

REVISED

REGULAR MEETING
OF THE BOARD OF DIRECTORS
MUNICIPAL WATER DISTRICT OF ORANGE COUNTY
18700 Ward Street, Board Room, Fountain Valley, California
June 19, 2019, 8:30 a.m.

AGENDA

PLEDGE OF ALLEGIANCE

ROLL CALL

PUBLIC COMMENTS/PARTICIPATION

At this time, members of the public will be given an opportunity to address the Board concerning items within the subject matter jurisdiction of the Board. Members of the public may also address the Board about a particular Agenda item at the time it is considered by the Board and before action is taken. If the item is on the Consent Calendar, please inform the Board Secretary before action is taken on the Consent Calendar and the item will be removed for separate consideration.

The Board requests, but does not require, that members of the public who want to address the Board complete a voluntary "Request to be Heard" form available from the Board Secretary prior to the meeting.

ITEMS RECEIVED TOO LATE TO BE AGENDIZED

Determine need and take action to agendize items(s) which arose subsequent to the posting of the Agenda. (ROLL CALL VOTE: Adoption of this recommendation requires a two-thirds vote of the Board members present, or, if less than two-thirds of the Board members are present, a unanimous vote of those members present.)

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

Pursuant to Government Code section 54957.5, non-exempt public records that relate to open session agenda items and are distributed to a majority of the Board less than seventy-two (72) hours prior to the meeting will be available for public inspection in the lobby of the District's business office located at 18700 Ward Street, Fountain Valley, California 92708, during regular business hours. When practical, these public records will also be made available on the District's Internet Web site, accessible at <http://www.mwdoc.com>.

EMPLOYEE SERVICE AWARDS

NEXT RESOLUTION NO. 2088

CONSENT CALENDAR (Items 1 to 8)

(All matters under the Consent Calendar will be approved by one motion unless a Board member requests separate action on a specific item)

1. MINUTES

- a. May 1, 2019 Workshop Board Meeting (Adjourned)
- b. May 15, 2019 Regular Board Meeting
- c. May 21, 2019 Special Board Meeting
- d. May 29, 2019 Special Board Meeting

Recommendation: Approve as presented.

2. COMMITTEE MEETING REPORTS

- a. Combined Planning & Operations Committee/Administration & Finance Committee Meeting: May 6, 2019
- b. Public Affairs & Legislation Committee Meeting: May 20, 2019
- c. Executive Committee Meeting: May 16, 2019

Recommendation: Receive and file as presented.

3. TREASURER'S REPORTS

- a. MWDOC Revenue/Cash Receipt Register as of May 31, 2019
- b. MWDOC Disbursement Registers (May/June)

Recommendation: Ratify and approve as presented.

- c. Summary of Cash and Investment and Portfolio Master Summary Report (Cash and Investment report) as of April 30, 2019
- d. PARS Monthly Statement (OPEB Trust)
- e. Water Use Efficiency Projects Cash Flow

Recommendation: Receive and file as presented.

4. FINANCIAL REPORT

- a. Combined Financial Statements and Budget Comparative for the Period ending April 30, 2019

Recommendation: Receive and file as presented.

5. LANDSCAPE DESIGN AND MAINTENANCE ASSISTANCE PROGRAM

Recommendation: Authorize the General Manager to enter into professional services agreements not to exceed \$160,000 with: (1) The Plant Nerd, Inc. and EcoTech Services to provide landscape design assistance; (2) The Plant Nerd, Inc. and TerraWorks Studio to provide landscape maintenance assistance; and (3) Other firms (to be determined) who demonstrate they are qualified to do the work and agree to a competitive fee structure.

6. AMENDMENTS TO ADMINISTRATIVE CODE SECTION 9500

Recommendation: Authorize staff to update the Administrative Code for Section 9500.

7. 2019-20 PAY STRUCTURE ADJUSTMENT

Recommendation: Approve the proposed Pay Structure Schedule, adjusting the District Salary Ranges by 3.8%, as approved during the budget process.

8. AWARD CONTRACT FOR ELECTRICAL SYSTEM REHABILITATION PROJECT

Recommendation: Approve entering into the subject agreement for improvements to the MWDOC administration building electrical system: (1) Make a CEQA finding that the project is categorical exempt under: Class 1-Existing Facilities; (2) Award AVRAM Electric "MWDOC Electrical System Rehabilitation Project" construction contract in the amount of \$213,883.00; and (3) Authorize the General Manager to enter into a license agreement with OCWD to install and maintain underground electric utilities and related equipment on OCWD property, and pay OCWD a one-time license fee of \$1,148.00.

End Consent Calendar

ACTION ITEMS

9-1 SB 200 (MONNING) – SAFE AND AFFORDABLE DRINKING WATER FUND

Recommendation: Adopt a support position on SB 200 (Monning) the Safe and Affordable Drinking Water Fund.

9-2 AB 402 (QUIRK) – STATE WATER RESOURCES CONTROL BOARD: LOCAL PRIMARY AGENCIES, FUNDING STABLIZATION

Recommendation: Adopt an oppose unless amended position on AB 402 (Quirk), State Water Resources Control Board: local primary delegation: funding stabilization program.

