

**MINUTES OF THE REGULAR MEETING
OF THE BOARD OF DIRECTORS
MUNICIPAL WATER DISTRICT OF ORANGE COUNTY
December 21, 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)). Following a moment of silence, Director McVicker led the Pledge of Allegiance and Secretary Goldsby called the roll.

MWDOC DIRECTORS

Al Nederhood
Larry Dick
Bob McVicker
Karl Seckel
Randall Crane
Jeffery M. Thomas
Megan Yoo Schneider

STAFF

Robert Hunter, General Manager
Harvey De La Torre, Assistant 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
Charles Busslinger, Dir. of Engineering/Dist. Eng.
Hilary Chumpitazi, Accounting Manager
Damon Micalizzi, Director of Public Affairs
Vicki Osborn, Director of Emergency Management
Cathy Harris, Director of HR and Administration
Kevin Hostert, Water Resource Analyst

ALSO PRESENT

Dennis Erdman
Linda Ackerman
Sat Tamaribuchi
Doug Davert
Kathryn Freshley
Mike Gaskins
Jose Vergara
Dennis Cafferty
Vu Chu
Doug Reinhart
Peer Swan
Stacy Taylor
Dick Fiore
Bill Moorhead
Diane Rifkin
Sherry Wanninger
Kelly Rowe
Mike Markus
John Kennedy
Chuck Gibson
Saundra Jacobs
Dan Ferons
Jim Leach
Greg Mills

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

Brad Reese
Jennifer Lopez
Brett Barbre
Tom Lindsey
Mark Toy
Dick Ackerman
Paul Jones
Charles Luas
Brooke Jones

Serrano Water District
South Coast Water District
Yorba Linda Water District
Yorba Linda Water District
Yorba Linda Water District
Ackerman Consulting
Dopudja & Wells Consulting

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.

No public comments were received.

ITEMS RECEIVED TOO LATE TO BE AGENDIZED

No items were received.

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

President 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.

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 Seckel pulled Item 9 (Professional Services Contract Award for Breakroom/Kitchen and Atrium Remodel) from the Consent Calendar for further discussion.

Director Nederhood pulled Items 2b (Administration & Finance Committee minutes), 3b (Disbursement Registers), 3c (Summary of Cash and Investments), 4 (Financial Report), and 5 (Approve Continuation of Remote Meetings Pursuant to AB 361 and Make Required Findings) from the Consent Calendar for further discussion.

With respect to the renewal of the legislative advocate contract with Best, Best & Krieger, Director Dick requested that the WEROC EOC funding effort be prioritized in their scope; he requested staff send a letter to BBK when sending the Agreement for signature (copying the Board) outlining this.

Upon MOTION by Director Seckel, seconded by Director Thomas, 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, Crane, Thomas and Yoo
 Schneider
 NOES: None
 ABSENT: None
 ABSTAIN: None

MINUTES

The following minutes were approved.

November 2, 2022 Workshop Board Meeting
 November 16, 2022 Regular Board Meeting

COMMITTEE MEETING REPORTS

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

Planning & Operations Committee Meeting: November 14, 2022
 Executive Committee Meeting: November 17, 2022

TREASURER'S REPORTS

The following items were ratified and approved as presented.

MWDOC Revenue/Cash Receipt Register as of November 30, 2022

The following items were received and filed as presented.

PARS Monthly Statement (OPEB Trust)

NOVEMBER 2022 ELECTION CERTIFICATES AND CERTIFICATE OF APPOINTMENT IN LIEU OF ELECTION

The Board received and filed the Certificates of Election for Larry D. Dick (Division 2) and Randall Crane (Division 5), and the Certificate of Appointment In Lieu of Election for Al Nederhood (Division 1).

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

The Board extended the federal advocacy contract with Natural Resource Results (NRR) for 2023.

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

The Board extended the state advocacy contract with Best, Best & Krieger (BB&K) for 2023. (As noted above, staff will send a letter asking that BBK prioritize funding efforts with respect to the WEROC EOC.)

- END CONSENT CALENDAR -

ITEMS PULLED FROM CONSENT CALENDAR FOR FURTHER CONSIDERATION

- **ADMINISTRATION & FINANCE COMMITTEE MEETING (NOVEMBER 9, 2022);**
- **MWDOC DISBURSEMENT REGISTERS (NOVEMBER/DECEMBER);**
- **MWDOC SUMMARY OF CASH AND INVESTMENT AND PORTFOLIO MASTER SUMMARY REPORT (CASH AND INVESTMENT REPORT) AS OF OCTOBER 31, 2022**
- **FINANCIAL REPORT - COMBINED FINANCIAL STATEMENTS AND BUDGET COMPARATIVE FOR THE PERIOD ENDING OCTOBER 31, 2022**

Director Nederhood highlighted the Turf Removal Program, and tied his comments to all of these items. He reiterated his request for additional statistical information regarding the water savings from the Turf Program, requesting an update from staff regarding the cost per acre-foot on the Turf Removal Program and how this ties in to the Budget and Reserves discussions.

Upon MOTION by Director Nederhood, seconded by Director Seckel, and carried (7-0) the Board approved the above referenced items, by the following roll call vote:

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

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

Following a COVID-19 update by Director of Emergency Management, Vicki Osborn, the Board discussed the timing of returning to in-person meetings. It was noted that the Governor is scheduled to end the State of Emergency at the end of February, at which time the Board will be required to return to in-person meetings (in March).

Director Nederhood expressed his desire to return to in-person meetings at the first available opportunity; Director Thomas concurred.

