

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

June 7, 2023

At 8:30 a.m., Vice President McVicker called to order the Workshop Meeting of the Municipal Water District of Orange County in Conference Room 101 at the District facilities located in Fountain Valley, as well as including attendance via the Zoom Webinar application. Director Seckel led the Pledge of Allegiance and Secretary Goldsby called the roll.

MWDOC DIRECTORS

Al Nederhood
Larry Dick* (absent)
Karl W. Seckel*
Bob McVicker
Randall Crane
Jeffery M. Thomas
Megan Yoo Schneider (absent)

STAFF

Harvey De La Torre, Interim General Mgr.
Joe Byrne, Legal Counsel
Maribeth Goldsby, District Secretary
Melissa Baum-Haley, Int. Dir. of MET Issues/Policy
Alex Heide, Water Resources Analyst (absent)
Charles Busslinger, Dir. of Engineering/Dist. Eng.
Kevin Hostert, Water Resources Analyst
Heather Baez, Governmental Affairs Manager
Hilary Chumpitazi, Accounting Manager

*Also MWDOC-MET Directors

OTHER MWDOC-MET DIRECTORS

Linda Ackerman
Dennis Erdman

OTHERS PRESENT

Sara Tucker (absent)
Garrett Durst
Syrus Devers
Dick Ackerman
Ed Means
Paul Jones
Peter Whittingham
Dave Youngblood
Kathryn Freshley
Mike Gaskins
Kay Havens
Mark Monin
Jose Vergara
Vu Chu
Dennis Cafferty
Toby Moore
Doug Reinhart
Peer Swan
Paul Weghorst
Jim Atkinson

NRR
NRR
Best, Best & Krieger
Ackerman Consulting
Means Consulting
Dopudja & Wells Consulting
Whittingham Public Affairs Advisors
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
El Toro Water District
Golden State Water Company
Irvine Ranch Water District
Irvine Ranch Water District
Irvine Ranch Water District
Mesa Water

Dick Fiore	Moulton Niguel Water District
Sherry Wanninger	Moulton Niguel Water District
Laura Rocha	Moulton Niguel Water District
Kaden Young	Moulton Niguel Water District
Cathy Green	Orange County Water District
Kelly Rowe	Orange County Water District
Mike Markus	Orange County Water District
John Kennedy	Orange County Water District
Alicia Dunkin	Orange County Water District
Sandy Scott-Roberts	Orange County Water District
Chuck Gibson	Santa Margarita Water District
Saundra Jacobs	Santa Margarita Water District
Jim Leach	Santa Margarita Water District
Greg Mills	Serrano Water District
Brad Reese	Serrano Water District
Tom Lindsey	Yorba Linda Water District
Wayne Miller	Yorba Linda Water District
Lisa Ohlund	Ohlund Management & Technical Services
Emily Novak	San Diego County Water Authority
Kristy Khachigian	KK Consulting

PUBLIC PARTICIPATION/PUBLIC COMMENTS

Vice President McVicker inquired whether any members of the public wished to comment on agenda items.

No public comments were received.

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

Vice President McVicker inquired as to whether there were any items distributed to the Board less than 72 hours prior to the meeting.

No items were distributed to the Board less than 72 hours prior to the meeting.

In an effort to accommodate schedules, the agenda was reorganized as follows.

ACTION ITEM

ADOPT RESOLUTION IN SUPPORT OF CATHY GREEN FOR ACWA PRESIDENT

OCWD Director Cathy Green asked that the MWDOC Board support her in her candidacy for ACWA President.

Director Nederhood questioned Director Green's support of a potential consolidation between MWDOC and OCWD, asking whether it was in MWDOC's best interests to support her candidacy. Ms. Green responded that she is not advocating for a consolidation, but does support the OC LAFCO MSR Focused Study in an effort to gain answers and clarity on various consolidation roadblocks and issues.

