



MINUTES OF THE REGULAR BOARD MEETING OF THE BOARD OF DIRECTORS OF TRABUCO CANYON WATER DISTRICT | NOVEMBER 18, 2020

The Regular Meeting of the Board of Directors of the Trabuco Canyon Water District (TCWD or District) conducted on November 18, 2020 was called to order by President Safranski at 7:00 p.m., via conference call in the Board Room at the District Administrative Facility, located at 32003 Dove Canyon Drive, Trabuco Canyon, California. Mr. Michael Perea, District Secretary, transcribed the minutes thereof.

DIRECTORS PRESENT

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

DIRECTORS ABSENT

Director Glenn Acosta

STAFF PRESENT

Fernando Paludi, General Manager
Michael Perea, Assistant General Manager/District Secretary
Lorrie Lausten, District Engineer

STAFF PRESENT ON CONFERENCE CALL

Karen Warner, Senior Accountant
Lisa Marie Sangi, Administrative Assistant

DISTRICT CONSULTANTS PRESENT

Rob Anslow, District General Legal Counsel (Atkinson, Andelson, Loya, Ruud & Romo - AALRR)

DISTRICT CONSULTANTS PRESENT ON CONFERENCE CALL

None

PUBLIC PRESENT ON THE CONFERENCE CALL

Beth Heard, Resident

PLEDGE OF ALLEGIANCE

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

ITEMS TOO LATE TO BE AGENDIZED

None

VISITOR PARTICIPATION VIA CONFERENCE CALL

Beth Heard, Resident

ORAL COMMUNICATION

None

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DIRECTOR'S COMMENTS

Director Mandich reported the South Orange County Integrated Regional Watershed Management Area Executive Committee Meeting for November was cancelled, and the next meeting is scheduled to be held on February 4, 2021.

Director Dopudja provided a brief report concerning the South Orange County Wastewater Authority (SOCWA).

Director Chadd reported the South Orange County Agencies Group would meet the following week and he provided a brief overview of certain matters agendized for discussion.

Director Safranski wished a Happy Thanksgiving for his fellow Directors and District staff, and he commended District staff on all their hard work.

REPORT FROM THE GENERAL MANAGER

Mr. Paludi reported on the following matters:

- Mr. Paludi mentioned the DRAFT Proclamation for IRWD Director Aileen Matheis would need to be received by November 23, 2020.
- Mr. Paludi mentioned that the Districts Ralph Anderson compensation study may be available tomorrow. A Special Board Meeting may be scheduled in December 2020.
- Mr. Paludi reported that Mr. Travis Jones, Wastewater Operations Chief Plant Operator has retired from the District effective December 1, 2020, and that District staff are currently evaluating recruitment strategies for the department.

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 Mandich and seconded by Director Chadd to approve the Consent Calendar. There was no further discussion.
The motion was approved by a vote of 4 – 0 – 1 with Director Acosta absent.

ADMINISTRATIVE MATTERS

ITEM 5: DISCUSSION AND POSSIBLE ACTION(S) CONCERNING THE CORONAVIRUS, INCLUDING SAFETY OF DISTRICT SERVICES AND EMPLOYEES, AND IMPACT TO BOARD & COMMITTEE MEETINGS

Mr. Paludi provided a brief update on COVID-19 related matters throughout the county, and he mentioned that Orange County is currently in the State's Tier 1. Mr. Paludi added that the District's Business Resumption Plan allows the flexibility for District administrative staff to work remotely, and that certain controls have been put in place to minimize inter-departmental exposure.

Action: The Board took no action on this matter.

Director Mandich recused himself from discussion on the following matters by leaving the virtual meeting at approximately at 7:18pm

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ITEM 6: DISCUSSION AND POSSIBLE ACTION(S) RELATED TO THE PROPOSED PALOMA SQUARE DEVELOPMENT (DOVE CANYON PLAZA) AND OTHER RELATED MATTERS

Mr. Paludi presented this matter for Board consideration, and he reported that AGA Engineers, Inc. were onsite on November 3, 2020 for the 2020 General Election. Ms. Lausten reported that a final draft report would be presented to the Engineering/Operational Committee for their review and comment. Discussion occurred concerning the Orange County Registrar of Voters election day protocols. Mr. Paludi reported that District staff has not been contacted by the Developer.