9-3 H.R. 2313 (HUFFMAN) – WATER CONSERVATION REBATE TAX PARITY ACT

Recommendation: Adopt a support position on H.R. 2313 (Huffman).

9-4 EXTENSION OF CONSULTING CONTRACT WITH ACKERMAN CONSULTING

Recommendation: Consider extending the contract with Ackerman Consulting for specialized services.

9-5 ASSOCIATION OF CALIFORNIA WATER AGENCIES (ACWA) REGION 10 CALL FOR CANDIDATES

Recommendation: Determine if a member of the MWDOC Board of Directors would like to be nominated and run for the ACWA Region 10 Board of Directors.

9-6 CALIFORNIA SPECIAL DISTRICTS ASSOCIATION (CSDA) 2019 BOARD OF DIRECTORS ELECTION – SOUTHERN NETWORK REGION, SEAT B

Recommendation: (1) Review and discuss the candidates running for the CSDA Board of Directors, Southern Network, Seat B; and (2) Authorize President Barbre, or his designee, to cast the District's ballot

9-7 SPECIAL DISTRICT RISK MANAGEMENT AUTHORITY (SDRMA) BOARD OF DIRECTORS ELECTION 2020

Recommendation: Review the candidates and authorize President Barbre, or his designee, to cast the District's ballot for the SDRMA Board of Directors election.

9-8 AB 1752 (PETRIE-NORRIS): DOHENY DESALINATION FACILITY

Recommendation: Adopt a Support position on AB 1752.

INFORMATION CALENDAR (All matters under the Information Calendar will be Received/Filed as presented following any discussion that may occur)

10. GENERAL MANAGER'S REPORT, JUNE 2019 (ORAL AND WRITTEN)

Recommendation: Receive and file report(s) as presented.

11. MWDOC GENERAL INFORMATION ITEMS

- a. Board of Directors - Reports re: Conferences and Meetings
- b. Requests for Future Agenda Topics

Recommendation: Receive and file as presented.

CLOSED SESSIONS

12. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to Paragraph (1) of subdivision (d) of Government Code Section 54956.9. One Case: San Diego County Water Authority v. Metropolitan Water District of Southern California; all persons interested in the validity of the rates adopted by the Metropolitan Water District of Southern California on April 13, 2010, et al., former Los Angeles Superior Court, Case No. BS 126888, transferred on October 21, 2010, to San Francisco Superior Court, Case No. CPF-10-510830. [On Remand from Court of Appeal Case No. A146901]

13. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to Paragraph (1) of subdivision (d) of Government Code 54956.9. One Case: San Diego County Water Authority v. Metropolitan Water District of Southern California; all persons interested in the validity of the rates adopted by the Metropolitan Water District of Southern California on April 10, 2012 to be Effective January 1, 2013 and January 1, 2014; and Does 1-10, et al., former Los Angeles Superior Court, Case No. BS137830, transferred on August 23, 2012, to San

Francisco Superior Court, Case No. CPF-12-512466. [On Remand from Court of Appeal Case No. A148266]

14. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to Paragraph (1) of subdivision (d) of Government Code Section 54956.9. One Case: San Diego County Water Authority v. Metropolitan Water District of Southern California; all persons interested in the validity of the rates adopted by the Metropolitan Water of Southern California on April 8, 2014, et al., former Los Angeles Superior Court, Case No. BC547139, transferred on December 2, 2014, to San Francisco Superior Court, Case No. CPF-14-514004.

15. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to Paragraph (1) of subdivision (d) of Government Code Section 54956.9. One Case: San Diego County Water Authority v. Metropolitan Water District of Southern California; all persons interested in the validity of the rates adopted by the Metropolitan Water District of Southern California on April 12, 2016, effective January 1, 2017 and January 1, 2018, et al., former Los Angeles Superior Court, Case No. No. BS161729, transferred to San Francisco Superior Court, Case CPF-16-515282.

16. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to Paragraph (1) of subdivision (d) of Government Code Section 54956.9. One Case: San Diego County Water Authority v. Metropolitan Water District of Southern California; all persons interested in the validity of the rates adopted by the Metropolitan Water District of Southern California in 2017 to be effective January 1, 2018, et al., Los Angeles Superior Court, Case No. BS 169881, transferred to San Francisco Superior Court Case CGC-17-563350.

17. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to Paragraph (1) of subdivision (d) of Government Code Section 54956.9. One Case: San Diego County Water Authority v. Metropolitan Water District of Southern California; all persons interested in the validity of the rates adopted by the Metropolitan Water District of Southern California on April 10, 2018 to be effective January 1, 2019, and Jan. 1, 2020, et al., Los Angeles Superior Court, Case No. BS 173868, Transferred to San Francisco Superior Court, Case CPF-18-516389.

18. CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: (One case)

ADJOURNMENT

Note: Accommodations for the Disabled. Any person may make a request for a disability-related modification or accommodation needed for that person to be able to participate in the public meeting by contacting Maribeth Goldsby, District Secretary, at (714) 963-3058, or writing to Municipal Water District of Orange County at P.O. Box 20895, Fountain Valley, CA 92728. Requests must specify the nature of the disability and the type of accommodation requested. A telephone number or other contact information should be included so that District staff may discuss appropriate arrangements. Persons requesting a disability-related accommodation should make the request with adequate time before the meeting for the District to provide the requested accommodation.