROVED OEM SOLE SOURCE LIST [2023-3139](#)

RECOMMENDATION:

- A. Receive and file Orange County Sanitation District purchases made under the General Manager’s authority for the period of April 1, 2023 to June 30, 2023; and
- B. Approve the following additions to the pre-approved OEM Sole Source List:
 - EVIDENT SCIENTIFIC, INC - Olympus IPLEX GX Videoscope and Related Accessories
 - NEWPORT DUNES RESORT AND MARINA - Marina Lease for Ocean Monitoring Program (OMP) Vessel
 - PHILADELPHIA MIXING SOLUTIONS LLC - Parts for Rebuild and Repairs of Gearbox for Aeration Basins

Originator: Wally Ritchie

Attachments: [Agenda Report](#)

RECEIVE AND FILE:

6. COMMITTEE MEETING MINUTES [2023-2728](#)

RECOMMENDATION: Receive and file the following:

Minutes of the Steering Committee Meeting held June 28, 2023.

Originator: Kelly Lore

Attachments: [Agenda Report](#)
[06-28-2023 Steering Committee Minutes](#)

7. REPORT OF THE INVESTMENT TRANSACTIONS FOR THE MONTH OF JULY 2023 [2023-2855](#)

RECOMMENDATION: Receive and file the following:

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

Originator: Wally Ritchie

Attachments: [Agenda Report](#)
[Report of the Investment Transactions - July 2023](#)

OPERATIONS COMMITTEE:

None.

ADMINISTRATION COMMITTEE:

None.

STEERING COMMITTEE:

8. LEGISLATIVE AFFAIRS UPDATE FOR THE MONTH OF JULY 2023 [2023-3160](#)

RECOMMENDATION:

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

Originator: Rob Thompson

Attachments: [Agenda Report](#)
[Federal Legislative Update](#)
[Federal Legislative Matrix](#)
[State Legislative Update](#)
[State Legislative Matrix](#)

9. PUBLIC AFFAIRS UPDATE FOR THE MONTH OF JULY 2023 [2023-3161](#)

RECOMMENDATION:

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

Originator: Rob Thompson

Attachments: [Agenda Report](#)
[Outreach & Media Report - July 2023](#)

10. AMENDMENTS TO ANNUAL PROFESSIONAL DESIGN SERVICES AGREEMENTS AND ON-CALL MAINTENANCE AND REPAIR MASTER SERVICES CONTRACTS [2023-3167](#)

RECOMMENDATION:

A. Approve Amendments to the following Annual Professional Design Services Agreements:

1. Amendment No. 3 - Arcadis U.S., Inc. FE21-00-02
2. Amendment No. 3 - Black & Veatch Corporation FE21-00-03
3. Amendment No. 3 - Brown and Caldwell FE21-00-04

4. Amendment No. 3 - CDM Smith, Inc. FE21-00-05
5. Amendment No. 3 - CIVILTEC Engineering, Inc. FE21-00-06
6. Amendment No. 3 - Dudek FE21-00-07
7. Amendment No. 3 - GHD, Inc. FE21-00-08
8. Amendment No. 3 - HDR Engineering, Inc. FE21-00-09
9. Amendment No. 4 - Ardurra Group, Inc. FE21-00-10 (*Successor firm*)
10. Amendment No. 3 - Kennedy/Jenks Consultants, Inc. FE21-00-11
11. Amendment No. 3 - Kleinfelder, Inc. FE21-00-12
12. Amendment No. 3 - Michael Baker International, Inc. FE21-00-13
13. Amendment No. 3 - ProjectLine Technical Services, Inc. FE21-00-14
14. Amendment No. 3 - SPEC Services, Inc. FE21-00-15
15. Amendment No. 3 - SVA Architects, Inc. FE21-00-16
16. Amendment No. 3 - Tetra Tech, Inc. FE21-00-17
17. Amendment No. 3 - Woodard & Curran, Inc. FE21-00-18; and

B. Approve Amendments to the following On-Call Maintenance and Repair Master Services Contracts:

1. Amendment No. 2 - Charles King Company S-2021-1234BD
2. Amendment No. 2 - Jamison Engineering Contractors, Inc. S-2021-1234BD
3. Amendment No. 2 - J.R. Filanc Construction Co., Inc. S-2021-1234BD
4. Amendment No. 2 - Shimmick Construction, Inc. S-2021-1234BD
5. Amendment No. 2 - W.A. Rasic Construction Company, Inc. S-2021-1234BD
6. Amendment No. 2 - Kiewit Infrastructure West Co. S-2021-1234BD
7. Amendment No. 2 - O'Connell Engineering & Construction, Inc. S-2021-1234BD

