

MINUTES OF MEETING
BOARD OF DIRECTORS, ORANGE COUNTY WATER DISTRICT
December 15, 2021, 5:30 p.m.

President Sheldon called to order the December 15, 2021 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

Denis Bilodeau
Cathy Green
Nelida Mendoza
Dina Nguyen (arrived 5:45 p.m.)
Kelly Rowe
Stephen Sheldon
Harry Sidhu (absent)
Tri Ta
Bruce Whitaker
Roger Yoh

Staff

Michael R. Markus, General Manager
Jeremy Jungreis, General Counsel
Christina Fuller, Asst. District Secretary

VISITOR PARTICIPATION

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

CONSENT CALENDAR

The Consent Calendar was approved upon motion by Director Green, seconded by Director Rowe and carried [8-0] as follows:

Ayes: Bilodeau, Green, Mendoza, Rowe, Sheldon, Ta, Whitaker, Yoh
Absent: Nguyen, Sidhu

1. Approval of Cash Disbursements

MOTION NO. 21-124
APPROVING CASH DISBURSEMENTS

Payment of bills for the period of November 11, 2021 through December 8, 2021 in the total amount of \$29,580,730.26 is ratified and approved.

2. Approval of Minutes of Board Meetings

MOTION NO. 21-125
APPROVING MINUTES OF BOARD OF DIRECTORS MEETING

The Minutes of the Board of Directors meetings held November 3, and November 17, 2021 are hereby approved as presented.

3. Continuation of Virtual/Teleconference Meetings per Assembly Bill 361

RESOLUTION NO. 21-12-172
RELYING ON GOVERNOR NEWSOM'S MARCH 4, 2020 PROCLAMATION OF A STATE
OF EMERGENCY, AND AUTHORIZING VIRTUAL BOARD AND
COMMITTEE MEETINGS PURSUANT TO AB 361

WHEREAS, the Orange County Water District of Orange County ("District") is committed to preserving public access and participation in meetings of the Board of Directors; and

WHEREAS, all meetings of the District's legislative bodies are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code 54950 – 54963), so that any member of the public may attend and participate in the District's meetings; and

WHEREAS, starting in March 2020, in response to the spread of COVID-19 in the State of California, the Governor issued a number of executive orders aimed at containing the COVID-19 virus; and

WHEREAS, among other things, these orders waived certain requirements of the Brown Act to allow legislative bodies to meet virtually; and

WHEREAS, pursuant to the Governor's executive orders, the District has been holding virtual meetings during the pandemic in the interest of protecting the health and safety of the public, District staff and Directors; and

WHEREAS, the Governor's executive orders related to the suspension of certain provisions of the Brown Act expired on September 30, 2021; and

WHEREAS, on September 16, 2021, the Governor signed AB 361, – Government Code Section 54953(e), which allows legislative bodies to meet virtually provided there is a state of emergency declared by the Governor, and either (1) state or local officials have imposed or recommended measures to promote social distancing; or (2) the legislative body determines by majority vote that meeting in person would present imminent risks to the health and safety of attendees; and

WHEREAS, such conditions now exist in the District, specifically, a state of emergency has been proclaimed related to COVID-19 by the Governor of California as of March 4, 2020, local officials continue to recommend measures to promote social distancing, and because of the ongoing threat of COVID-19, meeting in person would present imminent risks to the health and safety of attendees;

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE ORANGE COUNTY WATER DISTRICT DOES HEREBY RESOLVE AS FOLLOWS:

Section 1: Remote Teleconference Meetings: Consistent with the provisions of Government Code Section 54953(e), the Board of Directors finds and determines that (1) a state of emergency related to COVID-19 is currently in effect; (2) state and/or local officials have recommended measures to promote social distancing in connection with COVID-19; and (3) due to the COVID-19 emergency, meeting in person would present imminent risks to the health and safety of attendees; and, based on the foregoing facts, findings and determinations, the Board authorizes staff to conduct remote teleconference meetings of the Board of Directors, including Committee meetings, per the provisions of Government Code Section 54953(e).

Section 2: Effective Date of Resolution. This Resolution shall take effect upon adoption and shall be effective for 30 days unless earlier extended by a majority vote of the Board of Directors.

4. Orange County Water District Redistricting Process

MOTION NO. 21-126

SCHEDULING A PUBLIC HEARING FOR JANUARY 5, 2022 TO CONSIDER POTENTIAL CHANGES TO BOARD DIVISIONS ONE TO SEVEN

Per Elections Code §22001, a public hearing is hereby scheduled for January 5, 2022 to review potential changes to Board divisions one through seven based upon the new 2020 census data.

