

# **ORANGE COUNTY SANITATION DISTRICT**

## **MINUTES**

### **BOARD OF DIRECTORS**

**FEBRUARY 26, 2020**



**Board Room  
Administration Building  
10844 Ellis Avenue  
Fountain Valley, CA 92708  
(714) 593-7433**

**CALL TO ORDER**

A regular meeting of the Board of Directors of the Orange County Sanitation District was called to order by Board Chairman David Shawver on February 26, 2020 at 6:06 p.m. in the Administration Building. Director Peter Kim delivered the invocation and led the Pledge of Allegiance.

**ROLL CALL AND DECLARATION OF QUORUM**

The Clerk of the Board stated that late communication regarding appointments to the Board of Directors had been received from the City of Villa Park.

**1. APPOINTMENTS TO THE ORANGE COUNTY SANITATION DISTRICT BOARD OF DIRECTORS [2020-902](#)**

**Originator:** Kelly Lore

WITHOUT OBJECTION AMENDED ACTION TAKEN TO:

Receive and file minute excerpts of member agencies relating to appointments to the Orange County Sanitation District Board of Directors:

<u>Agency</u>	<u>Director</u>	<u>Alternate Director</u>
City of Fountain Valley	Steve Nagel	Patrick Harper
City of Orange	Mark Murphy	Kim Nichols
City of Santa Ana	Cecilia Iglesias	David Penaloza
Board of Supervisors	Doug Chaffee	Donald P. Wagner

Additional minute excerpts of member agencies were received and filed related to appointments to the Orange County Sanitation District Board of Directors as follows:

City of Villa Park: Robert Collacott (Director), Chad Zimmerman (Alternate Director)

**ROLL CALL AND DECLARATION OF QUORUM**

The Clerk of the Board declared a quorum present as follows:

- PRESENT:** Brad Avery, Allan Bernstein, Doug Chaffee, Robert Collacott, James Ferryman, Cecilia Iglesias, Brooke Jones, Peter Kim, Lucille Kring, Sandra Massa-Lavitt, Richard Murphy, Steve Nagel, Andrew Nguyen, Glenn Parker, Erik Peterson, Tim Shaw, David Shawver, Christina Shea, Jesus Silva, Fred Smith, Chad Wanke, John Withers, Stacy Berry (Alternate), John O'Neill (Alternate) and Kim Nichols (Alternate)
- ABSENT:** None

Chair Shawver introduced Huntington Beach Alternate Director Lyn Semeta and Villa Park Alternate Director Chad Zimmerman who were in the audience.

**STAFF MEMBERS PRESENT:** Jim Herberg, General Manager; Rob Thompson, Assistant General Manager; Lorenzo Tyner, Assistant General Manager; Celia Chandler, Director of

Human Resources; Kathy Millea, Director of Engineering; Lan Wiborg, Director of Environmental Services; Kelly Lore, Clerk of the Board; Mike Dorman, Al Garcia, Tina Knapp, Jeff Mohr, Kelly Newell, Alan Ralph, and Wally Ritchie.

**OTHERS PRESENT:**

Brad Hogin (General Counsel); Bob Ooten, Alternate Director (CMSD).

**PUBLIC COMMENTS:**

None.

**SPECIAL PRESENTATIONS:**

Assistant General Manager Rob Thompson presented a 30-year service award to Alan Ralph, Maintenance Supervisor, Division 870.

**REPORTS:**

Chair Shawver stated that a ceremony for the Honor Walk program honoring retired, former employees, and Board Members who have made a significant contribution to OCSD would be held at 4 p.m. on June 24, 2020. He noted that nomination forms were distributed and will be accepted through March 13.

Chair Shawver stated that the meeting would be adjourned tonight in memory of two distinguished people. General Manager Jim Herberg spoke about the two individuals. First, former Board Chairman John C. Cox Jr. who was appointed to the Board of Directors from the City of Newport Beach in 1980. During his tenure in office, John served not only as the Sanitation District's Board Chairman, he also served as Vice-Chairman, Director for District's 5, 6 & 7, and as a member and contributor to over 10 Standing and Special Committees over the course of 16 years.

