

MINUTES OF MEETING
BOARD OF DIRECTORS, ORANGE COUNTY WATER DISTRICT
January 18, 2023, 5:30 p.m.

President Green called to order the January 18, 2023 regular meeting of the Orange County Water District Board of Directors at 5:30 p.m. Following the Pledge of Allegiance to the Flag, the District Secretary called the roll and reported a quorum as follows. Due to the continuing state of emergency declared by the Governor related to preventing the spread of COVID-19 and pursuant to Government Code Section 54953(e), members of the Board participated via Zoom webinar from remote locations. Public access was also provided via Zoom webinar.

Directors

Valerie Amezcua
Denis Bilodeau
Cathy Green
Dina Nguyen (absent)
Natalie Meeks
Kelly Rowe
Stephen Sheldon
Van Tran
Bruce Whitaker
Roger Yoh

Staff

Michael R. Markus, General Manager
Jeremy Jungreis, General Counsel
Janice Durant, District Secretary

EMPLOYEE OF THE YEAR/QUARTER AWARD

The Board presented the Employee of the Quarter/Year to Senior Regulatory Specialist Claire Johnson.

VISITOR PARTICIPATION

There were no visitors wishing to address the Board at tonight's meeting.

CONSENT CALENDAR

Director Rowe requested the removal of Item No. 5, *Committee and Outside Agency Assignments*, from the Consent Calendar. The balance of the Consent Calendar was then approved upon motion by Director Whitaker, seconded by Director Tran carried [7-0-3] as follows, with Director Bilodeau abstaining on Item No. 8, due to Government Code Section 84308.

Ayes: Bilodeau, Green, Rowe, Sheldon, Tran, Whitaker, Yoh
Absent: Amezcua, Meeks, Nguyen
Abstain: Bilodeau, Item No. 8

1. Approval of Cash Disbursements

MOTION NO. 23-4
APPROVING CASH DISBURSEMENTS

Payment of bills for the period of December 29, 2022 through January 11, 2023 in the total amount of \$21,206,818.94 is ratified and approved.

2. Minutes of Board of Directors Meetings

MOTION NO. 23-5
APPROVING MINUTES OF BOARD OF DIRECTORS MEETING

The Minutes of the Board of Directors meeting held December 7, 2022 are hereby approved as presented.

3. Mesa Water District Director Fred Bockmiller Nomination to ACWA JPIA Executive Committee

RESOLUTION NO. 23-1-3
CONCURRING IN NOMINATION TO THE EXECUTIVE COMMITTEE
OF THE ASSOCIATION OF CALIFORNIA WATER AGENCIES JOINT POWERS INSURANCE
AUTHORITY ("JPIA")

WHEREAS, this District is a member district of the JPIA; and

WHEREAS, the Bylaws of the JPIA provide that in order for a nomination to be made to JPIA's Executive Committee, three member districts must concur with the nominating district, and

WHEREAS, another JPIA member district, the Orange County Water District has requested that this district concur in its nomination of its member of the JPIA Board of Directors to the Executive Committee of the JPIA;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Orange County WATER District that this district concurs with the nomination of Fred Bockmiller of Mesa Water District to the Executive Committee of the JPIA.

BE IT FURTHER RESOLVED that the District Secretary is hereby directed to transmit a CERTIFIED copy of this resolution to the JPIA at P.O. Box 619082, Roseville, CA 95661-9082, forthwith.

4. Resolution Commending OC San District General Manager Jim Herberg Upon His Retirement

RESOLUTION NO. 23-1-4
COMMEMORATING THE RETIREMENT OF JAMES D. HERBERG FROM THE ORANGE
COUNTY SANITATION DISTRICT

WHEREAS, James D. Herberg is completing his tenure as General Manager of the Orange County Sanitation District (OC San), having served OC San from 1986-1989 and then from 1995 through February 9, 2023; and

WHEREAS, Mr. Herberg has spent his 30-year career in the water and wastewater fields starting out as an Engineer and rising through the ranks to become General Manager, and is a well-known and respected leader in the industry; and

WHEREAS, Mr. Herberg previously worked at the Orange County Water District (OCWD) having served as the Project Manager for the Groundwater Replenishment System (GWRS) microfiltration demonstration project for full-scale evaluation of microfiltration as pretreatment for reverse osmosis; and

