

REGULAR MEETING
OF THE BOARD OF DIRECTORS
MUNICIPAL WATER DISTRICT OF ORANGE COUNTY
18700 Ward Street, Fountain Valley, California
January 19, 2022, 8:30 a.m.

Due to the current state of emergency related to the spread of COVID-19 and pursuant to Government Code Section 54953(e), MWDOC will be holding this Board and Committee meeting by Zoom Webinar and will be available by either computer or telephone audio as follows:

Computer Audio: You can join the Zoom meeting by clicking on the following link:
<https://zoom.us/j/8828665300>

Telephone Audio: (669) 900 9128 fees may apply
 (877) 853 5247 Toll-free
Webinar ID: 882 866 5300#

AGENDA

MOMENT OF SILENCE

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. 2120**CONSENT CALENDAR (Items 1 to 6)**

(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. December 1, 2021 Adjourned Workshop Board Meeting
- b. December 8, 2021 Board Meeting

Recommendation: Approve as presented.

2. COMMITTEE MEETING REPORTS

- a. Combined Planning & Operations and Administration & Finance Committee Meeting: December 6, 2021
- b. Executive Committee Meeting: December 8, 2021

Recommendation: Receive and file as presented.

3. TREASURER'S REPORTS

- a. MWDOC Revenue/Cash Receipt Register as of December 31, 2021
- b. MWDOC Disbursement Registers (December/January)

Recommendation: Ratify and approve as presented.

- c. Summary of Cash and Investment and Portfolio Master Summary Report (Cash and Investment report) as of November 30, 2021
- d. PARS Monthly Statement (OPEB Trust)

Recommendation: Receive and file as presented.

4. FINANCIAL REPORT

- a. Combined Financial Statements and Budget Comparative for the Period ending November 30, 2021

Recommendation: Receive and file as presented.

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

Recommendation: Vote 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.

6. AUTHORIZATION TO CONTRACT WITH CUSTOMER METER ACCURACY TESTING COMPANIES

Recommendation: Authorize the General Manager to enter into five-year contracts with McCall's Meters, Inc. and Westerly Meter Service Company to provide meter accuracy testing services to retail water agencies throughout Orange County as part of MWDOC's Water Loss Control Shared Services Program.

End Consent Calendar

PUBLIC HEARING

7. HOLD PUBLIC HEARING REGARDING ADJUSTMENT OF MWDOC DIVISION BOUNDARIES PURSUANT TO ELECTIONS CODE FOLLOWING 2020 CENSUS

Recommendation: (1) Open the Public Hearing regarding MWDOC's division boundary adjustments to receive input from the public; (2) Receive and file presentation from Center for Demographic Research; (3) Receive comments from the public; (4) Discuss proposed mapping Plans 6, 6-A, and 7-A toward adoption of a final map plan by Resolution; (5) Close Public Hearing.

ACTION CALENDAR

8-1 STANDING COMMITTEE AND AD HOC COMMITTEE APPOINTMENTS FOR 2022; SCHEDULE OF COMMITTEE MEETING DATES FOR 2022

Recommendation: (1) Ratify the list of Standing Committee and Ad Hoc Committee Appointments as presented by the President of the Board; and (2) ratify Committee meeting dates/times for 2022.

8-2 ASSOCIATION AND COMMISSION APPOINTMENTS FOR 2022

RES. NO. ____

Recommendation: (1) Ratify the appointment of Representatives and Alternates to Associations as presented by the President of the Board; and (2) Adopt Resolution approving the appointment of one Representative and one Alternate to the Santiago Aqueduct Commission (SAC), for submission to SAC.

8-3 APPROVAL OF RESOLUTION DESIGNATING AUTHORIZED AGENTS FOR FY20 GRANT TRANSFER AGREEMENTS FOR HOMELAND SECURITY GRANTS AND EXECUTION OF TRANSFER AGREEMENT**RES. NO. ____**

Recommendation: Approve the execution of the 2020 Grant Transfer Agreement with the City of Anaheim as the Local Urban Area Security Initiative (UASI) Administrator, and adopt the Resolution providing authority to the WEROC Director of Emergency Management and the General Manager as designated Authorized Agents for FY 2020 Homeland Security Grants the ability to execute any subsequent agreements related to the Homeland Security Grants. Staff will come back to the Board for a purchase award in the event the award is greater than \$25,000.

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

9. GENERAL MANAGER'S REPORT, JANUARY 2022 (ORAL AND WRITTEN)

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

10. 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.

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.

MINUTES OF THE WORKSHOP BOARD MEETING
OF THE BOARD OF DIRECTORS
MUNICIPAL WATER DISTRICT OF ORANGE COUNTY
December 1, 2021

The Workshop Board Meeting of the Board of Directors of the Municipal Water District of Orange County (MWDOC) scheduled for Wednesday, December 1, 2021 at 8:30 a.m., via the Zoom webinar application, was canceled due to lack of a quorum. A Notice of Cancellation was thereon duly posted.

APPROVED:

Maribeth Goldsby, District Secretary

**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

MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS OF THE
MUNICIPAL WATER DISTRICT OF ORANGE COUNTY
Jointly with the

ADMINISTRATION & FINANCE COMMITTEE (A&F)
and
PLANNING AND OPERATIONS COMMITTEE (P&O)

December 6, 2021 – 8:30 a.m. to 11:16 a.m.

Due to the current state of emergency related to the spread of COVID-19 and pursuant to Government Code Section 54953(e), the meeting was held via the Zoom Webinar application; all Brown Act requirements were complied with.

A&F Committee:

Director Bob McVicker
Director Larry Dick (absent)
Director Jeff Thomas

P&O Committee:

Director Al Nederhood
Director Karl Seckel
Director Megan Yoo Schneider

Staff:

Rob Hunter, Beth Fahl, Bryce Roberto,
Cathy Harris, Charles Busslinger, Chris Lingad,
Damon Micalizzi, Daniel Harrison,
Harvey De La Torre, Heather Baez,
Hilary Chumpitazi, Janine Schunk,
Joe Berg, Judy Roberts, Katie Davanaugh,
Kevin Hostert, Letty Aguilar, Alex Heide,
Maribeth Goldsby, Melissa Baum-Haley,
Michelle DeCasas, Pari Francisco,
Rachel Waite, Sam Fetter, Sarah Wilson,
Tiffany Baca, Tina Dubuque, Vicki Osborn

Also Present:

Director Sat Tamaribuchi
Dennis Erdman, MWDOC Met Director
Linda Ackerman, MWDOC Met Director

Dennis Cafferty, El Toro Water District
Justin McKusker, Santa Margarita Water Dist.
Jim Leach, Santa Margarita Water District
Jose Vergara, El Toro Water District
Chuck Gibson, Santa Margarita Water District
Fernando Paludi, Trabuco Canyon Water Dist.
Greg Mills, Serrano Water District
Jim Atkinson, Mesa Water
Kay Havens, El Toro Water District
Mike Gaskins, El Toro Water District
Sherry Wanninger, Moulton Niguel Water Dist.
Alicia Dunkin, Orange County Water Dist
Betty H Olson, Santa Margarita Water Dist.
Brad Reese, Serrano Water Dist.
David Youngblood, East Orange County WD
Deborah Diep, Ctr. for Demographic Research
Dick Ackerman, Consultant
Doug Reinhart, Irvine Ranch Water District
Garrett Durst, NRR
Joe Byrne, BBK, MWDOC legal counsel
John Kennedy, Orange County WD

John Lewis, Lewis Consulting
Kelly Rowe, Orange County Water District
Kristy Khachigian, KK Consulting
Laura Rocha, Moulton Niguel Water Dist.
Michael Markus, Orange County WD
Peer Swan, Irvine Ranch Water Dist.
Richard Bell
Syrus Devers, BBK Legal Counsel
Yarib Dheming

At 8:30 a.m., President Tamaribuchi called the meeting to order, via the Zoom webinar application. It was noted that Director Dick was absent from the meeting.

Secretary Goldsby conducted a roll call attendance of the Administration & Finance Committee members with Directors McVicker and Thomas acknowledging attendance. She also conducted a roll call vote of the Planning & Operations Committee members, and Directors Yoo Schneider, Seckel, and Nederhood acknowledged attendance. Director Tamaribuchi was also present, and was appointed to the Administration & Finance Committee due to Director Dick's absence.

PUBLIC COMMENTS

No public comments were made.

ITEMS RECEIVED TOO LATE TO BE AGENDIZED

No items were presented.

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

It was noted that a presentation for the Conservation Framework Standards Update (Item 11) was distributed to the Board and made available to the public.

BOARD ACTION ITEM

President Tamaribuchi convened the full Board for the following item:

PUBLIC HEARING

HOLD PUBLIC HEARING REGARDING ADJUSTMENT OF MWDOC DIVISION BOUNDARIES PURSUANT TO ELECTIONS CODE FOLLOWING 2020 CENSUS

Mr. Rob Hunter and Mrs. Charles Busslinger reported that review of the District's Division boundaries are under consideration at this time and that the Center for Demographic Research (CDR) has been engaged by MWDOC to review 2020 census data to determine where adjustments are needed. This is legally required every 10 years. Ms. Deborah Diep from CDR provided a presentation (included in the packet materials) reviewing legal requirements that need to be adhered to when considering redistricting from census data, and include consideration of population data by age, race and ethnicity. Ms. Diep reviewed several charts and graphs illustrating population growth, by Division, from the 2020 census data over 2010 data. Ms. Diep also reviewed specific redistricting criteria and noted that

another review by the Board would be held on January 5th by MWDOC. Ms. Diep reviewed the data that CDR has gathered, illustrating variances in the census data where adjustments will need to be made due to population growth.

President Tamaribuchi opened the Public Hearing and solicited Public Comments; none were received. He then solicited comments from the Board. Director Seckel inquired whether future growth is an allowable consideration when making adjustments to boundaries with Ms. Diep responding that future growth can be considered. Ms. Diep/CDR will be working with the data to make the legally appropriate boundary adjustments, taking into consideration any projected growth/development areas. It was noted that the District's Administrative Code prohibits employees from attempting to influence changes to the MWDOC division boundaries, except where such activities are expressly required in the course of official duties. In the case of adjustments to division boundaries, legal requirements guide how adjustments can be made.

The Board held discussion on potential equitable boundary adjustments for each Division, noting that additional discussion will be held at the January 5th Workshop Board meeting, and that two Public Hearings would be held on January 19, 2022 and February 16, 2022, prior to making the formal boundary line adjustments.

The Board received and filed the comments received, and President Tamaribuchi adjourned the Board meeting at 9:21 a.m.

The Committee meeting resumed at 9:22 a.m., and Director McVicker chaired the A&F Committee portion of the agenda, along with Directors Thomas and Tamaribuchi as voting Committee members.

ADMINISTRATION & FINANCE COMMITTEE ITEMS

PROPOSED BOARD CONSENT CALENDAR ITEMS

TREASURER'S REPORT

- a. Revenue/Cash Receipt Report – November 2021
- b. Disbursement Approval Report for the month of December 2021
- c. Disbursement Ratification Report for the month of November 2021
- d. GM Approved Disbursement Report for the month of November 2021
- e. Consolidated Summary of Cash and Investment – October 2021
- f. OPEB and Pension Trust Fund monthly statement

The Committee reviewed the Treasurer's Report and upon MOTION by Director Thomas seconded by Director Tamaribuchi and carried (3-0), the Committee recommended approval of the Treasurer's Report at the December 8, 2021 Board meeting. The vote was taken via roll call with Directors McVicker, Thomas and Tamaribuchi and all voting in favor.

FINANCIAL REPORT

- a. Combined Financial Statements and Budget Comparative for the Period Ending

October 31, 2021

The Committee reviewed the Financial Report and upon MOTION by Director Thomas seconded by Director Tamaribuchi and carried (3-0), the Committee recommended approval of the Financial Report at the December 8, 2021 Board meeting. The vote was taken via roll call with Directors McVicker, Thomas and Tamaribuchi and all voting in favor.

ACTION ITEMS

AUTHORIZE CONTRACT REGARDING IT NETWORK AND SECURITY CONTROL ASSESSMENT

Mr. Hunter noted the importance of conducting a network and security control assessment on a regular, scheduled basis, much like an audit process.

The Committee reviewed the request to Authorize a Contract for IT Network and Security Control Assessment and upon MOTION by Director Tamaribuchi seconded by Director Thomas and carried (3-0), the Committee recommended approval of the contract at the December 8, 2021 Board meeting. The vote was taken via roll call with Directors McVicker, Thomas, and Tamaribuchi and all voting in favor.

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

Mrs. Harris, Director of Administration and Human Resources reviewed the District's Retiree Medical Benefits policy which is broken down into two categories, depending on years of service of the retiree. Mrs. Harris then reviewed the proposed revisions to the policy as well as the process for retirees to seek reimbursement. She noted that the policy has not been updated in nearly 20 years and this item is being presented as a housekeeping item. The updates are being presented so that the District's reimbursement policy is consistent with the Medicare Part B premium rates established annually and she advised staff is recommending Option 1. It was noted that retiree medical benefits are only offered to full time employees hired prior to July 1, 2012.

Following discussion, the Committee recommended the Board adopt Option 3, to amend the Retiree Medical Benefits, establishing the annual reimbursement amount for retirees with 10 years of service at \$3,080.82, rather than Option 1 as recommended by staff. Additionally, retirees seeking reimbursement shall submit proper documentation on a quarterly basis, as outlined in the staff report.

Upon MOTION by Director Thomas seconded by Director McVicker and carried (3-0), the Committee recommended approval of Option 3; Revisions to Section 3307 of the Personnel Manual Regarding Retiree Medical Benefits; at the December 8, 2021 Board meeting. The vote was taken via roll call with Directors McVicker, Thomas, and Tamaribuchi and all voting in favor.

DISCUSSION ITEMS**FY 2022-23 BUDGET**

General Manager Hunter reported that the Budget letter has been sent to all member agencies and that the budget process is underway. He solicited input from the Board as to policy and program modifications for consideration during the budget process. Director Seckel noted that discussions in the previous year included conversations on whether additional funds should be budgeted for Metropolitan Water District activities and Mr. Hunter noted that MET activities will be considered during the budget discussions and process.

INFORMATION ITEMS**SOLE SOURCE CONTRACT WITH OUTDOOR DIMENSIONS FOR OFFICE SIGNS**

Director Nederhood inquired about the total MWDOC sole-source contracts and requested that staff prepare a formal listing for review during the budget process. General Manager Hunter noted that six General Manager-approved agreements have been presented during the last fiscal year. Five of those agreements were related to the building construction, and one was related to financial management construction.

DEPARTMENT ACTIVITIES REPORTS

- a. Administration
- b. Finance and Information Technology

The reports were received and filed.

MONTHLY WATER USAGE DATA, TIER 2 PROJECTION, AND WATER SUPPLY INFORMATION

The report was received and filed.

OTHER ITEMS**REVIEW ISSUES REGARDING DISTRICT ORGANIZATION, PERSONNEL MATTERS, EMPLOYEE BENEFITS FINANCE AND INSURANCE**

No information was presented.

ADJOURNMENT

Administration & Finance Committee portion of the meeting was adjourned at 9:46 a.m.

PLANNING & OPERATIONS COMMITTEE ITEMS

At 9:46 a.m., Director Yoo Schneider assumed the Chair position of the Planning & Operations

Committee portion of the agenda, along with Directors Nederhood and Seckel as voting Committee members.

PRESENTATION ITEM

CONSERVATION FRAMEWORK STANDARDS UPDATE

Mr. Joe Berg (Director of Water Use Efficiency) provided a presentation regarding the status of the Conservation Framework Standards.

President Tamaribuchi encouraged Mr. Berg to get together with MWDOC's state advocacy representative Syrus Devers from Best, Best & Krieger to discuss the Conservation Framework Standards and potential and realized impacts on Orange County. He would like to focus on what the issues are, preparation for discussion with the Orange County legislature, and how to inform the public of the possible impacts.

ACTION ITEMS

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

Ms. Heather Baez (Governmental Affairs Manager) shared that NRR is completing its first full year providing federal legislative advocacy services to the Municipal Water District of Orange County (MWDOC). This contract was sent out for competitive bid in 2020 for a one-year contract beginning in 2021, with the option to renew annually for four additional years. Approval of this agreement would renew the second year of the contract.

The Committee generally expressed support for renewing the contract with NRR, with Chair Yoo Schneider commenting that the state and federal legislative advocacy programs faced challenges in the past year because the legislative priorities shifted to the COVID-19 pandemic. She went on to say that she appreciated the level of detail and work NRR has done to date and looks forward to building upon that in the next year.

Upon MOTION by Director Seckel, seconded by Director Nederhood, and carried (3-0), the Committee recommended the Board of Directors renew NRR's contract for one additional year. A roll call vote was taken, with Directors Yoo Schneider, Seckel, and Nederhood voting in favor. This item will be presented to the Board on December 8, 2021.

EXTENSION OF STATE LEGISLATIVE ADVOCACY CONTRACT WITH BEST, BEST & KRIEGER (BB&K)

Heather Baez (Governmental Affairs Manager) stated BB&K has provided state legislative advocacy services to the Municipal Water District of Orange County since 2016. This contract was most recently sent out for competitive bid in 2020 for a one-year contract beginning in 2021, with the option to renew annually for four additional years. Approval of this agreement would renew the second year of the contract.

Upon MOTION by Director Seckel, seconded by Director Nederhood, and carried (3-0), the Committee recommends the Board of Directors renew BB&K's contract for one additional

year. A roll call vote was taken, with Directors Yoo Schneider, Seckel, and Nederhood voting in favor. This item will be presented to the Board on December 8, 2021.

OC-70 BILLING METER ERROR RESOLUTION

Charles Busslinger (Director of Engineering) explained that this issue has been on-going for quite some time and MWDOC staff has been working with both MET and East Orange County Water District (EOCWD) on an investigation as to the accuracy of the billing (venturi) meter at Service Connection OC-70. The investigation determined the magnitude of the metering error and provided a resolution to correct the error but was unsuccessful in determining a specific cause(s).

He advised that MET maintains that the MET Administrative Code Section 4506 applies in this circumstance (which provides no more than six months of reimbursement before the date of notification of a possible error to MET). MET recognizes that MWDOC strongly disputes this position and MWDOC has argued that the three-year term prior to the date of notification provided in MET Administrative Code Section 4507(h) should apply. Mr. David Youngblood, General Manager from the East Orange County Water District, stated he agreed with the three year term, prior to the date of notification resolution as 'the best deal we can get'.

Mr. Rob Hunter (MWDOC General Manager) advised that pursuant to his conversation with MET's Assistant General Manager/Chief Administrative Officer, Shane Chapman, Mr. Chapman confirmed that this proposed resolution addresses past metering issues and does not limit any future issues with the (venturi) meter at Service Connection OC-70.

Responding to Director Seckel's inquiring, Mr. Busslinger stated that the other operational issues noted in the packet are still being worked on with MET and ETWD and are not part of the resolution stated above.

Upon MOTION by Director Seckel, seconded by Director Nederhood, and carried (3-0), the Committee recommended the Board of Directors authorize 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 overbilling for the same period under MWDOC Administrative Code Section 4002 - Discovery of Mistakes or Errors, as the full and final resolution of all claims to date regarding the accuracy of the OC-70 meter.

A roll call vote was taken, with Directors Yoo Schneider, Seckel, and Nederhood voting in favor. This item will be presented to the Board on December 8, 2021.

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

Responding to a question by General Manager Hunter, Governmental Affairs Manager. Heather Baez advised that MWDOC's Washington D.C. lobbyist Natural Resource Results (NRR) suggested that sending a letter would be more effective than a resolution, as they are legislation specific.

Upon MOTION by Director Seckel, seconded by Director Nederhood, and carried (3-0), the Committee recommended the Board authorize sending a letter supporting federal legislation that protects ratepayers and water/wastewater providers from costly groundwater cleanup.

A roll call vote was taken, with Directors Yoo Schneider, Seckel, and Nederhood voting in favor. This item will be presented to the Board on December 8, 2021.

DISCUSSION ITEMS**UPDATE ON COVID-19 (ORAL REPORT)**

Ms. Vicki Osborn (Director of Emergency Management) provided an update on COVID-19, stating that the new Omicron variant, to date, has not been detected in Orange County and provided the steps the County is taking to prepare for the arrival of this new COVID-19 variant.

LEGISLATIVE ACTIVITIES

- b. Federal Legislative Report (NRR)
- c. State Legislative Report (BBK)
- d. County Legislative Report (Lewis)
- e. Legal and Regulatory Report (Ackerman)

The Committee received and filed these reports.

INFORMATION ITEMS**CONTRACT TIMEFRAME EXTENSION OF MNWD FUTURE SUPPLY ACTION (FSA) AGREEMENT WITH MET**

The Committee received and filed this report.

OC WATER SUMMIT UPDATE

The Committee received and filed this report.

MWDOC CHOICE SCHOOL PROGRAMS UPDATE

The Committee received and filed this report.

STATUS REPORTS

- a. Ongoing MWDOC Reliability and Engineering/Planning Projects
- b. WEROC
- c. Water Use Efficiency Projects
- d. Public and Government Affairs

The Committee received and filed these reports.

REVIEW OF ISSUES RELATED TO PLANNING OR ENGINEERING PROJECTS, WEROC, WATER USE EFFICIENCY, FACILITY AND EQUIPMENT MAINTENANCE, WATER STORAGE, WATER QUALITY, CONJUNCTIVE USE PROGRAMS, EDUCATION, PUBLIC AFFAIRS PROGRAMS AND EVENTS, PUBLIC INFORMATION PROJECTS, PUBLIC INFORMATION CONSULTANTS, DISTRICT FACILITIES, and MEMBER-AGENCY RELATIONS

No information was presented.

ADJOURNMENT

There being no further business brought before the Committee, Chairperson Yoo Schneider adjourned the meeting at 11:16 a.m.

MINUTES OF THE MEETING OF THE
BOARD OF DIRECTORS OF THE
MUNICIPAL WATER DISTRICT OF ORANGE COUNTY
jointly with the
EXECUTIVE COMMITTEE
December 8, 2021, 9:23 a.m. to 10:05 a.m.
Zoom Webinar Application

Committee:

Director Yoo Schneider, President
Director McVicker, Vice President
Director Tamaribuchi, Immediate Past President

Staff:

R. Hunter, M. Goldsby, H. Baez

Also Present:

Director Nederhood
Director Seckel
Director McVicker
Director Thomas
Linda Ackerman, MWDOC MET Director
Dennis Erdman, MWDOC MET Director
Dick Ackerman, Ackerman Consulting
Mark Monin, ETWD
Peer Swan, IRWD
Saundra Jacobs, SMWD
Justin McCusker, SMWD
Jim Leach, SMWD
Greg Mills, Serrano WD
Kristy Khachigian, KK Consulting

At 9:23 a.m., President Yoo Schneider called the meeting to order 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). Secretary Goldsby called the roll.

PUBLIC PARTICIPATION

No public comments were received.

ITEMS RECEIVED TOO LATE TO BE AGENDIZED

No items were presented.

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

General Manager Hunter advised that the draft agendas for the upcoming month were distributed to the Board and made available to the public.

EXECUTIVE COMMITTEE REVIEW OF FUTURE AGENDAS

The Committee reviewed and discussed the draft agendas for each of the meetings and made revisions/additions as listed below.

a. Planning & Operations Committees

Discussion was held regarding the length of time given for presentations, with staff noting that guidelines as to the length and content of presentations are given to the presenters.

Director Seckel highlighted the Conservation as a Way of Life campaign and suggested the Board evaluate whether to increase advocacy on this effort. Considerable discussion ensued with respect to cost implications, MET's position, impacts to the public (and the need to educate the public). The Committee then requested an update on the Conservation Framework at the next meeting. Director Tamaribuchi asked for confirmation relative to the .65 evapotranspiration factor, and Director Nederhood suggested the Public Affairs Department develop a tactical plan for approaching/educating such groups as OCBC, ACC-OC, etc. on the impacts to the community (and present the plan to the Committee in January or February).

b. Workshop Board Meeting

No items were added or removed from the agenda.

c. Administration & Finance Committee

No items were added or removed from the agenda.

d. MWDOC/OCWD Joint Planning Committee

Director Seckel asked for an update on the MNWD Storage Project; this was added to the agenda.

DISCUSSION REGARDING UPCOMING ACTIVITIES OF SIGNIFICANCE

General Manager Rob Hunter advised that IRWD would be making a presentation at next week's State Water Commission meeting for significant funding for IRWD's water storage program. Discussion ensued with IRWD Director Swan noting that IRWD would be highlighting the progress made to date.

The Committee authorized a letter of support for this project be submitted; Board members present generally concurred.

MEMBER AGENCY RELATIONS

Mr. Hunter reported on the process facilitated by Paul Redvers Brown, noting the process is underway, that he hopes to have the process complete by the end of the year with a Board report in January or February, and that once this process is complete, Phase 2 will commence.

IRWD Director Swan referenced the Strand Ranch Project, noting that IRWD did not receive a response letter from MWDOC indicating participation or non-participation. Mr. Hunter advised that he met with Paul Cook and relayed MWDOC's response. The Committee asked that Mr. Hunter develop a written response.

GENERAL MANAGER'S REPORTS

No new information was presented.

REVIEW AND DISCUSS DISTRICT AND BOARD ACTIVITIES

No new information was presented.

ADJOURNMENT

There being no further business to be brought before the Committee, the meeting adjourned at 10:05 a.m.

**Municipal Water District of Orange County
REVENUE / CASH RECEIPT REPORT
December 2021**

WATER REVENUES

<u>Date</u>	<u>From</u>	<u>Description</u>	<u>Amount</u>
12/01/2021	City of La Habra	October 2021 Water deliveries	72,739.75
12/02/2021	City of Westminster	October 2021 Water deliveries	12,786.39
12/06/2021	City of Fountain Valley	October 2021 Water deliveries	7,073.05
12/06/2021	City of La Palma	October 2021 Water deliveries	3,988.93
12/06/2021	Serrano Water District	October 2021 Water deliveries	5,891.14
12/08/2021	South Coast Water District	October 2021 Water deliveries	450,210.43
12/10/2021	City of San Clemente	October 2021 Water deliveries	649,798.50
12/10/2021	City of Seal Beach	October 2021 Water deliveries	8,008.19
12/13/2021	City of Buena Park	October 2021 Water deliveries	317,170.80
12/13/2021	El Toro Water District	October 2021 Water deliveries	485,075.04
12/13/2021	City of Garden Grove	October 2021 Water deliveries	286,223.18
12/13/2021	City of San Juan Capistrano	October 2021 Water deliveries	545,267.38
12/13/2021	Santa Margarita Water District	October 2021 Water deliveries	1,989,667.34
12/14/2021	Laguna Beach County Water District	October 2021 Water deliveries	309,254.77
12/14/2021	City of Orange	October 2021 Water deliveries	1,311,774.91
12/14/2021	Trabuco Canyon Water District	October 2021 Water deliveries	190,268.36
12/15/2021	East Orange Co Water District	October 2021 Water deliveries	718,158.35
12/15/2021	Golden State Water Company	October 2021 Water deliveries	598,929.67
12/15/2021	Irvine Ranch Water District	October 2021 Water deliveries	1,673,805.03
12/15/2021	Moulton Niguel Water District	October 2021 Water deliveries	2,122,647.86
12/15/2021	Orange County Water District	October 2021 Water deliveries	7,517,849.83
12/15/2021	Yorba Linda Water District	October 2021 Water deliveries	1,859,895.03
12/24/2021	City of Brea	November 2021 Water deliveries	13,456.22
12/24/2021	City of San Clemente	November 2021 Water deliveries	627,875.42
12/27/2021	City of Buena Park	November 2021 Water deliveries	272,078.78
12/27/2021	City of La Palma	November 2021 Water deliveries	2,104.96
12/27/2021	City of Newport Beach	November 2021 Water deliveries	708,286.47
12/31/2021	City of Huntington Beach	November 2021 Water deliveries	247,594.72

TOTAL WATER REVENUES \$ 23,007,880.50

**Municipal Water District of Orange County
REVENUE / CASH RECEIPT REPORT
December 2021**

MISCELLANEOUS REVENUES

<u>Date</u>	<u>From</u>	<u>Description</u>	<u>Amount</u>
12/06/2021	Wayne Tolosa	12/2/2021 OCEMO Award Luncheon	40.00
12/06/2021	Karl Seckel	December 2021 Retiree Health insurance	241.40
12/06/2021	Patricia Meszaros	December 2021 Retiree Health insurance	40.63
12/08/2021	Lee Jacobi	Jan-Jul 2022 Retiree Health insurance	222.95
12/22/2021	Stan Sprague	January 2022 Retiree Health insurance	179.55
12/30/2021	Keith Lyon	January 2022 Retiree Health insurance	179.55
12/16/2021	Igoe and Company Inc	COBRA and Retiree Vision insurance	70.98
12/01/2021	US Bank	CAL Card rebate check	498.36
12/31/2021	US Bank	Monthly Interest	1.31
12/06/2021	AT&T	Credit for October 2021 U-Verse internet service for WEROC N. EOC	38.52
12/06/2021	Empower	Deferred compensation refund for employee	216.99
12/27/2021	ACWA	Partial refund for ACWA Fall Virtual Conference Nov. 30-Dec. 2, 2021	750.00
12/21/2021	US Bank Custodial Account	National Rural Utilities Coop Interest payment	416.67
12/09/2021	Mesa Water District	October 2021 Smartimer rebate program	140.00
12/13/2021	Irvine Ranch Water District	October 2021 Smartimer and Rotating Nozzles rebate program	140.00
12/20/2021	Laguna Beach County Water District	August 2021 Turf Removal and Spray to Drip rebate program	3,203.00
12/10/2021	City of Brea	October 2021 Turf Removal and Spray to Drip rebate program	333.00
12/20/2021	City of Fountain Valley	October 2021 Turf Removal and Spray to Drip rebate program	333.00
12/13/2021	City of Orange	October 2021 Turf Removal and Spray to Drip rebate program	777.00
12/24/2021	City of San Clemente	October 2021 Turf Removal and Spray to Drip rebate program	333.00
12/10/2021	City of Tustin	October 2021 Turf Removal and Spray to Drip rebate program	1,221.00
12/09/2021	City of Westminster	October 2021 Turf Removal rebate program	222.00
12/14/2021	Trabuco Canyon Water District	June 2021 So Cal Watersmart rebate program	85.00
12/14/2021	Laguna Beach County Water District	July 2021 So Cal Watersmart rebate program	130.00
12/13/2021	Irvine Ranch Water District	October 2021 So Cal Watersmart rebate program	165.00
12/10/2021	City of San Clemente	October 2021 So Cal Watersmart rebate program	560.00
12/27/2021	El Toro Water District	November 2021 So Cal Watersmart rebate program	460.00
12/24/2021	City of San Clemente	November 2021 So Cal Watersmart rebate program	875.00
12/13/2021	Department of Water Resources	Oct-Dec 2020 Strategic Turfgrass Removal & Design Assistance program	89,993.02
12/30/2021	Department of Water Resources	Jan-Mar 2021 Strategic Turfgrass Removal & Design Assistance program	140,646.67
12/27/2021	Santa Ana Watershed Project Authority	Partial payment for Prop 1 grant	24,302.53
12/27/2021	City of Buena Park	Water Loss Control Shared Services Year III	33,984.00
12/10/2021	City of Fullerton	Water Loss Control technical assistance - WSO, Inc. Year VI	9,893.00
12/06/2021	City of La Palma	Addition to Choice School Program FY 2021-22	51.50
12/27/2021	City of Anaheim	WEROC Funding for FY 2021-22	19,786.00
12/10/2021	City of Fullerton	WEROC Funding for FY 2021-22	19,786.00
12/13/2021	City of Santa Ana	WEROC Funding for FY 2021-22	19,786.00