Mr. Herberg went on to say that Mr. Cox devoted many hours and much energy to the OCSD's wastewater management program. He was an active environmental leader and represented the Sanitation District as a member of the Interagency AQMP Implementation Committee, the Regulatory Advisory Planning Commission, and as a member of the Ad Hoc Committee regarding landfill issues. He also exhibited an active interest in the welfare and training of the employees and was a fair and impartial leader who was great to work with and whose generous and meritorious service will not be forgotten.

Secondly, Mr. Herberg stated that the second individual was Tomm McElroy, a 30-year employee of OCSD who had worked at the agency from 1989 as an Electrical Maintenance Worker and more recently worked as an Electrical Technician II at Plant No. 2. Tomm will be remembered for his good humor, being the voice of reason, and his commitment to the safety and well-being of his coworkers. His presence will certainly be missed at OCSD.

Mr. Herberg reported the efforts of OCSD monitoring the development of the Coronavirus and the steps the agency is taking to minimize risk.

Mr. Herberg also reported on the following: staff's attendance at the CASA Federal Policy Forum and meetings with Environmental Protection Agency; and two awards that were recently presented - American Academy of Environmental Engineers & Scientist grand prize in Planning for the Climate Resiliency and Adaptation Plan and the California Municipal Treasurers Association Investment Policy certification.

**CONSENT CALENDAR:****2. APPROVAL OF MINUTES**[2020-875](#)

**Originator:** Kelly Lore

MOVED, SECONDED, AND DULY CARRIED TO:

Approve Minutes of the Regular Meeting of the Board of Directors held January 22, 2020.

**AYES:** Brad Avery, Allan Bernstein, Doug Chaffee, Robert Collacott, James Ferryman, Cecilia Iglesias, Brooke Jones, Peter Kim, Lucille Kring, Sandra Massa-Lavitt, Richard Murphy, Andrew Nguyen, Glenn Parker, Erik Peterson, Tim Shaw, David Shawver, Christina Shea, Jesus Silva, Fred Smith, Chad Wanke, John Withers, Stacy Berry (Alternate), John O'Neill (Alternate) and Kim Nichols (Alternate)

**NOES:** None

**ABSENT:** None

**ABSTENTIONS:** Steve Nagel

**RECEIVE AND FILE:****3. REPORT OF THE INVESTMENT TRANSACTIONS FOR THE MONTH OF JANUARY 2020**[2020-904](#)

**Originator:** Lorenzo Tyner

WITHOUT OBJECTION ACTION TAKEN TO:

Report of the Investment Transactions for the month of January 2020.

**4. COMMITTEE MEETING MINUTES**[2020-919](#)

**Originator:** Kelly Lore

WITHOUT OBJECTION ACTION TAKEN TO:

- A. Minutes of the Operations Committee Meeting held December 4, 2019
- B. Minutes of the Legislative and Public Affairs Committee held December 9, 2019
- C. Minutes of the Administration Committee Meeting held December 11, 2019
- D. Minutes of the Steering Committee Meeting held December 18, 2019

**OPERATIONS COMMITTEE:**

**5. CAPITAL IMPROVEMENT PROGRAM CONTRACT PERFORMANCE REPORT [2020-911](#)**

**Originator:** Kathy Millea

MOVED, SECONDED, AND DULY CARRIED TO:

Receive and file the Capital Improvement Program Contract Performance Report for the period ending December 31, 2019.

**AYES:** Brad Avery, Allan Bernstein, Doug Chaffee, Robert Collacott, James Ferryman, Cecilia Iglesias, Brooke Jones, Peter Kim, Lucille Kring, Sandra Massa-Lavitt, Richard Murphy, Steve Nagel, Andrew Nguyen, Glenn Parker, Erik Peterson, Tim Shaw, David Shawver, Christina Shea, Jesus Silva, Fred Smith, Chad Wanke, John Withers, Stacy Berry (Alternate), John O'Neill (Alternate) and Kim Nichols (Alternate)

**NOES:** None

**ABSENT:** None

**ABSTENTIONS:** None

**6. WESTMINSTER BOULEVARD FORCE MAIN REPLACEMENT, PROJECT NO. 3-62 [2020-912](#)**

**Originator:** Kathy Millea

MOVED, SECONDED, AND DULY CARRIED TO:

Approve a Sewer Relocation Agreement between the Orange County Sanitation District and the Midway City Sanitary District.

