

MINUTES OF MEETING
BOARD OF DIRECTORS, ORANGE COUNTY WATER DISTRICT
August 5, 2020, 5:30 p.m.

President Sarmiento called to order the August 5, 2020 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. Due to the Governor's Executive Order N-25-20, members of the Board participated via Zoom from remote locations. Public access was also provided via Zoom meeting.

Directors

Denis Bilodeau
Jordan Brandman
Cathy Green
Dina Nguyen
Kelly Rowe
Vicente Sarmiento
Stephen Sheldon
Tri Ta
Roger Yoh
Ahmad Zahra

Staff

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

CONSENT CALENDAR

The Consent Calendar was approved upon motion by Director Green, seconded by Director Ta and carried [8-0], with the following abstentions as noted below:

Ayes: Bilodeau, Brandman, Green, Rowe, Sarmiento, Sheldon, Ta, Yoh, Zahra
Abstain: Bilodeau – Item No. 8, *Boeing License Agreement*, due to an economic conflict
Sarmiento – Item No. 9, *Rent Reduction For. Mike Raahauge's Shooting Enterprises*, due to an economic conflict
Brandman – Item No. 1, (partial abstention), *Cash Disbursements relating to Orange County Conservation Corps*, due to a business relationship
Absent: Nguyen, Sheldon

1. Approval of Cash Disbursements

MOTION NO. 20-78
APPROVING CASH DISBURSEMENTS

Payment of bills for the period of July 9, 2020 through July 29, 2020 in the total amount of \$14,218,133.86 is ratified and approved.

2. Approval of Minutes of Board Meeting

MOTION NO. 20-79
APPROVING MINUTES OF BOARD MEETING

The minutes of the Board of Directors meeting held July 1, 2020 are approved as presented.

3. General Manager Compensation

MOTION NO. 20-80
APPROVING INCREASE IN GENERAL MANAGER COMPENSATION

An increase in the General Manager's annual base salary from \$288,900 to \$296,140 effective retroactively to July 1, 2020 is authorized in addition to a \$26,000 contribution into his 457 retirement account.

4. Engagement Agreement with Connor Fletcher & Hedenkamp for PFAS Special Oversight Counsel Services

RESOLUTION NO. 20-8-93
APPROVING ENGAGEMENT AGREEMENT WITH CONNOR FLETCHER &
HEDENKAMP FOR PFAS SPECIAL OVERSIGHT COUNSEL SERVICES

RESOLVED, that the General Manager is authorized to execute an Engagement Agreement with Connor Fletcher & Hedenkamp to provide special oversight counsel services regarding PFAS litigation with a not-to-exceed budget of \$150,000.

5. Agreement to Scheevel Engineering for Prado Basin Sediment Management Demonstration Project Water Quality Monitoring and Sediment Transport Modeling

RESOLUTION NO. 20-8-94
APPROVING AGREEMENT TO SCHEEVEL ENGINEERING FOR PRADO BASIN
SEDIMENT MANAGEMENT DEMONSTRATION PROJECT WATER QUALITY
MONITORING AND SEDIMENT TRANSPORT MODELING.

RESOLVED, that issuance of an Agreement to Scheevel Engineering, Inc. is authorized for an amount not to exceed \$318,457 for Water Quality Monitoring and Sediment Transport Modeling for the Prado Basin SMDP; and, upon approval as to form by District General Counsel, its execution by the District officers is authorized.

6. Purchase Orders for Special Inspection Services for GWRS Final Expansion Project

RESOLUTION NO. 20-8-95
APPROVING ISSUANCE OF PURCHASE ORDERS FOR SPECIAL INSPECTION
SERVICES FOR GWRS FINAL EXPANSION PROJECT

RESOLVED, that issuance of the following Purchase Orders is authorized for special inspection services for the GWRS Final expansion project.

- 1) Liberty Energy Services for a not-to-exceed amount of \$75,000 to OCSD for on-call operator-qualified (OQ) inspection services from; and
- 2) Tulsa Inspection Resources, LLC for a not-to-exceed amount of \$75,000 to for on-call OQ inspection services.

ITEMS RECOMMENDED FOR APPROVAL AT PROPERTY MANAGEMENT
COMMITTEE MEETING HELD JULY 24, 2020

7. Site Usage Agreement with Air Sites 2000 LLC for Integration of OCWD Field Radio System

RESOLUTION NO. 20-8-96
AUTHORIZING EXECUTION OF USAGE AGREEMENT WITH AIR SITES FOR
INTEGRATION OF OCWD FIELD RADIO SYSTEM

RESOLVED, that the General Manager to negotiate and execute a usage agreement with Air Sites for integration of the OCWD Field Radio System for a five-year term, at a monthly rate of \$1,400 and a 2% annual increase, subject to approval as to form and content by District legal counsel.

