

**MINUTES OF THE WORKSHOP BOARD MEETING
OF THE BOARD OF DIRECTORS OF
MUNICIPAL WATER DISTRICT OF ORANGE COUNTY (MWDOC)
WITH THE MWDOC MET DIRECTORS**

January 5, 2022

At 8:30 a.m., President Yoo Schneider 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)). Director McVicker led the Pledge of Allegiance and Secretary Goldsby called the roll.

MWDOC DIRECTORS

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

STAFF

Robert Hunter, General Manager
Harvey De La Torre, Asst. Gen. Mgr.
Joe Byrne, Legal Counsel
Maribeth Goldsby, Board Secretary
Melissa Baum-Haley, Prin. Water Resource Analyst
Alex Heide, Water Resources Analyst
Chris Lingad, Associate Engineer
Kevin Hostert, Water Resources Analyst
Joe Berg, Director of Water Use Efficiency
Charles Busslinger, Dir. of Engineering/Dist. Eng.
Heather Baez, Governmental Affairs Manager
Vicki Osborn, Director of Emergency Management
Damon Micalizzi, Director of Public Affairs
Rachel Waite, Sr. WUE Analyst

*Also MWDOC MET Directors

OTHER MWDOC MET DIRECTORS

Linda Ackerman
Dennis Erdman

OTHERS PRESENT

Christine Carson
Nina Hawk
Sara Tucker
Syrus Devers
Dick Ackerman
Ed Means
Doug Davert
Dave Youngblood
Kathryn Freshley
Kay Havens
Mark Monin
Jose Vergara
Dennis Cafferty
Mike Dunbar
Steve LaMar
Doug Reinhart

Aleshire & Wynder
Metropolitan Water District of So. California
NRR
Best, Best & Krieger
Ackerman Consulting
Means Consulting
East Orange County Water District
East Orange County Water District
El Toro Water District
El Toro Water District
El Toro Water District
El Toro Water District
El Toro Water District
El Toro Water District
Emerald Bay Service District
Irvine Ranch Water District
Irvine Ranch Water District

Peer Swan	Irvine Ranch Water District
Paul Weghorst	Irvine Ranch Water District
Frank Prewoznik	Irvine Ranch Water District
Kelly Rowe	Orange County Water District
Mike Markus	Orange County Water District
John Kennedy	Orange County Water District
Jim Atkinson	Mesa Water
Stacy Taylor	Mesa Water
Don Froelich	Moulton Niguel Water District
Bill Moorhead	Moulton Niguel Water District
Sherry Wanninger	Moulton Niguel Water District
Joone Lopez	Moulton Niguel Water District
Laura Rocha	Moulton Niguel Water District
Chuck Gibson	Santa Margarita Water District
Sandra Jacobs	Santa Margarita Water District
Justin McCusker	Santa Margarita Water District
Frank Ury	Santa Margarita Water District
Dan Ferons	Santa Margarita Water District
Jim Leach	Santa Margarita Water District
Brad Reese	Serrano Water District
Bill Green	South Coast Water District
Rick Shintaku	South Coast Water District
Fernando Paludi	Trabuco Canyon Water District
Brooke Jones	Yorba Linda Water District
Tom Lindsey	Yorba Linda Water District
Wayne Miller	Yorba Linda Water District
Deborah Diep	Center for Demographic Research
Ruby Zaman	Center for Demographic Research
Lisa Ohlund	Ohlund Management & Technical Services
Megan Couch	San Diego County Water Authority
Kristy Khachigian	KK Consulting

PUBLIC PARTICIPATION/PUBLIC COMMENTS

President Yoo Schneider inquired whether any members of the public wished to comment on agenda items.

Responding to a question by SMWD Sandra Jacobs, General Manager Hunter provided a brief update regarding the facilitated discussions with the member agencies, noting that interviews should be complete by the end of January, with a Board report in February, and that once this process is complete, Phase 2 will commence.

ITEMS RECEIVED TOO LATE TO BE AGENDIZED - Determine need and take action to agendize item(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.)

