

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

President Green called to order the February 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. 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 (closed session only)
Natalie Meeks
Kelly Rowe
Stephen Sheldon
Van Tran
Bruce Whitaker
Roger Yoh

Staff

Michael R. Markus, General Manager
Jeremy Jungreis, General Counsel
Christina Fuller, Assistant 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 Rowe carried [9-0] as follows.

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

Absent: Nguyen

1. Approval of Cash Disbursements

MOTION NO. 23-16
APPROVING CASH DISBURSEMENTS

Payment of bills for the period of January 26, 2023 through February 08, 2023 in the total amount of \$7,890,325.50 is ratified and approved.

2. Minutes of Board of Directors Meetings

MOTION NO. 23-17
APPROVING MINUTES OF BOARD OF DIRECTORS MEETING

The Minutes of the Board of Directors meeting held January 18, 2023 is hereby approved as presented.

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

RESOLUTION NO. 23-2-14
 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 Agency'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 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, and because of the ongoing threat of COVID-19, meeting in person would present imminent risks to the health and safety of attendees;

WHEREAS, the Governors COVID-19 emergency order will expire on February 28, 2023 unless the Governor takes action to extend it;

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, and (2) 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.

Section 3: If the Governor does not extend the COVID-19 emergency order, this resolution shall be null and void.

4. Engineer's Report on Groundwater Conditions, Water Supply and Basin Utilization

MOTION NO. 23-18
RECEIVING AND FILING 2020-2021 ENGINEER'S REPORT ON GROUNDWATER CONDITIONS,
WATER SUPPLY AND BASIN UTILIZATION
AND SCHEDULING PUBLIC HEARINGS

The draft 2021-22 Engineer's Report is hereby received and filed, and public hearings are scheduled for March 15, 2023 to present the Report's findings and on April 19, 2023 to consider establishing the Replenishment Assessment, Basin Equity Assessment and Basin Production Percentage for the 2023-24 water year.

5. Resolution Nominating and Supporting OCWD President Cathy Green for ACWA President

RESOLUTION NO. 23-2-15
NOMINATING AND SUPPORTING OCWD PRESIDENT CATHY GREEN
AS A CANDIDATE FOR THE POSITION OF ACWA PRESIDENT

WHEREAS, ACWA is developing an Elections Committee to develop a slate for the Association's statewide position of President and Vice President; and,

WHEREAS, the individual who fills an officer position will need to have a working knowledge of water industry issues and concerns, possess strength of character and leadership capabilities, and be experienced in matters related to the performance of the duties of the office; and,

WHEREAS, this person must be able to provide the dedication of time and energy to effectively serve in this capacity; and,

WHEREAS, President Green has served as ACWA Vice President since 2021 and on the ACWA board since 2014, and she has served on the ACWA Board Executive Committee since 2020; and,

WHEREAS, as ACWA Vice President since 2021, President Green would like to run as President of ACWA to continue the momentum she has built on key initiatives she is leading, including advocating for state accountability on water policy issues, spearheading the ACWA Council of Past Presidents to mentor new ACWA members and an internal human resources initiative to support ACWA staff; and,

WHEREAS, President Green has served as ACWA Region 10 Chair and Vice Chair; and,

WHEREAS, President Green has serves on the ACWA Water Quality Committee, ACWA Energy Committee and ACWA State Legislative Committee; and,

WHEREAS, President Green has served in a leadership role at Orange County Water District (OCWD). She was appointed to the OCWD Board of Directors in November 2010 and was elected to office in 2012, 2016 and 2020. She was selected by the Board to serve as its President in 2014-16 and 2022 through present. She also served as 1st Vice President from 2013-14 and 2018-22; and,

WHEREAS, President Green currently serves as the Chair of the OCWD Executive Committee and the OCWD Joint Planning Committee; and

WHEREAS, prior to President Green's service on OCWD's Board, she was elected to two consecutive terms on the Huntington Beach City Council where she served two terms as mayor. President Green has been involved as a council liaison and committee member on many city boards, commissions, and committees; and,

WHEREAS, it is the opinion of the OCWD Board of Directors that President Green possesses all of the qualities needed to fulfill the duties of the office of ACWA President; and,

NOW, THEREFORE, BE IT RESOLVED, that the OCWD Board of Directors does hereby nominate and support President Cathy Green as a candidate for the office of ACWA President, pledging the District's support of her endeavors in fulfilling the duties of this office if elected.

