

ORANGE COUNTY SANITATION DISTRICT

MINUTES

BOARD OF DIRECTORS

MAY 27, 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 May 27, 2020 at 6:02 p.m. in the Administration Building. Director Mark Murphy delivered the invocation and led the Pledge of Allegiance.

Clerk of the Board Kelly Lore announced that the meeting was being held telephonically and via audio/video teleconferencing in accordance with the Governor's Executive Order No. N-29-20, due to the Coronavirus Pandemic (COVID-19); announced the teleconference meeting guidelines and stated that votes will be taken by roll call.

ROLL CALL AND DECLARATION OF QUORUM

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

PRESENT: Allan Bernstein, Doug Chaffee, Robert Collacott, James Ferryman, Cecilia Iglesias, Steve Jones, Brooke Jones, Peter Kim, Lucille Kring, Sandra Massa-Lavitt, Mark Murphy, Richard Murphy, Steve Nagel, Andrew Nguyen, Glenn Parker, Tim Shaw, David Shawver, Christina Shea, Jesus Silva, Fred Smith, Chad Wanke, John Withers, Mariellen Yarc and Lyn Semeta (Alternate)

ABSENT: Brad Avery

STAFF MEMBERS PRESENT: Jim Herberg, General Manager; Kelly Lore, Clerk of the Board; Al Garcia; and Tyler Ramirez were present in the Board Room. Assistant General Manager Lorenzo Tyner, Assistant General Manager Rob Thompson, Director of Engineering Kathy Millea, Director of Environmental Services Lan Wiborg, Director of Human Resources Celia Chandler, Tina Knapp, and Wally Ritchie participated telephonically.

OTHERS PRESENT: Brad Hogin (General Counsel) was present in the Board Room.

PUBLIC COMMENTS:

None.

SPECIAL PRESENTATIONS:

None.

REPORTS:

Chair Shawver stated that the June Operations and Administration Committee meetings will be held on their regular date and time and will continue to take place remotely. There is no Legislative and Public Affairs Committee meeting scheduled for June.

Chair Shawver stated that the COVID-19 pandemic has created a very stressful and financial hardship for Orange County. He requested that, if financially feasible, OCSO possibly provide relief for our ratepayers by delaying the scheduled July 1st, 1.2 percent

rate adjustment for one year. He requested that staff look at the potential impact and ability of delaying the upcoming rate adjustment and return to the Board with additional information.

General Manager Jim Herberg provided a COVID-19 update stating that he continues to provide the Board with a comprehensive weekly report, operations remain stable, and confirmed that the first Sanitation District employee tested positive for the virus, but was doing well. He stated that the employee had been off-site for more than two weeks and had not had direct contact with any other employees.

Mr. Herberg provided a brief update on the Headquarters Complex including: design of project is currently 95 percent complete; comments provided by the City of Fountain Valley are currently under evaluation and review; contract for site demolition is scheduled for approval in June; and a Closed Session item regarding the project will be brought to the Board at a later date.

ELECTIONS:

1. **NOMINATIONS FOR CHAIRPERSON AND VICE CHAIRPERSON OF [2020-980](#)
THE ORANGE COUNTY SANITATION DISTRICT BOARD OF
DIRECTORS**

Originator: Kelly Lore

General Counsel Brad Hogin provided instructions and facilitated the nomination and election process.

Mr. Hogin opened nominations for Chairperson and Vice-Chairperson of the Board of Directors (Election to be held at the regular June Board Meeting unless only one candidate is nominated). One nomination was received for each office. A motion to close nominations was received.

With no further nominations, David Shawver was deemed elected as Chairman of the Board of Directors and John Withers was deemed elected as Vice-Chairman of the Board of Directors for the 2020/21 term.

AYES: Allan Bernstein, Doug Chaffee, Robert Collacott, James Ferryman, Cecilia Iglesias, Steve Jones, Brooke Jones, Peter Kim, Lucille Kring, Sandra Massa-Lavitt, Mark Murphy, Richard Murphy, Steve Nagel, Andrew Nguyen, Glenn Parker, Tim Shaw, David Shawver, Christina Shea, Jesus Silva, Fred Smith, Chad Wanke, Mariellen Yarc and Lyn Semeta (Alternate)

NOES: None

ABSENT: Brad Avery and John Withers

ABSTENTIONS: None

CONSENT CALENDAR:**2. APPROVAL OF MINUTES**[2020-1055](#)

Originator: Kelly Lore

MOVED, SECONDED, AND DULY CARRIED TO:

