

MINUTES OF MEETING  
BOARD OF DIRECTORS, ORANGE COUNTY WATER DISTRICT  
June 19, 2024 5:30 p.m.

President Green called to order the June 19, 2024 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. Public access was also provided via Zoom webinar.

Directors

Valerie Amezcua  
Denis Bilodeau  
Cathy Green  
Dina Nguyen (absent)  
Natalie Meeks (arrived 5:32 p.m.)  
Stephen Sheldon (arrived 5:40 p.m.)  
Van Tran  
Erik Weigand  
Bruce Whitaker  
Roger Yoh

Staff

Mehul Patel, Executive Director  
Jeremy Jungreis, General Counsel  
Christina Fuller, District Secretary

VISITOR PARTICIPATION

There were no visitors wishing to address the Board at this meeting.

CONSENT CALENDAR

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

Ayes: Amezcua, Bilodeau, Green, Meeks, Tran, Weigand, Whitaker, Yoh

Absent: Nguyen, Sheldon

1. Approval of Cash Disbursements

MOTION NO. 24-52  
APPROVING CASH DISBURSEMENTS

Payment of bills for the period of May 30, 2024 through June 12, 2024 in the total amount of \$5,453,573.92 is ratified and approved.

2. Minutes of Board of Directors Meetings held June 5, 2024

MOTION NO. 24-53  
APPROVING MINUTES OF BOARD OF DIRECTORS MEETINGS

The Minutes of the Board of Directors meeting held June 5, 2024 are hereby approved as presented.

3. Agreement to CCS Facility Services for Janitorial Services

RESOLUTION NO. 24-6-61

AUTHORIZING AGREEMENT WITH CCS FACILITY SERVICES FOR JANITORIAL SERVICES  
FOR THE FOUNTAIN VALLEY, ANAHEIM AND PRADO FACILITY

RESOLVED, that issuance of an Agreement is authorized to CCS Facility Services for Janitorial Services for the Fountain Valley, Anaheim and Prado Facility Sites for an amount not to exceed \$577,235 for three years with an option to renew for an additional year under the same terms and conditions with the General Manager's approval.

4. Resolution in Recognition of the Honorable Chad P. Wanke

RESOLUTION NO. 24-6-62

COMMEMORATING THE PUBLIC SERVICE OF CHAD P. WANKE AS CHAIRMAN OF THE  
ORANGE COUNTY SANITATION DISTRICT'S BOARD OF DIRECTORS

WHEREAS, Chairman Chad P. Wanke's contributions and dedication to public service as chairman of the Orange County Sanitation District's (OC San) Board of Directors has protected public health and the environment by providing effective wastewater collection, treatment, and recycling; and

WHEREAS, by partnering with the Orange County Water District, in 2022, Chairman Wanke and the Board of Directors led OC San to achieve the remarkable feat of recycling 100% of their reclaimable flow through the Groundwater Replenishment System (GWRS), setting a new industry standard; and

WHEREAS, Chairman Wanke successfully oversaw the selection and hiring of a new general manager, ensuring a smooth organizational transition; and

WHEREAS, under his leadership, a strong partnership was maintained between OC San and the Orange County Water District, ensuring the successful operation of the GWRS; and

WHEREAS, under his guidance, the Headworks Rehabilitation Project, valued at \$222.3 million and expected to take seven years to complete, represents a significant shift in efficiency, reduces potential odor concerns, and enhances overall reliability; and

WHEREAS, Chairman Wanke has provided leadership and guidance for the construction and completion of the new OC San Headquarters; and

WHEREAS, he has demonstrated support for OC San's Supercritical Water Oxidation Project by seeking funding assistance through the Orange County Congressional Delegation; and

WHEREAS, Chairman Wanke has demonstrated his determination, vision, and leadership to OC San and its ratepayers through the commitment of his time, professionalism, and devotion to the residents and businesses of Orange County; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Orange County Water District does hereby officially commend and congratulate Chairman Wanke for completing his tenure as Chairman of the OC San Board of Directors, having served from July 2022 through June 2024.