WHEREAS, with Mr. Herberg’s management and guidance, OC San and OCWD expanded upon a decades-long partnership to do the unthinkable – purifying wastewater into high-quality drinking water that meets all state and federal drinking water standards. The GWRS purifies wastewater that would otherwise be discharged into the ocean, enhances water quality, protects the Orange County Groundwater Basin (Basin) from seawater intrusion, and recharges the Basin bringing an increased local water supply and water reliability to the region; and

WHEREAS, Mr. Herberg was instrumental in working with OCWD to bring the GWRS online in 2008 as the world’s largest water purification system for indirect potable reuse, producing 70 million gallons of water a day (70 MGD). He also helped lead the implementation of the initial expansion in 2015, producing 100 MGD and the final expansion, which will produce 130 MGD in early 2023, enough to serve nearly one million people in north and central Orange County.

WHEREAS, under Mr. Herberg’s leadership, a \$2 million effluent reuse study was initiated to identify operational and treatment plant improvements necessary for OC San to best support the final expansion of GWRS and move towards achieving OC San’s goal of recycling 100% of wastewater flows, thereby maximizing water recycling efforts in the area; and

WHEREAS, in 2016 Mr. Herberg and members of the OC San and OCWD Board of Directors advocated to bottle GWRS water. Through their efforts, AB 2022 was signed by Governor Jerry Brown and took effect in January 2017, making our agencies the only ones in the Western Hemisphere to distribute bottles of purified recycled water for educational outreach; and

WHEREAS, Mr. Herberg partnered with OCWD on additional legislative, outreach and educational initiatives to demonstrate the award-winning GWRS project and its benefits with local residents, businesses, community leaders, and the broader water industry; and

WHEREAS, Under the leadership and direction of Mr. Herberg, the Orange County Sanitation District and Orange County Water District maintained an unparalleled level of cooperation between the two agencies which set an example for all water resources agencies of what can be achieved and accomplished when two agencies work together for the benefit of the rate payers;

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Orange County Water District does hereby officially commend and congratulate James D. Herberg on his successful leadership at the Orange County Sanitation District and wishes him well in his retirement and continued success in his future endeavors.

5. 2023 Board Committee and Outside Agency Assignments

This item was removed from the Consent Calendar and considered later in tonight’s meeting.

6. 2023-2024 Orange County Water District Legislative Goals and Platform

RESOLUTION NO. 23-1-5
APPROVING OCWD 2023-24 LEGISLATIVE GOALS AND PLATFORM

RESOLVED, that the OCWD 2023-2024 Legislative Goals and Platform is hereby adopted as presented.

7. PFAS Outreach & Education Consultant

RESOLUTION NO. 23-1-6
APPROVING EXTENSION TO AGREEMENT WITH HASHTAG PINPOINT TO PERFORM PFAS
OUTREACH AND EDUCATION SERVICES

RESOLVED, that extension of the Agreement with Hashtag Pinpoint to perform PFAS outreach and education services at a cost of \$5,000 per month for six months, for an amount not to exceed \$30,000 is hereby authorized; and, upon approval as to form by District General Counsel, its execution by the District officers is authorized.

ITEMS RECOMMENDED FOR APPROVAL AT WATER ISSUES COMMITTEE MEETING HELD
JANUARY 11

8. Agreement Amendment with Dopudja & Wells Consultants

RESOLUTION NO. 23-1-7
APPROVING AMENDMENT TO AGREEMENT WITH DOPUDJA & WELLS CONSULTANTS

RESOLVED, that issuance of an Amendment to the Agreement with Dopudja & Wells increasing the contract amount from \$19,999 to \$34,999 is authorized to assist with completion of the Santa Ana River Conservation and Conjunctive Use Program (SARCCUP) Extraordinary Supply Agreement and to assist in the potential development of revisions to the existing South County Emergency Water Supply Agreement; and, upon approval as to form by District General Counsel, its execution by the District officers is authorized.