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

AYES: Allan Bernstein, Doug Chaffee, Robert Collacott, James Ferryman, Cecilia Iglesias, Steve Jones, Brooke Jones, Peter Kim, Lucille Kring, Sandra Massa-Lavitt, Mark Murphy, Richard Murphy, Steve Nagel, Andrew Nguyen, Glenn Parker, Tim Shaw, David Shawver, Christina Shea, Jesus Silva, Fred Smith, Chad Wanke, John Withers, Mariellen Yarc and Lyn Semeta (Alternate)

NOES: None

ABSENT: Brad Avery

ABSTENTIONS: None

RECEIVE AND FILE:**3. REPORT OF THE INVESTMENT TRANSACTIONS FOR THE MONTH OF APRIL 2020**[2020-907](#)

Originator: Lorenzo Tyner

WITHOUT OBJECTION ACTION TAKEN TO RECEIVE AND FILE:

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

4. COMMITTEE MEETING MINUTES[2020-1074](#)

Originator: Kelly Lore

WITHOUT OBJECTION ACTION TAKEN TO RECEIVE AND FILE:

- A. Minutes of the Operations Committee Meeting held March 4, 2020
- B. Minutes of the Administration Committee Meeting held March 11, 2020
- C. Minutes of the Steering Committee Meeting held March 25, 2020

OPERATIONS COMMITTEE:**5. NEWPORT BEACH PUMP STATION PRESSURIZATION IMPROVEMENTS, PROJECT NO. 5-68 [2020-1069](#)**

Originator: Kathy Millea

MOVED, SECONDED, AND DULY CARRIED TO:

- A. Approve a Professional Design Services Agreement with Dudek to provide Engineering Services for Newport Beach Pump Station Pressurization Improvements, Project No. 5-68, for an amount not to exceed \$542,988; and
- B. Approve a contingency of \$54,299 (10%).

AYES: Allan Bernstein, Doug Chaffee, Robert Collacott, James Ferryman, Cecilia Iglesias, Steve Jones, Brooke Jones, Peter Kim, Lucille Kring, Sandra Massa-Lavitt, Mark Murphy, Richard Murphy, Steve Nagel, Andrew Nguyen, Glenn Parker, Tim Shaw, David Shawver, Christina Shea, Jesus Silva, Fred Smith, Chad Wanke, John Withers, Mariellen Yarc and Lyn Semeta (Alternate)

NOES: None

ABSENT: Brad Avery

ABSTENTIONS: None

6. SERVICE CONTRACT FOR PLANT NOS. 1 AND 2 CENTRAL GENERATION CARBON CHANGE-OUT, SPECIFICATION NO. S-2020-1130BD [2020-1070](#)

Originator: Rob Thompson

MOVED, SECONDED, AND DULY CARRIED TO:

- A. Award a Service Contract to EnviroSupply & Service Inc. for Plant Nos. 1 and 2, Central Generation Facility Fuel Gas Cleaning System, Carbon Change-Out [replacement]; Specification No. S-2020-1130BD, for a total amount not to exceed \$240,702 for the period July 1, 2020 through June 30, 2021, with four (4) one-year renewal options; and
- B. Approve a contingency of \$24,071 (10%).

AYES: Allan Bernstein, Doug Chaffee, Robert Collacott, James Ferryman, Cecilia Iglesias, Steve Jones, Brooke Jones, Peter Kim, Lucille Kring, Sandra Massa-Lavitt, Mark Murphy, Richard Murphy, Steve Nagel, Andrew Nguyen, Glenn Parker, Tim Shaw, David Shawver, Christina Shea, Jesus Silva, Fred Smith, Chad Wanke, John Withers, Mariellen Yarc and Lyn Semeta (Alternate)

NOES: None

ABSENT: Brad Avery

ABSTENTIONS: None

**7. GRIT AND SCREENINGS REMOVAL, SPECIFICATION NO. [2020-1071](#)
S-2020-1121BD**

Originator: Lan Wiborg

MOVED, SECONDED, AND DULY CARRIED TO:

A. Approve a Service Contract to Denali Water Solutions for Grit and Screenings Removal, Specification No. S-2020-1121BD, for a total amount not to exceed \$551,482 for the period July 1, 2020 through June 30, 2021, with four one-year renewal options; and

B. Approve a contingency of \$55,148 (10%).

AYES: Allan Bernstein, Doug Chaffee, Robert Collacott, James Ferryman, Cecilia Iglesias, Steve Jones, Brooke Jones, Peter Kim, Lucille Kring, Sandra Massa-Lavitt, Mark Murphy, Richard Murphy, Steve Nagel, Andrew Nguyen, Glenn Parker, Tim Shaw, David Shawver, Christina Shea, Jesus Silva, Fred Smith, Chad Wanke, John Withers, Mariellen Yarc and Lyn Semeta (Alternate)

NOES: None

ABSENT: Brad Avery

ABSTENTIONS: None

8. BUSHARD DIVERSION STRUCTURE REPAIR, PROJECT NO. MP-307 [2020-1072](#)

Originator: Kathy Millea

MOVED, SECONDED, AND DULY CARRIED TO:

A. Receive and file Bid Tabulation and Recommendation for Bushard Diversion Structure Repair, Project No. MP-307; and

B. Reject the bid from Mehta Mechanical Company, Inc. and direct staff to reissue the contract for bids with changes made to prolong the life of the repairs.

