



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

March 18, 2021

Call to Order. A Regular Meeting of the Board of Directors of the East Orange County Water District was called to order by President DOUGLASS DAVERT at 5:00 p.m. on Thursday, March 18, 2021, with Director GEORGE MURDOCH leading the Pledge of Allegiance. Pursuant to the 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
HON. JOHN LEWIS	Lewis Consulting
DEBORAH FOX	Meyers Nave
DAVID SOLDANI	Atkinson, Andelson, Loya, Ruud & Romo
KAITLYN DODSON-HAMILTON	Dodson & Associates
MARILYN THOMS	Solutions, Inc.

There was no in-person attendance due to COVID-19 restrictions. Other members of the public not listed may have attended.

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).

General Manager David Youngblood briefly pointed out that the Consent Calendar agenda heading incorrectly referenced Items 1-7, but correctly lists Items 1-9.

ACTION TAKEN: None.

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

Consent Calendar.

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

- 1. Minutes:** THE MINUTES OF THE FEBRUARY 18, 2021 REGULAR MEETING OF THE BOARD WERE APPROVED AS SUBMITTED;
- 2. Schedules of Disbursements:** THE BOARD APPROVED THE SCHEDULES OF DISBURSEMENTS AS SUBMITTED;
- 3. Report on Investments/Ratification of Investment Activity:** THE BOARD RATIFIED AND APPROVED THE SCHEDULE OF INVESTMENTS;
- 4. General Manager's Report:** THE BOARD RECEIVED AND FILED THE GENERAL MANAGER'S REPORT;
- 5. Financial Statements:** THE BOARD RECEIVED AND FILED THE FINANCIAL STATEMENTS;
- 6. Wholesale and Retail Water Usage Report February 2021:** THE BOARD RECEIVED AND FILED THE WHOLESALE AND RETAIL WATER USAGE REPORT;
- 7. Meyers Nave Proposed Rate Increase:** THE BOARD RECEIVED AND APPROVED THE PROPOSED RATE INCREASE;
- 8. Vista Panorama Reservoir Contract Amendment:** THE ENGINEERING AND OPERATIONS COMMITTEE RECEIVED AND APPROVED THE DESIGN CONTRACT AMENDMENT;
- 9. Plaza La Fayette Easement Acceptance:** THE ENGINEERING AND OPERATIONS COMMITTEE RECEIVED AND APPROVED THE EXECUTION AND ACCEPTANCE OF THE PROPOSED EASEMENT ON PLAZA LA FAYETTE FROM THE LA FAYETTE PLAZA INVESTORS, LP.

Matters for Consideration.

10. Initial Study/Mitigate Negative Declaration for the VanderWerff Well Project. General Manager Youngblood introduced the item, and turned over the presentation to Engineering Manager Jeff Smyth. Mr. Smyth provided an overview of the proposed well and treatment system. He stated that both the VanderWerff Well and the PFAS Treatment Plant were going at the same time and provided an overview of the environmental review process, initial study, and mitigated negative declaration ("MND"). Mr. Smyth then introduced Kaitlyn Dodson-Hamilton of Dodson & Associates in the event there were questions he could not answer.

Mr. Smyth explained that the MND went out for public comment in July, and six public comments were received, five from public agencies and one from an individual. In response to



comments from Irvine Ranch Water District (“IRWD”), the Orange County Water District (“OCWD”) prepared a modeling study of well impacts that was sent to IRWD. The study reflected that EOCWD’s well had a less than significant impact on the IRWD well, which was what was reflected in the MND. EOCWD provided IRWD a draft of its report. EOCWD also provided a copy of its comments to all entities. Mr. Smyth recommended the approval of the MND.

Director DULEBOHN inquired and obtained confirmation that this well would be operated the same as the other wells.

ACTION TAKEN: THE BOARD, ON MOTION BY DULEBOHN AND SECONDED BY MURDOCH, BY A UNANIMOUS ROLL CALL VOTE, APPROVED RESOLUTION NO. 904 AND ITEMS 1-5 AS NOTED IN THE AGENDA MEMO, INCLUDING THAT THE BOARD: (1) CONSIDERED THE ADOPTION OF THE MND IN COMPLIANCE WITH CALIFORNIA ENVIRONMENTAL QUALITY ACT (“CEQA”) PRIOR TO CONSIDERING APPROVAL TO CONSTRUCT THE VANDERWERFF WELL PROJECT; (2) FOUND AND CERTIFIED THAT THE MND FOR THE VANDERWERFF WELL PROJECT HAS BEEN PREPARED IN ACCORDANCE WITH THE PROVISIONS OF CEQA; (3) CERTIFIED THAT THE BOARD HAS CONSIDERED THE CONTENTS OF THE MND AND DETERMINED THAT THE DOCUMENTATION IS ACCURATE AND REFLECTS THE INDEPENDENT JUDGEMENT OF THE DISTRICT; (4) CERTIFIED THAT THE BOARD HAS REVIEWED AND CONSIDERED THAT THE MND IS IN COMPLIANCE WITH CEQA GUIDELINES WHEN REACHING ITS DECISION TO APPROVE THE PROJECT, SUBJECT TO THE INCORPORATION OF THE MITIGATED MEASURES AND MITIGATION MONITORING PROGRAM AS INCLUDED IN THE MND; AND (5) AUTHORIZED THE GENERAL MANAGER TO SIGN THE NOTICE OF DETERMINATION AND MND FOR THE PROJECT AND FILE IT WITH THE COUNTY OF ORANGE.

