



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

May 25, 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 5:03 p.m. on Thursday, May 25, 2023, with Vice-President MURDOCH 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
CINDY BYERRUM*	Treasurer
JEFF HOSKINSON	District Secretary and Legal Counsel
JEFF MOSHER	Santa Ana Watershed Project Authority (SAWPA)
HON. JOHN LEWIS	Lewis Consulting

\* Attended via videoconference

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:** The Board, on motion duly seconded, by unanimous vote added Item 13A, which came to the attention of the District within 72 hours of the meeting and for which urgent action is necessary, to the agenda, relative to a proposed award of a paving construction contract to Champion Paving in the amount of \$129,483, for grading and paving the temporary office and storage site in connection with on-going District Office construction.

**4. Public Communications to the Board.** Former director Richard Bell requested to speak relative to Item 11, with such comments deferred to the item. No other public comments were received.



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

5. **Minutes:** THE MINUTES OF THE APEIL 27, 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. **Water Supply Contingency Plan – Level 0:** THE BOARD APPROVED RESOLUTION NO. 940, RESCINDING ITS PRIOR DOUGHT EMERGENCY DECLARATION AND IMPLEMENTING ITS LEVEL 0 (NORMAL) WATER SHORTAGE CONTINGENCY CONDITION.

**Matters for Consideration.**

11. **Presentation on SAWPA Weather Modification Pilot Study.** General Manager Youngblood introduced the item, and turned presentation over to SAWPA General Manager Jeff Mosher, who presented on the SAWPA Weather Modification Pilot Study (Project) and desired use of the EOCWD Peter's Canyon (6MG) Reservoir Site. The Board raised concerns relative to potential fire risks and other concerns associated with Project, as well as technical questions on how the ignition of the system operated, with responses confirming that equipment would only present during the rainy season.

Member of the public and former director Richard Bell raised concerns over fire season risks, including hacking and other concerns, suggesting that a compressed air system would be more effective.

**ACTION TAKEN:** The Board, on motion duly seconded, approved by a vote of 4-1, with Directors DAVERT, MURDOCH, NIELSEN, and THOMS voting for, and Director SEARS against, approved participation in the SAWPA Pilot Study, with authority to the General Manager to address issues raised and execute a contract as presented.

**12. Award of Contract for Auditing Services.** General Manager Youngblood introduced the item, summarizing that five auditors had submitted proposals, with EOCWD's current auditor declining to submit due to requirement to change auditors every five years. Treasurer Cindy Byerrum provided an overview of the proposals, with a recommendation to approve a contract with Nigro & Nigro.

ACTION TAKEN: The Board, on motion by SEARS, seconded by MURDOCH, by unanimous vote approved the award of a professional services contract with Nigro & Nigro for \$84,000 for the next three years of auditing services.

**\*\*\* BOARD ITEM NO. 15 HEARD OUT OF ORDER**

**15. Monthly Legislative & Outreach Report.** Hon. John Lewis, of Lewis Consulting, presented his report, including a summary of the recent summit between Municipal Water District of Orange County (MWDOC) and the Orange County Water District (OCWD), as well as an update on the Orange County Board of Supervisors and general political update. Mr. Lewis provided an additional update on Lake Powell and the recent Colorado River Agreement.

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

**\*\*\* BOARD RETURNED TO BALANCE OF AGENDA AS AGENDIZED**

**13. OC-43 Vault Improvements Project** General Manager Youngblood introduced the item, turning over the presentation to Engineering Manager Jeff Smyth. Mr. Smyth provided an overview of the vault project and current status.

ACTION TAKEN: Information only. No action taken.

**13A. Temporary Office and Storage Site Paving Contract – Champion Paving.** Engineering Manager Jeff Smyth presented the item.

ACTION TAKEN: The Board, on motion by NIELSEN, seconded by SEARS, by unanimous vote approved the award of a paving construction contract to Champion Paving in the amount of \$129,483, for grading and paving the temporary office and storage site in connection with on-going District Office construction.



Miscellaneous Items.

**14. 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

- 4/12 OC LAFCO Commission Meeting
- 4/14 Groundwater Replenishment System (GWRS) Final Completion Dedication
- 4/14 Water Infrastructure Networking Summit 2023
- 4/27 EOCWD Regular Board Meeting

Vice President Murdoch

- 4/6 MWDOC Annual Elected Officials' Forum
- 4/10 ACWA Business Development Committee
- 4/13 EOCWD Engineering & Operations Committee
- 4/14 Groundwater Replenishment System (GWRS) Final Completion Dedication
- 4/14 Water Infrastructure Networking Summit 2023
- 4/27 EOCWD Regular Board Meeting

Director Sears

- 4/6 MWDOC Annual Elected Officials' Forum
- 4/7 Water Advisory Committee of Orange County (WACO)
- 4/14 Groundwater Replenishment System (GWRS) Final Completion Dedication
- 4/27 EOCWD Regular Board Meeting

Director Thoms

- 4/7 Water Advisory Committee of Orange County (WACO) Meeting
- 4/13 EOCWD Engineering & Operations Committee
- 4/14 Groundwater Replenishment System (GWRS) Final Completion Dedication
- 4/14 Water Infrastructure Networking Summit 2023
- 4/27 EOCWD Regular Board Meeting

Director Nielsen

- 4/6 MWDOC Annual Elected Officials' Forum
- 4/14 Groundwater Replenishment System (GWRS) Final Completion Dedication
- 4/27 EOCWD Regular Board Meeting

Director SEARS provided a summary of the WACO meeting, including a discussion on the Colorado River agreement. Vice-President MURDOCH noted that he participated in a Metropolitan Water District of Southern California (MET) tour of the Colorado River system, as well as attended the Association of California Water Agencies (ACWA) in Monterey. President DAVERT noted his attendance of the ACWA Conference in Monterey, and noted that CSDA would be in Monterey in August, and Urban Water Institute in San Diego in August.

President DAVERT also noted that the MWDOC Policy Forum and Dinner would be on June 22, 2023, the same night of the June EOCWD Board Meeting, at which the Board concurred in holding an alternate special meeting on June 29, 2023 in lieu of the regular meeting.

**Closed Session.**

**Conference with Legal Counsel - Existing Litigation** (Govt Code § 54956.9(d)(1))– *East Orange County Water District v. Pacific Bell, et. al.* (Orange County Superior Ct. Case No. 30-2022-01290371-CU-OR-CJC)

Report Out: The Board reconvened in Open Session at 6:17 p.m., and Board Secretary Hoskinson reported that the Board took no reportable action.

**Adjournment.**

The Board adjourned the meeting at or around 6:17 p.m. to the next meeting of the Board of Directors to be held as a Special Meeting on **Thursday, June 29, 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