5. Sustainable Groundwater Management Act Basin 8-1 Alternative: Final Draft 2022 Update

RESOLUTION NO. 21-12-173

ADOPTING A RESOLUTION TO SUPPORT SUBMISSION OF BASIN 8-1 ALTERNATIVE 2022 UPDATE TO THE CALIFORNIA DEPARTMENT OF WATER RESOURCES TO COMPLY WITH THE SUSTAINABLE GROUNDWATER MANAGEMENT ACT

WHEREAS, California Governor Jerry Brown signed into law Senate Bills 1168 and 1319 and Assembly Bill 1739, collectively comprising the Sustainable Groundwater Management Act (SGMA), which took effect on January 1, 2015; and,

WHEREAS, the SGMA requires all high and medium priority groundwater basins as designated by the California Department of Water Resources (DWR) to develop a process that will lead to or ensure continuation of sustainable groundwater management; and,

WHEREAS, the SGMA has designated the Orange County Water District (OCWD) as the exclusive local agency within its statutory boundaries to comply with SGMA per Water Code Section 10723 (c)(1); and,

WHEREAS, the SGMA allows local agencies to submit an Alternative to a Groundwater Sustainability Plan (Alternative) by January 1, 2017 that shows an entire basin has been

sustainably managed for 10 years or more and otherwise satisfies the objectives of SGMA (Water Code Section 10733.6 (b)(3)); and,
WHEREAS, OCWD has consulted with and has been working with other affected Counties, local agencies, public water systems, and stakeholders that are within or adjacent to the Coastal Plain of Orange County Groundwater Basin, a medium priority basin, designated in DWR Bulletin 118 as Basin 8-1 (Basin 8-1); and,

WHEREAS, to be approved by DWR an Alternative must demonstrate management of an entire Bulletin 118 basin; and

WHEREAS, OCWD's boundaries cover a majority of, but not all of the area within Basin 8-1; and,

WHEREAS, a number of local agencies overlie areas of Basin 8-1 that fall outside of OCWD's boundaries; and,

WHEREAS, OCWD, in collaboration with other agencies, principally the City of La Habra Groundwater Sustainability Agency and Irvine Ranch Water District, prepared and compiled an Alternative that will facilitate and ensure sustainable management in the entirety of the Basin 8-1; and,

WHEREAS, OCWD, the City of La Habra Groundwater Sustainability Agency, and the Irvine Ranch Water District agreed to jointly submit the Alternative to DWR and are referred to in the Alternative submission as 'submitting agencies'; and,

WHEREAS, the Alternative does not authorize (or otherwise empower) the other submitting agencies to require OCWD to take any action, or refrain from taking any action; and,

WHEREAS, the Alternative discusses Basin 8-1's physical features, the OCWD's facilities and monitoring and operating programs, and the management tools available to manage the basin for each of the submitting agencies, but does not bind, commit, or predispose OCWD to further consideration, approval or implementation of any potential project; and,

WHEREAS, Submission of the Alternative to DWR does not have the effect of approving any current or future project but instead describes a continuing process of groundwater management that OCWD has utilized in largely the same manner since prior to the enactment of the California Environmental Quality Act (CEQA) in 1970; and,

WHEREAS, If any individual future project discussed in the Alternative is carried forward by the District for approval, an Engineer's Report will be prepared for that potential project for consideration by the Board of Directors, as required by Section 20.7 of the District Act. The District will also concurrently conduct appropriate environmental analysis in accordance with CEQA with respect to each potential project that is carried forward for consideration and possible approval by the OCWD Board of Directors; and,

WHEREAS, submission of the Alternative will not cause either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment and is therefore not a "project" regulated by CEQA. To the extent it could be considered a "project"

for purposes of CEQA, the Alternative is exempt from CEQA per State CEQA Guidelines Sections 15261 (Ongoing Project), 15262 (Feasibility and Planning Studies), and 15306 (Information Collection and Management); and,

WHEREAS, the submitting agencies submitted an Alternative to DWR on December 22, 2016, which was approved by DWR on July 17, 2019, and,

WHEREAS, According to Water Code §10733.8, “At least every five years after initial submission of a plan pursuant to Section 10733.4, the department shall review any available groundwater sustainability plan or alternative submitted in accordance with Section 10733.6, and the implementation of the corresponding groundwater sustainability program for consistency with this part, including achieving the sustainability goal; and,

WHEREAS, the Submitting Agencies have prepared a five-year update, called hereafter the 2022 Update, to comply with Water Code §10733.8 to be submitted to DWR prior to the statutory deadline of January 1, 2022.

