

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

At 8:30 a.m., Vice President Finnegan 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 McVicker led the Pledge of Allegiance and Secretary Goldsby called the roll.

**MWDOC DIRECTORS**

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

**STAFF**

Robert Hunter, General Manager  
Karl Seckel, Assistant General Manager  
Alisha Winterswyk, Legal Counsel  
Maribeth Goldsby, Board Secretary  
Cathy Harris, Admin. Services Manager  
Damon Micalizzi, Director of Public Affairs  
Harvey De La Torre, Associate General Manager  
Melissa Baum-Haley, Prin. Water Resources Analyst  
Heather Baez, Government Affairs Manager  
Rachel Waite, WUE Analyst II

**ALSO PRESENT**

Linda Ackerman  
Larry McKenney  
Jose Vergara  
Peer Swan  
Doug Reinhart  
Jim Atkinson  
Kelly Rowe  
John Kennedy  
Dennis Erdman  
Fernando Paludi  
Brooke Jones  
Christine Carson

MWDOC/MET Director  
MWDOC/MET Director  
El Toro Water District  
Irvine Ranch Water District  
Irvine Ranch Water District  
Mesa Water  
Orange County Water District  
Orange County Water District  
South Coast Water District  
Trabuco Canyon Water District  
Yorba Linda Water District  
Aleshire & Wynder

**PUBLIC PARTICIPATION/PUBLIC COMMENT**

Vice President Finnegan 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. Ms. Finnegan 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**

Vice President Finnegan 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 RECOGNITION**

General Manager Hunter recognized and commended Melissa Baum-Haley (Principal Water Resources Analyst) and Rachel Waite (Water Use Efficiency Analyst II) for the development of MWDOC's water savings research, recently featured within the Alliance for Water Efficiency Utility Program Guide on Sustainable Landscape publication, with international distribution.

**CONSENT CALENDAR**

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

**MINUTES**

The following minutes were approved.

- October 2, 2019 Workshop Board Meeting
- October 16, 2019 Regular Board Meeting

**COMMITTEE MEETING REPORTS**

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

- Planning & Operations Committee Meeting: October 14, 2019
- Administration & Finance Committee Meeting: October 9, 2019
- Public Affairs & Legislation Committee Meeting: October 21, 2019
- Executive Committee Meeting: October 17, 2019

**TREASURER'S REPORTS**

The following items were ratified and approved as presented.

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

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 September 30, 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 September 30, 2019

Quarterly Budget Review

FY 2018-19 Draft Audit Report

**AUTHORIZATION TO CONTRACT WITH DISTRIBUTION SYSTEM FLUSHING COMPANIES**

The Board authorized the General Manager to enter into five-year contracts with Reliable Water Solutions, Inc., and ValveTek Utility Services, Inc. to provide Distribution System Flushing Services to retail water agencies throughout Orange County as part of MWDOC's Water Loss Control Shared Services.

**REVISIONS TO DISTRICT ADMINISTRATIVE CODE SECTIONS 7109 & 7110**

The Board approved the recommended changes to Administrative Code Sections 7109 and 7110 as presented.

**CALIFORNIA WATER, ENERGY, AND EDUCATION ALLIANCE (WEEA) SPONSORSHIP**

The Board authorized sponsorship (membership) in WEEA in the amount of \$2,500 (option 1).

**TRAVEL TO WASHINGTON, DC TO COVER FEDERAL ADVOCACY ISSUES**

The Board reviewed and ratified the travel expenses as reported.

**TRAVEL TO SACRAMENTO TO COVER STATE ADVOCACY ISSUES**

The Board reviewed and ratified the travel expenses as reported.

**- END CONSENT CALENDAR -**

**ACTION CALENDAR**

**CONSIDERATION OF AMENDMENTS TO GENERAL MANAGER CONTRACT**

Upon MOTION by Director Dick, seconded by Director Yoo Schneider, and carried (6-0), the Board extended the General Manager’s contract through September 8, 2024 (an additional three years), modified the severance terms for the General Manager’s contract from 6 months to 1 month for each year of service, increased the General Manager’s accrual cap on vacation from 360 hours to 400 hours, changed the date that the performance evaluation needs to be completed from September to July each year (in sync with the budget), and increased the General Manager’s salary by \$15,805.84 (\$12,000 to be awarded in base salary increase and the remaining \$3,805.84 shall be deposited to the General Manager’s 401(a) account), effective September 9, 2019. It was noted that the additional deposit of \$3,805.84 to the General Manager’s 401(a) account would increase the District’s contribution to the General Manager’s 401(a) account to \$20,560.24 annually. Directors Dick, Finnegan, McVicker, Yoo Schneider, Tamaribuchi, and Thomas and voted in favor; Director Barbre was absent.