TOTAL MISCELLANEOUS REVENUES	\$	370,102.63
TOTAL REVENUES	\$	23,377,983.13



Robert J. Hunter, General Manager



Hilary Chumpitazi, Treasurer

**Municipal Water District of Orange County
Disbursement Approval Report
For the month of January 2022**

Vendor/ Invoice	Description	Amount to Pay
Core Disbursements:		
ABSG Consulting Inc		
5107743	November 2021 Owner's Representative services for MWDOC office remodel	15,524.35
Total		<u>15,524.35</u>
ACCO Engineered Systems Inc		
20193596	12/1/21-2/28/22 HVAC Preventative Maintenance	1,014.00
Total		<u>1,014.00</u>
Ace Print Agency		
2884	Business cards for seven staff and directors	428.63
Total		<u>428.63</u>
Richard C Ackerman		
1322	December 2021 Legal Consulting on Water Issues	2,375.00
Total		<u>2,375.00</u>
Alison Loukeh & Associates		
WEEA 2021-03	12/20/21 and 12/21/21 Educator Workshops	6,505.00
Total		<u>6,505.00</u>
Alta FoodCraft		
12201830	1/4/22 Coffee and tea supplies	106.42
Total		<u>106.42</u>
Association of California Cities		
2794	2021-22 Membership renewal	5,000.00
Total		<u>5,000.00</u>
Best Best and Krieger LLP		
55401-NOV21	November 2021 Legal Services	11,963.59
921968	November 2021 Services for State legislative advocacy	8,000.00
Total		<u>19,963.59</u>
CDW Government		
P283209	Annual renewal licenses for Zscaler browser protection	2,978.86
Total		<u>2,978.86</u>

**Municipal Water District of Orange County
Disbursement Approval Report
For the month of January 2022**

Vendor/ Invoice	Description	Amount to Pay
Commercial Door of Orange County Inc		
26038	Remove and reinstall glass door in conference room 102 for MWDOC office remodel	398.00
Total		<u>398.00</u>
El Toro Water District		
4075	2022 WEROC S.EOC Site annual lease	1,000.00
Total		<u>1,000.00</u>
Fenagh LLC		
5828-6	November 2021 Services for on-site testing and inspection of structural steel and concrete for MWDOC office remodel	160.50
Total		<u>160.50</u>
GovConnection Inc		
72275648	December 2021 Exchange Online Migration and Licenses	1,107.50
72279889	Exchange Online Migration and Licenses	3,168.37
72243503	ABPro licenses for new staff	136.00
Total		<u>4,411.87</u>
Hashtag Pinpoint Corporation		
1513	December 2021 Social Media consultation & service	7,913.00
Total		<u>7,913.00</u>
Los Angeles Design Studio-Tony Badalato		
5474	April-December 2021 Services for MWDOC website support and search engine optimization	10,800.00
Total		<u>10,800.00</u>
Lawnscape Systems Inc		
424796	August 2021 Landscape Maintenance for Atrium	495.00
Total		<u>495.00</u>
Phil Letrong		
123121	October - December 2021 Retiree medical premium	445.50
Total		<u>445.50</u>
Lewis Consulting Group		
2021-137	December 2021 Consulting services	2,250.00
Total		<u>2,250.00</u>

**Municipal Water District of Orange County
Disbursement Approval Report
For the month of January 2022**

Vendor/ Invoice	Description	Amount to Pay
Keith Lyon		
123121	October-December 2021 Retiree medical premium	891.00
Total		<u>891.00</u>
Means Consulting LLC-Edward G Means III		
MWDDOC-1304	December 2021 East Orange County Feeder #2 Emergency Pilot Project Consulting Services	893.75
MWDOC-1100	December 2021 MET issues & strategic guidance to staff	750.00
Total		<u>1,643.75</u>
Mega Maids Cleaning Service		
12214	December 2021 Cleaning services for COVID-19 prevention	800.00
Total		<u>800.00</u>
Natural Resource Results LLC		
3701	December 2021 Federal legislative advocacy services	8,000.00
Total		<u>8,000.00</u>
NDS		
794398	12/2/21 Board packet delivery service	188.92
795565	12/29/21 Board packet delivery service	186.50
Total		<u>375.42</u>
New Line Fire-Jeffrey Haugh		
12082021-02	December 2021 Fire protection engineering services for MWDOC office remodel	935.00
Total		<u>935.00</u>
Office Depot Inc		
211578919001	12/3/21 Waste cans for office	67.41
215036290001	12/14/21 Office supplies	74.61
217410556001	12/16/21 Credit for trash can return	(67.41)
Total		<u>74.61</u>
Office Solutions		
I-01950960	12/21/21 Tabs for board packets	304.50
I-01952822	12/29/21 Letterhead	369.68
Total		<u>674.18</u>
Optima RPM Inc		
5000449	December 2021 Construction services for MWDOC office seismic Improvements and remodel	48,279.57
Total		<u>48,279.57</u>

**Municipal Water District of Orange County
Disbursement Approval Report
For the month of January 2022**

Vendor/ Invoice	Description	Amount to Pay
Orange County Water District		
23718	November 2021 Postage, shared office and maintenance expense	4,488.90
Total		<u>4,488.90</u>
Paul Redvers Brown Inc		
DOC004	December 2021 MWDOC Facilitated Member Agency Discussions Project services	5,147.50
Total		<u>5,147.50</u>
Penn Corporate Relocation Services		
120211328	12/2/21 Relocation and installation services for MWDOC office remodel	535.00
Total		<u>535.00</u>
PeopleSpace		
INV55076	Final payment on demountable walls for MWDOC office remodel	54,796.41
INV55346	Final payment on Phase 3 furniture for MWDOC office remodel	14,265.81
INV55767	Two Desk dual Monitor Arms for MWDOC office remodel	1,198.82
Total		<u>70,261.04</u>
Soto Resources-Joey C Soto		
GA-DEC-51	December 2021 Grant Research and Acquisition	3,250.00
Total		<u>3,250.00</u>
SPS Data Communications		
122116	December 2021 Data Cables and Data jacks preparation and installation for MWDOC office remodel	1,097.50
Total		<u>1,097.50</u>
Sunbelt Controls		
53986	Release 20% retention on HVAC Building Automation & Management System for MWDOC office remodel	889.80
Total		<u>889.80</u>
Verne's Plumbing		
11280892	Install sewer cleanout and jet sewer line	4,396.65
Total		<u>4,396.65</u>
Total Core Expenditures		<u>233,509.64</u>

**Municipal Water District of Orange County
Disbursement Approval Report
For the month of January 2022**

Vendor/ Invoice	Description	Amount to Pay
Choice Expenditures:		
Building Block Entertainment Inc		
3471-2	December 2021 Choice Elementary School Program K-2	975.00
Total		<u>975.00</u>
Mission RCD		
3115	December 2021 Field inspection and verification for Water Use Efficiency rebate programs	3,665.00
Total		<u>3,665.00</u>
Orange County Dept of Education		
94RI2319	Sept. - Oct. 2021 Choice School Programs for 3-12 grade	1,207.38
94RI2378	November 2021 Choice School Programs for grades 3-5	1,207.38
Total		<u>2,414.76</u>
Orange County Water District		
23718	November 2021 Postage for Water Use Efficiency rebate programs	16.12
Total		<u>16.12</u>
Total Choice Expenditures		<u>7,070.88</u>
Other Funds Expenditures:		
EcoTech Services Inc		
2143	November 2021 Landscape Design and Maintenance Assistance programs	6,746.50
Total		<u>6,746.50</u>
Herndon Solutions Group LLC		
INV-0000002178	November 2021 Services to assist with America's Water Infrastructure Act compliance	35,085.50
Total		<u>35,085.50</u>
Mission RCD		
3115	December 2021 Field inspection and verification for Water Use Efficiency rebate programs	4,343.00
Total		<u>4,343.00</u>
The Plant Nerd, Inc		
6962	December 2021 Landscape Design and Maintenance Assistance programs	21,810.00
Total		<u>21,810.00</u>

**Municipal Water District of Orange County
Disbursement Approval Report
For the month of January 2022**

Vendor/ Invoice	Description	Amount to Pay
Soto Resources-Joey C Soto		
SA-DEC-52	December 2021 Grant Administration Services for Prop 1 North	288.75
Total		288.75
Total Other Funds Expenditures		68,273.75
Total Expenditures		308,854.27

**Municipal Water District of Orange County
Disbursement Ratification Report
For the Month of December 2021**

Name/ Date	Check/ EFT	Invoice	Description	Amount
Core Disbursements:				
Joseph Berg				
12/30/2021	EFT	120721	December 2021 Business expense	328.55
Total				328.55
Hilary Chumpitazi				
12/30/2021	EFT	111821	November 2021 Business expense	83.13
Total				83.13
Corodata Records Management Inc				
12/30/2021	EFT	RS4753684	November 2021 Records Storage Fees	52.25
Total				52.25
Harvey De La Torre				
12/30/2021	EFT	120221	December 2021 Business expense	461.28
Total				461.28
Leah Frazier				
12/30/2021	EFT	113021	November 2021 Business expense	58.47
12/30/2021	EFT	121521	December 2021 Business expense	90.68
Total				149.15
Lina Gunawan				
12/30/2021	EFT	91921	September 2021 Business expense	20.00
Total				20.00
Robert Hunter				
12/30/2021	EFT	102821	October 2021 Business expense	7.00
Total				7.00
Al Nederhood				
12/30/2021	EFT	113021	November 2021 Business expense	53.02
Total				53.02
Ricoh USA Inc				
12/30/2021	EFT	5063307429	9/1/21-11/30/21 Ricoh copier maintenance	533.28
Total				533.28

**Municipal Water District of Orange County
Disbursement Ratification Report
For the Month of December 2021**

Name/ Date	Check/ EFT	Invoice	Description	Amount
Karl Seckel				
12/30/2021	EFT	113021	November 2021 Business expense	41.88
Total				41.88
Spectrum Business				
12/15/2021	140602	343564121021	December 2021 Telephone expense for 1 analog fax line	39.99
12/02/2021	140584	375210113021	December 2021 Telephone and internet expense	1,423.83
Total				1,463.82
US Bank				
12/30/2021	140643	0208/4192/4279-NOV21	10/23/21-11/22/21 Cal Card Charges	12,259.18
Total				12,259.18
Verizon Wireless				
12/02/2021	140585	9893536952	November 2021 4G Mobile broadband unlimited service	114.03
Total				114.03
Katie Vincent				
12/30/2021	EFT	111921	November 2021 Business expense	28.11
Total				28.11
Total Core Disbursements				15,594.68
Choice Disbursements:				
Jeff Stalvey				
12/30/2021	EFT	111121	November 2021 Business expense	2,110.00
Total				2,110.00
US Bank				
12/30/2021	140643	4279-NOV21	10/23/21-11/22/21 Cal Card Charges	300.00
Total				300.00
Total Choice Disbursements				2,410.00

**Municipal Water District of Orange County
Disbursement Ratification Report
For the Month of December 2021**

Name/ Date	Check/ EFT	Invoice	Description	Amount
Other Funds Disbursements:				
AT&T				
12/15/2021	140590	17387234	November 2021 Telephone expense for WEROC N. & S. EOC	430.42
Total				430.42
Mesa Water District				
12/15/2021	EFT	10655	October 2021 Credit for Local Resources program	33,206.24
Total				33,206.24
Metropolitan Water District				
12/29/2021	140644	10592	October 2021 Water deliveries	21,834,512.10
Total				21,834,512.10
Santa Margarita Water District				
12/30/2021	EFT	OCT2021	October 2021 SCP Pipeline Operation Surcharge	24,851.42
Total				24,851.42
Santiago Aqueduct Commission				
12/30/2021	140641	OCT2021	October 2021 SAC Pipeline Operation Surcharge	2,835.70
Total				2,835.70
Spray to Drip Rebate				
12/29/2021	140620	S2D4-R-HB-42265-18029	J. Keating	882.00
12/29/2021	140614	S2D4-R-IRWD-42580-18099	M. Davison	1,036.00
12/29/2021	140625	S2D4-R-IRWD-42616-18103	L. Matson	301.00
12/29/2021	140612	S2D5-C-MNT-4463-18266	Canyon Villas HOA (Aliso Viejo)	3,269.00
12/29/2021	140607	S2D5-R-HB-42884-18148	M. Amendola	189.00
12/29/2021	140617	S2D5-R-HB-42953-18369	H. Geck	354.50
Total				6,031.50
Turf Rebate				
12/29/2021	140624	TR12-R-FV-38502-37409	P. Malek	1,350.00
12/29/2021	140631	TR14-C-LH-42393-41114	A. Yang	5,721.00
12/29/2021	140610	TR14-R-HB-41279-41175	S. Brown	4,004.00
12/29/2021	140621	TR14-R-HB-42265-40994	J. Keating	2,770.00
12/29/2021	140616	TR14-R-IRWD-41142-39944	C. Ford	2,300.00
12/29/2021	140615	TR14-R-IRWD-42580-41275	M. Davison	1,204.00
12/29/2021	140619	TR14-R-O-42625-41316	J. Hall	1,400.00
12/29/2021	140627	TR15-R-FV-42980-41631	T. Nguyen	1,425.00

**Municipal Water District of Orange County
Disbursement Ratification Report
For the Month of December 2021**

Name/ Date	Check/ EFT	Invoice	Description	Amount
Turf Rebate - Continued				
12/29/2021	140608	TR15-R-HB-42880-41543	M. Amendola	1,134.00
12/29/2021	140618	TR15-R-HB-42953-41606	H. Geck	2,127.00
12/29/2021	140613	TR15-R-IRWD-42593-41285	A. Chun	1,111.54
12/29/2021	140629	TR15-R-IRWD-42885-41548	H. Shiao	2,996.00
12/29/2021	140630	TR15-R-IRWD-44410-43059	K. Tanahara	2,160.00
12/29/2021	140622	TR15-R-MESA-41811-41472	S. Koutzoukis	11,544.00
12/29/2021	140623	TR15-R-MNT-42868-41534	G. Ledgerwood	3,252.00
12/29/2021	140628	TR15-R-MNT-42886-41549	L. Purrington	1,408.00
12/29/2021	140626	TR15-R-MNT-42918-41576	M. Ming	2,643.64
12/29/2021	140611	TR15-R-MNT-44176-42816	T. Burkhart	1,800.00
12/29/2021	140609	TR15-R-SOCO-42763-41441	A. Baylor	4,227.00
Total				54,577.18
US Bank				
12/30/2021	140643	6066-NOV21	10/23/21-11/22/21 Cal Card Charges	83.88
Total				83.88
Verizon Wireless				
12/02/2021	140585	9893536952	November 2021 4G Mobile broadband unlimited service	76.02
Total				76.02
Total Other Funds Disbursements				21,956,604.46
Total Disbursements				21,974,609.14


Robert J. Hunter, General Manager


Hilary Chumpitazi, Treasurer

Cal Card Charges
Statement Date: November 22, 2021
Payment Date: December 30, 2021

Date	Description	Amount
-------------	--------------------	---------------

R. Hunter Card:

11/21/2021	October-November 2021 Business expense	192.69
Total:		192.69

C. Harris Card:

10/21/2021	Five laptops for MWDOC staff	4,157.39
10/22/2021	Sympathy flowers for staff member	65.25
10/24/2021	October 2021 Web hosting service for MWDOC website	15.65
11/01/2021	Three laptops for new MWDOC staff	4,153.78
11/02/2021	Replacement computer sound card (hardware) for Accountant	49.29
11/02/2021	CAPIO 2021 Annual conference in North Tahoe, CA from Nov. 2-5, 2021 - Accomodationsl for T. Baca and S. Wilson	446.54
11/05/2021	Ipad for Conference Room 101 AV mobile console	498.79
11/05/2021	Colorado River Water Users Association conference in Las Vegas, NV from December 14-16, 2021 - Accomodations for Director Thomas, Director Nederhood, R. Hunter, H. Baez, and M. Baum-Haley	782.30
11/09/2021	Anniversary gift cards for J. Berg and C. Harris	325.00
11/13/2021	November 2021 Pework Screen subscription for Covid-19 Prevention	175.56
11/16/2021	FedEx delivery charge on Nov. 16, 2021	21.49
11/16/2021	North American Water Loss conference 2021 in Austin, TX from December 7-9, 2021 - Airfare for R. Davis	183.80
11/16/2021	Flowers for celebrating two staff anniversaries	154.44
11/17/2021	Alchemer annual basic license for WUE surveys and outreach	300.00
11/18/2021	North American Water Loss conference 2021 in Austin, TX from December 7-9, 2021 - Registration and airfare for J. Berg	1,096.96
11/19/2021	Price adjustment on 11/1/21 purchase of three laptops-Order 108891235	(652.54)
11/19/2021	FedEx delivery charge on Nov. 19, 2021	21.44
Total:		11,795.14

Public Affairs Card:

11/02/2021	11/2/21-12/1/21 Zoom Video Communications monthly fee with audio licenses	174.93
11/03/2021	November 2021 Monthly Public Storage Unit for Public Affairs	294.00
11/10/2021	11/10/21 Public Affairs team lunch	54.73
11/11/2021	Education Video Filming supplies	43.07
11/11/2021	Education Video Filming supplies	4.62
Total:		571.35

WEROC Card:

11/16/2021	QR Code Generator Pro	83.88
Total:		83.88

Municipal Water District of Orange County
GM Approved Disbursement Report ⁽¹⁾
For the Month of December 2021

Name/ Date	Check/ EFT	Invoice	Description	Amount
Core Disbursements:				
Aleshire & Wynder LLP				
12/15/2021	EFT	65117	Nov 1-18, 2021 Legal Services	472.50
Total				472.50
Richard Bell				
12/15/2021	140587	11302021	June - November 2021 Retiree medical premium	1,800.00
Total				1,800.00
The Brattle Group Inc				
12/15/2021	EFT	64707	October 2021 Services for the Economic Benefit Studies and Modeling Work	34,717.28
Total				34,717.28
Hunter T Cook				
12/30/2021	140633	12312021	October - December 2021 Retiree medical premium	1,536.00
Total				1,536.00
Flume Inc				
12/30/2021	140635	1327	3rd Quarter 2021 Residential End Use Study services	7,500.00
Total				7,500.00
Hashtag Pinpoint Corporation				
12/15/2021	EFT	1501	November 2021 Social Media consultation & service	7,913.00
Total				7,913.00
IDS Group Inc				
12/30/2021	EFT	18X093.03-1	November 2021 Seismic retrofit design and project support MWDOC office remodel	7,489.00
12/30/2021	EFT	18X093.04-1	November 2021 Seismic retrofit structural field changes and construction administration for MWDOC office remodel	19,855.00
Total				27,344.00
Igoe Administrative Services				
12/15/2021	140593	248952	COBRA Annual service fee	610.00
Total				610.00

Municipal Water District of Orange County
GM Approved Disbursement Report ⁽¹⁾
For the Month of December 2021

Name/ Date	Check/ EFT	Invoice	Description	Amount
Natural Resource Results LLC				
12/30/2021	EFT	3661	November 2021 Federal legislative advocacy services	8,000.00
Total				8,000.00
New Line Fire-Jeffrey Haugh				
12/15/2021	EFT	11182021-01	November 2021 Fire protection engineering services for MWDOC office remodel	5,265.00
Total				5,265.00
Office Depot Inc				
12/30/2021	140639	210239389013	11/30/21 Office supplies	44.25
Total				44.25
Office Solutions				
12/30/2021	EFT	I-01943593	12/1/21 Office supplies	261.52
Total				261.52
Paul Redvers Brown Inc				
12/30/2021	140640	DOC003	November 2021 MWDOC Facilitated Member Agency Discussions Project services	2,682.50
Total				2,682.50
Steven Enterprises Inc				
12/15/2021	EFT	0448429-IN	HP Designjet 44" replacement plotter	3,474.56
Total				3,474.56
US Postal Service				
12/15/2021	140604	20895-2022	PO Box #20895 Annual renewal	1,340.00
Total				1,340.00
USAFact Inc				
12/15/2021	EFT	1113126	November 2021 Background checks for three new hires	104.04
Total				104.04
Pauline D Wennerstrom				
12/30/2021	EFT	123121	October - December 2021 Retiree medical premium	397.50
Total				397.50
Total Core Disbursements				103,462.15

Municipal Water District of Orange County
GM Approved Disbursement Report ⁽¹⁾
For the Month of December 2021

Name/ Date	Check/ EFT	Invoice	Description	Amount
Choice Disbursements:				
Total Choice Disbursements				-
Other Funds Disbursements:				
El Toro Water District				
12/30/2021	140634	RTF5336-7-8-9	Recycled Water Projects for Laguna Woods	13,406.25
Total				13,406.25
Large Plumbing				
12/30/2021	EFT	25789	November 2021 Services for Pressure Regulating Valve program	1,295.00
Total				1,295.00
Total Other Funds Disbursements				14,701.25
Total Disbursements				118,163.40


 Robert J. Hunter, General Manager


 Hilary Chumpitazi, Treasurer

(1) For disbursements that did not make the cut-off of previous month's Disbursement Approval report, due to early deadline. Disbursements are approved by GM for payment and need A & F Committee ratification.



Municipal Water District of Orange County
Consolidated Summary of Cash and Investment
 November 30, 2021

District investments and cash balances are held in various funds designated for certain purposes as follows:

Fund	Book Value	% of Portfolio
Designated Reserves		
General Operations	\$3,738,505	21.19%
Grant & Project Cash Flow	1,500,000	8.50%
Election Expense	461,678	2.62%
Building Repair	436,542	2.47%
OPEB	297,147	1.68%
Total Designated Reserves	6,433,872	36.46%
General Fund	8,719,754	49.43%
Water Fund	1,895,987	10.75%
Conservation Fund	(737,678)	(4.18%)
WEROC Fund	1,310,249	7.43%
Trustee Activities	19,051	0.11%
Total	\$17,641,235	100.00%

The funds are invested as follows:

Term of Investment	% of Portfolio	Book Value	Market Value
Cash	1.24%	\$218,519	\$218,519
Short-term investment			
• LAIF	18.77%	3,310,442	3,310,442
• OCIP	62.41%	11,012,137	11,012,137
Long-term investment			
• US Government Issues	1.42%	249,896	247,110
• Corporate Bond	7.94%	1,400,241	1,371,116
• Certificates of Deposit	8.22%	1,450,000	1,495,775
Total	100.00%	\$17,641,235	\$17,655,099

The average number of days to maturity/call as of November 30, 2021 equaled 113 and the average yield to maturity is 0.649%. During the month, the District's average daily balance was \$28,540,888.75. Funds were invested in US Bank Money Market, Negotiable Certificate of Deposits, Corporate Bonds, US Government Issues, the Local Agency Investment Funds (LAIF) and the Orange County Investment Pool (OCIP) during the month of November 2021.

The \$13,864 difference between the book value and the market value on November 30, 2021 represents the exchange difference if all investments had been liquidated on that date. Since it is the District's practice to "buy and hold" investments until maturity, the market values are a point of reference, not an indication of actual loss or gain. There are no current plans or cash flow requirements identified in the near future that would require the sale of these securities prior to maturity.

Robert J. Hunter
 General Manager

Hilary Chumpitazi
 Treasurer



MUNICIPAL WATER DISTRICT OF ORANGE COUNTY

Portfolio Management - Portfolio Summary November 30, 2021

11/30/2021	Par Value	Market Value	Book Value	% of Portfolio	Days to Mat/Call	YTM @ Cost
Negotiable Certificate Of Deposit	1,450,000.00	1,495,775.00	1,450,000.00	8.32	830	2.440
Corporate Bond	1,400,000.00	1,371,115.50	1,400,240.47	8.04	517	1.341
US Government Issues	250,000.00	247,110.00	249,896.34	1.43	88	0.860
Local Agency Investment Funds	3,310,441.65	3,310,441.65	3,310,441.65	19.00	1	0.197
Orange County Investment Pool	11,012,137.38	11,012,137.38	11,012,137.38	63.21	1	0.457
Total Investments	17,422,579.03	17,436,579.53	17,422,715.84	100.00	113	0.649

Cash						
Cash	218,519.28	218,519.28	218,519.28		1	0.00
Total Cash and Investments	17,641,098.31	17,655,098.81	17,641,235.12		113	0.649

Total Earnings	Month Ending November	Fiscal Year to Date
Current Year	10,798.15	58,379.20
Average Daily Balance	28,540,888.75	
Effective Rate of Return	0.649%	

We certify that this report reflects the cash and investments of the Municipal Water District of Orange County and is in conformity with the Government Code requirements and the District Investment Policy and Guidelines in effect at the time of investment. The Investment Program herein shown provides sufficient cash flow liquidity to meet the next six month's estimated expenditure. The source for the market values are from U.S. Bank. Per Resolution 2059 there are no compliance exceptions to report.