NOW, THEREFORE, BE IT RESOLVED AND HEREBY ORDERED that the Orange County Water District Board of Directors approves the following:

Section 1: The Orange County Water District authorizes the General Manager or his designee to submit the Basin 8-1 Alternative, 2022 Update to DWR.

Section 2: The General Manager or his designee is authorized to submit other required information associated with the Alternative 2022 Update to DWR and/or make minor modifications to the Alternative 2022 Update in response to comments on the Alternative.

Section 3: District staff is authorized and directed to file a notice of exemption in accordance with CEQA regarding OCWD’s submission of the Alternative 2022 Update.

ITEMS RECOMMENDED FOR APPROVAL AT WATER ISSUES COMMITTEE MEETING
HELD DECEMBER 8, 2021

6. On-Call Surveying Services: Rate Increase for Stantec

RESOLUTION NO. 21-12-174
ADOPTING RESOLUTION FOR
RATE INCREASE FOR STANTEC FOR ON CALL SURVEYING SERVICES

WHEREAS, pursuant to Resolution No. adopted February 2019, an on-call surveying agreement was issued to Stantec to provide services through June 30, 2023;

WHEREAS, the District staff has reported that Stantec has submitted a request to incorporate their new billing rates starting January 1, 2022;

WHEREAS, the Water Issues Committee of this Board has recommended authorization of a new schedule of billing rates for Stantec for on-call surveying services through June 30, 2023;

NOW, THEREFORE, the Board of Directors of the Orange County Water District does hereby authorize the new schedule of billing rates for Stantec for on-call surveying services through June 30, 2023.

- 7. Contract PB-2021-1 Phase 2 Prado Basin Monitoring Wells: Ratify Change Order No. 1

MOTION NO. 21-127

APPROVING CHANGE ORDER TO CONTRACT PB-2021, PHASE 2 PRADO BASIN MONITORING WELLS AND INCREASING PROJECT BUDGET

Issuance of Change Order No. 1 with BC2 Environmental, LLC (BC2) to Contract PB-2021, Phase 2 Prado Basin Monitoring Wells, increasing the contract by \$11,500 for a new contract total of \$87,116 and extending the contract time of completion by an additional 325 days and increasing the project budget from \$117,952 to \$129,452; is authorized.

- 8. Alamitos Seawater Barrier 2022-23 Operations and Maintenance Budget

MOTION NO. 21-12X

APPROVING ALAMITOS SEAWATER BARRIER 2022-23 O&M BUDGET

The Alamitos Barrier 2022-23 total Operations & Maintenance (O&M) budget in the amount of \$2,910,000 is approved, and payment of the District’s share not to exceed \$1,156,000 payable to the Los Angeles County Department of Public Works is authorized after receipt and review of invoices.

How do I add this? Do a Reso instead?

Approve increase in the amount of \$63,266 for the District’s share of Alamitos Barrier O&M expenses for FY2020-21, for a revised not-to-exceed total of \$1,049,226 payable to the Los Angeles County Department of Public Works after receipt and review of invoices

- 9. Construction of Monitoring Well Cluster SC-7 for GWRS Recharge Permit Compliance

RESOLUTION NO. 21-11-167
AUTHORIZING XXXXXXXXXXXX

WHEREAS, pursuant to Resolution No. R21-11-161 adopted November 3, 2021, OCWD authorized the General Manager to finalize and execute an Easement Deed with Orange Unified School District (OUSD) for future monitoring well site SC-7;

WHEREAS, OCWD executed an easement deed with the OUSD terminating on December 31, 2062;

WHEREAS, after upon Board approval, construction of the SC-7 well cluster would occur in June-July 2022 to coincide with the elementary school’s summer break;

WHEREAS, in this regard, the Water Issues Committee of this Board has recommended authorization to issue a Notice Inviting Bids for construction and a Request for Proposals for Inspection Services during construction of the SC-7 monitoring well cluster 2;

WHEREAS, Staff has reviewed the project and determined that a Categorical Exemption from the California Environmental Quality Act (CEQA) is applicable and the project is consistent with the Categorical Exemption for New Construction or Conversion of Small Structures (Class 3) because it consists of the construction and operation of a limited numbers of new, small facilities or structures.

