

**MINUTES OF THE REGULAR MEETING
OF THE BOARD OF DIRECTORS
MUNICIPAL WATER DISTRICT OF ORANGE COUNTY
March 20, 2019**

At 8:30 a.m., President Barbre called to order the Regular Meeting of the Municipal Water District of Orange County in the Board Room at the District facilities located in Fountain Valley. Director Osborne led the Pledge of Allegiance and Secretary Goldsby called the roll.

MWDOC DIRECTORS

Brett R. Barbre
Larry Dick
Joan Finnegan (absent)
Wayne Osborne
Sat Tamaribuchi
Jeffery M. Thomas
Megan Yoo Schneider (absent)

STAFF

Robert Hunter, General Manager
Karl Seckel, Assistant General Manager
Joe Byrne, Legal Counsel
Maribeth Goldsby, Board Secretary
Harvey De La Torre, Associate General Manager
Jeff Stalvey, Sr. Financial Analyst/Database Analyst
Tiffany Baca, Public Affairs Manager
Sarah Wilson, Public Affairs Specialist
Chris Lingad, Water Resources Analyst
Janine Schunk, Administrative Assistant

ALSO PRESENT

Linda Ackerman
Larry McKenney
Peer Swan
Jim Atkinson
Kelly Rowe
Dennis Erdman
Rick Shintaku
Wayne Miller
Brooke Jones
Laer Pearce
Ronald Mawhinney

MWDOC MET Director
MWDOC MET Director
Irvine Ranch Water District
Mesa Water
Orange County Water District
South Coast Water District
South Coast Water District
Yorba Linda Water District
Yorba Linda Water District
Laer Pearce & Associates

PUBLIC PARTICIPATION/PUBLIC COMMENT

President Barbre announced members of the public wishing to comment on agenda items could do so after the item has been discussed by the Board and requested members of the public identify themselves when called on. Mr. Barbre asked whether there were any comments on other items which would be heard at this time.

No public comments were received.

ITEMS RECEIVED TOO LATE TO BE AGENDIZED

No items were received.

ITEMS DISTRIBUTED TO THE BOARD LESS THAN 72 HOURS PRIOR TO MEETING

President Barbre inquired as to whether there were any items distributed to the Board less than 72 hours prior to the meeting.

It was noted that Item 8-5 (Sole Source Contract for Brown and Caldwell to Develop Information Relative to Small Non-Compliant California Drinking Water Systems) was revised to reflect the Committee recommendation, distributed to the Board, and made available to the public.

CONSENT CALENDAR

President Barbre stated all matters under the Consent Calendar would be approved by one MOTION unless a Director wished to consider an item separately.

President Barbre advised that the minutes from the February 6, 2019 Workshop Board meeting were revised to reflect that Kristy Khachigian (an attendee) was there on behalf of Kristy Khachigian Consulting rather than San Diego County Water Authority; her affiliation was revised.

Upon MOTION by Director Thomas, seconded by Director Osborne, and carried (5-0), the Board approved the Consent Calendar items as follows. Directors Barbre, Dick, Osborne, Tamaribuchi, and Thomas voted in favor; Directors Finnegan and Yoo Schneider were absent.

MINUTES

The following minutes were approved.

- February 6, 2019 Workshop Board Meeting (as revised)
- February 20, 2019 Regular Board Meeting

COMMITTEE MEETING REPORTS

The following Committee Meeting reports were received and filed as presented.

- Planning & Operations Committee Meeting: February 4, 2019
- Administration & Finance Committee Meeting: February 13, 2019
- Public Affairs & Legislation Committee Meeting: February 19, 2019
- Executive Committee Meeting: February 21, 2019

TREASURER'S REPORTS

The following items were ratified and approved as presented.

- MWDOC Revenue/Cash Receipt Register as of February 28, 2019
- MWDOC Disbursement Registers (February/March)

The following items were received and filed as presented.

- MWDOC Summary of Cash and Investment and Portfolio Master Summary Report (Cash

and Investment report) as of January 31, 2019

PARS Monthly Statement (OPEB Trust)

Water Use Efficiency Projects Cash Flow

FINANCIAL REPORT

The following items were received and filed as presented.