**AYES:** Brad Avery, Allan Bernstein, Doug Chaffee, Robert Collacott, James Ferryman, Cecilia Iglesias, Brooke Jones, Peter Kim, Lucille Kring, Sandra Massa-Lavitt, Richard Murphy, Steve Nagel, Andrew Nguyen, Glenn Parker, Erik Peterson, Tim Shaw, David Shawver, Christina Shea, Jesus Silva, Fred Smith, Chad Wanke, John Withers, Stacy Berry (Alternate), John O'Neill (Alternate) and Kim Nichols (Alternate)

**NOES:** None

**ABSENT:** None

**ABSTENTIONS:** None

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7. **PLANT NO. 2 DEWATERING CENTRIFUGE SPARE ROTATING ASSEMBLY AND GEARBOX** [2020-913](#)

**Originator:** Rob Thompson

MOVED, SECONDED, AND DULY CARRIED TO:

- A. Approve a Sole Source Purchase Order contract for the procurement of one spare rotating assembly and gearbox for the Alfa Laval Centrifuges, Model ALDEC G3-125, for an amount not to exceed \$435,756, plus applicable sales tax and shipping; and
- B. Approve a contingency of \$43,576 (10%).

**AYES:** Brad Avery, Allan Bernstein, Doug Chaffee, Robert Collacott, James Ferryman, Cecilia Iglesias, Brooke Jones, Peter Kim, Lucille Kring, Sandra Massa-Lavitt, Richard Murphy, Steve Nagel, Andrew Nguyen, Glenn Parker, Erik Peterson, Tim Shaw, David Shawver, Christina Shea, Jesus Silva, Fred Smith, Chad Wanke, John Withers, Stacy Berry (Alternate), John O'Neill (Alternate) and Kim Nichols (Alternate)

**NOES:** None

**ABSENT:** None

**ABSTENTIONS:** None

8. **ON CALL PLANT NO. 1 & PLANT NO. 2 MEDIUM VOLTAGE CABLE TESTING SERVICES (MP-320)** [2020-914](#)

**Originator:** Rob Thompson

MOVED, SECONDED, AND DULY CARRIED TO:

- A. Approve a three-year service contract with Halco Service Corp. for assessment and testing of Plant No.1 and Plant No. 2 medium voltage cables per Specification No. S-2019-1107BD, for a total amount not to exceed \$491,655; and
- B. Approve a contingency of \$73,748 (15%).

**AYES:** Brad Avery, Allan Bernstein, Doug Chaffee, Robert Collacott, James Ferryman, Cecilia Iglesias, Brooke Jones, Peter Kim, Lucille Kring, Sandra Massa-Lavitt, Richard Murphy, Steve Nagel, Andrew Nguyen, Glenn Parker, Erik Peterson, Tim Shaw, David Shawver, Christina Shea, Jesus Silva, Fred Smith, Chad Wanke, John Withers, Stacy Berry (Alternate), John O'Neill (Alternate) and Kim Nichols (Alternate)

**NOES:** None

**ABSENT:** None

**ABSTENTIONS:** None

**9. COOPERATIVE PROCUREMENT WITH W.W. GRAINGER** [2020-915](#)

**Originator:** Rob Thompson

MOVED, SECONDED, AND DULY CARRIED TO:

Approve a Blanket Purchase Order with W.W. Grainger, Inc. for the purchase of maintenance tools and supplies, in accordance with Ordinance No. OCSD-52, Section 2.03(B): Cooperative Procurement; for the period beginning March 1, 2020 through February 28, 2021, with two one-year renewal options, for a total amount not to exceed \$275,000 per year.

