



MINUTES OF THE REGULAR BOARD MEETING OF THE BOARD OF DIRECTORS OF TRABUCO CANYON WATER DISTRICT | JULY 17, 2019

The Regular Meeting of the Board of Directors of the Trabuco Canyon Water District (TCWD or District) conducted on July 17, 2019, was called to order by President Safranski at 7:03 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 Edward Mandich

DIRECTORS ABSENT

Director Stephen Dopudja

STAFF PRESENT

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

DISTRICT CONSULTANTS PRESENT:

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

PUBLIC PRESENT

Sandra Jacobs, President of the Board of Directors, Santa Margarita Water District
James Fidler, Director, Mesa Water District
Douglass Davert, President of the Board of Directors, East Orange County Water District
Stacy Taylor, External Affairs Manager, Mesa Water District

PLEDGE OF ALLEGIANCE

Director Mandich 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.

ORAL COMMUNICATION

No oral communication was received.

DIRECTOR'S COMMENTS

Directors Safranski, Chadd, Dopudja and Mandich had no Director's comments at this point in the meeting.

Director Acosta welcomed the meeting visitors representing other Orange County public agencies.

REPORT FROM THE INTERIM GENERAL MANAGER

Interim General Manager, Mr. Michael Perea, suggested that based upon attendance of representatives from other agencies that Agenda Item 11 – (Discussion and Possible Action(s) Concerning the Orange County Local Agency Formation Commission (OF LAFCO) Appointment of Regular and Alternate Special District Seats) be moved to the top of the Action Calendar. Without objection, President Safranski directed that Agenda Item 11 from the Action Calendar would be considered immediately after action on the Consent Calendar.

Mr. Perea noted that TCWD would be hosting the next South County Agencies' meeting in the following week.

Mr. Perea noted that TCWD had received a letter of appreciation from Laura's House Charities for the donation of remaining food after the District's Water Awareness Event in May of 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 Mandich, to approve the presented Consent Calendar Items. There was no further discussion. The motion was approved on a vote of 4 – 0 – 1 with Director Dopudja absent.

ACTION CALENDAR

ITEM 11. DISCUSSION AND POSSIBLE ACTION(S) CONCERNING THE ORANGE COUNTY LOCAL AGENCY FORMATION COMMISSION (OF LAFCO) APPOINTMENT OF REGULAR AND ALTERNATE SPECIAL DISTRICT SEATS

Interim General Manager, Mr. Michael Perea, introduced the item and provided a brief chronological background relative to the current special district seat vacancy on the OC LAFCO Commission and the potential appointments of both a Regular and Alternate Special District Member to the LAFCO Board.

Ms. Sandra Jacobs, President of the Board of Directors of the Santa Margarita Water District, presented her candidacy, qualifications and views for consideration of the Board.

Mr. James R. Fisler, Director of Mesa Water District, presented his candidacy, qualifications and views for consideration of the Board.

Mr. Doug Davert, President of the Board of Directors of East Orange County Water District, spoke to the Board in support of the candidacy of Mr. James Fisler.

There were Director comments made concerning the candidacies of Ms. Jacobs and Mr. Fisler, many of the Directors noting that they were pleased with the high quality of both of the candidates presented to the Board for consideration.

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Action: A motion was made by Director Chadd, and seconded by Director Acosta, to support the candidacy of Ms. Saundra Jacobs for the vacant Special District Member Regular seat on the OC LAFCO Board. There was no further discussion. The motion was approved on a vote of 4 – 0 – 1 with Director Dopudja being absent.

There was discussion between the Board and District staff concerning the candidates for the Alternate Special District Member position of the OC LAFCO Board in the event that Mr. Fisler is elected to the OC LAFCO Special District Member Regular seat. Mr. Doug Davert spoke in support of Ms. Freshley of El Toro Water District as a candidate for the alternative OC LAFCO Alternate Special District Member seat.

Action: A motion was made by Director Acosta, and seconded by Director Mandich, to support the candidacy of Ms. Freshley, Director of El Toro Water District, to fill the Alternate seat on the OC LAFCO Board in the event that such seat is vacated as a result of the election of a Regular OC LAFCO Board Member. There was no further discussion. The motion was approved on a vote of 3 – 1 – 1 with Director Chadd voting no and Director Dopudja absent.

