

MINUTES OF MEETING
BOARD OF DIRECTORS, ORANGE COUNTY WATER DISTRICT
November 15, 2023, 5:30 p.m.

President Green called to order the November 15, 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. Public access was also provided via Zoom webinar.

Directors

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

Staff

Mike Markus, General Manager
Jeremy Jungreis, General Counsel
Christina Fuller, District Secretary

VISITOR PARTICIPATION

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

CONSENT CALENDAR

The Consent Calendar was then approved upon motion by Director Amezcua seconded by Director Meeks and carried [9-0] as follows.

Ayes: Amezcua, Bilodeau, Green, Meeks, Nguyen, Rowe, Tran, Whitaker, Yoh
Absent: Sheldon

1. Approval of Cash Disbursements

MOTION NO. 23-111
APPROVING CASH DISBURSEMENTS

Payment of bills for the period of October 26, 2023 through November 8, 2023 in the total amount of \$2,919,043.20 is ratified and approved.

2. Minutes of Board of Directors Meetings held October 18, November 1, November 3, and November 8, 2023

MOTION NO. 23-112
APPROVING MINUTES OF BOARD OF DIRECTORS MEETINGS

The Minutes of the Board of Directors meeting held October 18, November 1, November 3, and November 8, 2023 are hereby approved as presented.

3. General Manager Employment Agreement

RESOLUTION NO. 23-11-148
AUTHORIZING AGREEMENT APPOINTING JOHN KENNEDY AS GENERAL MANAGER

RESOLVED, that a five-year employment Agreement appointing John Kennedy as General Manager, effective January 27, 2024 is authorized; and, upon approval as to form by District General Counsel, its execution by the District officers is authorized.

ITEMS RECOMMENDED FOR APPROVAL AT PROPERTY MANAGEMENT COMMITTEE MEETING HELD OCTOBER 27

4. Corona Recreation, Inc. Request for Tree Trimming at Warner Basin

MOTION NO. 23-113
AUTHORIZING RENT CREDIT TO CORONA RECREATION FOR TREE TRIMMING AT WARNER BASIN

The General Manager is provided with discretionary authority to provide a rent credit to Corona Recreation not to exceed \$27,900 as reimbursement for emergency branch removal and additional tree trimming services retained by Corona Recreation to expedite immediate tree trimming due to the safety issue brought to the Property Management Committee’s attention.

ITEMS RECOMMENDED FOR APPROVAL AT COMMUNICATIONS AND LEGISLATIVE LIASION COMMITTEE MEETING HELD NOVEMBER 2

5. Federal Legislative Update

RESOLUTION NO. 23-11-149
ADOPTING POSITION ON FEDERAL LEGISLATION

RESOLVED, that the following positions on Federal legislation are hereby adopted.

Bill Number/Author	Short Title	Recommendation
S. 2514 (Bennet, D-CO)	Colorado River Basin Salinity Control Fix Act	Support

ITEMS RECOMMENDED FOR APPROVAL AT WATER ISSUES COMMITTEE MEETING HELD NOVEMBER 8

6. Purchase Order to KDC Systems for Replacement of Phoenix Subnet Controllers for GWRS Pipeline

RESOLUTION NO. 23-11-150
AUTHORIZING ISSUANCE OF PURCHASE ORDER TO KDC SYSTEMS FOR REPLACEMENT OF PHOENIX SUBNET CONTROLLERS FOR GWRS PIPELINE

Authorize issuance of Purchase Order to KDC Systems in the amount of \$152,070 for services and hardware to replace existing Phoenix subnet controllers at five locations along the GWRS pipeline with native Delta V Charms controllers.

7. Cost Share with City of Tustin for Well Pumps Removal to Accommodate PFAS Sampling

RESOLUTION NO. 23-11-151

AUTHORIZING PAYMENT TO THE CITY OF TUSTIN FOR 50% OF THE COSTS TO VIDEO AND REMOVE WELL PUMPS

Upon receipt of an invoice from the city of Tustin, payment to the city of Tustin is hereby authorized in an amount not to exceed \$40,000 for 50% of the costs to video and remove the pumps from 17th Street Well #1, 17th Street Well #2, and Yorba Well to accommodate PFAS sampling.

8. Santa Ana River Conservation and Conjunctive Use Program (SARCCUP) Extraordinary Supply Agreement

RESOLUTION NO. 23-11-152

AUTHORIZING THE GENERAL MANAGER TO EXECUTE SANTA ANA RIVER CONSERVATION AND CONJUNCTIVE USE PROGRAM (SARCCUP) EXTRAORDINARY SUPPLY AGREEMENT

WHEREAS, The Santa Ana River Conservation and Conjunctive Use Program (SARCCUP) is a multi faceted project involving OCWD and the other four Santa Ana Watershed Project Authority (SAWPA) member agencies.

WHEREAS, an agreement is required with the Metropolitan Water District of Southern California (MWD) and other MWD member agencies to assign extraordinary supply credit for water withdrawn from Orange County Groundwater Basin SARCCUP water bank.

WHEREAS, the purpose of the Agreement is to provide the mechanism for Municipal Water District of Orange County (MWDOC), on behalf of OCWD and the groundwater pumpers, to receive Extraordinary Supply credits.