AYES: Allan Bernstein, Doug Chaffee, Robert Collacott, James Ferryman, Cecilia Iglesias, Steve Jones, Brooke Jones, Peter Kim, Lucille Kring, Sandra Massa-Lavitt, Mark Murphy, Richard Murphy, Steve Nagel, Andrew Nguyen, Glenn Parker, Tim Shaw, David Shawver, Christina Shea, Jesus Silva, Fred Smith, Chad Wanke, John Withers, Mariellen Yarc and Lyn Semeta (Alternate)

NOES: None

ABSENT: Brad Avery

ABSTENTIONS: None

**9. SEISMIC EVALUATION OF STRUCTURES AT PLANT NOS. 1 AND 2, [2020-1073](#)
PROJECT NO. PS15-06**

Originator: Kathy Millea

MOVED, SECONDED, AND DULY CARRIED TO:

Receive and file the Seismic Evaluation of Structures at Plant Nos. 1 and 2, Project No. PS15-06.

AYES: Allan Bernstein, Doug Chaffee, Robert Collacott, James Ferryman, Cecilia Iglesias, Steve Jones, Brooke Jones, Peter Kim, Lucille Kring, Sandra Massa-Lavitt, Mark Murphy, Richard Murphy, Steve Nagel, Andrew Nguyen, Glenn Parker, Tim Shaw, David Shawver, Christina Shea, Jesus Silva, Fred Smith, Chad Wanke, John Withers, Mariellen Yarc and Lyn Semeta (Alternate)

NOES: None

ABSENT: Brad Avery

ABSTENTIONS: None

ADMINISTRATION COMMITTEE:

**10. COSTA MESA SANITARY DISTRICT ALTERNATE DISTRICT
ENGINEER LENDING AGREEMENT [2020-1080](#)**

Originator: Kathy Millea

MOVED, SECONDED, AND DULY CARRIED TO:

Approve an employee lending agreement between the Orange County Sanitation District and the Costa Mesa Sanitary District so the Orange County Sanitation District can provide Alternate District Engineer services, effective May 25, 2020 through May 24, 2021, with one 12-month extension as approved by the General Manager.

AYES: Allan Bernstein, Doug Chaffee, Robert Collacott, James Ferryman, Cecilia Iglesias, Steve Jones, Brooke Jones, Peter Kim, Lucille Kring, Sandra Massa-Lavitt, Mark Murphy, Richard Murphy, Steve Nagel, Andrew Nguyen, Glenn Parker, Tim Shaw, David Shawver, Christina Shea, Jesus Silva, Fred Smith, Chad Wanke, John Withers, Mariellen Yarc and Lyn Semeta (Alternate)

NOES: None

ABSENT: Brad Avery

ABSTENTIONS: None

11. ELECTRONIC RECORDING MEMORANDUM OF UNDERSTANDING COUNTY OF ORANGE CLERK-RECORDER'S OFFICE [2020-1081](#)

Originator: Kelly Lore

MOVED, SECONDED, AND DULY CARRIED TO:

- A. Approve the 2020 SECURE G2G Memorandum of Understanding with the counties of Los Angeles, Orange, Riverside, and San Bernardino, for the use of the SECURE Government to Government (G2G) Portal for a term of five (5) years; and
- B. Authorize the Clerk of the Board, or designee, to transmit/record any and all required Orange County Sanitation District real property documents in an electronic format.

AYES: Allan Bernstein, Doug Chaffee, Robert Collacott, James Ferryman, Cecilia Iglesias, Steve Jones, Brooke Jones, Peter Kim, Lucille Kring, Sandra Massa-Lavitt, Mark Murphy, Richard Murphy, Steve Nagel, Andrew Nguyen, Glenn Parker, Tim Shaw, David Shawver, Christina Shea, Jesus Silva, Fred Smith, Chad Wanke, John Withers, Mariellen Yarc and Lyn Semeta (Alternate)

NOES: None

ABSENT: Brad Avery

ABSTENTIONS: None

12. CONSOLIDATED FINANCIAL REPORT FOR THE THIRD QUARTER ENDED MARCH 31, 2020 [2020-1082](#)

Originator: Lorenzo Tyner

MOVED, SECONDED, AND DULY CARRIED TO:

Receive and file the Orange County Sanitation District Third Quarter Financial Report for the period ended March 31, 2020.

