



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

July 25, 2024

**1. Call to Order.** A Regular Meeting of the Board of Directors of the East Orange County Water District, held at the District Office, located at 185 N. McPherson Road in the City of Orange, California, was called to order by President DOUGLASS DAVERT at 5:00 p.m. on Thursday, July 25, 2024, with Director JOHN NIELSEN leading the Pledge of Allegiance. Public attendance was permitted in-person only. 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 O SOLIS	Administrative Assistant
JEFF HOSKINSON	District Secretary and Legal Counsel
ERIC O'DONNELL	Townsend Public Affairs
MICAH FROMKIN	Public

Other staff and members of the public may have attended that are not listed above.

**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).

ACTION TAKEN: None.

**3. Public Communications to the Board.** None.

**Consent Calendar.** The Board, after a brief report from General Manager Youngblood on the General Manager's report and inquiry from Director SEARS relative to customer sewer refunds, on motion from NIELSEN, seconded by MURDOCH, approved the Consent Calendar by unanimous vote as follows:

- 4. Minutes:** THE MINUTES OF THE JUNE 27, 2024 REGULAR MEETING OF THE BOARD WERE APPROVED AS SUBMITTED;
- 5. General Manager's Report:** THE BOARD RECEIVED AND FILED THE GENERAL MANAGER'S REPORT;



6. **Wholesale and Retail Water Usage Report:** THE BOARD RECEIVED AND FILED THE WHOLESALE AND RETAIL WATER USAGE REPORT;
7. **Schedules of Disbursements:** THE BOARD APPROVED THE SCHEDULE OF DISBURSEMENTS AS SUBMITTED;
8. **Financial Statements:** THE BOARD RECEIVED AND FILED THE FINANCIAL STATEMENTS;

**Matters for Consideration.**

9. **Septic to Sewer Conversion for 1892 E. Lemon Heights.** Micah Fromkin requested a waiver from the Board for his connection charges to the EOCWD sewer system, explaining that his home is currently on septic and he is required to pay approximately \$18,000 in connection fees as a result of his construction of an accessory dwelling unit (ADU) that is requiring that both his home and ADU be connected to the sewer. Connecting to the sewer, due to the distance from the current line, will cost him approximately \$100,000. President DAVERT discussed concerns relative to a waiver of fees, including Proposition 218 limitations and an inability to subsidize customers by requiring other customers to cover expenses. On inquiry from President DAVERT, General Counsel Hoskinson confirmed that the granting of a waiver could create legal precedent for similar situated properties, and that it could create a Proposition 26 issue where fees collected from others were considered more than actual costs if not all properties were contributing. Director THOMS inquired as to payment or installment agreement plans, which General Counsel Hoskinson indicated that other agencies have used such tools to allow payment over time.

**ACTION TAKEN:** The Board, on motion from SEARS, seconded by THOMS, by unanimous vote denied the request for a waiver of connection fees, but directed that the homeowner could work with General Manager Youngblood to explore an installment payment plan.

10. **Townsend Contract.** General Manager Youngblood introduced the item, with brief comments from Eric O'Donnell of Townsend Public Affairs, including a brief report on current legislative items.

**ACTION TAKEN:** The Board, on motion duly seconded, by unanimous vote approved a two-year contract with Townsend Affairs, with compensation of \$3,500 per month for the first year, and \$4,000 per month for the second year.

11. **Sewer Service Charges.** General Manager Youngblood introduced the item, relative to the annual proposed resolution to collect sewer charges on the property tax roll.

**ACTION TAKEN:** The Board, on motion by SEARS, seconded by NIELSEN, by unanimous vote approved Resolution No. 945, directing the County Tax Collector to collect the sewer charges on the Fiscal Year 2024-25 property tax bills.



**12. VanderWerff Well Final Acceptance.** General Manager Youngblood introduced the item, with discussion over the excellent work by Pascal and Ludwig, despite difficulties due to a non-performance by a subcontractor. It was noted that the final contract for the well was \$1.4 million, and that Pascal and Ludwig is voluntarily closing its doors. It was recommended that the Board approve the Notice of Completion for the Project.

**ACTION TAKEN:** The Board, on motion by NIELSEN, seconded by THOMS, by unanimous vote (1) increased the budget by \$10,068 and authorized the General Manager to execute the final change order in the amount of \$29,168; (2) accepted the construction of the VanderWerff Well Equipping Project; (3) authorized the General Manager to file a Notice of Completion; and (4) authorized payment of the retention 35 days after the date of recording the Notice of Completion.

**Miscellaneous Items.**

**13. 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

6/27 EOCWD Regular Board Meeting

Vice President Murdoch

6/13 EOCWD Engineering & Operations Committee

6/18 ACWA APP Subcommittee

6/27 EOCWD Regular Board Meeting

Director Sears

6/7 Water Advisory Committee of Orange County (WACO)

6/21 Administration & Finance Committee

6/27 EOCWD Regular Board Meeting

Director Thoms

6/7 Water Advisory Committee of Orange County (WACO)

6/13 EOCWD Engineering & Operations Committee Meeting

6/27 EOCWD Regular Board Meeting

Director Nielsen

6/21 Administration & Finance Committee

6/27 EOCWD Regular Board Meeting

Director SEARS provided an overview of the July 2024 WACO meeting. Director THOMS noted that she attended the same meeting, and was impressed by the quality of the presentation.



**14. Monthly Legislative & Outreach Report.**

ACTION TAKEN: The Board, on motion duly seconded, received and filed the reports.

**Closed Session.**

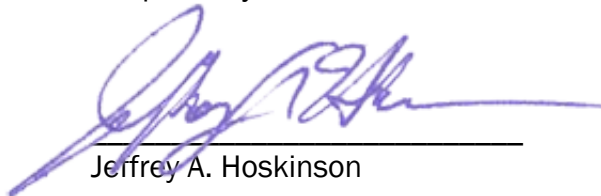
1. *Conference with Legal Counsel - Existing Litigation (Govt Code § 54956.9(d)(1))– Orange County Water District, et. al. v. 3M Company, et. al. (U.S. District Court, Central District of California Case No. 8:21-cv-01029-SVW-AS)*

Report Out: General Counsel Jeff Hoskinson reported that the Board met in Closed Session on Item No. 1 as agendaized, and by a unanimous vote of all members present approved EOCWD's participation in the settlement agreements for Tyco and BFAS.

**Adjournment.**

The Board adjourned the meeting at approximately 5:50 p.m. to the next Regular Meeting of the Board of Directors to be held on **September 26, 2024**, at 5:00 p.m., at the District Office located at 185 North McPherson, Orange, California, 92869.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Jeffrey A. Hoskinson", is written over a horizontal line. The signature is fluid and cursive.

Jeffrey A. Hoskinson