

MINUTES OF MEETING  
BOARD OF DIRECTORS, ORANGE COUNTY WATER DISTRICT  
August 5, 2015, 5:30 p.m.

President Green called to order the August 5, 2015 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 Secretary called the roll and reported a quorum as follows.

Directors

Philip Anthony  
Denis Bilodeau (arrived 6:40 p.m.)  
Shawn Dewane  
Jan Flory  
Cathy Green  
Dina Nguyen  
Roman Reyna  
Stephen Sheldon (arrived 5:48 p.m.)  
Harry Sidhu (arrived 5:48 p.m.)  
Roger Yoh (arrived 5:48 p.m.)

Staff

Michael Markus, General Manager  
Joel Kuperberg, General Counsel  
Janice Durant, District Secretary  
Gina Ayala, Randy Fick, Roy Herndon,  
Bill Hunt, Mike Wehner, Greg Woodside,  
Nira Yamachika

Others:

Ethan Temianka – Mesa Water District  
Andy Kingman - Poseidon  
Peer Swan – Irvine Ranch Water District  
Marc Marcantonio – Yorba Linda Water District  
Keith Lyon – Municipal Water District of Orange County  
Howard Johnson, Betsy Eglash – Brady  
Joshua McIntosh – Garden Grove resident  
Ric Collett – Yorba Linda Water District

VISITOR PARTICIPATION

Garden Grove resident Joshua McIntosh urged the Board to hold off on its vote to move forward with the Poseidon Desalination project, requesting that they wait two years to study the productivity of the Carlsbad Desalination Project and its effects on the environment.

CONSENT CALENDAR

The Consent Calendar was approved upon motion by Director Flory, seconded by Director Anthony and carried [6-0] as follows.

Ayes: Anthony, Dewane, Flory, Green, Nguyen, Reyna  
Absent: Bilodeau, Sheldon, Sidhu, Yoh

1. Approval of Cash Disbursements

MOTION NO. 15-116  
APPROVING CASH DISBURSEMENTS

Payment of bills for the period July 9, 2015 through July 29, 2015 in the total amount of 7,319,743.43 is ratified and approved.

2. Minutes of Board of Directors Meeting

MOTION NO. 15-117  
APPROVE MINUTES OF BOARD OF DIRECTORS MEETING

The Minutes of Board of Directors Meeting held June 17 and July 1, 2015 are hereby approved as presented.

3. Alamitos Barrier Improvement Project: Sublicense Agreement with Orange County Flood Control Division for Access through Los Angeles Department of Water and Power Property

RESOLUTION NO. 15-8-105  
AUTHORIZING ALAMITOS BARRIER IMPROVEMENT PROJECT: SUBLICENSE AGREEMENT WITH ORANGE COUNTY FLOOD CONTROL DISTRICT FOR ACCESS THROUGH LOS ANGELES DEPARTMENT OF WATER AND POWER PROPERTY

WHEREAS, in March 2013, the OCWD Board approved the Alamitos Barrier Improvement Project (Project) to address deficiencies along the north-south reach of the Alamitos Barrier, that includes the installation of 17 injection wells at eight locations to augment injection capacity, four monitoring wells, and two piezometers (Figure 1); and

WHEREAS, such injection wells and three of the four monitoring wells are to be located on an Orange County Flood Control District (OCFCD) access roadway along the Los Alamitos Channel (Channel), and one nested monitoring well and two shallow piezometers are to be installed on Seal Beach Leisure World property; and

WHEREAS, pursuant to Resolution No. R14-10-139 adopted October 15, 2014, OCWD authorized a License Agreement for Construction Staging and Ingress and Egress (P-86836) with the Los Angeles Department of Water and Power (LADWP) that includes annual rental costs for a temporary staging area required for the Alamitos Barrier Improvement Project; and

WHEREAS, the District staff has presented and recommended execution of a no-fee Sublicense Agreement with the OCFCD, the designated "Sublicensee," to LADWP License Agreement P-86836, for a period of three-years to provide alternative access to the Los Alamitos Channel through the adjacent LADWP Haynes Generating Station property during construction of the Alamitos Barrier Improvement Project;

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

Directors Sheldon, Sidhu, and Yoh arrived at 5:48 p.m. during discussion of the following information item.