The Board thanked all of the representatives present for coming to the Board and presenting their views, qualifications and positions.

FINANCIAL MATTERS

ITEM 4: PUBLIC HEARING CONCERNING TRABUCO CANYON WATER DISTRICT'S FISCAL YEAR 2019/2020 UNDEVELOPED LAND/WATER STANDBY CHARGES AND POSSIBLE BOARD ACTION THEREON

Interim General Manager, Mr. Michael Perea, presented the proposed TCWD Standby Charge Report and discussed the provision of notices concerning the proposed Standby Charges to property owners subject to such Charges which had been completed based on prior Board directives. Mr. Perea indicated that no written or oral comments concerning the proposed Fiscal Year 2019/2020 Undeveloped Land/Water Standby Charges had been received by District staff for presentation to the Board.

There was Board discussion with staff and consultants with regard to the history of the TCWD Standby Charges and the amounts proposed.

President Safranski opened the public hearing at 7:29 PM to receive public comments relating to the proposed adoption of the District's Fiscal Year 2019/2020 Undeveloped Land/Water Standby Charges. It was noted that no written or oral comments had been received prior to the time of the public hearing. No public protests (or comments), written or oral, were presented during the public hearing. President Safranski closed the public hearing at 7:30 PM.

Action: A motion was made by Director Mandich, and seconded by Director Acosta, to adopt **Resolution No. 2019-1270** - Resolution of the Board of Directors of the Trabuco Canyon Water District Establishing Water Standby Charges for Fiscal Year 2019/2020; Making Certain Findings and Taking Related Actions in Connection Therewith. There was no further discussion. The Resolution was adopted on a roll call vote on a vote of 4 – 0 – 1 with Director Dopudja being absent.

ITEM 5. DISCUSSION AND POSSIBLE ACTION(S) CONCERNING TRABUCO CANYON WATER DISTRICT'S PARTICIPATION IN WATER EMERGENCY RESPONSE OF ORANGE COUNTY (WEROC) AMERICA'S WATER INFRASTRUCTURE ACT OF 2018 (AWIA) JOINT COMPLIANCE EFFORT

Interim General Manager, Mr. Michael Perea, introduced the AWIA requirements noting that this is a federal legislative requirement. The proposal is to provide for joint compliance for TCWD through Water Emergency Response of Orange County (WEROC). Potential costs and alternatives for action were presented to the Board.

Various Board comments and questions were responded to by District staff concerning the AWIA requirements and WEROC proposal.

Action: A motion was made by Director Chadd, and seconded by Director Acosta, to authorize the Interim General Manager to provide an initial non-binding indication of participation by TCWD to WEROC for the AWIA 2018 Joint Compliance Effort Phases 2 and 3. There was no further discussion. The motion was approved on a vote of 4 – 0 – 1 with Director Dopudja being absent.

ITEM 6. DISCUSSION AND POSSIBLE ACTION(S) CONCERNING TRABUCO CANYON WATER DISTRICT'S HEAVY EQUIPMENT VEHICLE FLEET

Interim General Manager, Mr. Michael Perea, introduced the item noting the District's current vector truck (heavy equipment fleet vehicle) will no longer be compliant with California Air Resources Board (CARB) regulations effective December 2020 and would soon be unable to function within the State of California. The need for a replacement heavy equipment vehicle and bidding process was presented to the Board. Various Board members provided comments concerning the proposed vehicle purchase. Maintenance Superintendent, Jason Stroud, discussed potential features and equipment to be outfitted on the new vector truck if it is purchased.

Action: A motion was made by Director Acosta, and seconded by Director Chadd, to authorize the Interim General Manager and District staff to purchase one new vacuum truck from Haaker Equipment Company in the amount of \$488,707.00 with a 10% contingency for a total cost of \$537,577.00. There was no further discussion. The motion was approved on a vote of 4 – 0 – 1 with Director Dopudja absent.

ADMINISTRATIVE MATTERS

ITEM 7. DISCUSSION AND POSSIBLE ACTION(S) CONCERNING TRABUCO CANYON WATER DISTRICT'S WATER LOSS CONTROL SHARED SERVICES AGREEMENT WITH THE MUNICIPAL WATER DISTRICT OF ORANGE COUNTY (MWDOC)

Interim General Manager, Mr. Michael Perea, discussed the District's Water Loss Control Shared Services Agreement proposed to be entered into with the Municipal Water District of Orange County (MWDOC). It was noted that this services agreement would allow the District to comply with requirements of State legislation concerning water loss evaluation and control.

