



## **MINUTES OF THE REGULAR BOARD MEETING OF THE BOARD OF DIRECTORS OF TRABUCO CANYON WATER DISTRICT | MAY 15, 2019**

The Regular Meeting of the Board of Directors of the Trabuco Canyon Water District (TCWD) conducted on May 15, 2019, was called to order by President Safranski at 7:00 PM, in the Board Room at the District Administrative Facility, located at 32003 Dove Canyon Drive, Trabuco Canyon, California. Mr. Robert Anslow, Assistant District Secretary, transcribed the minutes thereof.

### **DIRECTORS PRESENT**

President Michael Safranski  
Vice President Don Chadd  
Director Glenn Acosta  
Director Stephen Dopudja  
Director Edward Mandich

### **STAFF PRESENT**

Michael Perea, Interim General Manager/District Secretary  
Lorrie Lausten, Principal Engineer  
Lisa Carmouche, Administrative Assistant  
Karen Warner, Accounting Supervisor

### **DISTRICT CONSULTANTS PRESENT:**

Rob Anslow, District General Legal Counsel (Atkinson, Andelson, Loya, Ruud & Romo)/Assistant District Secretary

### **PUBLIC PRESENT**

Representatives from other public agencies present included:

- Sandra Jacobs, Board Member – Santa Margarita Water District
- James Fidler, Board Member – Mesa Water District
- Doug Davert, Board Member – East Orange County Water District
- Paul Schoenberger, P.E., General Manager – Mesa Water District
- Dan Ferons, General Manager – Santa Margarita Water District

Mr. Kris Weber, Hunsaker & Associates, Engineers

Other members of the public were also present.

### **PLEDGE OF ALLEGIANCE**

Director Chadd led the Board, District staff and audience in the Pledge of Allegiance.

### **ITEMS TOO LATE TO BE AGENDIZED**

None

### **VISITOR PARTICIPATION**

No visitor participation was received.

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**ORAL COMMUNICATION**

No oral communication was received.

**RECORDING OF POSTED AGENDA**

Without objection from the remainder of the Board, the President directed that the following matters on the Action Calendar would be taken up following action on the Consent Calendar in the following order:

- New Action Item 4 – Discussion and Possible Action(s) Concerning Orange County Local Agency Formation Commission (OC LAFCO) Appointment of Regular and Alternate Special District Seats
- New Action Item 5 – Saddleback Meadows Development (167 DUs)
- New Action Item 6 - Ridgeline Booster Pump Station Improvements and Capacity Increase Project

The remaining Action Calendar Items would then be considered.

**DIRECTOR'S COMMENTS**

Director Chadd noted that the South County Agencies' meeting had been cancelled due to conflicts with other meetings, events and holidays.

Director Dopudja and Director Safranski expressed their appreciation to District staff for the District's Water Awareness Day Event.

President Safranski briefly reported on the Association of California Water Agencies (ACWA) conference items and matters.

Directors Acosta and Mandich had no comments at this point in the meeting.

**REPORT FROM THE INTERIM GENERAL MANAGER**

Interim General Manager, Mr. Michael Perea, welcomed the guests and other public agency representatives who were present at the Board meeting.

Mr. Perea indicated that the Irvine Ranch Water District (IRWD) had extended an opportunity to tour the Baker Water Treatment Plant which tour would be offered on Wednesday, May 22, 2019.

**CONSENT CALENDAR**

President Safranski indicated that all matters under the Consent Calendar would be approved by one motion unless a Board member or staff member requests a separate action on a specific item.

- Action:** A motion was made by Director Acosta, and seconded by Director Chadd, to approve the Consent Calendar. There was no further discussion. The motion carried 5 – 0.

**ACTION CALENDAR**

**ADMINISTRATIVE MATTERS**

**ITEM 4: DISCUSSION AND POSSIBLE ACTION(S) CONCERNING ORANGE COUNTY LOCAL AGENCY FORMATION COMMISSION (OC LAFCO) APPOINTMENT OF REGULAR AND ALTERNATE SPECIAL DISTRICT SEATS**

Interim General Manager, Mr. Michael Perea, introduced the Item noting that OC LAFCO Member, Mr. Charlie Wilson, had resigned his seat and, as such, OC LAFCO would be seeking nominations and conducting a process for selection of the new Special District Representative to assume Mr. Wilson’s LAFCO seat. Mr. Perea noted that nominations would be received by OC LAFCO through June 7 and commented on the process for the Special District Selection Committee noting the anticipated timing proposed by OC LAFCO for filling the vacant seat.