11. Santa Ana River Conservation and Conjunctive Use Program (SARCCUP) Agreement with Orange County Water District. Mr. Youngblood presented the item, highlighting that per the proposed SARCCUP agreement EOCWD is eligible for up to \$1.5 million in funding. With the approval of the Project per Item 10, EOCWD will now move forward and use the funding to produce its wells.

ACTION TAKEN: THE BOARD, ON MOTION BY BELL, SECONDED BY SEARS, APPROVED BY A UNANIMOUS ROLL CALL VOTE, THE AGREEMENT WITH ORANGE COUNTY WATER DISTRICT REGARDING THE CONSTRUCTION OF WELLS FOR THE SANTA ANA RIVER CONSERVATION AND CONJUNCTIVE USE PROGRAM (SARCCUP).

12. Resolution in Support of the Hazard Mitigation Grant Application. Mr. Youngblood presented the item and introduced Consultant Marilyn Thoms to give background on the item. It was explained that this item is for the Peters Canyon Reservoir project that came out of the Hazard Risk Assessment. In order to apply for the grant, EOCWD needs Resolution 905 supporting the application.

ACTION TAKEN: THE BOARD, ON MOTION BY DULEBOHN, SECONDED BY MURDOCH, APPROVED BY A UNANIMOUS ROLL CALL VOTE RESOLUTION NO. 905 IN SUPPORT OF THE HAZARD MITIGATION GRANT APPLICATION.

Miscellaneous Matters.

13. 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 reported in the agenda packet for the meeting, incorporated herein by reference.

President Davert: 2/10 LAFCO Regular Meeting; 2/12 Administrative & Finance Committee; and 2/18 EOCWD Regular Board Meeting;

Vice President Dulebohn: 2/11 Engineering & Operations Committee; 2/17-18 Urban Water Institute Spring 2021 Virtual Conference; 2/18 EOCWD Regular Board Meeting; and 2/24 MWDOC Virtual Water Policy Forum;

Director Bell: 2/10 & 11 CalDesal 9th Annual Conference 2021; 2/11 Engineering & Operations Committee; 2/17-18 Urban Water Institute Spring 2021 Virtual Conference; 2/18 EOCWD Regular Board Meeting; and 2/24 MWDOC Virtual Water Policy Forum;

Director Murdoch: 2/10 & 11 CalDesal 9th Annual Conference 2021; 2/17-18 Urban Water Institute Spring 2021 Virtual Conference; 2/18 EOCWD Regular Board Meeting; 2/22 ACWA Region 10 Mid-term Board Meeting; and 2/24 MWDOC Virtual Water Policy Forum;

Director Sears: 2/4 FCA Meeting; 2/5 Water Advisory Committee of Orange County (WACO) Meeting; 2/9 North Tustin Fire Safe Council Meeting; 2/10 & 11 CalDesal 9th Annual Conference 2021; 2/12 Administrative & Finance Committee; 2/18 EOCWD Regular Board Meeting; and 2/24 MWDOC Virtual Water Policy Forum

14. Monthly Legislative & Outreach Report. Hon. John Lewis presented a brief follow-up to his written report, including a COVID-19 update.

ACTION TAKEN: THE BOARD, ON MOTION BY SEARS, SECONDED BY BELL, BY UNANIMOUS ROLL CALL VOTE RECEIVED AND FILED THE ITEM.

Closed Session. The Board recessed to a closed session on the items presented in the agenda at 5:15 pm, for the following items:

- Conference with Legal Counsel — Anticipated Litigation (Govt. Code § 54956.9(d)(2)) Significant exposure to litigation: two matters; and
- Conference with Legal Counsel — Anticipated Litigation - Potential Initiation of Litigation pursuant to Government Code Section 54956.9(d)(4): *CCATT LLC & Crown Castle MU & AT&T*

The Board reconvened in Open Session at 6:34pm, at which time General Counsel Jeff Hoskinson reported that no reportable action was taken.



Adjournment.

The Board adjourned the meeting at 6:35 p.m. to the next Regular Meeting of the Board of Directors on **April 15, 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