

**MINUTES OF THE REGULAR MEETING
OF THE BOARD OF DIRECTORS
MUNICIPAL WATER DISTRICT OF ORANGE COUNTY
September 15, 2021**

At 8:47 a.m., President Tamaribuchi called to order the Regular Meeting of the Municipal Water District of Orange County, via the Zoom Webinar application (pursuant to the Governor's Executive Order due to the spread of the COVID-19 virus, the meeting was conducted via Zoom). Following a moment of silence, Director McVicker 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

Linda Ackerman
Dennis Erdman
Dave Youngblood
Kathryn Freshley
Kay Havens
Mark Monin
Jose Vergara
Dennis Cafferty
Doug Reinhart
Peer Swan
Keith Van Der Maaten
Jim Atkinson
Don Froelich
Bill Moorhead
Diane Rifkin
Sherry Wanninger
Kelly Rowe
Mike Markus
John Kennedy
Chuck Gibson
Saundra Jacobs

MWDOC/MET Director
MWDOC/MET Director
East Orange County 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
Laguna Beach County Water District
Mesa Water
Moulton Niguel Water District
Moulton Niguel Water District
Moulton Niguel Water District
Moulton Niguel Water District
Orange County Water District
Orange County Water District
Orange County Water District
Santa Margarita Water District
Santa Margarita Water District

Justin McCusker	Santa Margarita Water District
Betty Olson	Santa Margarita Water District
Frank Ury	Santa Margarita Water District
Jim Leach	Santa Margarita Water District
Greg Mills	Serrano Water District
Brad Reese	Serrano Water District
Rick Erkeneff	South Coast Water District
Rick Shintaku	South Coast Water District
Fernando Paludi	Trabuco Canyon Water District
Brooke Jones	Yorba Linda Water District
Tom Lindsey	Yorba Linda Water District
Dick Ackerman	Ackerman Consulting
Lisa Ohlund	Ohlund Management & Technical Services
Paul Jones	
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.

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 Tamaribuchi 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 Charles Busslinger for five-years of service to the District.

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.

Director Nederhood pulled Item No. 6 (Ratification for Emergency Expense) from the Consent Calendar for further discussion

Upon MOTION by Director Seckel, seconded by Director Dick, and carried (7-0) the Board approved the balance of Consent Calendar items, by the following roll call vote:

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

MINUTES

The following minutes were approved.

August 4, 2021 Workshop Board Meeting
August 13, 2021 Special Board Meeting
August 18, 2021 Regular Board Meeting

COMMITTEE MEETING REPORTS

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

Planning & Operations Committee Meeting: August 2, 2021
Administration & Finance Committee Meeting: August 11, 2021
Executive Committee Meeting: August 19, 2021

TREASURER'S REPORTS

The following items were ratified and approved as presented.

MWDOC Revenue/Cash Receipt Register as of August 31, 2021
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, 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 July 31, 2021

RATIFICATION OF ATTENDANCE AT URBAN WATER INSTITUTE CONFERENCE,

SEPTEMBER 8-9, 2021, COSTA MESA

The Board ratified attendance by Directors and such members of District staff as approved by the General Manager, at the Urban Water Institute Conference held September 8-9, 2021 in Costa Mesa.

ASSOCIATION OF CALIFORNIA WATER AGENCIES (ACWA) REGION 10 ELECTION

The Board authorized President Tamaribuchi, or his designee, to cast the District’s ballot for the Nominating Committee’s Recommended Slate of candidates for the ACWA Region 10 Board of Directors election.

APPROVAL OF THE COUNTY OF ORANGE JOINT AGREEMENT FOR THE 800MHZ COUNTYWIDE COORDINATED COMMUNICATIONS SYSTEM

The Board approved the General Manager or Director of Emergency Management to execute and to sign the re-written Joint Agreement for the Operation, Maintenance, and Financial Management of the Orange County 800 Megahertz Countywide Coordinated Communications System.

- END CONSENT CALENDAR -

ITEMS PULLED FROM THE CONSENT CALENDAR FOR FURTHER DISCUSSION

RATIFICATION FOR EMERGENCY EXPENSE

Responding to an inquiry by Director Nederhood, General Manager Hunter noted that much of the discussion regarding the CrowdStrike purchase was held in closed session, and that the CrowdStrike software will increase security of the Districts IT infrastructure.

Upon MOTION by Director Nederhood, seconded by Director Seckel, and carried (7-0), the Board ratified the General Manager entering in to a software agreement with CrowdStrike for managed monitoring of all endpoints for \$42,562.32, by the following roll call vote:

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

ACTION CALENDAR

**ASSOCIATION OF CALIFORNIA WATER AGENCIES (ACWA) COMMITTEE
CONSIDERATION FOR 2022/23**

President Tamaribuchi advised that the proposed ACWA Committee consideration forms were before the Board for consideration, noting that several Directors submitted their committee preferences to staff and these preferences were included in the Board packet.

Discussion ensued regarding the proposed assignments, and Director McVicker asked that Director Seckel replace his name on the Water Management Committee, and that the Energy Committee be added to Director Yoo Schneider’s requests; the remainder of the requests outlined remained in place.

Director Thomas commented that he would eventually like to serve on the Finance Committee, however due to the limited number of appointees allowed, he would wait until an incumbent no longer seeks participation on that Committee.