5.     Award Contract No. SA-2023-1 City of Santa Ana PFAS Water Treatment Plant Wells No. 27 & 28 to Caliagua Incorporated

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RESOLUTION NO. 24-6-63  
AWARDING CONTRACT SA-2023-1 CITY OF SANTA ANA PFAS WATER TREATMENT PLANT  
WELLS NO. 27 & 28 TO CALIAGUA INCORPORATED

WHEREAS, a Notice Inviting Bids for the City of Santa Ana PFAS Water Treatment Plant Wells No. 27 & 28 Project, Contract SA-2023-1, was published in The Orange County Register on April 16, 2024; and

WHEREAS, the following bids were received and opened on June 6, 2024:

Caliagua Incorporated	\$12,327,491
Pacific Hydrotech Corporation	\$13,154,400
Kingmen Construction Incorporated	\$13,297,500
RC Foster Corporation	\$14,286,000

WHEREAS, the District staff recommends awarding the contract to Caliagua Incorporated for an amount not to exceed \$12,327,491 for the City of Santa Ana PFAS Water Treatment Plant Wells No. 27 & 28.

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

Section 1: The Affidavit of Publication of Notice Inviting Bids for Contract No. SA-2023-1 is received and filed.

Section 2: The lowest responsive bid of Caliagua Incorporated in the amount of \$12,327,491 is accepted and all other bids are rejected.

Section 3: Issuance of a services agreement to Caliagua Incorporated for Treatment Plant Wells No. 27 & 28 Project for an amount not to exceed \$12,327,491 and establishing a total project budget in the amount of \$16,369,186 is hereby authorized.

ITEMS RECOMMENDED FOR APPROVAL AT COMMUNICATIONS AND LEGISLATIVE  
LIAISON COMMITTEE MEETING HELD JUNE 6

6.     State Legislative Update

RESOLUTION NO. 24-6-64  
ADOPTING POSITIONS ON STATE LEGISLATION

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

Bill Number/Short Title/Author	Position Recommendation for Consideration:
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AB 2079 Bennett (D-Oxnard) Groundwater extraction: large-diameter, high-capacity wells: permits. Bennett (D-Ventura).	Oppose Unless Amended
SB 1147 Portantino (D-Glendale) Drinking water: bottled water: microplastics levels.	Watch

ITEMS RECOMMENDED FOR APPROVAL AT WATER ISSUES COMMITTEE MEETING HELD JUNE 12

7. Fourth Amended Agreement with United States Army Corps of Engineers

RESOLUTION NO. 24-6-65

APPROVING FOURTH AMENDED AGREEMENT WITH UNITED STATES ARMY CORPS OF ENGINEERS TO PROCESS DEVIATION REQUEST TO PRADO DAM WATER CONTROL PLAN FOR FORECAST INFORMED RESERVOIR OPERATIONS

WHEREAS, pursuant to Resolution No. 18-1-5 adopted January 17, 2018, OCWD approved an agreement with the United States Army Corps of Engineers for the Forecast Informed Reservoir Operations study at Prado Dam; and

WHEREAS, pursuant to Resolution No. 23-3-29 adopted March 15, 2023, OCWD approved the Third Amended Cooperative Research and Development Agreement with the United States Army Corps of Engineers for Forecast Informed Reservoir Operations Study that provides a no-cost schedule extension to March 31, 2027; and

WHEREAS, the District staff has presented and recommended the Fourth Amended Cooperative Research and Development Agreement (Appendix F) with the United States Army Corps of Engineers for the Review and Processing of Water Control Plan Deviation for Forecast Informed Reservoir Operations (FIRO) for Prado Dam, California, subject to approval as to form and content by District's General Counsel, for an additional \$30,000 for a total amount not to exceed \$245,000; and

NOW, THEREFORE, the Board of Directors of the Orange County Water District does hereby approve the Fourth Amended Cooperative Research and Development Agreement (Appendix F) with the United States Army Corps of Engineers for the Review and Processing of Water Control Plan Deviation for Forecast Informed Reservoir Operations (FIRO) for Prado Dam, California as outlined herein; and, upon approval as to form and content by District's General Counsel, its execution by the District officers is authorized.