Robert J. Hunter, General Manager

Date

1-6-22

Hilary Chumtipitzi

Hilary Chumtipitzi, Treasurer

Date

01/06/2022

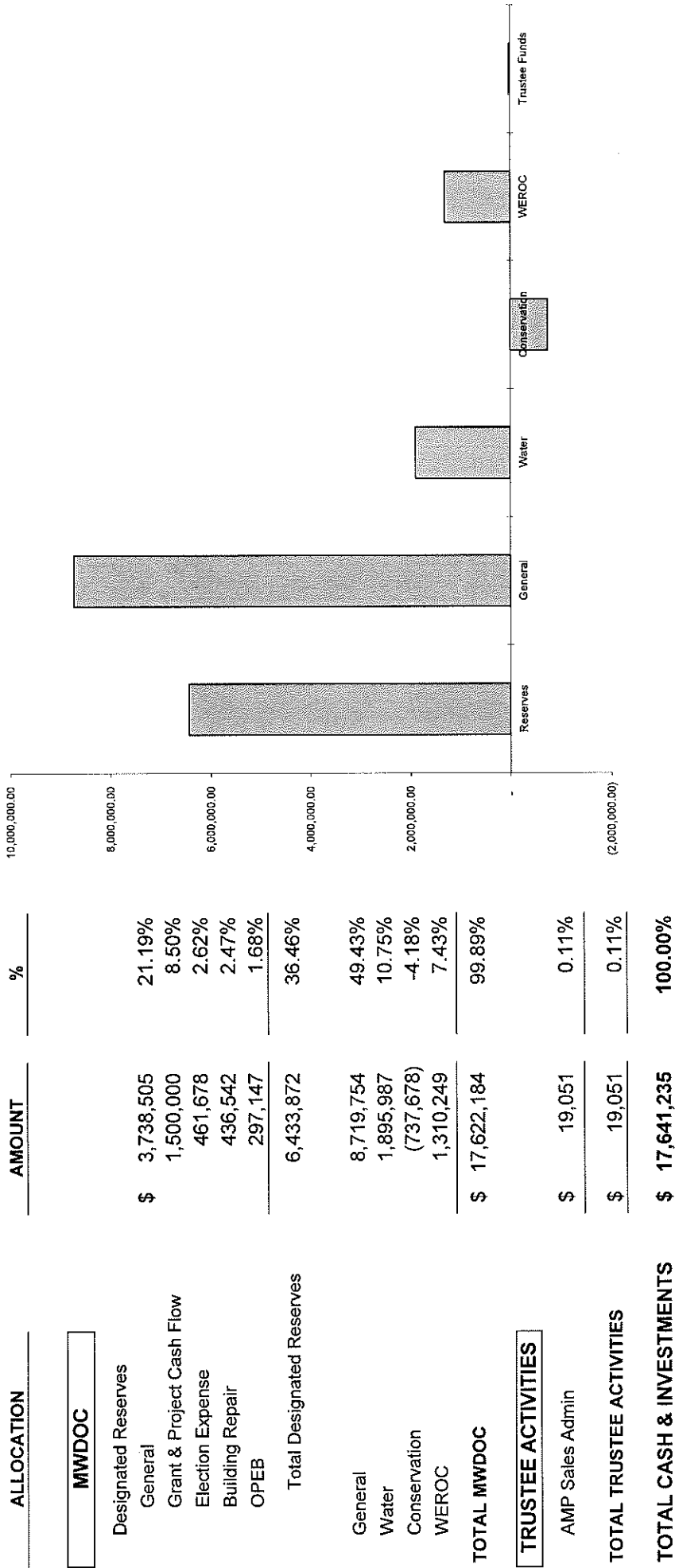
MUNICIPAL WATER DISTRICT OF ORANGE COUNTY
Portfolio Management
Long-Term Portfolio Details - Investments
November 30, 2021

Issuer	CUSIP/Ticker	Settlement Date	Par Value	Market Value	Book Value	Coupon Rate	YTM @ Cost	Days To Call/Maturity	Maturity Date
Negotiable Certificate Of Deposit									
Barclays Bank	06740KKY2	9/27/2017	250,000.00	254,120.00	250,000.00	2.250	2.250	301	9/27/2022
Capital One Bank	14042TBO9	8/7/2019	250,000.00	259,762.50	250,000.00	2.250	2.250	981	8/7/2024
Capital One NA	14042RMJ7	7/24/2019	250,000.00	259,392.50	250,000.00	2.200	2.200	967	7/24/2024
Discover Bank	254673RV0	7/25/2018	250,000.00	261,765.00	250,000.00	3.300	3.300	602	7/25/2023
Goldman Sachs Bank	38148PT98	8/8/2018	250,000.00	262,215.00	250,000.00	3.350	3.350	616	8/8/2023
Sallie Mae Bank	7954507A7	7/14/2021	200,000.00	198,520.00	200,000.00	1.000	1.000	1,687	7/14/2026
Sub Total			1,450,000.00	1,495,775.00	1,450,000.00	2.440	2.440	830	
US Government Issues									
FHLB	3130ALGR9	3/1/2021	250,000.00	247,110.00	249,896.34	0.850	0.860	88	2/26/2026
Sub Total			250,000.00	247,110.00	249,896.34	0.850	0.860	88	
Corporate Bond									
Bank of America Corp	06048WK41	12/7/2020	250,000.00	240,815.00	250,000.00	0.650	0.800	1,456	11/25/2025
Citigroup Global Markets	17328WFZ5	9/16/2020	250,000.00	242,715.00	250,000.00	1.000	1.000	16	9/16/2025
JP Morgan Chase	48128GV56	8/18/2020	250,000.00	241,180.00	250,000.00	0.800	0.800	992	8/18/2025
National Rural Util Coop	63743FE51	7/27/2017	200,000.00	202,372.00	200,000.00	2.500	2.500	227	7/15/2022
Societe Generale	83369MD25	8/19/2020	250,000.00	241,587.50	250,000.00	1.000	1.088	81	8/19/2025
Westpac Banking Corp	961214DQ3	7/25/2017	200,000.00	202,446.00	200,240.47	2.500	2.278	210	6/28/2022
Sub Total			1,400,000.00	1,371,115.50	1,400,240.47	1.330	1.341	517	
Total Investments			3,100,000.00	3,114,000.50	3,100,136.81	1.810	1.816	629	
Total Earnings									
Current Year		Month Ending November	4,546.72		Fiscal Year To Date				
									23,408.07

MUNICIPAL WATER DISTRICT OF ORANGE COUNTY
Portfolio Management
Short-Term Portfolio Details - Cash and Investments
November 30, 2021

Investments	CUSIP/Ticker	Settlement Date	Par Value	Market Value	Book Value	Coupon Rate	YTM @ Cost	Days To Call/Maturity	Maturity Date
Local Agency Investment Funds									
LAIF LGIP	LAIF	6/30/2010	3,310,441.65	3,310,441.65	3,310,441.65	0.197	0.197	1	N/A
Sub Total			3,310,441.65	3,310,441.65	3,310,441.65	0.197	0.197	1	
Orange County Investment Pool									
County of Orange LGIP	OCIP	6/29/2005	11,012,137.38	11,012,137.38	11,012,137.38	0.457	0.457	1	N/A
Sub Total			11,012,137.38	11,012,137.38	11,012,137.38	0.457	0.457	1	
Total Investments			14,322,579.03	14,322,579.03	14,322,579.03	0.397	0.397		
Cash									
Petty Cash Cash	CASH	7/1/2010	500.00	500.00	500.00	0.000	0.000	1	N/A
US Bank Cash	CASHUSBANK	7/25/2018	218,019.28	218,019.28	218,019.28	0.000	0.000	1	N/A
Total Cash			218,519.28	218,519.28	218,519.28	0.000	0.000	1	
Total Cash and Investments			14,541,098.31	14,541,098.31	14,541,098.31	0.397	0.397	1	
Total Earnings									
Current Year		Month Ending November	Fiscal Year To Date						
		6,251.43	34,971.13						

**Municipal Water District of Orange County
Cash and Investments at November 30, 2021**



MUNICIPAL WATER DIST OF ORANGE COUNTY
PARS Post-Employment Benefits Trust**Account Report for the Period**
11/1/2021 to 11/30/2021Rob Hunter
General Manager
Municipal Water Dist of Orange County
18700 Ward Street
Fountain Valley, CA 92708**Account Summary**

Source	Balance as of 11/1/2021	Contributions	Earnings	Expenses	Distributions	Transfers	Balance as of 11/30/2021
OPEB	\$2,817,664.09	\$0.00	-\$39,996.63	\$1,379.95	\$0.00	\$0.00	\$2,776,287.51
PENSION	\$991,614.31	\$0.00	-\$14,075.92	\$485.65	\$0.00	\$0.00	\$977,052.74
Totals	\$3,809,278.40	\$0.00	-\$54,072.55	\$1,865.60	\$0.00	\$0.00	\$3,753,340.25

Investment Selection**Source**

OPEB	Moderate HighMark PLUS
PENSION	Moderate HighMark PLUS

Investment Objective**Source**

OPEB	The dual goals of the Moderate Strategy are growth of principal and income. It is expected that dividend and interest income will comprise a significant portion of total return, although growth through capital appreciation is equally important. The portfolio will be allocated between equity and fixed income investments.
PENSION	The dual goals of the Moderate Strategy are growth of principal and income. It is expected that dividend and interest income will comprise a significant portion of total return, although growth through capital appreciation is equally important. The portfolio will be allocated between equity and fixed income investments.

Investment Return

Source	1-Month	3-Months	1-Year	Annualized Return			Plan's Inception Date
				3-Years	5-Years	10-Years	
OPEB	-1.42%	-1.57%	10.24%	10.92%	9.27%	8.28%	10/26/2011
PENSION	-1.42%	-1.57%	10.21%	10.89%	-	-	7/31/2018

Information as provided by US Bank, Trustee for PARS; Not FDIC Insured; No Bank Guarantee; May Lose Value

Past performance does not guarantee future results. Performance returns may not reflect the deduction of applicable fees, which could reduce returns. Information is deemed reliable but may be subject to change.

Investment Return: Annualized rate of return is the return on an investment over a period other than one year multiplied or divided to give a comparable one-year return.

Account balances are inclusive of Trust Administration, Trustee and Investment Management fees

**MUNICIPAL WATER DISTRICT OF ORANGE COUNTY
COMBINED FINANCIAL STATEMENTS
AND
BUDGET COMPARATIVE
JULY 1, 2021 THRU NOVEMBER 30, 2021**

**Municipal Water District of Orange County
Combined Balance Sheet
As of November 30, 2021**

	<u>Amount</u>
<u>ASSETS</u>	
Cash in Bank	218,519.28
Investments	17,422,715.84
Accounts Receivable	44,087,565.29
Accounts Receivable - Other	58,749.27
Accrued Interest Receivable	36,545.80
Prepays/Deposits	452,704.77
Leasehold Improvements	6,059,805.67
Furniture, Fixtures & Equipment	780,261.60
Less: Accumulated Depreciation	<u>(3,509,361.29)</u>
TOTAL ASSETS	<u><u>65,607,506.23</u></u>
<u>LIABILITIES AND FUND BALANCES</u>	
<u>LIABILITIES</u>	
Accounts Payable	43,721,554.56
Accounts Payable - Other	64.82
Accrued Salaries and Benefits Payable	755,406.28
Other Liabilities	2,242,416.94
Unearned Revenue	<u>443,410.26</u>
TOTAL LIABILITIES	<u><u>47,162,852.86</u></u>
<u>FUND BALANCES</u>	
<u>Restricted Fund Balances</u>	
Water Fund - T2C	<u>1,034,737.80</u>
Total Restricted Fund Balances	<u>1,034,737.80</u>
<u>Unrestricted Fund Balances</u>	
<u>Designated Reserves</u>	
General Operations	3,738,505.00
Grant & Project Cash Flow	1,500,000.00
Election Expense	461,678.00
Building Repair	436,542.00
OPEB	<u>297,147.00</u>
Total Designated Reserves	<u>6,433,872.00</u>
General Fund	5,028,867.71
General Fund Capital	373,228.00
WEROC Capital	159,687.58
WEROC	<u>246,196.60</u>
Total Unrestricted Fund Balances	<u>12,241,851.89</u>
<u>Excess Revenue over Expenditure</u>	
Operating Fund	5,195,264.48
Other Funds	<u>(27,200.80)</u>
TOTAL FUND BALANCES	<u><u>18,444,653.37</u></u>
TOTAL LIABILITIES AND FUND BALANCES	<u><u>65,607,506.23</u></u>

Municipal Water District of Orange County
Revenues and Expenditures Budget Comparative Report
General Fund
July 1, 2021 thru November 30, 2021

	<u>Month to Date</u>	<u>Year to Date</u>	<u>Annual Budget</u>	<u>% Used</u>	<u>Encumbrance</u>	<u>Budget Remaining</u>
<u>REVENUES</u>						
Retail Connection Charge	0.00	8,357,232.00	8,357,232.00	100.00%	0.00	0.00
Ground Water Customer Charge	0.00	335,385.00	335,385.00	100.00%	0.00	0.00
Water Rate Revenues	0.00	8,692,617.00	8,692,617.00	100.00%	0.00	0.00
Interest Revenue	10,721.25	57,858.56	220,000.00	26.30%	0.00	162,141.44
Subtotal	10,721.25	8,750,475.56	8,912,617.00	98.18%	0.00	162,141.44
Choice Programs	51.50	1,238,181.23	1,515,775.00	81.69%	0.00	277,593.77
Miscellaneous Income	0.00	1,911.28	3,000.00	63.71%	0.00	1,088.72
Revenue - Other	0.00	1,360.00	0.00	0.00%	0.00	(1,360.00)
School Contracts	4,392.68	8,718.68	120,895.00	7.21%	0.00	112,176.32
Transfer-In from Reserve	0.00	0.00	95,745.00	0.00%	0.00	95,745.00
Subtotal	4,444.18	1,250,171.19	1,735,415.00	72.04%	0.00	485,243.81
TOTAL REVENUES	15,165.43	10,000,646.75	10,648,032.00	93.92%	0.00	647,385.25

Municipal Water District of Orange County
Revenues and Expenditures Budget Comparative Report
General Fund
July 1, 2021 thru November 30, 2021

	<u>Month to Date</u>	<u>Year to Date</u>	<u>Annual Budget</u>	<u>% Used</u>	<u>Encumbrance</u>	<u>Budget Remaining</u>
<u>EXPENSES</u>						
Salaries & Wages	357,868.67	1,745,117.85	4,178,542.00	41.76%	0.00	2,433,424.15
Salaries & Wages - Grant Recovery	0.00	(6,304.44)	(18,665.00)	(33.78)%	0.00	(12,360.56)
Director's Compensation	22,592.67	110,343.91	288,800.00	38.21%	0.00	178,456.09
MWD Representation	12,769.77	58,937.40	165,029.00	35.71%	0.00	106,091.60
Employee Benefits	115,671.02	553,355.44	1,356,730.00	40.79%	0.00	803,374.56
Employee Benefits - Grant Recovery	0.00	(1,569.28)	0.00	0.00%	0.00	1,569.28
CalPers Unfunded Liability Contribution	0.00	207,000.00	207,000.00	100.00%	0.00	0.00
Director's Benefits	9,589.95	47,183.02	161,248.00	29.26%	0.00	114,064.98
Health Insurance for Retirees	8,270.51	37,660.15	101,099.00	37.25%	0.00	63,438.85
Training Expense	0.00	12,241.50	52,000.00	23.54%	908.10	38,850.40
Tuition Reimbursement	0.00	0.00	5,000.00	0.00%	0.00	5,000.00
Temporary Help Expense	0.00	0.00	5,000.00	0.00%	0.00	5,000.00
Personnel Expenses	526,762.59	2,763,965.55	6,501,783.00	42.51%	908.10	3,736,909.35
Engineering Expense	42,851.03	99,776.03	380,000.00	26.26%	372,172.22	(91,948.25)
Legal Expense	12,436.09	84,715.29	225,000.00	37.65%	140,284.71	0.00
Audit Expense	2,566.00	20,566.00	30,220.00	68.05%	4,654.00	5,000.00
Professional Services	73,971.18	291,881.12	1,475,640.00	19.78%	829,036.31	354,722.57
Professional Fees	131,824.30	496,938.44	2,110,860.00	23.54%	1,346,147.24	267,774.32
Conference - Staff	425.00	6,865.00	44,560.00	15.41%	0.00	37,695.00
Conference - Directors	0.00	5,355.00	16,845.00	31.79%	0.00	11,490.00
Travel & Accom. - Staff	1,786.68	4,788.44	69,825.00	6.86%	0.00	65,036.56
Travel & Accom. - Directors	336.92	373.36	21,250.00	1.76%	0.00	20,876.64
Travel & Conference	2,548.60	17,381.80	152,480.00	11.40%	0.00	135,098.20
Membership/Sponsorship	55,457.00	106,848.20	143,041.00	74.70%	0.00	36,192.80
CDR Support	0.00	27,594.66	65,249.00	42.29%	27,594.65	10,059.69
Dues & Memberships	55,457.00	134,442.86	208,290.00	64.55%	27,594.65	46,252.49
Business Expense	57.59	740.24	2,500.00	29.61%	0.00	1,759.76
Office Maintenance	6,072.78	40,019.27	147,400.00	27.15%	97,316.21	10,064.52
Building Repair & Maintenance	3,041.69	11,314.62	15,000.00	75.43%	9,751.40	(6,066.02)
Storage Rental & Equipment Lease	52.25	317.89	1,800.00	17.66%	482.11	1,000.00
Office Supplies	623.70	3,937.22	35,000.00	11.25%	4,271.02	26,791.76
Supplies - Water Loss Control	0.00	98.50	4,000.00	2.46%	0.00	3,901.50
Postage/Mail Delivery	546.97	3,575.28	9,243.00	38.68%	1,584.83	4,082.89
Subscriptions & Books	0.00	120.00	1,000.00	12.00%	0.00	880.00
Reproduction Expense	952.16	1,708.43	82,700.00	2.07%	4,910.45	76,081.12
Maintenance - Computers	49.29	1,955.52	8,000.00	24.44%	1.08	6,043.40
Software Purchase	4,771.64	25,714.13	36,040.00	71.35%	10.00	10,315.87
Software Support	6,843.74	23,500.55	48,640.00	48.32%	19,402.37	5,737.08
Computers and Equipment	11,631.98	21,123.12	23,450.00	90.08%	4,525.53	(2,198.65)
Maintenance Expense	0.00	0.00	6,000.00	0.00%	0.00	6,000.00
Automotive Expense	120.51	429.50	16,000.00	2.68%	0.00	15,570.50
Vehicle Expense	0.00	1,171.88	5,800.00	20.20%	0.00	4,628.12
Toll Road Charges	0.00	200.00	1,250.00	16.00%	0.00	1,050.00
Insurance Expense	12,342.68	60,705.52	130,000.00	46.70%	0.00	69,294.48
Utilities - Telephone	2,887.85	15,810.90	42,840.00	36.91%	798.21	26,230.89
Bank Fees	0.00	1,256.80	3,200.00	39.28%	0.00	1,943.20
Miscellaneous Expense	3,710.39	16,967.92	85,181.00	19.92%	3,163.20	65,049.88
MWDOC's Contrb. to WEROC	21,695.50	108,477.50	260,346.00	41.67%	0.00	151,868.50
Depreciation Expense	11,721.18	29,303.10	0.00	0.00%	0.00	(29,303.10)
Other Expenses	87,121.90	368,447.89	965,390.00	38.17%	146,216.41	450,725.70
Capital Aquisition	16,808.92	261,772.93	267,256.00	97.95%	88,993.48	(83,510.41)
Building Expense	193,024.83	762,432.80	441,973.00	172.51%	188,475.60	(508,935.40)
TOTAL EXPENSES	1,013,548.14	4,805,382.27	10,648,032.00	45.13%	1,798,335.48	4,044,314.25
NET INCOME (LOSS)	(998,382.71)	5,195,264.48				

Municipal Water District of Orange County
Revenues and Expenditures Budget Comparative Report
Water Fund
July 1, 2021 thru November 30, 2021

	<u>Month to Date</u>	<u>Year to Date</u>	<u>Annual Budget</u>	<u>% Used</u>	<u>Budget Remaining</u>
<u>WATER REVENUES</u>					
Water Sales	19,826,126.70	94,755,527.30	155,126,337.00	61.08%	60,370,809.70
Readiness to Serve Charge	926,009.00	4,630,045.03	11,142,354.00	41.55%	6,512,308.97
Capacity Charge CCF	394,384.17	1,971,920.85	4,732,610.00	41.67%	2,760,689.15
SCP/SAC Pipeline Surcharge	28,606.14	159,154.62	315,000.00	50.53%	155,845.38
Interest Revenue	278.38	1,510.97	10,500.00	14.39%	8,989.03
TOTAL WATER REVENUES	21,175,404.39	101,518,158.77	171,326,801.00	59.25%	69,808,642.23
<u>WATER PURCHASES</u>					
Water Sales	19,826,126.70	94,755,527.30	155,126,337.00	61.08%	60,370,809.70
Readiness to Serve Charge	926,009.00	4,630,045.03	11,142,354.00	41.55%	6,512,308.97
Capacity Charge CCF	394,384.17	1,971,920.85	4,732,610.00	41.67%	2,760,689.15
SCP/SAC Pipeline Surcharge	28,606.14	159,154.62	315,000.00	50.53%	155,845.38
TOTAL WATER PURCHASES	21,175,126.01	101,516,647.80	171,316,301.00	59.26%	69,799,653.20
EXCESS OF REVENUE OVER EXPENDITURE	278.38	1,510.97	10,500.00	14.39%	8,989.03

Municipal Water District of Orange County
Revenues and Expenditures Budget Comparative Report
Water Use Efficiency
July 1, 2021 thru November 30, 2021

	<u>Year to Date Actual</u>	<u>Annual Budget</u>	<u>% Used</u>
Spray To Drip Conversion			
Revenues	13,796.53	117,480.00	11.74%
Expenses	27,707.47	117,480.00	23.58%
Excess of Revenues over Expenditures	(13,910.94)	0.00	
Member Agency Administered Pass-Thru			
Revenues	57,137.00	573,201.00	9.97%
Expenses	47,022.00	573,201.00	8.20%
Excess of Revenues over Expenditures	10,115.00	0.00	
ULFT Rebate Program			
Revenues	110.00	2,000.00	5.50%
Expenses	170.00	2,000.00	8.50%
Excess of Revenues over Expenditures	(60.00)	0.00	
HECW Rebate Program			
Revenues	25,929.51	84,300.00	30.76%
Expenses	25,865.00	84,300.00	30.68%
Excess of Revenues over Expenditures	64.51	0.00	
CII Rebate Program			
Revenues	0.00	6,500.00	0.00%
Expenses	0.00	6,500.00	0.00%
Excess of Revenues over Expenditures	0.00	0.00	
Turf Removal Program			
Revenues	244,562.84	993,924.00	24.61%
Expenses	289,827.59	993,924.00	29.16%
Excess of Revenues over Expenditures	(45,264.75)	0.00	
Comprehensive Landscape (CLWUE)			
Revenues	94,721.95	303,100.00	31.25%
Expenses	142,625.10	303,100.00	47.06%
Excess of Revenues over Expenditures	(47,903.15)	0.00	
Recycled Water Program			
Revenues	0.00	40,000.00	0.00%
Expenses	0.00	40,000.00	0.00%
Excess of Revenues over Expenditures	0.00	0.00	
WSIP - Industrial Program			
Revenues	0.00	45,000.00	0.00%
Expenses	0.00	45,000.00	0.00%
Excess of Revenues over Expenditures	0.00	0.00	
Land Design Program			
Revenues	15,623.00	297,330.00	5.25%
Expenses	104,312.75	297,330.00	35.08%
Excess of Revenues over Expenditures	(88,689.75)	0.00	
Total WUE Projects			
Revenues	451,880.83	2,462,835.00	18.35%
Expenses	637,529.91	2,462,835.00	25.89%
Excess of Revenues over Expenditures	(185,649.08)	0.00	
WEROC			
Revenues	368,823.50	520,692.00	70.83%
Expenses	212,299.60	520,692.00	40.77%
Excess of Revenues over Expenditures	156,523.90	0.00	



CONSENT CALENDAR ITEM

January 19, 2022

TO: Board of Directors

FROM: Joe Byrne, General Counsel

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

STAFF RECOMMENDATION

That the Board of Directors vote 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.

COMMITTEE RECOMMENDATION

This item was not presented to a Committee.

SUMMARY

At the October 4, 2021 Board meeting, pursuant to AB 361, the Board of Directors adopted Resolution No. 2115 and authorized the Board to continue to have remote meetings based upon the continued state of emergency for COVID-19 and the finding that state and local officials have imposed or recommended measures to promote social distancing. At the past several meetings, including the January 5, 2022 Board meeting, the Board voted to continue such remote meetings for additional 30 day periods. As previously indicated, if the Board wishes to continue to hold remote meetings pursuant to AB 361, and assuming a state of emergency still is in place, it must make similar findings within every 30 days.

At the time this report was prepared, there is a continued state of emergency for COVID-19 and state and local officials continue to recommend measures to promote social distancing. This item is on the Agenda for the Board to consider whether to continue remote meetings pursuant to AB 361 for an additional 30 days and to make the appropriate findings.

Budgeted (Y/N): N/A	Budgeted amount: N/A	Core <u> X </u>	Choice <u> </u>
Action item amount:		Line item:	
Fiscal Impact (explain if unbudgeted):			



CONSENT CALENDAR ITEM

January 19, 2022

TO: Board of Directors

FROM: **Planning & Operations Committee**
(Directors Yoo Schneider, Nederhood, Seckel)

Robert Hunter
General Manager

Staff Contact: J. Berg
Director of Water Use Efficiency
R. Davis
Water Loss Control Programs Supervisor

SUBJECT: **Authorization to Contract with Customer Meter Accuracy Testing Companies**

STAFF RECOMMENDATION

Staff recommends the Board of Directors authorize the General Manager to enter into five-year contracts with McCall's Meters, Inc. and Westerly Meter Service Company to provide meter accuracy testing services to retail water agencies throughout Orange County as part of MWD OC's Water Loss Control Shared Services Program.

COMMITTEE RECOMMENDATION

Committee concurred with staff recommendation.

SUMMARY

In December 2018, the Board adopted the Water Loss Control Shared Services Business Plan and authorized staff to begin offering a variety of shared services to water agencies throughout Orange County. Staff has completed a request for proposals process that identified two companies that provide volumetric customer water meter accuracy testing services.

DETAILED REPORT

The Water Loss Control Shared Services Business Plan includes meter accuracy testing as one of the services available to participating retail agencies. Customer water meter test

Budgeted (Y/N): N/A	Budgeted amount: N/A	Core __	Choice <u>X</u>
Action item amount: Five-year Term		Line item: 70	
Fiscal Impact (explain if unbudgeted): Customer meter testing services will be paid by agencies accessing this shared service.			

results inform the assessment of customer metering inaccuracies within the American Water Works Association (AWWA) Water Audit (M36), the quantification of Apparent Losses, and Apparent Loss management program design. Meter accuracy test results will more clearly delineate the volumes of real losses from apparent losses and allow the retailer to take more informed and strategic actions to minimize these losses.

Water Systems Optimization (WSO) will assist agencies in establishing a random representative sample of meters to be tested. The representative sample will include the age, manufacturer, model, and throughput of water in the sales meter population. The targeted number of sales meters to be tested for each agency ranges from a minimum of 30 meters for a small agency to 0.5% of all sales meters for a large agency. As of 2020, four agencies have participated in the Customer Meter Accuracy Shared Service. A total of 1347 small and large meters have been tested as shown in Tables 1 and 2 below.

Table 1
Small Meter Testing

Agency	2017	2018	2019	2020
Mesa Water	0	306	643	0
City of Orange	170	0	0	0
South Coast	0	47	54	54
Trabuco Canyon	0	0	44	0
Total	170	353	741	54

Table 2
Large Meter Testing

Agency	2017	2018	2019	2020
Mesa Water	0	0	19	0
South Coast	4	0	0	6
Total	4	0	19	6

Meter testing services encompass small meters (3" and smaller) and large meters (4" and larger). Small meters will be removed and placed on a mobile test bench or transported to a testing facility. Large meters will be tested in-situ. Both small meters and large meters will be tested at a minimum of three flow rates that represent a low flow rate, an intermediate flow rate, and a high flow rate. Small meter flow rates will be drawn from AWWA Manual M6: *Water Meters – Selection, Installation, Testing, and Maintenance*. Small meter tests must be conducted for a duration sufficient to ensure a quantity of throughput that minimizes test uncertainty. Large meter test flow rates will be selected based on each meter's consumption history and flow distribution profile. In the absence of this information, large meter test flow rates will be drawn from Manual M6. Large meter tests will also be conducted for a duration sufficient to ensure a quantity of throughput that minimizes test uncertainty.

MWDOC's role in providing this shared service is to select and contract with meter accuracy testing companies and to coordinate testing services with agencies. Retail agencies accessing these services will pay all costs charged by meter testing contractors, along with an administrative fee to MWDOC for coordination of these services. MWDOC's administrative fee is \$346 per batch of meters tested and provides for staff time for coordination and supervision of meter testing services.

Staff prepared a Request for Proposals (RFP) describing the desired meter accuracy testing services. The RFP was released on December 1, 2021 and required proposals to be submitted by December 15, 2021. Staff received two proposals by the deadline. Both contractors offered common pricing structure, which are summarized in Table 3. Both contractors have provided customer meter accuracy testing services to retailers through the MWDOC Shared Services Program for the past 5 years. They have each provided reliable and accurate service and maintained positive working relationships with retail staff. For these reasons, the Staff concluded that both contractors are well qualified to provide meter testing services.

Table 3
Summary of Meter Accuracy Testing Fees

	McCall's	Westerly
Small Meter Testing		
5/8 - 1 in.	\$ 45.00	\$ 30.00
1 1/2 in. and up	\$60 to \$65 (1)	\$ 70.00
3 in. Turbine	\$ 80.00	--
Large Meter Testing (in-situ)		
3 in and up.	\$225 (2)	\$ 200.00
Rates for attending meetings	\$125/day	\$150/hr. + mileage

(1) Fixed rate of \$60 for non-turbine meters and \$65 for turbine meters.

(2) Requires a minimum of 4 meters per day; If less than 4 tests, a portal to portal fee of \$125 will be charged.

Staff recommends the Board of Directors authorize the General Manager to enter into five-year contracts with McCall's Meters, Inc. and Westerly Meter Service Company to provide Customer Meter Accuracy Testing Services to retail water agencies throughout Orange County. Contracting with two companies will give agencies a choice of contractors for meter accuracy testing services and will maximize the availability of meter accuracy testing services. Because staff does not have a firm count of meters to be tested over the next five years a "not to exceed" amount is not included in the proposed Board authorization. Rather, staff is requesting authorization for a term of five-years for these services which is consistent with the contracting requirements contained in the District's Administrative Code.

BOARD OPTIONS

Option #1

- Staff recommends the Board of Directors authorize the General Manager to enter into five-year contracts with McCall's Meters, Inc. and Westerly Meter Service Company to provide Customer Meter Accuracy Testing Services to retail water agencies throughout Orange County as part of MWDOC's Water Loss Control Shared Services.

Fiscal Impact: None

Business Analysis: This recommendation is consistent with the Water Loss Control Shared Services Business Plan adopted by the Board in December 2018.

Option #2

- Do not facilitate Customer Meter Accuracy Testing Services for retail agencies.

Fiscal Impact: Will require agencies to invest considerable staff time to conduct Request for Proposals processes to hire meter accuracy testing contractors.

Business Analysis: This recommendation is not consistent with the Water Loss Control Shared Services Business Plan adopted by the Board in December 2018.

STAFF RECOMMENDATION

Option #1



PUBLIC HEARING

January 19, 2022

TO: Board of Directors

FROM: Robert Hunter, General Manager

Staff Contact: Charles Busslinger, Director of Engineering/District Engineer
Heather Baez, Governmental Affairs Manager

**SUBJECT: HOLD 2ND PUBLIC HEARING REGARDING ADJUSTMENT OF MWDOC
DIVISION BOUNDARIES PURSUANT TO ELECTIONS CODE
FOLLOWING 2020 CENSUS**

STAFF RECOMMENDATION

Staff recommends the Board of Directors:

- (1) Open the Public Hearing regarding MWDOC's division boundary adjustments to receive input from the public;
- (2) Receive and file presentation from Center for Demographic Research;
- (3) Receive comments from the public;
- (4) Discuss proposed mapping Plans 6, 6A, and 7A toward adoption of a final map plan by Resolution;
- (5) Close Public Hearing.

COMMITTEE RECOMMENDATION

This item was not reviewed by a Committee.

SUMMARY

A Public Hearing was held on December 6, 2021 to solicit public input on MWDOC's redistricting process. The Board then provided direction to staff on desired changes to division boundaries.

Budgeted (Y/N):	Budgeted amount: \$10,000	Core <u>X</u>	Choice <u> </u>
Action item amount:	Line item:		
Fiscal Impact (explain if unbudgeted): Approximately \$23,400 in work with CDR is estimated for this effort. CDR is providing additional support necessary to revise division boundaries within the time constraints which was not previously anticipated.			

Staff and CDR returned to the Board on January 5, 2022 with two mapping plans based upon the Board's December 6, 2021 direction. The Board directed staff to work with CDR to develop additional plans for consideration and elected to hold a Special Board meeting on January 13, 2022 to review and discuss the potential plans.

Staff and CDR returned to the Board on January 13, 2022 and presented a total of seven map plans. The Board elected to move forward with Plan 6 with and without modifications provided by the Board, and Plan 7 with additional modifications provided by the Board.

Staff and CDR are returning to the Board with Plans 6, 6A, and 7A for public input and further Board direction. Staff recommends that the Board consider moving to a single final proposed map for adoption by resolution at the February 16, 2022 Board meeting.

