



MINUTES OF THE
REGULAR MEETING OF THE BOARD OF DIRECTORS
OF THE EAST ORANGE COUNTY WATER DISTRICT (EOCWD)

November 21, 2019

1. **Call to Order.** A Regular Meeting of the Board of Directors of the East Orange County Water District was called to order by DOUGLASS DAVERT, Board President, at 5:13 p.m. on Thursday, November 21, 2019, in the offices of the East Orange County Water District, 185 N. McPherson Road, Orange, California, with Director MURDOCH leading the Pledge of Allegiance. JEFF HOSKINSON, Secretary, recorded the minutes of the meeting.

The following Directors were present: RICHARD BELL, DOUGLASS DAVERT, JOHN DULEBOHN, GEORGE MURDOCH, and JOHN SEARS.

Also present were:

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| LISA OHLUND | General Manager |
| SYLVIA PRADO | District Administrative Assistant |
| JERRY MENDZER | Operations Manager |
| JEFF SMYTH | Engineering Manager |
| JEFF HOSKINSON | District Secretary and Legal Counsel |
| STEVEN ANDREWS | Steven Andrews Engineering |
| CHRISTY ADAM | Public |

2. **Public Communications to the Board.** None.

3. **Items Arising After Posting of Agenda.** None.

4. **Consent Calendar.**

The Board, on motion from SEARS, seconded by BELL, approved the Consent Calendar items by unanimous vote as follows:

- A. Minutes: THE MINUTES OF THE SEPTEMBER 19, 2019 REGULAR MEETING AND OCTOBER 8, 2019 SPECIAL MEETING OF THE BOARD WERE APPROVED AS SUBMITTED;
- B. General Manager’s Report: THE GENERAL MANAGER’S REPORT WAS RECEIVED AND FILED;
- C. Vista Panorama Reservoir Replacement Project - Notice of Exemption: THE BOARD APPROVED THE NOTICE OF EXEMPTION FOR THE VISTA PANORAMA RESERVOIR REPLACEMENT PROJECT AND APPROVE THE PROJECT FOR PURPOSES OF CEQA;
- D. Pilot Test Well Project - Notice of Exemption: THE BOARD APPROVED THE NOTICE OF EXEMPTION FOR THE PILOT TEST WELL PROJECT AND APPROVED THE PROJECT FOR PURPOSES OF CEQA;

- E. Resolution No. 862 - WaterSMART Grant Application Resolution for “Every Drop Counts!: THE BOARD APPROVED RESOLUTION NO. 862 ENTITLED, ‘RESOLUTION OF THE BOARD OF DIRECTORS OF THE EAST ORANGE COUNTY WATER DISTRICT AUTHORIZING PARTICIPATION IN UNITED STATES BUREAU OF RECLAMATION’S WATERSMART GRANT PROGRAM FOR A RETAIL ZONE WATER METERING AND MONITORING PROJECT, AND MAKING RELEVANT FINDINGS AND AUTHORIZATIONS FOR SUCH PURPOSES;
- F. Resolution No. 863 - Appointment of Director George Murdoch as Voting Member for Upcoming Association of California Water Agencies: THAT THE BOARD APPROVE RESOLUTION NO. 863 ENTITLED, ‘RESOLUTION OF THE BOARD OF DIRECTORS OF THE EAST ORANGE COUNTY WATER DISTRICT APPOINTING REPRESENTATIVE OF THE DISTRICT AT THE ASSOCIATION OF CALIFORNIA WATER AGENCIES (ACWA).
- G. Septic-2-Sewer – Vista Del Lago Project Status Report: THE BOARD RECEIVED THE REPORT FOR INFORMATION ONLY;
- H. Per- and Poly-Fluoroalkyl Substances (“PFAS”) Status Report: THE BOARD RECEIVED AND FILED THE REPORT.