**INFORMATION CALENDAR**

**GENERAL MANAGER'S REPORT, NOVEMBER 2019**

General Manager Hunter advised that the General Manager’s report was included in the Board packet. Mr. Hunter thanked the Board for the amendments to his contract.

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 Dick reported he attended Planning & Operations, Administration & Finance, Public Affairs & Legislation Committee meetings, the Workshop Board meeting, the OC Business Development quarterly meeting, the City of Orange Mayor’s Prayer Breakfast, MET Caucus, the WACO Planning and WACO meetings, the memorial services for both Wayne Osborne and Ed Royce, Sr., the MET Committee and Board meetings, and the Special MET Board meeting. As he was on vacation during the MET Retreat, he met with Deven Upadhyay and Melissa Baum-Haley regarding the Retreat.

Director McVicker advised that he attended the Planning & Operations, Administration & Finance, Public Affairs & Legislation and Executive Committee meetings, as well as the Workshop and Regular Board meetings, the WACO Planning and WACO meetings, the OCWA luncheon, and the MET Committee meetings (via web).

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 CCEEB-CED meeting, the Southern California Water Committee annual dinner, a presentation on the state of OCSD, the WACO meeting, and the Public Policy Institute Symposium for Climate Extremes.

Director Thomas noted his attendance at the Planning & Operations, Administration & Finance, Public Affairs & Legislation and Executive Committee meetings, as well as the Workshop and Regular Board meetings, as well as a meeting with Dick Ackerman, a SMWD Trampas Reservoir Tour, the OC Water Summit planning meeting(s), the WACO meeting, the ISDOC luncheon, and Wayne Osborne's memorial service.

Director Yoo Schneider advised that she attended the Planning & Operations, Administration & Finance, Public Affairs & Legislation and Executive Committee meetings, as well as the Workshop and Regular Board meetings, a meeting with representatives from Moulton Niguel Water District, the CCEEB-CED meeting, the SMWD Trampas Reservoir tour, both the SCWD Doheny Workshop on pricing and workshop on Slantwells, the San Diego Women in Water group, the San Juan Capistrano coffee chat, the OC Water Summit planning meeting(s), and the South Orange County Watershed Management meeting. She noted that she also hosted a Women in Water event.

Director Finnegan noted her attendance at the Planning & Operations, Administration & Finance, and Public Affairs & Legislation Committee meetings, as well as the Workshop Board meeting, the ISDOC Executive Committee meeting and the ISDOC luncheon.

Although Director Barbre was absent, it was noted that he submitted a written report to Secretary Goldsby. The written report included the following meetings in his capacity as MET Director: the OCWA luncheon, the MET Board retreat, the OC/Inland Empire MET Caucus, the WACO meeting, the MET Committee day (early), the MET Board meeting, the State Water Project/AG inspection trip, and the MET Special Closed Session Board meeting. In his capacity as MWDOC Director he attended the following meetings: the Planning & Operations, Administration & Finance, Public Affairs & Legislation (October and November), and Executive Committee meetings, as well as the Workshop Board meeting, a meeting with Ken Vecchiarelli (GSWC), a legislative trip to Washington, DC, the OC Water Summit planning meeting(s), and the memorial services for both Wayne Osborne and Ed Royce, Sr.

**b. REQUESTS FOR FUTURE AGENDA TOPICS**

No topics were requested.

**CLOSED SESSION ITEMS**

At 8:53 a.m., Legal Counsel announced that the Board would adjourn to closed session on the following matters:

**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]

**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]

**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.

**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.

**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.

**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.

**RECONVENE**

The Board reconvened at 9:24 a.m., and Legal Counsel Carson advised that no reportable action was taken in closed session.

**ADJOURNMENT**

There being no further business to come before the Board, Vice President Finnegan adjourned the meeting at 9:25 a.m.

Respectfully submitted,

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Maribeth Goldsby, Secretary