



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

July 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, July 27, 2023, with Director THOMS 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
ERIC O'DONNELL	Townsend Public Affairs
JOHN LEWIS	Lewis Consulting
BYRON HOPP	Matrix Computer
CHRISTOPHER DEAL	Best, Best & Krieger LLP
AIDEN BAREN*	Public

* 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.

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).

None.

4. Public Communications to the Board. Aiden Baren commented on his appreciation of Jeff Smyth and Julian De La Solis during the permitting process. President DAVERT thanked Mr. Baren for his feedback.

**** THE BOARD HEARD ITEM 18 OUT OF ORDER**

18. Monthly Legislative & Outreach Report. Honorable John Lewis, of Lewis Consulting, provided a political update to the Board relative to the County of Orange and Federal government, as well as a drought update. Eric O'Donnell of Townsend Public Affairs provide a California legislative update to the Board, including on legislation relative to the budget, water rights, and water bonds.

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

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

Consent Calendar. The Board pulled Item No. 6, and on motion from SEARS, seconded by THOMS, approved the balance of the Consent Calendar by unanimous vote, as follows:

5. **Minutes:** THE MINUTES OF THE JUNE 29, 2023 REGULAR MEETING OF THE BOARD WERE APPROVED 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. **Surplus Equipment:** THE BOARD DECLARED ITEMS PRESENTED AS SURPLUS AND DIRECTED STAFF TO DISPOSE OF THE ITEMS PER DISTRICT POLICY;
11. **Site Paving:** THE BOARD APPROVED A CONSTRUCTION CHANGE ORDER WITH CHAMPION PAVING IN THE AMOUNT OF \$8,904;
12. **VanderWerff Well PSA Amendment:** THE BOARD APPROVED PSA AMENDMENT NO. 2 IN THE AMOUNT OF \$41,620;
13. **OC43 Walnut Vault Final Acceptance:** THE BOARD ACCEPTED THE OC43 WALNUT VAULT PROJECT AND AUTHORIZED THE GENERAL MANAGER TO FILE A NOTICE OF COMPLETION.

The Board then considered Item No. 6, as pulled from the Consent Calendar, as follows:

6. Schedules of Disbursements. Director NIELSEN indicating his abstention from participation due to potential conflict relative to this item before the Board.

ACTION TAKEN: The Board, on motion by MURDOCH, seconded by THOMS, approved the Schedule of Disbursements as submitted to the Board by a vote of 4-0-1, with DAVERT, MURDOCH, SEARS, and THOMS voting aye, and Director NIELSEN abstaining.

Matters for Consideration.

14. Grand Jury Report Response. General Manager Youngblood presented the item relative to the optional response to Grand Jury Report, “A Wet Winter in the West Hasn’t Changed California’s Water Challenges.”

ACTION TAKEN: The Board, on motion by NIELSEN, seconded by THOMS, elected not to provide a formal response to the Grand Jury Report at this time.

15. Conference and Meeting Requests. General Manager Youngblood presented the item, referencing the Association of California Water Agencies (“ACWA”) Annual Fall Conference to be held the last week of November. Based on discussion, the entire Board was interested in potential attendance.

ACTION TAKEN: The Board, on motion by Nielsen, seconded by THOMS, authorized by unanimous vote attendance at the ACWA conference for all Board members.

16. District Staffing Increase. General Manager Youngblood presented the item, indicating his desire to add a higher-level water service operations position. The District has been seeking to fill such a position for three years, and ultimately filled the existing open position with a GIS manager. More recently, however, candidates have surfaced to potentially fill the water service operations need, and a position would need to be added to fill such a need, which would require approximately \$140,000 from the current year budget, depending on when the position was filled, which was proposed to come from the \$55,000 temporary water operator position already budgeted and up to \$85,000 through an equivalent reduction to the capital project spending budget. The Board, after discussion, preferred an amendment to the budget to allow the addition of the employee, without losing the budget for the existing temporary water operator and without reducing the capital project spending budget.

ACTION TAKEN: The Board, on motion by DAVERT, seconded by SEARS, authorized the addition of a Water Service Operations position, and approved a budget commensurate with the addition of the position up to \$140,000 for the 2023-24 Fiscal Year budget.

Miscellaneous Items.



17. **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

- 6/7 EOCWD Special Board Meeting
- 6/14 OC LAFCO Commission Meeting
- 6/29 EOCWD Regular Board Meeting

Vice President Murdoch

- 6/7 EOCWD Special Board Meeting
- 6/15 EOCWD Engineering & Operations Committee
- 6/22 MWDOC Water Policy Forum

Director Sears

- 6/2 Water Advisory Committee of Orange County (WACO)
- 6/7 EOCWD Special Board Meeting
- 6/16 EOCWD Administration & Finance Committee
- 6/22 ISDOC Virtual Quarterly Meeting
- 6/22 MWDOC Water Policy Forum
- 6/29 EOCWD Regular Board Meeting

Director Thoms

- 6/2 Water Advisory Committee of Orange County (WACO) Meeting
- 6/7 EOCWD Special Board Meeting
- 6/15 EOCWD Engineering & Operations Committee
- 6/22 MWDOC Water Policy Forum
- 6/29 EOCWD Regular Board Meeting

Director Nielsen

- 6/7 EOCWD Special Board Meeting
- 6/16 EOCWD Administration & Finance Committee
- 6/22 MWDOC Water Policy Forum
- 6/29 EOCWD Regular Board Meeting

Director SEARS provided a summary of the WACO meeting, including a presentation on Artificial Intelligence (“AI”).

Closed Session

1. **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)
2. **Public Employee Performance Evaluation** (Government Code § 54957)
Title: General Manager

Report Out: The Board reconvened in Open Session, and Board Secretary Hoskinson reported that the Board met in Closed Session on Items No. 1 and 2 as agendized, and took no reportable action.

Open Session


19. **Potential Consideration of General Manager Contract/Compensation Modifications.** President DAVERT introduced a proposed modification to General Manager's contract, as reflected in the motion below, and commented briefly on the item, acknowledging the amazing work of General Manager Youngblood over the past year, including miles of new pipe and capital projects currently underway.

ACTION TAKEN: The Board, on motion from DAVERT, seconded by NIELSEN, by unanimous vote approved a motion to increase the salary of the General Manager in the amount of 7.4%, and award a one-time award of 40 hours leave time (leave or cash-out at his option), retroactive to July 1, 2023, with direction to general counsel to amend the General Manager's contract accordingly, if necessary.

Adjournment.

The Board adjourned the meeting at approximately 6:30 p.m. to the next Regular Meeting of the Board of Directors to be held on **Thursday, August 31, 2023**, at approximately 5:00 p.m., to be held at the Clifton C. Miller Community Center, 300 Centennial Way, Tustin, CA 92780, noting that such meeting may be subject to adjustment if a quorum is out of town.

Respectfully submitted,



Jeffrey A. Hoskinson