AYES: Allan Bernstein, Doug Chaffee, Robert Collacott, James Ferryman, Cecilia Iglesias, Steve Jones, Brooke Jones, Peter Kim, Lucille Kring, Sandra Massa-Lavitt, Mark Murphy, Richard Murphy, Steve Nagel, Andrew Nguyen, Glenn Parker, Tim Shaw, David Shawver, Christina Shea, Jesus Silva, Fred Smith, Chad Wanke, John Withers, Mariellen Yarc and Lyn Semeta (Alternate)

NOES: None

ABSENT: Brad Avery

ABSTENTIONS: None

13. APPROVE A CONTINGENCY INCREASE TO EXISTING SERVICE CONTRACT FOR HAZARDOUS WASTE DISPOSAL SERVICES [2020-1083](#)

Originator: Celia Chandler

MOVED, SECONDED, AND DULY CARRIED TO:

Approve a contingency increase of \$35,000 (in addition to the original contingency of \$19,200 for a total contingency of \$54,200, in addition to the original contract amount of \$192,000) to the Service Contract with Clean Harbors Environmental Services, Inc., Specification No. S-2017-841, for hazardous waste services, for the remainder of the contract term ending June 30, 2020.

AYES: Allan Bernstein, Doug Chaffee, Robert Collacott, James Ferryman, Cecilia Iglesias, Steve Jones, Brooke Jones, Peter Kim, Lucille Kring, Sandra Massa-Lavitt, Mark Murphy, Richard Murphy, Steve Nagel, Andrew Nguyen, Glenn Parker, Tim Shaw, David Shawver, Christina Shea, Jesus Silva, Fred Smith, Chad Wanke, John Withers, Mariellen Yarc and Lyn Semeta (Alternate)

NOES: None

ABSENT: Brad Avery

ABSTENTIONS: None

14. GENERAL MANAGER APPROVED PURCHASES AND ADDITIONS TO THE PRE-APPROVED OEM SOLE SOURCE LIST [2020-1084](#)

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 January 1, 2020 to March 31, 2020; and
- B. Approve the following additions to the pre-approved OEM Sole Source List for the period of January 1, 2020 to March 31, 2020:
- EATON - Batteries and Replacement Services
 - BR FROST COMPANY - Jaw Clutch Assemblies
 - CLA-VAL - Valves, Repairs, Maintenance, and Start-up Services
 - FRANKLIN MILLER - Taskmaster Grinders
 - FLOWSERVE (incl. WORTHINGTON, INGERSOLL-DRESSER, DURCO, PLEUGER, BYRON JACKSON, AND PACIFIC) - Pumps and Parts
 - GROTH - Flame Arrestors and Parts
 - IOPREDICT - Test Validation for Lead Instrumentation, Instrumentation Technicians I & II
 - OCECO - Flame Arrestors and Parts
 - PCB PIEZOTRONICS - Vibration Sensors, Switches, and Instrumentation for Vibration Analysis
 - PENN PROCESS COMPRESSORS (PPC/PENN) - Pistons and Parts
 - PUTZMEISTER - Equipment, Parts, Maintenance, Repairs, and Training
 - VAUGHAN - Pump Maintenance and Repairs

AYES: Allan Bernstein, Doug Chaffee, Robert Collacott, James Ferryman, Cecilia Iglesias, Steve Jones, Brooke Jones, Peter Kim, Lucille Kring, Sandra Massa-Lavitt, Mark Murphy, Richard Murphy, Steve Nagel, Andrew Nguyen, Glenn Parker, Tim Shaw, David Shawver, Christina Shea, Jesus Silva, Fred Smith, Chad Wanke, John Withers, Mariellen Yarc and Lyn Semeta (Alternate)

NOES: None

ABSENT: Brad Avery

ABSTENTIONS: None

LEGISLATIVE AND PUBLIC AFFAIRS COMMITTEE:

None.

STEERING COMMITTEE:

None.

NON-CONSENT:

None.

INFORMATION ITEMS:

None.

AB 1234 DISCLOSURE REPORTS:

Director Ferryman reported on his upcoming meetings with Borders and OCCOG.

CLOSED SESSION:

None.

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

Chair Shawver read correspondence from former employee Tomm McElroy's family thanking the Board for honoring Tomm's 30-year contribution to OCSD by adjourning the meeting in February 2020 in Tomm's memory.

BOARD OF DIRECTORS INITIATED ITEMS FOR A FUTURE MEETING:

None.

ADJOURNMENT:

At 6:26 p.m., Chair Shawver adjourned the meeting until the Regular Meeting of the Board of Directors to be held on June 24, 2020 at 6:00 p.m.

Submitted by:

Kelly A. Lore, MMC
Clerk of the Board