Originator: Wally Ritchie

Attachments: [Agenda Report](#)
[FE21-00-02 Amendment No. 3 - ARCADIS](#)
[FE21-00-03 Amendment No. 3 - Black and Veatch](#)
[FE21-00-04 Amendment No. 3 - Brown and Caldwell](#)
[FE21-00-05 Amendment No. 3 - CDM Smith](#)
[FE21-00-06 Amendment No. 3 - CIVILTEC](#)
[FE21-00-07 Amendment No. 3 - DUDEK](#)
[FE21-00-08 Amendment No. 3 - GHD, Inc.](#)
[FE21-00-09 Amendment No. 3 - HDR](#)
[FE21-00-10 Amendment No. 4 - Ardurra Group, Inc.](#)
[FE21-00-11 Amendment No. 3 - Kennedy/Jenks](#)
[FE21-00-12 Amendment No. 3 - Kleinfelder, Inc.](#)
[FE21-00-13 Amendment No. 3 - Michael Baker](#)
[FE21-00-14 Amendment No. 3 - ProjectLine](#)
[FE21-00-15 Amendment No. 3 - SPEC Services](#)
[FE21-00-16 Amendment No. 3 - SVA Architects](#)
[FE21-00-17 Amendment No. 3 - Tetra Tech](#)
[FE21-00-18 Amendment No. 3 - Woodard & Curran](#)
[S-2021-1234BD Amendment No. 2 - Charles King Company](#)
[S-2021-1234BD Amendment No. 2 - Jamison Engineering](#)
[S-2021-1234BD Amendment No. 2 - J.R. Filanc Construction](#)
[S-2021-1234BD Amendment No. 2 - Shimmick](#)
[S-2021-1234BD Amendment No. 2 - W.A. Rasic](#)
[S-2021-1234BD Amendment No. 2 - Kiewit](#)
[S-2021-1234BD Amendment No. 2 - O'Connell](#)

11. WASTEHAULER STATION SAFETY AND SECURITY IMPROVEMENTS, PROJECT NO. FE20-01

[2023-3162](#)

RECOMMENDATION:

Approve a contingency increase of \$101,387 (6%) to the construction contract with LEED Electric, Inc. for Wastehauler Station Safety and Security Improvements, Project No. FE20-01, for a total construction contingency of \$270,367 (16%).

Originator: Mike Dorman

Attachments: [Agenda Report](#)

12. UPDATE TO POSITION TITLES IN THE IDENTITY THEFT PREVENTION PROGRAM [2023-3163](#)**RECOMMENDATION:**

Adopt Resolution No. OC SAN 23-18 entitled: "A Resolution of the Board of Directors of the Orange County Sanitation District Adopting an Update to the Identity Theft Prevention Program in order to comply with the Fair and Accurate Credit Transaction Act of 2003; and Repealing Resolution No. OCSD 09-03".

Originator: Wally Ritchie

Attachments: [Agenda Report](#)
[Resolution No. OC SAN 23-18 \(Redlined\)](#)
[Resolution No. OC SAN 23-18 \(Final\)](#)

13. UPDATE TO FINANCIAL TRANSACTIONS POLICY [2023-3164](#)**RECOMMENDATION:**

Adopt Resolution No. OC SAN 23-19 entitled: "A Resolution of the Board of Directors of the Orange County Sanitation District, Authorizing the Establishment of Miscellaneous Banking Accounts, Establishing Policies Governing the Transactions related thereto, and Designating Employees to act on Orange County Sanitation District's behalf for said accounts; and Repealing Resolution No. OCSD 18-06".

Originator: Wally Ritchie

Attachments: [Agenda Report](#)
[Resolution No. OC SAN 23-19 \(Redlined\)](#)
[Resolution No. OC SAN 23-19 \(Final\)](#)
[Banking Agreement](#)

14. BENEFITS FOR UNREPRESENTED MANAGER GROUP EMPLOYEES [2023-3165](#)**RECOMMENDATION:**

Adopt Resolution No. OC SAN 23-16 entitled: "A Resolution of the Board of Directors of the Orange County Sanitation District Approving Benefits Adjustments for Unrepresented Manager Group Employees".

