

**MINUTES OF THE REGULAR MEETING  
OF THE BOARD OF DIRECTORS  
MUNICIPAL WATER DISTRICT OF ORANGE COUNTY  
August 17, 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 Ackerman 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, Assist. GM  
Joe Byrne, Legal Counsel  
Maribeth Goldsby, Board Secretary  
Melissa Baum-Haley, Prin. Water Resources Analyst  
Heather Baez, Governmental Affairs Manager  
Alex Heide, Water Resource Analyst  
Kevin Hostert, Water Resources Analyst  
Charles Busslinger, Dir. of Engineering/Dist. Eng.  
Hilary Chumpitazi, Accounting Manager  
Damon Micalizzi, Director of Public Affairs  
Vicki Osborn, Director of Emergency Management  
Joe Berg, Director of WUE Programs  
Cathy Harris, Director of HR and Administration

**ALSO PRESENT**

Dennis Erdman  
Linda Ackerman

MWDOC/MET Director  
MWDOC/MET Director

Doug Davert  
Kathryn Freshley  
Mike Gaskins  
Kay Havens  
Mark Monin  
Jose Vergara  
Dennis Cafferty  
Doug Reinhart  
Peer Swan  
Paul Weghorst  
Keith Van Der Maaten  
Stacy Taylor  
Don Froelich  
Sherry Wanninger  
Kelly Rowe  
Steve Sheldon  
John Kennedy  
Saundra Jacobs  
Justin McCusker  
Jim Leach

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  
Irvine Ranch Water District  
Irvine Ranch Water District  
Irvine Ranch Water District  
Laguna Beach County Water District  
Mesa Water  
Moulton Niguel Water District  
Moulton Niguel Water District  
Orange County Water District  
Orange County Water District  
Orange County Water District  
Santa Margarita Water District  
Santa Margarita Water District  
Santa Margarita Water District

Chip Monaco	Santa Margarita Water District
Greg Mills	Serrano Water District
Brad Reese	Serrano Water District
Rick Shintaku	South Coast Water District
Jennifer Lopez	South Coast Water District
Fernando Paludi	Trabuco Canyon Water District
Tom Lindsey	Yorba Linda Water District
Rick Shintaku	South Coast Water District
Lisa Ohlund	Ohlund Management & Technical Services
Kristy Khachigian	KK Consulting
John Monsen	Sierra Club
Chris Clarke	California Desert Program
Neal Desai	National Parks Conservation Association
David Anderson	
Luke Basulto	
Charles Luas	
John Lewis	

**PUBLIC PARTICIPATION/PUBLIC COMMENT**

President Yoo Schneider 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. Ms. Yoo Schneider asked whether any member of the public had any comments on items that are not on the agenda.

Mr. Doug Davert, as OC LAFCO Representative, highlighted OC LAFCO’s newsletter and its efforts to increase outreach to its stakeholders.

Mr. Chris Clarke (California Desert Program), Mr. John Monsen (Sierra Club), and Mr. Neal Desai (National Parks Conservation Association) each addressed the Board expressing concern and opposition to the Cadiz Project.

**ITEMS RECEIVED TOO LATE TO BE AGENDIZED**

No items were received.

**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.

No items were distributed.

**EMPLOYEE SERVICE AWARDS**

Director of Human Resources and Administration Cathy Harris presented services awards to Michelle Decasas and Christina Hernandez, each for five years of service to the District

**CONSENT CALENDAR**

President Yoo Schneider stated all matters under the Consent Calendar would be approved by one MOTION unless a Director wished to consider an item separately.

Director Nederhood asked that Item No. 5 (Approve Continuation of Remote Meetings Pursuant to AB 361 and Make Required Findings), Item No. 7 (Amend Administrative Code Section 5003- Payment for Water), and Item No. 8 (MWDOC’s response letter to the Orange County Grand Jury Report- Water in Orange County Needs “One Voice”) be pulled from the Consent Calendar for further discussion.

Director Dick asked that the July 6, 2022 Workshop Board minutes be revised to reflect his presence.

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

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

**MINUTES**

The following minutes were approved.

- July 6, 2022 Workshop Board Meeting (as revised)
- July 20, 2022 Regular Board Meeting

**COMMITTEE MEETING REPORTS**

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

- Planning & Operations Committee Meeting: July 5, 2022
- Administration & Finance Committee Meeting: July 13, 2022
- Executive Committee Meeting: July 21, 2022
- MWDOC/OCWD Joint Planning Committee: July 26, 2022

**TREASURER'S REPORTS**

The following items were ratified and approved as presented.