Action: The Board took no action on this matter.

Director Mandich returned to the virtual meeting at approximately 7:22 p.m. and resumed his participation on the remaining business.

ITEM 7: PUBLIC HEARING FOR THE ADOPTION OF SOUTH ORANGE COUNTY WASTEWATER AUTHORITY (SOCWA) PROPOSED WASTE DISCHARGE PRETREATMENT ORDINANCE AND SOURCE CONTROL PROGRAM FOR WASTEWATER FLOWS UPDATE AND ENFORCEMENT PLAN UPDATE

Mr. Paludi presented this matter for Board consideration. Mr. Perea provided a brief review of the purpose of the proposed ordinance, and he highlighted the minor updates recommended by SOCWA.

President Safranski opened the Public Hearing at 7:25 p.m. There were no verbal protests or comments received. Mr. Perea reported that the District did not receive any written protests prior to public hearing.

President Safranski closed the Public Hearing at 7:27 p.m.

Action: A motion was made by Director Mandich and seconded by Director Dopudja to adopt Ordinance No. 2020-21 – Ordinance of the Board of Directors of Trabuco Canyon Water District Supplementing and Readopting Waste Discharge Pretreatment and Source Control Programs for Wastewater Flows Within the Boundaries of Trabuco Canyon Water District, Adopting the Trabuco Canyon Water District Enforcement Response Plan in Connection Therewith, Making Certain Findings and Determinations, Superseding Prior Ordinances and Taking Related Actions.
The motion was approved by a vote of 4 – 0 – 1 with Director Acosta absent.

ITEM 8: APPROVAL OF SUPPLEMENTAL AGREEMENT BETWEEN TRABUCO CANYON WATER DISTRICT AND THE OAKS AT TRABUCO, LLC FOR SEWAGE HAULING SERVICES

Mr. Paludi introduced this matter for Board consideration, and he mentioned this matter was previously discussed with the Engineering/Operational Committee. Mr. Paludi reported that the current sewer hauling agreement between the District and the developer has expired, and that District staff proposes a third agreement extension for a five-year period sewer hauling agreement. Ms. Lausten reported that District staff are currently evaluating the preparation of a request for proposals (RFP) for equipment condition assessment services for the onsite wastewater package plant. Director Mandich expressed his opinion that the issuance of the RFP was premature.

Action: A motion was made by Director Dopudja and seconded by Director Mandich to authorize the General Manager to execute the Third Extension Agreement Between Trabuco Canyon Water District and The Oaks at Trabuco, LLC.
The motion was approved by a vote of 4 – 0 – 1 with Director Acosta absent.

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ITEM 9: APPROVAL OF COMMON INTEREST AGREEMENT REGARDING THE ALLEN MCCOLLOCH PIPELINE SALE AGREEMENT TO METROPOLITAN WATER DISTRICT

Mr. Paludi presented this matter for Board review, and he reported that the Municipal Water District of Orange County (MWDOC) was currently working on behalf of its member agencies concerning residual effects of the 2016 agreement of the sale of the Allen-McColloch Pipeline (AMP) to Metropolitan Water District of Southern California (MET). Mr. Paludi reported that MWDOC has identified certain issues related to the agreement, and he recommended the participation in the common interest sales agreement with MWDOC and MET as the District has capacity interest in the pipeline. Discussion occurred concerning certain provisions of the common interest agreement.

Action: A motion was made by Director Chadd and seconded by Director Mandich to authorize the General Manager to execute the Common Interest Agreement Regarding the Allen McColloch Pipeline Sale Agreement to Metropolitan Water District.
The motion was approved by a vote of 4 – 0 – 1 with Director Acosta absent.

