

**MINUTES OF THE REGULAR MEETING
OF THE BOARD OF DIRECTORS
MUNICIPAL WATER DISTRICT OF ORANGE COUNTY
August 21, 2024**

At 8:30 a.m., Vice President Thomas 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 via the Zoom Webinar application. Following a moment of silence, Director Yoo Schneider led the Pledge of Allegiance and Secretary Goldsby called the roll.

MWDOC DIRECTORS

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

STAFF

Harvey De La Torre, General Manager
Joe Byrne, Legal Counsel
Maribeth Goldsby, District Secretary
Melissa Baum-Haley, Assistant General Manager
Heather Baez, Director of Governmental Affairs
Alex Heide, Sr. Water Resources Analyst
Cathy Harris, Director of HR/Administration
Charles Busslinger, Dir. of Engineering/Dist. Eng.
Kevin Hostert, Sr. Water Resources Analyst
Sarina Sriboonlue, Principal Engineer
Damon Micalizzi, Director of Public Affairs
Tiffany Baca, Public Affairs Manager
Hilary Chumpitazi, Director of Finance/IT
Joe Berg, Director of WUE
Chloe Choi, Accounting Technician

ALSO PRESENT

Christine Carson
Linda Ackerman
Dennis Erdman
Doug Davert
Kathryn Freshley
Mike Gaskins
Kay Havens
Mark Monin
Sherri Seitz
Paul Weghorst
Jim Fisler
Duane Cave
Dick Fiore
Don Froelich
Sherry Wanninger
Joone Kim-Lopez
Ian Berg
John Kennedy
Chris Olsen
Laura Freese
Chuck Gibson
Saundra Jacobs
Frank Ury

Aleshire & Wynder
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
Mesa Water
Moulton Niguel Water District
Moulton Niguel Water District
Moulton Niguel Water District
Moulton Niguel Water District
Moulton Niguel Water District
Moulton Niguel 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

Rick Shintaku
Brett Barbre
Tom Lindsey
Dick Ackerman
Emily Novak
Charles Luas
Mike Markus

South Coast Water District
Yorba Linda Water District
Yorba Linda Water District
Ackerman Consulting
San Diego County Water Authority
Orchard Dale Water District

TELECONFERENCE SITE

Director McVicker participated via teleconference location (all agenda requirements pursuant to the Ralph M. Brown Act requirements were complied with).

PUBLIC PARTICIPATION/PUBLIC COMMENT

Vice President Thomas 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. Vice President Thomas asked whether any member of the public had any comments on items that were 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

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

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

EMPLOYEE SERVICE AWARD

Vice President Thomas, along with General Manager De La Torre and Director of Public Affairs Micalizzi, presented an award to Public Affairs Manager Tiffany Baca for fifteen years of service with the District.

INTRODUCTION OF NEW EMPLOYEE

General Manager De La Torre and Director of Finance/IT Chumpitazi introduced Chloe Choi (recently hired Accounting Technician) to the Board.

CONSENT CALENDAR

Vice President Thomas 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 Crane, seconded by Director Yoo Schneider, and carried (6-0), the Board approved the following Consent Calendar items, by the following roll call vote:

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

MINUTES

The following minutes were approved.

July 3, 2024 Workshop Board Meeting
 July 17, 2024 Regular Board Meeting

COMMITTEE MEETING REPORTS

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

Planning & Operations Committee Meeting:	July 1, 2024
Administration & Finance Committee Meeting:	July 10, 2024
Executive Committee Meeting:	July 18, 2024
MWDOC/OCWD Joint Planning Committee:	July 24, 2024

TREASURER'S REPORTS

The following items were ratified and approved as presented.

MWDOC Revenue/Cash Receipt Register as of July 31, 2024
 Disbursement Registers (July/August)

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 June 30, 2024
- 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 June 30, 2024
- Quarterly Budget Review (deferred to FY 2023-24 Audited Annual Financials)

MWDOC WATER LOSS CONTROL PROGRAM STAFFING ANALYSIS

The Board authorized the General Manager to transition two part-time Water Loss Control Intern positions (totaling approximately 1 FTE) into one fully choice-funded full-time Water Loss Control Technician (1 FTE) to better serve participating agencies with Distribution System Leak Detection and other Water Loss Control Shared Services.

2024 CONFLICT OF INTEREST CODE -- BIENNIAL REVIEW

The Board authorized staff to submit the 2024 Biennial Review Code changes to the Orange County Clerk of the Board of Supervisors as recommended by the Administration & Finance Committee.

