



Orange County Sanitation District
BOARD OF DIRECTORS
Regular Meeting Agenda
Wednesday, November 20, 2019 - 6:00 PM
Board Room
Administration Building
10844 Ellis Avenue
Fountain Valley, CA 92708
(714) 593-7433

ACCOMMODATIONS FOR THE DISABLED: Meeting Rooms are wheelchair accessible. If you require any special disability related accommodations, please contact the Orange County Sanitation District 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 Sanitation District's Administration Building located at 10844 Ellis Avenue, Fountain Valley, California, and on the Sanitation District's website at 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 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 / (714) 593-7300
Asst. General Manager: Lorenzo Tyner, lttyner@ocsd.com / (714) 593-7550
Asst. General Manager: Rob Thompson, rthompson@ocsd.com / (714) 593-7310
Director of Human Resources: Celia Chandler, cchandler@ocsd.com / (714) 593-7202
Director of Engineering: Kathy Millea, kmillea@ocsd.com / (714) 593-7365
Director of Environmental Services: Lan Wiborg, lwiborg@ocsd.com / (714) 593-7450

CALL TO ORDER

(Board Chairman David Shawver)

INVOCATION AND PLEDGE OF ALLEGIANCE

Erik Peterson, Huntington Beach

ROLL CALL (Clerk of the Board)**DECLARATION OF QUORUM****PUBLIC COMMENTS:**

If you wish to address the Board of Directors on any item, please complete a Speaker's Form (located at the table outside of the Board Room) and submit it to the Clerk of the Board or notify the Clerk of the Board the item number on which you wish to speak. Speakers will be recognized by the Chairperson and are requested to limit comments to three minutes.

SPECIAL PRESENTATIONS:

Employee Service Awards

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**[2019-580](#)****RECOMMENDATION:**

Approve Minutes of the Regular Meeting of the Board of Directors held October 23, 2019 and Minutes of the Special Meeting of the Board of Directors (State of the District) held October 25, 2019.

Originator: Kelly Lore

Attachments: [Agenda Report](#)
[10-23-2019 Board Meeting Minutes](#)
[10-25-2019 Special Board Meeting Minutes](#)

2. REJECT CLAIM OF JAMES MICHAEL CHAVEZ**[2019-704](#)****RECOMMENDATION:**

Receive and file letter of rejection in regard to claim of damage received from Mr. James Michael Chavez.

Originator: Kelly Lore

Attachments: [Agenda Report](#)
[Letter of Rejection](#)

RECEIVE AND FILE:**3. COMMITTEE MEETING MINUTES****[2019-652](#)**

RECOMMENDATION: Receive and file the following:

- A. Minutes of the Administration Committee Meeting held September 11, 2019
- B. Minutes of the Steering Committee Meeting held September 25, 2019
- C. Minutes of the Operations Committee Meeting held October 2, 2019
- D. Minutes of the Legislative and Public Affairs Committee held October 14, 2019

Originator: Kelly Lore

Attachments: [Agenda Report](#)
[09-11-2019 Administration Committee Minutes](#)
[09-25-2019 Steering Committee Minutes](#)
[10-02-2019 Operations Committee Minutes](#)
[10-14-2019 Legislative Committee Minutes](#)

4. REPORT OF THE INVESTMENT TRANSACTIONS FOR THE MONTH OF OCTOBER 2019**[2019-673](#)**

RECOMMENDATION: Receive and file the following:

Report of the Investment Transactions for the month of October 2019.