Following discussion, and upon MOTION by Director Seckel, seconded by Director McVicker, and carried (5-2), 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. The Board further asked that the Executive Committee discuss this issue further, and that staff evaluate returning to in-person meetings by the end of February.

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

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

PROFESSIONAL SERVICES CONTRACT AWARD FOR BREAKROOM/KITCHEN AND ATRIUM REMODEL

Director Seckel referenced the current Lease Agreement between MWDOC and OCWD, noting it requires MWDOC to notify OCWD of any building improvements prior to proceeding. As a result, he suggested postponing this item until the proper notifications have been made.

Director Seckel then referenced the write up, complimenting staff for a flexible proposal, but he suggested it be broken down into costs for various categories (e.g., breakroom, atrium, etc.); Director Nederhood disagreed noting it was reasonably thought out. Ms. Cathy Harris (Director of Administration & Human Resources) advised that the proposal before the Board was for design work and architectural review.

Discussion ensued regarding the condition of the roof, and the need to further explore costs associated with replacing the roof.

Following discussion, and upon MOTION by Director Seckel, seconded by Director Thomas, and carried (6-1), the Board voted to defer this item until January 2023, by the following roll call vote:

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

ACTION CALENDAR

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

President Yoo Schneider advised that the election of Board officers (President and Vice President) was before the Board for consideration.

Director Thomas made a MOTION, which was seconded by Director Nederhood, to elect Larry Dick as President, and Karl Seckel as Vice President.

Director Dick thanked Director Thomas for the nomination, but believed it prudent to continue with the current officers; Director Seckel concurred.

Upon SUBSTITUTE MOTION by Director Dick, seconded by Director Seckel, and carried (5-2), the Board adopted RESOLUTION NO. 2130, electing Director Megan Yoo Schneider as President, and Director Bob McVicker as Vice President, each for one year terms. RESOLUTION NO. 2130 was adopted by the following roll call vote:

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

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 Seckel, seconded by Director McVicker, and carried (7-0), the Board adopted RESOLUTION NO. 2131 appointing Maribeth Goldsby as District Secretary, Hilary Chumpitazi as Treasurer, Robert Hunter as 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 Dick, Nederhood, McVicker, Seckel, Crane, Thomas and Yoo Schneider
NOES:	None
ABSENT:	None
ABSTAIN:	None

INFORMATION CALENDAR

GENERAL MANAGER'S REPORT, DECEMBER 2022

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

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 except the Executive Committee meeting (Planning & Operations, Administration & Finance, and Executive, Committee meetings, as well as the Workshop and Regular Board meetings), the MET

Board and Committee meetings, the WACO and WACO Planning meetings, the a meeting with MWDOC staff regarding modifications to the Water Supply Reports, and the ACWA Fall Conference.

Director Dick stated that he attended all of the regularly scheduled MWDOC meetings, except the Executive Committee meeting (Planning & Operations and Administration & Finance Committee meetings, as well as the Workshop and Regular Board meetings), the regularly scheduled MET Board and Committee meetings, the WACO and WACO Planning meetings, ISDOC meeting, various Ad Hoc Committee meetings (diversity, Grand Jury Report), MET Ad Hoc Committees on legal issues and Solar Cup, and a meeting with Gloria Gray.

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 Board meeting and Regular Board meetings), the OC Water Summit planning meeting, the ACWA Fall Conference, the ISDOC Executive Committee meeting, the WACO meeting, the MET Board meeting, the MET Special Executive Committee meeting, and the OCBC Infrastructure Committee meeting.

Director Seckel advised that he attended 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 and Committee meetings, the WACO and WACO planning meetings, the OC Water Summit planning meeting, the Ad Hoc Committee meeting regarding the Grand Jury Report, a PPIC presentation regarding water surplus and shortages, the EOCWD event honoring Richard Bell, the ACC-OC Environment, Energy and Water Committee meeting, a meeting with Brian Thomas and Peer Swan re Reserves, the dinner honoring Director Tamaribuchi, the Doheny Desalination Project State Lands Commission hearing/approval, and a meeting with SMWD regarding the MET Director appointment process.

Director Crane 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 MET Board and Committee meetings, the IRWD Board meeting, and the SMWD Board meeting.

Director Thomas stated that he attended the regularly scheduled MWDOC meetings, (the Planning & Operations, Administration & Finance, and Executive Committee meetings, as well as the Workshop and Regular Board meetings), the OC Water Summit planning meeting, the WACO meeting, CRWUA conference, the ACWA Fall conference, the dinner honoring Director Tamaribuchi, the MET Committee meetings, and Doheny Desalination Project State Lands Commission hearing. Director Thomas welcomed Director Crane to the Board.

Director Yoo Schneider advised that she attended all of the regularly scheduled MWDOC meetings (Planning & Operations, Administration & Finance, and Executive Committee meetings, as well as the Workshop and Regular Board meetings), a meeting with a MWDOC MET Director, the SCWD Board meeting, the SMWD Board meeting, the Break-Through San Juan Capistrano Advisory Board meeting, the National Science Foundation's Drinking Water Advisory Committee meetings (as a voting Board member), the Water Environment Federation (WEF) Diversity, Equity & Inclusion meeting, the Women in Water (San Diego) event, the Doheny Desalination Project State Lands Commission hearing, the San Juan Capistrano City Council meeting, and the dinner honoring Director Tamaribuchi. She also noted that she gave a presentation to the the UCI Chemical Engineering undergraduate students.

a. REQUESTS FOR FUTURE AGENDA TOPICS

No items were requested.

ADJOURNMENT

There being no further business to come before the Board, President Yoo Schneider adjourned the meeting at 9:39 a.m.

Respectfully submitted,

Maribeth Goldsby, Secretary