



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

January 21, 2021

1. **Call to Order.** A Regular Meeting of the Board of Directors of the East Orange County Water District was called to order by Board Director JOHN SEARS at 5:01 p.m. on Thursday, January 21, 2021, with Director SEARS leading the Pledge of Allegiance. Pursuant to California Governor’s Executive Order No. N-29-20, there was no public location for attending this board meeting in person. JEFFREY HOSKINSON, Secretary, recorded the minutes of the meeting, attending via videoconference.

The following Directors attended the meeting, pursuant to Executive Order N-29-20, via videoconference: RICHARD BELL, DOUGLASS DAVERT, JOHN SEARS, JOHN DULEBOHN and GEORGE MURDOCH.

Also present via videoconference were:

DAVID YOUNGBLOOD	General Manager
JERRY MENDZER	Operations Manager
JEFF SMYTH	Engineering Manager
SYLVIA PRADO	Administrative Assistant
JEFF HOSKINSON	District Secretary and Legal Counsel
CINDY BYERRUM	Eide Bailly
MARILYN THOMS	District Consultant

2. **Addition of Items Arising After Posting of Agenda Requiring Immediate Action.**
(Requires 2/3 vote or unanimous vote if less than 2/3 of members are present).

Jeff Hoskinson introduced an additional item, stating that certain matters have arisen since the District posted its agenda relative to the litigation in the case of *Orange County Water District et. al. v. 3M Company, et. al.*, which required immediate action, and recommended that the item be added to the Closed Session.

Director BELL briefly raised a secondary issue, which was deferred to a future agenda due to lack of urgency.

ACTION TAKEN: THE BOARD, ON MOTION BY BELL AND SECONDED BY SEARS ADDED TO THE AGENDA AS ITEM NO. 7(A) OF THE CLOSED SESSION FOR “CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (GOVT. CODE 54956.9(D)(1)) – ORANGE COUNTY WATER DISTRICT ET. AL. V. 3M COMPANY, ET. AL. (ORANGE COUNTY SUPERIOR COURT CASE NO. 30-2020-01172419-CU-PL-CXC)” BY A UNANIMOUS ROLL CALL VOTE, WITH BELL, DULEBOHN, MURDOCH, SEARS, AND DAVERT VOTING AYE, 0 NAYS.

3. **Public Communications to the Board.** None presented, and Sylvia Prado confirmed that no public comments were received via e-mail.

4. **Consent Calendar.**

The Board, on motion from SEARS, seconded by DULEBOHN, approved the Consent Calendar items, by unanimous roll-call vote, as follows:

- A. **Minutes.** THE MINUTES OF THE DECEMBER 17, 2020 REGULAR MEETING OF THE BOARD WERE APPROVED AS SUBMITTED;
- B. **General Manager's Report.** THE GENERAL MANAGER'S REPORT WAS RECEIVED AND FILED;
- C. **Committee Appointments.** THE BOARD RECEIVED AND FILED THE COMMITTEE APPOINTMENTS AS DESIGNATED BY PRESIDENT DOUGLASS DAVERT;
- D. **Approval of Bent Tree Road Sewer Easement.** THE BOARD APPROVED THE EXECUTION AND ACCEPTANCE OF THE PROPOSED EASEMENT ON BENT TREE ROAD FROM THE COUNTY OF ORANGE;
- E. **Per- and Poly-Fluoroalkyl Substances.** THE BOARD RECEIVED AND FILED THE REPORT.

5. **Action/Presentation Calendar.**

A. **Resolution No. 902 - Personnel Salaries/Benefits – Water Operator II Position.** General Manager David Youngblood introduced the updated salary schedule, indicating the modification was to add the Water Operator II position to the schedule, and make other adjustments to the schedule to reflect the current employees.

ACTION TAKEN: THE BOARD, ON MOTION BY DULEBOHN AND SECONDED BY BELL, ADOPTED RESOLUTION NO. 902 ENTITLED, "RESOLUTION OF THE BOARD OF DIRECTORS OF THE EAST ORANGE COUNTY WATER DISTRICT AMENDING THE FISCAL YEAR 2020/2021 SALARY SCHEDULE," BY A UNANIMOUS ROLL CALL VOTE, WITH BELL, DULEBOHN, MURDOCH, SEARS, AND DAVERT VOTING AYE, 0 NAYS.