**AYES:** Brad Avery, Allan Bernstein, Doug Chaffee, Robert Collacott, James Ferryman, Cecilia Iglesias, Brooke Jones, Peter Kim, Lucille Kring, Sandra Massa-Lavitt, Richard Murphy, Steve Nagel, Andrew Nguyen, Glenn Parker, Erik Peterson, Tim Shaw, David Shawver, Christina Shea, Jesus Silva, Fred Smith, Chad Wanke, John Withers, Stacy Berry (Alternate), John O'Neill (Alternate) and Kim Nichols (Alternate)

**NOES:** None

**ABSENT:** None

**ABSTENTIONS:** None

**10. PLANT NO. 1 PURCHASE OF PROGRESSIVE CAVITY PUMP REPLACEMENT PARTS** [2020-916](#)

**Originator:** Rob Thompson

MOVED, SECONDED, AND DULY CARRIED TO:

A. Approve a Sole Source Purchase Order to Cortech Engineering for the purchase of eight Seepex pump rotors and one stator for the sludge thickening and dewatering facility, for a total amount not to exceed \$216,210, plus applicable sales tax and shipping; and

B. Approve a contingency of \$21,620 (10%).

**AYES:** Brad Avery, Allan Bernstein, Doug Chaffee, Robert Collacott, James Ferryman, Cecilia Iglesias, Brooke Jones, Peter Kim, Lucille Kring, Sandra Massa-Lavitt, Richard Murphy, Steve Nagel, Andrew Nguyen, Glenn Parker, Erik Peterson, Tim Shaw, David Shawver, Christina Shea, Jesus Silva, Fred Smith, Chad Wanke, John Withers, Stacy Berry (Alternate), John O'Neill (Alternate) and Kim Nichols (Alternate)

**NOES:** None

**ABSENT:** None

**ABSTENTIONS:** None

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11. **ELECTRICAL POWER DISTRIBUTION SYSTEM IMPROVEMENTS, PROJECT NO. J-98** [2020-917](#)

**Originator:** Kathy Millea

MOVED, SECONDED, AND DULY CARRIED TO:

A. Approve a Professional Design Services Agreement with Brown and Caldwell to provide engineering services for the Electrical Power Distribution System Improvements, Project No. J-98, for an amount not to exceed \$2,240,000; and

B. Approve a contingency of \$224,000 (10%).

**AYES:** Brad Avery, Allan Bernstein, Doug Chaffee, Robert Collacott, James Ferryman, Cecilia Iglesias, Brooke Jones, Peter Kim, Lucille Kring, Sandra Massa-Lavitt, Richard Murphy, Steve Nagel, Andrew Nguyen, Glenn Parker, Erik Peterson, Tim Shaw, David Shawver, Christina Shea, Jesus Silva, Fred Smith, Chad Wanke, John Withers, Stacy Berry (Alternate), John O'Neill (Alternate) and Kim Nichols (Alternate)

**NOES:** None

**ABSENT:** None

**ABSTENTIONS:** None

12. **FLEET PURCHASE OF ONE SEDAN, SIX LIGHT-DUTY TRUCKS, AND THREE VANS** [2020-918](#)

**Originator:** Rob Thompson

MOVED, SECONDED, AND DULY CARRIED TO:

A. Approve a Purchase Order to National Auto Fleet Group for the purchase of one new/unused Toyota Prius sedan, three new/unused F150 trucks, three new/unused F250 Utility Body trucks, one new/unused Transit Connect Van, and two new/unused Transit Cargo Vans using Sourcewell (formerly National Joint Powers Alliance) Cooperative Contract No. 120716-NAF, for a total amount of \$357,312 plus freight; and

B. Approve a contingency of \$17,866 (5%).

**AYES:** Brad Avery, Allan Bernstein, Doug Chaffee, Robert Collacott, James Ferryman, Cecilia Iglesias, Brooke Jones, Peter Kim, Lucille Kring, Sandra Massa-Lavitt, Richard Murphy, Steve Nagel, Andrew Nguyen, Glenn Parker, Erik Peterson, Tim Shaw, David Shawver, Christina Shea, Jesus Silva, Fred Smith, Chad Wanke, John Withers, Stacy Berry (Alternate), John O'Neill (Alternate) and Kim Nichols (Alternate)