Schedule

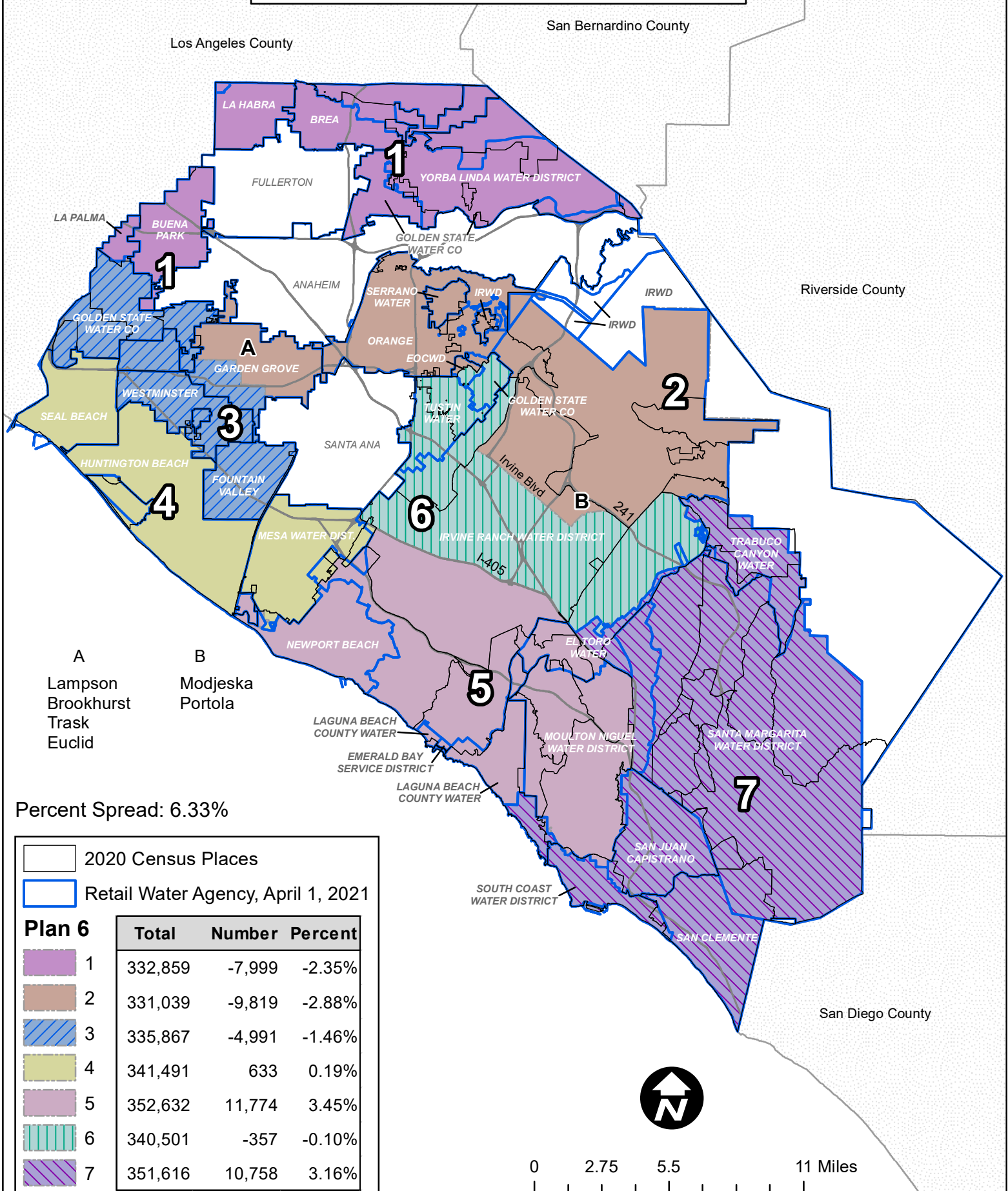
Proposed schedule for this effort includes:

Date	Purpose	Public Meeting
Dec. 6, 2021	CDR to present existing conditions and provide overview of redistricting process	Special Meeting of the Board at the joint A&F and P&O Committee
Jan. 5, 2022	CDR to present two proposed boundary maps and obtain Public and Board input	Board Workshop Meeting
Jan. 13, 2022	Special Board Workshop to consider additional potential map plans	Special Board Meeting
Jan. 19, 2022	Present Plans 6, 6A, and 7A	Board Meeting
Feb. 16, 2022	Adopt adjusted division boundaries by Resolution	Board Meeting

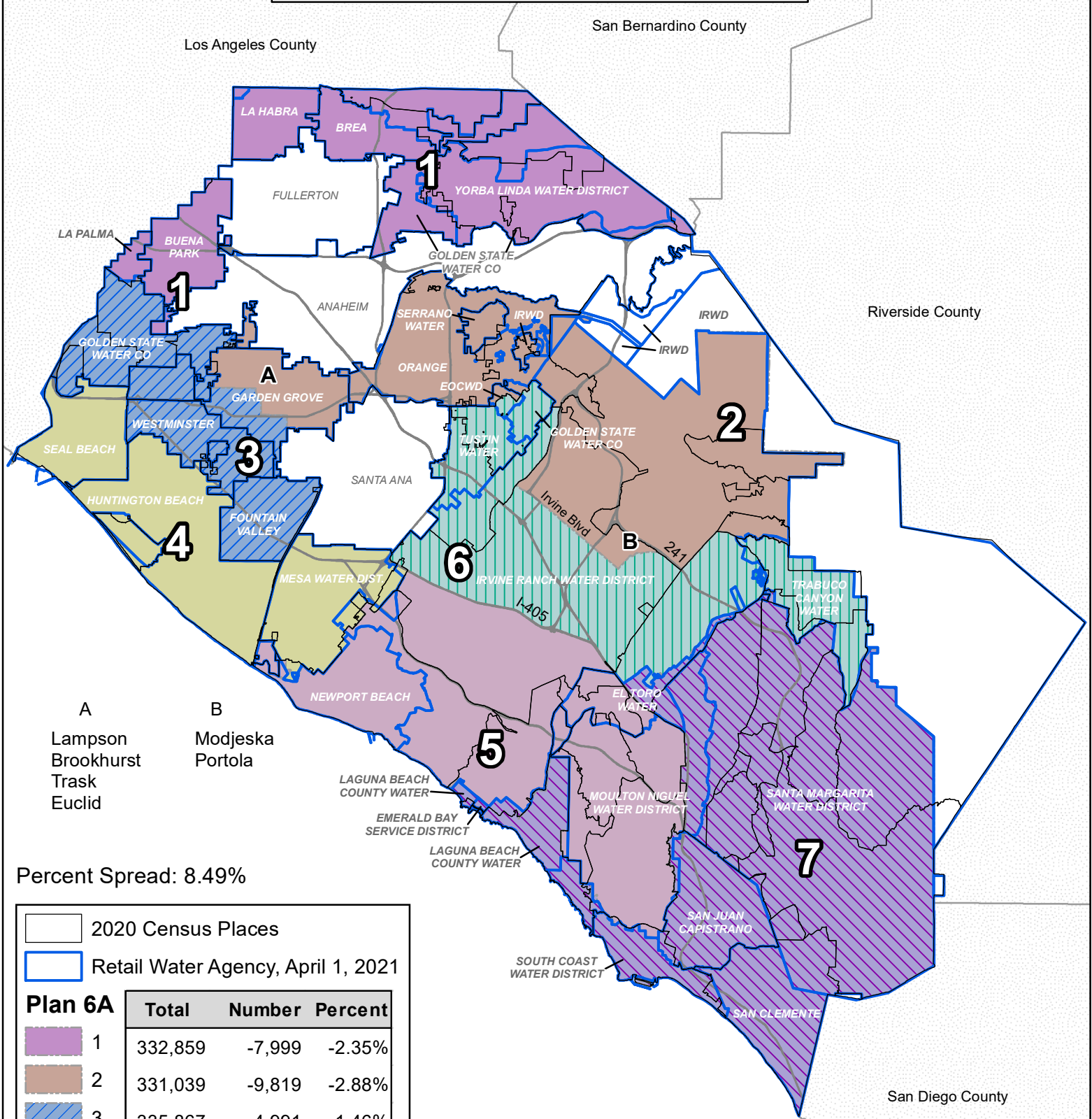
Attachments:

1. Map Plans 6, 6A, and 7A

Municipal Water District of Orange County Plan 6



Municipal Water District of Orange County Plan 6A



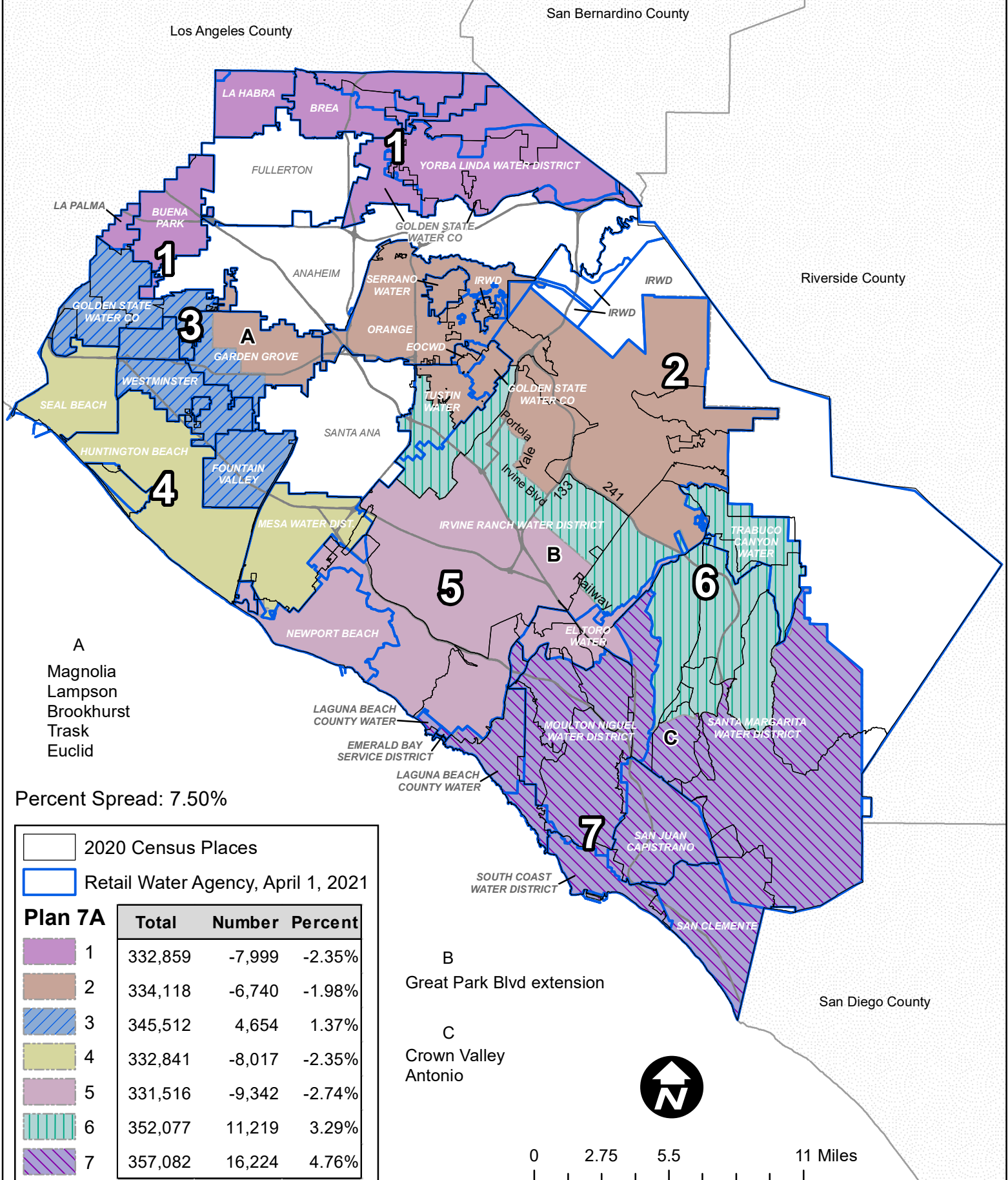
Percent Spread: 8.49%

Plan 6A			
	Total	Number	Percent
1	332,859	-7,999	-2.35%
2	331,039	-9,819	-2.88%
3	335,867	-4,991	-1.46%
4	341,491	633	0.19%
5	333,954	-6,904	-2.03%
6	350,813	9,955	2.92%
7	359,982	19,124	5.61%



0 2.75 5.5 11 Miles

Municipal Water District of Orange County Plan 7A





ACTION ITEM
January 19, 2022

TO: Board of Directors

FROM: Megan Yoo Schneider, President

SUBJECT: **STANDING COMMITTEE APPOINTMENTS AND SUBJECT MATTER ASSIGNMENTS FOR 2022; SCHEDULE OF COMMITTEE MEETING DATES FOR 2022**

PRESIDENT'S RECOMMENDATION

It is recommended that the Board of Directors: (1) ratify the list of Standing Committee and Subject Matter Assignments as presented by the President of the Board; and (2) ratify Committee meeting dates/times for 2022.

SUMMARY

In accordance with the MWDOC Administrative Code, the Board of Directors shall consider the appointment of members of its Standing Committees by the end of February of each year. It also provides the Board shall review and establish Special Committees as appropriate. Members shall be appointed to Standing and Special Committees by the President of the Board and ratified by the Board of Directors. The current Standing Committees of the Board of Directors are:

Administration & Finance Committee
Planning & Operations Committee
Executive Committee
MWDOC/OCWD Joint Planning Committee

Attached is President Yoo Schneider's slate of nominations to MWDOC Standing Committees along with the proposed meeting dates for the upcoming year. President Yoo Schneider has also included proposed participation in various subject matter assignments, which will allow staff to contact those Directors as the need arises.

2022
STANDING COMMITTEE APPOINTMENTS
Municipal Water District of Orange County

STANDING COMMITTEE	MEMBERS	COMMITTEE DATE (Attached is List of Exact Dates for 2022)
Executive Committee (President, Vice President and Immediate Past President)	M. Yoo Schneider, Pres. R. McVicker, V.P. S. Tamaribuchi	Thursday following Regular Board meeting 8:30 a.m.
Administration & Finance Committee	K. Seckel, Chair J. Thomas L. Dick	2 nd Wednesday 8:30 a.m.
Planning & Operations Committee	S. Tamaribuchi, Chair B. McVicker A. Nederhood	1 st Monday 8:30 a.m.
MWDOC/OCWD Joint Planning Committee	M. Yoo Schneider R. McVicker S. Tamaribuchi	4 th Wednesday 8:30 a.m. (quarterly)
Subject Matter Assignments	Members	Staff Lead
Water Policy Forum	L. Dick A. Nederhood K. Seckel	D. Micalizzi
Non-Basin Member Agency Relations	M. Yoo Schneider S. Tamaribuchi	R. Hunter
Basin Member Agency Relations	R. McVicker L. Dick K. Seckel	R. Hunter
Orange County Water Summit	J. Thomas K. Seckel R. McVicker	D. Micalizzi
Building Issues (*will also participate in Building Management Committee – Directors L. Dick and S. Tamaribuchi)	L. Dick S. Tamaribuchi K. Seckel	C. Harris
Desalination	L. Dick S. Tamaribuchi J. Thomas	R. Hunter C. Busslinger
Strand Ranch Project	M. Yoo Schneider R. McVicker A. Nederhood	R. Hunter

STANDING COMMITTEE DATES FOR 2022 (Through January 2023)

Planning & Operations Committee

*This Committee generally meets the first Monday of each month at 8:30 a.m. An * indicates those months requiring a change in the meeting date and/or time (due to holiday or conflict)*

*Monday	February 14, 2022	8:30 a.m. (Second Monday due to conflict with MET)
*Monday	March 14, 2022	8:30 a.m. (Second Monday due to conflict with MET)
Monday	April 4, 2022	8:30 a.m.
Monday	May 2, 2022	8:30 a.m.
Monday	June 6, 2022	8:30 a.m.
*Tuesday	July 5, 2022	8:30 a.m. (Meets on Tuesday due to holiday)
Monday	August 1, 2022	8:30 a.m.
*Tuesday	September 6, 2022	8:30 a.m. (Meets on Tuesday due to holiday)
Monday	October 3, 2022	8:30 a.m.
*Monday	November 14, 2022	8:30 a.m. (Second Monday due to conflict with MET)
Monday	December 5, 2022	8:30 a.m.
*Tuesday	January 3, 2023	8:30 a.m. (Meets on Tuesday due to holiday)

Administration & Finance Committee

*This Committee generally meets the second Wednesday of each month at 8:30 a.m. An * indicates those months requiring a change in the meeting date (due to holiday or conflict)*

Wednesday	February 9, 2022	8:30 a.m.
Wednesday	March 9, 2022	8:30 a.m.
Wednesday	April 13, 2022	8:30 a.m.
Wednesday	May 11, 2022	8:30 a.m.
Wednesday	June 8, 2022	8:30 a.m.
Wednesday	July 13, 2022	8:30 a.m.
Wednesday	August 10, 2022	8:30 a.m.
Wednesday	September 14, 2022	8:30 a.m.
Wednesday	October 12, 2022	8:30 a.m.
Wednesday	November 9, 2022	8:30 a.m.
Wednesday	December 14, 2022	8:30 a.m.
Wednesday	January 11, 2023	8:30 a.m.

Executive Committee

*This Committee generally meets the Thursday following the Regular Board Meeting at 8:30 a.m.; the Regular Board meeting is held the third Wednesday of each month at 8:30 a.m. An * indicates those months requiring a change in the meeting date (due to holiday or conflict)*

Budgeted (Y/N):	Budgeted amount:	Core ____	Choice ____
Action item amount:		Line item:	
Fiscal Impact (explain if unbudgeted):			

Thursday	February 17, 2022	8:30 a.m.
Thursday	March 17, 2022	8:30 a.m.
Thursday	April 21, 2022	8:30 a.m.
Thursday	May 19, 2022	8:30 a.m.
Thursday	June 16, 2022	8:30 a.m.
Thursday	July 21, 2022	8:30 a.m.
Thursday	August 18, 2022	8:30 a.m.
Thursday	September 22, 2022	8:30 a.m.
Thursday	October 20, 2022	8:30 a.m.
Thursday	November 17, 2022	8:30 a.m.
*Wednesday	December 21, 2022	9:00 a.m. (Wednesday; following Board Meeting)
Thursday	January 19, 2023	8:30 a.m.

MWDOC/OCWD Joint Planning Committee Meetings

*This Committee generally meets the fourth Wednesday of each month at 8:30 a.m. An * indicates those months requiring a change in the meeting date (due to holiday or conflict)*

Wednesday	January 26, 2022	8:30 a.m.
Wednesday	April 27, 2022	8:30 a.m.
Wednesday	July 27, 2022	8:30 a.m.
Wednesday	October 26, 2022	8:30 a.m.

MWDOC Elected Officials Forum

This meeting is held once per year in April; historically on the first Thursday of the month

Thursday	April 7, 2022	6:00 p.m.
----------	---------------	-----------

Workshop Board Meeting Dates

These meetings are held the first Wednesday of each month; if the first Wednesday falls on a holiday, the Board shall determine the date

Wednesday,	February 2, 2022	8:30 a.m.
Wednesday	March 2, 2022	8:30 a.m.
Wednesday	April 6, 2022	8:30 a.m.
Wednesday	May 4, 2022	8:30 a.m. (Cancelled due to conflict with ACWA)
Wednesday	June 1, 2022	8:30 a.m.
Wednesday	July 6, 2022	8:30 a.m.
Wednesday	August 3, 2023	8:30 a.m.
Wednesday	September 7, 2022	8:30 a.m.
Wednesday	October 5, 2022	8:30 a.m.
Wednesday	November 2, 2022	8:30 a.m.
Wednesday	December 7, 2022	8:30 a.m.
Wednesday	January 4, 2023	8:30 a.m.

Regular Board Meeting Dates

These meetings are held the third Wednesday of each month; if the third Wednesday falls on a holiday, the Board shall determine the date

Wednesday,	February 16, 2022	8:30 a.m.
Wednesday	March 16, 2022	8:30 a.m.

Wednesday	April 20, 2022	8:30 a.m.
Wednesday	May 18, 2022	8:30 a.m.
Wednesday	June 15, 2022	8:30 a.m.
Wednesday	July 20, 2022	8:30 a.m.
Wednesday	August 17, 2022	8:30 a.m.
Wednesday	September 21, 2022	8:30 a.m.
Wednesday	October 19, 2022	8:30 a.m.
Wednesday	November 16, 2022	8:30 a.m.
Wednesday	December 21, 2022	8:30 a.m.
Wednesday	January 18, 2023	8:30 a.m.

By Resolution, the Board established its Board meeting dates as the first and third Wednesdays of each month at 8:30 a.m.

Proposed Canceled Board Meeting Dates Due to Conflict with ACWA Conf.

May 4, 2022 Workshop Board Meeting with MET Directors



ACTION ITEM
January 19, 2022

TO: Board of Directors
FROM: Megan Yoo Schneider, President
SUBJECT: ASSOCIATION AND COMMISSION APPOINTMENTS FOR 2022

PRESIDENT'S RECOMMENDATION

It is recommended that the Board of Directors:

1. Ratify the appointment of Representatives and Alternates to Associations as presented by the President of the Board; and
2. Adopt proposed Resolution approving the appointment of one Representative and one Alternate to the Santiago Aqueduct Commission (SAC), for submission to SAC.

DETAILED REPORT

In accordance with Board policy, the appointment of MWDOC Board Representatives to outside associations are to be considered by the end of February of each year. The policy provides that appointments shall be ratified by the Board of Directors, as presented by the President of the Board.

Attached are President Yoo Schneider's recommendations for Association and Commission appointments for 2022.

Budgeted (Y/N): N/A	Budgeted amount:	Core ____	Choice ____
Action item amount:	Line item:		
Fiscal Impact (explain if unbudgeted):			

2022 AGENCY REPRESENTATIVES' APPOINTMENTS Municipal Water District of Orange County		
Association/Commission	Members	Meeting Times/Notes
Santiago Aqueduct Commission	Rep: J. Thomas Alt: C. Busslinger	Dates have not been set for 2022 (normally held quarterly on the 3 rd Thurs. at 8:30 a.m.)
Water Advisory Committee of Orange County (WACO) Planning Committee <i>Staff Support: H. Baez</i>	Reps: K. Seckel L. Dick A. Nederhood	3rd Tuesday 7:30 am
Independent Special Districts of OC (ISDOC) <i>Staff Support: H. Baez</i>	Reps: B. McVicker L. Dick	1 st Tues 7:30 am
NWRA Municipal Caucus <i>Staff Support: H. Baez</i>	Rep: L. Ackerman Alt: M. Yoo Schneider	
Southern California Water Coalition <i>Staff Support: R. Hunter/H. Baez</i>	All Directors are Eligible to Attend	
Orange County Business Council www.ocbc.org Advocacy & Government Affairs <i>Staff Support: H. Baez</i> Infrastructure <i>Staff Support: H. Baez/R. Hunter</i>	Reps: S. Tamaribuchi M. Yoo Schneider Reps: B. McVicker S. Tamaribuchi	Generally held first Friday of month at 9:30 am Generally held second Tuesday of month at 8:00 am
California Special Districts Association <i>Staff Support: H. Baez</i>	Rep: A. Nederhood Alt: K. Seckel	
Colorado River Water Users Association <i>Staff Support: H. De La Torre</i>	MWDOC Board of Directors	Annually in Dec.
Center for Demographic Research Oversight Committee <i>Staff Support: C. Busslinger</i>	Rep: C. Busslinger Alt: C. Lingad	

ACWA Joint Powers Insurance Authority <i>Staff Support: C. Harris</i>	Rep: J. Thomas Alt: S. Tamaribuchi	
ACWA Energy Committee <i>Staff Support: H. De La Torre</i>	Rep: M. Yoo Schneider	<i>Appointed by ACWA for term 2022-23</i>
ACWA Groundwater Committee <i>Staff Support: C. Busslinger</i>	Rep: B. McVicker	<i>Appointed by ACWA for term 2022-23</i>
ACWA Water Quality Committee <i>Staff Support: R. Hunter</i>	Reps: B. McVicker M. Yoo Schneider R. Hunter	<i>Appointed by ACWA for term 2022-23</i>
ACWA Region 10 <i>Staff Support: H. Baez</i>	All Directors Eligible to Attend	
Orange County Council of Governments <i>Staff Support: H. Baez</i>	Rep: S. Tamaribuchi Alt: L. Dick	4 th Thurs. at 10:30 am
Orange County Operational Area Executive Board Water/Wastewater Mutual Aid Coordinator ISDOC Representative <i>Staff Support: Heather Baez</i>	Rep: V. Osborn Rep: TBD	Quarterly, 2:45 pm (normally Wed)
CALDesal <i>Staff Support: C. Busslinger</i>	Rep: J. Thomas L. Dick K. Seckel	
South Orange County Economic Coalition <i>Staff Support: H. Baez/R. Hunter</i>	Rep: S. Tamaribuchi Alt: M. Yoo Schneider	
South Orange County Watershed Management Area Executive Committee <i>Staff Support: C. Busslinger</i>	Rep: M. Yoo Schneider Alt: S. Tamaribuchi	
Association of California Cities; Orange County <i>Staff Support: H. Baez</i>	Rep: S. Tamaribuchi Alt: K. Seckel	Confirm on web: www.accoc.org

RESOLUTION NO. _____
MUNICIPAL WATER DISTRICT OF ORANGE COUNTY

**RE: DESIGNATION OF MEMBER AND
ALTERNATES TO SANTIAGO AQUEDUCT COMMISSION**

2022

WHEREAS, the Santiago Aqueduct Commission (SAC) was formed to manage and operate the Santiago Aqueduct system; and

WHEREAS, the SAC consists of six (6) members, one member each of the governing bodies from El Toro Water District, Irvine Ranch Water District, Trabuco Canyon Water District, Santa Margarita Water District, Moulton Niguel Water District and Municipal Water District of Orange County (MWDOC); and

WHEREAS, it is understood that MWDOC represents itself and East Orange County Water District; and

WHEREAS, under the provisions of the Santiago Aqueduct Commission Joint Powers Agreement, MWDOC has the right to designate one member to the SAC and a first and second alternate to serve in the absence of the regular member.

NOW, THEREFORE, BE IT RESOLVED that MWDOC hereby designates Jeffery M. Thomas as the member, and Charles Busslinger as the alternate to the Santiago Aqueduct Commission, to assume their positions upon taking the oath of office.

Said Resolution was adopted this _____ day of _____, 2022 by the following roll call vote.

AYES:
NOES:
ABSENT:
ABSTAIN:

I HEREBY CERTIFY the foregoing is a full, true and correct copy of Resolution No. _____ adopted by the Board of Directors of Municipal Water District of Orange County at its meeting held on _____.

Maribeth Goldsby, Secretary
Municipal Water District of Orange County



ACTION ITEM
January 19, 2022

TO: Board of Directors

FROM: **Planning & Operations Committee**
(Directors Yoo Schneider, Nederhood, Seckel)

Robert Hunter, General Manager

Staff Contact: Vicki Osborn

SUBJECT: Approval of Resolution Designating Authorized Agents for FY20 Grant Transfer Agreements for Homeland Security Grants and Execution of Transfer Agreement

STAFF RECOMMENDATION

Staff recommends that the Board of Directors that the Board of Directors approve the execution of the 2020 Grant Transfer Agreement with the City of Anaheim as the Local Urban Area Security Initiative (UASI) Administrator, and adopt the Resolution providing authority to the WEROC Director of Emergency Management and the General Manager as designated Authorized Agents for FY 2020 Homeland Security Grants the ability to execute any subsequent agreements related to the Homeland Security Grants. Staff will come back to the Board for a purchase award in the event the award is greater than \$25,000.

COMMITTEE RECOMMENDATION

Committee concurred with staff recommendation.

SUMMARY

In Orange County, all UASI funds are administered through either Santa Ana or Anaheim as part of the Anaheim/Santa Ana Urban Area (ASAU) and additional Homeland Security Grants are administered by the County of Orange. The Municipal Water District of Orange County (MWD OC) and the Water Emergency Response Organization of Orange County (WEROC) has been awarded 2010 Homeland Security Grants Funds for use in training

Budgeted (Y/N): N	Budgeted amount: N/A	Core __	Choice __
Action item amount:		Line item:	
Fiscal Impact (explain if unbudgeted): This is a request to approve participation in UASI/Homeland Security Grant Programs. Actual projects over \$25,000 will be brought back to the Board for review and approval.			

costs and may be awarded additional monies for regional projects. More information will be provided about these projects in a future staff report as warranted.

In order to receive 2020 UASI grant funds and future Homeland Security Grant funds, the District must designate by resolution at least one authorized agent for this grant. Staff recommends that the board approve two authorized agents by title – the General Manager and the WEROC Director of Emergency Management. The recommendation to designate two authorized agents by title is to allow the greatest flexibility in the grant funding management.

The Board has taken similar action in regards to Homeland Security Funds and Urban Areas Security Initiative (UASI) funds. Attached is the 2020 UASI grant agreement. Additionally, attached is a resolution approving the authorized agents. By signing this agreement, the district would also be eligible for other grants opportunities throughout the 2020 UASI Grant cycle, should a project present itself as a good opportunity that may meet national homeland security goals.

Since 2006, WEROC has obtained \$1,047,294.00 in grants funding to support projects and training.

WEROC remains active with the UASI group and seeks funding when there is discretionary funds available to the Operational Area.

Attachments

1. UASI FY 2020 Transfer Agreement
2. Resolution approving execution of transfer agreement and designation of two authorized agents

AGREEMENT

SUB-RECIPIENT: MUNICIPAL WATER DISTRICT OF ORANGE COUNTY

City Contract Number _____

TABLE OF CONTENTS

<u>Section Description</u>	<u>Page</u>
 <u>I</u> <u>INTRODUCTION</u>	
§101. Parties to the Agreement	3
§102. Representatives of the Parties and Service of Notices	3
§103. Independent Party	4
§104. Conditions Precedent to Execution of this Agreement	4
 <u>II</u> <u>TERM AND SERVICES TO BE PROVIDED</u>	
§201. Time of Performance	5
§202. Use of Grant Funds	5
 <u>III</u> <u>PAYMENT</u>	
§301. Payment of Grant Funds and Method of Payment	9
 <u>IV</u> <u>STANDARD PROVISIONS</u>	
§401. Construction of Provisions and Titles Herein	10
§402. Applicable Law, Interpretation and Enforcement	10
§403. Integrated Agreement	10
§404. Excusable Delays	10
§405. Breach	11
§406. Prohibition Against Assignment or Delegation	11
§407. Permits	11
§408. Bonds	11

TABLE OF CONTENTS

<u>Section Description</u>	<u>Page</u>
§409. Indemnification	11
§410. Conflict of Interest	12
§411. Restriction on Disclosures	13
§412. Statutes and Regulations Applicable to All Grant Contracts	13
§413. Federal, State, and Local Taxes	17
§414. Inventions, Patents and Copyrights	17
§415. MBE/WBE	19

V

DEFAULTS, SUSPENSION, TERMINATION, AND AMENDMENTS

§501. Defaults	20
§502. Amendments	20

V

ENTIRE AGREEMENT

§601. Complete Agreement	21
§602. Number of Pages and Attachments	21
Execution (Signature) Page	22

EXHIBITS

Exhibit A	CalOES FY2020 Grant Assurances
Exhibit B	Certification Regarding Debarment, Suspension and Other Responsibility Matters
Exhibit C	Certification Regarding Lobbying

AGREEMENT FOR TRANSFER OR PURCHASE OF EQUIPMENT/SERVICES OR FOR
REIMBURSEMENT OF TRAINING COSTS
FOR FY2020 URBAN AREAS SECURITY INITIATIVE (UASI)

BETWEEN
THE CITY OF ANAHEIM
AND MUNICIPAL WATER DISTRICT OF ORANGE COUNTY

THIS AGREEMENT is made and entered into this ____ day of _____, 20____, by and between the CITY OF ANAHEIM, a municipal corporation (the "CITY"), and MUNICIPAL WATER DISTRICT OF ORANGE COUNTY (the "SUB-RECIPIENT" or "Contractor").

