



SPECIAL MEETING TIME

CALL TO ORDER

A special meeting of the Steering Committee of the Orange County Sanitation District was called to order by Board Chairman John Withers on Wednesday, October 27, 2021 at 4:30 p.m. in the Administration Building of the Orange County Sanitation District. Chair Withers stated that the meeting was being held telephonically and via Internet accessibility in accordance with new provisions in California Government Code Section 54953 and Resolution No. OC SAN 21-14, due to the continued State of Emergency Order. Chair Withers announced the teleconference meeting guidelines.

ROLL CALL AND DECLARATION OF QUORUM:

Roll call was taken and a quorum was declared present, as follows:

PRESENT: John Withers, Chad Wanke, Ryan Gallagher, Brooke Jones, Sandra Massa-Lavitt, Jesus Silva and Glenn Parker
ABSENT: None

STAFF PRESENT: Kelly Lore, Clerk of the Board, and Mortimer Caparas were present in the Board Room. 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; Stephanie Barron; Andrew Brown; Jennifer Cabral; George Crawford; Raul Cuellar; Tina Knapp; Laura Maravilla; Tom Meregillano; Jeff Mohr; Wally Ritchie; Thomas Vu; Eros Yong; and Ruth Zintzun were in attendance telephonically.

OTHERS PRESENT: Brad Hogin, General Counsel, and Gary Weisberg, Associate Counsel, were present in the Board Room. Maya Grasse, Alston and Bird, and Logan Largent and Jeff Gilson, TASC, were in attendance telephonically.

PUBLIC COMMENTS:

None.

Clerk of the Board Kelly Lore announced that after the publication of the Agenda, she was notified that Closed Session Item Nos. CS-2 and CS-3 A-C would not be heard; and that CS-6 would be heard at the beginning of Closed Session.

REPORTS:

Chair Withers did not provide a report.

General Manager Jim Herberg did not provide a report.

CONSENT CALENDAR:**1. APPROVAL OF MINUTES**[2021-1905](#)

Originator: Kelly Lore

MOVED, SECONDED, AND DULY CARRIED TO:

Approve Minutes of the Special Meeting of the Steering Committee held September 29, 2021.

AYES: John Withers, Chad Wanke, Ryan Gallagher, Brooke Jones, Sandra Massa-Lavitt, Jesus Silva and Glenn Parker

NOES: None

ABSENT: None

ABSTENTIONS: None

NON-CONSENT:**2. LABOR RELATIONS - CHIEF NEGOTIATOR AGREEMENT**[2021-1872](#)

Originator: Celia Chandler

Director of Human Resources Celia Chandler provided an overview of the item.

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

Authorize the Board Chair to execute an agreement with Liebert Cassidy Whitmore, for Laura Drottz Kalty to serve as the external Chief Negotiator for labor contract negotiations and related items, for an amount not to exceed \$150,000.

AYES: John Withers, Chad Wanke, Ryan Gallagher, Brooke Jones, Sandra Massa-Lavitt, Jesus Silva and Glenn Parker

NOES: None

ABSENT: None

ABSTENTIONS: None

3. SUCCESSION MANAGEMENT - EXECUTIVE MANAGEMENT TEAM[2021-1900](#)

Originator: Jim Herberg

Mr. Herberg presented the item and responded to questions from the Committee.

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

Authorize recruitment and selection for the vacant Director of Operations and Maintenance position.

AYES: John Withers, Chad Wanke, Ryan Gallagher, Brooke Jones, Sandra Massa-Lavitt, Jesus Silva and Glenn Parker

NOES: None

ABSENT: None

ABSTENTIONS: None

INFORMATION ITEMS:

None.

CLOSED SESSION:

CONVENED IN CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTIONS 54957.6, 54956.8, 54956.9(d)(2) & 54956.9(d)(4).

The Committee convened in closed session at 4:53 p.m. to hear four items. Item Nos. CS-2 and CS-3 were not heard. Confidential minutes of the Closed Sessions 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 LABOR NEGOTIATORS - GOVERNMENT [2021-1901](#)
CODE SECTION 54957.6**

CONVENED IN CLOSED SESSION:

Agency Designated Representatives: General Manager Jim Herberg, Assistant General Manager Lorenzo Tyner, and Director of Human Resources Celia Chandler.

Employee Organizations: International Union of Operating Engineers Local 501, Orange County Employees Association, Supervisory and Professional Management Group, and unrepresented: Confidential, Managers, and Executive Managers.

**CS-2 CONFERENCE WITH REAL PROPERTY NEGOTIATORS - [2021-1903](#)
GOVERNMENT CODE SECTION 54956.8**

DID NOT CONVENE IN CLOSED SESSION:

Property: 7292 Slater Avenue Huntington Beach, CA - APN No. 110-010-39

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

**CS-3 CONFERENCE WITH LEGAL COUNSEL RE EXISTING LITIGATION - [2021-1902](#)
GOVERNMENT CODE SECTION 54956.9(d)(1)**

DID NOT CONVENE IN CLOSED SESSION:

Number of Cases: 3

- A. Gilbert Barela v. Orange County Sanitation District; Steve Thornburg; Roy Reynolds; and Does 1-100, inclusive. Superior Court of California, County of Orange, Case No. 30-2021-01220927-CU-WT-CJC.
- B. 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.
- C. Raul Palazuelos v. Orange County Sanitation District, a government entity; Richard Kwiecien, an individual; and Does 1 through 100, inclusive. Superior Court of California, County of Orange, Case No. 30-2021-01217839-CU-OE-CJC.

CS-4 CONFERENCE WITH LEGAL COUNSEL RE ANTICIPATED LITIGATION - GOVERNMENT CODE SECTION 54956.9(d)(4) [2021-1920](#)

CONVENED IN CLOSED SESSION:

Number of Potential Cases: 1

Potential initiation of eminent domain litigation regarding property owned by Bayside Village Marina, LLC.

**CS-5 CONFERENCE WITH REAL PROPERTY NEGOTIATORS - [2021-1921](#)
GOVERNMENT CODE SECTION 54956.8**

CONVENED IN CLOSED SESSION:

Property: Portions of 300 East Coast Highway, Newport Beach, CA; APN No. 440-132-60.

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

Negotiating parties: Bayside Village Marina, LLC

Under negotiation: Price and terms of payment

CS-6 CONFERENCE WITH LEGAL COUNSEL RE ANTICIPATION OF LITIGATION - GOVERNMENT CODE SECTION 54956.9(d)(2)

[2021-1936](#)

CONVENED IN CLOSED SESSION:

Number of Potential Cases: 1

Significant exposure to litigation regarding Notices of Violation from South Coast Air Quality Management District.

RECONVENED IN REGULAR SESSION.

The Committee reconvened in regular session at 5:22 p.m.

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

None.

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

None.

BOARD OF DIRECTORS INITIATED ITEMS FOR A FUTURE MEETING:

None.

ADJOURNMENT:

Chair Withers declared the meeting adjourned at 5:24 p.m. to the next Regular Steering Committee meeting to be held on Wednesday, November 17, 2021 at 5:00 p.m.

Submitted by:

Kelly A. Lore, MMC
Clerk of the Board