8. Monitoring Well LAM-1: Proposed Access License Agreement Renewal with the U.S. Department of the Army

RESOLUTION NO. 24-6-66

AUTHORIZE GENERAL MANAGER TO EXECUTE AGREEMENT WITH THE U.S. DEPARTMENT OF THE ARMY FOR THE WELL ACCESS RENEWAL AGREEMENT; AND APPROVING PAYMENT TO THE U.S. DEPARTMENT OF THE ARMY FOR A NEW ACCESS LICENSE AGREEMENT

WHEREAS, The District maintains a network of monitoring wells to fulfill its mission for basin-wide groundwater monitoring and management.

WHEREAS, since the well is located on the Joint Forces Training Base, Los Alamitos an access agreement with the Department of the Army is required for continued District access.

WHEREAS, staff is in the process of negotiating a multi-year extension for a license agreement with the U.S. Department of the Army for continued access to OCWD-owned monitoring well LAM-1 located inside the Los Alamitos Joint Forces Training Base

WHEREAS, the Water Issues Committee of this Board has recommended authorizing the General Manager to execute an agreement with the U.S. Department of the Army for the well access renewal agreement;

WHEREAS, the Water Issues Committee of this Board has further recommended payment to the U.S. Department of the Army in the amount of \$20,007 to procure a new access license agreement for monitoring well LAM-1 located on the Los Alamitos Joint Forces Training Base.

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

9. Contract No. GG-2024-1 Garden Grove Well 19 PFAS Water Treatment Plant Categorical  
Exemption and Notice Inviting Bids

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RESOLUTION NO. 24-6-67

AUTHORIZING FILING OF CATEGORICAL EXEMPTION FOR THE GARDEN GROVE WELL 19  
PFAS WATER TREATMENT PLANT PROJECT AND AUTHORIZING PUBLICATION OF NOTICE  
INVITING BIDS

WHEREAS, the District staff has advised that the final plans and specifications for the city of Garden Grove Well 19 PFAS Treatment Plant (Well 19) are complete; and

WHEREAS, the Water Issues Committee of this Board has recommended Publication of the Notice Inviting Bids for Contract No. GG-2024-1, Garden Grove Well 19 PFAS Water Treatment Plant;

WHEREAS, in accordance with the California Environmental Quality Act (CEQA), staff has recommended filing of a Categorical Exemption for the Garden Grove Well 19 PFAS Water Treatment Plant project.

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

Section 1: Filing of a Categorical Exemption for the Garden Grove Well 19 PFAS Water Treatment Plant project in compliance with CEQA guidelines.

Section 2: Publication of Notice Inviting Bids is authorized for Contract No. GG-2024-1, Garden Grove Well 19 PFAS Water Treatment Plant.

10. Purchase of Equipment and Supplies for Membrane Fouling Research Study Reimbursable from NAWI Grant
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MOTION NO. 24-54

AUTHORIZING PURCHASE OF EQUIPMENT AND SUPPLIES FOR MEMBRANE FOULING RESEARCH STUDY REIMBURSABLE FROM NAWI GRANT

RESOLVED, that the purchase of supplies, materials, and equipment including membrane modules for an amount not to exceed \$120,000 for use in research grant NAWI Task 3.13: A Convergent Monitoring Platform for Dynamic Characterization of Reverse Osmosis Membrane Fouling and Demonstration of Innovative Control Strategies, which will be reimbursed from the research grant subaward, is authorized.

