



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

April 27, 2023

1. Call to Order. A Regular Meeting of the Board of Directors of the East Orange County Water District held at the Clifton C. Miller Community Center was called to order by President DOUGLASS DAVERT at 5:00 p.m. on Thursday, April 27, 2023, with President DAVERT leading the Pledge of Allegiance. Public attendance was permitted in-person or via video or teleconference. JEFFREY HOSKINSON, Secretary, recorded the minutes of the meeting.

The following Directors attended the meeting: DOUGLASS DAVERT, GEORGE MURDOCH, JOHN NIELSEN, JOHN SEARS, and MARILYN THOMS.

Also present were:

DAVID YOUNGBLOOD	General Manager
JEFF SMYTH	Engineering Manager
JERRY MENDZER	Operations Manager
SYLVIA PRADO	Office Manager
JULIAN DE LA SOLIS	Administrative Assistant
JEFF HOSKINSON	District Secretary and Legal Counsel
BYRON HOPP	Matrix Computer
STEVE GAGNON	Raftelis
HON. JOHN LEWIS	Lewis Consulting

The meeting was also attended by several members of the public both in-person and on-line. Other staff and members of the public may have attended in-person or via video- or teleconference that are not listed above.

2. Consideration of Teleconferencing Notifications/Requests. None received

3. 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).

ACTION TAKEN: None

4. Public Communications to the Board. None provided.

**** THE BOARD HEARD ITEM NO. 22 OUT OF ORDER**

22. Monthly Legislative & Outreach Report. Hon. John Lewis, of Lewis Consulting, presented his report, including a summary of the recent Orange County Board of Supervisors meeting and a general political update. Mr. Lewis provided an additional update on the Colorado River water system, as well as an update on the California State Water Project allocations projected for 100%.

ACTION TAKEN: The Board, on motion by MURDOCH, seconded by THOMS, by unanimous vote, received and filed the report.

**** THE BOARD RETURNED TO THE BALANCE OF THE AGENDA IN ORDER**

Consent Calendar. The Board, on motion from NIELSEN, seconded by THOMS, approved the Consent Calendar by unanimous vote, as follows:

5. **Minutes:** THE MINUTES OF THE MARCH 23, 2023 REGULAR MEETING OF THE BOARD WERE APPROVED AS SUBMITTED;
6. **Schedules of Disbursements:** THE BOARD APPROVED THE SCHEDULES OF DISBURSEMENTS AS SUBMITTED;
7. **General Manager's Report:** THE BOARD RECEIVED AND FILED THE GENERAL MANAGER'S REPORT;
8. **Financial Statements:** THE BOARD RECEIVED AND FILED THE FINANCIAL STATEMENTS;
9. **Wholesale and Retail Water Usage Report:** THE BOARD RECEIVED AND FILED THE WHOLESALE AND RETAIL WATER USAGE REPORT;
10. **ACWA Presidential Nomination:** THE BOARD APPROVED RESOLUTION NO. 929 SUPPORTING CATHY GREEN FOR ACWA PRESIDENT;
11. **District Offices Construction Management:** THE BOARD APPROVED CONSTRUCTION MANAGEMENT CONTRACT FOR BUTIER ENGINEERING IN THE AMOUNT OF \$217,560 RELATIVE TO THE DISTRICT OFFICE CONSTRUCTION PROJECT;
12. **PFAS Treatment System Grant Application:** THE BOARD APPROVED RESOLUTION NO. 930 IN SUPPORT OF PFAS TREATMENT SYSTEM GRANT APPLICATION;
13. **OC-43 Walnut Turnout Contract Amendment with Black and Veach:** THE BOARD APPROVED AMENDMENT OF OC-43 WALNUT TURNOUT CONTRACT AMENDMENT IN THE AMOUNT OF \$37,740 FOR ADDITIONAL DESIGN SERVICES;
14. **Newport Reservoir Rehabilitation Final Acceptance:** THE BOARD ACCEPTED FINAL COMPLETION OF THE NEWPORT RESERVOIR REHABILITATION PROJECT.

Matters for Consideration.

15. Presentation on 2023 Rate and Capacity Fee Study. Following a brief introduction by President DAVERT and General Manager Youngblood, Steve Gagnon of Raftelis presented the 2023 EOCWD Retail Zone, Wholesale Zone, and Sewer Rate, and Capacity Fee Study (“Rate Study”), with specific focus on the retail water rates and the sewer rates before the Board for Proposition 218 hearings.

ACTION TAKEN: The Board, on motion by NIELSEN, seconded by THOMS, by unanimous vote received and filed the Rate Study as presented.

16. Proposed Retail Zone (RZ) Rate Increase and Placement of RZ Capital Charges on Property Tax Roll. At 5:33 p.m., President DAVERT opened the public hearing relative to the proposed retail water rates. The Board received public comments from one rate payer, objecting to the split of the water bill between the property tax bill and monthly water bill. President DAVERT closed the public hearing at 5:35 p.m., after verifying no further in-person or on-line comments. Board Secretary Jeffrey Hoskinson thereafter tabulated the written protests received, announcing that three (3) written protests were received, short of the 606 protests needed for a majority protest.