W I T N E S S E T H

WHEREAS, CITY, acting through the Anaheim Police Department in its capacity as a Core City for the Anaheim/Santa Ana Urban Area under the FY2020 Urban Areas Security Initiative, has applied for, received and accepted a grant entitled "FY 2020 Urban Areas Security Initiative" from the federal Department Of Homeland Security (DHS), Federal Emergency Management Agency (FEMA), through the State of California Governor's Office of Emergency Services (CalOES), to enhance countywide emergency preparedness (the "grant"), as set forth in the grant guidelines and assurances that are incorporated to this Agreement by reference and located at:

"U.S. Department of Homeland Security "Fiscal Year 2020 Homeland Security Grant Program (HSGP) Notice of Funding Opportunity (NOFO)"
https://www.fema.gov/sites/default/files/2020-08/fema_homeland-security-grant-program-nofo_fy-2020.pdf

California Office of Emergency Services "FY2020 Homeland Security Grant Program: California Supplement to Federal Program Guidance and Application Kit"
<https://www.caloes.ca.gov/GrantsManagementSite/Documents/FY%202020%20HSGP%20State%20Supplement.pdf>

Copies of the grant guidelines shall be retained in the Anaheim/Santa Ana Grant Office.

WHEREAS, this financial assistance is administered by the CITY OF ANAHEIM ("CITY") and is overseen by the California Governor's Office of Emergency Services ("CalOES"); and

WHEREAS, this financial assistance is being provided to address the unique equipment, training, planning, and exercise needs of large urban areas, and to assist them in building an enhanced and sustainable capacity to prevent, respond to, and recover from threats or acts of terrorism; and

WHEREAS, the Anaheim/Santa Ana Urban Area (“ASAUA”) consists of 34 cities in Orange County, including the City of Anaheim and the City of Santa Ana, the County of Orange, Santa Ana Unified School District Police, California State University, Fullerton, University of California, Irvine, Municipal Water District of Orange County, and the Orange County Fire Authority; and

WHEREAS, the Office of Grants Management (“OGM”) awarded a FY2020 UASI Grant of \$5,056,750 (“Grant Funds”) to the CITY OF ANAHEIM, as a Core City, for use in the ASAUA; and

WHEREAS, the CITY has designated the Chief of Police, or his designee and the Anaheim Police Department, Emergency Management Director (“UASI Grant Office”) to provide for terrorism prevention and emergency preparedness; and

WHEREAS, the UASI Grant Office now wishes to distribute FY2020 UASI Grant Funds throughout the ASAUA, as further detailed in this Agreement (“Agreement”) to MUNICIPAL WATER DISTRICT OF ORANGE COUNTY (“SUB-RECIPIENT”) and others;

WHEREAS, the CITY and SUB-RECIPIENT are desirous of executing this Agreement as authorized by the City Council and the Chief of Police which authorizes the CITY to prepare and execute the Agreement.

NOW, THEREFORE, IT IS MUTUALLY AGREED AS FOLLOWS:

I
INTRODUCTION

§101. Parties to the Agreement

The parties to this Agreement are:

- A. The CITY, a municipal corporation, having its principal office at 425 South Harbor Boulevard, Anaheim, CA 92805; and
- B. MUNICIPAL WATER DISTRICT OF ORANGE COUNTY, a municipal corporation, P.O. Box 20895, Fountain Valley, CA 92708-4736

§102. Representatives of the Parties and Service of Notices

- A. The representatives of the respective parties who are authorized to administer this Agreement and to whom formal notices, demands and communications shall be given are as follows:

- 1. The representative of the City of Anaheim shall be, unless otherwise stated in the Agreement:

Richard LaRochelle, Lieutenant
Anaheim Police Department
425 South Harbor Boulevard
Anaheim, CA. 92805
Phone: (714) 765-3833
Fax: (714) 765-1616
rlarochelle@anaheim.net

- 2. The representative of MUNICIPAL WATER DISTRICT OF ORANGE COUNTY shall be:

Name: _____

Title: _____

Sub Recipient Name: _____

Sub Recipient Address: _____

City _____ State: _____ Zip: _____

Phone: _____

E-mail: _____

- B. Formal notices, demands and communications to be given hereunder by either party shall be made in writing and may be effected by personal delivery or by registered or certified mail, postage prepaid, return receipt

requested and shall be deemed communicated as of the date of mailing.

- C. If the name of the person designated to receive the notices, demands or communications or the address of such person is changed, written notice shall be given, in accord with this section, within five (5) business days of said change.

§103. Independent Party

SUB-RECIPIENT is acting hereunder as an independent party, and not as an agent or employee of the CITY OF ANAHEIM. No employee of SUB-RECIPIENT is, or shall be an employee of the CITY OF ANAHEIM by virtue of this Agreement, and SUB-RECIPIENT shall so inform each employee organization and each employee who is hired or retained under this Agreement. SUB-RECIPIENT shall not represent or otherwise hold out itself or any of its directors, officers, partners, employees, or agents to be an agent or employee of the CITY OF ANAHEIM.

§104. Conditions Precedent to Execution of This Agreement

SUB-RECIPIENT shall provide copies of the following documents to the CITY OF ANAHEIM, unless otherwise exempted.

- A. Grant Assurances in accordance with section 413C of this Agreement attached hereto as Exhibit A and made part hereof.
- B. Certifications Regarding Ineligibility, Suspension and Debarment as required by Executive Order 12549 in accordance with Section 413A12 of this Agreement and attached hereto as Exhibit B and made a part hereof.
- C. Certifications and Disclosures Regarding Lobbying in accordance with Section 413A4 of this Agreement and attached hereto as Exhibit C and made a part hereof. SUB-RECIPIENT shall also file a Disclosure Form at the end of each calendar quarter in which there occurs any event requiring disclosure or which materially affects the accuracy of the information contained in any Disclosure Form previously filed by SUB-RECIPIENT.

II TERM AND SERVICES TO BE PROVIDED

§201. Time of Performance

The term of this Agreement shall commence on 8/31/2021 and end on 3/31/2023 or upon the final disbursement of all of the Grant Amount (as defined in Section 301) and any additional period of time as is required to complete any necessary close out activities. Said term is subject to the provisions herein.

§202. Use of Grant Funds

- A. CITY may, a) transfer to SUB-RECIPIENT, equipment or services purchased with grant funds and in accordance with grant guidelines set forth above; or, b) reimburse SUB-RECIPIENT for purchase of authorized equipment, exercises, services or training upon receiving prior written approval from CITY or its designee and in accordance with grant guidelines and in full compliance with all of the SUB-RECIPIENT'S purchasing and bidding procedures. SUB-RECIPIENT shall specify the equipment, services, exercises and training to be purchased using the Application for Project Funding. A paper copy of this document will be provided to SUB-RECIPIENT by CITY. In addition, a compact disc with a copy of the document will be provided to SUB-RECIPIENT by CITY. If additional copies of the document are needed, SUB-RECIPIENT may contact the Anaheim Grant Coordinator and it will be provided.
- B. SUB-RECIPIENT shall provide any reports requested by the CITY regarding the performance of the Agreement. Reports shall be in the form requested by the CITY, and shall be provided in a timely manner.
- C. SUB-RECIPIENT shall provide the CITY a copy of its most current procurement guidelines and follow its own procurement requirements as long as they meet the minimum federal requirements. Federal procurement requirements for the FY2020 UASI Grant can be found at 2 Code of Federal Regulations (CFR) Part 200 "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards."
- D. The Authorized Equipment List (AEL) is a list of the allowable equipment which may be purchased pursuant to this Agreement and is located at <https://www.fema.gov/authorized-equipment-list>, and incorporated to this Agreement by reference. A copy of the AEL shall be retained in the Anaheim/Santa Ana Grant Office. Unless otherwise stated in program guidance any equipment acquired pursuant to this Agreement shall meet all mandatory regulations and/or DHS-adopted standards to be eligible for purchase using grant funds.

Any equipment acquired or obtained with Grant Funds:

1. Shall be made available under the California Disaster and Civil Defense Master Mutual Aid Agreement in consultation with representatives of the various fire, emergency medical, hazardous materials response services, and law enforcement agencies within the jurisdiction of the applicant;
2. Shall be consistent with needs as identified in the National Priorities and Core Capabilities, the State Homeland Security Strategy and the Anaheim/Santa Ana Urban Area and Orange County Operational Area Homeland Security Grants Strategy, the Threat Hazard Identification and Risk Assessment (THIRA), the State Preparedness Report; and deployed in conformance with those plans;
3. Shall be made available pursuant to applicable terms of the California Disaster and Civil Defense Master Mutual Aid Agreement and deployed with personnel trained in the use of such equipment in a manner consistent with the California Law Enforcement Mutual Aid Plan or the California Fire Services and Rescue Mutual Aid Plan;
4. Shall be subject to the requirements of Title 2 CFR Part 200.313 and 200.314. For the purposes of this subsection, "Equipment" is defined as nonexpendable property that is not consumed or does not lose its identity by being incorporated into another item of equipment, which costs \$5,000 or more per unit, or is expected to have a useful life of one (1) year or more.
5. Shall be used by SUB-RECIPIENT in the program or project for which it was acquired as long as needed, whether or not the project or program continues to be supported by Federal funds. When no longer useful for the original program or project, the Equipment may be used in other activities currently or previously supported by a Federal agency.
6. Shall be made available for use on other projects or programs currently or previously supported by the Federal Government, providing such use will not interfere with the work on the projects or program for which it was originally acquired. First preference for other use shall be given to other programs or projects supported by the awarding agency.
7. Shall be recorded on a ledger. The record shall include: (a) description of the item of Equipment, (b) serial number or other identification number, (c) the source of funding for the property (including FAIN); (d) who holds the title, (e) date of acquisition; (f) the per unit acquisition cost of the Equipment, (g) percentage of federal participation in the project costs for the Federal award under which the property was acquired, (h) location, and (i) use and

condition of Equipment, and (j) ultimate disposition data including the date of disposal and sale price of the property. Records must be retained pursuant to 2 CFR Part 200.313.

8. All equipment obtained under this Agreement shall have an ASUA identification decal affixed to it, and, when practical, shall be affixed where it is readily visible.
 9. A physical inventory of the Equipment shall be taken and the results reconciled with the Equipment records at least once every two years. Inventory shall also be taken prior to any UASI, State or Federal monitor visits.
 10. SUB-RECIPIENT shall exercise due care to preserve and safeguard equipment acquired with grant funds from damage or destruction and shall provide regular maintenance and such repairs for said equipment as necessary, in order to keep said equipment continually in good working order. Such maintenance and servicing shall be the sole responsibility of SUB-RECIPIENT, who shall assume full responsibility for maintenance and repair of the equipment throughout the life of said equipment.
 11. SUB-RECIPIENT shall identify a Point-of-Contact (POC) to be responsible for all Equipment prior to the receipt of the item(s). POC will serve as the custodian of the Equipment. SUB-RECIPIENT shall notify the CITY of any change in the POC and assume the responsibility of advising the new custodian of all UASI grant program guidelines and requirements.
 12. SUB-RECIPIENT shall contact the ASUA Grant Office prior to initiating the disposition process. Disposal of equipment shall be conducted pursuant to 2 CFR Part 200.313. The ASUA will contact the awarding agency for disposition instructions, if necessary, prior to any action being taken.
- E. Any training paid pursuant to this Agreement shall conform to the guidelines as listed in FY2020 Homeland Security Grant Program, as set forth above. All training expenses must be pre-authorized by CalOES at <https://www.caloes.ca.gov/CaliforniaSpecializedTrainingInstituteSite/Documents/HSG%20Funds%20Tracking%20Number%20Request%20Form.pdf>. A catalogue of Grantor approved and sponsored training courses is available at <https://cdp.dhs.gov/>.
- F. Any exercise paid pursuant to this Agreement shall conform to the guidelines as listed in FY2020 Homeland Security Grant Program, as set forth above. Detailed Homeland Security Exercise and Evaluation Program Guidance is available at <https://www.fema.gov/media-library/assets/documents/32326>.
- G. Any planning paid pursuant to this Agreement shall conform to the guidelines

as listed in FY2020 Homeland Security Grant Program, as set forth above.

- H. Any organizational activities paid pursuant to this Agreement shall conform to the guidelines as listed in FY2020 Homeland Security Grant Program, as set forth above.

III PAYMENT

§301. Payment of Grant Funds and Method of Payment

- A. CITY may, a) transfer to SUB-RECIPIENT, equipment or services purchased with grant funds; or, b) reimburse SUB-RECIPIENT for the purchase of authorized equipment, exercises, services or training upon receiving prior written approval from CITY or its designee and in accordance with grant guidelines and in full compliance with all of the SUB-RECIPIENT'S purchasing and bidding procedures. SUB-RECIPIENT shall specify the equipment, exercises, services or training to be purchased using the Application for Project Funding. A copy of this document will be provided to SUB-RECIPIENT by CITY. If additional copies of the document are needed, SUB-RECIPIENT may contact the Anaheim Grant Coordinator and it will be provided. Funds may be used for planning, exercises, organizational and training activities, and the purchase of equipment as described in Section 202 above.
- B. SUB-RECIPIENT shall provide invoices to the CITY requesting payment and all supporting documentation. Each reimbursement request shall be accompanied by the Reimbursement Request for Grant Expenditures detailing the expenditures made by SUB-RECIPIENT as authorized by Section 202 above. Each reimbursement request shall be submitted to the Anaheim UASI Grant Office. For equipment for which SUB-RECIPIENT is requesting reimbursement, all appropriate back-up documentation must be attached to the reimbursement form, including invoices, proof of payment, packing slips, and Equipment Reimbursement Worksheet. For training reimbursements, SUB-RECIPIENT must include a copy of any certificates issued or a copy of the class roster verifying training attendees, proof that a CalOES tracking number has been assigned to the course, timesheets and payroll registers for all training attendees, receipts for travel expenses related to the training, and Training Reimbursement Worksheet. For regional project reimbursements, SUB-RECIPIENT must include approval from the lead agency for all submitted invoices.
- C. Payment of final invoice shall be withheld by the CITY until the SUB-RECIPIENT has turned in all supporting documentation and completed the requirements of this Agreement.
- D. It is understood that the CITY makes no commitment to fund this Agreement beyond the terms set forth herein.
- E. Funding for all periods of this Agreement is subject to the continuing availability to the CITY of federal funds for this program. The Agreement may be terminated immediately upon written notice to SUB-RECIPIENT of a loss or reduction of federal grant funds.

IV STANDARD PROVISIONS

§401. Construction of Provisions and Titles Herein

All titles or subtitles appearing herein have been inserted for convenience and shall not be deemed to affect the meaning or construction of any of the terms or provisions hereof. The language of this Agreement shall be construed according to its fair meaning and not strictly for or against either party. The word "Sub-recipient" herein and in any amendments hereto includes the party or parties identified in this Agreement. The singular shall include the plural. If there is more than one Sub-recipient as identified herein, unless expressly stated otherwise, their obligations and liabilities hereunder shall be joint and several. Use of the feminine, masculine, or neuter genders shall be deemed to include the genders not used.

§402. Applicable Law, Interpretation and Enforcement

Each party's performance hereunder shall comply with all applicable laws of the United States of America, the State of California, and the CITY. This Agreement shall be enforced and interpreted under the laws of the State of California and the CITY.

If any part, term or provision of this Agreement shall be held void, illegal, unenforceable, or in conflict with any law of a federal, state or local government having jurisdiction over this Agreement, the validity of the remaining portions of provisions shall not be affected thereby.

§403. Integrated Agreement

This Agreement sets forth all of the rights and duties of the parties with respect to the subject matter hereof, and replaces any and all previous agreements or understandings, whether written or oral, relating thereto. This Agreement may be amended only by a written instrument executed by both parties hereto.

§404. Excusable Delays

In the event that performance on the part of any party hereto shall be delayed or suspended as a result of circumstances beyond the reasonable control and without the fault and negligence of said party, none of the parties shall incur any liability to the other parties as a result of such delay or suspension.

Circumstances deemed to be beyond the control of the parties hereunder shall include, but not be limited to, acts of God or of the public enemy; insurrection; acts of the Federal Government or any unit of State or Local Government in either sovereign or contractual capacity; fires; floods; epidemics; quarantine

restrictions; strikes, freight embargoes or delays in transportation; to the extent that they are not caused by the party's willful or negligent acts or omissions and to the extent that they are beyond the party's reasonable control.

§405. Breach

Except for excusable delays, if any party fails to perform, in whole or in part, any promise, covenant, or agreement set forth herein, or should any representation made by it be untrue, any aggrieved party may avail itself of all rights and remedies, at law or equity, in the courts of law. Said rights and remedies are cumulative of those provided for herein except that in no event shall any party recover more than once, suffer a penalty or forfeiture, or be unjustly compensated.

§406. Prohibition Against Assignment or Delegation

SUB-RECIPIENT may not, unless it has first obtained the written permission of the CITY:

- A. Assign or otherwise alienate any of its rights hereunder, including the right to payment; or
- B. Delegate, subcontract, or otherwise transfer any of its duties hereunder.

§407. Permits

SUB-RECIPIENT and its officers, agents and employees shall obtain and maintain all permits and licenses necessary for SUB-RECIPIENT performance hereunder and shall pay any fees required therefore. SUB-RECIPIENT further certifies to immediately notify the CITY of any suspension, termination, lapses, non-renewals or restrictions of licenses, certificates, or other documents.

§408. Bonds

SUB-RECIPIENT must purchase a performance bond for any equipment item over \$250,000 or any vehicle (including aircraft or watercraft) financed with homeland security funds. SUB-RECIPIENT must provide a copy of performance bond to CITY no later than the time of reimbursement.

§409. Indemnification

To the fullest extent of the law, SUB-RECIPIENT agrees to indemnify, defend, and hold harmless the City of Anaheim, its officers, agents, employees, representatives and designated volunteers from and against any and all claims, demands, defense costs, or liability of any kind or nature arising out of or resulting from, or any way connected with SUB-RECIPIENT'S acts, errors or omissions in the performance of SUB-RECIPIENT'S services or use of grant funds under the terms of this Agreement.

§410. Conflict of Interest

- A. SUB-RECIPIENT covenants that none of its directors, officers, employees, or agents shall participate in selecting, or administering any subcontract supported (in whole or in part) by Federal funds where such person is a director, officer, employee or agent of the subcontractor; or where the selection of subcontractors is or has the appearance of being motivated by a desire for personal gain for themselves or others such as family business, etc.; or where such person knows or should have known that:
1. A member of such person's immediate family, or domestic partner or organization has a financial interest in the subcontract;
 2. The subcontractor is someone with whom such person has or is negotiating any prospective employment; or
 3. The participation of such person would be prohibited by the California Political Reform Act, California Government Code §87100 et seq. if such person were a public officer, because such person would have a "financial or other interest" in the subcontract.
- B. Definitions:
1. The term "immediate family" includes but is not limited to domestic partner and/or those persons related by blood or marriage, such as husband, wife, father, mother, brother, sister, son, daughter, father in law, mother in law, brother in law, sister in law, son in law, daughter in law.
 2. The term "financial or other interest" includes but is not limited to:
 - a. Any direct or indirect financial interest in the specific contract, including a commission or fee, a share of the proceeds, prospect of a promotion or of future employment, a profit, or any other form of financial reward.
 - b. Any of the following interests in the subcontractor ownership: partnership interest or other beneficial interest of five percent or more; ownership of five percent or more of the stock; employment in a managerial capacity; or membership on the board of directors or governing body.
- C. The SUB-RECIPIENT further covenants that no officer, director, employee, or agent shall solicit or accept gratuities, favors, anything of monetary value from any actual or potential subcontractor, supplier, a party to a sub agreement, (or persons who are otherwise in a position to benefit from the actions of any officer, employee, or agent).
- D. The SUB-RECIPIENT shall not subcontract with a former director, officer, or employee within a one year period following the termination of the relationship

between said person and the Contractor.

- E. Prior to obtaining the CITY'S approval of any subcontract, the SUB-RECIPIENT shall disclose to the CITY any relationship, financial or otherwise, direct or indirect, of the SUB-RECIPIENT or any of its officers, directors or employees or their immediate family with the proposed subcontractor and its officers, directors or employees.
- F. For further clarification of the meaning of any of the terms used herein, the parties agree that references shall be made to the guidelines, rules, and laws of the SUB-RECIPIENT, State of California, and Federal regulations regarding conflict of interest.
- G. The SUB-RECIPIENT warrants that it has not paid or given and will not pay or give to any third person any money or other consideration for obtaining this Agreement.
- H. The SUB-RECIPIENT covenants that no member, officer or employee of SUB-RECIPIENT shall have interest, direct or indirect, in any contract or subcontract or the proceeds thereof for work to be performed in connection with this project during his/her tenure as such employee, member or officer or for one year thereafter.
- I. The SUB-RECIPIENT shall incorporate the foregoing subsections of this Section into every agreement that it enters into in connection with this project and shall substitute the term "subcontractor" for the term "SUB-RECIPIENT" and "sub subcontractor" for "Subcontractor".

§411. Restriction on Disclosures

Any reports, analysis, studies, drawings, information, or data generated as a result of this Agreement are to be governed by the California Public Records Act (California Government Code Sec. 6250, et seq.).

§412. Statutes and Regulations Applicable To All Grant Contracts

A. Compliance With Grant Assurances

To obtain the Grant Funds, the Grantor required an authorized representative of the CITY to sign certain promises regarding the way the Grant Funds would be spent ("Grant Assurances"), attached hereto as Exhibit A. By signing these Grant Assurances, the CITY became liable to the Grantor for any funds that are used in violation of the grant requirements. SUB-RECIPIENT shall be liable to the Grantor for any funds the Grantor determines SUB-RECIPIENT used in violation of these Grant Assurances. SUB-RECIPIENT shall indemnify and hold harmless the CITY for any sums the Grantor determines SUB-RECIPIENT used in violation of the Grant Assurances.

- B. SUB-RECIPIENT shall comply with all applicable requirements of state, federal, county and SUB-RECIPIENT laws, executive orders, regulations, program and

administrative requirements, policies and any other requirements governing this Agreement. SUB-RECIPIENT shall comply with state and federal laws and regulations pertaining to labor, wages, hours, and other conditions of employment. SUB-RECIPIENT shall comply with new, amended, or revised laws, regulations, and/or procedures that apply to the performance of this Agreement. These requirements include, but are not limited to:

1. Office of Management and Budget (OMB) Circulars

SUB-RECIPIENT shall comply with 2 Code of Federal Regulations (CFR) Part 200 (Uniform Administrative, Cost Principles, and Audit Requirements for Federal Awards).

2. Single Audit Act

If Federal funds are used in the performance of this Agreement, SUB-RECIPIENT shall adhere to the rules and regulations of the Single Audit Act, 31 USC Sec. 7501 et seq.; Title 2 Code of Federal Regulations, Part 200, Subpart F Audit Requirements; and any administrative regulation or field memos implementing the Act. When reporting under on the FY2020 UASI Grant Program under the Single Audit Act, SUB-RECIPIENT shall use Catalog of Federal Domestic Assistance (CFDA) Program Number 97.067 "Homeland Security Grant Program"; Grant Identification Number 2020-0095; and identify the City of Anaheim as the Pass-Through.

3. Records Maintenance

Records, in their original form, shall be maintained in accordance with requirements prescribed by the CITY with respect to all matters covered on file for all documents specified in this Agreement. Original forms are to be maintained on file for all documents specified in this Agreement. Such records shall be retained for a period of three (3) years after the CITY receives notification of grant closeout from CalOES, and after final disposition of all pending matters. "Pending matters" include, but are not limited to, an audit, litigation or other actions involving records. The CITY may, at its discretion, take possession of, retain and audit said records. Records, in their original form pertaining to matters covered by this Agreement, shall at all times be retained within the County of Orange unless authorization to remove them is granted in writing by the CITY.

4. Subcontracts and Procurement

SUB-RECIPIENT shall comply with the federal and SUB-RECIPIENT standards in the award of any subcontracts. For purposes of this Agreement, subcontracts shall include but not be limited to purchase agreements, rental or lease agreements, third party agreements, consultant service contracts and

construction subcontracts.

SUB-RECIPIENT shall ensure that the terms of this Agreement with the CITY are incorporated into all Subcontractor Agreements. The SUB-RECIPIENT shall submit all Subcontractor Agreements to the CITY for review prior to the release of any funds to the subcontractor. The SUB-RECIPIENT shall withhold funds to any subcontractor agency that fails to comply with the terms and conditions of this Agreement and their respective Subcontractor Agreement.

5. Civil Rights

SUB-RECIPIENT shall comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681- 1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) The Age Discrimination act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation act of 1970 (P.L. 91-616) as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee 3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601, et seq.), as amended, relating to non-discrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; (j) the requirements of any other nondiscrimination statute(s) which may apply to the application; and (k) P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.

6. Telecommunications (2 CFR 200.216)

SUBRECIPIENT will comply with FEMA Policy 405-143-1, Prohibitions on Expending FEMA Award Funds on Covered Telecommunication Equipment or Services (Interim), which prohibits grant recipients and subrecipients from obligating or expending loan or grant funds to procure or obtain, extend or renew a contract to procure or obtain, or to enter into a contract (or

extend or renew a contract) to procure or obtain equipment, services, or systems that uses covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system.

C. Statutes and Regulations Applicable To This Particular Grant

SUB-RECIPIENT shall comply with all applicable requirements of state and federal laws, executive orders, regulations, program and administrative requirements, policies and any other requirements governing this particular grant program. SUB-RECIPIENT shall comply with new, amended, or revised laws, regulations, and/or procedures that apply to the performance of this Agreement. These requirements include, but are not limited to:

1. Title 2 Code of Federal Regulations (CFR) Part 200; EO 12372; Department of Justice (DOJ) Office of Judicial Programs (OJP) Office of the Comptroller, U.S. Department of Homeland Security, Preparedness Directorate Financial Management Guide; U.S. Department of Homeland Security, Office of Grants and Training, FY 2020 Homeland Security Grant Program –Notice of Funding Opportunity; ODP WMD Training Course Catalogue; and DOJ Office for Civil Rights.

Standardized Emergency Management System (SEMS) requirements as stated in the California Emergency Services Act, Government Code Chapter 7 of Division 1 of Title 2, § 8607.1(e) and CCR Title 19, §§ 2445-2448.

Provisions of 44 CFR applicable to grants and cooperative agreements, including Part 18, Administrative Review Procedures; Part 20, Criminal Justice Information Systems; Part 22, Confidentiality of Identifiable Research and Statistical Information; Part 23, Criminal Intelligence Systems Operating Policies; Part 30, Intergovernmental Review of Department of Justice Programs and Activities; Part 35, Nondiscrimination on the Basis of Disability in State and Local Government Services; Part 38, Equal Treatment of Faith-based Organizations; Part 42, Nondiscrimination/Equal employment Opportunities Policies and Procedures; Part 61, Procedures for Implementing the National Environmental Policy Act; Part 63, Floodplain Management and Wetland Protection Procedures; Part 64, Floodplain Management and Wetland Protection Procedures; Federal laws or regulations applicable to federal Assistance Programs; Part 69, New Restrictions on Lobbying; Part 70, Uniform Administrative Requirements for Grants and Cooperative Agreements (including sub-awards) with Institutions of Higher Learning, Hospitals and other Non-Profit Organizations; and Part 83, Government- Wide Requirements for a Drug Free Workplace (grants).

2. Travel Expenses

SUB-RECIPIENT as provided herein may be compensated for SUB-RECIPIENT'S reasonable travel expenses incurred in the performance of this Agreement, to include travel and per diem, unless otherwise expressed. Travel including in-State and out-of-State travel shall not be reimbursed without prior written authorization from the UASI Grant Office.

SUB-RECIPIENT'S travel and per diem reimbursement costs shall be reimbursed based on the SUB-RECIPIENT'S travel policies and procedures. If SUB-RECIPIENT does not have established travel policies and procedures, SUB-RECIPIENT'S reimbursement rates shall not exceed the amounts established under 5 U.S.C 5701-11, ("Travel and Subsistence Expenses; Mileage Allowances"), or by the Administrator of General Services, or by the President (or his or her designee) pursuant to any provisions of such subchapter must apply to travel under federal awards (48 CFR 31.205-46(a)).

3. Noncompliance

SUB-RECIPIENT understands that failure to comply with any of the above assurances may result in suspension, termination or reduction of grant funds, and repayment by SUB-RECIPIENT to CITY of any unlawful expenditures.

§413. Federal, State and Local Taxes

Federal, State and local taxes shall be the responsibility of SUB-RECIPIENT as an independent party and not as a CITY employee.

§414. Inventions, Patents and Copyrights

A. Reporting Procedure for Inventions

If any project produces any invention or discovery (Invention) patentable or otherwise under title 35 of the U.S. Code, including, without limitation, processes and business methods made in the course of work under this Agreement, the SUB-RECIPIENT shall report the fact and disclose the Invention promptly and fully to the CITY. The CITY shall report the fact and disclose the Invention to the Grantor. Unless there is a prior agreement between the CITY and the Grantor, the Grantor shall determine whether to seek protection on the Invention. The Grantor shall determine how the rights in the Invention, including rights under any patent issued thereon, will be allocated and administered in order to protect the public interest consistent with the policy ("Policy") embodied in the Federal Acquisition Regulations System, which is based on Ch. 18 of title 35 U.S.C. Sections 200, et seq. (Pub. L. 95-517, Pub. L. 98-620, 37 CFR part 401); Presidential Memorandum

on Government Patent Policy to the Heads of the Executive Departments and Agencies, dated 2/18/1983); and Executive Order 12591, 4/10/87, 52 FR 13414, 3 CFR, 1987 Comp., p. 220 (as amended by Executive Order 12618, 12/22/87, 52 FR 48661, 3 CFR, 1987 Comp., p. 262). SUB-RECIPIENT hereby agrees to be bound by the Policy, and will contractually require its personnel to be bound by the Policy.