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

6. Amendment to License Agreement with T.E. Roberts for Equipment Storage at Huckleberry Basin

RESOLUTION NO. 23-2-16
APPROVING AMENDMENT TO LICENSE AGREEMENT WITH T.E. ROBERTS
FOR STORING CONSTRUCTION EQUIPMENT AT HUCKLEBERRY POND, ANAHEIM

WHEREAS, pursuant to Resolution No. 18-1-2 adopted January 3, 2018, as subsequently amended, OCWD issued a License Agreement to T.E. Roberts, Inc. to allow equipment storage at the District's Huckleberry Pond property in Anaheim utilizing the District's maintenance roads; and

WHEREAS, the Property Management Committee has recommended execution of Amendment Eight to such License Agreement extending the expiration date to January 31, 2024, for a fee of \$1,337 per month, with all other Agreement terms to remain the same;

NOW, THEREFORE, the Board of Directors of the Orange County Water District does hereby approve Amendment Eight to such License Agreement as described herein; and, upon approval as to form by District General Counsel, its execution by the District officers is authorized.

7. License Agreement with SCE for MCAS-10 Monitoring Well Site

RESOLUTION NO. 23-2-17
AUTHORIZING LICENSE AGREEMENT WITH SOUTHERN CALIFORNIA EDISON COMPANY
FOR MCAS-10 MONITORING WELL SITE

WHEREAS, pursuant to Resolution No. 17-3-27 adopted March 15, 2017, OCWD entered into a License Agreement with Southern California Edison Company required for the MCAS-10 well site (one of the key wells installed to monitor the trichloroethylene plume in groundwater) for a five-year period ending November 30, 2022; and,

WHEREAS, the Property Management Committee of this Board has recommended renewal of such License Agreement with SCE at a cost of \$2,919 for the five-year period December 1, 2022 through November 30, 2027;

NOW, THEREFORE, the Board of Directors of the Orange County Water District does hereby authorize the OCWD General Manager to negotiate and execute a License Agreement with Southern California Edison Company for the MCAS-10 as outlined herein, subject to approval as to form and content by General Counsel.

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

8. State Legislative Update

RESOLUTION NO. 23-2-18
ADOPTING POSITION ON STATE LEGISLATION

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

Bill Number/Author	Short Title	Recommendation
SB 23 (Caballero, D-Merced)	Water supply and flood risk reduction projects: expedited permitting	Support
SB 30 (Ward, R-39)	Atmospheric Rivers: Research, Mitigation, and Climate Forecasting Program	Support

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

9. Replacement of Steel Cable on Westbay Pressure Profile Reel

MOTION NO. 23-19
AUTHORIZING BUDGET INCREASE TO REPLACE STEEL CABLE ON
WESTBAY PRESSURE PROFILE REEL

An increase of \$2,000 (for a total not to exceed \$13,000) for the cost to replace the Hydrogeology Department's Westbay pressure profile reel cable, including all taxes and shipping.

10. GWRS Final Expansion Project Change Orders

RESOLUTION NO. 23-2-19
RATIFYING ISSUANCE OF CHANGE ORDER NOS. 1 – 30 TO SHIMMICK CONSTRUCTION
COMPANY, INC. FOR GWRS FINAL EXPANSION PROJECT

WHEREAS, the District staff has advised that construction of the Groundwater Replenishment System Final Expansion (GWRSFE) Project has reached substantial completion as of December 5, 2022, and that all the Change Orders (Nos. 1 through 30) on the project to date have been approved and executed by the authority of the General Manager; and

WHEREAS, a summary of Change Orders No. 1 through 30 to Shimmick Construction Company, Inc. executed on the project through December 31, 2022 resulting in a contract credit of \$2,685,514 has been provided in the Agenda submittal dated February 8, 2023;

NOW, THEREFORE, the Board of Directors of the Orange County Water District does hereby ratify issuance of Change Order Nos. 1 through 30 to Shimmick Construction Company, Inc. as outlined herein.