A number of public agency representatives spoke to the Board concerning action by Trabuco Canyon Water District with regard to candidates for the regular, and potentially alternate, Special District seat(s) on OC LAFCO. The following representatives addressed the Board:

1. Ms. Sandra Jacobs, President, Board of Directors –Santa Margarita Water District – who discussed her desire to be appointed to the regular LAFCO seat and concerning her qualifications to fill that position.
2. Mr. Dan Ferons, General Manager of Santa Margarita Water District – who spoke in support of Ms. Sandra Jacobs’ efforts to be appointed to the Regular OC LAFCO Special District seat.
3. Mr. James Fisler, Board Member – Mesa Water District – who addressed the Board with regard to his qualifications and noted that he is currently serving as the Alternate Special District Representative to OC LAFCO.
4. Mr. Doug Davert, Board Member – East Orange County Water District – who spoke in support of Mr. James Fisler’s efforts to be appointed to the Regular OC LAFCO Special District seat.

The Board discussed the District’s authorized regular and alternate voting members to the OC LAFCO Special District Selection Committee.

**Action:** Motion made by Director Acosta, seconded by Director Dopudja, to designate Director Don Chadd as the Alternate Voting Member for Trabuco Canyon Water District to the Special District Selection Committee. There was no further discussion on this motion.

Based on a suggestion from District General Legal Counsel, the Board provided direction to District staff and General Legal Counsel to bring a resolution to the Board at the District’s June Regular Board meeting, or earlier if possible, to designate the District’s President as the principal voting member and Vice President Don Chadd as the Alternate voting member to the OC LAFCO Special District Selection Committee.

**Action:** The Board deferred action on providing direction to the District’s Regular and Alternate Voting Members to the OC Local Agency Formation Commission Special District Representation seat to the Regular District Board meeting scheduled for June 19, 2019 noting that nominations for the OC LAFCO Special District seat had not yet closed.

**ITEM 5: SADDLEBACK MEADOWS DEVELOPMENT (167 DUs)**

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Interim General Manager, Mr. Michael Perea, discussed the background of the proposed development project indicating that a Sub-Area Master Plan (SAMP) update would be required based upon the current development projections and facilities requirements for this development project. Mr. Perea indicated that the matter had been reviewed by the District's Engineering & Operations Committee.

Director Mandich indicated that he would not participate or vote as part of consideration of this Agenda Item.

Mr. Perea introduced Mr. Kris Weber of Hunsaker & Associates, Engineers, representing the current property owners - California Quartet. Mr. Weber briefly discussed the project noting that the current intended development includes 166-167 single family dwelling units and that the owners understand the facilities requirements and the need for the SAMP update for this development project.

Mr. Perea indicated that the District had received a proposal from PSOMAS Engineers for preparing the Saddleback Meadows Sub-Area Master Plan Update.

**Action:** Motion made by Director Chadd, seconded by Director Acosta, to authorize the Interim General Manager to contract for consultant services with PSOMAS for the Saddleback Meadows Sub-Area Master Plan Update in the amount of \$34,000. There was no further discussion. The motion was approved by a vote of 4 – 0 – 1 with Director Mandich abstaining.

**ITEM 6: RIDGELINE BOOSTER PUMP STATION IMPROVEMENTS AND CAPACITY INCREASE PROJECT**

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Principal Engineer, Ms. Lorrie Lausten, discussed the background of the project and noted that prior bids for the contract work had all been significantly over the estimates. Based upon the higher than expected bids, the District had determined to undertake additional value engineering for this project and had consulted with General Legal Counsel with regard to the basis for contracting for the project and the recommended actions.

Mr. Perea discussed the staff recommendations, the timing and need in order to proceed with, and complete, the project in-line with current District construction issues and anticipated service demands. Mr. Perea indicated that the matter had been reviewed with the District's Engineering & Operations Committee.

**Action:** Motion made by Director Acosta, seconded by Director Mandich to: (i) reject all pending bids for the Ridgeline Booster Pump Station Improvements and Capacity Increase Project and direct staff to provide notice of such action; (ii) authorize the Interim General Manager and Principal Engineer to solicit proposals for a reduced scope of work; and (iii) delegate to the Engineering & Operations Committee the authority to award/not award the contract based upon proposals received and report the action taken to the full Board. There was no further discussion. The motion was approved by a vote of 5 – 0.

Mr. Perea and Ms. Lausten discussed proposals received for construction management services for the Ridgeline Booster Pump Station project. Ms. Lausten noted that four proposals had been received and presented a breakdown on the proposals noting that staff recommended awarding the construction management services agreement to Butier Engineering, Inc.