11. Laboratory Washroom Refurbishment - Publication of Notice Inviting Bids

MOTION NO. 24-55

AUTHORIZING PUBLICATION OF NOTICE INVITING BIDS FOR LABORATORY WASHROOM REFURBISHMENT

Publication of a Notice Inviting Bids for Laboratory Washroom Refurbishment services is authorized.

12. Santiago Pump Station Repairs – Authorize Agreement with T.E. Roberts

RESOLUTION NO. 24-6-68

AUTHORIZING AGREEMENT WITH T.E. ROBERTS FOR THE SANTIAGO BASIN FLOATING PUMP STATION POWER WIRE AND CONDUIT REPAIRS

RESOLVED, that issuance of an Agreement to T.E. Roberts in the amount of \$452,456 for the Santiago Basin Floating Pump Station Power Wire and Conduit Repairs; and, upon approval as to form by District General Counsel, its execution by the District officers is authorized.

13. Amendment No 1 to Powers Bros Machine for Anaheim Lake Vertical Turbine Pump and Motor Inspection and Rehabilitation
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RESOLUTION NO. 24-6-69

APPROVING AMENDMENT TO POWERS BROS MACHINE FOR ANAHEIM LAKE VERTICAL TURBINE PUMP AND MOTOR INSPECTION AND REHABILITATION

WHEREAS, pursuant to Resolution No. R24-1-5 adopted January 17, 2024, OCWD awarded Agreement No. 1570 to Powers Bros Machine Inc. for an amount not to exceed \$75,000 for the Anaheim Lake Vertical Turbine Pump and Motor Inspection and Replacement project; and

WHEREAS, the Water Issues Committee of this Board has recommended issuance of Amendment No. 1 to such Agreement for Anaheim Lake Vertical Turbine Pump and Motor Inspection And Rehabilitation for an amount not to exceed \$80,500, and to increase the project budget by \$80,500 for a total project budget of \$155,500;

NOW, THEREFORE, the Board of Directors of the Orange County Water District does hereby authorize issuance of Amendment No. 1 to Agreement No. 1570 with Powers Bros Machine Inc., as outlined herein;

and, upon approval as to form by District General Counsel, its execution by the District officers is authorized.

14. Emergency Repair Work Order Ratifications and Budget Increase

RESOLUTION NO. 24-6-70  
RATIFYING WORK ORDERS TO W.A. RASIC CONSTRUCTION COMPANY, DOTY BROTHERS  
AND T.E. ROBERTS FOR EMERGENCY REPAIRS, AND INCREASING THE EMERGENCY  
RESPONSE PROJECT BUDGET

WHEREAS, OCWD has implemented several measures to facilitate rapid response to emergency repairs, such as situations threatening loss of life or property which are needed to respond immediately to emergencies that cannot wait for the District's normal processes to scope, design, bid, award, and execute construction work; and

WHEREAS, in this regard, OCWD has multi-year agreements in place with three contractors to respond to emergencies and the General Manager has been authorized to issue Work Orders in accordance with the emergency agreements; and

WHEREAS, the District staff has advised of issuance Work Order Nos. 3/3A, 4, 5/5A, and 6 of Agreement No. 1451 and payments to W.A. Rasic Construction Company, Inc. for emergency repairs in the amounts of \$145,901.55, \$6,099, \$65,751.03, and \$17,444.29, respectively; and

WHEREAS, staff has further advised of issuance of Work Order Nos. 3/3A and 4 of Agreement No. 1450 and payments to Doty Brothers Construction Company, Inc. for emergency repairs in the amounts of \$211,588.77 and \$40,903.45, respectively;

WHEREAS, staff has further advised of issuance of Work Order No. 6 of Agreement No. 1452 and payments to T.E. Roberts, Inc. for emergency repairs totaling \$46,500; and

WHEREAS, the District staff has recommended an increase in the emergency repair project budget by \$65,812, for a total of \$600,000, to allow for rapid response to potential future emergency repair work in fiscal year 2023-24;

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

Section 1: Work Order No. 3/3A, 4, 5/5A, and 6 of Agreement No. 1451 and payments to W.A. Rasic Construction Company, Inc. for emergency repairs in the amounts of \$145,901.55, \$6,099, \$65,751.03, and \$17,444.29 as outlined herein.

