

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

President Sheldon called to order the May 5, 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 Governor's Executive Order N-25-20, members of the Board participated via Zoom webinar from remote locations. Public access was also provided via Zoom webinar.

Directors

Denis Bilodeau  
Jordan Brandman  
Cathy Green  
Nelida Mendoza  
Dina Nguyen  
Kelly Rowe  
Stephen Sheldon  
Tri Ta  
Bruce Whitaker  
Roger Yoh

Staff

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

**PRESENTATION OF CHECK BY ACWA/JPIA EXECUTIVE COMMITTEE DIRECTOR MELODY MCDONALD**

Association of California Water Agencies/Joint Powers Insurance Authority (ACWA/JPIA) Executive Committee member Melanie McDonald presented the District with a check in the amount of \$200,126 representing a retrospective premium adjustment stabilization refund.

**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 Brandman, seconded by Director Green and carried [10-0] as follows:

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

1. Approval of Cash Disbursements

**MOTION NO. 21-42  
APPROVING CASH DISBURSEMENTS**

Payment of bills for the period of April 15, 2021 through April 28, 2021 in the total amount of \$12,846,323.49 is ratified and approved.

2. Approval of Minutes of Board Meetings

MOTION NO. 21-43  
APPROVING MINUTES OF BOARD OF DIRECTORS MEETING

The Minutes of the Board of Directors meeting held April 7, 2021 are hereby approved as presented.

ITEM RECOMMENDED FOR APPROVAL AT PROPERTY MANAGEMENT COMMITTEE MEETING HELD APRIL 23

3. Release of Easement Interest to Mesa Valley, LLC on Portion of Cajon Canal in City of Placentia

RESOLUTION NO. 21-5-71  
APPROVING AGREEMENT RELEASING THE EASEMENT INTEREST OVER PORTION OF CAJON CANAL IN THE CITY OF PLACENTIA TO MESA VALLEY, LLC

WHEREAS, in 1967, the District acquired the right, title and interest of the Anaheim Union Water Company in and to the Cajon Canal from the City of Anaheim; and

WHEREAS, the District terminated the use of the Cajon Canal in 1969, and subsequently the Board adopted Resolution No. 69-8-92 to release the interest of the District to owners of parcels in which the Cajon Canal passes, thereby relieving the District of any responsibility; and

WHEREAS, the current owner of Assessor Parcel Number (APN) 336-061-34, Mesa Valley, LLC, has requested an Agreement from the District releasing easement interest, pursuant to the authorization granted in Resolution No. 69-8-92; and

WHEREAS, the Property Management Committee of this Board has reviewed such request and recommended execution of an Agreement releasing the District's easement interest over portion of the Cajon Canal in the City of Placentia (APN 336-061-34) to Mesa Valley, LLC, pursuant to the authorization granted under Resolution No. 69-8-92;

NOW, THEREFORE, the Board of Directors of the Orange County Water District does hereby approve an Agreement releasing the District's easement interest over portion of the Cajon Canal in the City of Placentia (APN 336-061-34) to Mesa Valley, LLC, pursuant to the authorization granted in Resolution No. 69-8-92; and, upon approval as to form by District General Counsel, its execution by the District officers is authorized.

ITEM RECOMMENDED FOR APPROVAL AT RETIREMENT COMMITTEE MEETING  
HELD APRIL 27

4. Retirement Committee “Employee” Vacancy Appointments

MOTION NO. 21-44

APPROVING EMPLOYEE APPOINTMENTS TO THE RETIREMENT COMMITTEE

The following staff appointments to the OCWD Retirement Committee are hereby approved:

Sitting Member – Jason Dadakis (re-appointed - two-year term);  
First Alternate – Kevin O’Toole (re-appointed - one-year term); and  
Second Alternate – Jana Safarik (re-appointed - one-year term)

5. 457(b) Deferred Compensation Plan Investment Line-Up Review and 401(a) Red Flag Fund Review

MOTION NO. 21-45

RECEIVING AND FILING 401(a) MONEY PURCHASE RETIREMENT PLAN  
INVESTMENT PORTFOLIO AND THE 457(B) DEFERRED COMPENSATION PLAN  
INVESTMENT PORTFOLIO AND APPROVING ACTIONS IN CONNECTION WITH SUCH  
PLAN FUNDS