11. Request for Cost Proposals for Monitoring Well IDM-3 Redevelopment and Disinfection

MOTION NO. 23-20
AUTHORIZING ISSUANCE OF RFP FOR MONITORING WELL IDM-3
REDEVELOPMENT AND DISINFECTION

Issuance of a Request for Proposals is authorized for services to redevelop and disinfect monitoring well IDM-3 casing No. 3, a three-casing multi-depth well used to measure groundwater levels and quality in the Irvine area, including monitoring the effects of the Irvine Desalter on local aquifers.

12. Amendment No. 5 to Agreement with Intera for Additional Groundwater Modeling Support for the North Basin Feasibility Study

RESOLUTION NO. 23-2-20
APPROVING AMENDMENT TO AGREEMENT WITH INTERA FOR ADDITIONAL
GROUNDWATER MODELING SUPPORT FOR NORTH BASIN REMEDIAL
INVESTIGATION/FEASIBILITY STUDY

WHEREAS, pursuant to Resolution No. 14-6-85 adopted June 18, 2014, as subsequently amended, OCWD authorized Agreement No. 998 to Intera for a Three-Dimensional Capture Zone Analysis for OCWD North Basin Extraction Well EW-1; and

WHEREAS; the Water Issues Committee of this Board has recommended issuance of Amendment No. 5 to such Agreement with Intera in the amount of \$68,920 for additional groundwater model refinement;

NOW, THEREFORE, the Board of Directors of the Orange County Water District does hereby approve issuance of Amendment No. 5 to such Agreement with Intera as outlined herein; and, upon approval as to form by District General Counsel, its execution by the District officers is authorized.

13. Amendment with Butier Engineering for Construction Management Services for the GWRS Final Expansion Project

RESOLUTION NO. 23-2-21

APPROVING AMENDMENT TO AGREEMENT WITH BUTIER ENGINEERING FOR CONSTRUCTION MANAGEMENT SERVICES FOR THE GWRS FINAL EXPANSION PROJECT

WHEREAS, pursuant to Resolution No. 18-11-161, adopted November 7, 2018, as amended, OCWD issued an Agreement to Butier Engineering, Inc. for construction management services for the GWRS Final Expansion Project; and,

WHEREAS, the Water Issues Committee of this Board has recommended issuance of Amendment No. 2 to such Agreement in the amount of \$238,174 to continue to provide construction management services until project completion in April 2023;

NOW, THEREFORE, the Board of Directors of the Orange County Water District does hereby approve Amendment No. 2 to such Agreement with Butier Engineering, Inc. as outlined herein; and, upon approval as to form by District General Counsel, its execution by the District officers is authorized.

14. Cost Share Agreement for Studies Regarding Listing the Southern California Steelhead as an Endangered Species Under California Endangered Species Act

RESOLUTION NO. 23-2-22

APPROVING COST SHARE AGREEMENT FOR STUDIES REGARDING LISTING THE SOUTHERN CALIFORNIA STEELHEAD AS AN ENDANGERED SPECIES UNDER CALIFORNIA ENDANGERED SPECIES ACT

WHEREAS, the California Fish and Game Commission has identified the Southern California Steelhead as a candidate species under the California Endangered Species Act in April 2022; and the California Department of Fish and Wildlife is preparing a status review, a key report that will be used by the Commission in its final listing decision; and

WHEREAS, and the Association of California Water Agencies (ACWA) and a group of water agencies in Southern California propose to prepare a separate, alternative status review so that the Commission has the best information available to make its decision as to the final listing decision; and

WHEREAS, pursuant to Resolution No. 21-12-181 adopted December 15, 2021, OCWD authorized opposition to the current petition to list the Southern California steelhead as an endangered species and authorized a cost-share agreement with water agencies and other stakeholders and associated actions; and