Originator: Lorenzo Tyner

Attachments: [Agenda Report](#)
[Investment Transactions for the Month of October 2019](#)

OPERATIONS COMMITTEE:**5. PURCHASE OF THIRTY-SIX ELECTRIC CARTS****[2019-727](#)****RECOMMENDATION:**

- A. Award a Purchase Order to Southwest Material Handling for the purchase of 36 electric carts using US Communities Cooperative Contract EV2024-01 for a total amount not to exceed \$684,506; and
- B. Approve a contingency of \$34,226 (5%)

Originator: Rob Thompson**Attachments:** [Agenda Report](#)**6. LABORATORY BOILER BURNER REPLACEMENT AT PLANT NO. 1, PROJECT NO. MP-485****[2019-728](#)****RECOMMENDATION:**

- A. Receive and file Bid Tabulation and Recommendation for Laboratory Boiler Burner Replacement at Plant No. 1, Project No. MP-485;
- B. Award a contract agreement to ODC Engineering & Technology for Laboratory Boiler Burner Replacement at Plant No. 1, Project No. MP-485, for an amount not to exceed \$283,000; and
- C. Approve a contingency of \$28,300 (10%).

Originator: Kathy Millea**Attachments:** [Agenda Report](#)
[MP-485 Contract Agreement](#)**7. UNINTERRUPTIBLE POWER SUPPLY IMPROVEMENTS AT PLANT NO. 1, PROJECT NO. P1-132****[2019-729](#)****RECOMMENDATION:**

- A. Approve a Professional Design Services Agreement with Tetra Tech, Inc. to provide engineering services for Uninterruptible Power Supply Improvements at Plant No. 1, Project No. P1-132, for an amount not to exceed \$784,680; and
- B. Approve a contingency of \$78,468 (10%).

Originator: Kathy Millea**Attachments:** [Agenda Report](#)
[P1-132 Professional Design Services Agreement](#)

8. CAPITAL IMPROVEMENT PROGRAM CONTRACT PERFORMANCE REPORT [2019-730](#)**RECOMMENDATION:**

Receive and file the Capital Improvement Program Contract Performance Report for the period ending September 30, 2019.

Originator: Kathy Millea

Attachments: [Agenda Report](#)
[CIP Contract Performance Report Period Ending 09-30-19](#)

9. PLANT NO. 2 MAIN SEWAGE PUMPS, VARIABLE FREQUENCY DRIVE, 10 YEAR PREVENTATIVE MAINTENANCE [2019-731](#)

A. Approve Sole Source Purchase Order Contract with OneSource Distributors for performing the 10-year manufacturer recommended Preventative Maintenance (PM) on all seven of Plant No. 2 Main Sewage Pump Variable Frequency Drives for an amount not to exceed \$438,751, which includes the purchase of the full scope of supply, freight, and taxes; and

B. Approve a contingency of \$43,876 (10%).

Originator: Rob Thompson

Attachments: [Agenda Report](#)

10. PLANT NO. 2 MAIN SEWAGE PUMPS MOTOR OVERHAUL [2019-732](#)**RECOMMENDATION:**

A. Award a service contract to R.A. Reed Electric Company to provide Plant No. 2 Main Sewage Pump Motor Overhaul, Specification No. S-2019-1089BD, for a total amount not to exceed \$430,680; and

B. Approve a contingency of \$43,068 (10%).

Originator: Rob Thompson

Attachments: [Agenda Report](#)
[S-2019-1089BD Final Service Contract](#)

11. CARBON CANYON PIPELINE SAG REPAIRS, PROJECT NO. FE17-01 [2019-733](#)**RECOMMENDATION:**

A. Receive and file Bid Tabulation and Recommendation for Carbon Canyon Pipeline Sag Repairs, Project No. FE17-01;

- B. Reject low bid from Creative Home Corporation (CHI Construction) as non-responsive;
- C. Award a construction contract to Mike Prlich and Sons, Inc. for Carbon Canyon Pipeline Sag Repairs, Project No. FE17-01, for a total amount not to exceed \$510,000; and
- D. Approve a contingency amount of \$51,000 (10%).

Originator: Kathy Millea

Attachments: [Agenda Report](#)
[FE17-01 Contract Agreement](#)
[PPP 11-6-19 Ops Committee - FE17-01](#)

12. PRIMARY SEDIMENTATION BASINS NO. 6-31 RELIABILITY IMPROVEMENTS AT PLANT NO. 1, PROJECT NO. P1-133 **2019-734**

RECOMMENDATION:

- A. Approve a Professional Design Services Agreement with Carollo Engineers, Inc. to provide engineering services for Primary Sedimentation Basins No. 6-31 Reliability Improvements at Plant No. 1, Project No. P1-133, for an amount not to exceed \$1,219,667; and
- B. Approve a contingency of \$121,967 (10%).