Upon MOTION by Director Seckel, seconded by Director Crane, and carried (4-1) the Board adopted RESOLUTION NO. 2141 supporting the nomination of Cathy Green as a candidate for ACWA President. Said RESOLUTION NO. 2141 was adopted by the following roll call vote:

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

PRESENTATION / DISCUSSION ITEMS

PRESENTATION BY MWDOC STAFF REGARDING NEXT STEPS ON CLIMATE ADAPTATION MASTER PLAN

Director of Metropolitan Issues & Policy, Melissa Baum-Haley, presented an update on MET's Climate Adaptation Master Plan (CAMP). Dr. Baum-Haley stated that on May 23, 2023, the MET Board held a workshop focused on terminology of interests and initial discussions of guiding principles (which are intended to be high-level and actionable statements of what the Board wants the CAMP to accomplish). She then presented an overview of the planning process, starting from the Board retreat held in February 2023, through the potential decision making framework, as well as outlining the terminology definitions and guidelines for developing the CAMP (reliability, resilience, affordability and financial sustainability). She expanded on how these issues/terms are used in current practice versus how evolving climate conditions may impact them in the future.

Considerable discussion ensued, with emphasis on the complexity of the process (with some mentioning it has also been confusing), cost and financial effects, whether current programs like the LRP will continue (along with financial ramifications), the need to evaluate the fundamental component of MET's business model and how CAMP would affect it, how existing policies (e.g., the Laguna Declaration) would be impacted, MET's rate structure and potential impacts, and the parallel process to address State Water Project dependent area needs.

Following discussion, the Board received and filed the report.

LEGISLATIVE ACTIVITIES

a. Federal Legislative Report (NRR)

Mr. Garrett Durst (NRR) reviewed NRR's written report in the packet, highlighting the Fiscal Responsibility Act (and associated spending allowances), noting that this includes the permitting process reform provisions. He also highlighted Waters of the US, Colorado River Aqueduct negotiations, and the STREAM Act. Mr. Durst advised that due to the Fiscal

Responsibility Act discussions/negotiations, a pause was placed on the appropriations process (WEROC earmark funding) and that more information would be available next month.

The Board received and filed the report.

b. State Legislative Report

Mr. Syrus Devers, of BBK, reviewed his report, highlighting additional matters including the passage of all water rights legislative bills even though the water community was opposed to the legislation. He also reviewed the status of budget trailer bills.

Following discussion, the Board received and filed the report.

c. Legal and Regulatory Report (Ackerman)

Mr. Dick Ackerman referenced his report, highlighting attempts at the California CEQA reform, the potential for increased PFAS limits, and a \$100 million gift from Donald Bren to CalTech to form the Space-Based Solar Power Panel Project (developing technology capable of generating solar power in space and beaming it back to earth).

The Board received and filed the report.

d. County Legislative Report (Whittingham)

Mr. Peter Whittingham referenced his written report, and he updated the Board on California's "Builders Remedy" which can be used by builders to avoid local zoning requirements when a locality's housing element does not substantially comply with the law.

e. MWDOC Legislative Matrix

The Board received and filed the report.

f. Metropolitan Legislative Matrix

The Board received and filed the report.

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

Director Erdman highlighted the Engineering, Operations & Technology Committee activities, as well as items to be brought before the MET Board in June: contract with AECOM re desalination studies, the amendment of the Capital Investment Plan, on-call agreements with Kennedy Jenks Consultants, Lee & Ro, Inc. and Stantec Consulting Services, Inc. (engineering services not to exceed \$10 million); and a contract award to J.F. Shea Construction (\$16,490,000).

Director Ackerman highlighted that MET received a \$20 million grant application to the Sacramento-San Joaquin Delta Conservancy to develop a multi-benefit landscape opportunity on Webb Tract; and authorized the General Manager to enter into an agreement with Western Municipal Water District, Rubidoux Community Services District, West Valley Water District,

and San Bernardino Valley Municipal Water District to deliver water to Western’s service area through facilities not owned by Metropolitan or Western.

ACTION ITEMS

AB 334 (B. RUBIO) – PUBLIC CONTRACTS: CONFLICTS OF INTEREST

Upon MOTION by Director Seckel, seconded by Director Thomas, and carried (5-0), the Board adopted a support position on AB 334 (B. Rubio) and authorized a letter be sent to the author and the Orange County delegation, by the following roll call vote:

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

INFORMATION ITEMS

MWD ITEMS CRITICAL TO ORANGE COUNTY

- a. MET Finance and Rate Issues
- b. MET Water Supply Conditions Update
- c. Water Quality Update
- 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 reports regarding the May MET Board Meeting
- b. MET 4-Month Outlook on Upcoming Issues (not available)
- c. Review items of significance for the upcoming MET Board and Committee Agendas

The report was received and filed.

ADJOURNMENT

There being no further business, the meeting adjourned at 10:32 a.m.

Maribeth Goldsby
Board Secretary