B. Rights to Use Inventions

CITY shall have an unencumbered right, and a non-exclusive, irrevocable, royalty- free license, to use, manufacture, improve upon, and allow others to do so for all government purposes, any Invention developed under this Agreement.

C. Copyright Policy

1. Unless otherwise provided by the terms of the Grantor or of this Agreement, when copyrightable material ("Material") is developed under this Agreement, the author or the CITY, at the CITY'S discretion, may copyright the Material. If the CITY declines to copyright the Material, the CITY shall have an unencumbered right, and a non-exclusive, irrevocable, royalty- free license, to use, manufacture, improve upon, and allow others to do so for all government purposes, any Material developed under this Agreement.
2. The Grantor shall have an unencumbered right, and a non-exclusive, irrevocable, royalty-free license, to use, manufacture, improve upon, and allow others to do so for all government purposes, any Material developed under this Agreement or any Copyright purchased under this Agreement.
3. SUB-RECIPIENT shall comply with all applicable requirements in the Code of Federal Regulations related to copyrights and copyright policy.

D. Rights to Data

The Grantor and the CITY shall have unlimited rights or copyright license to any data first produced or delivered under this Agreement. "Unlimited rights" means the right to use, disclose, reproduce, prepare derivative works, distribute copies to the public, and perform and display publicly, or permit others to do so; as required by 48 CFR 27.401. Where the data are not first produced under this Agreement or are published copyrighted data with the notice of 17 U.S.C. Section 401 or 402, the Grantor acquires the data under a copyright license as set forth in 48 CFR 27.404(f)(2) instead of unlimited rights. (48 CFR 27.404(a)).

E. Obligations Binding on Subcontractors

SUB-RECIPIENT shall require all subcontractors to comply with the obligations of this section by incorporating the terms of this section into all subcontracts.

§415. Minority, Women, And Other Business Enterprise Outreach Program

It is the policy of the CITY to provide minority business enterprises (MBEs), women business enterprises (WBEs) and all other business enterprises an equal opportunity to participate in the performance of all SUB-RECIPIENT contracts, including procurement, construction and personal services. This policy applies to all Contractors and Sub-Contractors.

V
DEFAULTS, SUSPENSION, TERMINATION, AND AMENDMENTS

§501. Defaults

Should SUB-RECIPIENT fail for any reason to comply with the contractual obligations of this Agreement within the time specified by this Agreement, the CITY reserves the right to terminate the Agreement, reserving all rights under state and federal law.

§502. Amendments

Any change in the terms of this Agreement, including changes in the services to be performed by SUB-RECIPIENT and any increase or decrease in the amount of compensation which are agreed to by the CITY and SUB-RECIPIENT shall be incorporated into this Agreement by a written amendment properly executed and signed by the person authorized to bind the parties thereto.

SUB-RECIPIENT agrees to comply with all future CITY directives, or any rules, amendments or requirements promulgated by the CITY affecting this Agreement.

VI
ENTIRE AGREEMENT

§601. Complete Agreement

This Agreement contains the full and complete Agreement between the two parties. Neither verbal agreement nor conversation with any officer or employee of either party shall affect or modify any of the terms and conditions of this Agreement.

§602. Number of Pages and Attachments

This Agreement is executed in three (3) duplicate originals, each of which is deemed to be an original. This Agreement includes twenty-two (22) pages and three (3) Exhibits which constitute the entire understanding and agreement of the parties.

IN WITNESS WHEREOF, the City and MUNICIPAL WATER DISTRICT OF ORANGE COUNTY have caused this Agreement to be executed by their duly authorized representatives on the date first set forth above.

ATTEST:

CITY OF ANAHEIM, a municipal Corporation
of the State of California

By: _____
Theresa Bass
Clerk of the Council

By: _____
Jorge Cisneros
Chief of Police

SUB-RECIPIENT
MUNICIPAL WATER DISTRICT OF
ORANGE COUNTY
DUNS No. 08-7380721

APPROVED AS TO FORM:

By: _____

By: _____
Kristin Pelletier
Sr. Asst. City Attorney

Printed Name _____

Title

APPROVED AS TO FORM

By: _____

Printed Name _____

Title

EXHIBIT A

California Governor's Office of Emergency Services FY2020 Grant Assurances (All HSGP Applicants)

As the duly authorized representative of the Applicant, I hereby certify that the Applicant has the legal authority to apply for federal assistance and the institutional, managerial and financial capability (including funds sufficient to pay any non-federal share of project cost) to ensure proper planning, management, and completion of the project described in this application, within prescribed timelines.

I further acknowledge that the Applicant is responsible for reviewing and adhering to all requirements within the:

- (a) Applicable Federal Regulations (see below);
- (b) Federal Program Notice of Funding Opportunity (NOFO);
- (c) Federal Preparedness Grants Manual;
- (d) California Supplement to the NOFO; and
- (e) Federal and State Grant Program Guidelines.

Federal Regulations

Government cost principles, uniform administrative requirements, and audit requirements for federal grant programs are set forth in Title 2, Part 200 of the Code of Federal Regulations (C.F.R.). Updates are issued by the Office of Management and Budget (OMB) and can be found at <http://www.whitehouse.gov/omb/>.

State and federal grant award requirements are set forth below. The Applicant hereby agrees to comply with the following:

1. Proof of Authority

The Applicant will obtain proof of authority from the city council, governing board, or authorized body in support of this project. This written authorization must specify that the Applicant and the city council, governing board, or authorized body agree:

- (a) To provide all matching funds required for the grant project and that any cash match will be appropriated as required;
- (b) Any liability arising out of the performance of this agreement shall be the responsibility of the Applicant and the city council, governing board, or authorized body;
- (c) Grant funds shall not be used to supplant expenditures controlled by the city council, governing board, or authorized body;
- (d) Applicant is authorized by the city council, governing board, or authorized body to apply for federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-federal share of project cost, if any) to ensure proper planning, management and completion of the project described in this application; and
- (e) Official executing this agreement is authorized by the Applicant.

This Proof of Authority must be maintained on file and readily available upon request.

Initials _____

2. Period of Performance

The period of performance is specified in the Award. The Applicant is only authorized to perform allowable activities approved under the award, within the period of performance.

3. Lobbying and Political Activities

As required by Section 1352, Title 31 of the United States Code (U.S.C.), for persons entering into a contract, grant, loan, or cooperative agreement from an agency or requests or receives from an agency a commitment providing for the United States to insure or guarantee a loan, the Applicant certifies that:

- (a) No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.
- (b) If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying", in accordance with its instructions.
- (c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

The Applicant will also comply with provisions of the Hatch Act (5 U.S.C. §§ 1501- 1508 and §§ 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with federal funds.

Finally, the Applicant agrees that federal funds will not be used, directly or indirectly, to support the enactment, repeal, modification or adoption of any law, regulation or policy without the express written approval from the California Governor's Office of Emergency Services (Cal OES) or the federal awarding agency.

4. Debarment and Suspension

As required by Executive Orders 12549 and 12689, and 2 C.F.R. § 200.213 and codified in 2 C.F.R. Part 180, Debarment and Suspension, the Applicant will provide protection against waste, fraud, and abuse by debarring or suspending those persons deemed irresponsible in their dealings with the federal government. The Applicant certifies that it and its principals, recipients, or subrecipients:

- (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any federal department or agency;
- (b) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state, or local) transaction or contract under a public transaction; violation of federal or state

Initials _____

- antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- (c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state, or local) with commission of any of the offenses enumerated in paragraph (2)(b) of this certification; and
 - (d) Have not within a three-year period preceding this application had one or more public transaction (federal, state, or local) terminated for cause or default.

Where the Applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

5. Non-Discrimination and Equal Employment Opportunity

The Applicant will comply with all state and federal statutes relating to non-discrimination, including:

- (a) Title VI of the Civil Rights Act of 1964 (Public Law (P.L.) 88-352 and 42 U.S.C. § 2000d et. seq.) which prohibits discrimination on the basis of race, color, or national origin and requires that recipients of federal financial assistance take reasonable steps to provide meaningful access to persons with limited English proficiency (LEP) to their programs and services;
- (b) Title IX of the Education Amendments of 1972, (20 U.S.C. §§ 1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex in any federally funded educational program or activity;
- (c) Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794), which prohibits discrimination against those with disabilities or access and functional needs;
- (d) Americans with Disabilities Act (ADA) of 1990 (42 U.S.C. §§ 12101- 12213), which prohibits discrimination on the basis of disability and requires buildings and structures be accessible to those with disabilities and access and functional needs;
- (e) Age Discrimination Act of 1975, (42 U.S.C. §§ 6101-6107), which prohibits discrimination on the basis of age;
- (f) Public Health Service Act of 1912 (42 U.S.C. §§ 290 dd—2), relating to confidentiality of patient records regarding substance abuse treatment;
- (g) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. § 3601 et seq.), relating to nondiscrimination in the sale, rental or financing of housing as implemented by the Department of Housing and Urban Development at 24 C.F.R. Part 100. The prohibition on disability discrimination includes the requirement that new multifamily housing with four or more dwelling units—i.e., the public and common use areas and individual apartment units (all units in buildings with elevators and ground-floor units in buildings without elevators)— be designed and constructed with certain accessible features (See 24 C.F.R. § 100.201);
- (h) Executive Order 11246, which prohibits federal contractors and federally assisted construction contractors and subcontractors, who do over \$10,000 in Government business in one year from discriminating in employment decisions on the basis of race, color, religion, sex, sexual orientation, gender identification or national origin;
- (i) Executive Order 11375, which bans discrimination on the basis of race, color, religion, sex, sexual orientation, gender identification, or national origin in hiring and employment in both the United States federal workforce and on the part of government contractors;
- (j) California Public Contract Code § 10295.3, which prohibits discrimination based on domestic partnerships and those in same sex marriages;

Initials _____

- (k) DHS policy to ensure the equal treatment of faith-based organizations, under which all applicants and recipients must comply with equal treatment policies and requirements contained in 6 C.F.R. Part 19;
- (l) California's Fair Employment and Housing Act (FEHA) (California Government Code §§12940, 12945, 12945.2), as applicable. FEHA prohibits harassment and discrimination in employment because of ancestry, familial status, race, color, religious creed (including religious dress and grooming practices), sex (which includes pregnancy, childbirth, breastfeeding and medical conditions related to pregnancy, childbirth or breastfeeding), gender, gender identity, gender expression, sexual orientation, marital status, national origin, ancestry, mental and physical disability, genetic information, medical condition, age, pregnancy, denial of medical and family care leave, or pregnancy disability leave, military and veteran status, and/or retaliation for protesting illegal discrimination related to one of these categories, or for reporting patient abuse in tax supported institutions;
- (m) Any other nondiscrimination provisions in the specific statute(s) under which application for federal assistance is being made; and
- (n) The requirements of any other nondiscrimination statute(s) that may apply to this application.

6. Drug-Free Workplace

As required by the Drug-Free Workplace Act of 1988 (41 U.S.C. § 701 et seq.), the Applicant certifies that it will maintain a drug-free workplace and a drug-free awareness program as outlined in the Act.

7. Environmental Standards

The Applicant will comply with state and federal environmental standards, including:

- (a) California Environmental Quality Act (CEQA) (California Public Resources Code §§ 21000- 21177), to include coordination with the city or county planning agency;
- (b) CEQA Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3, §§ 15000- 15387);
- (c) Federal Clean Water Act (CWA) (33 U.S.C. § 1251 et seq.), which establishes the basic structure for regulating discharges of pollutants into the waters of the United States and regulating quality standards for surface waters;
- (d) Federal Clean Air Act of 1955 (42 U.S.C. § 7401) which regulates air emissions from stationary and mobile sources;
- (e) Institution of environmental quality control measures under the National Environmental Policy Act (NEPA) of 1969 (P.L. 91-190); the Council on Environmental Quality Regulations for Implementing the Procedural Provisions of NEPA; and Executive Order 12898 which focuses on the environmental and human health effects of federal actions on minority and low-income populations with the goal of achieving environmental protection for all communities;
- (f) Evaluation of flood hazards in floodplains in accordance with Executive Order 11988;
- (g) Executive Order 11514 which sets forth national environmental standards;
- (h) Executive Order 11738 instituted to assure that each federal agency empowered to enter into contracts for the procurement of goods, materials, or services and each federal agency empowered to extend federal assistance by way of grant, loan, or contract shall undertake such procurement and assistance activities in a manner that will result in effective enforcement of the Clean Air Act and the Federal Water Pollution Control Act Executive Order 11990 which requires preservation of wetlands;
- (i) The Safe Drinking Water Act of 1974, (P.L. 93-523);
- (j) The Endangered Species Act of 1973, (P.L. 93-205);

Initials _____

- (k) Assurance of project consistency with the approved state management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.);
- (l) Conformity of Federal Actions to State (Clear Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.);
- (m) Wild and Scenic Rivers Act of 1968 (16 U.S.C. § 1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.

The Applicant shall not be: 1) in violation of any order or resolution promulgated by the State Air Resources Board or an air pollution district; 2) subject to a cease and desist order pursuant to § 13301 of the California Water Code for violation of waste discharge requirements or discharge prohibitions; or 3) determined to be in violation of federal law relating to air or water pollution.

8. Audits

For subrecipients expending \$750,000 or more in federal grant funds annually, the Applicant will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and Title 2 of the Code of Federal Regulations, Part 200, Subpart F Audit Requirements.

9. Access to Records

In accordance with 2 C.F.R. § 200.336, the Applicant will give the awarding agency, the Comptroller General of the United States and, if appropriate, the state, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award. The Applicant will require any subrecipients, contractors, successors, transferees and assignees to acknowledge and agree to comply with this provision.

10. Conflict of Interest

The Applicant will establish safeguards to prohibit the Applicant's employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.

11. Financial Management

False Claims for Payment - The Applicant will comply with 31 U.S.C §§ 3729-3733 which sets forth that no subrecipient, recipient, or subrecipient shall submit a false claim for payment, reimbursement or advance.

12. Reporting - Accountability

The Applicant agrees to comply with applicable provisions of the Federal Funding Accountability and Transparency Act (FFATA) (P.L. 109-282), specifically (a) the reporting of subawards obligating \$25,000 or more in federal funds and (b) executive compensation data for first-tier subawards. This includes the provisions of FFATA, which includes requirements for executive compensation, and also requirements implementing the Act for the non-federal entity at 2 C.F.R. Part 25 Financial Assistance Use of Universal Identifier and Central Contractor Registration and 2 C.F.R. Part 170 Reporting Subaward and Executive Compensation Information.

13. Whistleblower Protections

The Applicant also must comply with statutory requirements for whistleblower protections at 10 U.S.C. § 2409, 41 U.S.C. § 4712, and 10 U.S.C. § 2324, 41 U.S.C. § 4304 and § 4310.

14. Human Trafficking

The Applicant will comply with the requirements of Section 106(g) of the Trafficking Victims Protection Act of 2000, as amended (22 U.S.C. § 7104) which prohibits grant award recipients or a subrecipient from: (1) engaging in trafficking in persons during the period of time that the award is in effect; (2) procuring a commercial sex act during the period of time that the award is in effect; (3) using forced labor in the performance of the award or subawards under the award.

15. Labor Standards

The Applicant will comply with the following federal labor standards:

- (a) The Davis-Bacon Act (40 U.S.C. §§ 276a to 276a-7), as applicable, and the Copeland Act (40 U.S.C. § 3145 and 18 U.S.C. § 874) and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§ 327-333), regarding labor standards for federally-assisted construction contracts or subcontracts, and
- (b) The Federal Fair Labor Standards Act (29 U.S.C. § 201 et al.) as they apply to employees of institutes of higher learning (IHE), hospitals and other non-profit organizations.

16. Worker's Compensation

The Applicant must comply with provisions which require every employer to be insured to protect workers who may be injured on the job at all times during the performance of the work of this Agreement, as per the workers compensation laws set forth in California Labor Code §§ 3700 et seq.

17. Property-Related

If applicable to the type of project funded by this federal award, the Applicant will:

- (a) Comply with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of federal or federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of federal participation in purchase;
- (b) Comply with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires subrecipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more;
- (c) Assist the awarding agency in assuring compliance with Section 106 of the
- (d) National Historic Preservation Act of 1966, as amended (16 U.S.C. § 470), Executive Order 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §469a-1 et seq.); and
- (e) Comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. § 4831 and 24 CFR Part 35) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.

18. Certifications Applicable Only to Federally-Funded Construction Projects

For all construction projects, the Applicant will:

- (a) Not dispose of, modify the use of, or change the terms of the real property title or other interest in the site and facilities without permission and instructions from the awarding agency. Will record the federal awarding agency directives and will include a covenant

Initials _____

- in the title of real property acquired in whole or in part with federal assistance funds to assure nondiscrimination during the useful life of the project;
- (b) Comply with the requirements of the awarding agency with regard to the drafting, review and approval of construction plans and specifications; and
 - (c) Provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work conforms with the approved plans and specifications and will furnish progressive reports and such other information as may be required by the assistance awarding agency or State.

19. Use of Cellular Device While Driving is Prohibited

Applicants are required to comply with California Vehicle Code sections 23123 and 23123.5. These laws prohibit driving motor vehicle while using an electronic wireless communications device to write, send, or read a text-based communication. Drivers are also prohibited from the use of a wireless telephone without hands-free listening and talking, unless to make an emergency call to 911, law enforcement, or similar services.

20. California Public Records Act and Freedom of Information Act

The Applicant acknowledges that all information submitted in the course of applying for funding under this program, or provided in the course of an entity's grant management activities that are under Federal control, is subject to the Freedom of Information Act (FOIA), 5 U.S.C. § 552, and the California Public Records Act, California Government Code section 6250 et seq. The Applicant should consider these laws and consult its own State and local laws and regulations regarding the release of information when reporting sensitive matters in the grant application, needs assessment, and strategic planning process.

**HOMELAND SECURITY GRANT PROGRAM (HSGP) –
PROGRAM SPECIFIC ASSURANCES / CERTIFICATIONS**

21. Acknowledgment of Federal Funding from DHS

All recipients must acknowledge their use of federal funding when issuing statements, press releases, requests for proposals, bid invitations, and other documents describing projects or programs funded in whole or in part with federal funds.

22. Activities Conducted Abroad

All recipients must ensure that project activities carried on outside the United States are coordinated as necessary with appropriate government authorities and that appropriate licenses, permits, or approvals are obtained.

23. Best Practices for Collection and Use of Personally Identifiable Information (PII)

DHS defines personally identifiable information (PII) as any information that permits the identity of an individual to be directly or indirectly inferred, including any information that is linked or linkable to that individual. All recipients who collect PII are required to have a publically-available privacy policy that describes standards on the usage and maintenance of PII they collect. Recipients may also find the DHS Privacy Impact Assessments: Privacy Guidance and Privacy template a useful resource respectively.

24. Copyright

All recipients must affix the applicable copyright notices of 17 U.S.C. §§ 401 or 402 and an acknowledgement of U.S. Government sponsorship (including the award number) to any work first produced under federal financial assistance awards.

25. Duplication of Benefits

Any cost allocable to a particular federal financial assistance award provided for in 2 C.F.R. Part 200, Subpart E may not be charged to other federal financial assistance awards to overcome fund deficiencies, to avoid restrictions imposed by federal statutes, regulations, or federal financial assistance award terms and conditions, or for other reasons. However, these prohibitions would not preclude recipients from shifting costs that are allowable under two or more awards in accordance with existing federal statutes, regulations, or the federal financial assistance award terms and conditions.

26. Energy Policy and Conservation Act

All recipients must comply with the requirements of 42 U.S.C. § 6201 which contain policies relating to energy efficiency that are defined in the state energy conservation plan issued in compliance with this Act.

27. Federal Debt Status

All recipients are required to be non-delinquent in their repayment of any federal debt. Examples of relevant debt include delinquent payroll and other taxes, audit disallowances, and benefit overpayments. See OMB Circular A-129.

28. Fly America Act of 1974

All recipients must comply with Preference for U.S. Flag Air Carriers: (air carriers holding certificates under 49 U.S.C. § 41102) for international air transportation of people and property to the extent that such service is available, in accordance with the International Air Transportation Fair Competitive Practices Act of 1974 (49 U.S.C. § 40118) and the interpretative guidelines issued by the Comptroller General of the United States in the March 31, 1981, amendment to Comptroller General Decision B- 138942.

29. Hotel and Motel Fire Safety Act of 1990

In accordance with Section 6 of the Hotel and Motel Fire Safety Act of 1990, all Applicants must ensure that all conference, meeting, convention, or training space funded in whole or in part with federal funds complies with the fire prevention and control guidelines of the Federal Fire Prevention and Control Act of 1974, as amended, 15 U.S.C. § 2225a.

30. Non-supplanting Requirement

All recipients who receive federal financial assistance awards made under programs that prohibit supplanting by law must ensure that federal funds do not replace (supplant) funds that have been budgeted for the same purpose through non- federal sources.

31. Patents and Intellectual Property Rights

Unless otherwise provided by law, recipients are subject to the Bayh-Dole Act, Pub. L. No. 96-517, as amended, and codified in 35 U.S.C. § 200 et seq. All recipients are subject to the specific requirements governing the development, reporting, and disposition of rights to inventions and patents resulting from financial assistance awards located at 37 C.F.R. Part 401 and the standard patent rights clause located at 37 C.F.R. § 401.14.

32. SAFECOM

All recipients who receive federal financial assistance awards made under programs that provide emergency communication equipment and its related activities must comply with the SAFECOM Guidance for Emergency Communication Grants, including provisions on technical standards that ensure and enhance interoperable communications.

33. Terrorist Financing

All recipients must comply with Executive Order 13224 and U.S. law that prohibit transactions with, and the provisions of resources and support to, individuals and organizations associated with terrorism. Recipients are legally responsible to ensure compliance with the Order and laws.

34. Reporting of Matters Related to Recipient Integrity and Performance

If the total value of the recipient's currently active grants, cooperative agreements, and procurement contracts from all federal assistance offices exceeds \$10,000,000 for any period of time during the period of performance of this federal financial assistance award, you must comply with the requirements set forth in the government-wide Award Term and Condition for Recipient Integrity and Performance Matters located at 2 C.F.R. Part 200, Appendix XII, the full text of which is incorporated here by reference in the award terms and conditions.

35. USA Patriot Act of 2001

All recipients must comply with requirements of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act (USA PATRIOT Act), which amends 18 U.S.C. §§ 175–175c.

36. Use of DHS Seal, Logo, and Flags

All recipients must obtain permission from their DHS Financial Assistance Office, prior to using the DHS seal(s), logos, crests or reproductions of flags or likenesses of DHS agency officials, including use of the United States Coast Guard seal, logo, crests or reproductions of flags or likenesses of Coast Guard officials.

IMPORTANT

The purpose of the assurance is to obtain federal and state financial assistance, including any and all federal and state grants, loans, reimbursement, contracts, etc. The Applicant recognizes and agrees that state financial assistance will be extended based on the representations made in this assurance. This assurance is binding on the Applicant, its successors, transferees, assignees, etc. Failure to comply with any of the above assurances may result in suspension, termination, or reduction of grant funds.

All appropriate documentation, as outlined above, must be maintained on file by the Applicant and available for Cal OES or public scrutiny upon request. Failure to comply with these requirements may result in suspension of payments under the grant or termination of the grant or both and the subrecipient may be ineligible for award of any future grants if the Cal OES determines that any of the following has occurred: (1) the recipient has made false certification, or (2) violates the certification by failing to carry out the requirements as noted above.

All of the language contained within this document must be included in the award documents for all subawards at all tiers. All recipients are bound by the Department of Homeland Security Standard Terms and Conditions 2020, Version 10.1, hereby incorporated by reference, which can be found at: <https://www.dhs.gov/publication/fy15-dhs-standard-terms-and-conditions>.

The undersigned represents that he/she is authorized to enter into this agreement for and on behalf of the Applicant.

Subrecipient: _____

Signature of Authorized Agent: _____

Printed Name of Authorized Agent: _____

Title: _____ Date: _____

Initials _____

EXHIBIT B

CERTIFICATION REGARDING DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. Signature of this form provides for compliance with certification requirements under the applicable CFR covering New Restrictions on Government-wide Debarment and Suspension (Nonprocurement). The certification shall be treated as a material representation of fact upon which reliance will be placed when the Agency determines to award the covered transaction or cooperative agreement.

As required by Executive Order 12549, Debarment and Suspension, and implemented under the applicable CFR, for prospective participants in covered transactions, as defined in the applicable CFR

A. The applicant certifies that it and its principals:

- (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal court, or voluntarily excluded from covered transactions by any Federal department or agency;
- (b) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- (c) Are not presently indicted for or otherwise criminally or civilly charged by a government entity (Federal State or local) with commission of any of these offenses enumerated in paragraph (1) (b) of this certification; and
- (d) Have not within a three-year period preceding this application had one or more public transactions (Federal, State or local) terminated for cause or default; and

B. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

Authorized Agent Signature

Address: _____

Printed or Typed Name

Title

INSTRUCTIONS FOR CERTIFICATION

1. By signing and submitting this document, the prospective recipient of Federal assistance funds is providing the certification as set out below.
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective recipient of Federal assistance funds knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.
3. The prospective recipient of Federal assistance funds shall provide immediate written notice to the person to whom this agreement is entered, if at any time the prospective recipient of Federal assistance funds learns that its certification was erroneous, when submitted or has become erroneous by reason of changed circumstances.
4. The terms "covered transaction," "debarred," "suspended," "ineligible," "lower tier covered transaction," "participant," "person," "primary covered transaction," "principal," "proposal," and "voluntarily excluded," as used in this clause, have the meanings set out in the Definitions and Coverage sections of rules implementing Executive Order 12549.
5. The prospective recipient of Federal assistance funds agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.
6. The prospective recipient of Federal assistance funds further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – Lower Tier Covered Transactions," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Procurement or Non Procurement Programs.
8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
9. Except for transactions authorized under Paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

EXHIBIT C

CERTIFICATION REGARDING LOBBYING

Certification for Contracts, Grants, Loans and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan or cooperative agreement.
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form LLL "Disclosure Form to Report Lobbying" in accordance with its instructions.
3. The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.
4. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

The Subrecipient, as identified below, certifies or affirms the truthfulness and accuracy of each statement of its certification and disclosure, if any. In addition, the Subrecipient understands and agrees that the provisions of 31 U.S.C. Chap. 38, Administrative Remedies for False Claims and Statements, apply to this certification and disclosure, if any.

AGREEMENT NUMBER: _____

CONTRACTOR/BORROWER/AGENCY

NAME AND TITLE OF AUTHORIZED REPRESENTATIVE

SIGNATURE

DATE

RESOLUTION NO.

**MUNICIPAL WATER DISTRICT OF ORANGE COUNTY
WATER EMERGENCY RESPONSE ORGANIZATION OF ORANGE COUNTY
(WEROC)
AUTHORIZATION FOR FEDERAL FINANCIAL ASSISTANCE
PROVIDED BY THE FEDERAL DEPARTMENT OF HOMELAND SECURITY**

WHEREAS, The Municipal Water District of Orange County (MWDOC) manages the Water Emergency Response Organization of Orange County (WEROC) Program on behalf of the organization's 36 signatories.

WHEREAS, WEROC has been designated by the County of Orange as the water and wastewater Operational Area coordination entity for the purpose of assisting the county's water and wastewater utilities with disaster preparedness, prevention, response, recovery, and mitigation.

WHEREAS, MWDOC desires to keep the WEROC emergency operations centers, communications equipment and other such supplies in good working order and to date with the current technological abilities of the Operational Area.

WHEREAS, MWDOC also desires to keep its program and volunteer staff trained in current emergency management practices and required levels of training according to the National Incident Management System and the California State Emergency Management System.

WHEREAS, MWDOC also desires to ensure eligibility for project and training funding that may become available throughout the year.

WHEREAS, MWDOC has and will continue to submit grant applications to the Homeland Security Grant Program to continue to enhance the capabilities of the WEROC program, its staff and its member agencies.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Municipal Water District of Orange County that the Water Emergency Response Organization of Orange County (WEROC) Director of Emergency Management, and the MWDOC General Manager, are hereby authorized to execute for and on behalf of the Municipal Water District of Orange County, a public entity established under the laws of the State of California, any actions necessary for the purpose of obtaining federal financial assistance provided by the federal Department of Homeland Security and sub-granted through the County of Orange or the Cities of Anaheim and Santa Ana as the Administrators for Fiscal Year Grant 2020.

Said Resolution was adopted, on roll call, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

I hereby certify that the foregoing is a true and correct copy of Resolution No. adopted by the Board of Directors of Water District at its meeting held on.

MARIBETH GOLDSBY
District Secretary
Municipal Water District of Orange County

GENERAL MANAGER'S REPORT

JANUARY 2022

MWDOC Agencies Managers Meeting

There was no MWDOC Agencies Manager's Meeting in December.

The next meeting will tentatively be held on January 20, 2022.

