

MINUTES OF THE REGULAR MEETING
OF THE BOARD OF DIRECTORS
MUNICIPAL WATER DISTRICT OF ORANGE COUNTY
October 21, 2009

At 8:30 a.m. President Clark called to order the Regular Meeting of the Municipal Water District of Orange County in the Board Room at the District facilities located in Fountain Valley. Director Dick led the Pledge of Allegiance and Secretary Goldsby called the roll.

MWDOC DIRECTORS

Brett R. Barbre
Wayne A. Clark
Larry Dick
Joan C. Finnegan
Susan Hinman
Ed Royce, Sr.
Jeffery M. Thomas

STAFF

Kevin Hunt, General Manager
Karl Seckel, Assistant Gen. Mgr. (absent)
Dan Payne, Legal Counsel
Maribeth Goldsby, Board Secretary
Phil Letrong, Finance Manager
Keith Lyon, Principal Analyst
Joe Berg, Water Use Efficiency Prog. Mgr.

ALSO PRESENT

Ray Miller
Dick Dietmeier
Diana Leach
Trudy Ohlig-Hall
Jim Fisler
Jim Fitzpatrick
Jack Foley
David W. Shepherd
Bill Wachal

City of San Juan Capistrano
South Coast Water District
Consultant to Golden State Water Company
Mesa Consolidated Water District
Mesa Consolidated Water District
Pronto Wash
MWDOC MET Director
Shepherd Strategies

PUBLIC PARTICIPATION/PUBLIC COMMENT

President Clark announced members of the public wishing to comment on agenda items could do so after the item has been discussed by the Board and requested members of the public identify themselves when called on. Mr. Clark asked whether there were any comments on other items which would be heard at this time.

No comments were received.

ITEMS RECEIVED TOO LATE TO BE AGENDIZED

Determine need and take action to agendize items(s), which arose subsequent to the posting of the Agenda. (ROLL CALL VOTE: Adoption of this recommendation requires a two-thirds vote of the Board members present or, if less than two-thirds of the Board members are present, a unanimous vote.)

General Manager Hunt advised that information was received by the District, subsequent to the posting of the agenda, making it prudent for the Board to meet in closed session for a conference with legal counsel (regarding anticipated litigation, Government Code Section 54956.9(c)/one case). Upon MOTION by Director Finnegan, seconded by Director Royce, and carried (6-0), the Board determined that the item arose subsequent to the posting of the agenda and required immediate consideration, and approved adding a closed session, pursuant to Government Code Section 54956.9(c), anticipated litigation (one case) to the agenda. Director Thomas was absent, as he had not yet arrived to the meeting

ITEMS DISTRIBUTED TO THE BOARD LESS THAN 72 HOURS PRIOR TO MEETING

President Clark inquired as to whether there were any items distributed to the Board less than 72 hours prior to the meeting. No items were presented.

EMPLOYEE SERVICE AWARDS

President Clark presented awards to the following individuals for going "above and beyond" with their services to the District: Joe Berg, Scott Jakubowski, Steve Hedges who was not present, Monica Gonzalez, and Warren Greco.

President Clark presented an award to Keith Lyon for twenty-years of service to the District.

CONSENT CALENDAR

President Clark stated all matters under the Consent Calendar would be approved by one MOTION unless a Director wished to consider an item separately.

Upon MOTION by Director Finnegan, seconded by Director Thomas, and carried (7-0), the Board approved the Consent Calendar items as follows:

MINUTES

The following minutes were approved as presented.

September 2, 2009 Workshop Board Meeting
September 16, 2009 Regular Board Meeting

COMMITTEE MEETING REPORTS

The following Committee Meeting reports were received and filed as presented.

Planning & Operations Committee Meeting: September 8, 2009
Administration & Finance Committee Meeting: September 10, 2009
Public Affairs & Legislation Committee Meeting: September 21, 2009
Executive Committee Meeting: September 17, 2009
MWDOC/OCWD Joint Planning Committee Meeting: August 26, 2009

TREASURER'S REPORTS

The following items were ratified as presented.

MWDOC Revenue/Cash Receipt Register as of September 30, 2009
MWDOC Disbursement Register as of September 30, 2009

The following items were received and filed as presented.

MWDOC Summary of Cash and Investment and Portfolio Master Summary Report (Cash and Investment report) as of August 31, 2009

Water Use Efficiency Projects Cash Flow

DISTRICT CONFERENCES/MEETINGS/SEMINARS

The Board authorized, and ratified where noted, attendance by Directors and such members of District staff as approved by the General Manager, at the following conferences:

- The Rose Institute's: Redistricting, the 2010 Census and Your Budget, October 15, 2009, Claremont (ratify attendance)
- Colorado River Water Users Association Annual Conference, December 9-11, 2009, Las Vegas
- League of Cities, Using Twitter in Public Safety Services Applications, October 8, 2009 (ratify attendance)

END CONSENT CALENDAR

ACTION CALENDAR

**RESOLUTION JOINING THE SOUTHERN CALIFORNIA WATER COMMITTEE
IN SUPPORT OF A COMPREHENSIVE SOLUTION FOR THE SACRAMENTO-
SAN JOAQUIN DELTA**

General Manager Hunt advised that the Public Affairs & Legislation Committee reviewed this item and recommended it for Board approval, but requested the word “may” be replaced with the word “will” in the 7th paragraph. Copies of the revised resolution were distributed to the Board.