WHEREAS, in this regard, pursuant to Motion No. 22-105 adopted October 19, 2022, OCWD authorized contributing up to \$50,000 to a joint effort to prepare an alternative status review of the Southern California steelhead and authorized District General Counsel to develop a common interest agreement with other interested parties for development of the alternative status review and related advocacy; and

WHEREAS, ACWA, the City of Ventura (Ventura Water), Las Virgenes Municipal Water District (Las Virgenes), OCWD, Santa Margarita Water District (SMWD), and United Water Conservation District (UWCD) propose preparing a separate, alternative status review for which the cost to prepare the initial work on the alternative status review would be evenly shared by five Funding Agencies, which are Ventura Water, Las Virgenes, OCWD, SMWD, and UWDC (20% by each water agency); and

WHEREAS, staff has advised that the aforementioned work will be overseen by ACWA, which is not a Funding Agency, and whose contribution to this Agreement will be via in kind participation of ACWA staff in overseeing the development of the work; and

WHEREAS, staff has presented and recommended approval of the Cost Sharing Letter Agreement for Technical Analyses which includes preparation of a Population Viability Analysis for the Southern California steelhead, for which the District's share of this work is \$22,537 (out of a total cost of \$112,684);

NOW, THEREFORE, the Board of Directors of the Orange County Water District does hereby approve the Cost Sharing Letter Agreement for Technical Analyses related to southern California Steelhead as outlined herein; and, upon approval as to form and content by the District's General Counsel; its execution by the District officers is authorized.

15. Conditional Approval of Feasibility Study and Authorization to Request Proposals for South Basin Groundwater Protection Project CEQA Evaluation

RESOLUTION NO. 23-2-23

SELECTING ALTERNATIVE 3 (GROUNDWATER EXTRACTION AND TREATMENT WITH DISCHARGE TO SEWER AND GWRS) DESCRIBED IN THE SOUTH BASIN GROUNDWATER PROTECTION PROJECT FEASIBILITY STUDY REPORT AS THE TENTATIVELY IDENTIFIED PREFERRED REMEDIAL ALTERNATIVE TO BE DEVELOPED INTO THE PROPOSED INTERIM REMEDIAL ACTION PLAN, SUBJECT TO COMPLETION OF ENVIRONMENTAL DOCUMENTATION, AND AUTHORIZING ISSUANCE OF A REQUEST FOR PROPOSALS TO THE DISTRICT'S ON-CALL ENVIRONMENTAL CONSULTANTS TO PREPARE PROGRAMMATIC CEQA COMPLIANCE DOCUMENTATION OF ALTERNATIVE 3 DESCRIBED IN THE SOUTH BASIN GROUNDWATER PROTECTION PROJECT FEASIBILITY STUDY REPORT

WHEREAS, in accordance with the District's Groundwater Quality Protection Policy and pursuant to the National Contingency Plan (NCP), the District has completed a NCP-compliant remedial investigation and feasibility study (RI/FS) that evaluates remedial alternatives to address groundwater contamination in the southern portion of the Orange County Groundwater Basin, referred to as the South Basin Area; and

WHEREAS, the District's remedial investigation (RI) entailed the construction of 39 monitoring wells and more than 200 test borings, the sampling and data analysis of which were documented in a comprehensive Preliminary Remedial Investigation Report (2015) and a Supplemental Remedial Investigation Report (2021) that together document the RI; and

WHEREAS, the primary objective of the feasibility study (FS) is to develop and evaluate appropriate remedial alternatives such that relevant information concerning the remedial alternatives can be presented to the District Board of Directors for consideration and selection of a remedy pursuant to the NCP; and

WHEREAS, the South Basin Groundwater Protection Project Feasibility Study Report (2023) contains remedial action objectives that guided the development of the remedial alternatives to address contaminants that have migrated from multiple source properties in the South Basin Area and have commingled, forming a large, dissolved contaminant plume; and