Section 2: Work Order No. Nos. 3/3A and 4 of Agreement No. 1450 and payments to Doty Brothers Construction Company, Inc. for emergency repairs in the amounts of \$211,588.77 and \$40,903.45 as outlined herein.

Section 3: Work Order No. 6 of Agreement No. 1452 and payment to T.E. Roberts, Inc. for emergency repairs totaling \$46,500 as outlined herein.

Section 4: An increase in the emergency repair project budget by \$65,812, for a total of \$600,000, is authorized as outlined herein.

ITEMS RECOMMENDED FOR APPROVAL AT ADMINISTRATION FINANCE COMMITTEE  
MEETING HELD MARCH 14

15. Monthly Cash Control Report

MOTION NO. 24-56  
RECEIVING AND FILING THE MONTHLY CASH CONTROL REPORTS

The Summary Cash and Cash Equivalents Control Reports dated April 30, 2024 and May 31, 2024 are hereby received and filed.

16. Investment Portfolio Holdings Reports

MOTION NO. 24-57  
RECEIVING AND FILING INVESTMENT PORTFOLIO HOLDINGS REPORTS

The Investment Portfolio Holdings Reports dated April 30, 2024 are hereby received and filed.

17. Investment Portfolio Holdings Reports

MOTION NO. 24-58  
RECEIVING AND FILING INVESTMENT PORTFOLIO HOLDINGS REPORTS

The Investment Portfolio Holdings Reports dated May 31, 2024 are hereby received and filed.

18. Agreement to Lillestrand Leadership Consulting for Staff Leadership Development

RESOLUTION NO. 24-6-71  
APPROVING RENEWED AGREEMENT TO LILLESTRAND LEADERSHIP CONSULTING FOR  
STAFF LEADERSHIP DEVELOPMENT

RESOLVED, that a renewed Agreement to Lillestrand Leadership Consulting is authorized for an amount not to exceed \$40,000 for staff leadership development; and, upon approval as to form by General Counsel, its execution by the District officers is authorized.

19. Agreement to PacWest for District Security Services

RESOLUTION NO. 24-6-72  
APPROVING AMENDMENT TO PACWEST FOR SECURITY SERVICES

RESOLVED, that issuance of an amendment to Agreement No. 1496 to PacWest Security Services is authorized for an amount not to exceed \$474,904 to provide protective guard services at the OCWD Fountain Valley campus and all OCWD field locations for the period of June 15, 2024 through June 15, 2025.



20. Surplus of Equipment, Tools and Office Furniture

MOTION NO. 24-59  
SURPLUS OF EQUIPMENT, TOOLS AND FURNITURE

Items on the Surplus List dated May 31, 2024 are hereby declared surplus, and the sale and disposal thereof is authorized.

21. Pension Plan Audit Reports for OCWD 401(a) Money Purchase Retirement Plan and 457(b) Deferred Compensation Plan

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MOTION NO. 24-60  
RECEIVING AND FILING PENSION PLAN AUDIT REPORTS FOR 401(A) MONEY PURCHASE PLAN AND 457(B) DEFERRED COMPENSATION PLAN

The 401(a) Money Purchase Plan Audit Report and the 457(b) Deferred Compensation Plan Audit Report prepared by Lance Soll & Lunghard LLP for the period ending December 31, 2023 are hereby received and filed.

