

**MINUTES OF THE REGULAR MEETING  
OF THE BOARD OF DIRECTORS  
MUNICIPAL WATER DISTRICT OF ORANGE COUNTY  
September 18, 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 Thomas led the Pledge of Allegiance and Secretary Goldsby called the roll.

**MWDOC DIRECTORS**

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

**STAFF**

Robert Hunter, General Manager  
Karl Seckel, Assistant General Manager  
Joe Byrne, Legal Counsel  
Maribeth Goldsby, Board Secretary  
Cathy Harris, Admin. Services Manager  
Heather Baez, Government Affairs Manager  
Melissa Baum-Haley, Principal Resources Analyst

**ALSO PRESENT**

Linda Ackerman  
Larry McKenney  
Jose Vergara  
Peer Swan  
Paul Weghorst  
Jim Atkinson  
Don Froelich  
Kelly Rowe  
John Kennedy  
Dennis Erdman  
Rick Erkeneff  
Rick Shintaku  
Fernando Paludi  
Brooke Jones

MWDOC/MET Director  
MWDOC/MET Director  
El Toro Water District  
Irvine Ranch Water District  
Irvine Ranch Water District  
Mesa Water  
Moulton Niguel Water District  
Orange County Water District  
Orange County Water District  
South Coast Water District  
South Coast Water District  
South Coast Water District  
Trabuco Canyon Water District  
Yorba Linda Water District

**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 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.

No items were distributed.

**EMPLOYEE SERVICE AWARD**

General Manager Hunter presented an award to Kevin Hostert for five years of service to the District.

**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.

Upon MOTION by Director Thomas, seconded by Director Yoo Schneider, and carried (6-0), the Board approved the Consent Calendar items as follows. Directors Barbre, Dick, McVicker, Yoo Schneider, Tamaribuchi, and Thomas and voted in favor; Director Finnegan was absent.

**MINUTES**

The following minutes were approved.

- August 7, 2019 Workshop Board Meeting
- August 21, 2019 Regular Board Meeting

**COMMITTEE MEETING REPORTS**

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

- Planning & Operations Committee Meeting: August 5, 2019
- Administration & Finance Committee Meeting: August 14, 2019
- Public Affairs & Legislation Committee Meeting: August 12, 2019
- Executive Committee Meeting: August 22, 2019

**TREASURER'S REPORTS**

The following items were ratified and approved as presented.

- MWDOC Revenue/Cash Receipt Register as of August 31, 2019
- MWDOC Disbursement Registers (August/September)

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 July 31, 2019

PARS Monthly Statement (OPEB Trust)

Water Use Efficiency Projects Cash Flow

**FINANCIAL REPORT**

The following items were received and filed as presented.

Unaudited Draft Combined Financial Statements and Budget Comparative for the period ending July 31, 2019

**AMENDMENT NO. 8 TO THE SANTIAGO AQUEDUCT COMMISSION (SAC) JOINT POWERS AGREEMENT (JPA)**

The Board authorized the Board President to execute Amendment No. 8 to the SAC JPA, as presented.

**ADDITIONAL AUTHORIZATION FOR RAFTELIS TO COMPLETE THE DWR GRANT MONITORING REPORT FOR THE BUDGET BASED TIERED RATE (BBTR) GRANT STUDY**

The Board authorized the General Manager to increase the cost authorization towards completion of the BBTR DWR Grant Monitoring Study from \$41,721, by \$17,707, to a total cost of \$59,428. Staff also requests an additional contingency of \$4,000 if needed, under staff's authority, in the event additional complications occur.

**AUTHORIZE FY 19-20 CHOICE PROGRAMS BUDGET REVISIONS**

The Board approved the Choice Programs budget revisions.

**- END CONSENT CALENDAR -**

**ACTION CALENDAR**

**APPROVAL OF REVISED PERSONNEL MANUAL**

President Barbre advised that the proposed revised Personnel Manual was before the Board for consideration and that General Manager Hunter had distributed two corrections to the document (Section 4104.2 Internal Complaint Procedure should read "complaint is against the General Manager or Director"; and Section 4201 Grievance Steps should read "General Manager or Director(s)").

Director Thomas advised that the Administration & Finance Committee has reviewed the revised Personnel Manual on several occasions and although recommended it for approval, it was not unanimous with respect to adding a Civility Policy. He clarified that although he did not support

adding a written policy (could create liability), he did support a civil work environment, and supports management staff handling these issues appropriately. He highlighted the fact that several representatives from member agencies who attended the Committee meeting agreed that it should not be added due to liability issues.