No items were presented.

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

President Yoo Schneider 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 the presentation material for Item No. 5 (Update Regarding State and Federal Water Project Management) was distributed to the Board and made available to the public.

ACTION ITEMS

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

Upon MOTION by Director Seckel, seconded by Director Thomas, and carried (6-0), 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, by the following roll call vote:

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

PRESENTATION / DISCUSSION / INFORMATION ITEMS

To accommodate schedules, the agenda was reorganized as follows:

UPDATE REGARDING STATE AND FEDERAL WATER PROJECT MANAGEMENT

Ms. Nina Hawk (Metropolitan) provided an update on the Delta activities. Her presentation included an overview of background information (Bay-Delta Regulatory Review), Interim operations (including complexities), long-term operations (and re-initiation of Section 7 consultation), the Voluntary Agreement, and next steps. Ms. Hawk concluded per presentation with updates on the Delta Conveyance Project and a Water Supply Report.

Considerable discussion ensued with specific emphasis on the Interim Operations Plan, biological opinion, whether the Interim Operations Plan would provide additional flexibility in operations, what is needed for final approval, legal complexities (as the Interim Operations Plan is currently going through the Court system), effects on habitat, releases of storage water and current water supply amounts (in storage), and the Coordinated Operations Agreement.

Following discussion, the Board thanked Ms. Hawk and received and filed the report as presented.

(Director Dick arrived at 9:18 a.m.)

WATER SUPPLY CONDITIONS UPDATE

A brief discussion was held regarding the presentation materials included in the packet, with Water Resource Analyst Kevin Hostert providing an overview of the Northern California accumulated precipitation and storage in Lake Oroville.

The Board received and filed the report as presented.

DISCUSSION AND REVIEW OF ADJUSTMENT OF MWDOC DIVISION BOUNDARIES PURSUANT TO ELECTIONS CODE FOLLOWING 2020 CENSUS

Ms. Deborah Diep of the Center for Demographic Research provided an overview of the re-districting process and adjustment of MWDOC's division boundaries pursuant to the Election Code. Her presentation included information regarding the redistricting criteria, census data (resulting in necessary movement of the boundaries), and two draft plans (maps) for redistricting consideration. She advised that the two plans presented incorporated the Board's comments from prior meetings/discussions (including leaving Divisions 1 and 4 unchanged, and leaving water districts intact (in a single division) as much as possible).

Ms. Diep then provided a detailed overview/explanation of the two draft plans (Plan 1 and Plan 2), and considerable discussion ensued regarding the pros/cons with respect to the changes recommended.

General Manager Hunter reminded the Board that the 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.

(President Yoo Schneider left the meeting at 10:01 a.m.; Vice President McVicker assumed the Chair position).

It was the general consensus of the Board that the two draft plans represented a drastic change in boundaries and it was suggested Ms. Diep re-work the plans to preserve the existing boundaries as much as possible (making changes to Divisions 1 and 4 if necessary). Several recommendations on where to move boundaries were suggested by the Board, and following this, it was recommended the Board hold a Special Board meeting on January 13, 2022 for the specific purpose of addressing new draft boundary map(s). Vice President McVicker asked that the Board members notify Director of Engineering/District Engineer Charles Busslinger with comments/recommendations for the boundaries (no later than January 7, 2022). It was also noted that in the event member agencies would like to comment, they should submit comments to General Manager Hunter.

The Board received and filed the information and set a Special Board meeting on January 13, 2022 at 8:30 a.m. to discuss the new draft boundary maps.

LEGISLATIVE ACTIVITIES

a. Federal Legislative Report (NRR)

The Board received and filed the report.

b. State Legislative Report

c. MWDOC Legislative Matrix

Mr. Syrus Devers referenced his report that was included in the packet, and following a brief discussion, the Board received and filed the report.

(President Yoo Schneider returned to the meeting at 10:56 a.m.)