WHEREAS, the Feasibility Study Report develops and evaluates six remedial alternatives, including No Action (Alternative 1), Monitored Natural Attenuation (Alternative 2), Groundwater Extraction and Treatment with disposal to the sewer/Groundwater Replenishment System (GWRS) (Alternative 3) or disposal via reinjection to the aquifer (Alternative 4), In-Situ Treatment by Chemical Oxidation (Alternative 5), and a combination of Alternatives 3 and 5 (Alternative 6); and

WHEREAS, pursuant to criteria set forth in the NCP, including overall protection of human health and the environment, effectiveness, implementability, and relative cost, Alternative 3 is the highest ranked alternative; and

WHEREAS, Alternative 3, as evaluated in the Feasibility Study Report, includes: 1) a series of extraction wells to hydraulically contain contaminated groundwater, which removes and prevents the further spread of contaminants and reduces the risk of contaminants spreading to deeper aquifers; 2) collection piping; and 3) local treatment systems for suspended sediment and contaminant removal prior to discharge to the sewer system where the extracted and treated water undergoes primary and secondary treatment by the Orange County Sanitation District and is further treated by the GWRS before being recharged into the groundwater basin; and

WHEREAS, Engineering Analytics prepared the Supplemental Remedial Investigation Report and the Feasibility Study Report and, subject to the board's selection of Alternative 3 as the tentatively identified preferred remedial alternative and the review and consideration of the environmental impacts of Alternative 3 in accordance with the California Environmental Quality Act (CEQA), is expected to prepare a proposed Interim Remedial Action Plan based on Alternative 3;

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

Section 1: Alternative 3 (groundwater extraction and treatment with discharge to sewer and GWRS) described in the Feasibility Study Report, is selected as the tentatively identified preferred remedial alternative, subject to review and consideration of the environmental impacts of the proposed project in accordance with CEQA.

Section 2: The issuance of a Request for Proposals to the District's on-call environmental consultants to prepare programmatic CEQA compliance documentation of Alternative 3 described in the South Basin Groundwater Protection Project Feasibility Study Report is authorized.

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

16. Monthly Cash Control Report

MOTION NO. 23-21
RECEIVING AND FILING THE MONTHLY CASH CONTROL REPORTS

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

17. Investment Portfolio Holdings Reports

MOTION NO. 23-22
RECEIVING AND FILING INVESTMENT PORTFOLIO HOLDINGS REPORTS

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

18. Rate Increase for Rutan & Tucker Legal Fees

RESOLUTION NO. 23-2-24
APPROVING AMENDMENT TO AGREEMENT WITH RUTAN & TUCKER FOR
GENERAL COUNSEL SERVICES

WHEREAS, pursuant to Resolution No. 03-2-24 adopted February 19, 2003, OCWD entered into an Agreement with Rutan & Tucker, LLP to provide general counsel services; and

WHEREAS, the Administration and Finance Issues Committee has recommended issuance of an Amendment to such Agreement providing for adjusted hourly billing rates for legal counsel services commencing on March 1, 2023 as follows: Routine Legal Services at \$322/hour and specialized legal Services at \$360/hour;

NOW, THEREFORE, the Board of Directors of the Orange County Water District does hereby approve the Amendment to the Agreement with Rutan & Tucker as outlined herein; and its execution by the District officers is authorized.

19. Limited-Term Agreement for Environmental Specialist Field Biologist Alec Mang

RESOLUTION NO. 23-2-25
APPROVING LIMITED TERM EMPLOYMENT AGREEMENT WITH ALEC MANG AS
ENVIRONMENTAL SPECIALIST FIELD BIOLOGIST

RESOLVED, that a Limited Term Employment Agreement is authorized with Alec Mang as an Environmental Specialist Field Biologist for a two-year term commencing February 27, 2023 at a rate of \$35 per hour (to be increased by 2% on February 27, 2024), and, upon motion as to form by District General Counsel, its execution by the District officers is authorized.

