



ORANGE COUNTY SANITATION DISTRICT **SPECIAL NOTICE REGARDING CORONAVIRUS (COVID-19)** **AND ATTENDANCE AT PUBLIC MEETINGS**

On March 4, 2020, Governor Newsom proclaimed a State of Emergency in California as a result of the threat of COVID-19. On March 12, 2020 and March 18, 2020, Governor Newsom issued Executive Order N-25-20 and Executive Order N-29-20, which temporarily suspend portions of the Brown Act which addresses the conduct of public meetings.

The General Manager and the Chairman of the Board of Directors have determined that due to the size of the Orange County Sanitation District's Board of Directors (25), and the health and safety of the members, the Board of Directors will be participating in meetings of the Board telephonically. Furthermore, all meetings of Committees of this Board will be cancelled until further notice.

PUBLIC PARTICIPATION

Your participation is always welcome. You may participate in the Steering Committee meeting by calling:

(213) 279-1455
Enter Conference ID: 946 742 816#

If you are unable to participate via telephone, you may also submit your comments and questions in writing for the Steering Committee's consideration by sending them to OCSDClerk@ocsd.com with the subject line "PUBLIC COMMENT ITEM #" (insert the item number relevant to your comment) or "PUBLIC COMMENT NON-AGENDA ITEM". Submit your written comments by 6:00 p.m. on March 24, 2020. All public comments will be provided to the Steering Committee and may be read into the record or compiled as part of the record.

Thank you.

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



Orange County Sanitation District

10844 Ellis Avenue, Fountain Valley, CA 92708
714.962.2411 • www.ocsd.com

March 18, 2020

NOTICE OF MEETING

STEERING COMMITTEE ORANGE COUNTY SANITATION DISTRICT

REGULAR MEETING – 5:00 P.M.

Wednesday, March 25, 2020

TELEPHONIC ACCESSIBILITY FOR THE GENERAL PUBLIC

Due to the spread of COVID-19, the Orange County Sanitation District will be holding all upcoming Board and Committee meetings by teleconferencing. This meeting will be available by phone as follows:

Call: (213) 279-1455

Enter Conference ID: 946 742 816#

The Regular Meeting of the Steering Committee of the Orange County Sanitation District will be held via telephone on the above date and time.

***Our Mission:** To protect public health and the environment by providing effective wastewater collection, treatment, and recycling.*

**STEERING COMMITTEE AND
BOARD MEETING DATES**

March 25, 2020

April 22, 2020

May 27, 2020

June 24, 2020

July 22, 2020

August 26, 2020

September 23, 2020

October 28, 2020

November 18, 2020 *

December 16, 2020 *

January 27, 2021

February 24, 2021

March 24, 2021

**** Meeting will be held on the third Wednesday of the month***

STEERING COMMITTEE

(1) Roll Call:

Meeting Date: March 25, 2020

Meeting Time: 5:00 p.m.

Committee Members

David Shawver, Board Chair..... _____
John Withers, Board Vice-Chair..... _____
Robert Collacott, Operations Committee Chair..... _____
Peter Kim, LaPA Committee Chair..... _____
Chad Wanke, Administration Committee Chair..... _____
Glenn Parker, Member-At-Large..... _____
Tim Shaw, Member-At-Large..... _____

Others

Brad Hogin, General Counsel..... _____

Staff

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..... _____

Other Staff Present

ORANGE COUNTY SANITATION DISTRICT
BOARD OF DIRECTORS
Complete Roster

Effective 02/19/2020

AGENCY/CITIES	ACTIVE DIRECTOR	ALTERNATE DIRECTOR
Anaheim	Lucille Kring	Denise Barnes
Brea	Glenn Parker	Cecilia Hupp
Buena Park	Fred Smith	Connor Traut
Cypress	Mariellen Yarc	Stacy Berry
Fountain Valley	Steve Nagel	Patrick Harper
Fullerton	Jesus J. Silva	Jan Flory
Garden Grove	Steve Jones	John O'Neill
Huntington Beach	Erik Peterson	Lyn Semeta
Irvine	Christina Shea	Anthony Kuo
La Habra	Tim Shaw	Rose Espinoza
La Palma	Peter Kim	Nitesh Patel
Los Alamitos	Richard Murphy	Dean Grose
Newport Beach	Brad Avery	Joy Brenner
Orange	Mark Murphy	Kim Nichols
Placentia	Chad Wanke	Ward Smith
Santa Ana	Cecilia Iglesias	David Penaloza
Seal Beach	Sandra Massa-Lavitt	Schelly Sustarsic
Stanton	David Shawver	Carol Warren
Tustin	Allan Bernstein	Chuck Puckett
Villa Park	Robert Collacott	Chad Zimmerman

