

MINUTES OF ADJOURNED REGULAR MEETING
BOARD OF DIRECTORS, ORANGE COUNTY WATER DISTRICT
June 7, 2017, 5:30 p.m.

President Bilodeau called to order the June 7, 2017 regular meeting of the Orange County Water District Board of Directors at 5:30 p.m. in the Boardroom at the District office. Following the Pledge of Allegiance to the Flag, the District Secretary called the roll and reported a quorum as follows.

Directors

Philip Anthony
Denis Bilodeau
Shawn Dewane
Cathy Green
Dina Nguyen (arrived 5:40 p.m.)
Vicente Sarmiento (absent)
Stephen Sheldon
James Vanderbilt (absent)
Bruce Whitaker
Roger Yoh

Staff

Mike Markus, General Manager
Joel Kuperberg, General Counsel
Janice Durant, District Secretary

VISITOR PARTICIPATION

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

CONSENT CALENDAR

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

Ayes: Anthony, Bilodeau, Dewane, Green, Sheldon, Whitaker, Yoh
Absent: Nguyen, Sarmiento, Vanderbilt

1. Approval of Cash Disbursements

MOTION NO. 17-82
APPROVING CASH DISBURSEMENTS

Payment of bills for the period April 20, 2017 through May 17, 2017 in the total amount of \$7,497,455.08 is ratified and approved.

2. Approval of Minutes of Board Meeting

MOTION NO. 17-83
APPROVING MINUTES OF BOARD MEETING

The minutes of the Board of Directors meeting held May 3, 2017 are approved as presented.

3. Amendment to License with T.B.U. for Storing of Materials Located at Conrock Basin

RESOLUTION NO. 17-6-82
APPROVING AMENDMENT TO LICENSE WITH T.B.U., INC. FOR STORING OF
MATERIALS LOCATED AT CONROCK BASIN, ANAHEIM

WHEREAS, pursuant to the General Manager’s signing authority granted under Resolution No. 14-3-29, OCWD authorized a short-term License Agreement to T.B.U., Inc. through March 30, 2017 for the purpose of storing Licensee’s equipment while performing construction work for Yorba Linda Water District (YLWD) pipeline project; and

WHEREAS, on March 15, 2017, the OCWD General Manager authorized Amendment One to such License extending the License through May 31, 2017; and

WHEREAS, the Licensee had previously requested an additional two-week extension through June 7, 2017; and

WHEREAS, T.B.U. has now requested an additional three-month extension through September 1, 2017 to complete the construction work and restore OCWD’s property and fence that was disturbed during construction;

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

Section 1: The two-week extension to the aforementioned License Agreement through June 7, 2017 is hereby approved, and its execution by the General Manager is hereby ratified.

Section 2: Amendment Two to such License Agreement extending the License expiration date to September 1, 2017, with all other License terms to remain the same, 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 MAY 26

4. License Agreements West of Highway 71/Prado Basin

RESOLUTION NO. 17-6-83
APPROVING LICENSE AGREEMENTS WITH ANDRE BELLO, ALBERT BELLO, TONY BELLO, DAN DEBUSSCHERE AND ROBERT K. AND DEBRA PETERSON FOR ACCESS
ACROSS DISTRICT PROPERTY WEST OF HIGHWAY 71 AT PRADO BASIN

WHEREAS, pursuant to Resolution No. 12-7-80 adopted July 18, 2012, OCWD authorized Prado Key Access License Agreements with Andre Bello, Albert Bello, Tony Bello, Dan DeBusschere and Robert K. and Debra Peterson for a five year period ending June 30, 2017 that permitted ingress and egress over and across the West of Highway 71 property in Prado Basin; and

WHEREAS, the Property Management Committee has recommended renewal of such License Agreements for continued access across District Property, west of Highway 71 access road, for a 5-year period ending June 30, 2022, for a License Fee of \$1,148;

NOW, THEREFORE, the Board of Directors of the Orange County Water District does hereby approve the aforementioned License Agreements as outlined herein, and, upon approval as to form by District General Counsel, execution on behalf of the District by the President or Vice President and General Manager or District Secretary is authorized.