8. Boeing License Agreement for Proposed Monitoring Well Site OCWD-BS26, Sunset Gap Seawater Intrusion Investigation

RESOLUTION NO. 20-8-97
APPROVING BOEING LICENSE AGREEMENT FOR PROPOSED MONITORING WELL
SITE OCWD-BS26, SUNSET GAP SEAWATER INTRUSION INVESTIGATION

RESOLVED, that a no-fee License Agreement with The Boeing Company is authorized for the proposed Sunset Gap Seawater Intrusion Investigation monitoring wells OCWD-BS26A and OCWD-BS26B for a period of 30-years for well construction, monitoring, and maintenance; and, upon approval as to form by District General Counsel, its execution by the District officers is authorized.

9. Rent Reduction Request from Elaine Raahauge D.B.A. Mike Raahauge's Shooting Enterprises for 2020/2021 Duck Hunting Season

RESOLUTION NO. 20-8-98
APPROVING AMEMDMENT NO. 19 TO LEASE WITH ELAINE RAAHAUGE D.B.A.
MIKE RAAHAUGE'S SHOOTING ENTERPRISES FOR THE
2020/2021 DUCK HUNTING SEASON

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 2020/21 duck hunting season ending June 30, 2021; and

WHEREAS, due to the COVID-19 pandemic currently affecting the nation, the Property Management Committee has recommended issuance of Amendment No. 19 to such lease to reduce the annual rent for the 2020/21 duck hunting season by 20% to \$59,814;

NOW, THEREFORE, the Board of Directors of the Orange County Water District does hereby approve Amendment No. 19 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.

10. Corona Recreation, Inc. Request for Tree Trimming at Warner Basin

RESOLUTION NO. 20-8-99
APPROVING RENT CREDIT TO CORONA RECREATION, INC. FOR
TREE TRIMMING AT WARNER BASIN

WHEREAS, pursuant to Resolution No. 06-9-123 adopted September 20, 2006, as subsequently amended, OCWD approved a Lease with Corona Recreation, Inc. for operation of a fishing concession at Warner Basin and Anaheim Lake; and

WHEREAS, the Property Management Committee of this Board has recommended approval of a rent credit as determined appropriate by the General Manager as reimbursement for tree trimming services retained by Corona Recreation to expedite immediate tree trimming due to safety issues;

NOW, THEREFORE, the Board of Directors of the Orange County Water District does hereby approve a rent credit in an amount deemed appropriate by the General Manager as described herein.

ITEMS RECOMMENDED FOR APPROVAL AT RETIREMENT COMMITTEE MEETING
HELD JULY 28, 2020

11. 401(a) Money Purchase Plan Investment Fund Line-Up Review And 457(b) Deferred Compensation Plan Red Flag Fund Review

MOTION NO. 20-81

APPROVING ACTIONS WITH REGARD TO 457(B) DEFERRED COMPENSATION PLAN INVESTMENT LINE-UP AND 401(A) MONEY PURCHASE PENSION PLAN RED FLAG FUND REVIEW, AND RECEIVING AND FILING 401(A) MONEY PURCHASE RETIREMENT PLAN AND 457(B) DEFERRED COMPENSATION PLAN INVESTMENT PORTFOLIOS

The following actions in connection with the 457(b) Deferred Compensation Plan Investment Line-up Review and the 401(a) Money Purchase Pension Plan Red Flag Fund Review are hereby approved; and the 401(a) Money Purchase Pension Plan and the 457(b) Deferred Compensation Plan investment portfolios are hereby received and filed.

INVESTMENT FUNDS	SYMBOL	ACTION
457 (B) Portfolio		
Goldman Sachs Intl Eq Insghts Instl	GCIIX	Remove and Map to EIISX
Federated Hermes MDT Small Cap Core IS	QISCX	Remove and Map to FDSCX
457 (B) Portfolio		
Goldman Sachs Small Cap Eq Insghts Instl	GCSIX	Red Flag
Carillon Scout Mid Cap I	UMBMX	Remove Red Flag
T. Rowe Price US Large-Cap Core	TRULX	Red Flag
DoubleLine Core Fixed Income I	DBLFX	Remove and Map to RBFHX
JP Morgan Inflation Managed Bond R5	JIMRX	Remove and Map to GSIPX

Directors Nguyen and Sheldon arrived at this point in tonight's meeting.

MATTER FOR CONSIDERATION

12. Contract No. FUL-2020-1 Fullerton Kimberly Well 1A PFAS Water Treatment Plant: Engineers Report, Categorical Exemption, RFP for IX Resin Media, and NIB

Engineer Ben Smith advised that the final plans and specifications for the City of Fullerton Kimberly Well 1A PFAS Treatment Plant are nearing completion. Once the final documents are complete, he stated staff recommends filing a Categorical Exemption for the project, issuing a Notice Inviting Bids for the construction contract, and issuing a Request for Proposals for purchase of Ion Exchange resin media. The Board took the following action.

