

NOTICE OF SPECIAL MEETING


OF THE
BOARD OF DIRECTORS OF
EAST ORANGE COUNTY WATER DISTRICT

NOTICE IS HEREBY GIVEN that a Special Meeting of the Board of Directors of the East Orange County Water District has been called by the President of the Board of Directors thereof to be held on Tuesday, April 7, 2020 at 5:00 p.m., at 185 N. McPherson Road, Orange, CA 92869.

The following business will be transacted:

1. see Exhibit "1" attached to this Notice
2. _____
3. _____
4. _____

DATED THIS 3rd day of April, 2020.



JEFFREY A. HOSKINSON, Secretary
East Orange County Water District
and of the Board of Directors thereof

EXHIBIT 1 to NOTICE OF SPECIAL MEETING

AGENDA

EAST ORANGE COUNTY WATER DISTRICT
(EOCWD)

Tuesday,
April 7, 2020
185 N. McPherson Road, Orange, California

5:00 pm

NOTE: Pursuant to California Governor's Executive Order No. N-29-20, executed March 17, 2020, members of the Board of Directors may elect to attend this Regular Meeting by telephone or video conference due to concerns relative to COVID-19 Coronavirus and avoidance of public gatherings. THERE WILL BE NO PUBLIC LOCATION FOR ATTENDING THIS BOARD MEETING IN PERSON. The District will coordinate telephonic participation and does have capacity to allow members of the public to utilize its Highfive.com platform to attend its meeting remotely, though such attendees shall be responsible for downloading and installing the necessary software at their own risk. Any interested parties may contact Sylvia Prado at (714) 538-5815 or sprado@eocwd.com. Members of the public may also e-mail comments to Ms. Prado up to 30 minutes before the Board meeting, and such comments will be presented to the Board. Members of the public wishing to attend that require other reasonable modification or accommodation to facilitate such attendance should contact Ms. Sylvia Prado at (714) 538-5815 or the e-mail address specified above at least five (5) hours before the meeting to make such request.

1. **Call Meeting to Order and Pledge of Allegiance – President Davert**
2. **Public Communications to the Board**
3. **Operation, Management, and Construction Matters**
 - A. **CAL OES 130 – Designation of EOCWD's Agent for Application for Federal and State Emergency Assistance (Exhibit "A")**

Recommended Motion: "THAT THE BOARD APPROVE THE RESOLUTION ENTITLED, 'DESIGNATION OF APPLICANT'S AGENT RESOLUTION FOR NON-STATE AGENCIES,' AS PRESENTED."

- B. **COVID-19 Coronavirus Pandemic Update (Exhibit "B")**

Recommended Motion: For Information, Discussion, and Potential Act by the Board, as deemed appropriate.

C. **COVID 19- Essential Project Determinations (Exhibit “C”)**

Recommended Motion: “THAT THE BOARD APPROVE RESOLUTION ___ ENTITLED, ‘RESOLUTION OF THE BOARD OF DIRECTORS OF THE EAST ORANGE COUNTY WATER DISTRICT DESIGNATING CERTAIN DISTRICT CONSTRUCTION PROJECTS AS ESSENTIAL GOVERNMENTAL FUNCTIONS AND MAKING CERTAIN DELEGATIONS OF AUTHORITY.’”

4. Adjournment

The scheduled date of the next Regular Meeting of the Board of Directors is April 16, 2019, at 5:00 p.m., in the offices of the East Orange County Water District, 185 N. McPherson Road, Orange, California.

Availability of agenda materials: Agenda exhibits and other writings that are disclosable public records distributed to all or a majority of the members of the East Orange County Water District Board of Directors in connection with a matter subject to discussion or consideration at an open meeting of the Board are available for public inspection in the District’s office, 185 N. McPherson Road, Orange, California (“District Office”). If such writings are distributed to members of the Board less than 24 hours prior to the meeting, they will be available at the reception desk of the District Office during business hours at the same time as they are distributed to the Board members, except that if such writings are distributed less than one hour prior to, or during, the meeting, they will be available in the meeting room of the District Office.

Disability-related accommodations: The East Orange County Water District Board of Directors meeting room is wheelchair accessible. If you require any special disability-related accommodations (e.g., access to an amplified sound system, etc.) please contact Sylvia Prado in the District Office at (714) 538-5815 during business hours at least five (5) hours before the scheduled meeting. This agenda can be obtained in alternative format upon written request to Sylvia Prado in the District Office, at least twenty-four (24) hours prior to the scheduled meeting.