- MWDOC Revenue/Cash Receipt Register as of July 31, 2022
- MWDOC Disbursement Registers (July/August)

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 June 30, 2022

PARS Monthly Statement (OPEB Trust)

**FINANCIAL REPORT**

The following item was received and filed as presented.

Draft Combined Financial Statements and Budget Comparative for the Period ending June 30, 2022

Quarterly Budget Review was deferred to the FY 2021-22 Audited Annual Financials

**2022 CONFLICT OF INTEREST CODE -- BIENNIAL REVIEW**

The Board approved and authorized staff to submit the 2022 Biennial Review Code changes (as recommended by the Administration & Finance Committee) to the Orange County Clerk of the Board of Supervisors.

**- END CONSENT CALENDAR -**

**ITEMS PULLED FROM CONSENT CALENDAR FOR FURTHER DISCUSSION**

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

Director Nederhood expressed his desire to hold in-person meetings, noting the benefits of in-person meetings. It was noted that the Building Management Committee was in the process of reviewing this issue and would make a recommendation to the Board.

Upon MOTION by Director Seckel, seconded by Director Thomas, and carried (6-1), 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. Said action was taken by the following roll call vote:

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

**AMEND ADMINISTRATIVE CODE SECTION 5003 - PAYMENT FOR WATER**

Director Nederhood commented that it appears MET is dramatically reducing its window of time to respond to meter errors (to six months); he referenced the recent metering issue with East Orange County Water District and asked how that six month window would have affected the outcome. Director of Engineering/District Engineer Charles Busslinger provided an overview of the issue noting that the MET policy has consistently been six months but that MWDOC pushed

for the three-year timing; he advised that staff is simply suggesting the MWDOC policy mirror the MET Code.

Upon MOTION by Director Seckel, seconded by Director Dick, and carried (6-0), the Board approved the amendment to MWDOC Administrative Code Section 5003 (Payment for Water) as outlined in staff write up, by the following roll call vote:

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

**MWDOC’S RESPONSE LETTER TO ORANGE COUNTY GRAND JURY REPORT – WATER IN ORANGE COUNTY NEEDS “ONE VOICE”**

Director Nederhood expressed disappointment and concern with the recent Grand Jury report, noting he believed it was not effective. He commended the draft response, noting it was thoughtful and well written.

Upon MOTION by Director Nederhood, seconded by Director Seckel, and carried (7-0), the Board approved MWDOC’s response letter on the Orange County Grand Jury’s findings and recommendations, and authorized staff to submit such letter to the Presiding Judge of the Superior Court before September 20, 2022, by the following roll call vote:

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

**ACTION CALENDAR**

**ISDOC ELECTION CALL FOR NOMINATIONS**

Upon MOTION by Director Tamaribuchi, seconded by Director Thomas, and carried (7-0), the Board adopted RESOLUTION NO. 2129 nominating Director Bob McVicker to the position of ISDOC First Vice President, by the following roll call vote:

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

**INFORMATION CALENDAR****GENERAL MANAGER'S REPORT, AUGUST 2022**

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

Discussion was held regarding the OC Water Reliability Report, its findings, the status of the State Water Project and Colorado River, the proposed WUE standards, the IRP and its implementation, and the MET rate models; staff advised that a preliminary review of the Reliability Study would be presented to the September 6, 2022 Planning & Operation Committee. Following discussion, the Board received and filed the report as presented.

**MWDOC GENERAL INFORMATION ITEMS****a. BOARD OF DIRECTORS**

The Board members each reported on their attendance at the regular (and special) MWDOC Board and Committee meetings. In addition to these meetings, the following reports were made on conferences and meetings attended on behalf of the District.

Director Nederhood advised that he attended all of the regularly scheduled MWDOC meetings (Planning & Operations, Administration & Finance, MWDOC/OCWD Joint Planning, and Executive Committee meetings, as well as the Workshop and Regular Board meetings), the MET Board meeting, the Delta Independent Science webinar, and the PPIC seminar regarding the San Joaquin Valley and land fallowing.