Combined Financial Statements and Budget Comparative for the period ending January 31, 2019

METROPOLITAN FUTURE SUPPLY ACTIONS PROGRAM FUNDING AGREEMENTS

The Board authorized the General Manager to enter into (1) a not-to-exceed \$205,754 funding agreement with Metropolitan Water District of Southern California under the Future Supply Actions Funding Program for the “Smart Watershed Network” and (2) a complementary not-to-exceed \$205,754 funding agreement between MWDOC and Moulton Niguel Water District.

AUTHORIZE THE GENERAL MANAGER TO ENTER INTO A CONTRACT TO PROVIDE ASSISTANCE TO WEROC PROGRAM

The Board authorized the General Manager to enter into a contract with Athena EHS Consulting, LLC in an amount not to exceed \$25,000 for WEROC Program assistance

AUTHORIZE ATTENDANCE AT CALIFORNIA WATER ENVIRONMENT ASSOCIATION ANNUAL CONFERENCE, PALM SPRINGS, APRIL 9-12, 2019

The Board authorized attendance at the California Water Environment Association Annual Conference, April 9-12, 2019 in Palm Springs, California.

- END CONSENT CALENDAR -

ACTION CALENDAR

AMENDMENTS TO ADMINISTRATIVE CODE

President Barbre suggested that because the Committee had requested additional information from Legal Counsel, it would be prudent to refer this item back to the Administration & Finance Committee for further review.

The Board generally concurred and this item was referred to the April 10, 2019 Administration & Finance Committee for further review.

SB 307 – WATER CONVEYANCE: USE OF FACILITY WITH UNUSED CAPACITY

Mr. Ronald Mawhinney and Mr. Laer Pearce each addressed the Board in support of the Cadiz Project. Mr. Pearce distributed a letter from Aquilogic, Inc. regarding the report of the

independent peer review panel for the Groundwater Monitoring, Management, and Mitigation Plan (GMMMP) for the Cadiz Project and he encouraged the Board to oppose SB 307.

Upon MOTION by Director Thomas, seconded by Director Dick, and carried (5-0), the Board adopted an oppose position on SB 307 (Roth). Directors Barbre, Dick, Osborne, Tamaribuchi, and Thomas voted in favor; Directors Finnegan and Yoo Schneider were absent.

Director Tamaribuchi clarified that this action indicates the Board's opposition to the proposed legislation and does not indicate the Board's support/non-support of the Cadiz Project.

SB 669 (CABALLERO) – SAFE DRINKING WATER FUND

Upon MOTION by Director Dick, seconded by Director Osborne, and carried (5-0), the Board adopted a support position on SB 669 (Caballero). Directors Barbre, Dick, Osborne, Tamaribuchi, and Thomas voted in favor; Directors Finnegan and Yoo Schneider were absent.

SB 414 (CABALLERO) – THE SMALL SYSTEM WATER AUTHORITY ACT OF 2019

Upon MOTION by Director Thomas, seconded by Director Tamaribuchi, and carried (5-0), the Board adopted a support position on SB 414 (Caballero) – the Small System Water Authority Act of 2019. Directors Barbre, Dick, Osborne, Tamaribuchi, and Thomas voted in favor; Directors Finnegan and Yoo Schneider were absent.

SOLE SOURCE CONTRACT FOR BROWN AND CALDWELL TO DEVELOP INFORMATION RELATIVE TO SMALL NON-COMPLIANT CALIFORNIA DRINKING WATER SYSTEMS

Assistant General Manager reviewed the staff response to the various questions raised by the Public Affairs & Legislation Committee (e.g., ownership of the database-CUWA will be the owner of their database, but will share portions for the MWDOC study, and MWDOC will own its database (to share with others), funding assistance, the cost of the study-\$141,772, and whether any intellectual property will be maintained by MWDOC-none is anticipated).

Following discussion, and upon MOTION by Director Dick, seconded by Director Tamaribuchi, and carried (5-0), the Board authorized the General Manager to enter into a contract with Brown and Caldwell to complete the scope of work as presented, at a cost not to exceed \$141,772, and directed staff to solicit funding assistance from agencies within and outside of Orange County to help support the cost. Directors Barbre, Dick, Osborne, Tamaribuchi, and Thomas voted in favor; Directors Finnegan and Yoo Schneider were absent.

CALIFORNIA SPECIAL DISTRICTS ASSOCIATION (CSDA) 2020-2022 BOARD OF DIRECTORS, CALL FOR NOMINATIONS – SOUTHERN CALIFORNIA NETWORK REGION, SEAT B

President Barbre stated that no MWDOC Directors expressed a desire to be nominated to the CSDA Board of Directors, Seat B; as a result, no action was taken.