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

Ayes: Bilodeau, Brandman, Green, Nguyen, Rowe, Sarmiento, Sheldon, Ta, Yoh, Zahra

RESOLUTION NO. 20-8-100

RECEIVING AND FILING ENGINEER'S REPORT FOR FULLERTON KIMBERLY WELL 1A PFAS WATER TREATMENT PLANT PROJECT AND DETERMINING THE PROJECT FEASIBLE, NECESSARY AND BENEFICIAL TO THE LANDS OF THE DISTRICT; AUTHORIZING PUBLICATION OF REQUEST FOR PROPOSALS TO PROCURE AND INSTALL ION EXCHANGE RESIN MEDIA; AUTHORIZING PUBLICATION OF NOTICE INVITING BIDS FOR CONTRACT NO. FUL-2020-1, FULLERTON KIMBERLY WELL 1A PFAS WATER TREATMENT PLANT, AND AUTHORIZING FILING OF A CATEGORICAL EXEMPTION

WHEREAS, the District staff has presented the Engineer's Report for the Fullerton Kimberly Well 1A PFAS Water Treatment Plant Project to restore the use of groundwater supplies impacted by PFAS contaminants with minimal delay; and

WHEREAS, the District staff has recommended publication of a Request for Proposals to Procure and Install Ion Exchange Resin Media for the Fullerton Kimberly Well 1A PFAS Treatment Plant; and

WHEREAS, the District staff has further recommended publication of Notice Inviting Bids for Contract No. FUL-2020-1, Fullerton Kimberly Well 1A PFAS Water Treatment Plant, to construct such treatment plant;

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

Section 1: The Engineer's Report for the Fullerton Kimberly Well 1A PFAS Water Treatment Plant Project is hereby received and filed and the project is determined feasible, necessary and beneficial to the lands of the District and deemed duly instituted.

Section 2: Publication of a Request for Proposals to Procure and Install Ion Exchange Resin Media for the Fullerton Kimberly Well 1A PFAS Treatment Plant is authorized.

Section 3: Publication of Notice Inviting Bids for Contract No. FUL-2020-1, Fullerton Kimberly Well 1A PFAS Water Treatment Plant is authorized.

Section 4: Filing of a Categorical Exemption for the Fullerton Kimberly Well 1A PFAS Water Treatment Plant project is authorized in compliance with the California Environmental Quality Act (CEQA) guidelines.

INFORMATIONAL ITEMS

13. PFAS Update

Executive Director Jason Dadakis provided a brief update on PFAS issues.

14. Santa Ana Watershed Project Authorities Activities

General Manager Markus provided a brief update on the recent SAWPA Project Committee 23 meeting.

15. 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 - Joint Planning Committee
- July 24 - Property Management Committee
- July 28 - Retirement Committee

VERBAL REPORTS

Directors Green, Nguyen, Rowe, Yoh and Zahra reported on their attendance at the ACWA Conference on July 29 - July 30. Director Zahra advised that he met with Congressman Gil Cisneros and an EPA representative regarding the North Basin and PFAS. He also indicated he attended a local Rotary Club meeting to discuss PFAS. President Sarmiento clarified a video provided at the recent SAWQCB meeting regarding Poseidon showing him speaking on behalf of the project. He clarified that the video was pieced together from various meetings.

RECESS TO CLOSED SESSION

General Counsel Jungreis stated there was no need to discuss the South Basin Litigation in tonight's closed session. The Board then recessed to Closed Session at 6:05 p.m. as follows:

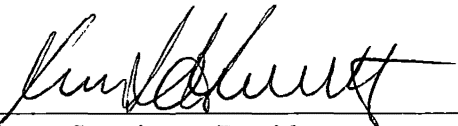
CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION -
INITIATION OF LITIGATION [Government Code Section 54956.9(d)(4): One potential case

RECONVENE IN OPEN SESSION

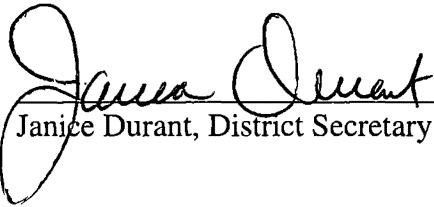
The Board reconvened in Open Session at 7:35 p.m. whereupon General Counsel Jungreis advised that no reportable action took place in Closed Session.

ADJOURNMENT

There being no further business to come before the Board the meeting adjourned at 7:35 p.m.



Vicente Sarmiento, President



Janice Durant, District Secretary