

**MINUTES OF THE SPECIAL MEETING
OF THE BOARD OF DIRECTORS
MUNICIPAL WATER DISTRICT OF ORANGE COUNTY
December 8, 2021**

At 8:30 a.m., President Tamaribuchi called to order the Regular Meeting of the Municipal Water District of Orange County, via the Zoom Webinar application (due to the current state of emergency related to the spread of COVID-19 and pursuant to Government Code Section 54953(e)). Following a moment of silence, Director Seckel led the Pledge of Allegiance and Secretary Goldsby called the roll.

MWDOC DIRECTORS

Al Nederhood
Larry Dick
Bob McVicker
Karl Seckel
Sat Tamaribuchi
Jeffery M. Thomas
Megan Yoo Schneider

STAFF

Robert Hunter, General Manager
Harvey De La Torre, Assistant General Manager
Joe Byrne, Legal Counsel
Maribeth Goldsby, Board Secretary
Melissa Baum-Haley, Prin. Water Resources Analyst
Cathy Harris, Director of H.R. & Administration
Alex Heide, Water Resource Analyst
Kevin Hostert, Water Resources Analyst
Charles Busslinger, Principal Engineer
Hilary Chumpitazi, Accounting Manager
Damon Micalizzi, Director of Public Affairs
Heather Baez, Governmental Affairs Manager
Vicki Osborn, Director of Emergency Management
Joe Berg, Director of Water Use Efficiency

ALSO PRESENT

Dennis Erdman
Linda Ackerman
Kathryn Freshley
Mike Gaskins
Kay Havens
Mark Monin
Jose Vergara
Dennis Cafferty
Peer Swan
Paul Weghorst
Jim Atkinson
Marwan Khalifa
Sherry Wanninger
Kaden Young
Mike Markus
John Kennedy
Chuck Gibson
Saundra Jacobs
Justin McCusker
Dan Ferons

MWDOC/MET Director
MWDOC/MET Director
El Toro Water District
El Toro Water District
El Toro Water District
El Toro Water District
El Toro Water District
El Toro Water District
Irvine Ranch Water District
Irvine Ranch Water District
Mesa Water
Mesa Water
Moulton Niguel Water District
Moulton Niguel Water District
Orange County Water District
Orange County Water District
Santa Margarita Water District
Santa Margarita Water District
Santa Margarita Water District
Santa Margarita Water District

Jim Leach	Santa Margarita Water District
Greg Mills	Serrano Water District
Brad Reese	Serrano Water District
Jerry Vilander	Serrano Water District
Fernando Paludi	Trabuco Canyon Water District
Dick Ackerman	Ackerman Consulting
Lisa Ohlund	Ohlund Management & Technical Services
Kristy Khachigian	KK Consulting

PUBLIC PARTICIPATION/PUBLIC COMMENT

President Tamaribuchi announced that 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. Tamaribuchi asked whether any member of the public had any comments on items that are not on the agenda.

Mesa Water Director Jim Atkinson thanked the MWDOC Board for a successful year and wished all a happy holiday season.

ITEMS RECEIVED TOO LATE TO BE AGENDIZED

No items were received.

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

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

General Manager Hunter advised that a revised write up (which included the Committee’s recommended changes) for Item 6-4 (Approve Revisions to Section 3307 of the Personnel Manual regarding Retiree Health Benefits) was distributed to the Board and made available to the public.

Mr. Hunter also noted that the Planning & Operations Committee recommended a letter be sent, rather than adopting a Resolution, on Item No. 6-8 (Adopt Resolution Supporting PFAS Legislation to Protect Ratepayers and Water/Wastewater Agencies).

CONSENT CALENDAR

President Tamaribuchi 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 Seckel, and carried (7-0) the Board approved the Consent Calendar items, by the following roll call vote:

AYES: Directors Nederhood, Dick, McVicker, Seckel, Tamaribuchi, Thomas, and Yoo Schneider

NOES: None
 ABSENT: None
 ABSTAIN: None

MINUTES

The following minutes were approved.

November 3, 2021 Workshop Board Meeting
 November 17, 2021 Regular Board Meeting
 November 17, 2021 Special Board Meeting

COMMITTEE MEETING REPORTS

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

Planning & Operations Committee Meeting: November 1, 2021
 Administration & Finance Committee Meeting: November 10, 2021
 Executive Committee Meeting: November 18, 2021

TREASURER'S REPORTS

The following items were ratified and approved as presented.

MWDOC Revenue/Cash Receipt Register as of November 30, 2021
 MWDOC Disbursement Registers (November/December)

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 October 31, 2021
 PARS Monthly Statement (OPEB Trust)

FINANCIAL REPORT

The following item was received and filed as presented.

Combined Financial Statements and Budget Comparative for the Period ending October 31, 2021

APPROVE CONTINUATION OF REMOTE MEETINGS PURSUANT TO AB 361 AND MAKE REQUIRED FINDINGS

The Board voted to continue virtual meetings pursuant to AB 361 for an additional 30 days based on the findings that (1) it has reconsidered the circumstances of the state of emergency for COVID-19, and (2) state and local officials continue to impose or recommend measures to promote social distancing.

