

**MINUTES OF THE REGULAR MEETING  
OF THE BOARD OF DIRECTORS  
MUNICIPAL WATER DISTRICT OF ORANGE COUNTY  
March 15, 2023**

At 8:30 a.m., President Yoo Schneider called to order the Regular Meeting of the Municipal Water District of Orange County, in the Board Room at the District facilities located in Fountain Valley, as well as including attendance via the Zoom Webinar application. Following a moment of silence, Director Dick 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 (via Zoom)

**STAFF**

Harvey De La Torre, Interim General Manager  
Joe Byrne, Legal Counsel  
Maribeth Goldsby, Board Secretary  
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  
Joe Berg, Director of WUE

**ALSO PRESENT**

Dennis Erdman  
Linda Ackerman  
Christine Carson  
Dave Youngblood  
Doug Davert  
Kay Havens  
Mark Monin  
Jose Vergara  
Vu Chu  
Doug Reinhart  
Jim Atkinson  
Stacy Taylor  
Sherry Wanninger  
Johnathan Cruz  
Kelly Rowe  
Mike Markus  
John Kennedy  
Chuck Gibson  
Saundra Jacobs  
Jim Leach  
Chip Monaco  
Jennifer Lopez  
Greg Mills  
Brad Reese  
Tom Lindsey

MWDOC/MET Director  
MWDOC/MET Director  
Aleshire & Wynder  
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  
Irvine Ranch Water District  
Mesa Water  
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  
Santa Margarita Water District  
South Coast Water District  
Serrano Water District  
Serrano Water District  
Yorba Linda Water District

Wayne Miller	Yorba Linda Water District
Mark Toy	Yorba Linda Water District
Dick Ackerman	Ackerman Consulting
Charles Luas	Orchard Dale Water District
Lisa Ohlund	Ohlund Management & Technical Services
Kristy Khachigian	KK 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.

OCWD Director Kelly Rowe commented on MET’s Pure Water noting that it may be prudent to merge the two pipelines (Pure Water and the GWRS).

**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, however, Interim General Manager advised that the District received a letter from OCWD regarding the LAFCO MSR focused study; he advised he would address the letter with the Executive Committee.

**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.

Upon MOTION by Director McVicker, seconded by Director Seckel, and carried (6-0) the Board approved the Consent Calendar items, by the following roll call vote:

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

**MINUTES**

The following minutes were approved.

February 1, 2023 Workshop Board Meeting  
 February 15, 2023 Regular Board Meeting

**COMMITTEE MEETING REPORTS**

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

Planning & Operations Committee Meeting:	February 6, 2023
Administration & Finance Committee Meeting:	February 8, 2023
Executive Committee Meeting:	February 16, 2023

**TREASURER'S REPORTS**

The following items were ratified and approved as presented.

MWDOC Revenue/Cash Receipt Register as of February 28, 2023  
Disbursement Registers (February/March)

The following items were received and filed as presented.

Summary of Cash and Investment and Portfolio Master Summary Report (Cash and Investment Report) as of January 31, 2023

PARS Monthly Statement (OPEB Trust)

**FINANCIAL REPORT**

The following items were received and filed as presented.

Combined Financial Statements and Budget Comparative for the Period Ending January 31, 2023

**APPROVE DISTRICT PAY STRUCTURE, EFFECTIVE JANUARY 1, 2023**

The Board approved the revised MWDOC Pay Structure adding Range 23 and the General Manager Classification, effective January 1, 2023.

**WEROC EOC 100% DESIGN UPDATE AND NEXT STEPS**

The Board directed staff to: (1) thank El Toro Water District for their support and patience, but inform them that MWDOC is no longer moving forward with construction of the WEROC EOC at their site; (2) proceed with the evaluation of a mobile EOC/Command vehicle, but return to the Board with an accurate cost estimate; and (3) continue to evaluate alternatives for a permanent EOC location.

**APPROVE REVISIONS TO MWDOC'S RESERVE FUND POLICY**

The Board (1) adopted revisions to MWDOC's Administrative Code Section 2009 - Reserve Policy (A full detailed description was shown in Attachment A to the write up). Key revisions included: Classify WEROC Reserves as a Restricted Reserve; Combine certain Designated Reserves into one "Operating Reserve" to cover emergencies, unexpected or unbudgeted expenses, and building expenses; set this new "Operating Reserve" target equal to 120 days cash on hand; classify OPEB Reserves as an Unrestricted Designated Reserve; remove the Tier 2 Contingency Fund; and rename several District's Reserves for clarification and better

understanding; and (2) authorized staff to place all available funds, in excess of the newly established reserve fund targets, into the following categories and amounts: reduce MWDOC’s unfunded CalPERS liability by approximately \$1 million; provide a credit of \$500,000 to the member agencies in FY 2023-24; Place the remaining funds (approximately \$1 million) into an undesignated fund for project/program that can be utilized in the near future for local cost share for WEROC Emergency Operations Center, and/or MWDOC Project/Programs such as a groundwater storage or banking program, as directed by the Board.