AB 533 (HOLDEN) – INCOME TAX EXCLUSION, WATER CONSERVATION OR EFFICIENCY PROGRAMS

Upon MOTION by Director Dick, seconded by Director Osborne, and carried (5-0), the Board adopted a support position on AB 533 (Holden). Directors Barbre, Dick, Osborne, Tamaribuchi, and Thomas voted in favor; Directors Finnegan and Yoo Schneider were absent.

AB 1194 (FRAZIER) – SACRAMENTO-SAN JOAQUIN DELTA: DELTA STEWARDSHIP COUNCIL

Upon MOTION by Director Dick, seconded by Director Thomas, and carried (5-0), the Board adopted an oppose position on AB 1194 (Frazier). Directors Barbre, Dick, Osborne, Tamaribuchi, and Thomas voted in favor; Directors Finnegan and Yoo Schneider were absent.

INFORMATION CALENDAR

GENERAL MANAGER'S REPORT, MARCH 2019

General Manager Hunter advised that the General Manager's report was included in the Board packet.

The Board received and filed the report as presented.

MWDOC GENERAL INFORMATION ITEMS

a. BOARD OF DIRECTORS

The Board members each reported on their attendance at the regular (and special) MWDOC Board and Committee meetings. In addition to these meetings, the following reports were made on conferences and meetings attended on behalf of the District.

Director Thomas noted his attendance at the regularly scheduled MWDOC meetings, (Planning & Operations, Administration & Finance, Public Affairs & Legislation and Executive Committee meetings, as well as the Workshop and Regular Board meetings). He also attended the Urban Water Institute Conference and the Santa Margarita Water District Board meeting (along with General Manager Hunter).

Director Tamaribuchi reported on attending all regularly scheduled MWDOC meetings (Planning & Operations, Administration & Finance, Public Affairs & Legislation and Executive Committee meetings, as well as the Workshop and Regular Board meetings), the Water Policy dinner, a meeting with the State Water Resources Control Board Deputy Director, the Urban Water Institute Conference, a meeting with staff regarding the IRP, the OCBC combined Infrastructure and Government Affairs meeting, the California Environmental Dialogue meeting, and the Moulton Niguel Water District reception for MET Chairwoman Gray.

Director Osborne advised that he attended the Workshop Board meeting, and the Administration & Finance and Public Affairs & Legislation Committee meetings.

Director Dick reported on attending all regularly scheduled MWDOC meetings (Planning & Operations, Administration & Finance, Public Affairs & Legislation and Executive Committee meetings, as well as the Workshop and Regular Board meetings), as well as the Urban Water Institute Conference, the ISDOC Executive Committee, the Garden Grove Chamber of Commerce meeting, the WACO meeting, and the Water Policy dinner.

Director Barbre advised that he submitted a written report to Secretary Goldsby. He noted that the written report included the following meetings in his capacity as MET Director: the Water Policy dinner, the MNWD reception for Chairwoman Gray, the MWDOC/MET Director pre-MET Executive Committee meeting (late), the MET Committee day (late), the MWDOC MET Director caucus (early), the MET Caucus (Inland Empire), a meeting with Jenn Lowe regarding ACCOC water issues, the MET Committee and Board days (early), a meeting with Scott Maloni regarding Poseidon LRP issues, and a meeting with Brian Lochrie regarding MET LRP issues. In his capacity as MWDOC Director he attended the following meetings: the Planning & Operations, Administration & Finance, Public Affairs & Legislation Committee, and the Executive Committee meetings, as well as the Workshop Board meeting, a meeting with Michael Quigley (CAL Alliance for Jobs), a meeting with OCWD President Sarmiento, and the Yorba Linda Planning Commission tour of Diemer Filtration Plant.

b. REQUESTS FOR FUTURE AGENDA TOPICS

No requests for future agenda topics were received.

CLOSED SESSION ITEMS

At 8:57 a.m., Legal Counsel Byrne announced that the Board would adjourn to closed session to conduct the performance evaluation of the General Manager, pursuant to Government Code 54957.

RECONVENE

At 9:27 a.m., the Board reconvened and President Barbre announced that no reportable action was taken in closed session.

ADJOURNMENT

There being no further business to come before the Board, President Barbre adjourned the meeting at 9:28 a.m.

Respectfully submitted,

Maribeth Goldsby, Secretary