WHEREAS, the Water Issues Committee of this Board has recommended authorizing the General Manager to execute an agreement with the Metropolitan Water District of Southern California, Municipal Water District of Orange County, Orange County Water District, city of Anaheim, city of Fullerton, and the city of Santa Ana regarding the assignment of extraordinary supply credit from the Santa Ana River Conservation and Conjunctive Use Program.

NOW, THEREFORE, the Board of Directors of the Orange County Water District does hereby authorize the General Manager to execute an agreement with the Metropolitan Water District of Southern California, Municipal Water District of Orange County, Orange County Water District, city of Anaheim, city of Fullerton, and the city of Santa Ana as outlined herein, and, upon approval as to form by District General Counsel, its execution by the District officers is authorized.

9. Contract No. GG-2020-1: Authorize Notice of Completion

RESOLUTION NO. 23-11-153

ACCEPTING COMPLETION OF CONTRACT NO. GG-2020-1, CITY OF GARDEN GROVE WELLS
21, 23, 28, 29, AND 30 PFAS WATER TREATMENT PLANTS

WHEREAS, the District staff has reported that Pacific Hydrotech Corp has completed work under Contract No. GG-2020-1, City of Garden Grove Wells 21, 23, 28, 29, and 30 PFAS Water Treatment Plants; and

WHEREAS, the District staff has requested an increase to the project budget by \$1,163,042 for a total project budget of \$23,843,700;

WHEREAS, the District staff has advised of issuance of Change Order Nos. 1 – 15 to Pacific Hydrotech Corp. for a total amount of \$642,200; and Change Order No. 16 to Pacific Hydrotech for a total amount of \$141,600.

WHEREAS, staff has recommended that the District accept completion of said work and that a Notice of Completion be filed for recordation and the balance of payment be made, pursuant to the terms and conditions of such contract;

NOW, THEREFORE, the Board of Directors of the Orange County Water District does hereby resolve as follows:

Section 1: Increase to project budget by \$1,163,042 for a total project budget of \$23,843,700 is hereby ratified/approved.

Section 2: Issuance of Change Order Nos. 1 through 15 to such contract is hereby ratified/approved and Change Order No. 16 is hereby authorized.

Section 3: Work under such Contract is accepted as complete, and the District staff is authorized and directed to execute a Notice of Completion and record said Notice in the Office of the County Recorder.

Section 4: General Manager is authorized to transfer the city of Garden Grove Wells 21, 23, 28, 29, and 30 PFAS Water Treatment Plants to the city of Garden Grove effective the date of filing the Notice of Completion and quitclaim any property rights obtained for the project.

ITEMS RECOMMENDED FOR APPROVAL AT ADMINISTRATION FINANCE COMMITTEE
MEETING HELD NOVEMBER 9

10. Monthly Cash Control Report

MOTION NO. 23-114

RECEIVING AND FILING THE MONTHLY CASH CONTROL REPORTS

The Summary Cash and Cash Equivalents Control Reports dated October 31, 2023 are hereby received and filed.

11. Investment Portfolio Holdings Reports

MOTION NO. 23-115
RECEIVING AND FILING INVESTMENT PORTFOLIO HOLDINGS REPORTS

The Investment Portfolio Holdings Reports dated October 31, 2023 are hereby received and filed.

12. District Travel/Expense Reports- FY 2022-23

MOTION NO. 23-116
RECEIVING AND FILING DISTRICT TRAVEL EXPENSE REPORTS

The District Travel and Expense reports for Fiscal Year 2022-23 are hereby received and filed.

13. Statement of Investment Policy Fiscal Year 2023-24

RESOLUTION NO. 23-11-154
ADOPTING STATEMENT OF INVESTMENT POLICY FOR FISCAL YEAR 2023-24

The Statement of Investment Policy for Fiscal Year 2023-2024 is hereby adopted as presented (and on file at the District office).

14. Budget to Actual Report for First Quarter FY 2023-24

MOTION NO. 23-117
RECEIVING AND FILING BUDGET TO ACTUAL REPORT FOR
FIRST QUARTER OF FY 2023-24

The Budget to Actual Report for First Quarter of Fiscal Year 2023-24 ending September 30, 2023 is hereby received and filed.

INFORMATIONAL ITEMS

15. Water Resources Summary

General Manager Mike Markus provided an update on rainfall received this year.

16. 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.

- Oct 27 - Property Management Committee
- Nov 02 - Communication and Legislative Committee
- Nov 08 - Water Issues Committee
- Nov 09 - Administration and Finance Issues Committee

17. Verbal Reports

President Green reported that the GWRS received the US Water Prize from the Water Alliance in Tucson. General Manager Mike Markus reported that he attended the WateReuse California Conference in Indian Wells where the District received the large agency project of the year award for the third time. Director Rowe reported that November 15 is the official start of the cloud seeding weather modification program through SAWPA. Director Yoh reported his attendance at Yorba Linda City Council where he provided a presentation on GWRS and PFAS.

18. RECESS TO CLOSED SESSION

The Board recessed to Closed Session at 5:45 p.m.as follows:

- CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION –
[Government Code Section 54956.9(a)] –
OCWD v. 3M Company et al.

RECONVENE IN OPEN SESSION

The Board reconvened in Open Session whereupon General Counsel Jeremy Jungreis advised that there were no reportable items.

ADJOURNMENT

There being no further business to come before the Board, the meeting adjourned at 7:13 p.m.

DocuSigned by:

 74525BB109EB4A9...
 Cathy Green, President

DocuSigned by:

 F53642D9D46843A...
 Christina Fuller, District Secretary