22. Additional Funds for Operating Costs of the Recharge Operations Facilities

RESOLUTION NO. 24-6-73  
AUTHORIZING ADDITIONAL FUNDS FOR OPERATING COSTS OF RECHARGE OPERATIONS FACILITIES

WHEREAS, the 2023-24 fiscal year budgeted fuel purchases and electrical costs to transfer captured stormflows to various recharge basins was based upon average expenses; and

WHEREAS, this season's rainfall is well above average which results in requiring additional funds to cover the pumping and fuel expenses; and

WHEREAS, the Administration and Finance Issues Committee has recommended issuance of additional funds in the amount of \$1,760,000 to the Recharge Operations general fund account line item 1060.54501 for electrical utilities; and

WHEREAS, the Administration and Finance Issues Committee has further recommended issuance of additional funds in the amount of \$70,000 to the Recharge Operations general fund account line item 1060.51521 for off-road fuel;

WHEREAS, the Administration and Finance Issues Committee has further recommended issuance of additional funds in the amount of \$25,000 to the Recharge Operations general fund account line item 1060.51520 for on-road fuel.

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

Section 1: Additional funds in the amount of \$1,760,000 to the Recharge Operations general fund account line item 1060.54501 for electrical utilities as outlined herein.

Section 2: Additional funds in the amount of \$70,000 to the Recharge Operations general fund account line item 1060.51521 for off-road fuel as outlined herein.

Section 3: Additional funds in the amount of \$25,000 to the Recharge Operations general fund account line item 1060.51520 for on-road fuel as outlined herein.

23. Flexible Spending Account Vendor Agreement

RESOLUTION NO. 24-6-74

AUTHORIZING AGREEMENT WITH CPI FOR FLEXIBLE SPENDING ACCOUNT SERVICES

RESOLVED, that issuance of an Agreement with CPI is authorized for Flexible Spending Account services effective July 1, 2024.

24. Budget to Actual Report for the Third Quarter FY 2023–24

MOTION NO. 24-61

RECEIVING AND FILING THE BUDGET TO ACTUAL REPORT FOR THE THIRD QUARTER  
FISCAL YEAR 2023-24

The Budget to Actual Report for the Third Quarter of Fiscal Year 2023-24 ending March 31, 2024 is hereby received and filed.

25. Pre-Audit Meeting with Auditors for Compliance with Auditing Standards Board

MOTION NO. 24-62

ASSIGNING DIRECTORS TO MEET WITH AUDITORS

Directors Yoh, Whitaker, with Weigand as alternate are hereby selected to attend a pre-audit meeting after the August 2024 Administration/Finance Issues Committee meeting for compliance with Auditing Standards Board – Standard No. 114.

MATTERS FOR CONSIDERATION

26. Renewal of 2024-25 Tax and Revenue Anticipation Notes

Executive Director Mehul Patel recalled that this item was presented to the June Administration & Finance Committee and must also be presented to the full Board for consideration. Director Bilodeau noted that this is a complex item that he is very familiar with and made a motion to approve the item.

Upon motion by Director Bilodeau, seconded by Director Whitaker, the following resolution was unanimously carried [8-0].

Ayes: Amezcua, Bilodeau, Green, Meeks, Tran, Weigand, Whitaker, Yoh

Absent: Nguyen, Sheldon

RESOLUTION NO. 24-6-75

AUTHORIZING THE EXECUTION AND DELIVERY OF TAX AND  
REVENUE ANTICIPATION NOTES TO SUPPORT THE EXISTING  
ORANGE COUNTY WATER DISTRICT COMMERCIAL PAPER  
PROGRAM

WHEREAS, the Board of Directors of the Orange County Water District (the “District”), a political subdivision duly organized and existing under and pursuant to the Constitution and laws of the State of California (the “State”), has entered into a commercial paper program through the OCWD Public Facilities Corporation (the “Corporation”); and

WHEREAS, to implement the commercial paper program, the Board of Directors of the Corporation has adopted a resolution (the “Corporation Resolution”) providing for the execution and delivery of Orange County Water District Commercial Paper Notes (the “Commercial Paper Notes”); and