Originator: Kathy Millea

Attachments: [Agenda Report](#)
[P1-133 PDSA Agreement](#)
[PPP 11-6-19 Ops Committee - P1-133](#)

ADMINISTRATION COMMITTEE:

13. 2019 CONFLICT OF INTEREST CODE **2019-746**

RECOMMENDATION:

Adopt Resolution No. OCSD 19-18 entitled, "A Resolution of the Board of Directors of 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](#)
[OCSD Resolution 2019 Conflict of Interest Code](#)
[2019 DRAFT Conflict of Interest Code](#)

14. UPDATE TO THE ESTABLISHED RULES OF PROCEDURE FOR THE CONDUCT OF BUSINESS OF THE ORANGE COUNTY SANITATION DISTRICT [2019-747](#)

RECOMMENDATION:

Adopt Resolution No. OCSD 19-19 entitled, "A Resolution of the Board of Directors of Orange County Sanitation District establishing Rules of Procedure for the Conduct of Business of the Orange County Sanitation District; and repealing Resolution No. OCSD 18-12".

Originator: Kelly Lore

Attachments: [Agenda Report](#)
[Rules of Procedure Resolution - Redline](#)

15. GENERAL MANAGER APPROVED PURCHASES AND ADDITIONS TO THE PRE-APPROVED OEM SOLE SOURCE LIST [2019-748](#)

RECOMMENDATION:

- A. Receive and file Orange County Sanitation District purchases made under the General Manager's authority for the period of July 1, 2019 to September 30, 2019; and
- B. Approve the following additions to the pre-approved OEM Sole Source List for the period of July 1, 2019 to September 30, 2019:
- ALLEN-BRADLEY - Medium Voltage Variable Frequency Drive
 - CLEAVER-BROOKS - Burner Elements
 - EATON - Self-Cleaning Strainers
 - SONETICS - Wireless headsets and system
 - TRM/Maximo - Rules Manager SE and Lock out Tag Out (LOTO) Software
 - VAUGHAN - Mixing Nozzles

Originator: Lorenzo Tyner

Attachments: [Agenda Report](#)

16. CONSOLIDATED FINANCIAL REPORT FOR THE FIRST QUARTER ENDED SEPTEMBER 30, 2019 [2019-749](#)

RECOMMENDATION:

Receive and file the Orange County Sanitation District First Quarter Financial Report for the period ended September 30, 2019.

Originator: Lorenzo Tyner

Attachments: [Agenda Report](#)
[Consolidated Financial Report for the First Quarter Ended September 30, 2019](#)

17. LEASE AGREEMENT WITH MEGDAL GREEN, LLC PROVIDING ORANGE COUNTY SANITATION DISTRICT PARCEL FOR PARKING AND/OR RELATED ACTIVITIES **2019-750**

RECOMMENDATION:

Approve a five-year lease agreement with Megdal Green, LLC, a California limited liability company, to allow paving, striping, parking, and related improvements over a 4-foot wide portion of the Orange County Sanitation District's 50-foot wide utility corridor which abuts 21532 South Brookhurst Street in Huntington Beach owned by Megdal Green, LLC, at an annual cost of \$250, for a term of five-years.

Originator: Lorenzo Tyner

Attachments: [Agenda Report](#)
[Lease Agreement with Megdal Green, LLC](#)

18. ORANGE COUNTY SANITATION DISTRICT COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR) FOR THE YEAR END JUNE 30, 2019 **2019-751**

RECOMMENDATION:

Receive and file the Orange County Sanitation District's Comprehensive Annual Financial Report for the year ended June 30, 2019, prepared by staff and audited by Macias Gini & O'Connell LLP (MGO), Certified Public Accountants, along with the following reports prepared by MGO:

1. Report to the Board of Directors; and
2. Independent Accountants' Report on Agreed-Upon Procedures Applied to Appropriations Limit Worksheets.