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

1. Authorize staff to file a Notice of Exemption from requirements of the California Environmental Quality Act;
 2. Authorize construction of the SC-7 monitoring well cluster;
 3. Authorize issuance of a Notice Inviting Bids for monitoring well construction; and
 4. Authorize issuance of an RFP for construction inspection services
10. East Newport Mesa Groundwater Investigation Monitoring Well Cluster OCWD-M59 Installation: Award Contract No. GBM-2021-1 to ABC Liovin Drilling, Inc.

RESOLUTION NO. 21-11-168
 AWARDING CONTRACT NO. GBM-2021-1, EAST NEWPORT MESA GROUNDWATER
 INVESTIGATION MONITORING WELL CLUSTER OCWD-M59 INSTALLATION, TO
 ABC LIOVIN DRILLING, INC.,

WHEREAS, a Notice Inviting Bids for Contract No. GBM-2021-1 was published in The Orange County Register on October 18, 2021; and

WHEREAS, the following bids were received and opened on November 18, 2021:

ABC Liovin Drilling, Inc.	\$ 357,925
BC2 Environmental	\$ \$433,670

WHEREAS, the Water Issues Committee of this Board has recommended award of said Contract to the lowest responsive bidder, ABC Liovin Drilling, Inc. in the amount of \$357,925; and

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

Section 1: The Affidavit of Publication of Notice Inviting Bids for Contract No. GBM-2021-1 is received and filed.

Section 2: The lowest responsive bid of ABC Liovin Drilling, Inc., in the amount of \$357,925 is accepted and all other bids are rejected.

11. City of Santa Ana PFAS Water Treatment Plant Well No. 40: Engineers Report and HOA Agreement
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RESOLUTION NO. 21-11-169
APPROVING ENGINEERS REPORT AND AUTHORIZING GENERAL MANAGER TO EXECUTE AGREEMENT

Approve the Engineer's Report for the City of Santa Ana Wells SA-27, SA-28, SA-31, and SA-40 PFAS Water Treatment Plant Project and determine the project feasible, necessary and beneficial to the lands of the District;

- 2) Authorize the General Manager to execute the Agreement Regarding Temporary Right of Entry between the District and the Redwoods Homeowners Association

12. Contract No. IRWD-2021-1 Irvine Ranch Water District Well OPA-1 PFAS Treatment System: Engineers Report, Environmental Documentation, RFP for IX Resin Media, and Notice Inviting Bids
-

RESOLUTION NO. 21-12-170
APPROVING

- 1) Approving the Engineer's Report for the Irvine Ranch Water District Well OPA-1 PFAS Water Treatment Plant Project and determine the project feasible, necessary and beneficial to the lands of the District;
- 2) Finding that Addendum No. 1 to the Initial Study/Mitigated Negative Declaration for the Orange Park Acres Well Replacement Project adequately evaluates the environmental impacts of the Irvine Ranch Water District PFAS Water Treatment Plant Project;
- 3) Authorizing publication of a Request for Proposals to Procure and Install Ion Exchange Resin Media for the IRWD Well OPA-1 PFAS Treatment Plant;
- 4) Authorizing publication of Notice Inviting Bids for Contract No. IRWD-2021-1, Irvine Ranch Water District Well OPA-1 PFAS Water Treatment Plant; and,
- 5) Authorizing filing of a Notice of Determination for Addendum No. 1 to the Initial Study/Mitigated Negative Declaration for the Orange Park Acres Well Replacement Project

ITEMS RECOMMENDED FOR APPROVAL AT ADMINISTRATION AND FINANCE
ISSUES COMMITTEE MEETING HELD DECEMBER 9, 2021

13. Monthly Cash Control Report

MOTION NO. 21-1XX
RECEIVING AND FILING THE MONTHLY CASH CONTROL REPORTS

The Summary Cash and Cash Equivalents Control Reports dated October 31, and November 30, 2021 are hereby received and filed.

14. Investment Portfolio Holdings Reports

MOTION NO. 21-1XX
RECEIVING AND FILING THE INVESTMENT PORTFOLIO HOLDINGS REPORTS

The Investment Portfolio Holdings Reports dated October 31, 2021 are hereby received and filed.

15. Investment Portfolio Holdings Reports

MOTION NO. 21-1XX
RECEIVING AND FILING THE INVESTMENT PORTFOLIO HOLDINGS REPORTS

The Investment Portfolio Holdings Reports dated November 30, 2021 are hereby received and filed.