Sanitary/Water Districts

Costa Mesa Sanitary District	James M. Ferryman	Bob Ooten
Midway City Sanitary District	Andrew Nguyen	Margie L. Rice
Irvine Ranch Water District	John Withers	Douglas Reinhart
Yorba Linda Water District	Brooke Jones	Phil Hawkins

County Areas

Board of Supervisors	Doug Chaffee	Donald P. Wagner
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**Orange County Sanitation District
STEERING COMMITTEE
Regular Meeting Agenda
Wednesday, March 25, 2020 - 5:00 PM
Conference Room A
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**PLEDGE OF ALLEGIANCE****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.

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**[2020-897](#)****RECOMMENDATION:**

Approve Minutes of the Regular Meeting of the Steering Committee held February 26, 2020.

Originator: Kelly Lore

Attachments: [Agenda Report](#)
[02-26-2020 Steering Committee Minutes](#)

NON-CONSENT:**2. RESOLUTION GRANTING EMERGENCY POWER TO THE GENERAL
MANAGER IN THE EVENT THE PUBLIC HEALTH AND SAFETY IS
ENDANGERED DUE TO A DISRUPTION OF SEWER SERVICE****[2020-994](#)**

RECOMMENDATION: Recommend to the Board of Directors to:

Adopt Resolution No. OCSD 20-01 entitled, "A Resolution of the Board of Directors of the Orange County Sanitation District, Granting Emergency Power to the General Manager in the Event the Public Health and Safety is Endangered due to a disruption of Sewer Service; and repealing Resolution No. 75-160".

Originator: Lorenzo Tyner

Attachments: [Agenda Report](#)
[Resolution No. OCSD 20-01](#)

INFORMATION ITEMS:

None.

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 PUBLIC EMPLOYEE PERFORMANCE EVALUATION 54957(b)(1)

[2020-973](#)

RECOMMENDATION: Convene in Closed Session:

Public Employee Performance Evaluation

Number of Employees: 1

- General Counsel

Attachments: [Agenda Report](#)
[Steering Memo re General Counsel Evaluation](#)

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

[2020-996](#)

RECOMMENDATION: Convene in Closed Session:

Number of Potential Cases: 1

Claim for damages from Ignacio Castro

Attachments: [Agenda Report](#)
[Steering Memo re Anticipated Litigation Castro](#)

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 Steering Committee members may request staff to place an item on a future agenda.

ADJOURNMENT:

The next Steering Committee meeting is scheduled for Wednesday, April 22, 2020 at 5:00 p.m.



Orange County Sanitation District

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

STEERING COMMITTEE

Agenda Report

File #: 2020-897

Agenda Date: 3/25/2020

Agenda Item No: 1.

FROM: James D. Herberg, General Manager
Originator: Kelly A. Lore, Clerk of the Board

SUBJECT:

APPROVAL OF MINUTES

GENERAL MANAGER'S RECOMMENDATION

RECOMMENDATION:

Approve Minutes of the Regular Meeting of the Steering Committee held February 26, 2020.

BACKGROUND

In accordance with the Board of Directors Rules of Procedure, an accurate record of each meeting will be provided to the Directors for subsequent approval at the following meeting.