**NOES:** None

**ABSENT:** None

**ABSTENTIONS:** None



**ADMINISTRATION COMMITTEE:****13. GENERAL MANAGER APPROVED PURCHASES AND ADDITIONS TO THE PRE-APPROVED OEM SOLE SOURCE LIST [2020-943](#)**

**Originator:** Lorenzo Tyner

MOVED, SECONDED, AND DULY CARRIED TO:

- A. Receive and file Orange County Sanitation District purchases made under the General Manager's authority for the period of October 1, 2019 to December 31, 2019; and
- B. Approve the following additions to the pre-approved OEM Sole Source List for the period of October 1, 2019 to December 31, 2019:
- ALFA LAVAL - Parts and Repairs for Centrifuge Rotating Assembly
  - CHEVRON - Chevron 5200 HDAX Low Ash 40 Lubricating Oil
  - EMERSON/CALtrol - Fisher Valve Training for Instrumentation Technicians
  - FLEXIM - Flow Meters
  - INTERSCAN/GAS DETECTION - 2 Point H2S Monitoring Systems
  - PATTERSON - Pumps and Parts
  - SOLAR TURBINES - Generator Parts and Repairs
  - TRANE COMPANY - Equipment, Parts, Maintenance, Repairs, and Training
  - TRIDENT - Actuator Parts and Repairs
  - TURVAC - Alignment Certification Training

**AYES:** Brad Avery, Allan Bernstein, Doug Chaffee, Robert Collacott, James Ferryman, Cecilia Iglesias, Brooke Jones, Peter Kim, Lucille Kring, Sandra Massa-Lavitt, Richard Murphy, Steve Nagel, Andrew Nguyen, Glenn Parker, Erik Peterson, Tim Shaw, David Shawver, Christina Shea, Jesus Silva, Fred Smith, Chad Wanke, John Withers, Stacy Berry (Alternate), John O'Neill (Alternate) and Kim Nichols (Alternate)

**NOES:** None

**ABSENT:** None

**ABSTENTIONS:** None

**14. MID-YEAR CONSOLIDATED FINANCIAL REPORT FOR THE PERIOD ENDED DECEMBER 31, 2019 [2020-946](#)**

**Originator:** Lorenzo Tyner

MOVED, SECONDED, AND DULY CARRIED TO:

Receive and file the Orange County Sanitation District Mid-Year Financial Report for the period ended December 31, 2019.

**AYES:** Brad Avery, Allan Bernstein, Doug Chaffee, Robert Collacott, James Ferryman, Cecilia Iglesias, Brooke Jones, Peter Kim, Lucille Kring, Sandra Massa-Lavitt, Richard Murphy, Steve Nagel, Andrew Nguyen, Glenn Parker, Erik Peterson, Tim Shaw, David Shawver, Christina Shea, Jesus Silva, Fred Smith, Chad Wanke, John Withers, Stacy Berry (Alternate), John O'Neill (Alternate) and Kim Nichols (Alternate)

**NOES:** None

**ABSENT:** None

**ABSTENTIONS:** None

15. **CONSIDERATION OF BUDGET ASSUMPTIONS AND BUDGET CALENDAR FOR PREPARATION OF THE FISCAL YEARS 2020-21 AND 2021-22 BUDGET** [2020-947](#)

**Originator:** Lorenzo Tyner

MOVED, SECONDED, AND DULY CARRIED TO:

Approve the FY 2020-21 budget assumptions and direct staff to incorporate these parameters in preparing the FY 2020-21 and 2021-22 budget.