5. Duck Hunting Lease with Elaine Raahauge dba Mike Raahauge's Shooting Enterprises

RESOLUTION NO. 17-6-84
APPROVING AMENDMENT TO DUCK HUNTING LEASE WITH ELAINE RAAHAUGE
D.B.A. MIKE RAAHAUGE'S SHOOTING ENTERPRISES

WHEREAS, pursuant to Resolution No. 05-11-125 adopted November 2, 2005, as amended annually, OCWD issued a Lease to Elaine Raahauge d.b.a. Mike Raahauge's Shooting Enterprises; to extend the lease for a duck hunting concession on District property at Prado Basin for the 2016/17 duck hunting season with a new expiration date of June 30, 2017 and

WHEREAS, the Property Management Committee has recommended issuance of Amendment No. 15 to such lease to extend lease for a duck hunting concession at Prado Basin for the 2017/18 duck hunting season expiring June 30, 2018;

NOW, THEREFORE, the Board of Directors of the Orange County Water District does hereby approve the aforementioned Amendment No. 15 to such Lease as described herein; and, upon approval as to form by District General Counsel, its execution by the District's officers is authorized.

INFORMATIONAL ITEMS

Director Nguyen arrived at 5:40 p.m. at this point in tonight's meeting.

6. Imported Water Purchases Update

Executive Director John Kennedy advised that the Metropolitan Water District (MWD) requested to put water in its Conjunctive Use Program (CUP) Storage Account. He recalled that the CUP Storage Agreement was entered into in 2003 for a 25-year term and allows MWD to store up to 66,000 af in the OCWD Basin. Mr. Kennedy stated that OCWD received compensation from MWD in the total amount of \$33.2 million which was used for 8 extraction wells, Talbert Barrier Seawater Improvements, and OC28a connection construction. He advised that OCWD is considering entering into a Cyclic Storage Agreement with MWD wherein OCWD would receive another 30,000 af of water in addition to the 65,000 af that has been budgeted for purchase. Mr. Kennedy noted that staff would continue its negotiations with MWD and return to the Board in late summer with an update.

Irvine Ranch Water District Director Peer Swan asked if staff was planning on putting water into the recharge basins in Orange, noting IRWD has the ability to bring additional Colorado River water through a connection in Irvine Park. Staff stated they would meet with Peer Swan to discuss this issue.

7. Santa Ana Watershed Project Authority Activities

Director Anthony noted that SAWPA is currently seeking a new General Manager.

8. Committee/Conference/Meeting Reports

The Board reported on the following Committee meetings and noted the Minutes/Action Agendas were included in tonight's Board packet.

- May 24 - Joint Planning Committee
- May 26 - Property Management Committee

VERBAL REPORTS

Director Green stated that she met last week with the California Controller in Carlsbad.

ADJOURNMENT TO CLOSED SESSION

The Board adjourned to Closed Session at 5:52 p.m. as follows:

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)

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION – [Government Code Section 54956.9(a)] – 2 cases:

- 1) *OCWD v. Unocal Corporation, et al* (MTBE Litigation) Superior Court Case No. 03CC00176
- 2) *OCWD v. Northrop Corporation, et al* (North Basin VOC Litigation) Superior Court Case No. 04CC00715

RECONVENE IN OPEN SESSION

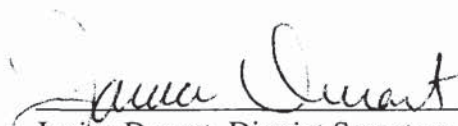
The Board reconvened in Open Session at 7:00 p.m. whereupon General Counsel Kuperberg advised that no reportable action took place in Closed Session.

ADJOURNMENT

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



Denis Bilodeau, President



Janice Durant, District Secretary