6. **Miscellaneous Matters.**

A. **Financial Matters**

- i. Approval of schedules of disbursements
- ii. Report on investments / ratification of investment activity
- iii. Receipt and filing of financial statements (November 30, 2020)

ACTION TAKEN: ON MOTION BY SEARS, SECONDED BY MURDOCH, THE BOARD APPROVED THE SCHEDULE OF DISBURSEMENTS FOR CONSIDERATION, RATIFIED AND APPROVED THE SCHEDULES OF INVESTMENTS, AND RECEIVED AND FILED THE FINANCIAL STATEMENTS AND REPORTS, BY UNANIMOUS ROLL CALL VOTE, WITH BELL, DULEBOHN, MURDOCH, SEARS AND DAVERT VOTING AYE, 0 NAYS.

B. Wholesale and retail water usage report – December 2020. Mr. Youngblood presented the report, with brief questioning from the Board.

ACTION TAKEN: THE BOARD, ON MOTION BY BELL, SECONDED BY DULEBOHN, BY UNANIMOUS ROLL CALL VOTE RECEIVED AND FILED THE WHOLESAL AND RETAIL WATER USAGE REPORT, WITH BELL, DULEBOHN, MURDOCH, SEARS AND DAVERT VOTING AYE, 0 NAYS.

C. Conference and Meeting Request. The Directors expressed interest in attending upcoming meetings as follows:

- i. **Urban Water Institute’s Spring 2021 Virtual Conference**
February 17-18, 2021 (Virtual)
- ii. **Municipal Water District of Orange County (“MWDOC”) Virtual Water Policy Forum -** February 24, 2021 (Virtual)
- iii. **CalDesal Virtual Annual Conference**
February 10-11, 2021 (Virtual)

The Board briefly discussed desired attendance at the above-listed conferences, and determined that Directors could, per authorization provided, contact Sylvia Prado to register for the conferences the Directors desire to attend. Director BELL commented briefly about upcoming events and projects.

ACTION TAKEN: THE BOARD, ON MOTION BY BELL, SECONDED BY MURDOCH, BY UNANIMOUS ROLL CALL VOTE AUTHORIZED ATTENDANCE AT THE PRESENTED CONFERENCES AND/OR MEETINGS AS REQUESTED, WITH BELL, DULEBOHN, MURDOCH, SEARS AND DAVERT VOTING AYE, 0 NAYS.

D. Directors’ reports on meetings attended at District expense (Government Code Section 53232.3) and Directors’ comments. The Directors reported attendance at meetings attended at District expense as follows:

- Vice-President DULEBOHN reported attendance at the Engineering and Operations Committee meeting.
- Director MURDOCH reported attendance at the Association of California Water Agencies (“ACWA”) Fall Conference and ACWA Board Meeting in December, as well as the EOCWD Legislative Committee meeting on January 20, 2021.
- Director BELL reported attendance at the Engineer and Operations Committee meeting and the Water Agencies of Orange County (“WACO”) Meeting, where at

the later JPL made an impressive presentation on global warming and cloud change.

- Director SEARS reported attendance at the Foothill Community Association Board meeting, the WACO meeting, and the North Tustin Fire Safe Council Meeting.
- President DAVERT had nothing to report, as there was no Finance Committee Meeting.

E. Monthly Legislative & Outreach Report.

Townsend & Associates and Senator Lewis had reports on file. Honorable John Lewis made a brief report, referencing his written report and discussing the COVID-19 status in Orange County.

7. Closed Session.

- A. **Conference with Legal Counsel – Existing Litigation** (Govt. Code § 54956.9(d)(1))
Orange County Water District, et. al. v. 3M Company, et. al.
(Orange County Superior Court Case No. 30-2020-01172419-CU-PL-CXC)
- B. **Report Out of Closed Session:** Mr. Hoskinson reported out of closed session that the Board met on Items 7(A) as identified in the agenda, and took no reportable action.

8. Adjournment.

The Board adjourned the meeting at 5:39 p.m. to the next Regular Meeting of the Board of Directors on **February 18, 2021**, at 5:00 p.m., in the offices of the East Orange County Water District, 185 N. McPherson Road, Orange, California or online per California Governor’s Executive Order No. N-29-20 and directs the Board Secretary to provide and post all legally required notices.

Respectfully submitted,

Jeffrey A. Hoskinson