Action: A motion was made by Director Chadd, and seconded by Director Acosta, to authorize the Interim General Manager to execute the Water Loss Control Shared Services Agreement with the Municipal Water District of Orange County. There was no further discussion. The motion was approved on a vote of 4 – 0 – 1 with Director Dopudja absent.

ITEM 8. DISCUSSION AND POSSIBLE ACTION(S) CONCERNING SOUTH ORANGE COUNTY WASTEWATER AUTHORITY (SOCWA) JOINT POWERS AGREEMENT AMENDMENT(S)

Mr. Perea noted that there had been no regular SOCWA meetings recently and the next anticipated SOCWA meeting was expected to be in August 2019 (General Managers meeting). Mr. Perea indicated that a chemical purchase contract would be presented to the Engineering/Operations Committee for their review and consideration the following month. There was nothing to report concerning proposed amendments to the SOCWA Joint Powers Agreement.

Action: The Board took no action on this matter.

ITEM 9. DISCUSSION AND POSSIBLE ACTION(S) CONCERNING THE PROPOSED PALOMA SQUARE DEVELOPMENT (DOVE CANYON PLAZA)

It was noted during staff and Board comments on this matter that there are no matters currently pending with the City of Rancho Santa Margarita Planning Commission or the City Council. It was noted that the Dove Canyon Master Association has appointed an *Ad Hoc* Committee to review the proposed Paloma Square Development at Dove Canyon Plaza.

Action: The Board took no action on this matter.

ENGINEERING MATTERS

ITEM 10. DISCUSSION AND POSSIBLE ACTION(S) CONCERNING THE URBAN WATER & STORMWATER RUNOFF CONVEYANCE STRUCTURE TO DOVE LAKE

Interim General Manager, Mr. Michael Perea, noted that District staff is currently in the process of soliciting firm proposals for the costs of the repairs to the conveyance structure and that District staff is in contact with the property management association for Trabuco Highlands Community Association concerning potential property rights actions.

Action: The Board took no action on this matter.

LEGISLATIVE, ADMINISTRATIVE AND OTHER MATTERS

ITEM 12. DISCUSSION AND POSSIBLE ACTION(S) CONCERNING THE CALIFORNIA SPECIAL DISTRICTS ASSOCIATION (CSDA) 2019 BOARD OF DIRECTORS ELECTION

Interim General Manager, Mr. Michael Perea, introduced this item noting that the CSDA Board of Directors election was upcoming and discussing proposed support by TCWD. Board discussion on potential candidates followed.

Action: A motion was made by Director Acosta, and seconded by Director Chadd, to (i) authorize the District voting representative to cast votes for the CSDA Southern Network, Seat B in favor of Ms. Kathleen Tiegs, and (ii) directing District staff to submit the completed official ballot to CSDA by the election deadline. There was no further discussion. The motion was approved on a vote of 4 – 0 – 1 with Director Dopudja being absent.

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ITEM 13. LOCAL GOVERNMENTAL AND LEGISLATIVE INFORMATIONAL MATTER(S)

The Board briefly discussed information presented/received at recent OC LAFCO meetings.

Action: The Board took no action on this matter.

CLOSED SESSION(S):

ITEM 1. PUBLIC EMPLOYEE PERFORMANCE EVALUATION – GOVERNMENT CODE SECTION 54957

Beginning at 7:51 PM the Board met in closed session pursuant to Government Code Section 54957 for public employee performance evaluation - Interim General Manager. The Board met in closed session with the District's Interim General Manager and General Legal Counsel.

ITEM 14. REPORT OF ACTIONS TAKEN IN CLOSED SESSION

Upon returning from closed session at 8:29 PM, the Board indicated that no action(s) had been taken in closed session.

OTHER INFORMATION/MATTERS

Mr. Perea indicated that he would be on vacation commencing on July 18, 2019 through July 26, 2019.

ADDITIONAL DIRECTORS' COMMENTS

None

ADDITIONAL INTERIM GENERAL MANAGER COMMENTS

No additional Interim General Manager comments were submitted.

END ACTION CALENDAR

ADJOURNMENT

President Safranski adjourned the July 17, 2019, Regular Board meeting at 8:32 PM.