WHEREAS, in order to secure the Commercial Paper Notes, the District has issued tax and revenue anticipation notes in the aggregate principal amount of \$75,000,000 (the “Prior Notes”), pursuant to Article 7.6 (commencing with Section 53850) of Chapter 4, Part 1, Division 2, Title 5 of the California Government Code for the fiscal year ending June 30, 2024; and

WHEREAS, in order to continue the commercial paper program relating to the fiscal year ending June 30, 2025, it is desirable to issue tax and revenue anticipation notes to replace the Prior Notes.

NOW, THEREFORE, The Board of Directors of The Orange County Water District Does Hereby Resolve as Follows:

Section 1. Definitions. Unless the context otherwise requires, the terms defined in this Section shall have the meanings herein specified. “Authorizing Law” means Article 7.6, Chapter 4, Part 1, Division 2, Title 5 of the California Government Code. “Code” means the Internal Revenue Code of 1986, as amended, and the Regulations promulgated thereunder. “Commercial Paper Notes” means Certificates issued pursuant to Resolution No. C-94-4-12 of the Corporation, adopted on April 20, 1994. “Corporation” means the OCWD Public Facilities Corporation. “District” means the Orange County Water District. “Indenture” means the Indenture of Trust, dated as of November 1, 2019, by and between the District and U.S. Bank Trust Company, National Association, as successor to MUFG Union Bank, N.A., as amended and supplemented from time to time. “Net Revenues” means Net Revenues as defined in the Indenture. “Parity Obligations” means Bonds and Contracts, as defined in the Indenture. “Regulations” means the income tax regulations promulgated or proposed by the Department of the Treasury pursuant to the Code from time to time, including temporary regulations, to the extent applicable. “Tax-Exempt Note” means the Orange County Water District 2024-25 Tax-Exempt Tax and Revenue Anticipation Note to be issued hereunder. “Trustee” means U.S. Bank National Association, and any successor thereto.

Section 2. Issuance of the Tax-Exempt Note; Amount: Terms: Interest Rate: Place of Payment. Pursuant to the Authorizing Law, the Tax-Exempt Note shall be issued in an aggregate principal amount of up to \$70,000,000 which, when added to the interest payable thereon, will not exceed 85 percent of the estimated amount of the then uncollected taxes, income, revenue, cash receipts, and other moneys of the District which will be available for the payment of the Commercial Paper Notes and the interest thereon. A certificate of the Chief Financial Officer certifying to such effect, in the form attached hereto as “Exhibit B,” shall be completed by the Chief Financial Officer on or prior and as a condition to, the

delivery of the Tax-Exempt Note. The Tax-Exempt Note shall be designated “Orange County Water District 2024-25 Tax-Exempt Tax and Revenue Anticipation Note” and shall be dated the date of issuance thereof. The Tax-Exempt Note shall be payable at the office of the District at such times and in such amounts as set forth in the Tax-Exempt Note. The Tax-Exempt Note shall mature and be payable no later than 15 months after their dates of issuance. The Tax-Exempt Note shall bear a rate of interest which shall be determined on a daily basis and shall be a rate which when multiplied by the principal amount of such Tax-Exempt Note outstanding on such day will be equal to interest accruing with respect to the respective Commercial Paper Notes outstanding on such day and shall be payable in accordance with the form of the Tax-Exempt Note. The Tax-Exempt Note shall be prepayable in whole or in part on any day on which the Corporation notifies the District that principal with respect to the Tax-Exempt Note is due and payable and that the District declines to cause an additional the Tax-Exempt Note to be sold to repay such maturing the Tax-Exempt Note.

Section 3. Execution of the Tax-Exempt Note. The President, First Vice President or Second Vice President is hereby authorized and directed to sign the Tax-Exempt Note, by such officer’s manual, printed, lithographed or facsimile signatures.