**AYES:** Brad Avery, Allan Bernstein, Doug Chaffee, Robert Collacott, James Ferryman, Cecilia Iglesias, Brooke Jones, Peter Kim, Lucille Kring, Sandra Massa-Lavitt, Richard Murphy, Steve Nagel, Andrew Nguyen, Glenn Parker, Erik Peterson, Tim Shaw, David Shawver, Christina Shea, Jesus Silva, Fred Smith, Chad Wanke, John Withers, Stacy Berry (Alternate), John O'Neill (Alternate) and Kim Nichols (Alternate)

**NOES:** None

**ABSENT:** None

**ABSTENTIONS:** None

**LEGISLATIVE AND PUBLIC AFFAIRS COMMITTEE:**

16. **PUBLIC AFFAIRS UPDATE FOR THE MONTHS OF DECEMBER 2019 AND JANUARY 2020** [2020-923](#)

**Originator:** Jim Herberg

MOVED, SECONDED, AND DULY CARRIED TO:

Receive and file the Public Affairs Update for the months of December 2019 and January 2020.

**AYES:** Brad Avery, Allan Bernstein, Doug Chaffee, Robert Collacott, James Ferryman, Cecilia Iglesias, Brooke Jones, Peter Kim, Lucille Kring, Sandra Massa-Lavitt, Richard Murphy, Steve Nagel, Andrew Nguyen, Glenn Parker, Erik Peterson, Tim Shaw, David Shawver, Christina Shea, Jesus Silva, Fred Smith, Chad Wanke, John Withers, Stacy Berry (Alternate), John O'Neill (Alternate) and Kim Nichols (Alternate)

**NOES:** None

**ABSENT:** None

**ABSTENTIONS:** None

**17. LEGISLATIVE AFFAIRS UPDATE FOR THE MONTH OF JANUARY 2020** [2020-924](#)

**Originator:** Jim Herberg

MOVED, SECONDED, AND DULY CARRIED TO:

Receive and file the Legislative Affairs Update for the month of January 2020.

**AYES:** Brad Avery, Allan Bernstein, Doug Chaffee, Robert Collacott, James Ferryman, Cecilia Iglesias, Brooke Jones, Peter Kim, Lucille Kring, Sandra Massa-Lavitt, Richard Murphy, Steve Nagel, Andrew Nguyen, Glenn Parker, Erik Peterson, Tim Shaw, David Shawver, Christina Shea, Jesus Silva, Fred Smith, Chad Wanke, John Withers, Stacy Berry (Alternate), John O'Neill (Alternate) and Kim Nichols (Alternate)

**NOES:** None

**ABSENT:** None

**ABSTENTIONS:** None

**STEERING COMMITTEE:**

**18. SINGAPORE INTERNATIONAL WATER WEEK 2020 ATTENDANCE** [2020-948](#)

**Originator:** Rob Thompson

MOVED, SECONDED, AND DULY CARRIED TO:

Approve out-of-country travel to Singapore for Rob Thompson to participate in the Singapore International Water Week to present on water recycling, resource recovery, and resiliency, contingent on receipt of \$2,000 in scholarship funding to offset travel costs.

**AYES:** Brad Avery, Allan Bernstein, Doug Chaffee, Robert Collacott, James Ferryman, Cecilia Iglesias, Brooke Jones, Peter Kim, Lucille Kring, Sandra Massa-Lavitt, Richard Murphy, Steve Nagel, Andrew Nguyen, Glenn Parker, Erik Peterson, Tim Shaw, David Shawver, Christina Shea, Jesus Silva, Fred Smith, Chad Wanke, John Withers, Stacy Berry (Alternate), John O'Neill (Alternate) and Kim Nichols (Alternate)

**NOES:** None  
**ABSENT:** None  
**ABSTENTIONS:** None

**NON-CONSENT:**

None.

**INFORMATION ITEMS:**

None.

**AB 1234 DISCLOSURE REPORTS:**

Director Ferryman reported on recent meetings of NWRI; OCCOG and Borders Committee.

Chairman Shawver provided a report of his recent attendance at the Winter CASA conference.