Meetings

- MWDOC staff and ABS Consulting, IDS Group, and Optima RPM participated in several construction progress meetings in December regarding the admin building seismic retrofit and remodel. Meetings concerning close-out and final punch list items are being held.
- Rob Hunter, Charles Busslinger, and Chris Lingad held a meeting with Wallace Walrod and Marlon Boarnet on November 30, 2021, to discuss the analysis of the business survey for the economic benefits studies.
- Chris Lingad attended a meeting held by the UCI Civil Environmental Engineering Affiliates program on the topic of Water Recycling: Process, Politics, and Implementation on December 1, 2021
- Charles Busslinger and Vicki Osborn attended the December 9, 2021 kick-off meeting of the design phase of the replacement Emergency Operations Center. 30% plans and cost estimates are anticipated in March 2022 to inform the FY 2022-23 budget discussions, and the final design is estimated to be completed in September 2022.
- Charles Busslinger attended the Santiago Aqueduct Commission meeting on December 9, 2021.
- Charles Busslinger attended a meeting on December 9, 2021, at Newport Beach regarding the resolution of traffic control concerns for the upcoming OC Feeder shutdown. The OC Feeder shutdown is scheduled for September 15, 2022, to June 15, 2023.
- Charles Busslinger met with Hazen on December 15, 2021, to refine the scope of work for the EOCF#2 Pilot Program.
- Charles Busslinger held a meeting with David Sunding, Wallace Walrod, and Marlon Boarnet on December 21, 2021, to discuss the economic benefit studies. The analysis is proceeding on business and residential impacts, and results are anticipated in late January 2022.
- Charles Busslinger and Kevin Hostert attended a meeting with CDR and LAFCO on December 20, 2021, regarding member agency boundaries. MWDOC is working with all stakeholders on GIS boundary file discrepancies to improve all stakeholders' consistency across GIS data sets.
- Charles Busslinger attended the CDR Management Oversight Committee meeting on December 21, 2021. CDR is looking to replace its aging computer server with a virtual server contract that better meets its needs for storage, and security

ENGINEERING & PLANNING	
East Orange County Feeder No. 2 (EOCF#2) Emergency Pilot Program	<p>Staff and Means Consulting continue to work with Metropolitan (MET) on defining and phasing a scope of work for emergency pump-in of local water supplies into EOCF #2 under MET Admin Code 4519: Emergency Deliveries of Member Agency Water Supplies in Metropolitan's System. The program is intended to enhance water supply reliability in a prolonged emergency. As indicated previously, this is a multi-year effort. The intended outcome of this effort is a set of guidelines for MET member agencies to use to establish their emergency pump-in programs to MET's system. Hazen & Sawyer is also providing technical assistance for this effort.</p>
Economic Benefit Studies and Modeling Work to Quantify the Benefits of Local Projects in the Context of MET's 2020 Integrated Resources Plan (IRP)	<p>MWDOC staff continues working with the Brattle Group and CDM Smith on the Economic Benefits Studies. The studies will be useful in helping MWDOC and our agencies better understand the reliability benefits provided by potential supply investments at both the MET level and at the Orange County level by quantifying their economic benefits. The studies are looking at two main sectors of the economy: Residential and Business sectors. The benefits are being quantified by looking at the 'avoided costs' of water shortages to both of these sectors of the economy.</p> <p>Wallace Walrod, the economist for Orange County Business Council and sub-consultant for the Brattle Group, is leading the business portion of the economic benefit studies and is surveying the business community to determine how they might be impacted by both emergency water shortages (i.e., earthquakes) which are severe shorter-term shortages; and by longer-term and less severe shortages (i.e., droughts).</p> <p>Cal State University, Fullerton's Social Science Research Center (CSUF) has completed surveys of over 400 Orange County businesses. Dr. Walrod and Dr. Boarnet are currently analyzing the data and preparing a report. A presentation of business survey results is anticipated at P&O Committee once the data has been analyzed.</p> <p>The residential impact analysis is being conducted by David Sunding of the Brattle Group, using available residential information.</p>
Reliability Study Update	<p>Staff is working with CDM Smith on an update to the reliability study. The update will look at a total of 5 scenarios that include recent information, including uncertainty about the Delta Conveyance Project and more recent Climate Change impact information. The update will incorporate the latest demand forecasts from the 2020 Urban Water Management Planning efforts, update project cost information, and include updated information from MET's 2020 IRP process. Staff participated in a meeting with MET staff and CDM Smith on September 25, 2021, to discuss supply projections for the State Water Project and the Colorado River Aqueduct related to the reliability study update.</p> <p>Staff anticipates the update to be completed in early 2022. Staff will then bring the study results to the Board for discussion.</p>
Doheny Ocean Desalination Project	<p>South Coast Water District (SCWD) continues to develop the Doheny Ocean Desalination Project. SCWD is currently working through multiple due diligence items to move the project forward, including; permitting, plant sizing and siting, financing, and project delivery method. SCWD anticipates having all necessary permits by the end of the 1st Quarter of 2022 and estimates an online date of early 2026 if approved by the SCWD Board.</p>

General Manager's January 2022 Report

Doheny Ocean Desalination Project – continued	<p>On July 22, 2021, SCWD conducted its 7th workshop on the SCWD Integrated Water Resources Plan (IWRP). Included in that plan was considering a strategy for various options for the Doheny Ocean Desalination Project. The SCWD Board approved an adaptive management strategy which includes proceeding with efforts to secure partners for a 5 MGD Doheny Ocean Desalination Project. If SCWD is unsuccessful in securing partners, SCWD will proceed with constructing a smaller 2 MGD project that does not have future expansion capabilities.</p> <p>SCWD held a Special Board Meeting on September 2, 2021, to discuss the financial implications of the project. Clean Energy Capital (CEC) presented a water cost analysis for the project where CEC presented cost projections for a 2 MGD project with an estimated 1st-year water cost of \$1,928/AF in 2021\$, and a 5 MGD project with an estimated 1st-year water cost of \$1,479/AF in 2021\$. The SCWD Board actions included accepting the water cost analysis; initiating a Public Outreach Program supporting the implementation of the project; re-engaging with task-related consultants for the development of necessary contract activities; and authorizing the SCWD General Manager to develop a partnership education plan to pursue and secure partnerships with local agencies to realize the cost savings a 5 MGD project provides.</p> <p>SCWD anticipates an update on the third-party hydrogeology study of the San Juan Basin in January 2022.</p>
Poseidon Resources Huntington Beach Ocean Desalination Project	<p>On April 29, 2021, the Santa Ana Regional Water Quality Control Board (SARWQCB) conditionally renewed Poseidon's permit governing the seawater intake and waste discharges. The SARWQCB order requires Poseidon to minimize negative impacts on marine life by directing them to undertake a series of mitigation measures and prohibiting the intake of seawater and the discharge of concentrated brine until certain conditions are met.</p> <p>The next step for Poseidon includes seeking permits from the California Coastal Commission (CCC), which is anticipated to occur during the first quarter of 2022.</p>
Shutdowns	<p>Diemer Water Treatment Plant</p> <p>MET plans to repair a chlorine diffuser pipe at the Diemer WTP, which requires a seven-day full-plant shutdown. Shutdown dates are being evaluated by MET staff at this time.</p> <p>Orange County Feeder</p> <p>MET is planning to reline and replace valves in a section of the Orange County Feeder from Bristol Ave to Corona Del Mar – this is the last section of this 80-year-old pipeline to be lined.</p> <p>MET has delayed the relining project and has proposed new shutdown dates of September 15, 2022, through June 15, 2023.</p> <p>Orange County Feeder Extension</p> <p>MET plans to reline 300-linear feet of the OC Feeder extension affecting the City of Newport Beach, IRWD, and LBCWD. MWDOC and the City are meeting with MET staff to review the Traffic Control Plan details.</p> <p>MET has delayed the relining project by one year and has proposed new shutdown dates of June 16, 2023, through July 10, 2023.</p>

General Manager's January 2022 Report

Shutdowns – continued

Orange County Reservoir (OC Feeder)

The decommissioning of the Orange County Reservoir has been rescheduled to March 20, 2022, through March 25, 2022. This work will affect the cities of Brea and La Habra.

Lake Mathews Facility Shutdown

MET is planning rehabilitation work on Lake Mathews' facilities from March 14, 2022, through March 23, 2022. Work on Lake Mathews will affect untreated downstream lines. During the shutdown, the following agencies will be affected: OCWD, YLWD, Serrano WD, IRWD, TCWD, ETWD, SMWD, MNWD, and the City of San Clemente.

Allen-McColloch Pipeline

MET has completed 50% of the preliminary design of the AMP PCCP rehabilitation and is expected to be complete with the design by 2023. Preliminary design work currently underway includes identifying priority reaches, developing access locations, conducting geotechnical assessments, modeling a surge analysis, conducting real property assessments, identifying permitting requirements, and developing a feeder isolation plan. A draft project schedule will be developed at the completion of the preliminary design. Rehabilitation of individual reaches will be based on the ongoing condition assessments, priorities, and shutdown scheduling.

The first working group meeting with the impacted AMP agencies and MET was held on September 28, 2021. MET presented several options in their construction approach to completing the relining of the AMP. Each option includes multiple shutdowns with varying lengths and costs, as shown in the graphic below.

3 Shutdowns (\$160M) 4.5 to 6 Mos./Shutdown	6 Shutdowns (\$185M) 1.5 to 3 Mos./Shutdown	14 Shutdowns (\$200 M) 1 Mo. & ~0.6 Mi. /Shutdown
Contract 2 (\$59M) 3.2 Mi., 5.5 Mos.	Contract 2A (\$38M) 2.1 Mi., 3 Mos.	Contract 2A.1
	Contract 2B (\$20M) 1.1 Mi., 2.5 Mos.	Contract 2A.2
		Contract 2A.3
		Contract 2B.1
		Contract 2B.2
	Contract 3A (\$27M) 1.2 Mi., 2.5 Mos.	Contract 3A.1
		Contract 3A.2
		Contract 3A.3
	Contract 3B (\$35M) 1.7Mi., 3.5 Mos.	Contract 3B.1
		Contract 3B.2
	Contract 4A (\$44M) 1.7 Mi., 3 Mos.	Contract 4A.1
		Contract 4A.2
	Contract 4B (\$21M) 0.8 Mi., 1.5 Mos.	Contract 4B.1
		Contract 4B.2

Additional working group meetings will be held to discuss the feasibility of each option.

MET ISSUES TO ORANGE COUNTY

MET Finance and Rate Issues

Current Update

Water Transactions for October 2021 totaled 151.5 thousand acre-feet (TAF), which was 3.6 TAF higher than the budget of 147.9 TAF. This translates to \$134.6 million in revenues for October 2021, which were \$0.8 million higher than the budget of \$133.8 million. Year-to-date water transactions through October 2021 were 639.6 TAF, which was 46.5 TAF higher than the budget of 593.1 TAF. Year-to-date water revenues

General Manager's January 2022 Report

MET Finance and Rate Issues – continued

through October 2021 were \$582.1 million, which was \$33.0 million higher than the budget of \$549.1 million.

Demand Management Cost Recovery Method Adopted

On November 23, the Metropolitan Board directed staff to incorporate the 100 percent Supply Alternative as the demand management cost recovery method used in the proposals for rates and charges. The future proposed rates and charges will recover the revenue requirement set forth by the General Manager and adopted by the Board in the future Biennial Budgets. This will also enable Metropolitan to provide funding for ongoing and future demand management programs.

The adopted 100 percent Supply Alternative functionalizes all demand management costs to the supply function. Under this cost recovery method, member agencies that purchase water incur all the costs of demand management, with no cost recovery from current wheeling or exchange transactions.

MWDOC's position supported a Demand Management funding mechanism that could bring resolution to this prolonged process (recapped below). Therefore, MWDOC supported the 100% Supply variable rate alternative because it is imperative to have a full-service cost recovery rate in place no later than January 1, 2023.

MWDOC's priority throughout this rate refinement process has been steadfast toward a new demand management rate that is fair, equitable, and legally defensible. With the September 21, 2021, Appellate Court opinion, of the remaining rate alternatives, the 100% Supply variable rate most appropriately aligned most with the Board reviewed Rate Refinement Structure Guiding Principles - it is easily applied within Metropolitan's rate structure and impacts nearly all agencies equally.

Recap of Actions and Activities

Since the unbundling of its rate structure in 2001, which was implemented in January 2003, Metropolitan allocated demand management costs to the transportation operational functions. The functionalization of the costs was supported by the 1996 Integrated Resources Plan's (IRP) 25-year capital and resource planning, which expired this year. SDCWA challenged that allocation in court beginning in June 2010, alleging the Water Stewardship Rate could not be collected as part of Metropolitan's pre-set wheeling rate or the transportation rates charged under the SDCWA-Metropolitan Exchange Agreement. On June 21, 2017, the Court of Appeal entered a decision in *SDCWA v. Metropolitan*, 12 Cal. App. 5th 1124. The appellate court ruled Metropolitan may collect State Water Project transportation costs as part of Metropolitan's System Access Rate and System Power Rate in the wheeling rate and the Exchange Agreement price. However, the appellate court found the administrative record before it for the rates in calendar years (CYs) 2011 through 2014 did not support Metropolitan's inclusion of the Water Stewardship Rate in the wheeling rate or the transportation rates charged under the Exchange Agreement, but the opinion did not address the allocation in subsequent years based on a different record.

In April 2018, the Metropolitan Board directed staff to undertake a process with input from member agencies to study and determine the most appropriate allocation of demand management costs based on the review of all available information. The cost allocation study was undertaken by the Metropolitan staff in two phases. The first phase determined an appropriate functional assignment of Metropolitan's demand management costs. Mr. Peter Mayer, P.E., principal at Water DM, made presentations to the F&I Committee and

General Manager's January 2022 Report

MET Finance and Rate Issues – continued	<p>the member agency managers and provided a report entitled “Report on Functional Assignment of Metropolitan’s Demand Management Costs” to the Board in August 2019.</p> <p>In the second phase, consideration was given to incorporating the functionalization recommendations into Metropolitan’s cost-of-service process to recover demand management costs through the existing rate structure or the development of a new rate and/or charge. Mr. Rick Giardina, Senior Vice President at Raftelis, a public utility and public agency management consulting firm, provided presentations to the F&I Committee and member agency managers and a report entitled “Demand Management Cost Recovery Alternatives.” However, the Board did not come to a consensus on a cost-recovery method for demand management, and it directed Metropolitan staff on the manner of temporarily funding demand management costs. At the same time, member agency representatives further evaluated the options.</p> <p>In December 2019, the Metropolitan Board directed staff: (1) to incorporate the use of the 2019/20 fiscal-year-end balance of the Water Stewardship Fund to fund all demand management costs in the proposed FYs 2020/21 and 2021/22 Biennial Budget; and (2) to not include the Water Stewardship Rate, or any other rates or charges to recover demand management costs, with the proposed rates and charges for CYs 2021 and 2022. Since then, the member agencies have participated in a rate refinement process in which they prioritized the review of alternatives for demand management cost recovery. In September 2021, Metropolitan staff presented to the F&I Committee the Demand Management Cost Recovery Alternatives being discussed by the rate refinement workgroup.</p> <p>On September 21, 2021, the Court of Appeal issued a new appellate decision in which it interpreted its 2017 appellate decision. The Court of Appeal clarified that its 2017 decision regarding the Water Stewardship Rate was not limited to 2011-2014 and that it prohibits the inclusion of the Water Stewardship Rate in transportation rates charged under Metropolitan’s wheeling rate and in the price term of the SDCWA-Metropolitan Exchange Agreement from 2015 forward. Accordingly, the Metropolitan staff removed all Demand Management Cost Recovery Alternatives that include transportation rate elements for the Board Workshop on November 8, 2021. The rate refinement workgroup met to discuss the remaining alternatives on November 18, 2021. At the meeting, member agency staff recommended presenting the 100 percent Supply Alternative to the Board for its consideration.</p>
MET Integrated Resources Plan Update	<p>At the November 23 Integrated Resources Plan Special Committee, Metropolitan staff presented and discussed key draft findings from the Integrated Resources Plan (IRP) Needs Assessment Phase and introduced the approach for the Implementation Phase.</p> <p>The IRP Needs Assessment Phase considered the drivers, scenarios, gap analysis, and reliability assessment to determine the observations and findings. Insights were gathered through collaboration with the member agencies, other stakeholders, expert consultants, and modeling analysis performed over the last two years to develop findings within seven focused areas.</p> <p><i>Focus Area 1: <u>Reliability</u></i></p> <p>The goal of Metropolitan’s investments is to avoid retail water shortages and mandatory end-use cutbacks.</p>

MET Integrated Resources Plan Update – continued

Tolerance for voluntary conservation varies among member agencies.

Southern California embraces conservation as a way of life – separate and apart from mandatory cutbacks.

Regional success is for every Southern California consumer and business to have access to affordable, high-quality water.

Focus Area 2: SWP Dependent Areas

Portions of Metropolitan's service area are more susceptible to reductions in SWP supplies.

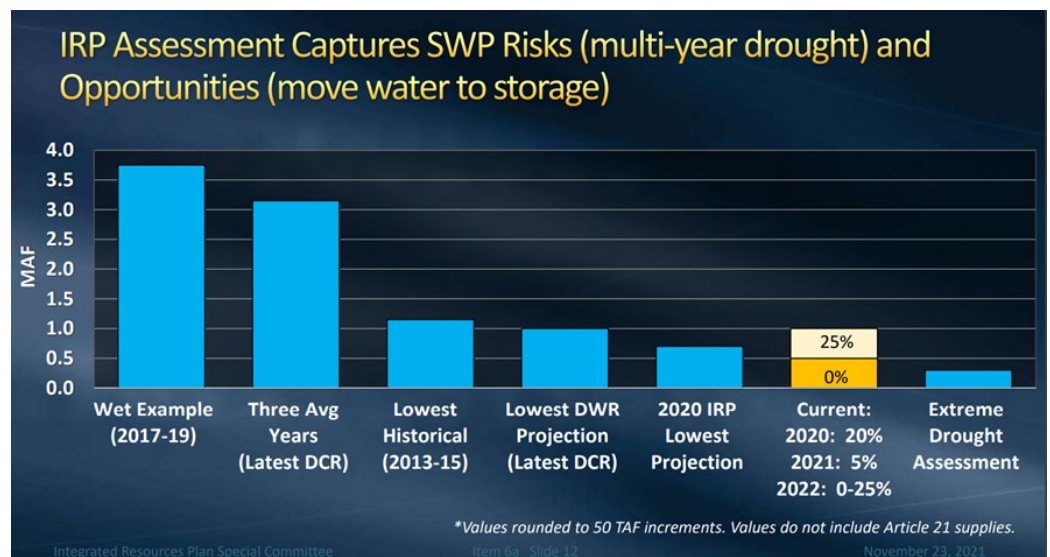
- This is a risk to the region's reliability. In general, resolving reliability issues for the "SWP Dependent Areas" addresses the larger reliability issues for the entire region.
- The IRP Needs Assessment found that whenever shortages occur, they involve the "SWP Dependent Areas."

Areas to investigate in the IRP Implementation Phase to resolve the "SWP Dependent Area" reliability challenges over the long term by:

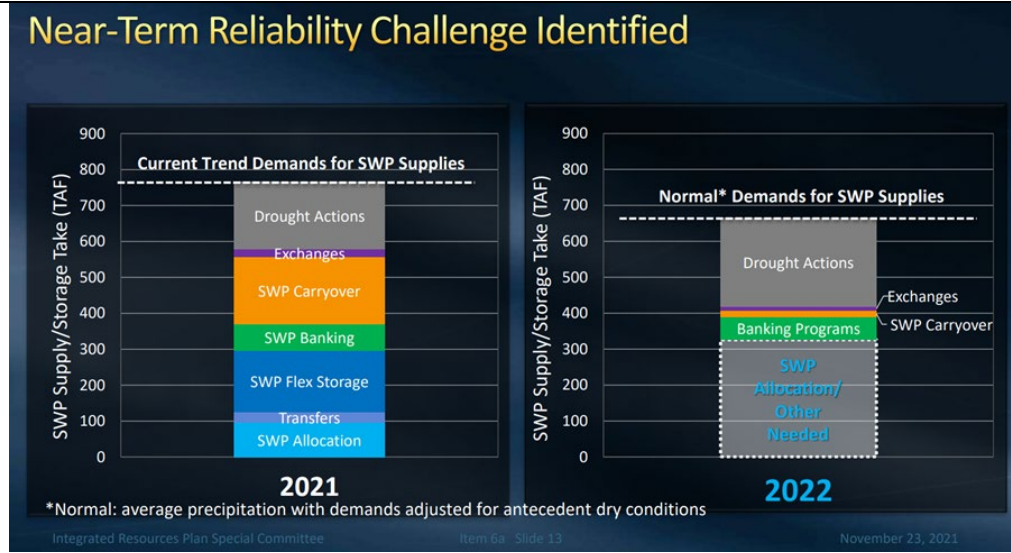
- Investments in the distribution system to enhance flexibility
- Maintaining existing SWP supply reliability
- Developing new supplies and/or storage accessible to the "SWP Dependent Areas."

Metropolitan must resolve "SWP Dependent Area" reliability issues during the SWP's current drought emergency to:

- Manage and meet "SWP Dependent Area" demands
- Enhance system flexibility to convey existing supply to the "SWP Dependent Areas."
 - Conduct Severe Drought Assessment to address system flexibility
 - Fast-track actions for short-term implementation to address the current drought
 - Longer lead-time actions may be folded into the IRP Implementation Phase



**MET Integrated
Resources Plan
Update – continued**



Focus Area 3: Demand Management

Increased demands, whether from growth or per capita use, represent a major risk to reliability.

- Demand management helps to minimize potential growth in demands.
- Baseline conservation programs help every scenario.
- Conservation program structure and funding should allow for fluctuating surplus/shortage conditions. This should include that are:
 - Scalable and adaptable to changing conditions
 - Consider financial stability of volumetric revenues & changing demands

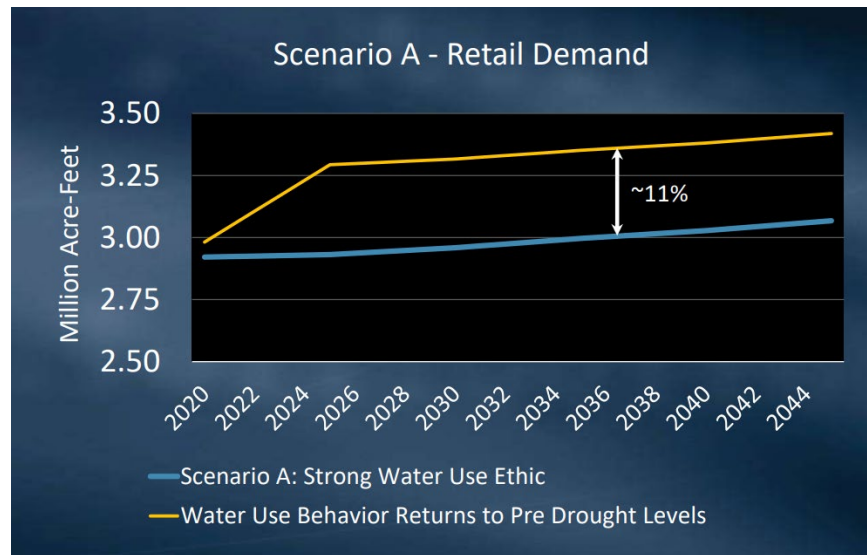
Water use ethic has a significant impact on the region's demands, and the region is at risk if demands are not managed. As illustrated in the chart below, if water use ethic wanes under Scenario A, the retail demand model suggested a 325 TAF increase (roughly 11%) in demands if water use behavior returns to pre-drought levels.

Focus Area 4: Imported Supply

Imported supplies are susceptible to climate change and regulatory constraints.

- Protecting existing imported supplies avoids the need to invest in new and more costly replacement supplies.
- Metropolitan leverages imported supplies by storing available water for use when it is scarce – this is the “Big Gulp, Little Sip” concept. Whereby imported supplies historically provide water for the region's storage portfolio. Reliable imported supplies also maximize regional investments in Metropolitan's storage capabilities.

**MET Integrated
Resources Plan
Update – continued**



Predominately below-average runoff as a result of both dry and progressively hotter conditions will impact both Sacramento River runoff and Lake Powell's unregulated inflow. Climate change and regulatory impacts will degrade SWP reliability.

- Scenarios A/B assume gradual climate change and minimal regulatory constraints.
- Scenarios C/D assume severe climate change and higher regulatory constraints.

Focus Area 5: Storage

Storage is a proven tool that gives Metropolitan a unique advantage in successfully managing through droughts.

- Investments in storage leverage existing and new supply sources.
- Metropolitan's storage portfolio allows adherence to the "Big Gulp, Little Sip" philosophy.
- Absent action, Metropolitan's storage capabilities will decline over time as contracts expire.
- Metropolitan should develop a new storage capacity accessible to the "SWP Dependent Areas" to help reduce the reliability risk.
- A decrease in shortages can occur if groundwater storage programs return to full use.
- As storage capacity increases, the need for new supply development can be reduced.

IRP Portfolio Category Analysis Summary Table			
Modeled Storage (TAF)	New Supply Needed by 2045 (TAF)		
	Scenario B	Scenario C	Scenario D
0	100	50	650
100	70	15	600
250	30	15	550
500	30	15	500
1,000	Not Modeled	Not Modeled	400

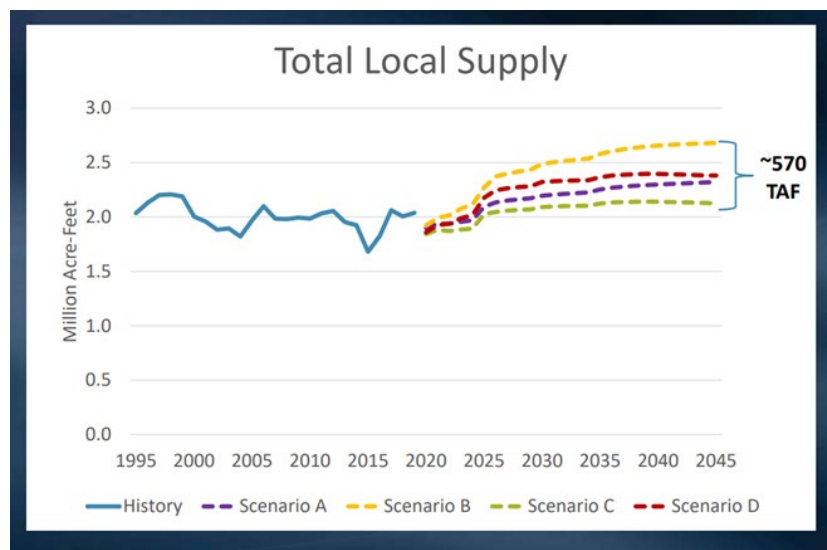
**MET Integrated
Resources Plan
Update – continued**

Focus Area 6: Local Supply

Regional reliability is dependent on local supply production.

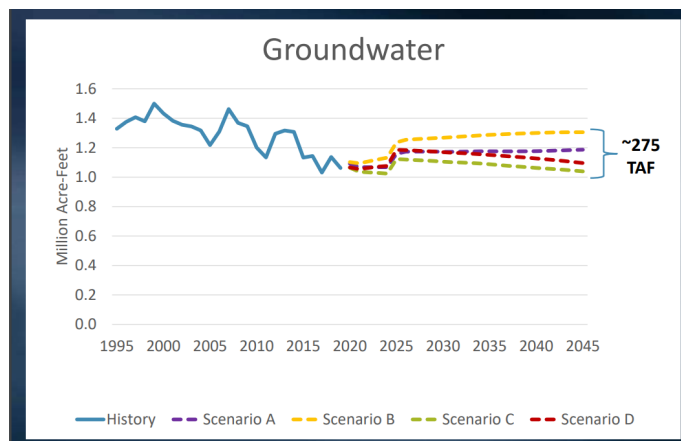
- Local supplies account for half of the region's water supply.
- Maintaining existing local supplies and developing new local supplies is important to regional reliability.
- Current local supply production and future supply development must consider climate change and regulatory impacts.
- As Metropolitan increases its commitments to enhancing local supplies, Metropolitan's business model may also need to be reconsidered to ensure financial sustainability.

There is a range of uncertainty in future local supply production as many factors can impede or facilitate development.



The region depends on healthy groundwater basins, and impacts to groundwater threaten regional reliability, noted by:

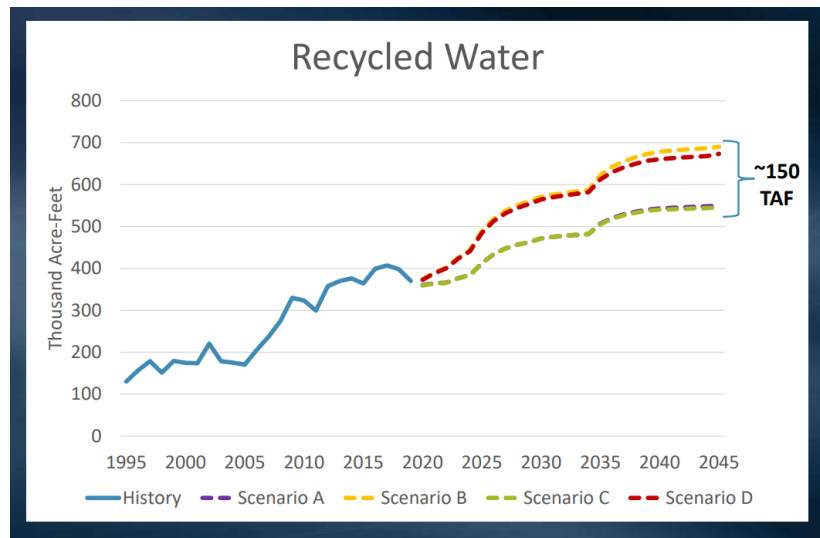
- A decline in the past 20 years
- Availability of imported supplies for replenishment
- Variability in natural replenishment from rainfall
- Emerging contaminants



**MET Integrated
Resources Plan
Update – continued**

Finally, while there has been a success with recycled water development and continued success maybe going forward due to:

- Availability of wastewater effluent reduced by conservation
- Distribution system very costly
- Rising salinity increases costs



Focus Area 7: Adaptive Management

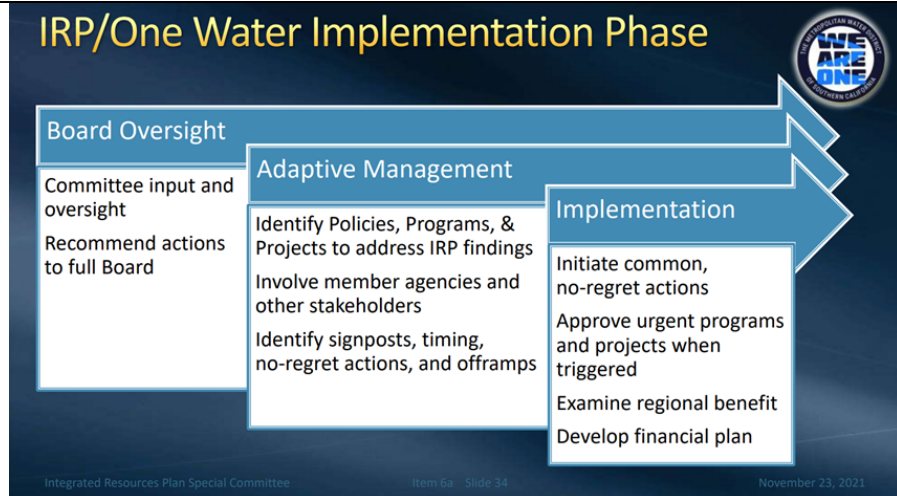
Reliability is subject to a wide range of uncertainties. Scenario planning broadens the view of reliability to factors beyond historical hydrology.