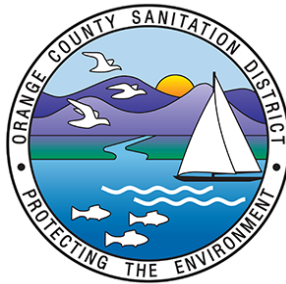
RELEVANT STANDARDS

- Resolution No. OCSD 19-19

ATTACHMENT

The following attachment(s) may be viewed on-line at the OCSD website (www.ocsd.com) with the complete agenda package:

- Minutes of the Steering Committee meeting held February 26, 2020



CALL TO ORDER

A regular meeting of the Steering Committee of the Orange County Sanitation District was called to order by Board Chairman David Shawver on Wednesday, February 26, 2020 at 5:02 p.m. in the Administration Building of the Orange County Sanitation District.

DECLARATION OF QUORUM:

A quorum was declared present, as follows:

PRESENT: David Shawver, John Withers, Robert Collacott, Peter Kim, Chad Wanke, Glenn Parker and Tim Shaw
ABSENT: None

STAFF 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; Rod Collins; Daisy Covarrubias; Mike Dorman; Brian Engeln; Dean Fisher; Al Garcia; Tom Grant; Larry Johnson; Tina Knapp; Jeff Mohr; Adam Nazaroff; Wally Ritchie; and Ruth Zintzum.

OTHERS PRESENT:

Brad Hogin, General Counsel.

PUBLIC COMMENTS:

None.

REPORTS:

None.

CONSENT CALENDAR:

1. APPROVAL OF MINUTES

[2020-898](#)

Originator: Kelly Lore

MOVED, SECONDED, AND DULY CARRIED TO:

Approve Minutes of the Regular Meeting of the Steering Committee held January 22, 2020.

AYES: David Shawver, John Withers, Robert Collacott, Peter Kim, Chad Wanke, Glenn Parker and Tim Shaw

NOES: None

ABSENT: None

ABSTENTIONS: None

NON-CONSENT:

2. SINGAPORE INTERNATIONAL WATER WEEK 2020 ATTENDANCE

[2020-935](#)

Originator: Rob Thompson

MOVED, SECONDED, AND DULY CARRIED TO: Recommend to the Board of Directors 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: David Shawver, John Withers, Robert Collacott, Peter Kim, Chad Wanke, Glenn Parker and Tim Shaw

NOES: None

ABSENT: None

ABSTENTIONS: None

INFORMATION ITEMS:

None.

DEPARTMENT HEAD REPORTS:

None.

CLOSED SESSION:

CONVENED IN CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTIONS 54956.9(d)(1), 54956.9(d)(4), 54956.8 & 54957(b)(1):

The Committee convened in closed session at 5:20 p.m. to discuss four items. Item No. CS-4 was 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 LEGAL COUNSEL RE EXISTING LITIGATION - [2020-921](#)
GOVERNMENT CODE SECTION 54956.9(D)(1)

CONVENED IN CLOSED SESSION:

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

CS-2 CONFERENCE WITH LEGAL COUNSEL RE ANTICIPATED [2020-925](#)
LITIGATION - GOVERNMENT CODE SECTION 54956.9(d)(4)

CONVENED 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

CS-3 CONFERENCE WITH REAL PROPERTY NEGOTIATORS - [2020-926](#)
GOVERNMENT CODE SECTION 54956.8

CONVENED IN CLOSED SESSION:

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 - [2020-938](#)
GOVERNMENT CODE SECTION 54956.8

ITEM NOT HEARD

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

CS-5 PUBLIC EMPLOYEE PERFORMANCE EVALUATION 54957(B)(1)[2019-807](#)

CONVENED IN CLOSED SESSION:

Public Employee Performance Evaluation

Number of Employees: 1

- General Counsel

RECONVENED IN REGULAR SESSION.

The Committee reconvened in regular session at 6:01 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 Shawver declared the meeting adjourned at 6:02 p.m. to the next Steering Committee meeting to be held on Wednesday, March 25, 2020 at 5:00 p.m.

Submitted by:

Kelly A. Lore, MMC
Clerk of the Board



Orange County Sanitation District

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

STEERING COMMITTEE

Agenda Report

File #: 2020-994

Agenda Date: 3/25/2020

Agenda Item No: 2.