**CLOSED SESSION:**

**CONVENED IN CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTIONS 54956.9(d)(1), 54956.9(d)(4) & 54956.8:**

The Board convened in closed session at 6:28 p.m. to discuss two items. Items No. CS-2 & CS-3 were not heard. Confidential minutes of the Closed Session have been prepared in accordance with the above Government Code Sections and are maintained by the Clerk of the Board in the Official Book of Confidential Minutes of Board and Committee Closed Session Meetings.

**CS-1 CONFERENCE WITH LEGAL COUNSEL RE EXISTING LITIGATION - [2020-931](#)  
GOVERNMENT CODE SECTION 54956.9(D)(1)**

CONVENED IN CLOSED SESSION:

Unanimously approved settlement agreement.

OCSD v. Mission Clay Pipe et al., Orange County Superior Court Case No. 30-2017-00942372-CU-BC-CJC

**AYES:** Brad Avery, Allan Bernstein, Doug Chaffee, Robert Collacott, James Ferryman, Cecilia Iglesias, Brooke Jones, Peter Kim, Lucille Kring, Sandra Massa-Lavitt, Richard Murphy, Steve Nagel, Andrew Nguyen, Glenn Parker, Erik Peterson, Tim Shaw, David Shawver, Christina Shea, Jesus Silva, Fred Smith, Chad Wanke, John Withers, Stacy Berry (Alternate), John O'Neill (Alternate) and Kim Nichols (Alternate)

**NOES:** None

**ABSENT:** None

**ABSTENTIONS:** None

**CS-2 CONFERENCE WITH LEGAL COUNSEL RE ANTICIPATED LITIGATION - GOVERNMENT CODE SECTION 54956.9(d)(4)**

[2020-932](#)

ITEM NOT HEARD

Number of Potential Cases: 1

Initiation of litigation regarding development fees and conditions at Project OCSD Headquarters Building: City of Fountain Valley

**CS-3 CONFERENCE WITH REAL PROPERTY NEGOTIATORS - GOVERNMENT CODE SECTION 54956.8**

[2020-933](#)

ITEM NOT HEARD

Property: 18475 Bandilier Cir. Fountain Valley, CA - APN No.156-163-15

Agency negotiators: General Manager, Jim Herberg; Assistant General Manager, Lorenzo Tyner; Assistant General Manager, Rob Thompson; and Director of Engineering, Kathy Millea.

Negotiating parties: Sukut Real Properties II, LLC

Under negotiation: Price and terms of payment

**CS-4 CONFERENCE WITH REAL PROPERTY NEGOTIATORS - GOVERNMENT CODE SECTION 54956.8**

[2020-939](#)

CONVENED IN CLOSED SESSION:

Property: 7292 Slater Avenue Huntington Beach, CA - APN No. 156-163-15

Agency negotiators: General Manager, Jim Herberg; Assistant General Manager, Lorenzo Tyner; and Assistant General Manager, Rob Thompson.

Negotiating parties: Northington Huntington Beach Investors LLC

Under negotiation: Price and terms of payment

**RECONVENED IN REGULAR SESSION.**

The Board reconvened in regular session at 6:50 p.m.

**CONSIDERATION OF ACTION, IF ANY, ON MATTERS CONSIDERED IN CLOSED SESSION:**

General Counsel Brad Hogin stated that in Closed Session the Board voted unanimously to approve the settlement of the Mission Clay Pipe litigation, Item No. CS-1. In exchange for a release, Mission Clay Pipe will pay the District \$1,235,722.56 over a 13-month period.

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

Director Shaw reported that the City of La Habra recently dedicated a street in recognition of former Board Chairman Steve Anderson.

**BOARD OF DIRECTORS INITIATED ITEMS FOR A FUTURE MEETING:**

Chair Shawver reported that a meeting with the City of Fountain Valley will take place on February 27, 2020 and the outcome will be reported at the next Board meeting.

**ADJOURNMENT:**

At 6:45 p.m., Chair Shawver adjourned the meeting until the Regular Meeting of the Board of Directors to be held on March 25, 2020 at 6:00 p.m.

Submitted by:

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Kelly A. Lore, MMC  
Clerk of the Board