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The Board raised various questions and discussed the proposals for the construction management services. Several of the Board members indicated that they believed that the District was fortunate to receive good proposals from the various proposing engineering consultants.

**Action:** Motion made by Director Chadd, and seconded by Director Acosta, to authorize the Interim General Manager to contract with Butier Engineering, Inc., for construction management services for the Ridgeline Booster Pump Station Improvements and Capacity Increase Project for a not-to-exceed amount of \$185,715.00. There was no further discussion. The motion was approved by a vote of 5 – 0.

**ITEM 7: DISCUSSION AND POSSIBLE ACTION(S) CONCERNING THE PROPOSED PALOMA SQUARE DEVELOPMENT (DOVE CANYON PLAZA)**

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Interim General Manager, Mr. Michael Perea, indicated that there had been no recent City or City agency actions concerning the proposed Paloma Square Development. He noted that the Dove Canyon Master Association (DCMA) would be holding a “town hall” meeting to receive input regarding the proposed Paloma Square Development the following week.

**Action:** The Board took no action on this matter.

**ITEM 8: DISCUSSION AND POSSIBLE ACTION(S) CONCERNING AMENDMENT NO. 8 TO THE SANTIAGO AQUEDUCT COMMISSION JOINT POWERS AGREEMENT**

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Interim General Manager, Mr. Michael Perea, introduced proposed approval of Amendment No. 8 to the Santiago Aqueduct Commission (SAC) Joint Powers Agreement. He noted that the principal purpose of Amendment No. 8 is to allow the capacity transfer from the Irvine Company to IRWD of water capacity held in certain reaches of the SAC line. Director Chadd briefly noted that the Item was essentially a housekeeping item to recognize the transfer with the goal of removing the Municipal Water District of Orange County (MWDOC) from membership on the SAC Commission.

**Action:** Motion was made by Director Chadd, seconded by Director Dopudja, to approve Amendment No. 8 to the Santiago Aqueduct Commission (SAC) Joint Powers Agreement and authorize the Amendment’s execution by designated officers of Trabuco Canyon Water District. There was no further discussion of the motion. The motion was approved by a vote of 5 – 0.

**ITEM 9: DISCUSSION AND POSSIBLE ACTION(S) CONCERNING SOUTH ORANGE COUNTY WASTEWATER AUTHORITY (SOCWA) JOINT POWERS AGREEMENT AMENDMENT(S)**

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Interim General Manager, Mr. Michael Perea, provided background regarding the current process by SOCWA to amend the SOCWA Joint Powers Agreement. He commented that he had attended the SOCWA Managers’ Workshop to identify principal areas of concern by SOCWA and the member agencies. He noted the Managers’ Workshop had been facilitated by an outside facilitator. Various questions resulting from the meeting will be forthcoming to the Trabuco Canyon Water District.

Board members and District staff members discussed the current status and proposed concerns of TCWD relative to the proposed Amendment of the SOCWA Joint Powers Agreement.

**Action:** The Board took no action on this matter.

**FINANCIAL MATTERS**

**ITEM 10: MUNICIPAL WATER DISTRICT OF ORANGE COUNTY (MWDOC) FISCAL YEAR 2019/2020 BUDGET**

Interim General Manager, Mr. Michael Perea, noted that the staff report to the Board on this matter included the updated adopted MWDOC budget. Mr. Perea indicated that additional information regarding MWDOC's budget and potential impacts on TCWD's budget would be discussed at the Board workshop scheduled for May 20, 2019.

**Action:** The Board took no action on this matter.

**ITEM 11: DISCUSSION AND POSSIBLE ACTION(S) CONCERNING TRABUCO CANYON WATER DISTRICT FISCAL YEAR 2019/2020 GENERAL FUND AND CAPITAL IMPROVEMENT PROJECT (CIP), EQUIPMENT, AND PROGRAM BUDGETS**

The Interim General Manager presented staff's budgetary assumptions to the Board and briefly discussed certain of the budget assumptions. Mr. Perea indicated that a Special Board Meeting has been scheduled for May 20, 2019, as a Board workshop for the General Fund and the Capital Improvement Project, Equipment and Program budgets.

**Action:** The Board took no action on this matter.

**ENGINEERING MATTERS**

**ITEM 12: VIA ALLEGRE WET WELL EXPANSION PROJECT**

Principal Engineer, Ms. Lorrie Lausten, discussed the project noting that project construction is now complete and discussed the recommended Action Items presented to the Board. She indicated that the matter had previously been reviewed by the District's Engineering & Operations Committee.