5. **Operation, Management and Construction Matters.**

A. Adoption of Policy on Discontinuation of Residential Water Service - Water Shutoff Protection Act. General Manager Lisa Ohund introduced the item, providing a background history of the Human Right to Water Statutes, leading up to the signing of Senate Bill (“SB”) 998 (2018), which restricts the shutoff of residential water service and requires water systems and providers such as the District to comply by February 1, 2020. Ms. Ohlund provided an overview of the proposed SB 998 Policy, required to be adopted by SB 998.

President DAVERT inquired as to concerns of the District maintaining potentially confidential information under the Health Insurance Portability and Accounting Act of 1996 (“HIPAA”), to which General Counsel Hoskinson responded as to modifications to the SB 998 policy that directed customers, and their primary care physicians, to avoid providing any such information, and that, regardless, submission of such information would constitute consent and waiver of associated privacy right; but nevertheless, the District agreed to endeavor to maintain the confidentiality of such information.

Ms. Ohlund concluded her presentation with an overview of the next steps and actions needed from the Board to implement SB 998, beginning with the adoption of the SB 998 Policy.

ACTION TAKEN:

On motion by SEARS, seconded by DULEBOHN, the Board unanimously adopted Resolution No. 864 Entitled, “RESOLUTION OF THE BOARD OF DIRECTORS OF THE EAST ORANGE COUNTY WATER DISTRICT ADOPTING A POLICY IMPLEMENTING THE WATER SHUTOFF PROTECTION ACT RELATIVE TO RESIDENTIAL WATER SERVICE.”

B. Approval of Recommendation to Provide In-House Sewer Pipeline Cleaning Services. Ms. Ohlund presented the item, followed by a brief discussion between Directors BELL, MURDOCH, and DAVERT.

ACTION TAKEN:

On motion by BELL, seconded by MURDOCH, the Board unanimously approved the transition from Contract Sewer Pipeline Cleaning Services to In-House Sewer Pipeline Cleaning Services, reallocation of the ID1 Fiscal Year 2019/2020 Budgeted Contract Cleaning Funds to the Identified Account Numbers As Determined By The General Manager, the addition of 2.5 positions, and the addition of \$350,000 to the ID1 Fiscal Year 2019/2020 Capital Improvement Budget for the purchase of a Rodder/Jetter Truck.

C. Approval of District Officer Duties and Responsibilities – Resolution No. 865. Ms. Ohlund presented the item, discussing how this policy initially derived from the desire to permit the appointment of George Murdoch to vote at the Association of California Water Agencies (ACWA), and expanded into the development of a policy the District should have put into place some time ago, outlining the responsibilities of its officers.

ACTION TAKEN:

On motion by BELL, seconded by SEARS, the Board unanimously approved Resolution No. 865 entitled, “RESOLUTION OF THE BOARD OF DIRECTORS OF THE EAST ORANGE COUNTY WATER DISTRICT ESTABLISHING THE DUTIES AND RESPONSIBILITIES OF DISTRICT OFFICERS.”

6. Financial Matters.

A. Approval of schedules of disbursements.

B. Report on investments/ratification of investment activity.

C. Receipt and filing of financial statements (September 30, 2019).

ACTION TAKEN:

On motion by SEARS, seconded by DULEBOHN, the Board unanimously: (1) approved the schedules of disbursements, as amended and submitted before the Board; (2) ratified and approved the schedule of investments, as presented; and (3) received and filed the financial statements.

D. Fiscal Year 2019/2020 and Fiscal Year 2020/2021 Two-Year Budget Amendments. Ms. Ohlund provided an overview of the proposed budget amendments, including discussions with Vista Panorama residents and the need for the District, as part of

the Vista Panorama Reservoir Rehabilitation Project, to construct a wall around the site and remove the chain link fence. Director SEARS discussed comments from Vista Panorama residents relative to the wall. Director SEARS made inquiry into the chloramination booster pump station item, to which Ms. Ohlund responded.

