



CALL TO ORDER

A meeting of the Legislative and Public Affairs Committee was called to order by Committee Chair Peter Kim on Monday, December 9, 2019 at 12:01 p.m. in the Administration Building of the Orange County Sanitation District. Chair Peter Kim led the pledge of allegiance.

DECLARATION OF QUORUM:

A quorum was declared present, as follows:

PRESENT: Peter Kim, Allan Bernstein, Lucille Kring, Erik Peterson, Christina Shea, David Shawver and John Withers
ABSENT: None

STAFF PRESENT:

Jim Herberg, General Manager; Robert Thompson, Assistant General Manager; Lorenzo Tyner, Assistant General Manager; Kathy Millea, Director of Engineering; Kelly Lore, Clerk of the Board; Jennifer Cabral; Tanya Chong; Daisy Covarrubias; Lisa Frigo; Al Garcia; Rebecca Long; Joshua Martinez; Kelly Newell; Wally Ritchie; and Ruth Zintzun.

OTHERS PRESENT:

Brad Hogin, General Counsel; Eric Sapirstein, ENS Resources (via teleconference); Eric O'Donnell, Townsend Public Affairs (TPA); and Cori Williams, Townsend Public Affairs (TPA).

PUBLIC COMMENTS:

None.

REPORTS:

Chair Kim and General Manager Jim Herberg did not provide a report.

CONSENT CALENDAR:

1. APPROVAL OF MINUTES

[2019-720](#)

Originator: Kelly Lore

MOVED, SECONDED, AND DULY CARRIED TO:

Approve Minutes of the Regular Meeting of the Legislative and Public Affairs Committee held November 4, 2019.

AYES: Peter Kim, Allan Bernstein, Lucille Kring, Erik Peterson and Christina Shea
NOES: None
ABSENT: David Shawver and John Withers
ABSTENTIONS: None

Board Chairman Dave Shawver arrived at the meeting at 12:03 p.m.

NON-CONSENT:

2. PUBLIC AFFAIRS UPDATE FOR THE MONTH OF NOVEMBER 2019 [2019-766](#)

Originator: Jim Herberg

Administration Manager Jennifer Cabral stated that to save time she would not be providing a report but noted that the Orange County Business Council will be in attendance at the December 18th Board meeting to present OCSD with an award. She also shared the upcoming holiday activities which will take place during the month.

At the request of Chair Kim, and in an effort to reduce paper, the Committee agreed to eliminate the hard copy version of the media clips previously provided in the printed agenda packet.

WITHOUT OBJECTION: Recommend to the Board of Directors to:

Receive and file the Public Affairs Update for the month of November 2019.

Board Vice-Chair John Withers arrived at the meeting at 12:20 p.m.

3. LEGISLATIVE AFFAIRS UPDATE FOR THE MONTH OF NOVEMBER 2019 [2019-779](#)

Originator: Jim Herberg

Eric Sapirstein from ENS Resources provided a PowerPoint presentation regarding key legislative activities: PFAS: National Defense Authorization Act, FY 2020 Appropriations Status, and Extended NPDES permit terms.

Eric O'Donnell from TPA provided a PowerPoint presentation regarding the legislation currently scheduled and a look ahead for the fiscal year 2020-2021 State budget; and Impact Fee legislation update.

WITHOUT OBJECTION: Recommend to the Board of Directors to:

Receive and file the Legislative Affairs Update for the month of November 2019.

4. **2020 LEGISLATIVE/REGULATORY PLAN** [2019-782](#)

Originator: Jim Herberg

MOVED, SECONDED, AND DULY CARRIED TO: Recommend to the Board of Directors to:

Approve the Orange County Sanitation District 2020 Legislative and Regulatory Plan.

AYES: Peter Kim, Allan Bernstein, Lucille Kring, Erik Peterson, Christina Shea, David Shawver and John Withers

NOES: None

ABSENT: None

ABSTENTIONS: None

5. **LEGISLATIVE CONCEPTS** [2019-785](#)

Originator: Jim Herberg

Cori Williams from TPA provided a PowerPoint presentation regarding the three legislative concepts for consideration and the proposed next steps needed to move forward to draft bill language and secure a bill author.

At the request of General Counsel an amended motion was made.

MOVED, SECONDED, AND DULY CARRIED TO:

Approve Legislative Concept 2: Amend Public Contracting Code for sanitation districts to allow sanitation districts, whose service area includes a population of more than 1 million, the opportunity to utilize Job Order Contracting as a bid procurement procedure. This change should be an addition to Public Contract Code, Division 2, Part 3, Chapter 1, Article 50; and

Approve only on the condition that General Counsel opines that authority under the Job Order Contracting process does not already exist currently.

~~Approve Legislative Concept 2: Amend Public Contracting Code for sanitation districts to allow sanitation districts, whose service area includes a population of more than 1 million, the opportunity to utilize Job Order Contracting as a bid procurement procedure. This change should be an addition to Public Contract Code, Division 2, Part 3, Chapter 1, Article 50.~~

AYES: Peter Kim, Allan Bernstein, Lucille Kring, Erik Peterson, Christina Shea, David Shawver and John Withers

NOES: None

ABSENT: None

ABSTENTIONS: None

INFORMATION ITEMS:

None.

DEPARTMENT HEAD REPORTS:

None.

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

None.

BOARD OF DIRECTORS INITIATED ITEMS FOR A FUTURE MEETING:

None.

ADJOURNMENT:

Chair Kim adjourned the meeting to the next Legislative and Public Affairs Committee meeting on Monday, February 10, 2020 at 12:00 p.m.

Submitted by:

Kelly A. Lore, MMC
Clerk of the Board