9. Agreement with DDB Engineering for Preparation of 2022 GWRS Annual Report

RESOLUTION NO. 23-1-8
APPROVING AGREEMENT WITH DDB ENGINEERING FOR PREPARATION
OF 2022 GWRS ANNUAL REPORT

RESOVLED, that issuance of an Agreement is authorized to DDB Engineering Inc. for an amount not to exceed \$58,825 to provide consulting services for the preparation of the calendar year 2022 GWRS Annual Report

10. Fiscal Year 2022-23 Basin Production Percentage Public Hearing – Suspension of Coastal Pumping Transfer Program and Imported Water Purchases

MOTION NO. 23-6
SCHEDULING PUBLIC HEARING TO INCREASE THE BASIN PRODUCTION PERCENTAGE AND
TO SUSPEND PURCHASES OF IMPORTED WATER FOR REMAINDER OF FISCAL YEAR

A public hearing is hereby scheduled for February 1, 2023 to increase the Basin Production Percentage from 77% to 96.2% for the remaining five months of the fiscal year (resulting in an average BPP for the entire year of 85%); and to suspend purchases of imported water for the remainder of the year.

11. Staff Review of Directors Rowe/Whitaker Memo on Coastal Seawater Barrier and Replenishment Network

MOTION NO. 23-7

DIRECTING STAFF TO PREPARE MORE DETAILED RECOMMENDED SCOPE OF WORK FOR DIRECTORS ROWE AND WHITAKER MEMO ON A COASTAL SEAWATER BARRIER AND REPLENISHMENT NETWORK

Staff is directed to return to the Water Issues Committee with a more detailed recommended scope of work for the following activities: 1) engineering/feasibility study for a potential future Sunset Gap seawater barrier, 2) condition assessment for Talbert Barrier pipelines, 3) condition assessment and replacement plan for Talbert Barrier injection wells, and 4) study of additional ways to get more supply out of the groundwater basin such as pumping amber-colored groundwater in the Deep aquifer

ITEMS RECOMMENDED FOR APPROVAL AT ADMINISTRATION FINANCE COMMITTEE MEETING HELD JANUARY 12

12. Monthly Cash Control Report

MOTION NO. 23-8

RECEIVING AND FILING THE MONTHLY CASH CONTROL REPORTS

The Summary Cash and Cash Equivalents Control Reports dated December 31, 2022 are hereby received and filed.

13. Investment Portfolio Holdings Reports

MOTION NO. 23-9

RECEIVING AND FILING INVESTMENT PORTFOLIO HOLDINGS REPORTS

The Investment Portfolio Holdings Reports dated December 31, 2022 are hereby received and filed.

14. Agreement to ACCO Engineered Systems for Annual Maintenance of HVAC Equipment

RESOLUTION NO. 23-1-9

APPROVING AGREEMENT TO ACCO ENGINEERED SYSTEMS FOR ANNUAL MAINTENANCE OF HVAC EQUIPMENT

RESOLVED, that issuance of an Agreement to ACCO Engineered Systems is authorized for maintaining the HVAC equipment associated with the GWRS and other Fountain Valley campus buildings, for an amount not to exceed \$303,600 over a three-year period; and, upon approval as to form by District General Counsel, its execution by the District officers is authorized.

15. Kraemer Basin Control Room Roof Repair Budget Increase

RESOLUTION NO. 23-1-10
AUTHORIZING PURCHASE ORDER TO BEST CONTRACTING SERVICES, INC. FOR KRAEMER
BASIN CONTROL BUILDING ROOL REPAIR AND INCREASING PROJECT

RESOLVED, that issuance of a Purchase Order is authorized to Best Contracting Services, Inc. in the amount of \$10,289 for the Kraemer Basin Control Building Roof Repair, and in increase in the project budget of \$3,617, is authorized for a total project budget of \$12,000.

16. Basin Production Percentage and Replenishment Assessment Estimates for Fiscal Year 2023-24

MOTION NO. 23-10
PROVIDING BASIN PRODUCTION PERCENTAGE AND REPLENISHMENT ASSESSMENT
ESTIMATES FOR FISCAL YEAR 2023-24 TO GROUNDWATER PRODUCERS

Staff is authorized to provide the following Fiscal Year 2023-24 Replenishment Assessment and Basin Production Percentage estimates to the Groundwater Producers: Combined Replenishment Assessment & Additional RA - \$624/acre-foot; and Basin Production Percentage - 85%.