FROM: James D. Herberg, General Manager
Originator: Lorenzo Tyner, Assistant General Manager

SUBJECT:

RESOLUTION GRANTING EMERGENCY POWER TO THE GENERAL MANAGER IN THE EVENT THE PUBLIC HEALTH AND SAFETY IS ENDANGERED DUE TO A DISRUPTION OF SEWER SERVICE

GENERAL MANAGER'S RECOMMENDATION

RECOMMENDATION: Recommend to the Board of Directors to:

Adopt Resolution No. OCSD 20-01 entitled, "A Resolution of the Board of Directors of the Orange County Sanitation District, Granting Emergency Power to the General Manager in the Event the Public Health and Safety is Endangered due to a disruption of Sewer Service; and repealing Resolution No. 75-160".

BACKGROUND

The primary responsibility of the Orange County Sanitation District (Sanitation District) is to provide sewage collection, treatment, recycling, and disposal services for metropolitan Orange County serving a population of approximately 2.6 million people. The continued operation of the Sanitation District is essential to public health and safety. In the event of a National, State, or Local Emergency or Disaster, where disruption, or potential disruption, of Sanitation District services due to employee absences or other matters beyond the control of the Sanitation District, the General Manager must be authorized to declare an emergency status to mitigate danger to the public health and safety.

RELEVANT STANDARDS

- Commitment to safety & reducing risk in all operations
- Protect Orange County Sanitation District assets
- 24/7/365 treatment plant reliability

PROBLEM

The Resolution currently in effect is outdated and contains inaccurate information needed to empower the General Manager in case of an emergency.

PROPOSED SOLUTION

Adopt Resolution No. OCSD 20-01 which proposes to update the predated Resolution authorizing the General Manager to have full and complete authority to implement certain administrative duties during a declared emergency.

RAMIFICATIONS OF NOT TAKING ACTION

The predated resolution will remain in effect which reflects outdated and inaccurate information.

FINANCIAL CONSIDERATIONS

This request complies with authority levels of the Sanitation District's Purchasing Ordinance.

ATTACHMENT

The following attachment(s) may be viewed on-line at the OCSD website (www.ocsd.com) with the complete agenda package:

- Resolution No. OCSD 20-01

RESOLUTION NO. OCSD 20-01

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE ORANGE COUNTY SANITATION DISTRICT GRANTING EMERGENCY POWER TO THE GENERAL MANAGER IN THE EVENT THE PUBLIC HEALTH AND SAFETY IS ENDANGERED DUE TO A DISRUPTION OF SEWERAGE SERVICE; AND REPEALING RESOLUTION NO. 75-160

WHEREAS, Orange County Sanitation District (Sanitation District) has the primary responsibility to provide sewage collection, treatment, recycling, and disposal services for metropolitan Orange County, serving a population of approximately 2.6 million people;

WHEREAS, implicit in the nature of said service provided by the aforementioned Sanitation District is the protection of the public health and safety to the greatest extent possible;

WHEREAS, pursuant to the California Emergency Services Act, Sanitation District currently has emergency authority to promulgate orders and regulations necessary to provide for the protection of life and property; and

WHEREAS, continued operation of the Sanitation District's sewerage facilities is essential to the maintenance of said public health and safety.

NOW, THEREFORE, the Board of Directors of the Orange County Sanitation District, DOES HEREBY RESOLVE, DETERMINE, AND ORDER:

Section 1: That in the event of the disruption, or potential disruption, of Sanitation District services due to employee absences or other matters beyond the control of the Sanitation District, the General Manager be, and is hereby authorized, to declare an emergency status to mitigate danger to the public health and safety;

Section 2: That in the event an emergency status is declared by the General Manager, he shall have full and complete authority to implement the following orders and regulations necessary to provide for the protection of life and property:

- (a) Waive provisions of existing salary resolutions prohibiting overtime compensation for management and supervisory personnel and be authorized to pay said personnel overtime compensation at the rate of one and one-half times their regular pay for all hours worked in excess of 40 hours per pay period.
- (b) Employ personnel to operate and maintain the Sanitation District's facilities as needed.
- (c) Employ security personnel or firms to protect the Sanitation District's property as needed.