20. Amendment to Bottomline Technologies for Accounts Payable Automation Software

RESOLUTION NO. 24-2-26
 APPROVING AGREEMENT WITH BOTTOMLINE TECHNOLOGIES FOR AN ACCOUNTS
 PAYABLE AUTOMATION SOLUTION SOFTWARE

WHEREAS, pursuant to Resolution No. 22-6-84 adopted February 15, 2023, OCWD authorized issuance of Agreement No.1505 to Bottomline Technologies for an amount not to exceed \$115,000 for an Accounts Payable Automation Solution software; and

WHEREAS, the Administration and Finance Issues Committee of this Board has recommended issuance of Amendment No. 1 to such Agreement for an increase of \$15,400 for accounts payable software enhancements;

NOW, THEREFORE, the Board of Directors of the Orange County Water District does hereby approve Amendment No. 1 to the Agreement with Bottomline Technologies as outlined herein; and, upon approval as to form by District General Counsel, its execution by the District officers is authorized.

21. Budget to Actual Report for Second Quarter FY 2022–23

MOTION NO. 23-23
 RECEIVING AND FILING BUDGET TO ACTUAL REPORT FOR
 SECOND QUARTER FY 2022-23

The Budget to Actual Report for the Second Quarter of Fiscal Year 2022-23 ending December 31, 2022 is hereby received and filed.

MATTERS FOR CONSIDERATION

22. Board & Committee Meeting Administration

General Manager Mike Markus reported that the Governor’s emergency declaration order will expire on February 28, 2023 and the District will return to administrating board and committee meetings in compliance with the Brown Act, and the Board, staff and public would once again attend meetings in person. He stated that staff recommends continuing to offer a virtual Zoom option for board and committee meetings for those times when an individual is unable to attend in person. Director of Information Services Bruce Dosier reported that staff is exploring ways to implement teleconferencing during Board meetings by using Zoom when required and installing a camera on the back wall of the Boardroom which would be accessible through Zoom.

MOTION NO. 23-24
 APPROVING CONTINUATION OF VIRTUAL ZOOM OPTION FOR BOARD AND COMMITTEE
 MEETINGS AND AUTHORIZING STAFF TO INSTALL CAMERAS IN THE BOARDROOM

Upon motion by Director Meeks, seconded by Director Rowe and carried [9-0], it was agreed to: 1) Continue to offer a virtual Zoom option for board and committee meetings; and 2) Authorize installation of cameras in the Boardroom to provide videoconference capabilities

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

Absent: Nguyen

INFORMATIONAL ITEMS

23. Water Resources Summary

There was no discussion of this item.

24. SAWPA Commission Activities

Director Whitaker updated the Board on recent SAWPA Commission activities.

25. 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 27 - Property Management Committee
 Feb 02 - Communication and Legislative Liaison Committee
 Feb 08 - Water Issues Committee
 Feb 09 - Administration and Finance Issues Committee

26. Verbal Reports

There were no verbal reports given.

27. RECESS TO CLOSED SESSION

The Board recessed to Closed Session at 6:00 p.m.as follows:

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION – [Government Code Section 54956.9(a)] -
OCWD v. Sabic Innovative plastics, LLC, et al (South Basin Litigation) Superior Court Case No. 03CC 00078246

PUBLIC EMPLOYEE PERFORMANCE EVALUATION
 (Assistant District Secretary) [Government Code Section 54957]

RECONVENE IN OPEN SESSION

The Board reconvened in Open Session whereupon General Counsel Jungreis advised that the Board took the following action in Closed Session by a unanimous vote of all ten Directors present.

RESOLUTION NO. CS-23-2-1
 APPOINTING CHRISTINA FULLER DISTRICT SECRETARY

RESOLVED, that Christina Fuller is hereby appointed as District Secretary effective April 1, 2023 to serve at the pleasure of the Board.

ADJOURNMENT

There being no further business to come before the Board, the meeting adjourned at 7:00 p.m.

DocuSigned by:
Christina Fuller
F53642D9D46843A...
Christina Fuller, Assistant District Secretary

DocuSigned by:
Cathy Green
74525BB109EB4A9...
Cathy Green, President