17. District Participation at SIWW 2023 Conference and Technical Exchange with Singapore Public Utilities Board (PUB)

MOTION NO. 23-11
AUTHORIZING DISTRICT PARTICIPATION AT SIWW 2023 CONFERENCE AND TECHNICAL
EXCHANGE WITH SINGAPORE PUBLIC UTILITIES BOARD (PUB)

Two District representatives are authorized to participate in the Singapore International Water Week Conference and technical exchange activities with Singapore PUB at District expense.

ITEM REMOVED FROM CONSENT CALENDAR FOR CONSIDERATION

5. 2023 Board Committee And Outside Agency Assignments

Director Rowe advised that the American Desalting Association no longer exists and requested it be removed from the Assignments. Mr. Markus noted that the ADA is now known as the American Membrane Technology Association. Director Yoh noted that he wished to be removed from the GWRS Steering Committee and suggested that Director Rowe be selected to serve on that Committee. The Board concurred on those changes and took the following action.

MOTION NO. 22-12
RATIFYING 2023 BOARD COMMITTEE AND OUTSIDE AGENCY ASSIGNMENTS

Upon motion by Director Rowe, seconded by Director Yoh and carried [8-0-2], the 2023 Board Committee and Outside Agency assignments as recommended by the Board President, on file at the District office, are hereby ratified with the changes suggested by the Board as noted above.

Ayes: Bilodeau, Green, Meeks, Rowe, Sheldon, Tran, Whitaker, Yoh

Absent: Amezqua, Nguyen

INFORMATIONAL ITEMS

18. Board & Committee Meeting Administration

Executive Director John Kennedy noted that the Governor's State of Emergency is set to expire on February 28 and stated that the District would reopen its campus on that date. He then summarized the provisions of newly passed AB 2449 that provides some flexibility to allow directors to remotely participate in Board meetings under certain circumstances. Mr. Kennedy stated that staff is currently exploring ways to implement videoconferencing during Board and Committee meetings by utilizing Zoom, noting that two potential options are being considered: 1) installing a camera on the back wall of the Boardroom which would be accessible through Zoom for an estimated cost of \$3,000 - \$5000; and 2) providing iPads or laptops for Directors' use during meetings for Zoom video purposes for an estimated cost of \$5,000 - \$8,000. The Board requested that staff include MWDOC in these discussions.

19. Update on Orange County Grand Jury Report – Water In Orange County Needs “One Voice”

Mr. Kennedy reviewed the Board actions from the last Board meeting regarding development of Deal Points for an agreement with MWDOC as a compromise to implementing the Grand Jury's recommendation to consolidate the two agencies. He noted that the Board suggested holding a retreat with MWDOC and advised that MWDOC intends to discuss the proposed retreat at the upcoming Joint Planning Committee meeting.

20. Water Resources Summary

There was no discussion of this item.

21. SAWPA Commission Activities

Director Whitaker updated the Board on recent SAWPA Commission activities.

22. Committee/Conference/Meeting Reports

The Board reported on attendance at the following Committee meetings, noting the Action Agendas were included in tonight's Board packet.

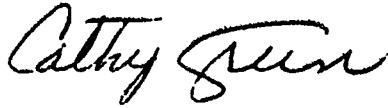
Jan 05	-	Communication and Legislative Liaison Committee
Jan 11	-	Water Issues Committee
Jan 12	-	Administration and Finance Issues Committee

24. Verbal Reports

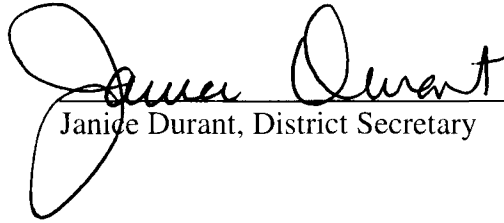
Director Green reported on her attendance at the ACWA Region 9 meeting on January 12 General Manager Markus advised that today is the 15th anniversary of the GWRS going online.

ADJOURNMENT

There being no further business to come before the Board, the meeting adjourned at 6:40 p.m.



Cathy Green, President



Janice Durant, District Secretary