

MINUTES OF MEETING
BOARD OF DIRECTORS, ORANGE COUNTY WATER DISTRICT
January 2, 2013, 5:30 p.m.

President Dewane called to order the January 2, 2013, meeting of the Orange County Water District Board of Directors at 5:30 pm in the Boardroom at the District office. Following the Pledge of Allegiance to the Flag, the Assistant District Secretary called the roll and reported a quorum as follows.

Directors

Philip Anthony
Kathryn Barr
Denis Bilodeau (arrived 5:35 pm)
Shawn Dewane
Cathy Green
Vincent Sarmiento
Stephen Sheldon (arrived 5:45 pm)
Harry Sidhu
Bruce Whitaker
Roger Yoh

Staff

Mike Markus, General Manager
Joel Kuperberg, General Counsel
Judy-Rae Karlsen, Assistant District Secretary
Bruce Dosier, Stephanie Dosier, Randy Fick,
Kevin Greene, Roy Herndon, Bill Hunt,
Rae Krause, John Kennedy, Mehul Patel,
Eleanor Torres, Mike Wehner, Greg Woodside,
Nira Yamachika

Others in attendance:

Nabil Saba - City of Santa Ana
Ethan Termianka - Mesa Consolidated Water District
Rick Shintaku - City of Anaheim
Robert Hanford - Golden State Water Company

VISITOR PARTICIPATION

There were no persons wishing to address the Board.

CONSENT CALENDAR

The Consent Calendar was then approved upon motion by Director Barr, seconded by Director Green and carried [8-0] as follows.

1. Approval of Cash Disbursements

MOTION NO. 13-1
APPROVING CASH DISBURSEMENTS

Payment of bills for the period December 13, 2013 through December 26, 2013 in the total amount of \$7,769,251.64 is ratified and approved.

Director Bilodeau arrived at 5:35 p.m. during discussion of the following item.

2. District Act Legislation

MOTION 13-2

APPROVING CHANGES TO THE DISTRICT ACT AND SECURING SPONSORSHIP FOR THE
BILL IN THE CALIFORNIA LEGISLATURE

RESOLVED, changes to the District Act to clarify ambiguous language in Section 2 and 8 applicable to groundwater basin contamination investigations and cleanup activities are hereby approved and staff is directed to contact District lobbyists to secure sponsorship in the California legislature for a bill to enact the changes and perform the necessary activities for passage.

CONSENT CALENDAR ITEMS RECOMMENDED FOR APPROVAL AT PROPERTY
MANAGEMENT COMMITTEE MEETING HELD DECEMBER 28

Director Sheldon arrived at 5:45 p.m. during discussion of the following item.

3. City of Anaheim Electrical Easement for Site Access and Maintenance of Power Facilities
at Miraloma Basin, Anaheim

RESOLUTION NO. 13-1-1

AUTHORIZING EXECUTION OF EASEMENT DEED WITH CITY OF ANAHEIM
FOR MAINTAINING POWER FACILITIES AT MIRALOMA BASIN

WHEREAS, the Property Management Committee of this Board has recommended authorizing the execution of an Easement Deed with the City of Anaheim for electrical cabling, site access and maintenance of power facilities at Miraloma Basin;

NOW, THEREFORE, the Board of Directors of the Orange County Water District does hereby approve the aforementioned Easement Deed with the City of Anaheim; and, approval as to form by District General Counsel, its execution on behalf of the District by the President or Vice President and General Manager or District Secretary is authorized.

4. Request by County of Orange for Easement and License for the Lincoln Avenue Road
Widening Project

RESOLUTION NO. 13-1-2

AUTHORIZING EXECUTION OF AGREEMENTS WITH COUNTY OF ORANGE
FOR LINCOLN AVENUE ROAD WIDENING PROJECT

WHEREAS, the Property Management Committee of this Board has recommended authorizing the execution of Acquisition Contract and non-exclusive Easement Deed with the County of Orange for additional right of way for the Lincoln Avenue Road Widening Project with an easement fee of \$6,600 is authorized; and

WHEREAS, the Property Management Committee of this Board has recommended authorizing the execution of License Agreement with the County of Orange that provides for a temporary construction area to construct the Lincoln Ave. Road Widening Project with an expiration date of June 30, 2014 and a license fee of \$7,000;

NOW, THEREFORE, the Board of Directors of the Orange County Water District does hereby approve the aforementioned Acquisition Contract, Easement Deed and License Agreement with the County of Orange; and, approval as to form by District General Counsel, and execution on behalf of the District by the President or Vice President and General Manager or District Secretary is authorized.

5. Lease with City of Anaheim to Place Injection Well at Anaheim Regional Transportation Intermodal Center

RESOLUTION NO 13-1-3

APPROVING AND AUTHORIZING EXECUTION OF LEASE AGREEMENT WITH CITY OF ANAHEIM FOR CONSTRUCTION OF INJECTION WELL FACILITIES AT ANAHEIM REGIONAL TRANSPORTATION INTERMODAL CENTER

WHEREAS, the Property Management Committee of this Board has recommended approving and authorizing the execution of Lease Agreement with the City of Anaheim that allows OCWD to construct an injection water well and well facilities at the Anaheim Regional Transportation Intermodal Center with a lease term of 30 years and rent of \$1 payable as a lump sum;

NOW, THEREFORE, the Board of Directors of the Orange County Water District does hereby approve and authorize the aforementioned Lease Agreement with the City of Anaheim; and, approval as to form by District General Counsel, its execution on behalf of the District by the President or Vice President and General Manager or District Secretary is authorized.

6. INFORMATIONAL ITEMS

GWRS Initial Expansion Construction Update

GWRS Program Manager Mehul Patel gave an update on the GWRS Initial Expansion construction activities, project schedule, budget, and presented a time lapsed construction site plan. General Manager Mike Markus stated that a tour would be scheduled for Directors interested in a site visit.

Committee Report

Director Dewane reported on attendance at the December 28 Property Management Committee (at which a quorum was present), noting that the Action Agenda was in tonight's Board packet.

7. VERBAL REPORTS

President's Report

President Dewane welcomed Director Vincent Sarmiento as the District 8 representative appointed by the City of Santa Ana.

8. ADJOURNMENT TO CLOSED SESSION

The Board adjourned to Closed Session at 6:20 p.m. to discuss the following matters.

- CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
[Government Code Section 54956.9(a)] – One (1) case:
OCWD v. Sabic Innovative Plastics, LLC, et al (South Basin Litigation)
Superior Court Case No. 03CC00078246

- CONFERENCE WITH LABOR NEGOTIATORS
[Government Code Section 54957.6]
 - ⊙ OCWD designated representative: Stephanie Dosier
 - ⊙ Employee Organization: Orange County Employee Association

RECONVENE IN OPEN SESSION


The Board reconvened in Open Session at 6:55 p.m. whereupon General Counsel Kuperberg announced that no reportable action was taken in Closed Session.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 6:55 p.m.



Shawn Dewane, President



Judy-Rae Karlsen, Assistant District Secretary