- (d) Invoke the emergency provisions of the Sanitation District's Purchasing Ordinance regarding procurement of materials and services; and
- (e) Change other provisions of Human Resources Policies and Procedures or Resolutions as the General Manager deems necessary to ensure public safety in the time of emergency, with consent of the Board Chair. The General Manager shall obtain consent from the Vice-Chair in the absence of the Chair. Any changes to Board-approved policies and procedures or resolutions shall be presented to the Board of Directors for ratification at their next regular meeting. Such changes shall only remain in force and effect until necessary to ensure public safety and only during the time of emergency, and

Section 3: That in the event an emergency status is declared by the General Manager, the General Counsel be, and is hereby authorized, to commence any appropriate legal proceedings that the circumstances warrant.

Section 4: Resolution No. 75-160 is hereby repealed.

PASSED AND ADOPTED at a regular meeting of the Board of Directors held March 25, 2020.

David John Shawver
Chairman of the Board of Directors

ATTEST:

Kelly A. Lore, MMC
Clerk of the Board

APPROVED AS TO FORM:

Bradley R. Hogin
General Counsel

STATE OF CALIFORNIA)
) ss
COUNTY OF ORANGE)

I, Kelly A. Lore, Clerk of the Board of Directors of the Orange County Sanitation District, do hereby certify that the foregoing Resolution No. OCSD 20-01 was passed and adopted at a regular meeting of said Board on the 25th day of March, 2020, by the following vote, to wit:

AYES:
NOES:
ABSTENTIONS:
ABSENT:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of Orange County Sanitation District this 25th day of March 2020.

Kelly A. Lore, MMC
Clerk of the Board of Directors
Orange County Sanitation District



Orange County Sanitation District

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

STEERING COMMITTEE

Agenda Report

File #: 2020-973

Agenda Date: 3/25/2020

Agenda Item No: CS-1

FROM: James D. Herberg, General Manager

SUBJECT:

PUBLIC EMPLOYEE PERFORMANCE EVALUATION 54957(B)(1)

RECOMMENDATION: Convene in Closed Session:

Public Employee Performance Evaluation

Number of Employees: 1

- General Counsel

BACKGROUND

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.

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.

RELEVANT STANDARDS

- Government Code Sections 54956.8, 54956.9, 54957, or 54957.6, as noted

ATTACHMENT

The following attachment(s) may be viewed on-line at the OCSD website (www.ocsd.com) with the complete agenda package:

- Memorandum from General Counsel



WOODRUFF, SPRADLIN & SMART
A Professional Corporation

555 ANTON BOULEVARD, SUITE 1200
COSTA MESA, CA 92626-7670
(714) 558-7000

MEMORANDUM

TO: Hon. Chair and Members of the Orange County Sanitation District Steering Committee

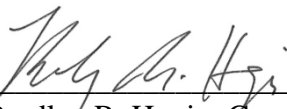
FROM: Bradley R. Hogin, Esq.
General Counsel

DATE: March 18, 2020

RE: Closed Session Items

The Steering Committee desires to hold a closed session on March 25, 2020 for the purpose of conferring for the evaluation of the District's General Counsel. Said closed session will be held pursuant to authority of California Government Code Section 54957(b)(1).

Respectfully submitted,

By: 
Bradley R. Hogin, General Counsel



Orange County Sanitation District

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

STEERING COMMITTEE

Agenda Report

File #: 2020-996

Agenda Date: 3/25/2020

Agenda Item No: CS-2

FROM: James D. Herberg, General Manager

SUBJECT:

CONFERENCE WITH LEGAL COUNSEL RE ANTICIPATED LITIGATION - GOVERNMENT CODE SECTION 54956.9(D)(2)

RECOMMENDATION: Convene in Closed Session:

Number of Potential Cases: 1

Claim for damages from Ignacio Castro

BACKGROUND

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.

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.