**Action:** Motion made by Director Acosta, seconded by Director Dopudja to: (i) authorize the Interim General Manager to execute the Contract Change Order No. 2 to GCI Construction in the amount of \$15,176.38; (ii) authorize the Interim General Manager to execute the Contract Change Order No. 1 to Hydrotech Electrical in the amount of \$1,972.63; and (iii) authorize the Interim General Manager to execute the Contract Amendment No. 1 to DMc Engineering in the amount of \$19,095.00. There was no further discussion. The motion was approved on a vote of 5 – 0.

Interim General Manager, Mr. Michael Perea, noted that there were various related projects dealing with landscaping and security for the Via Allegre Wet Well Project Facilities that would be reviewed by the Engineering & Operations Committee. He noted that various of these projects may be completed under the Interim General Manager signing authority but that all of the results of contracting would be presented to the Board at a later point in time.

**ITEM 13: SADDLE CREST DEVELOPMENT (65 DUs)**

Principal Engineer, Ms. Lorrie Lausten, presented an update on the current construction and reservoir status. A construction summary was presented and reviewed by the Board.

**Action:** The Board took no action on this matter.

**ITEM 14: DISCUSSION AND POSSIBLE ACTION(S) CONCERNING THE URBAN WATER & STORMWATER RUNOFF CONVEYANCE STRUCTURE TO DOVE LAKE**

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Interim General Manager, Mr. Michael Perea, indicated that there was no significant update to provide to the Board with regard to this matter at this time. He indicated that the District had been working with GMU Engineers and Dudek Engineers to receive options for repair scenarios and related costs.

**Action:** The Board took no action on this matter.

**LEGISLATIVE, ADMINISTRATIVE AND OTHER MATTERS**

**ITEM 15: DISCUSSION AND POSSIBLE ACTION(S) CONCERNING CALIFORNIA ASSOCIATION OF SANITATION AGENCIES' (CASA) "SUPPORT" POSITION ON ASSEMBLY BILL 1672 (BLOOM)**

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Interim General Manager, Mr. Michael Perea, reviewed the proposed Legislation Assembly Bill 1672 and potential impacts on wastewater disposal systems. He indicated that a draft letter had been provided to the Board for submission to the Legislature and potentially other parties.

**Action:** Motion made by Director Chadd, seconded by Director Acosta, to authorize the District President and Interim General Manager to complete and submit the letter in support of Assembly Bill 1672 in substantially the form presented. There was no further discussion. The motion was approved on a vote of 5 – 0.

**ITEM 16: DISCUSSION AND POSSIBLE ACTION(S) CONCERNING ASSOCIATION OF CALIFORNIA WATER AGENCIES (ACWA) REGION 10 NOMINATIONS FOR THE 2020-2021 TERM**

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Mr. Perea introduced the Association of California Water Agencies (ACWA) Region X nominations noting that nominations would need to be submitted in the next few months. There was Board discussion with regard to representation of TCWD through ACWA Region X.

**Action:** The Board took no action on this matter.

**ITEM 17: LOCAL GOVERNMENTAL AND LEGISLATIVE INFORMATIONAL MATTER(S)**

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Mr. Perea noted that Orange County LAFCO had begun their work plan for municipal service reviews (MSRs). Mr. Perea also noted that there was an upcoming City of Rancho Santa Margarita Chamber of Commerce meeting that he would be attending.

**Action:** The Board took no action on this matter.

**CLOSED SESSION**

The Board entered Closed Session at 8:15 p.m.

**CLOSED SESSION NO. 1. CONFIDENTIAL INFORMATION – PUBLIC EMPLOYMENT – TRABUCO CANYON WATER DISTRICT – GENERAL MANAGER POSITION**

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The Board of Directors met in closed session with the District's General Legal Counsel and Interim General Manager regarding Trabuco Canyon Water District – General Manager Position (Confidential Information – Public Employment) pursuant to California Government Code Sections 54957(b) and 54954.5(e).

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**ITEM 18: REPORT OF ACTION(S) TAKEN IN CLOSED SESSION**

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The Board reconvened in open session at 8:49 p.m. No announcement concerning action(s) taken in closed session was made.

**OTHER INFORMATION/MATTERS**

None

**ADDITIONAL DIRECTORS' COMMENTS**

The Board briefly reviewed and discussed the District's Water Awareness Day Event.

**ADDITIONAL INTERIM GENERAL MANAGER COMMENTS**

No additional Interim General Manager comments were submitted.

**END ACTION CALENDAR**

**ADJOURNMENT**

President Safranski adjourned the May 15, 2019, Regular Board meeting at 8:53 PM.