ACTION TAKEN:

On motion by DULEBOHN, seconded by MURDOCH, the Board unanimously approved the Amendment of Fiscal Year 2019/2020 and Fiscal Year 2020/2021 Wholesale Zone, Retail Zone, and ID1 Capital Budgets to reflect the four items detailed in the Board Report, including, but not limited to, the Vista Panorama Reservoir Rehabilitation Project, ID1 Street Overlay Manhole Raising, and the Wholesale Zone Chloramination Booster Station.”

7. Miscellaneous Matters.

A. Wholesale and Retail Water Usage Report – October 2019:

ACTION TAKEN:

On motion by DULEBOHN, seconded by SEARS, the Board unanimously received and filed the wholesale and retail water usage report.

B. Conference and Meeting Request.

- i. Urban Water Institute’s Spring Water Conference – February 19-21, 2020 (Hilton Palm Springs Hotel).

ACTION TAKEN:

Upon motion by MURDOCH, seconded by SEARS, the Board unanimously authorized attendance at the Urban Water Institute’s Spring Water Conference by Directors BELL, DAVERT, MURDOCH, and SEARS, with Director DAVERT not in need of accommodations.

C. Director’s Reports on Meetings Attended at District Expense (Govt. Code § 53232.3.) and Director’s Comments. Director SEARS reported attendance at: (1) the Foothill Community Association Board Meetings on October 3 and November 7, 2019; (2) the Water Advisory of Orange County meetings on October 4 and November 1, 2019; (3) Supervisor Don Wagner’s 3rd District Fundraiser on November 7, 2019; (4) the Vista Panorama Reservoir Rehabilitation Community meeting on November 9, 2019, (5) the District’s Finance and Administration Committee Meeting on November 15, 2019; and (6) the City of Tustin’s Annual Mayor’s Thanksgiving Breakfast on November 21, 2019.

Director MURDOCH attended the California Special District Association (“CDSA”) Conference on September 26 and 27, 2019.

Director DULEBOHN attended the Independent Special District of Orange County meeting on October 29, 2019.

President DAVERT visited numerous special districts over the past several months, in connection with OC-LAFCO, as South County agencies gear up for the MSR process.

President DAVERT attended the OC-LAFCO Commission meetings on October 9 and November 13, 2019. President DAVERT also attended the OC-LAFCO Executive Committee meeting, where the LAFCO Outreach Program was discussed, focusing more on resources and special districts. President DAVERT attended the Orange County Sanitation District State of the District, and also attended the Metropolitan Water District of Southern California Tour of the Hoover Dam, and State Water Project Tour.

D. Monthly Legislative & Outreach Report: General Manager Ohlund did not add to the reports, but noted that EOCWD's outreach to customers relative to the Southern California Edison Public Safety Power Shutoffs was the highest post shared on the District's social media outreach according to data collected by Communication Labs.

8. Informational Items.

A. General interest publications. Ms. Ohlund indicated nothing additional to add beyond presented material.

9. Closed Session

A. Conference with Legal Counsel – Anticipated Litigation (Govt. Code § 54956.9(2)) - Significant exposure to litigation: 1 case: Mier/Shadyridge Sewer Spill.

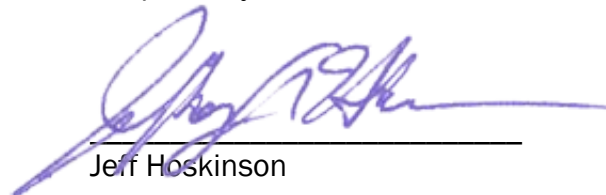
B. Open Session: Report Out of Closed Session: The Board, by unanimous vote of all members, increased the authority of the General Manager to resolve Meir/Shadyridge Sewer Spill, pending recovery and offset from insurance and/or litigation with involved parties.

10. Adjournment.

ACTION TAKEN:

The meeting was adjourned at 6:05 p.m. to a regular meeting to be held at 5:00 p.m. on Thursday, December 19, 2019, at the Offices of the East Orange County Water District, 185 N. McPherson Road, Orange, California.

Respectfully submitted,



Jeff Hoskinson