Originator: Laura Maravilla

Attachments: [Agenda Report](#)
[Resolution No. OC SAN 23-16 \(Managers\)](#)

15. GENERAL MANAGER'S COMPENSATION AND BENEFITS [2023-3166](#)**RECOMMENDATION:**

Adopt Resolution No. OC SAN 23-17 entitled: "A Resolution of the Board of Directors of the Orange County Sanitation District approving a salary increase and salary range adjustment for the General Manager for Fiscal Year 2023/2024." The increase consists of a salary range adjustment and corresponding salary increase of 8.5%, effective in the first pay period of July 2023.

Originator: Laura Maravilla

Attachments: [Agenda Report](#)
[Resolution No. OC SAN 23-17](#)
[General Manager Salary Schedule \(Proposed FY 23-24\)](#)
[General Manager At-Will Agreement 7-1-2023](#)

NON-CONSENT:**16. TREASURER'S REPORT FOR THE FOURTH QUARTER ENDED JUNE 30, 2023 [2023-2857](#)****RECOMMENDATION:**

Receive and file the Orange County Sanitation District Fourth Quarter Treasurer's Report for the period ended June 30, 2023.

Originator: Wally Ritchie

Attachments: [Agenda Report](#)
[Fourth Quarter Treasurer's Report for the Period Ended June 30, 2023](#)

17. BOARD OF DIRECTORS COMPENSATION [2023-3137](#)**RECOMMENDATION:**

- A. Introduce Ordinance No. OC SAN-62 entitled: "An Ordinance of the Board of Directors of the Orange County Sanitation District Pertaining to the Compensation of the Members of the Board of Directors, and Repealing Ordinance No. OCSD-34";
- B. Motion to read Ordinance No. OC SAN-62 by title only and waive reading of said entire Ordinance;
- C. Set September 27, 2023 as the date for the second reading, public hearing, and adoption of Ordinance No. OC SAN-62; and

- D. Direct the Clerk of the Board to publish summaries of the Ordinance as required by law.

Originator: Kelly Lore

Attachments: [Agenda Report](#)
[Ordinance No. OC SAN-62 \(Redlined\)](#)
[Ordinance No. OC SAN-62 Directors Compensation \(Clean\)](#)
[Ordinance No. OCSD-34](#)

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).

- Report from Board Delegate - ISDOC
- Report from Board Delegate - NWRI
- Report from Board Delegate - OCCOG
- Report from Board Delegate - SARFPA
- Report from GWRS Steering Committee Member(s)
- Other

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 - [2023-3168](#)
GOVERNMENT CODE SECTION 54956.9(d)(1)**

RECOMMENDATION: Convene in Closed Session:

Number of Cases: 1

- Alexis Tovar Solis and Jose Tovar v. Orange County Sanitation District; and Does 1-10, Superior Court of California, County of Los Angeles, Case No. 21STC24469.

Attachments: [Agenda Report](#)
[CS-1 Board CS Memo re Alexis Tovar Solis Jose Tovar 8-23-23](#)

CS-2 CONFERENCE WITH LEGAL COUNSEL RE ANTICIPATED LITIGATION - GOVERNMENT CODE SECTION 54956.9(d)(2) [2023-3169](#)

RECOMMENDATION: Convene in Closed Session:

Number of Potential Cases: 2

- A. Claim/Demand Letter received from Watt Tieder, on behalf of PCL Construction, Inc., re: Contract No. P2-98A for Project A-Side Primary Clarifiers Replacement at Plant 2. Claim regarding a Change Order Proposal RFC No. 44; and
- B. Claim/Compensation Request received from Carolyn Smuts re: Property Damage at 22202 Cape May Lane, Huntington Beach, CA 92646.

Attachments: [Agenda Report](#)
[CS-2A Board CS Memo re Watt Tieder Claim 8-23-23](#)
[CS-2B Board CS Memo re Smutts Claim 8-23-23](#)

CS-3 CONFERENCE WITH LEGAL COUNSEL RE ANTICIPATED LITIGATION - GOVERNMENT CODE SECTION 54956.9(d)(4) [2023-3170](#)

RECOMMENDATION: Convene in Closed Session:

Number of Potential Cases: 1

Potential initiation of litigation regarding Miller-Holder Rhone Lane Easement.

Attachments: [Agenda Report](#)
[CS-3 Board CS Memo re Miller-Holder 8-23-23](#)

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 meeting until the Regular Meeting of the Board of Directors on September 27, 2023 at 6:00 p.m.