- END CONSENT CALENDAR -

ACTION CALENDAR

REORGANIZATION OF THE MWDOC BOARD OF DIRECTORS: ELECTION OF PRESIDENT AND VICE PRESIDENT

Following discussion regarding the Board’s policy relative to appointing officers, and upon MOTION by Director Seckel, seconded by Director Thomas, and carried (6-0), the Board adopted RESOLUTION NO. 2118, electing Director Megan Yoo Schneider as President, and Director Bob McVicker as Vice President, each for one year terms. RESOLUTION NO. 2118 was adopted by the following roll call vote:

AYES: Directors Dick, McVicker, Seckel, Tamaribuchi, Thomas & Yoo Schneider
NOES: None
ABSENT: None
ABSTAIN: Director Nederhood

President Yoo Schneider assumed the position as Chair of the meeting. Director Seckel thanked Director Tamaribuchi for his service as President for the past two years.

APPOINTMENT OF SECRETARY, TREASURER(S), AND LEGAL COUNSEL

President Yoo Schneider announced that the proposal to appoint the District’s Secretary, Treasurer(s), and Legal Counsel was before the Board for consideration.

Upon MOTION by Director Dick, seconded by Director Seckel, and carried (7-0), the Board adopted RESOLUTION NO. 2119 appointing Maribeth Goldsby as Board Secretary, Hilary Chumpitazi as Treasurer, Robert Hunter as Deputy Treasurer, Jeff Stalvey as Alternate Deputy Treasurer, Lina Gunawan as Alternate Deputy Treasurer, and Best, Best & Krieger and Joe Byrne as Legal Counsel, by the following roll call vote:

AYES: Directors Nederhood, Dick, McVicker, Seckel, Tamaribuchi, Thomas & Yoo Schneider
NOES: None
ABSENT: None
ABSTAIN: None

AUTHORIZE CONTRACT REGARDING IT NETWORK AND SECURITY CONTROL ASSESSMENT

Upon MOTION by Director Tamaribuchi, seconded by Director McVicker, and carried (7-0), the Board authorized the General Manager to enter into an agreement with Tevora Solutions for a Critical Security Controls Review of IT in the amount of \$37,000, by the following roll call vote:

AYES: Directors Nederhood, Dick, McVicker, Seckel, Tamaribuchi, Thomas & Yoo
Schneider
 NOES: None
 ABSENT: None
 ABSTAIN: None

APPROVE REVISIONS TO SECTION 3307 OF THE PERSONNEL MANUAL REGARDING RETIREE MEDICAL BENEFITS

Director Seckel announced because he is a District retiree and receives benefits as such, he would recuse himself from any discussions regarding this item by muting his computer until the item is concluded and he is notified to return.

Upon MOTION by Director McVicker, seconded by Director Thomas, and carried (6-0), the Board Approved the revisions to Personnel Manual, Section 3307, Retiree Medical Benefits, as presented by the Administration & Finance Committee; and directed staff to amend the Retiree Health Plan, establishing the reimbursement amount for retirees with 10 years of service at \$3,080.82 (Option 3), as outlined in the presented Policy. Said action was taken by the following roll call vote:

AYES: Directors Nederhood, Dick, McVicker, Tamaribuchi, Thomas & Yoo
Schneider
 NOES: None
 ABSENT: Director Seckel
 ABSTAIN: None

EXTENSION OF FEDERAL LEGISLATIVE ADVOCACY CONTRACT WITH NATIONAL RESOURCE RESULTS (NRR)

Upon MOTION by Director Tamaribuchi, seconded by Director Dick, and carried (7-0), the Board extended the federal advocacy contract with Natural Resource Results (NRR) for 2022, by the following roll call vote:

AYES: Directors Nederhood, Dick, McVicker, Seckel, Tamaribuchi, Thomas & Yoo
Schneider
 NOES: None
 ABSENT: None
 ABSTAIN: None

EXTENSION OF STATE LEGISLATIVE ADVOCACY CONTRACT WITH BEST, BEST & KRIEGER

Upon MOTION by Director Seckel, seconded by Director Dick and carried (7-0), the Board extended the state advocacy contract with Best, Best & Krieger (BB&K) for 2022, by the following roll call vote:

AYES: Directors Nederhood, Dick, McVicker, Seckel, Tamaribuchi, Thomas & Yoo
Schneider

NOES: None
 ABSENT: None
 ABSTAIN: None

OC-70 BILLING METER ERROR RESOLUTION

Upon MOTION by Director Seckel, seconded by Director Thomas and carried (7-0), the Board authorized the General Manager to: (1) Enter into an agreement with MET for reimbursement of overbilling of water deliveries at OC-70 for the period of January 5, 2012 through September 15, 2021 under MET Administrative Code [Section 4507(h)], and; (2) Enter into an agreement with East Orange County Water District (EOCWD) to reimburse EOCWD for overbillings for the same period under MWDOC Administrative Code Section 4002 - Discovery of Mistakes or Errors, as full and final resolution of all claims to date regarding the accuracy of the OC-70 meter, by the following roll call vote:

AYES: Directors Nederhood, Dick, McVicker, Seckel, Tamaribuchi, Thomas & Yoo
 Schneider
 NOES: None
 ABSENT: None
 ABSTAIN: None

ADOPT RESOLUTION SUPPORTING PFAS LEGISLATION TO PROTECT RATEPAYERS AND WATER/WASTEWATER AGENCIES

President Yoo Schneider advised that the Planning & Operations Committee recommended the Board submit a letter, rather than adopting a Resolution, noting the letter would have a better impact.