Originator: Lorenzo Tyner

Attachments: [Agenda Report](#)
[Report to the Board of Directors](#)
[Independent Accountant's Report on Applying Agreed-Upon Procedures Related to Appropriations Limit Calculation](#)
[Comprehensive Annual Financial Report for the Year Ended June 30, 2019 \(separately bound document\)](#)
[Single Audit Reports](#)
[PPP 11-13-19 Admin Committee - CAFR FY2018-19 Staff](#)
[PPP 11-13-19 Admin Committee - CAFR](#)
[FY2018-19 Consultant](#)

19. POSITION CHANGES FOR FISCAL YEAR 2019-20 **[2019-752](#)**RECOMMENDATION:

Approve a position exchange and corresponding salary upgrade from a vacant Senior Mechanic (Salary Grade LOC67) position to Maintenance Specialist (Salary Grade PRO80).

Originator: Celia Chandler

Attachments: [Agenda Report](#)
[Preventative Maintenance Optimization Position Exchanges](#)

LEGISLATIVE AND PUBLIC AFFAIRS COMMITTEE:**20. PUBLIC AFFAIRS UPDATE FOR THE MONTH OF OCTOBER 2019** **[2019-721](#)**RECOMMENDATION:

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

Originator: Jim Herberg

Attachments: [Agenda Report](#)
[Outreach Report October 2019](#)
[Monthly Clippings October 2019](#)
[PPP 11-04-19 LaPA Committee - Public Affairs Update](#)

21. LEGISLATIVE AFFAIRS UPDATE FOR THE MONTH OF OCTOBER 2019 **[2019-722](#)**RECOMMENDATION:

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

Originator: Jim Herberg

Attachments: [Agenda Report](#)
[Federal Update - ENS Resources](#)
[Federal Legislative Matrix - ENS Resources](#)
[State Update - Townsend Public Affairs](#)
[State Legislative Matrix - Townsend Public Affairs](#)
[Grant Matrix](#)
[PPP 11-04-19 LaPA Committee - Federal Update](#)
[PPP 11-04-19 LaPA Committee - State Update](#)

STEERING COMMITTEE:**22. ORANGE COUNTY SANITATION DISTRICT'S STRATEGIC PLAN****[2019-753](#)****RECOMMENDATION:**

- A. Adopt the 2019 Strategic Plan; and
- B. Direct staff to implement the goals contained in the Strategic Plan.

Originator: Rob Thompson**Attachments:** [Agenda Report](#)
[2019 Strategic Plan](#)**NON-CONSENT:**

None.

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).

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 ANTICIPATED
LITIGATION - GOVERNMENT CODE SECTION 54956.9(d)(4)****[2019-743](#)****RECOMMENDATION:** Convene in Closed Session:

Number of Potential Cases: 1

Initiation of litigation regarding permittee: Aseptic Technology, LLC

Attachments: [Agenda Report](#)
[Board of Directors Memo re Anticipated Litigation Aseptic 11-20-19](#)

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

2019-744

RECOMMENDATION: Convene in Closed Session:

Number of Potential Cases: 1

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

Attachments: [Agenda Report](#)
[Board of Directors Memo re Anticipated Litigation HQ 11-20-19](#)

CS-3 CONFERENCE WITH LEGAL COUNSEL RE EXISTING LITIGATION - GOVERNMENT CODE SECTION 54956.9(d)(1)

2019-745

RECOMMENDATION: Convene in Closed Session:

Number of Cases: 1

Klean Waters, Inc. v. Orange County Sanitation District, United States District Court, Central District of California, Southern Division, Case No. 8:15-cv-00627.

Attachments: [Agenda Report](#)
[Board of Directors Memo re Klean Waters I Litigation 11-20-19](#)

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 Board members 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 December 18, 2019 at 6:00 p.m.