INPUT OR QUESTIONS ON MET ISSUES FROM THE MEMBER AGENCIES/MET DIRECTOR REPORTS REGARDING MET COMMITTEE PARTICIPATION

Director Ackerman highlighted the following items: State and Federal appropriations, the Carson Regional Recycled Water Project, MET's strategic priorities, new MET Board members, and that Chairwoman Gray is recommending two new Committees.

Director Erdman highlighted the recent WACO presentation regarding California water conditions and what MET is doing regarding some of the issues raised in the presentation.

Director Dick highlighted asphalt repair/replacement, support for recycling, and MET's grant funding efforts.

Director Tamaribuchi reported on the MOU with the Bureau of Reclamation, Southern Nevada and Arizona which will help protect Lake Mead from going below the target threshold.

The Board received and filed the reports as presented.

INFORMATION ITEMS

MWD ITEMS CRITICAL TO ORANGE COUNTY

- a. MET Finance and Rate Issues
- b. MET Integrated Resources Plan Update
- c. MET Water Supply Conditions
- d. Colorado River Issues
- e. Delta Conveyance Activities and State Water Project Issues

The Board received and filed the report as presented.

METROPOLITAN (MET) BOARD AND COMMITTEE AGENDA DISCUSSION ITEMS

- a. Summary regarding the November and December MET Board Meetings
- b. Review items of significance for the upcoming MET Board and Committee Agendas

The report was received and filed.

CLOSED SESSION ITEMS

At 11:13 a.m., Legal Counsel Byrne announced that the Board would adjourn to closed session to discuss the following matters with Legal Counsel Christine Carson:

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to Paragraph (1) of subdivision (d) of Government Code Section 54956.9. One Case: San Diego County Water Authority v. Metropolitan Water District of Southern California; all persons interested in the validity of the rates adopted by the Metropolitan Water District of Southern California on April 13, 2010, et al., former Los Angeles Superior Court, Case No. BS 126888, transferred on October 21, 2010, to San Francisco Superior Court, Case No. CPF-10-510830 and related appeal.

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to Paragraph (1) of subdivision (d) of Government Code 54956.9. One Case: San Diego County Water Authority v. Metropolitan Water District of Southern California; all persons interested in the validity of the rates adopted by the Metropolitan Water District of Southern California on April 10, 2012 to be Effective January 1, 2013 and January 1, 2014; and Does 1-10, et al., former Los Angeles Superior Court, Case No. BS137830, transferred on August 23, 2012, to San Francisco Superior Court, Case No. CPF-12-512466 and related appeal.

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to Paragraph (1) of subdivision (d) of Government Code Section 54956.9. One Case: San Diego County Water Authority v. Metropolitan Water District of Southern California; all persons interested in the validity of the rates adopted by the Metropolitan Water of Southern California on April 8, 2014, et al., former Los Angeles Superior Court, Case No. BC547139, transferred on December 2, 2014, to San Francisco Superior Court, Case No. CPF-14-514004.

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to Paragraph (1) of subdivision (d) of Government Code Section 54956.9. One Case: San Diego County Water Authority v. Metropolitan Water District of Southern California; all persons interested in the validity of the rates adopted by the Metropolitan Water District of Southern California on April 12, 2016, effective January 1, 2017 and January 1, 2018, et al., former Los Angeles Superior Court, Case No. No. BS161729, transferred to San Francisco Superior Court, Case CPF-16-515282.

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to Paragraph (1) of subdivision (d) of Government Code Section 54956.9. One Case: San Diego County Water Authority v. Metropolitan Water District of Southern California; all persons interested in the validity of the rates adopted by the Metropolitan Water District of Southern California on April 10, 2018 to be effective January 1, 2019, and Jan. 1, 2020, et al., Los Angeles Superior Court, Case No. BS 173868, Transferred to San Francisco Superior Court, Case CPF-18-516389.

(President Yoo Schneider left the meeting at 12:00 p.m.)

RECONVENE

At 12:14 p.m., the Board reconvened and Vice President McVicker announced that no reportable action was taken in closed session.

ADJOURNMENT

There being no further business, the meeting adjourned at 12:15 p.m.

Maribeth Goldsby
Board Secretary