The 401(a) Money Purchase Retirement Plan investment portfolio and the 457(b) Deferred Compensation Plan investment portfolios are hereby received and filed; and the following actions in connection with plans are authorized:

INVESTMENT FUNDS	SYMBOL	ACTION
<b>457 (B) Portfolio</b>		
American Century Global Gold I	AGGNX	Red Flag
<b>401 (a) Portfolio</b>		
T. Rowe Price US Large-Cap Core 1	RCLIX	Remove and Map to PRILX
MFS Technology R4	MTCJX	Red Flag
BNY Mellon Natural Resources I	DLDRX	Keep Red Flag

MATTER FOR CONSIDERATION

6. Santa Ana Watershed Project Authority Fiscal Years 2021-22 And 2022-23 Budgets

SAWPA General Manager Jeff Mosher advised that SAWPA recently approved its fiscal year (FY) 2021-22 and FY 2022-23 budgets. He noted that the District’s annual contribution to SAWPA would increase from the current \$306,068 to \$311,369 for FY 2021-21 and to \$313,087 for FY 2022-23.

Upon motion by Director Whitaker, seconded by Director Rowe, the following resolution was unanimously adopted [10-0].

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

RESOLUTION NO. 21-5-72  
APPROVING THE BUDGET OF THE SANTA ANA WATERSHED PROJECT  
AUTHORITY FOR THE FISCAL YEARS ENDING 2022 AND 2023

WHEREAS, the Santa Ana Watershed Project Authority (SAWPA or Agency) was formed in 1975 pursuant to that certain Joint Exercise of Powers Agreement Creating Santa Ana Watershed Project Authority, as amended in 1984, 1991, 1997, 2002, and 2007 (herein collectively referred to as the 1975 JPA);

WHEREAS, the 1975 JPA designates Orange County Water District as a member of the Agency (Member Agency);

WHEREAS, the 1975 JPA requires approval of the SAWPA Budget by each Member Agency to the extent that such budget may impose any liability on said Member Agency; and

WHEREAS, the 1975 JPA requires approval of such budget be evidenced by a certified copy of an approving resolution;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of Orange County Water District.

Section 1: The Board of Directors of Orange County Water District hereby approves the SAWPA Budget for Fiscal Years ending 2022 and 2023.

Section 2: The Board Secretary is hereby directed to provide SAWPA with a certified copy of the fully executed Resolution.

Section 3: Payment to SAWPA of the Orange County Water District's Member Agency contributions of \$311,369 and \$313,087 for 2022 and \$294,33 for 2023 is authorized.

INFORMATIONAL ITEMS

7. PFAS Update

Director of Engineering Chris Olsen reviewed the status of the PFAS treatment facilities construction and design activities.

8. Santa Ana Watershed Project Authority Activities

Director Whitaker updated the Board on recent SAWPA activities.

8. Committee Reports/Meeting Reports

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

April 23 - Property Management Committee  
April 27 - Retirement Committee

RECESS TO CLOSED SESSION

The Board recessed to Closed Session at as follows:

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION –  
[Government Code Section 54956.9(a)] – One case:  
OCWD v. 3M Company Superior Court Case No.: 30-2020-01172419-CU-PL-CXC

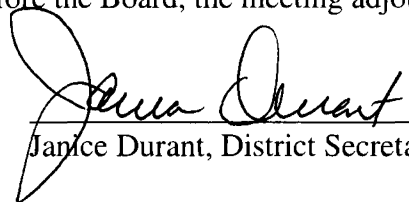
CONFERENCE WITH LABOR NEGOTIATORS  
[Government Code Section 54957.6]  
OCWD designated representative: Stephanie Dosier  
⊙ Employee Organization: Orange County Employee Association: and  
⊙ Non-Represented Employees (Confidential and Management)

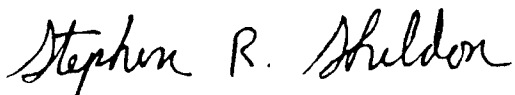
RECONVENE IN OPEN SESSION

The Board reconvened in Open Session at 7:00 p.m. whereupon General Counsel Jungreis announced that no reportable action took place in Closed Session.

ADJOURNMENT

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

  
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Janice Durant, District Secretary

  
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Stephen R. Sheldon, President