16. Surplus of Laboratory Equipment, Office Furniture, Electronic/ Computer Equipment, and Utility Carts

MOTION NO. 21-1XX
DECLARING ITEMS SURPLUS

The items on the Surplus List as of November 30, 2021 are hereby declared surplus and the sale of disposal thereof is authorized.

17. Award of Chemical Contracts for Water Treatment Systems

RESOLUTION NO. 21-12-XXX
AWARDING CHEMICAL CONTRACTS FOR WATER TREATMENT SYSTEMS

WHEREAS, pursuant to Resolution No. R18-10-149 adopted October 17, 2018, OCWD authorized Agreements to vendors for the purchase of water treatment chemicals:

WHEREAS, the Administration and Finance Issues Committee of this Board has recommended renewal of such Agreements for a one-year period as follows:

- 1) Hydrogen Peroxide: USP Technologies @ \$435.89/ton

- 2) Citric Acid: Brenntag Specialties, Inc. @ \$3260/ton (quarterly price protection)
- 3) Sodium Hypochlorite: Olin Corporation @ \$1.30/gal. (one year only)
- 4) Sulfuric Acid: Univar Solutions USA @ \$198/ton (one year only)
- 5) Caustic Soda (sodium hydroxide): Univar Solutions USA @ \$784/ton; and,

Authorize an increase to the Water Production Department Fiscal Year 2021-2022 General Fund budget in the amount of \$1,680,145 to cover the cost of chemical price increases.

NOW, THEREFORE, the Board of Directors of the Orange County Water District does hereby approve the Agreements for chemical contracts as outlined herein; and, upon approval as to form by District General Counsel, execution of the contracts by the District officers is authorized.

18. Media Monitoring Services

RESOLUTION NO. 21-12-XXX
APPROVING AGREEMENT TO CISION FOR MEDIA MONITORING SERVICES

RESOLVED, that issuance of an Agreement to Cision is authorized for an amount not to exceed \$44,000 at \$22,000 per year to provide print, broadcast, social and podcast media monitoring services as well as media outreach and distribution; and, upon approval as to form by District General Counsel, its execution by the District officers is authorized.

19. Request for Proposals for Audit Services

MOTION NO. 21-1XX
AUTHORIZING RFP FOR INDEPENDENT AUDITING SERVICES

Issuance of Request for Proposals is authorized for independent auditing services to include the District's fiscal audit, Single Audit (if required), Money Purchase Plan audit, 457 Plan audit and Ratio analysis.

20. Budget to Actual Report for First Quarter FY 2021-22

MOTION NO. 21-1XX
RECEIVING AND FILING THE BUDGET TO ACTUAL REPORT FOR FIRST QUARTER
OF FY 2021-22

The Budget to Actual Report for First Quarter of Fiscal Year 2021-22 ending September 30, 2021 is hereby received and filed.

Director Nguyen arrived during discussion of the following item.

MATTER FOR CONSIDERATION

21. Petition to List Southern California Steelhead as Endangered Species Under California Endangered Species Act

Executive Director Greg Woodside recalled that in June 2021, the non-profit organization California Trout (CalTrout) submitted a petition to the California Fish and Game Commission (Commission) to list the Southern Steelhead as an endangered species under the California Endangered Species Act (CESA). He reported that the CA Dept of Fish and Wildlife (CDFW) reviewed CalTrout's petition and prepared a report to the Commission stating they determined the Petition provides sufficient scientific information to indicate that the petitioned action may be warranted and recommends the Commission accept the Petition for further consideration under CESA. Mr. Woodside advised that CDFW's evaluation did not document or explain how CDFW used additional scientific information submitted by water agencies. He stated that due to CDFW's failure to include in their Evaluation Report discussion or analysis of relevant public comments, OCWD staff submitted a comment letter to Commission requesting Commission remand the evaluation report back to CDFW with direction that it prepare a revised evaluation report that evaluates scientific information in public comments CDFW received. He reported that the Commission's meeting to determine if listing may be warranted could occur in February 2022. He stated that since Southern Steelhead are a federally listed species, and there is an existing federal recovery plan for Southern Steelhead, adopted by the National Oceanic and Atmospheric Administration in 2012, staff is concerned that designating Southern Steelhead as a "candidate species" under CESA not only unnecessarily duplicates federal regulation, but also would potentially force, or otherwise facilitate, state agencies placing new restrictions on water agencies already working diligently to effectively manage limited supplies in a manner that is already in compliance with the federal Endangered Species Act. Mr. Woodside reported that staff is also concerned that potential state actions in response to Southern Steelhead being listed as a candidate species per CESA would conflict with federal actions under existing and future federal programs. He reviewed the next steps and stated that staff has been participating in meetings of a group of agencies potentially impacted by Southern Steelhead listing under CESA.