RELEVANT STANDARDS

- Government Code Sections 54956.8, 54956.9, 54957, or 54957.6, as noted

ATTACHMENT

The following attachment(s) may be viewed on-line at the OCSD website (www.ocsd.com) with the complete agenda package:

- Memorandum from General Counsel

MEMORANDUM

TO: Hon. Chair and Members of the Orange County Sanitation District Steering Committee

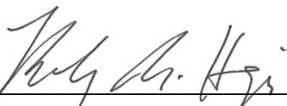
FROM: Bradley R. Hogin, Esq.
General Counsel

DATE: March 18, 2020

RE: Closed Session Items

The Steering Committee desires to hold a closed session on March 25, 2020 for the purpose of conferring with its legal counsel regarding anticipated litigation. Existing facts and circumstances reflect a significant exposure to litigation against the District. The closed session will be held pursuant to the authority of California Government Code Section 54956.9(d)(2). The facts and circumstances are as follows: Ignacio Castro has filed a claim for damages against the District. The claim alleges that Mr. Castro was injured in a car accident caused by the presence of District contractors working on a District construction project.

Respectfully submitted,

By 
Bradley R. Hogin, General Counsel

ORANGE COUNTY SANITATION DISTRICT

COMMON ACRONYMS

ACWA	Association of California Water Agencies	LAFCO	Local Agency Formation Commission	RWQCB	Regional Water Quality Control Board
APWA	American Public Works Association	LOS	Level Of Service	SARFPA	Santa Ana River Flood Protection Agency
AQMD	Air Quality Management District	MGD	Million Gallons Per Day	SARI	Santa Ana River Interceptor
ASCE	American Society of Civil Engineers	MOU	Memorandum of Understanding	SARWQCB	Santa Ana Regional Water Quality Control Board
BOD	Biochemical Oxygen Demand	NACWA	National Association of Clean Water Agencies	SAWPA	Santa Ana Watershed Project Authority
CARB	California Air Resources Board	NEPA	National Environmental Policy Act	SCADA	Supervisory Control And Data Acquisition
CASA	California Association of Sanitation Agencies	NGOs	Non-Governmental Organizations	SCAP	Southern California Alliance of Publicly Owned Treatment Works
CCTV	Closed Circuit Television	NPDES	National Pollutant Discharge Elimination System	SCAQMD	South Coast Air Quality Management District
CEQA	California Environmental Quality Act	NWRI	National Water Research Institute	SOCWA	South Orange County Wastewater Authority
CIP	Capital Improvement Program	O & M	Operations & Maintenance	SRF	Clean Water State Revolving Fund
CRWQCB	California Regional Water Quality Control Board	OCCOG	Orange County Council of Governments	SSMP	Sewer System Management Plan
CWA	Clean Water Act	OCHCA	Orange County Health Care Agency	SSO	Sanitary Sewer Overflow
CWEA	California Water Environment Association	OCSD	Orange County Sanitation District	SWRCB	State Water Resources Control Board
EIR	Environmental Impact Report	OCWD	Orange County Water District	TDS	Total Dissolved Solids
EMT	Executive Management Team	OOBS	Ocean Outfall Booster Station	TMDL	Total Maximum Daily Load
EPA	US Environmental Protection Agency	OSHA	Occupational Safety and Health Administration	TSS	Total Suspended Solids
FOG	Fats, Oils, and Grease	PCSA	Professional Consultant/Construction Services Agreement	WDR	Waste Discharge Requirements
gpd	gallons per day	PDSA	Professional Design Services Agreement	WEF	Water Environment Federation
GWRS	Groundwater Replenishment System	POTW	Publicly Owned Treatment Works	WERF	Water Environment & Reuse Foundation
ICS	Incident Command System	ppm	parts per million	WIFIA	Water Infrastructure Finance and Innovation Act
IERP	Integrated Emergency Response Plan	PSA	Professional Services Agreement	WIIN	Water Infrastructure Improvements for the Nation Act
JPA	Joint Powers Authority	RFP	Request For Proposal	WRDA	Water Resources Development Act

ORANGE COUNTY SANITATION DISTRICT GLOSSARY OF TERMS

ACTIVATED SLUDGE PROCESS – A secondary biological wastewater treatment process where bacteria reproduce at a high rate with the introduction of excess air or oxygen and consume dissolved nutrients in the wastewater.

BENTHOS – The community of organisms, such as sea stars, worms, and shrimp, which live on, in, or near the seabed, also known as the benthic zone.

BIOCHEMICAL OXYGEN DEMAND (BOD) – The amount of oxygen used when organic matter undergoes decomposition by microorganisms. Testing for BOD is done to assess the amount of organic matter in water.