Director Dick reported on attending all of the regularly scheduled MWDOC meetings (Planning & Operations, Administration & Finance, MWDOC/OCWD Joint Planning, and Executive Committee meetings, as well as the Regular Board meeting) the regularly scheduled MET Board and Committee meetings, the ACWA Region meeting in Temecula, several MWDOC/MET Director meetings, a meeting with the City Manager of Orange, the ISDOC meeting(s), the WACO meeting, the ad hoc meetings regarding the Grand Jury report (both OCWD and SMWD), the MWDOC/OCWD Building Management Committee meeting, the special MET Board meeting, the MET member agency directors meeting, the California Retirees meeting in Santa Ana regarding water issues and relationship between MWDOC and OCWD, the MET Caucus, and the Government Affairs meeting with Vince Sarmiento.

Director McVicker reported that he attended all of the regularly scheduled MWDOC meetings (Planning & Operations, Administration & Finance, MWDOC/OCWD Joint Planning, and Executive Committee meetings, as well as the Workshop Board meeting and Regular Board meetings), three OC Water Summit planning meetings, the member agency facilitated discussions workshop, the ad hoc committee meeting regarding reserves, the OCWA webinar, the ACWA Water Quality and Water Management committee meetings, the WACO meeting, the ISDOC Executive Committee meeting, a meeting with Golden State Water Company's Orange County general manager, the MET special Board meeting, and the MET Committee meetings.

Director Seckel advised that he attended the regularly scheduled MWDOC meetings (Planning & Operations, Administration & Finance, MWDOC/OCWD Joint Planning, and Executive Committee

meetings, as well as the Workshop and Regular Board meetings), the WACO and WACO planning meetings, the Salton Sea Fatal Flaw analysis, several OC Water Summit planning meetings, the ad hoc committee meetings on reserves, facilitated discussions and Grand Jury report (SMWD/OCWD), the San Juan Basin Authority meeting, the Delta Independent Science Board meeting, the ACWA Region 10 event, and the special MET Board meeting.

Director Tamaribuchi reported on attending the regularly scheduled MWDOC meetings (Planning & Operations, Administration & Finance, MWDOC/OCWD Joint Planning, 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 ETWD Board meeting, a meeting with MET General Manager Hagekhalil, the MWDOC/OCWD Building Management Committee meeting, IRWD’s Water Policy and Communications committee meeting, the ad hoc committee meetings regarding facilitated discussions and Grand Jury Report (OCWD/SMWD as well as one with staff), the special MET Board meeting, and the MET caucus.

Director Thomas stated that he attended most of the regularly scheduled MWDOC meetings (the Planning & Operations, Administration & Finance, MWDOC/OCWD Joint Planning, and Executive Committee meetings, as well as the Workshop and Regular Board meetings), and the OC Water Summit planning meeting(s), the WACO meeting, and the ACWA Region 10 meeting. He congratulated John Neilson on running unopposed for the EOCWD, noting he will be seated on the Board in December.

Director Yoo Schneider advised that she attended all of the regularly scheduled MWDOC meetings (Planning & Operations, Administration & Finance, MWDOC/OCWD Joint Planning, and Executive Committee meetings, as well as the Workshop and Regular Board meetings), the SMWD Board meeting and Committee meeting, SCWD Board meeting, the LBCWD Board meeting, the Water Environment Federation (WEF) Diversity, Equity & Inclusion Board Committee meeting, the ACWA Diversity, Equity & Inclusion meeting, the Festival of Butterflies event, and the WACO meeting.

**a. REQUESTS FOR FUTURE AGENDA TOPICS**

No requests for future agenda topics were received.

**CLOSED SESSION ITEMS**

At 9:30 a.m., Legal Counsel Byrne announced that the Board would adjourn to closed session to discuss the following items:

**PUBLIC EMPLOYEE PERFORMANCE EVALUATION**

Title: General Manager  
Government Code Section 54957

**CONFERENCE WITH LABOR NEGOTIATORS**

District Designated Representatives: Joseph Byrne, Legal Counsel  
Unrepresented Employee: General Manager  
Government Code Section 54957.6

**RECONVENE**

The Board reconvened at 11:05 a.m., and Legal Counsel Byrne announced that no reportable action was taken in closed session.

**ADJOURNMENT**

There being no further business to come before the Board, President Yoo Schneider adjourned the meeting at 11:05 a.m.

Respectfully submitted,

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Maribeth Goldsby, Secretary