ITEM 10: DISCUSSION CONCERNING DIRECTOR CONFLICT OF INTEREST DETERMINATION PROCESS AND CHECKLIST

Director Safranski provided a brief background on the purpose of this item, and he expressed his appreciation the Mr. Anslow and Mr. Paludi for finalizing the conflict of interest determination checklist for the Directors. Mr. Anslow briefly reviewed the checklist criteria and conflict of interest determination process with the Board. Discussion occurred concerning the typical potential conflicts of interest that may impact future individual Director actions.

Action: The Board took no action on this matter.

ITEM 11: APPROVAL OF CONTRACT CHANGE ORDER NO. 2 FOR RAFTELIS FINANCIAL CONSULTANTS FOR TRABUCO CANYON WATER DISTRICT

Mr. Paludi introduced this matter for Board consideration, and he provided a brief overview of the additional work performed by Raftelis Financial Consultants on the District’s Water, Wastewater, and Non-Domestic Water Rates and Charges Analysis, which included an additional Special Board Meeting and additional work on the proposed financial model.

Action: A motion was made by Director Chadd and seconded by Director Mandich to authorize the General Manager to execute the Raftelis Financial Consultants Contract Change Order No. 2 in the amount of \$8,950.
The motion was approved by a vote of 4 – 0 – 1 with Director Acosta absent.

ITEM 12: APPROVAL OF COST SHARING AGREEMENT WITH MUNICIPAL WATER DISTRICT OF ORANGE COUNTY (MWDOC) FOR PREPARATION OF THE DISTRICT’S 2020 URBAN WATER MANAGEMENT PLAN (UWMP)

Ms. Lausten provided a brief update to this matter for Board consideration, and she provided a brief overview of the development process for the Urban Water Management Plan (UWMP). Ms. Lausten added that the UWMP is required to be completed every five years, and that the District participated in the cost sharing agreement with MWDOC for the 2015 UWMP. Discussion occurred concerning UWMP preparation costs in prior years in comparison with the proposed agreement costs.

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Action: A motion was made by Director Dopudja and seconded by Director Chadd to authorize the General Manager to execute a cost sharing agreement with Municipal Water District of Orange County for 2020 Urban Water Management Plan preparation services for a not to exceed amount of \$39,000
The motion was approved by a vote of 4 – 0 – 1 with Director Acosta absent.

LEGISLATIVE, ADMINISTRATIVE AND OTHER MATTERS

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

Mr. Paludi provided updates on the following matters:

- MET/MWDOC: Mr. Paludi reported there was no new reportable actions in November, and he provided a brief update on the MET General Manager recruitment process.
- MWDOC: Mr. Paludi reported that MWDOC Director Joan Finnegan was retiring from her position as Director. Discussion occurred concerning Director Finnegan’s contributions to the water industry over her years of service.

Action: The Board took no action on this matter.

CLOSED SESSION

The Board of Directors entered Closed Session at 8:00pm

CLOSED SESSION NO. 1:

The Board of Directors met meet in Closed Session to review and discuss confidential information concerning the District’s General Legal Counsel (Public Employee Performance Evaluation)

The District’s General Manager and General Legal Counsel participated in the closed session.

The Board of Directors reconvened in Open Session at 8:26 p.m.

ITEM 14: REPORT OF ACTION(S) TAKEN IN CLOSED SESSION

Action: No announcement concerning action(s) taken in closed session was made.

OTHER INFORMATION/MATTERS

There were no other information or matters received.

ADDITIONAL DIRECTORS’ COMMENTS

There were no additional Directors’ comments received.

ADDITIONAL GENERAL MANAGER COMMENTS

Mr. Paludi advised the Board that AB 1234 Ethics Training is required by State Law to be completed prior to the end of the year. Mr. Perea briefly reviewed the training options available to the Board.

ADJOURNMENT

President Safranski adjourned the November 18, 2020 Regular Board Meeting at 8:29 p.m.