Upon motion by Director Rowe, seconded by Director Green, the following resolution was adopted [9-0-1].

Ayes: Bilodeau, Green, Mendoza, Nguyen, Rowe, Sheldon, Ta, Whitaker, Yoh

Absent: Sidhu

RESOLUTION NO. 21-12-XXX

AUTHORIZING STAFF TO OPPOSE THE CURRENT PETITION TO LIST THE SOUTHERN CALIFORNIA STEELHEAD AS AN ENDANGERED SPECIES AND AUTHORIZE THE GENERAL MANAGER TO ENTER INTO A COST-SHARE AGREEMENT WITH WATER AGENCIES AND OTHER STAKEHOLDERS AND ASSOCIATED ACTIONS

WHEREAS, In June 2021, the non-profit organization California Trout or 'CalTrout' submitted a petition to the California Fish and Game Commission (Commission) to list the Southern Steelhead as an endangered species under the California Endangered Species Act (CESA);

WHEREAS, The California Department of Fish & Wildlife (CDFW) reviewed CalTrout's petition and prepared a report to the California Fish & Game Commission and had determined the Petition provides sufficient scientific information to indicate that the petitioned may be

warranted and recommends the Commission accept the Petition for further consideration under CESA; and

WHEREAS, staff is concerned that designating Southern Steelhead as a “candidate species” under CESA not only unnecessarily duplicates federal regulation, but also would potentially force, or otherwise facilitate, state agencies placing new restrictions on water agencies already working diligently to effectively manage limited supplies in a manner that is already in compliance with the federal Endangered Species Act. ;

WHEREAS, staff is also concerned that potential state actions in response to Southern Steelhead being listed as a candidate species per CESA would conflict with federal actions under existing and future federal programs

THEREFORE, BE IT RESOLVED by the Board of Directors of the Orange County Water District as follows:

5. Authorize staff and the District’s General Counsel to oppose the current petition to the Commission to list the Southern California Steelhead as an endangered species under the California Endangered Species Act, and to engage with regulatory staff and other interested parties as appropriate to minimize risks associated with the proposed listing; and,
6. Authorize the General Manager to enter into a cost-share agreement with water agencies and other stakeholders to fund advocacy regarding the potential listing of Southern California Steelhead as an endangered species under the California Endangered Species Act for a District cost not to exceed \$20,000.

INFORMATIONAL ITEMS

22. Summary of Irvine Ranch Water District Versus Orange County Water District Lawsuit

General Counsel Jeremy Jungreis reported that Irvine Ranch Water District’s (IRWD) litigation against OCWD at the trial court level concluded in November 2021 when IRWD dismissed it’s one remaining cause of action against OCWD. He stated that it is unknown whether IRWD will appeal. He advised that the case is still active, with Producers Mesa Water, Golden State Water Company, city of Anaheim, Yorba Linda Water District, and East Orange County Water District pursuing a cross complaint against IRWD. Mr. Jungreis reported that sixteen of the seventeen causes of action previously pending against OCWD have been resolved in the District’s favor by court ruling, stipulation, or voluntary dismissal. He advised that OCWD is no longer an active litigant in the case.

23. Water Resources Summary

There was no discussion of this item.

24. Santa Ana Watershed Project Authority Commission Activities

Director Whitaker updated the Board on recent SAWPA activities.

25. Committee/Conference/Meeting Reports

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

December 08 - Water Issues Committee

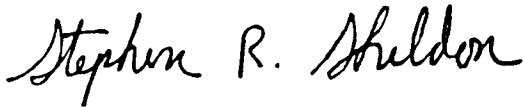
December 09 - Administration and Finance Issues Committee

26. Verbal Reports

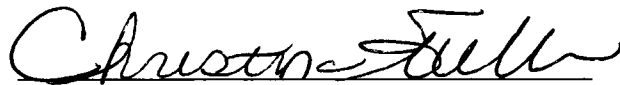
Director Ta reported on his participation in the WELL California Drought seminar on December 7. Directors Rowe, Yoh, Green, Whitaker and Mendoza reported their attendance at the ACWA Fall Conference held in early December.

ADJOURNMENT

There being no further business to come before the Board, the meeting adjourned at 6:25 p.m.



Stephen R. Sheldon, President



Christina Fuller, Assistant District Secretary