Section 4. Form of the Tax-Exempt Note. The Tax-Exempt Note shall be issued in substantially the form set forth in “Exhibit A” attached hereto and incorporated herein and may be issued in typewritten form.

Section 5. Tax-Exempt Note Non-Callable. The Tax-Exempt Note are not subject to call and redemption prior to the maturity date thereof, except as set forth in Section 2 hereof.

Section 6. Security for the Tax-Exempt Note; Pledge of Net Revenues. As security for the payment of the principal of and interest on the Tax-Exempt Note, the District hereby pledges the Net Revenues of the District on a parity with payment of Parity Obligations of the District. The District hereby acknowledges that the Tax-Exempt Note shall constitute “Bonds” for purposes of the Indenture.

Section 7. Good Faith Estimates. The Board of Directors acknowledges that the good faith estimates required by Section 5852.1 of the California Government Code are disclosed in an attachment to the staff report and are available to the public at the meeting at which this resolution is approved.

Section 8. Certified Copies. The District Secretary shall provide a certified copy of this document to the Chief Financial Officer who shall take such action as shall be necessary to assure compliance by the District with the terms and conditions hereof. The District Secretary shall further provide a certified copy of this document to the Trustee.

Section 9. Cancellation of Prior Notes. The Tax-Exempt Note shall be executed and delivered simultaneously with the cancellation of the existing Prior Notes.

Section 10. Other Actions. Each of the President, First Vice President, Second Vice President, the Chief Financial Officer and any other proper officer of the District, acting singly, are hereby authorized and directed to execute and deliver any and all documents and instruments, including the certifications to be made by the District to the United States Environmental Protection Agency (“USEPA”) pursuant to the loan agreements between the USEPA and the District, and to do and cause to be done any and all acts and things necessary or proper for carrying out the transactions contemplated by this resolution, and such actions previously taken by any such officers are hereby ratified, confirmed and approved.

Section 11. Effective Date. This resolution shall take effect immediately.

27. Coalition for Environmental Protection, Restoration and Development (CEPRD) Regional Reliability & Sustainability Project

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MOTION NO. 24-63  
DEFERRING CEPRD REGIONAL RELIABILITY & SUSTAINABILITY PROJECT ITEM TO A  
FUTURE BOARD MEETING

Director Bilodeau recommended that this item be deferred to a future Board meeting when General Manager John Kennedy is present.

Upon motion by Director Bilodeau, seconded by Director Weigand and carried [8-0] as follows, the Board deferred this item to a future Board agenda.

Ayes: Amezcua, Bilodeau, Green, Meeks, Tran, Weigand, Whitaker, Yoh

Absent: Nguyen, Sheldon

INFORMATIONAL ITEMS

28. UC Irvine CDC PFAS Multi-Site Health Study

Dr. Scott Bartell, the lead investigator and professor in the UC Irvine (UCI) Program in Public Health, provided a status update of the UCI PFAS Health Study.

29. SAWPA Update

Director Whitaker provided an update on recent SAWPA activities.

30. Water Resources Summary

Executive Director Mehul Patel stated the report is in the packet.

31. 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.

June 06 - Communication & Legislative Liaison Committee  
June 12 - Water Issues Committee  
June 13- Administration and Finance Issues Committee

32. Verbal Reports

There were no verbal reports provided.

RECESS TO CLOSED SESSION


- CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION, [Government Code Section 54956.9(a)] – OCWD v. 3M Company et al.


## RECONVENE IN OPEN SESSION

The Board reconvened in Open Session whereupon General Counsel Jungreis advised that there were no reportable items.

## ADJOURNMENT

There being no further business to come before the Board, the meeting adjourned at 7:45 p.m.

DocuSigned by:  
 7/31/2024  
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Cathy Green, President

DocuSigned by:  
 7/31/2024  
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Christina Fuller, District Secretary