BIOGAS – A gas that is produced by the action of anaerobic bacteria on organic waste matter in a digester tank that can be used as a fuel.

BIOSOLIDS – Biosolids are nutrient rich organic and highly treated solid materials produced by the wastewater treatment process. This high-quality product can be recycled as a soil amendment on farmland or further processed as an earth-like product for commercial and home gardens to improve and maintain fertile soil and stimulate plant growth.

CAPITAL IMPROVEMENT PROGRAM (CIP) – Projects for repair, rehabilitation, and replacement of assets. Also includes treatment improvements, additional capacity, and projects for the support facilities.

COLIFORM BACTERIA – A group of bacteria found in the intestines of humans and other animals, but also occasionally found elsewhere, used as indicators of sewage pollution. E. coli are the most common bacteria in wastewater.

COLLECTIONS SYSTEM – In wastewater, it is the system of typically underground pipes that receive and convey sanitary wastewater or storm water.

CERTIFICATE OF PARTICIPATION (COP) – A type of financing where an investor purchases a share of the lease revenues of a program rather than the bond being secured by those revenues.

CONTAMINANTS OF POTENTIAL CONCERN (CPC) – Pharmaceuticals, hormones, and other organic wastewater contaminants.

DILUTION TO THRESHOLD (D/T) – The dilution at which the majority of people detect the odor becomes the D/T for that air sample.

GREENHOUSE GASES (GHG) – In the order of relative abundance water vapor, carbon dioxide, methane, nitrous oxide, and ozone gases that are considered the cause of global warming ("greenhouse effect").

GROUNDWATER REPLENISHMENT SYSTEM (GWRS) – A joint water reclamation project that proactively responds to Southern California's current and future water needs. This joint project between the Orange County Water District and the Orange County Sanitation District provides 70 million gallons per day of drinking quality water to replenish the local groundwater supply.

LEVEL OF SERVICE (LOS) – Goals to support environmental and public expectations for performance.

N-NITROSODIMETHYLAMINE (NDMA) – A N-nitrosamine suspected cancer-causing agent. It has been found in the Groundwater Replenishment System process and is eliminated using hydrogen peroxide with extra ultra-violet treatment.

NATIONAL BIOSOLIDS PARTNERSHIP (NBP) – An alliance of the National Association of Clean Water Agencies and Water Environment Federation, with advisory support from the US Environmental Protection Agency. NBP is committed to developing and advancing environmentally sound and sustainable biosolids management practices that go beyond regulatory compliance and promote public participation to enhance the credibility of local agency biosolids programs and improved communications that lead to public acceptance.

PLUME – A visible or measurable concentration of discharge from a stationary source or fixed facility.

PUBLICLY OWNED TREATMENT WORKS (POTW) – A municipal wastewater treatment plant.

SANTA ANA RIVER INTERCEPTOR (SARI) LINE – A regional brine line designed to convey 30 million gallons per day of non-reclaimable wastewater from the upper Santa Ana River basin to the ocean for disposal, after treatment.

SANITARY SEWER – Separate sewer systems specifically for the carrying of domestic and industrial wastewater. Combined sewers carry both wastewater and urban runoff.

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT (SCAQMD) – Regional regulatory agency that develops plans and regulations designed to achieve public health standards by reducing emissions from business and industry.

SECONDARY TREATMENT – Biological wastewater treatment, particularly the activated sludge process, where bacteria and other microorganisms consume dissolved nutrients in wastewater.

SLUDGE – Untreated solid material created by the treatment of wastewater.

TOTAL SUSPENDED SOLIDS (TSS) – The amount of solids floating and in suspension in wastewater.

TRICKLING FILTER – A biological secondary treatment process in which bacteria and other microorganisms, growing as slime on the surface of rocks or plastic media, consume nutrients in wastewater as it trickles over them.

URBAN RUNOFF – Water from city streets and domestic properties that carry pollutants into the storm drains, rivers, lakes, and oceans.

WASTEWATER – Any water that enters the sanitary sewer.

WATERSHED – A land area from which water drains to a particular water body. The Orange County Sanitation District's service area is in the Santa Ana River Watershed.