4. INFORMATIONAL ITEMS

A. Groundwater Remediation Monthly Status Update

North Basin: Executive Director William Hunt advised that negotiations are proceeding with the large manufacturing plant in Fullerton, and that the Orange County Sanitation District has also agreed

to take the water into the sewer system, noting that staff will pick a preference soon. He also reported on a July 16 meeting with Northrop staff and the Orange County Business Council. He stated that Northrop's attorney used the OCWD database to create their own maps and provided an overlay map that removed everything below the 5 mcl level which reduced the plume significantly. The Board requested a copy of the Northrop presentation.

South Basin: Mr. Hunt stated that Gallade's proposal is to remove 87% of the VOC mass. He stated OCWD is concerned that the 15-year timeframe is too long and that there is no way to verify that the 87% mass is removed. He stressed that staff feels it is too soon to accept that proposal, noting it only addressed onsite remediation and leaves 14% of the VOC mass behind. Director Dewane commented that Gallade appears to be trying. Mr. Hunt stated that with regard to the Santa Ana and Irvine Ranch Water District NCP Compliant Pilot Study Pumping Program, staff will move forward and get the wells in as quickly as possible.

#### B. Safety Awards Recognition

Mr. Markus stated that several OCWD employees were awarded small cash awards from the H.R. La Bounty Safety Awards Program (available to JPIA members) for taking part in recognizable proactive safety activities and participating in risk reducing actions.

#### C. Santa Ana Watershed Project Authority Activities

Director Anthony advised that the SAWPA Commission directed staff to develop an additional single- and multi-year CALPERS employer paid member contribution migration options that include employee paid contributions that are not fully offset by direct salary adjustments. He stated staff will return to the Commission in 60 days with recommendations.

#### D. Committee/Conference/Meeting Reports

President Green reported on the July 28 Joint Planning Committee meeting.

#### VERBAL REPORTS

President Green reported on her trip with General Manager Markus and Executive Director Greg Woodside to Washington DC for meetings with legislative advisors on July 27 – July 30. She also reported on her attendance in San Pedro last Friday at the Change in Command Ceremony for Colonel Kimberly Colloton. Director Dewane thanked Executive Director William Hunt for the tour of Burris Basin. Director Sidhu advised of his trip to Cadiz with the City of Anaheim staff.

Director Bilodeau arrived at 6:40 p.m. during Closed Session.

#### ADJOURNMENT TO CLOSED SESSION

The Board adjourned to Closed Session at 6:08 p.m. as follows:

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION [Paragraph (1) of subdivision (d) of Section 54956.9]: Three (3) 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
- 3) *OCWD v. Sabic Innovative plastics, LLC, et al* (South Basin Litigation) Superior Court Case No. 03CC 00078246

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION – SIGNIFICANT EXPOSURE TO LITIGATION-[Government Code Section 54956.9(b) – One potential case]

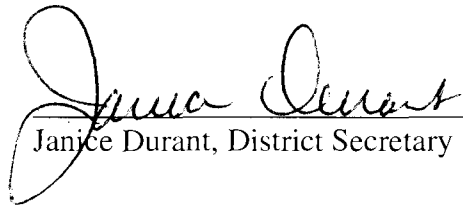
CONFERENCE WITH LABOR NEGOTIATORS [Government Code Section 54957.6]  
OCWD designated representative: District President Cathy Green  
Non-Represented Employee: General Manager

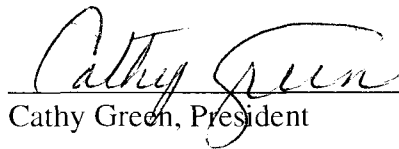
RECONVENE IN OPEN SESSION

The Board reconvened in Open Session at 7:12 p.m. whereupon General Counsel Kuperberg announced that no reportable action was taken in Closed Session.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 7:12 p.m.

  
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Janice Durant, District Secretary

  
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Cathy Green, President