**APPROVE CHANGES TO MWDOC’S RECORDS RETENTION POLICY**

Approved change to the Records Retention Schedule and authorized staff to incorporate this change into the Administrative Code.

**- END CONSENT CALENDAR -**

**ACTION CALENDAR**

**CALIFORNIA SPECIAL DISTRICTS ASSOCIATION (CSDA) 2024-2026 BOARD OF DIRECTORS CALL FOR NOMINATIONS – SOUTHERN NETWORK REGION, SEAT C**

Upon MOTION by Director Seckel, seconded by Director Dick, and carried (6-0), the Board adopted RESOLUTION NO. 2135 nominating Director Al Nederhood to the CSDA Board of Directors, Southern Network, Seat C, and directed staff to use all available resources in assisting Director Nederhood in his candidacy. Said RESOLUTION NO. 2135 was adopted by the following roll call vote:

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

**APPROVAL OF RESOLUTION DESIGNATING AUTHORIZED AGENTS FOR FY21 GRANT TRANSFER AGREEMENTS FOR HOMELAND SECURITY GRANTS AND EXECUTION OF TRANSFER AGREEMENT (\$20,000 AWARD FOR 800MHZ HANDHELD RADIOS)**

Upon MOTION by Director Seckel, seconded by Director Thomas, and carried, the Board (1) approved the execution of the 2021 Grant Transfer Agreement with the County of Orange, cities of Anaheim and Santa Ana as the Local Urban Area Security Initiative (UASI) Administrator; and (2) adopted RESOLUTION NO. 2136 giving approval to the WEROC Director of Emergency Management and the General Manager as designated Authorized Agents for FY 2021 Homeland Security Grant and authority to execute any subsequent agreements related to the FY2021 Homeland Security Grants. Said RESOLUTION NO. 2136 was adopted by the following roll call vote:

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

**INFORMATION CALENDAR****GENERAL MANAGER'S REPORT, MARCH 2023**

Interim General Manager De La Torre advised that the full General Manager's report was included in the Board packet. He highlighted the recent increase in the SWP Table "A" allocations, as well as the current water supply conditions. Discussion ensued regarding the need for additional water storage, the need to capture more water, and the importance of operating the system at maximized efficiency.

MWDOC/MET Director Dennis Erdman highlighted the recent MET Board Visioning Retreat discussions regarding the One Water Committee, and discussions regarding various storage options.

The Board received and filed the report as presented.

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

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

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 Visioning Retreat, the Water Policy dinner, the WACO and WACO Planning meetings, a meeting with staff regarding the Reserve Policy, and the Urban Water Institute Conference.

Director Dick stated that he attended all of the regularly scheduled MWDOC meetings, (Planning & Operations, Administration & Finance, and Executive Committee meetings, as well as the Workshop and Regular Board meetings), the regularly scheduled MET Board and Committee meetings, the MET Visioning Retreat, the Urban Water Institute Conference, the WACO meeting, the Special Board meeting, the ISDOC Executive Committee meeting, the MET Caucus, and the Garden Grove Chamber of Commerce Government Affairs meeting. He advised that he was a speaker at the Plaza Rotary Club, as well as the Chamber of Commerce Eggs & Issues breakfast.

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 MET Committee meetings, the OCWA luncheon, the ACWA Groundwater, Water Management, Energy and Water Quality Committee meetings, the WACO meeting, the Special Board meeting, and the ISDOC Executive 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 regularly scheduled MET Board and Committee meetings, the MET Visioning Retreat, the OCWD Board meetings (regular and special), the

Southern California Water Dialogue meeting, the ACWA Legislative Conference in Washington, DC, the MET Caucus, and the Special 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, a meeting with staff regarding the Reserve Policy, and the Special Board meeting.

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 Special Board meeting, the SMWD Board meeting, the Laguna Beach County Water District Commission meeting, OCWD Special Board meeting, and the Water Environment Federation' Federation's (WEF) Diversity, Equity and Inclusion Committee meeting.

**a. REQUESTS FOR FUTURE AGENDA TOPICS**

Director Dick referenced certain water contaminants (PFAS, etc.) and suggested the District develop an outreach packet of informational materials for use by the member agencies. It was noted that OCWD has taken the lead on this and that MWDOC staff will work with OCWD staff regarding such an endeavor. It was requested that a briefing on this subject be added to the April 26, 2023 MWDOC/OCWD Joint Planning Committee meeting agenda.

Director Thomas suggested an update on Water Supply conditions and storage be made at an upcoming meeting.

Director Seckel suggested an update on the MET/SDCWA litigation be addressed at a future meeting.

**CLOSED SESSION ITEMS**

At 9:23 a.m., the Board adjourned to closed session to discuss the following matters:

**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, now 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. BS161729, transferred to San Francisco Superior Court, now 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, now Case CPF-18-516389.

**RECONVENE**

The Board reconvened at 10:07 a.m., and Legal Counsel Carson advised 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 10:09 a.m.

Respectfully submitted,

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Maribeth Goldsby, Secretary