ACTION TAKEN: The Board, on motion by SEARS, seconded by THOMS, by unanimous vote approved Resolution Nos. 931 and 932, authorizing the retail zone (RZ) water rate increase and placement of the RZ capital charges on the property tax bill.

17. Proposed Improvement District No. 1 (ID1) Sewer Rate Increase and Placement of Sewer Charges on Property Tax Roll. At 5:38 p.m., President DAVERT opened the public hearing relative to the proposed ID1 sewer rate increases. The Board received public comments from five ratepayers, objecting to the magnitude of the rate increase each year, with brief responses from the Board to comments raised. President DAVERT closed the public hearing at 5:51 p.m., after verifying no further in-person or on-line comments. Board Secretary Jeffrey Hoskinson thereafter tabulated the written protests received, announcing that sixteen (16) written protests were received. The Board deemed two of the oral comments, from those who did not also submit written objections, as valid protests, for a total of 18 protests, short of the 8,757 needed for a majority protest.

ACTION TAKEN: The Board, on motion duly seconded, by unanimous vote approved Resolution Nos. 933 and 934, authorizing the ID1 sewer rate increase and placement of such charges on the property tax roll.

18. Proposed Fat, Oils & Grease (FOG) Fee on Property Tax Roll. At 5:54 p.m., President DAVERT opened the public hearing relative to the proposed placement of FOG fees on the property tax roll. No comments were presented. President DAVERT closed the public hearing at 5:54 p.m.

ACTION TAKEN: The Board, on motion by MURDOCH, seconded by SEARS, by unanimous vote approved Resolution No. 935, authorizing the placement of the FOG Fees on the Property Tax Roll.



19 Wholesale Zone (WZ) Rate Increase.

ACTION TAKEN: The Board, on motion by NIELSEN, seconded by SEARS, by unanimous vote approved Resolution No. 936, authorizing the proposed increased in WZ water rates.

20 Retail Zone (RZ), Wholesale Zone (WZ), and Sewer (ID1) Connection and Capacity Charge Increase. .

ACTION TAKEN: The Board, on motion by NIELSEN, seconded by MURDOCH, by unanimous vote approved Resolution Nos. 937, 938, and 939, authorizing the proposed increase in connection and capacity charges for the RZ, WZ, and ID1 zones, respectively.

Miscellaneous Items.

22. Directors’ reports on meetings attended at District expense (Government Code Section 53232.3) and Directors’ comments. The Directors reported attendance as set forth in the agenda, as follows:

President Davert

- 3/8 OC LAFCO Commission Meeting
- 3/23 EOCWD Regular Board Meeting

Vice President Murdoch

- 3/1 ACWA Region 10 State Legislative Committee Prep Meeting
- 3/22 ACWA Region 10 State Legislative Committee Prep Meeting
- 3/23 EOCWD Regular Board Meeting

Director Sears

- 3/3 Water Advisory Committee of Orange County (WACO) Meeting
- 3/6 Foothill Communities Association Annual Meeting
- 3/23 EOCWD Regular Board Meeting
- 3/30 ISDOC Virtual Quarterly Luncheon

Director Thoms

- 3/3 Water Advisory Committee of Orange County (WACO) Meeting
- 3/6 Foothill Communities Association Annual Meeting
- 3/23 EOCWD Regular Board Meeting

Director Nielsen

- 3/23 EOCWD Regular Board Meeting

Director SEARS provided a summary of the WACO meeting, including a discussion on atmospheric rivers. Director Nielsen congratulated Orange County Water District and Sanitation District on final phase of the Groundwater Recovery System (“GWRS”) project. President DAVERT made a brief summary report.



Closed Session.

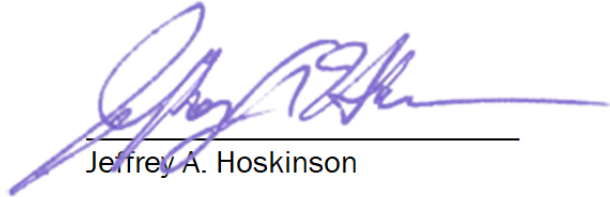
Conference with Legal Counsel - Existing Litigation (Govt Code § 54956.9(d)(1))– *Irvine Ranch Water District v. Orange County Water District*, Case No. 30-2016-00858584-CU-WMCJC.

Report Out: The Board reconvened in Open Session at 6:07 p.m., and Board Secretary Hoskinson reported that the Board took no reportable action.

Adjournment.

The Board adjourned the meeting at or around 6:07 p.m. to the next Regular Meeting of the Board of Directors on **Thursday, May 25, 2023**, at 5:00 p.m., to be held at the Clifton C. Miller Community Center, 300 Centennial Way, Tustin, CA 92780.

Respectfully submitted,



Jeffrey A. Hoskinson