

MINUTES OF MEETING
BOARD OF DIRECTORS, ORANGE COUNTY WATER DISTRICT
August 3, 2022, 5:30 p.m.

President Sheldon called to order the August 3, 2022 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
Gloria Ma'ae
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

CONSENT CALENDAR

The Board had numerous questions regarding Item No. 5, *License Agreement to Hana Resources*, and requested its deferral to the next Board meeting. This action and the balance of the Consent Calendar was then approved upon motion by Director Rowe, seconded by Director Yoh and carried [9-0] as follows, with Director Nguyen absent.

Ayes: Bilodeau, Green, Ma'ae, Mendoza, Rowe, Sheldon, Ta, Whitaker, Yoh
Absent: Nguyen

1. Approval of Cash Disbursements

MOTION NO. 22-74
APPROVING CASH DISBURSEMENTS

Payment of bills for the period of July 14, 2022 through July 27, 2022 in the total amount of \$22,222,656.97 is ratified and approved.

2. General Manager Compensation

MOTION NO. 22-75
APPROVING INCREASE IN GENERAL MANAGER'S COMPENSATION

A 2% increase to the General Manager's annual base salary is hereby authorized changing his salary from \$301,990 to \$308,022 effective retroactively to July 1, 2022; and a \$27,000 contribution into his 457 retirement account is authorized.

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

RESOLUTION NO. 22-8-99
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;

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.

4. Contract No. FUL-2022-2 Fullerton Kim 1A Well Rehabilitation Notice Inviting Bids

MOTION NO. 22-76

AUTHORIZING PUBLICATION OF NOTICE INVITING BIDS FOR CONTRACT NO. FUL-2022-2, FULLERTON KIMBERLY WELL 1A WELL REHABILITATION

Publication of a Notice Inviting Bids is authorized for Contract No. FUL-2022-2, Fullerton Kimberly Well 1A Well Rehabilitation.

ITEMS RECOMMENDED FOR APPROVAL AT PROPERTY MANAGEMENT COMMITTEE MEETING HELD JULY 22, 2022

5. License Agreement to Hana Resources, Inc to Access District Property at Prado Basin to Access U.S. Army Corps of Engineers Land

MOTION NO. 22-77

DEFERRING CONSIDERATION OF LICENSE AGREEMENT TO HANA RESOURCES, INC TO ACCESS DISTRICT PROPERTY AT PRADO BASIN TO ACCESS U.S. ARMY CORPS OF ENGINEERS LAND

Consideration of approval of a License Agreement To Hana Resources, Inc to Access District Property at Prado Basin To Access U.S. Army Corps of Engineers Land is hereby deferred to the August 17, 2022 Board meeting.

6. License Agreement with Scripps Institution of Oceanography for Access to Anaheim Field Office Location

RESOLUTION NO. 22-8-100
APPROVING LICENSE AGREEMENT WITH SCRIPPS INSTITUTION OF
OCEANOGRAPHY FOR ACCESS TO ANAHEIM FIELD OFFICE LOCATION

WHEREAS, the District has partnered with the Center of Western Weather and Water Extremes (CW3E) at the Scripps Institution of Oceanography to study the application of Forecast Informed Reservoir Operations (FIRO) at Prado Dam; and

WHEREAS, as part of this effort, CW3E is collecting hydrometeorological data at Catalina Island and Seven Oaks Dam and would like to obtain additional data in a central location between these two sites at the District's Anaheim Field Office;

WHEREAS, in this regard, the Property Management Committee of this Board has recommended a long-term License Agreement with the Regents of the University of California, University of California San Diego, on behalf of the Center for Western Weather and Water Extremes (CW3E) at Scripps Institution of Oceanography to allow CW3E staff access to District properties District's Anaheim Field Office to collect weather related information for the winters of 2022-23 to 2024-25; for the purpose of collecting hydrometeorological data to support the District's Forecast Informed Reservoir Operations (FIRO) project at Prado Dam, with all reports generated by the licensed activities provided to OCWD in lieu of the standard fee of \$1,148;

NOW, THEREFORE, the Board of Directors of the Orange County Water District does hereby approve the License Agreement with Scripps Institution of Oceanography as outlined herein; and, upon approval as to form by District General Counsel, its execution by the District officers is authorized.

Director Nguyen arrived during discussion of the Informational Items.

INFORMATIONAL ITEMS

7. PFAS Update

Director of Engineering Chris Olsen provided an update on PFAS treatment plant construction activities.

8. Santa Ana Watershed Project Activities

Director Whitaker noted the SAWPA Commission meeting was canceled.

9. 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.

- July 22 – Property Management Committee
- July 27 – Joint Planning Committee

10. Verbal Reports

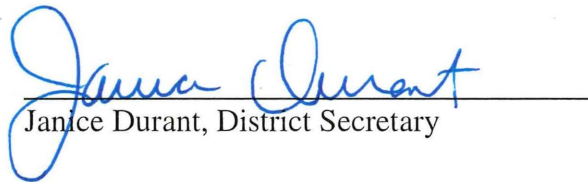
President Sheldon reported on efforts to find financial resources at the State and Federal level to grant OCWD an exemption on PFAS. General Manager Markus updated the Board on his meetings with water agencies who were asked to respond to the recent Grand Jury Report. Director Green reported on her attendance at the recent ACWA Region 10 meeting at which the status of the Colorado River was discussed. Director Whitaker stated he attended the Southern California Water Coalition Conference in Long Beach on July 22 regarding landscape conservation.

ADJOURNMENT

There being no further business to come before the Board, the meeting adjourned at 5:40 p.m.



Stephen R. Sheldon, President



Janice Durant, District Secretary