MEMO

TO: BOARD OF DIRECTORS
FROM: GENERAL MANAGER
SUBJECT: APPROVAL OF CALOES FORM 130
DATE: APRIL 7, 2020

BACKGROUND

Under federal Public Law 93-288, as amended by the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988, and state law under the California Disaster Assistance Act, District staff must bring a resolution before the Board to establish a list of authorized signers on file at California Governor's Office of Emergency Services (CalOES) for the purpose of obtaining certain federal and state financial assistance. The resolution (also referred to as Form 130) authorizes designated District staff to provide for all matters pertaining to such state and federal disaster assistance as are required.

CalOES has provided guidance to the District specifying the language they will require in the attached resolution with clear instructions to provide titles, rather than names. The three authorized signers recommended in the resolution are the General Manager, Engineering Manager, and the Operations Manager. These three positions have the highest level of operational oversight and will most likely be directing and working close with staff on recovery efforts in current and future events. Form 130 must be completed, authorized, and returned to CalOES to satisfy this requirement.

FINANCIAL IMPACT

This action will assist the District in recovering costs associated with the COVID-19 Pandemic, currently estimated at >\$20,000.

RECOMMENDATION

The Board approve CalOES Form 130 authorizing the General Manager, Engineering Manager and the Operations Manager to act as agents for the District in all matters pertaining to disaster assistance as are required.

**DESIGNATION OF APPLICANT'S AGENT RESOLUTION
FOR NON-STATE AGENCIES**

BE IT RESOLVED BY THE Board of Directors OF THE East Orange County Water District
(Governing Body) (Name of Applicant)

THAT _____, OR
(Title of Authorized Agent)

_____, OR
(Title of Authorized Agent)

(Title of Authorized Agent)

is hereby authorized to execute for and on behalf of the East Orange County water District, a public entity
(Name of Applicant)
established under the laws of the State of California, this application and to file it with the California Governor's Office of Emergency Services for the purpose of obtaining certain federal financial assistance under Public Law 93-288 as amended by the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988, and/or state financial assistance under the California Disaster Assistance Act.

THAT the East Orange County Water District, a public entity established under the laws of the State of California,
(Name of Applicant)
hereby authorizes its agent(s) to provide to the Governor's Office of Emergency Services for all matters pertaining to such state disaster assistance the assurances and agreements required.

Please check the appropriate box below:

- This is a universal resolution and is effective for all open and future disasters up to three (3) years following the date of approval below.
- This is a disaster specific resolution and is effective for only disaster number(s) _____

Passed and approved this _____ day of _____, 20 _____

(Name and Title of Governing Body Representative)

(Name and Title of Governing Body Representative)

(Name and Title of Governing Body Representative)

CERTIFICATION

I, _____, duly appointed and _____ of
(Name) (Title)
East Orange County Water District, do hereby certify that the above is a true and correct copy of a
(Name of Applicant)

Resolution passed and approved by the Board of Directors of the East Orange County Water District
(Governing Body) (Name of Applicant)

on the _____ day of _____, 20 _____.

(Signature)

(Title)



MEMO

TO: BOARD OF DIRECTORS
FROM: GENERAL MANAGER
SUBJECT: RESOLUTION DESIGNATING CERTAIN CONSTRUCTION PROJECTS AS ESSENTIAL GOVERNMENTAL FUNCTIONS
DATE: APRIL 7, 2020

BACKGROUND

On March 31, 2020 six Bay Area counties announced that, due to the ongoing COVID-19 Pandemic (COVID-19), most construction projects would be halted within their area. Some exemptions were included in their action, including exemptions for public works projects deemed essential by local governments.

In recognition that the State of California or County of Orange may also take similar action, staff has formulated the attached resolution finding three of the District's current construction projects as essential government functions.

The projects identified are: 1) Sidehill Booster Station Project (staff are currently installing the back-up pump); 2) the Barrett Reservoir Recoating Project (scheduled to commence April 8th) and; 3) the Vista Panorama Reservoir Replacement Project (construction authorized, but delayed pending resolution of cell tower-related issues).

Staff observes all necessary emergency protective measures related to COVID-19, and we require all contractors performing work on our behalf to observe all necessary emergency protective measures related to the COVID-19 as well as all other safety and health measures required under state and federal law; under this resolution, contractors will be required to submit their COVID-19 compliance plan requirements in writing prior to the commencement of the project.

FINANCIAL IMPACT

No additional financial impact is anticipated under this action.

RECOMMENDATION

The Board approve Resolution No. ____ designating certain district construction projects as essential governmental functions and making certain delegations of authority.