Mr. Dick Dietmeier (South Coast Water District) addressed the Board, emphasizing the fact that California is one state and should be working toward one solution. He highlighted the need for regular maintenance on the State’s water supplies, noting that this point should be clearly identified and supported.

Upon MOTION by Director Finnegan, seconded by Director Thomas, and carried (7-0), the Board adopted RESOLUTION NO. 1860, Supporting a Comprehensive Solution for the Sacramento-San Joaquin Delta, by the following roll call vote:

AYES:	Directors Barbre, Clark, Dick, Finnegan, Hinman, Royce & Thomas
NOES:	None
ABSENT:	None
ABSTAIN:	None

DESIGNATION OF VOTING REPRESENTATIVE TO APPROVE DUES INCREASE FOR INDEPENDENT SPECIAL DISTRICTS OF ORANGE COUNTY (ISDOC)

President Clark advised that Public Affairs & Legislation Committee reviewed this item and recommended that Director Joan Finnegan be designated to cast the District’s ballot at the upcoming ISDOC meeting (October 29, 2009) to approve the proposed increase in annual dues for ISDOC.

Upon MOTION by Director Dick, seconded by Director Barbre, and carried (7-0), the Board designated Joan C. Finnegan as voting representative to cast the District’s vote to approve an increase in annual dues for the Independent Special Districts of Orange County (ISDOC) from \$50 to \$200.

TRAVEL ON FEDERAL INITIATIVES FOR THIRD AND FOURTH QUARTERS 2009

General Manager Hunt advised that the Public Affairs & Legislation Committee reviewed and approved this item.

Upon MOTION by Director Thomas, seconded by Director Dick, and carried (7-0), the Board authorized the travel as outlined for the third and fourth quarters of 2009.

PROPOSED EXTENSION OF CONTRACT WITH SHEPHERD STRATEGIES TO MONITOR SAN DIEGO COUNTY WATER AUTHORITY BOARD/COMMITTEE ACTIVITIES

Upon MOTION by Director Barbre, seconded by Director Finnegan, and carried (7-0), the Board approved an extension of Shepherd Strategies contract for the remainder of the fiscal year at a cost of \$25,000.

Director Barbre requested that monthly reports on these activities be distributed to both the MWDOC Board and the MWDOC MET Directors.

INFORMATION CALENDAR

GENERAL MANAGER'S REPORT, OCTOBER 2009

General Manager Hunt advised that the General Manager's report was included in the Board packet.

The Board received and filed the report as presented.

MWDOC GENERAL INFORMATION ITEMS

BOARD OF DIRECTORS

In addition to the regular MWDOC Board and Committee meetings attended by the Directors, the following reports were made on conferences and meetings attended on behalf of the District.

Director Barbre reported on attending the MET Workshop on pension issues, meetings with agencies within Division 1, as well as legislative meetings in both Sacramento and Washington, DC. He provided a brief update on his efforts in securing federal funding toward desalination efforts. Mr. Barbre then advised that the City of La Habra adopted a resolution supporting MWDOC's current governance structure.

Director Dick reported his attendance at the MET Board and Committee meetings, ad hoc meetings with various entities regarding the MET labor negotiations and cost of service study, a meeting with legal counsel regarding member agency relations, the monthly WACO meeting (as well as WACO Planning), the MET Caucus meeting. He also attended meetings with Assembly members Tran and Silva, as well as the Garden Grove and Orange Chambers of Commerce meetings.

Director Dick referenced the vacancy in the MET Director position (due to Mr. Bakall's resignation), noting that there are several MET committees that do not have MWDOC representation. He encouraged the MWDOC Board to move quickly in appointing a replacement Director. Mr. Hunt advised that this could be handled in November.

Director Royce reported that he attended the OCWD Board meeting, the League of Cities meeting, the monthly WACO meeting (and WACO Planning), and the ISDOC Executive Committee meeting. He also attended a meeting in Costa Mesa, featuring his son, Congressman Ed Royce, as the keynote speaker.

Director Finnegan announced that the quarterly ISDOC luncheon would be held on Thursday, October 29, 2009 (in the Board room).

Director Thomas reported on attending various meetings with agencies within Division 6, as well as meetings designed to work toward a solution with MWDOC's six South County agencies. He also attended the Water Innovation Now kick-off event wherein Kevin Hunt was a featured speaker. Mr. Thomas advised that he would be attending an interview session at Trinity Broadcasting Network (along with Joe Berg).

Director Hinman reported on attending the San Juan Capistrano Water Forum hosted by the League of Women Voters, the San Juan Capistrano Utilities Commission meeting, the monthly WACO meeting, a meeting with the six South County agencies (working toward a solution), the ACWA Region 10 meeting, and a Diamond Valley Lake inspection trip. She also attended the Water Innovation Now kick-off event.

Director Clark advised that he attended the meeting with the six South County agencies (working toward a solution).

CLOSED SESSION

At 9:10 a.m., Legal Counsel Payne announced that the Board would adjourn to closed session, pursuant to Government Code Section 54956.9(c) for a conference with legal counsel to discuss anticipated litigation (one case).

RECONVENE

The Board reconvened at 11:25 a.m. Legal Counsel Payne advised that no reportable action was taken in closed session.

ADJOURNMENT

There being no further business to come before the Board, President Clark adjourned the meeting at 11:30 a.m.

APPROVED

Wayne A. Clark, President

Maribeth Goldsby, Secretary