- END CONSENT CALENDAR -

DISCUSSION ITEM

MEMBER AGENCY SPOTLIGHT – MOULTON NIGUEL WATER DISTRICT

Following an introduction by General Manager De La Torre, Joone Kim-Lopez (MNWD General Manager) and Matt Collings (MNWD Assistant General Manager) presented information regarding MNWD’s innovations and partnerships, governance structure, key challenges and strategies, industry engagements, Resiliency Action Plan, water reliability and resiliency, current Water Reuse Program (OASIS) (including challenges and opportunities), and MNWD’s efforts with respect to workforce development.

Following a brief discussion and question/answer period, the Board thanked Ms. Kim-Lopez and Mr. Collings and received and filed the report.

INFORMATION CALENDAR

GENERAL MANAGER’S REPORT, AUGUST 2024

General Manager De La Torre advised that the full General Manager’s report was included in the Board packet.

Dr. Melissa Baum-Haley (Assistant General Manager) announced that the Bureau of Reclamation recently awarded MWDOC a Water Use Efficiency Grant in the amount of \$100,000 for the Orange County Commercial, Industrial & Institutional (CII) Water Conservation Planning Project. The grant application was prepared in-house by Rachel Waite (WUE Programs Supervisor) and Sam Fetter (Water Use Efficiency Analyst II).

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 the regularly scheduled MWDOC meetings (Planning & Operations, Administration & Finance, Executive, and MWDOC/OCWD Joint Planning Committee meetings, as well as the Workshop and Regular Board meetings), the MET meetings, the WACO and WACO planning meetings, and the OC Water Summit planning meeting(s). He then provided an update highlighting the MET Board activities and he encouraged all to attend or listen in to the MET meetings.

Director Yoo Schneider advised that she attended the regularly scheduled MWDOC meetings (Planning & Operations, Administration & Finance, Executive, and MWDOC/OCWD Joint Planning Committee meetings, as well as the Workshop and Regular Board meetings), several member agency Board meetings (including SMWD and SCWD) and Committee meetings, the WACO meeting, the Festival of Butterflies, a meeting with representatives with CCEEB, as well as the CCEEB Water Chemistry & Waste Committee meeting, and the Water Environment Federation's Membership Committee meeting.

Director Crane reported that he attended all of the regularly scheduled MWDOC meetings (Planning & Operations, Administration & Finance, Executive, and MWDOC/OCWD Joint Planning Committee meetings, as well as the Workshop and Regular Board meetings), member agency meetings, the ISDOC luncheon, the WACO meeting, and the MET Board meeting.

Director Seckel advised that he attended the regularly scheduled MWDOC meetings (Planning & Operations, Administration & Finance, Executive, and MWDOC/OCWD Joint Planning Committee meetings, as well as the Workshop and Regular Board meetings), the regularly scheduled MET Board and Committee meetings, a meeting with a MNWD Director, a meeting with Three Valleys MWD, the MET Caucus, the WACO meeting, and a meeting with Carolyn Shafter and Fred Jung regarding inspection trips.

Director McVicker reported that he attended all of the regularly scheduled MWDOC meetings (Planning & Operations, Administration & Finance, Executive, and MWDOC/OCWD Joint Planning Committee meetings, as well as the Workshop meeting and Regular Board meetings), the MET Committee and subcommittee meetings, the WACO and WACO Planning meetings, and the ISDOC Executive Committee meeting.

Director Thomas stated that he attended all of the regularly scheduled MWDOC meetings (Planning & Operations, Administration & Finance, Executive, and MWDOC/OCWD Joint Planning Committee meetings, as well as the Workshop and Regular Board meetings), as well as the OC Water Summit planning meeting(s).

b. REQUESTS FOR FUTURE AGENDA TOPICS

Director Chuck Gibson (SMWD) referenced the California as a Way of Life State Standards and suggested that MWDOC evaluate the development of a form or template to help the member

agencies track unfunded state mandated costs associated with implementation of the new regulations.

Director Seckel asked Legal Counsel Byrne to provide background information on the Otay Water District decision relative to tiered rate structures; Legal Counsel Byrne advised that he would provide a summary for the Board.

CLOSED SESSION ITEMS

At 9:47 a.m., Legal Counsel Byrne reported that the Board would adjourn to closed session with Legal Counsel Carson 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

At 10:06 a.m., Legal Counsel Carson departed the closed session and announced that no reportable action was taken in closed session.

CLOSED SESSION

The Board then continued in closed session with Legal Counsel Byrne to discuss the following matters:

PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Title: General Manager
Government Code Section 54957

CONFERENCE WITH LABOR NEGOTIATORS

Agency designated representatives: General Counsel
Unrepresented employee: General Manager

RECONVENE

The Board reconvened at 11:45 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, Vice President Thomas adjourned the meeting at 11:46 a.m.

Respectfully submitted,

Maribeth Goldsby, Secretary