RESOLUTION NO. _____

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE
EAST ORANGE COUNTY WATER DISTRICT
DESIGNATING CERTAIN DISTRICT CONSTRUCTION
PROJECTS AS ESSENTIAL GOVERNMENTAL
FUNCTIONS AND MAKING CERTAIN
DELEGATIONS OF AUTHORITY**

WHEREAS, the State Health Officer (“State Health Officer”) issued a “shelter in place” Order, designated N-33-20, on March 19, 2020, which has been revised several times since its issuance, pursuant to the authority granted the Governor under Government Code sections 8567, 8627, and 8665, and to the State Health Officer under Health & Safety Code 120125, 120140, 131080, 1201 30(c), 120135, 120145, 1201 75 and 120150; and

WHEREAS, East Orange County Water District (“EOCWD”) is aware that certain counties in northern California have issued separate “shelter in place” orders that provide that public works construction projects may continue only if they meet certain requirements specified therein; and

WHEREAS, one such requirement under the orders in northern California is that the lead governmental agency determine that such public works projects are an “essential governmental function”; and

WHEREAS, in anticipation of any such relevant and applicable order in southern California or statewide, EOCWD has separately analyzed each of its current and upcoming construction projects and has determined that the following projects are “essential governmental functions” as each involves critical maintenance needs that need to be performed to maintain EOCWD’s critical drinking water infrastructure, and for which the contractors have scheduled work and may not be available again before EOCWD is able to return to existing groundwater resources, and as such, these projects may continue to be constructed unless and until such other contrary orders may be adopted in the future (hereinafter “Essential Projects”). EOCWD’s Essential Projects are:

1. Sidehill Booster Pump Station Project;
2. Barrett Reservoir Repainting Project; and
3. Vista Panorama Reservoir Replacement Project.

WHEREAS, EOCWD requires compliance by all contractors, vendors, staff and consultants working on Essential Projects to comply with all social distancing guidelines, protocols, and health and safety practices outlined in all applicable orders and in local, state and federal laws, regulations, and orders pertaining to COVID-19 (in addition to non-COVID-19 safety rules and regulations); and

WHEREAS, in order to facilitate the most expeditious means of compliance with future orders, rules and regulations, as such are issued, modified, and changed over the coming months, EOCWD's Board of Directors ("Board") deems it in the best interest of the District to delegate certain powers, including authority to enter into certain contracts and to make certain determinations as to the above-listed Essential Projects, to the General Manager or such other officers and/or employees of EOCWD as she may deem and identify as her designees for this purpose; and

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE EAST ORANGE COUNTY WATER DISTRICT DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. All of the above-listed recitals are incorporated herein by this reference and shall hereinafter be deemed to be the findings of the Board.

Section 2. The Board determines the Essential Projects, as defined herein, are "essential government functions."

Section 3. The Board hereby grants the power and authority, including authority to make certain determinations regarding the above-listed Essential Projects, to the General Manager or such other officers and/or employees of EOCWD as she may deem and identify as her designees for this purpose, until such time as the Board may, by further action, modify such delegation.

Section 4. The Board hereby directs staff to notify all employees and contractors that they must employ all necessary emergency protective measures to prevent, mitigate, respond to and recover from the COVID-19 pandemic identified in all applicable orders and any future order(s), including without limitation Social Distancing Requirements, relevant guidance from the California and Federal Organizational Safety and Health Administrations, and all other measures promulgated by any competent governmental agency, including, without limitation, the United State Centers for Disease Control and Prevention to the greatest extent feasible. The Board further directs staff to request, in writing, that all contractors prepare a written COVID-19 safety plan and/or protocol for the contractor's use, which shall be submitted to EOCWD for the EOCWD's information and files.

Section 5. The Board hereby delegates to the General Manager, and her designee(s), authority to take all actions and execute all other documents reasonably necessary to carry out the intent of, and the authorities delegated under, this Resolution.

ADOPTED, SIGNED AND APPROVED this 7th day of April, 2020.

Douglass S. Davert, President
EAST ORANGE COUNTY WATER DISTRICT
and of the Board of Directors thereof

Jeffrey A. Hoskinson, Secretary
EAST ORANGE COUNTY WATER DISTRICT
and of the Board of Directors thereof

STATE OF CALIFORNIA)
) ss.
COUNTY OF ORANGE)

I, JEFFREY A. HOSKINSON, Secretary of the Board of Directors of the EAST ORANGE COUNTY WATER DISTRICT, do hereby certify that the foregoing Resolution No. _____ was duly adopted by the Board of Directors of said District at a Regular Meeting of said District held on April 7, 2020, and that it was so adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Jeffrey A. Hoskinson, Secretary
EAST ORANGE COUNTY WATER DISTRICT
and of the Board of Directors thereof