- Each scenario warrants different sets of actions to ultimately achieve the reliability goal.
- Looking across all scenarios helps reveal robust actions that work well under multiple scenarios.
- Monitoring for indicators (signposts) will inform decision-making on separate sets of action. For example, signposts to inform Demand Management decisions can include monitoring: demographic growth, water use ethic (per capita use), and demand trends.

Implementation Phase

The Implementation Phase (Phase 2) will begin in 2022 and is expected to take approximately two years. This phase will engage member agencies and stakeholders as the Adaptive Management Plan is developed. Through the Implementation Phase, the Metropolitan Board will select robust actions through specific policy and project identification (with urgent projects expedited).

MET Integrated Resources Plan Update – continued



Next Steps

Metropolitan staff will obtain Board feedback on draft findings and the scope of an implementation plan. Then, collaborating with their member agencies, a set of recommended IRP findings will be developed for Board consideration in early 2022.

The process will then transition to a collaborative process with member agencies and stakeholders focused on adaptive management and implementation. A decision support strategy will be developed for thinking through timing, financial models, and the basis for adaptive management actions, using available information and evaluation criteria.

Colorado River Issues

Colorado River Basin States Coordination Update

Representatives of the seven Colorado River Basin States met to discuss the aspects of Drought Contingency Plan implementation that have been triggered by recent 24-Month Study projections. In the Upper Basin Drought Contingency Plan, 24-Month Study projections that Lake Powell falls to be at elevation 3,525 feet trigger additional actions. The Upper Basin States updated their work to develop an implementation agreement for Drought Response Operations in Colorado River Storage Project reservoirs above Lake Powell. Under the plan, water is moved from upstream reservoirs into Lake Powell to help keep the reservoir at a level where power generation can continue.

The U.S. Bureau of Reclamation hosted a public webinar on November 5 to discuss the approach and responsive actions being considered in response to the 1,030 Consultation provisions in the Lower Basin Drought Contingency Plan. Arizona, Nevada, and California began discussing options for keeping Lake Mead from declining below elevation 1,030 feet in August after the 24-Month Study minimum probable scenario showed the risk of Lake Mead reaching elevation 1,030 feet with the next two years triggered the provision in the Lower Basin Drought Contingency Plan called the 1,030 Consultation. The webinar included information on reservoir conditions, modeling done by Nevada and Arizona, and options for additional actions being considered by Lower Basin managers in the 1,030 Consultation.

Modeling done by Arizona and Nevada showed that adding an additional 500,000 acre-feet per year to Lake Mead through 2026 would significantly increase the likelihood of keeping lake levels above elevation 1,020 feet. Based on this modeling, the Lower Basin states have been working to develop options to add at least 500,000 acre-feet to Lake

General Manager's January 2022 Report

Colorado River Issues – continued

Mead in 2022 and 2023. This is being called the 500+ Plan. Metropolitan has worked with water managers in Arizona and Nevada to discuss options for potential supply and funding for a 500+ Plan. Potential water supply sources generally would come from the creation of additional system water and ICS. The Southern Nevada Authority Water Authority and Central Arizona Water Conservation District took board action authorizing their general managers to enter into agreements and spend money to implement a 500+ Plan. A related board action item will be brought to the Metropolitan board in December.

Outreach Trip to Imperial Irrigation District and Palo Verde Irrigation District

On November 18, Metropolitan's Chairwoman, several directors, and some staff members traveled to the offices of Imperial Irrigation District and Palo Verde Irrigation District to meet with new directors from those agencies and explore opportunities to expand our existing partnerships. Discussions included options to enhance the local farming communities in those regions and explore opportunities to highlight needs to protect the Salton Sea. Both agencies expressed appreciation for Metropolitan making this trip, and they look forward to furthering the dialogue about options to enhance our partnership with those agricultural communities.

Expanded Partnership with Quechan Tribe

A new seasonal land fallowing program between Metropolitan Water District and the Quechan Tribe of the Fort Yuma Indian Reservation will conserve Colorado River water, making it available to Southern California cities to leave more water in Lake Mead while supporting the Tribe's agricultural economy.

Metropolitan Water District and the Quechan Tribe formalized an agreement for a two-year seasonal fallowing pilot that will pay interested farmers to not grow crops on a portion of their lands between April and July in 2022 and 2023 and make the conserved Colorado River water available for urban needs and help California boost declining water levels in Lake Mead. The agreement will also help meet water conservation targets identified in the 500-plus plan, an effort by Lower Basin water users to add 500,000 acre-feet or more of water to the reservoir over the next two years to reduce the risk of Lake Mead reaching critically low elevations.

The 45,000-acre Quechan tribal lands lie along the Colorado River in southeast California and southwest Arizona. In the spring and summer, farmers typically grow high-value crops (such as vegetables) in the winter, followed by lower-value, water-intensive field crops (such as Sudan grass). Metropolitan will pay up to \$473 per acre fallowed during the spring and summer months, up to \$1.6 million annually, with no more than 1,600 acres left idle. Of the payments made, 75 percent will go to farmers under individual agreements, while 25 percent will be paid to the Quechan Tribe. This agreement builds on an existing water conservation agreement with the Tribe.

Metropolitan estimates an annual water savings of up to about 3,500 acre-feet, enough to serve about 10,600 Southern California households.

General Manager's January 2022 Report

Delta Conveyance Activities and State Water Project Issues

Delta Conveyance

DWR is continuing to develop an Environmental Impact Report (EIR) under the California Environmental Quality Act for the Delta Conveyance Project.

DWR has identified a range of reasonable alternatives to analyze in the EIR, and current efforts are focused on assessing the alternatives' potential impacts on environmental resources and identifying needed mitigation measures. The U.S. Army Corps of Engineers (USACE) has started the preparation of an Environmental Impact Statement to comply with the National Environmental Policy Act. DWR and USACE are planning to release draft environmental documents for public review in mid-2022.

Field activities continue to be completed, including cone penetration tests, soil borings, and geophysical surveys, under the Initial Study/Mitigated Negative Declaration for Soil Investigations in the Delta. Field investigations have experienced a short delay because of wet weather, but the current investigations are expected to be complete in November. DWR and the Delta Conveyance Design and Construction Authority (DCA) are continuing work to obtain temporary entry for additional soil surveys on private lands, and DWR is also continuing to pursue permits for soil survey sites that fall under the jurisdiction of the Rivers and Harbors Act (Section 408). Investigations at any given site will not occur until property owners have been notified and required permits and approvals for that site have been obtained.

DWR held a virtual workshop on November 17 to hear and learn from representatives of several different example community benefits programs around the country. Case study project participants shared firsthand experiences about the development and implementation of their programs, including different organizational structures, development timing, important milestones, and lessons learned.

Joint Powers Authority

The regularly scheduled DCA Board of Directors meeting was held on November 18 and included regular staff reports and updates. The DCA's auditors completed their draft Fiscal Year 2020/21 Audit Report and presented findings to the board. The Delta Conveyance Finance Authority (DCFA) also met on November 18 and received an audit of their financial activities for the past fiscal year from Richardson and Company, the DCFA auditor.

Sites Reservoir

In October 2021, Congress approved \$80 million in federal funding for Sites Reservoir. The allocation of these funds is tied to the Secretary of Interior's determination in December 2020 that Sites Reservoir is technically and financially feasible and should be prioritized for federal investment. Overall federal funding approved since 2017 totals \$104 million.

General Manager's January 2022 Report

Delta Conveyance Activities and State Water Project Issues – continued

Delta Islands

In October 2021, a kick-off meeting with Delta experts was held as part of the California Department of Fish and Wildlife Planning Grant to conduct an island-wide planning effort that would integrate a mosaic of land use opportunities based on natural characteristics of the island and identified priorities among multiple benefits, including subsidence reversal, sustainable agriculture, carbon sequestration and reduction of greenhouse gas emissions, habitat restoration, improvement of water quality, and economic benefit. This effort, led by Metropolitan staff, is funded by a State Proposition 1 Delta Water Quality and Ecosystem Restoration Grant of \$1.088 million.

Regulatory Activities

Delta Stewardship Council

The Delta Stewardship Council (Council) kicked off the public outreach process for the Delta Adapts Climate Adaptation Strategy with a Stakeholder Workgroup Meeting on November 16, 2021. The Climate Adaptation Strategy builds on the findings of the Vulnerability Assessment that the Council adopted in June 2021. Metropolitan staff continues to participate and provide input into the Delta Adapts process through the Stakeholder Workgroup and topical focus groups and technical meetings. In November, Metropolitan staff also provided comments in coordination with the State Water Contractors on the Council's Delta Plan Ecosystem Amendment Draft Program EIR.

State Water Resources Control Board

On August 20, the State Water Resources Control Board (State Board) issued curtailments to approximately 4,500 water rights holders in the Delta watershed to help protect drinking water supplies, prevent salinity intrusion and minimize impacts to fisheries and the environment. On October 19, the State Board issued a temporary suspension of curtailments in expectation of substantial precipitation over the following week, particularly in the Sacramento River watershed. The decision to temporarily suspend curtailments was made considering the Water Unavailability Methodology for the Delta Watershed, a range of precipitation forecasts from the California Nevada River Forecast Center, anticipated low water demands in October, the need to refill reservoirs, and existing instream flow requirements. The State Board will continue to closely monitor forecasted precipitation and hydrologic conditions and may re-evaluate curtailment statuses as appropriate.

Metropolitan staff continued to participate in the collaborative groups called for in the 2019 Biological Opinions for the SWP and Central Valley Project and in the 2020 Incidental Take Permit for Long-term Operation of the SWP to address science needs and inform management and operation of the water projects. In October, staff continued collaboration with state and federal agencies to develop a Juvenile Production Estimate for Spring-run Chinook salmon. After the initial effort to evaluate monitoring alternatives, current efforts are focused on refining the decision problem and objectives. Metropolitan staff also continued working with state and federal agencies to develop a monitoring program for steelhead populations within the San Joaquin Basin and/or the San Joaquin River downstream of the confluence with the Stanislaus River. The group is evaluating how long-term monitoring programs for steelhead have been developed in other places.

General Manager's January 2022 Report

Delta Conveyance Activities and State Water Project Issues – continued	<p><u>Science Activities</u></p> <p>A scientific paper recently published in the peer-reviewed journal Ecology & Evolution (https://onlinelibrary.wiley.com/doi/10.1002/ece3.8292) reported on results from a Metropolitan-funded study on statistical approaches for monitoring the distribution of fishes in the Bay-Delta. As background, the information provided by various trawl surveys in the Bay Delta has been used to manage water project operations and impacts on fish species for a half-century. However, some trawl surveys as originally designed do not collect monitoring information that can inform how and why species redistribute across dynamic landscapes in response to natural covariates or management actions. The study investigators, Dr. James Peterson, of Oregon State University, and Dr. Adam Duarte, of the U.S. Forest Service, explore statistical approaches to evaluating trawl survey data and highlight the importance of considering the unique characteristics of monitoring programs when evaluating existing long-term monitoring data to understand the distribution of species.</p> <p>Metropolitan staff hosted an onsite tour of the Delta and upper Feather River watershed (Oroville Dam facilities) for General Manager Adel Hagekhalil and Assistant General Managers Dee Zinke and Deven Upadhyay. The tour in the Delta included scientists with the U.S. Geological Survey during which Delta smelt habitat, habitat restoration sites, the drought barrier, and Bouldin Island were highlighted. The Metropolitan staff presented the ongoing floating wetlands pilot research project on Bouldin Island and discussed the next steps.</p>
EMERGENCY PREPAREDNESS	
COVID-19 (Corona Virus) Coordination	<ul style="list-style-type: none">• WEROC is tracking the new variant Omicron, which appears more contagious than previous strains of the virus, infecting more fully vaccinated people. Still, the illness is less severe for those fully vaccinated. The county has reported that unvaccinated people account for 87% of those hospitalized and 88% of ICU patients.• During the period of 12/24 – 12/26, the county reported 6,475 positive COVID Cases, 282 cases hospitalized, 88 of those in ICU, and 13 deaths. WEROC will provide updated figures during the oral report at the P&O Committee meeting.• WEROC continues to monitor the CDC, State, and County for changing information and is sharing information with agencies.• WEROC continues to support agencies with COVID-19 related questions and guidance needs.• WEROC continues to hold bi-weekly conference calls on Tuesdays with member agencies, as requested by the agencies, to continue to support the sharing of information.• On 12/13, WEROC distributed CDPH information on the mask mandate issued for indoor use regardless of vaccination status between 12/15/21 – 1/15/22.• On 12/15, the County Health Officer Order was updated pointing to the CDPH guidance and ETS:<ul style="list-style-type: none">○ Masks are required for all individuals in indoor public settings, regardless of the vaccination status, from December 15, 2021, through January 15, 2022 (surgical masks or higher-level respirators are recommended).

General Manager's January 2022 Report

COVID-19 (Corona Virus) Coordination – continued

- In workplaces, employers are subject to the Cal/OSHA COVID-19 Emergency Temporary Standards (ETS), or in some workplaces, the Cal/OSHA Aerosol Transmissible Diseases (ATD) Standard and should consult those regulations for additional applicable requirements.
- On 12/16, CDPH finally provided a definition for indoors regarding the mask requirement applies to all workplaces, regardless of whether or not they serve the public or are open to the public. WEROC shared this information with all agencies.
- On 12/16, the California Standards Board approved the [revised version](#) of the COVID-19 prevention ETS. This amendment will be in effect until April 14, 2022. Vicki was on this call and reported that CalOSHA is working on a final standard to be in place.
With the approval of the updated ETS, the rule also requires employers in the state to:
 - Evaluate how to maximize indoor ventilation with outdoor air; the highest level of filtration efficiency compatible with existing systems; and whether the use of portable or mounted high-efficiency particulate air (HEPA) filtration units, or other air-cleaning systems, would reduce the risk of COVID-19 transmission.
 - Establish procedures for investigating and responding to workplace COVID-19 infections.
 - Make COVID-19 testing available at no cost during the paid time for employees who had close contact in the workplace with a diagnosed or suspected case of COVID-19.
 - Provide a program of instruction and training about COVID-19, the company's prevention program, and any federal, state, or local COVID-19 benefits.
 - Provide face coverings for employees who are not fully vaccinated, and ensure face coverings are worn indoors and in vehicles.
 - The exception to the return-to-work criteria for employers with critical staffing shortages would be omitted.
 - The 24 hour Notice to Exposed employee now requires the inclusion of the cleaning plan with the notification.

The ETS requires employers to exclude COVID-19 cases from the workplace and employees who have had close contact. However, they added these exceptions:

- Fully vaccinated employees who wear a face covering and maintain a 6-foot distance from others for 14 days after the last date of close contact;
 - COVID-19 cases returning to work who have remained free of symptoms for 90 days after the initial onset of COVID-19, as long as they wear a face covering and maintain a 6-foot distance from others for 14 days after the last date of close contact; and
 - COVID-19 cases are returning to work who never developed symptoms if they wear a face covering and maintain a 6-foot distance from others for 14 days after the last date of close contact.
- On 12/21, during the WEROC bi-weekly call, WEROC discussed with the agencies the items above. In addition, WEROC reported on the current status of the OSHA/Federal vaccine or texting COVID 19 mandate for large businesses

General Manager's January 2022 Report

COVID-19 (Corona Virus) Coordination – continued	<p>with over 100 employees. The lower federal appeals court in the 4th district in Ohio allowed the OSGHA rule to go into effect as scheduled in January. On January 7th, the Supreme Court will hear arguments on this mandate and make a decision. Once made, WEROC will share information with agencies, especially the eight (8) WEROC member agencies this impacts.</p> <ul style="list-style-type: none"> • Daniel distributed the testing kits WEROC ordered on behalf of the nine agencies. On 12/22, WEROC provided kits to 2 additional agencies out of its inventory. As a request for the holidays, agencies have been looking for rapid kits, which are currently in high demand with the holidays and traveling. WEROC has procured an inventory for emergency, immediate use and placed an order for SOCWA. WEROC will be coordinating another resource request for the saliva kits in conjunction with participating member agencies.
DECEMBER INCIDENTS/Events (Non-COVID)	<p>The following are events in which WEROC provided information and/or coordination</p> <ul style="list-style-type: none"> • Oil Spill 10/2 Pipeline P00547 Incident (still ongoing) • Seal Beach Oil Sheen (separate event) • December Rain Events/Bond Fire Debris Flow Coordination Call (4) Events <p>Vicki can provide an additional oral update to WEROC activities specific to each event as required/requested.</p>
Coordination/ Participation with Member Agencies and Outside Agencies Meetings Outside of Programs Areas	<ul style="list-style-type: none"> • On 12/1, the WEROC team attended the Orange County Emergency Management Organization (OCEMO) meeting. The December meeting had a presentation of the OCEMO awards highlighting the good work done by members within Orange County and the results of the OCEMO leadership election for 2022. Vicki has been elected as the OCEMO chair for 2022. • On 12/8, Vicki completed the UASI Cyber Survey, a requirement to qualify for federal grant funding. • On 12/9, Vicki attended the SOCWA Board Meeting supporting the three board items covering the OA Agreement, 800 MHz agreement, and the AlertOC agreement. • On 12/9, Vicki attended the Regional Public Safety Power Shut-off briefing and Access and Functional Needs planning workshop conducted by SDGE. • On 12/10, Vicki attended the National Weather Service Webinar on the outlook for December. • On 12/13, Vicki attended the Standardized Emergency Management System Refresh Project planning meeting. This group is working on updating the SEMS regulations and actions required during an emergency event, including notification, coordination, and specifically looking closer at recovery. • On 12/21, Vicki attended the CalWarn Board Meeting. The focus of the meeting was on leadership role changes, operations plans, Cyber issues, COVID, and the member meeting in the spring.
Planning and Program Efforts	<ul style="list-style-type: none"> • America's Water Infrastructure Act (AWIA) Project - All agencies required to submit their ERPs on December 31st were successful. Vicki submitted the AWIA letter to the Orange County Certified Unified Program Agency (CUPA) on behalf of the agencies served by the OC CUPA. A copy of the letter was also provided to the cities under a different governing board/ for hazardous materials.

General Manager's January 2022 Report

Planning and Program Efforts – continued

Vicki will be presenting on the AWIA project at the January P&O meeting with HSG to recap the project and the final steps of the project.

- AlertOC - Janine continues as the Project Manager work on obtaining the AlertOC MOUs from the participating agencies. Janine has collected all the agreements from the agencies participating and provided a copy to the County. Janine will be scheduling training for the users to begin in the 1st quarter of 2022.
- 800 MHz Radio Agreement – Daniel continues to assist agencies with questions and the process for executing Joint Agreement for the Operation, Maintenance, and Financial Management of the Orange County 800 Megahertz Countywide Coordinated Communications System. This system fulfills the WEROC radio system, and the MWDOC board approved the agreement at the last board meeting. The County of Orange has requested WEROC to assist with tracking down and getting agencies to sign the agreement. The County has changed the project manager, so Daniel is working with the newly assigned manager to update the water agency information.
- Cyber Security - Daniel continues to share cyber information received from the OCIAC and DHS with member agencies. On 12/20, Daniel attended a webinar focusing on the new emergency threat and vulnerability known as the apache log4j. Daniel shared this information with the WEROC Cyber Taskforce (which includes the MWDOC IT point of contact), including highlights from the meeting and resources agencies could use regarding this cyber threat. Vicki completed the MWDOC Cyber Event After Action Report and submitted the report to the General Manager. Vicki continues to update the Incident Action plan from the August event.
- WEROC Emergency Operations Center Project/Funding - On 12/9, Vicki attended the ETWD Filtration Plant and WEROC EOC kickoff meeting with Charles. The design project schedule and needs moving forward were discussed.
- On 12/14, Vicki received notice that they extended the deadline from 12/31 to 1/21/2022 for the 2021 Hazard Mitigation Funding Notice of Interest applications. Vicki has been working on the NOI grant application for the EOC project. Construction is an allowable cost for this grant; however, some rules must be followed. Here are a couple of examples (1) groundbreaking on construction cannot be started until an award letter is received following the submission of the full application, including a Business Cost Analysis (BCA), Award letters are scheduled to be released towards the end of March tentatively, but with the application extension, this will most likely be delayed until a later date TBD (2) this is a match grant, and funding cannot be from other federal funding sources. Vicki will brief the board as warranted.
- Other Coordination topics discussed and planning efforts outside of COVID conducted on the Bi-Weekly coordination calls during December included:
 - Cyber
 - Drought
 - Training
 - OCFA Project

WATER USE EFFICIENCY	
California Water Efficiency Partnership (CalWEP) Plenary Meeting	<p>On December 9, Rachel Waite, Beth Fahl, Andrea Antony-Morr, and Sam Fetter attended the California Water Efficiency Partnership Plenary meeting. Topics on the agenda included:</p> <ul style="list-style-type: none"> • What's Happening at CalWEP • What's New at the Alliance • Presentation by Bottom Line Utility Solutions • 2021 California Water Use Report, Presented by Flume • Framework Update <p>The next plenary will occur in Spring 2022.</p>
Orange County Data Acquisition Partnership (OCDAP)	<p>On December 13, Rachel W. attended the OCDAP Working Group Meeting. The working group collaborates on and organizes a regional effort to cost-share the acquisition of high-resolution aerial imagery and related products. Topics on the agenda included:</p> <ul style="list-style-type: none"> • Status of Cycle 2 Request for Proposals • Status of SCAG application for USGS FY 21/22 Broad Agency Announcement (BAA) for Lidar Funding • OCDAP Data sharing Efforts - Projects Underway • Other Matters for Next Meeting <ul style="list-style-type: none"> ○ Draft Cycle 2 Participation Agreement <p>The next meeting is scheduled for January 10, 2022</p>
Annual Water Audit Validations	<p>On December 14, Rachel Davis met via Zoom with Mesa Water and the City of San Juan Capistrano to validate their respective AWWA Water Audit Results. Each water retailer in California is required to submit a validated water audit to the Department of Water Resources annually. During the validation meeting, the audit inputs and supporting documentation were examined, any necessary corrections were made, key performance indicators were considered, and water loss control strategies were discussed. In total, MWDOC staff performed 25 water audit validations in 2021.</p>
Project Agreement (PA) 22 Committee Meeting	<p>On December 14, Rachel W. attended the Santa Ana Watershed Project Authority (SAWPA) PA 22 Committee Meeting. Topics on the agenda included:</p> <ul style="list-style-type: none"> • Project Update on Enhancements to Watershed-Wide Water Budget Decision Support Tool • Santa Ana River Conservation and Conjunctive Use Program (SARCCUP) Water Efficiency Budget Assistance Project Update <p>The next meeting is scheduled for March 8, 2022.</p>
MWDOC Landscape Program Advisory Committee (PAC) Meeting	<p>On December 14, Rachel W., Andrea, and Beth hosted the second Landscape PAC meeting with staff from Santa Margarita Water District, Moulton Nigel Water District, Irvine Ranch Water District, and Metropolitan Water District to discuss potential improvements to MWDOC's Turf Removal and Spray to Drip Rebate programs. Topics on the agenda included:</p>

General Manager's January 2022 Report

MWDOC Landscape Program Advisory Committee (PAC) Meeting – continued	<ul style="list-style-type: none"> • Follow-up on Action Items • Follow-up from Meeting 1 • Additional Turf Removal and Spray to Drip Program Suggestions • Other Agenda Items <p>The next meeting will be scheduled for mid-late January 2022.</p>
CalWEP Program Committee Meeting	<p>On December 15, Andrea attended the California Water Efficiency Partnership (CalWEP) Program Committee Meeting. Topics on the agenda included:</p> <ul style="list-style-type: none"> • CalWEP Updates <ul style="list-style-type: none"> ○ CalWEP 2023 Calendar ○ Sustainable Landscaping Maintenance Guide: Available for Order ○ Leak Detection and Repair Certification Training ○ CalWEP/CADC CII-DIM Feasibility Analysis • Multi-Benefit, Stacked Incentive Programs in San Diego County • Drought Programs • Task Force Updates <ul style="list-style-type: none"> ○ Landscape ○ AMI ○ CII • Announcements <p>The next meeting will be scheduled for Quarter 1 of 2022.</p>
Dedicated Irrigation Meter (DIM) Area Measurements Project – Retailer Kick-off Meetings	<p>On December 16, Rachel W. met with staff from the City of Orange and Laguna Beach County Water District and project consultant NV5 for a DIM Area Measurements Project kick-off meeting. The DIM Area Measurement Project provides Orange County retail water agencies access to MWDOC's consultant, NV5, to obtain DIM landscape area measurements and classifications required by SB606 and AB1668 (Conservation Framework). Rachel, NV5, and retailer staff discussed the Project, workflow, and next steps.</p> <p>Kick-off meetings will be scheduled with each participating retailer, and follow-up meetings will be scheduled as needed.</p>
<h2 style="text-align: center;">PUBLIC AND GOVERNMENT AFFAIRS</h2>	
Member Agency Relations	<p>Public Affairs Staff:</p> <ul style="list-style-type: none"> • Prepared and sent the 2022 Water Awareness Poster Contest Media Kit to MWDOC member agency public affairs representatives and education coordinators • Coordinated member agency outreach for the Metropolitan Water District of Southern California's annual Solar Cup competition • Forwarded an email to the MWDOC Public Affairs Workgroup from the Water Emergency Response Organization regarding a Cybersecurity & Infrastructure Security Agency guide for protecting social media accounts <p>Government Affairs Staff:</p> <ul style="list-style-type: none"> • Circulated the monthly Grants Tracking and Acquisition report

General Manager's January 2022 Report

Community Relations	<p>Public Affairs Staff:</p> <ul style="list-style-type: none"> Met with the president of the Wyland Foundation to discuss hosting the 2022 National Mayor's Challenge in Orange County
Education	<p>Public Affairs Staff</p> <ul style="list-style-type: none"> Participated in the bi-weekly California Environmental Literacy Initiative (CAELI) Green Career Innovation Hub Participated in the CAELI Leadership Council's quarterly meeting Participated in the monthly Metropolitan Water District of Southern California's (Metropolitan) Education Coordinator's meetings Co-hosted two water workshops for high school teachers sponsored by the Water-Energy Education Alliance (WEEA) and Metropolitan. "Solving Water Problems in the 21st Century" and "Get in the Water: CTE Careers with a future" were led by Alison Loukeh & Associates. Met with California Environmental Education Foundation (CEEF) to discuss how they can best support WEEA Met with Big Picture Learning and Harbor Freight Fellows to discuss potential collaboration on workforce development initiatives Collaborated with Orange County Department of Education's Inside the Outdoors to provide local water content and resources for students participating in the Academic Pentathlon (middle school) and Academic Decathlon (high school). The theme for this year is "Water: An Essential Resource." Provided WEEA participants with an opportunity to serve as judges of the 2021-22 U.S. Academic Decathlon at the request of the San Bernardino County Superintendent of Schools Alliance for Education and Los Angeles Department of Water and Power Collaborated with Shows That Teach to offer a 10-video series that was promoted to all Orange County schools regardless of their eligibility for the MWDOC Choice School Programs. Topics include the importance of water to our everyday lives, water supply, water quality, and more. Worked with Santa Margarita Water District and contractors to transition MWDOC Choice School Program offerings from City of San Juan Capistrano Provided City of Orange with information regarding MWDOC Choice School Programs
Media Relations	<p>Public Affairs Staff</p> <ul style="list-style-type: none"> Prepared and distributed December issue of MWDOC eCurrents newsletter Prepared and distributed content for social media Composed and distributed a news release announcing Board Reorganization Met with the OC Register regarding Drought Attended California Association of Public Information Officer's "Why Should Your Agency be on TikTok?" webinar
Special Projects	<p>Public Affairs Staff:</p> <ul style="list-style-type: none"> Met with Baywork, IEWorks, and Metropolitan to discuss their participation in an upcoming project with the Centers of Excellence initiated by WEEA Made several database contact list updates Began preparations for the 2022 OC Water Summit

General Manager's January 2022 Report

Special Projects – continued	<ul style="list-style-type: none"> • Invited and confirmed Joaquin Esquivel to serve as the keynote speaker for February 23, 2022, Water Policy Forum • Attended the California Department of Water Resources Water Wednesday seminar • Participated in Cascade's Strategy Boot camp • Participated in Metropolitan's Public Information Officer meeting • Met with University of California Master Gardeners of Orange County to plan the next round of water-wise garden tips videos • Met with RMG Communications to discuss hosting a webinar on Diversity, Equity, & Inclusion for the California Association of Public Information Officials <p>Governmental Affairs Staff:</p> <ul style="list-style-type: none"> • Along with Charles Busslinger, met with Deborah Diep of CDR to discuss MWDOC redistricting numbers • Staffed the ISDOC Executive Committee meeting • Staffed the WACO monthly meeting featuring speaker Dr. Michael Gunson of JPL • Staffed the WACO Planning meeting
Legislative Affairs	<p>Governmental Affairs Staff:</p> <ul style="list-style-type: none"> • Participated in the ACWA Federal Affairs Committee meeting • Attended the ACWA Fall Conference in Pasadena, joining the following sessions: <ul style="list-style-type: none"> * Opening Breakfast honoring Larry McKenney * End of the Pipe Discussions: Securing San Diego's Water Supply * Drought Campaigns that Get Results * Federal Affairs Forum • Met with Lana Haddad from MWD to discuss messaging zero allocation from the SWP to elected officials offices • Participated in the ACWA ornamental turf workgroup (12/6) • Responded to Congressman Levin's office on State Water Project allocations at its effect on south Orange County • Attended the ACWA Working Group on indoor water use • Attended the Colorado River Water Users Association annual conference in Las Vegas, joining the following sessions." <ul style="list-style-type: none"> * Colorado River Board of California meeting * Change for Better: Multiple Approaches to Improving Water Supply Forecasting * Current and Projected Conditions in the Colorado River Basin: Hydrology Report * Reclamation Leadership Perspective: Challenges and Opportunities * Change of Plans: Addressing Challenges * Changing Habits: Adapting Through Innovative Strategies * Embracing Change: The Path Forward • Participated in the ACWA Turf Working Group (12/20)

INFORMATION CALENDAR

**MWDOC GENERAL INFORMATION
ITEMS**

MWDOC BOARD OF DIRECTORS

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