Upon MOTION by Director Thomas, seconded by Director Nederhood, and carried (7-0), the Board authorized staff to submit the completed ACWA Committee Consideration forms (as amended) by the September 30th deadline, by the following roll call vote:

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

CONSIDERATION OF AMENDMENTS TO GENERAL MANAGER CONTRACT

President Tamaribuchi advised that in August, the Board authorized amendments to the General Manager’s contract, which included an increase to his base salary, increasing the 401(a) pension contribution, and to amend Section 5 to reinstate the vacation accrual cap to 400 hours and grant the General Manager an additional 40 hours of vacation per year for the next 4 years (the 40 hours must be used each year or will be lost, and in case of retirement or discontinuation of employment, any accrued hours above the 400 hour cap will not be paid out).

Legal Counsel Byrne reported that this item is on the agenda because subsequent to the last meeting, there was a suggested change to the action relating to the vacation cap that would be preferable for the General Manager and easier from an accounting standpoint. He advised that the change would provide the General Manager a vacation accrual cap of 560 hours, and to reduce that cap by 40 hours each year for four years, concurrent with each fiscal year, until a cap of 400 hours is reached, and in the case of retirement or discontinuation of employment, any accrued hours above the 400 hour cap would not be paid out.

Upon MOTION by Director McVicker, seconded by Director Yoo Schneider, and carried (7-0), the Board revised the action taken on August 18, 2021 to amend the General Manager’s Employment Agreement to include a vacation accrual cap of 560 hours, and to reduce that cap

by 40 hours each year for four years, concurrent with each fiscal year, until a cap of 400 hours is reached, and in the case of retirement or discontinuation of employment, any accrued hours above the 400 hour cap would not be paid out. All other terms of the August 18, 2021 action remain in place. Said action was taken 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, SEPTEMBER 2021

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

Mr. Hunter highlighted that the Water Policy dinner would be held on September 30, 2021 (featuring the new MET General Manager Adel Hagekhalil as speaker), the Orange County Water Summit is scheduled for October 15, 2021, and the MET Board retreat is scheduled for September 29-30, 2021.

Mr. Hunter also noted that due to conflicts with the holidays, along with the ACWA Conference (November 30-December 2), and the Colorado River Water Users Association Conference (December 14-16, 2021), President Tamaribuchi is recommending the December Board and Committee meetings be rearranged to accommodate attendance at both conferences. It was noted the Executive Committee would discuss options.

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, most 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 Placentia City Council meeting, a meeting with representatives from Yorba Linda Water District, the WACO and WACO Planning meetings, the MET Finance & Insurance Committee meeting, and a community meeting hosted by Supervisor Foley.

Director Dick reported on attending 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 regularly scheduled MET Board and Committee meetings, OC Taxpayers Association meeting, the ISDOC Executive Committee meeting, and separate meetings with MET staff (Marcia Scully, Chairwoman Gray, Adel Hagekhalil, and Deven Upadhyay).

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 ISDOC Executive Committee meeting, the WACO meeting, the MET Committee meetings, and the OCBC Infrastructure Committee 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 OC Water Summit planning meetings, a DWR State Water Project Operations seminar regarding fisheries, the San Diego North County Climate Alliance movie premiere entitled "Other Side of the Hill," the Sacramento Press Club meeting wherein Adel Hagekhalil was a panelist, the DWR Climate Change seminar, the South Coast Water District meeting regarding the Doheny Desalination Project, the MET/MWDOC/UCI Climate Change discussion, the Delta Environmental Justice event (sponsored by the Delta Science Program), the California Water Commission, and the Community Meeting hosted by Supervisor Foley. He also noted that he participated in an interview with a Texas A&M masters student regarding desalination, and was interviewed by the UCLA Blue Publication regarding desalination

Director Thomas stated 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), two OC Water Summit planning meetings, and the WACO and WACO planning meetings. He advised that he would be attending the Santiago Aqueduct Commission meeting later in the week.

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), a meeting with Frank Ury (SMWD), the California WEA Diversity, Equity and Inclusion Task Force meeting, the AWWA Safe Drinking Water Act Processes Technical Advisory Workgroup meeting, the California WEA Executive Committee, the OC Water Summit planning meetings, the California WEA local section leaders webinar, meetings with MWDOC staff and The Nature Conservancy, the SCWD special and regular Board meetings, the Southern California Gas research meeting regarding the water/energy nexus, the SMWD Committee and Board meetings, the Women In Water event featuring Nicole Morgan, the LBCWD Commission meeting, the San Juan Basin Authority meeting, and preparation meetings for a women of water panel on sustainability, governance, environment, and social issues as part of Climate Week with the University of Pennsylvania Water Center. She also advised that she was asked to participate in a panel for the Rocky Mountain Section of AWWA regarding Diversity, Equity and Inclusion and attended several preparatory meetings for the panel.

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, four MWDOC/MET Director meetings, two meetings with staff, two meetings with MWDOC staff and The Nature Conservancy, a meeting with MET former General Manager Ron Gastelum, the MET/MWDOC/UCI Climate Change discussion, a meeting with OC CoastKeepers, and the WACO meeting.

a. REQUESTS FOR FUTURE AGENDA TOPICS

Although there were no requests for future agenda topics, SMWD Director Chuck Gibson thanked the Board for their support in his candidacy to the ACWA Region 10 Board.

ADJOURNMENT

There being no further business to come before the Board, President Tamaribuchi adjourned the meeting at 9:17 a.m.

Respectfully submitted,

Maribeth Goldsby, Secretary