Upon MOTION by Director Seckel, seconded by Director McVicker, and carried (7-0), the Board authorized staff to submit a letter to Senators Feinstein and Padilla indicating support for federal legislation that protects ratepayers and water/wastewater providers from costly groundwater cleanup, by the following roll call vote:

AYES: Directors Nederhood, Dick, McVicker, Seckel, Tamaribuchi, Thomas & Yoo
 Schneider
 NOES: None
 ABSENT: None
 ABSTAIN: None

INFORMATION CALENDAR

GENERAL MANAGER'S REPORT, DECEMBER 2021

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

General Manager Hunter thanked the Board, staff, and member agencies for a successful year and wished them all a happy holiday season.

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. Due to COVID 19, many of the meetings outlined were attended virtually.

Director Nederhood advised that he attended all of the regularly scheduled MWDOC meetings (Planning & Operations, Administration & Finance, and Executive Committee meetings, as well as the Workshop and Regular Board meetings), the MET Board meeting, the facilitated meeting with Paul Brown, the WACO and WACO Planning meetings, the Yorba Linda City/Yorba Linda Water District joint meeting, and the ACWA Fall Conference.

Director Dick reported on attending all of the regularly scheduled MWDOC meetings, except Planning & Operations, Administration & Finance, and the Special Board Meeting, as well as the Workshop and Regular Board meetings, the regularly scheduled MET Board and Committee meetings, the special MET Directors meeting, the South County Economic Coalition meeting, the facilitated meeting with Paul Brown, three planning meetings for the Urban Water Institute, the ISDOC meeting, and the WACO meeting.

Director McVicker reported that he attended all of the regularly scheduled MWDOC meetings (Planning & Operations, Administration & Finance, and Executive Committee meetings, as well as the Workshop and Regular Board meetings), the OCBC Infrastructure Committee meeting, the MET Bay/Delta Committee meeting, the ACWA Groundwater, Water Management, and Water Quality Committee meetings, the ACWA Fall Conference, the California Council on Science & Technology webinar, the ISDOC Executive Committee meeting, and the WACO meeting.

Director Seckel advised that he attended all of the regularly scheduled MWDOC meetings (Planning & Operations, Administration & Finance, and Executive Committee meetings, as well as the Workshop and Regular Board meetings), the WACO and WACO Planning meetings, the ACWA Conference, the MET IRP and Bay/Delta Committee meetings, the North County Climate Change Alliance meeting (from San Diego County), and a meeting with Supervisor Katrina Foley.

Director Tamaribuchi reported on attending the regularly scheduled MWDOC meetings (Planning & Operations, Administration & Finance, and Executive Committee meetings, as well as the Workshop and Regular Board meetings), the regularly scheduled MET Board and Committee meetings, two MWDOC/MET Director meetings, the WEROC EOC meeting with the Chief of Staff of the Fifth Supervisorial District, the MET cyber training, the ACWA Conference, the OCBC Advocacy and Government Affairs meeting, and the Water Education for Latino Leaders seminar regarding the drought.

Director Thomas stated that he attended all of the regularly scheduled MWDOC meetings (the Planning & Operations Committee, Administration & Finance, and Executive Committee meetings, as well as the Workshop and Regular Board meetings), the OCWD/OCSD virtual tour event, the OC Water Summit planning meeting, the WACO meeting, the SMWD Board meeting, and the ACWA Conference.

Director Yoo Schneider advised that she attended all of the regularly scheduled MWDOC meetings (Planning & Operations, Administration & Finance, and Executive Committee meetings, as well as the Workshop and Regular Board meetings), the Water Environment Federation (WEF) Diversity, Equity & Inclusion meeting, the SCWD and SMWD Board meetings, an interview with a Chapman University student, the San Juan Basin Authority meeting, the International World Water Cities Forum, the ACWA Conference, the National Science Foundation's Drinking Water Advisory Committee, the South Orange County Watershed Management Authority Executive Committee, and the WEF Executive Committee meeting. She also advised that she was a speaker at UC Riverside, presented at the WEFTEC Connect Conference, and participated in an interview with Coro Leaders.

a. REQUESTS FOR FUTURE AGENDA TOPICS

There were no requests for future agenda topics.

ADJOURNMENT

There being no further business to come before the Board, President Yoo Schneider adjourned the meeting at 9:16 a.m.

Respectfully submitted,

Maribeth Goldsby, Secretary