CALL TO ORDER

The meeting of the Board of Directors was called to order on December 10, 2015 at 6:00 p.m. by President Dewane at the District Office Boardroom, located at 1965 Placentia Avenue, Costa Mesa, California.

PLEDGE OF ALLEGIANCE

Boy Scout Ben Alexander led the Pledge of Allegiance. Director Bockmiller asked for a moment of silence for the San Bernardino shooting victims and read their names into the record:

- Robert Adams
- Isaac Amanios
- Bennetta Bet-Badal
- Harry Bowman
- Sierra Clayborn
- Juan Espinoza
- Aurora Godoy
- Shannon Johnson
- Larry Kaufman
- Damian Meins
- Tin Nguyen
- Nicholas Thalasinos
- Yvette Velasco
- Michael Wetzel

Directors Present: Shawn Dewane, President
- Ethan Temianka, Vice President
- Jim Atkinson, Director
- Fred R. Bockmiller, Director
- James R. Fisler, Director

Directors Absent: None

Staff Present: Paul E. Shoenberger, P.E., General Manager
- Coleen L. Monteleone, Assistant General Manager/District Secretary
- Phil Lauri, Assistant General Manager
- Andrew Hamilton, Chief Financial Officer
- Stacy Taylor, Public & Government Affairs Manager
- Stacie Sheek, Customer Services Manager
- Noelle Collins, Public Affairs Coordinator
- Justin Finch, Resource Efficiency Specialist
- Rob Anslow, Attorney, Bowie, Arneson, Wiles & Giannone

Others Present: Boy Scout Ben Alexander

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PUBLIC COMMENTS

President Dewane asked for public comments on non-agendized items. There were no comments and President Dewane proceeded with the meeting.

ITEMS TO BE ADDED, WITHDRAWN, OR REORDERED ON THE AGENDA

General Manager Shoenberger noted there were no items to be added, withdrawn or reordered on the agenda.

CONSENT CALENDAR ITEMS:

1. Approve minutes of regular Board meeting of November 12, 2015.
2. Approve minutes of special Board meeting of November 16, 2015.
3. Approve minutes of special Board meeting of November 17, 2015.
4. Approve minutes of special Board meeting of November 19, 2015.
5. Approve attendance considerations (additions, changes, deletions).
6. Board Schedule:
   - Conferences, Seminars, and Meetings
   - Board Calendar
   - Upcoming Community Outreach Events
7. Approve staff to conduct a Request for Proposals process for Social Media consulting services.
8. Authorize an agreement with Zuno Studios for website design and maintenance services for an amount not to exceed $100,000.

President Dewane asked for comments. There were no comments.

MOTION

Motion by Director Atkinson, second by Director Fisler, to approve Items 1 – 8 of the Consent Calendar. Motion passed 5-0.

PRESENTATION AND DISCUSSION ITEMS:

None.

ACTION ITEMS:

9. WATER CONSERVATION AND WATER SUPPLY EMERGENCY PROGRAM UPDATE:

General Manager Shoenberger introduced the topic noting that on January 17, 2014, Governor Brown declared California was in a drought state of emergency. On March 17, 2015, the State Water Resources Control Board (SWRCB) adopted and expanded emergency regulations to safeguard the State's remaining water supplies. Mesa Water® is required to conserve 20% - predicated on a baseline established as of 2013. In the beginning months of the conservation efforts, Mesa Water® achieved a goal of 25% conservation. However, as of November 30 2015, the cumulative percent saved is approximately 18.8%, based on the District’s weekly production data. At the previous Board meeting, further watering restrictions were implemented by reducing the number of
days to water lawns from two to one per week. This recommended restriction has not produced the savings anticipated.

GM Shoenberger noted that staff is requesting a special Board meeting to consider additional steps that will lead the District to achieve its water reduction goal of 20% conservation.

Resource Efficiency Specialist Justin Finch was introduced. Mr. Finch proceeded with a presentation focusing on Mesa Water’s conservation efforts and further ideas to improve water savings for the District.

It was noted that the actual acre feet reduction for the month of November was 5.5% and 5.9% in December to date.

Mr. Finch then reviewed the emergency conservation ordinance:
- Watering is limited to Saturdays only, before 8 a.m. and after 5 p.m.
- No watering during, or until 48 hours after, a measurable rain event
- No water runoff to sidewalk or street
- Immediately fix leaky or broken sprinklers, valves and pipes

Suggested changes to achieve the District’s 20% goals are as follows and which will be discussed at a special Board meeting:
- Increase Public Awareness
- Supplement Level 2
- Implement Level 3
- Zero Watering Days
- Reduce the number of hardship waivers granted
- Dismiss fewer conservation fees

Mr. Finch and Mr. Shoenberger responded to questions from the Board.

A discussion ensued regarding the classifications of information about water users that the Board can receive. Attorney Anslow reiterated that information about specific users (customer names) is prohibited, but generalized information by type of ratepayer (industrial, government, public school, etc.), meter size, or usage class may be employed to evaluate statistical information.

The Board agreed to add the topic to the Engineering and Operations Committee agenda, for which a meeting is scheduled for Tuesday, December 15, 2015, at 3:30 p.m.

The agenda was re-ordered to address items 11 and 12. There were no objections.

ITEM 11 – REPORT OF THE GENERAL MANAGER
- November Key Indicators Report
- Other (No enclosure)

ITEM 12 – DIRECTORS’ REPORTS AND COMMENTS
10. CLOSED SESSION:

President Dewane announced the Board was going into Closed Session at 7:11 p.m.

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION:
Pursuant to California Government Code Sections 54956.9 (d) (1) and 54954.5 (c)
Case: Synetcom Digital, Inc. vs. Mesa Water® District, KDC, Inc., etc. et al

CONFERENCE WITH LEGAL COUNSEL – POTENTIAL LITIGATION:
Pursuant to California Government Code Sections 54956.9 (d) (4) and 54954.5 (c) -
based on existing facts and circumstances, the Board is meeting with General Legal
Counsel to determine whether to initiate litigation.
Number of Cases: 1

The Board returned to Open Session at 7:16 p.m.

Attorney Anslow announced the Board met in Closed Session with the General Manager,
Assistant General Managers, and Legal Counsel. The first item of the Closed Session
was conducted pursuant to Government Code Sections 54956.9 (d) (1) and 54954.5 (c).
The Board received information and there is no other announcement.

The second item of the Closed Session was conducted pursuant to Government Code
Sections 54956.9 (d) (4) and 54954.5 (c). The Board voted in Closed Session subject to
conditions predetermined by general legal counsel in order to commence litigation on an
indemnity basis against KDC, Inc. The vote was unanimous with all Directors voting.

REPORTS:

11. REPORT OF THE GENERAL MANAGER

Item taken before the Closed Session.

12. DIRECTORS’ REPORTS AND COMMENTS

Item taken before the Closed Session.

INFORMATION ITEMS:

13. DIRECTORS’ REPORTS (AB 1234) PER CA GOVERNMENT CODE SECTION 53232.3 (D)

14. OTHER (NO ENCLOSURE)
President Dewane adjourned the meeting at 7:18 p.m. to a Regular Board Meeting scheduled for Thursday, January 14, 2016, at 6:00 p.m.

Approved:

Shawn Dewane, President

Coleen L. Monteleone, District Secretary

Recording Secretary: Sharon D. Brimer