Directors Yoo Schneider, McVicker, and Tamaribuchi all expressed support for adding the Civility Policy as legal counsel has recommended it, and it would provide staff the appropriate tools to manage the District in handling personnel issues (as it is separate from the harassment policy and separate from the discrimination policy, and it provides a grievance process which would provide employees a more appropriate avenue for dealing with civility issues that are not necessarily harassment based).

Director Dick agreed with Director Thomas, noting that he fully supports a civil work environment, but does not support expanding the manual and thought the policy may provide an opportunity for liability issues.

Director Yoo Schneider made a MOTION, which was seconded by Director McVicker, to approve the revisions and additions to the Personnel Manual as presented. Said MOTION failed by a vote of 3-3, with Directors Yoo Schneider, McVicker and Tamaribuchi voting in favor, and Directors Barbre, Dick, and Thomas opposing.

President Barbre suggested the item be referred back to the Administration & Finance Committee for further discussion/consideration. This item will be presented at the October 9, 2019 Administration & Finance Committee.

## **INFORMATION CALENDAR**

### **GENERAL MANAGER'S REPORT, SEPTEMBER 2019**

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

Mr. Hunter announced that MWDOC would host the Delta Stewardship Council meeting on September 26, 2019 (in the Orange County Sanitation District Board room).

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 Yoo Schneider advised that she attended the Public Affairs & Legislation and Executive Committee meetings, the South Coast Water District Board meeting, a meeting with Paul Shoenberger (Mesa Water), a meeting of the Ad Hoc Committee on Desalination, the Aliso Creek

Watershed Collaboration meeting, the San Juan Capistrano Coffee Chat, the San Juan Basin Authority meeting, and acted as a facilitator at the International Collaboration event on Sustainable Water Practices. She also attended meetings with representatives from Emerald Bay Services District, South Coast Water District, and Santa Margarita Water District.

Director Thomas noted his attendance at the Planning & Operations, Administration & Finance, Public Affairs & Legislation, and Executive Committee meetings, the Workshop and Regular Board meetings, as well as the retirement event for Charley Wilson, and the Ad Hoc Committee on Desalination meeting.

Director Tamaribuchi reported on attending 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), as well as the Community Leaders Briefing with Congressman Correa, the retirement event for Charley Wilson, the Water Policy dinner, the WACO meeting, and the OCBC Infrastructure Committee meeting.

Director Dick reported he attended Administration & Finance and Public Affairs & Legislation Committee meetings, as well as the WACO Planning Committee meeting, and the MET Board and Committee meetings.

Director McVicker advised that he attended all of MWDOC's regularly scheduled meetings (Planning & Operations, Administration & Finance, Public Affairs & Legislation, and Executive Committee meetings, and the Workshop and Regular Board meetings). He also attended the Community Leaders Briefing with Congressman Correa, the Water Policy dinner, and the MET Committee meetings (via web).

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 OC Water Association lunch, a legislative trip to Washington, DC, a tour of the Trampas Reservoir, the Ad Hoc Committee on Desalination meeting, the Community Leaders briefing with Congressman Correa, a meeting with EOCWD Director Davert (re MET inspection trips), the WACO meeting, the MWDOC/MET Directors caucus, the MWDOC Water Policy dinner, the MET Committee day (early), and the MET Board meeting. In his capacity as MWDOC Director he attended the following meetings: Administration & Finance, Public Affairs & Legislation, and Executive Committee meetings, the Workshop and Regular Board meetings, a meeting with Jim Barker, a meeting with Jim Fidler, a meeting with MET regarding MET/EOCWD meter and generator issues, and the Yorba Linda Mayor's Prayer breakfast.

#### **b. REQUESTS FOR FUTURE AGENDA TOPICS**

No topics were requested.

#### **CLOSED SESSION ITEM**

At 8:55 a.m., Legal Counsel Byrne announced that the Board would adjourn to closed session, regarding the following:

**PUBLIC EMPLOYEE PERFORMANCE EVALUATION**

Title: General Manager

Government Code Section 54957

**RECONVENE**

The Board reconvened at 9:54 a.m., and Legal Counsel Byrne 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 9:54 a.m.

Respectfully submitted,

---

Maribeth Goldsby, Secretary