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Satisfying our Community's  
Water Needs

**MINUTES OF THE BOARD OF DIRECTORS  
MESA WATER DISTRICT  
Thursday, March 11, 2021  
1965 Placentia Avenue, Costa Mesa, CA 92627  
6:00 p.m. Regular Board Meeting**

**CALL TO ORDER** The meeting of the Board of Directors was called to order at 6:01 p.m. by President DePasquale.

**PLEDGE OF ALLEGIANCE** Director Fisler led the Pledge of Allegiance.

- Directors Present** Marice H. DePasquale President *(teleconference)*  
Jim Atkinson, Director *(teleconference)*  
Fred R. Bockmiller, P.E., Director *(teleconference)*  
James R. Fisler, Director *(teleconference)*
- Directors Absent** Shawn Dewane, Vice President
- Staff Present** Paul E. Shoenberger, P.E., General Manager *(teleconference)*  
Phil Lauri, P. E., Assistant General Manager *(teleconference)*  
Denise Garcia, Administrative Services Manager/  
District Secretary  
Wendy Duncan, Records Management Specialist/  
Assistant District Secretary *(teleconference)*  
Marwan Khalifa, CPA, MBA, Chief Financial Officer/  
District Treasurer *(teleconference)*  
Stacie Sheek, Customer Services Manager *(teleconference)*  
Tracy Manning, Water Operations Manager *(teleconference)*  
Stacy Taylor, Water Policy Manager *(teleconference)*  
Kurt Lind, Business Administrator *(teleconference)*  
Rob Anslow, Partner, Atkinson, Andelson, Loya, Ruud & Romo  
*(teleconference)*
- Others Present** Jonathan Aparicio, IT Support Engineer, T2 Technology Group  
Kassie Radermacher, CPA, CFE, Principal, State and Local  
Government, Clifton Larson Allen, LLP *(teleconference)*

President DePasquale stated that the Board of Directors was attending the meeting via teleconference per Governor Newsom's Executive Order N-29-20, which suspended certain provisions of the Ralph M. Brown Act.

President DePasquale stated that for each action, a roll call vote was taken in accordance with California Government Code Section 54953(b)(2), which states, "all votes taken during a teleconferenced meeting shall be by roll call."

President DePasquale proceeded with the meeting.

**PUBLIC COMMENTS**

President DePasquale asked for comments on items not on the agenda.

There were no comments and President DePasquale proceeded with the meeting.

**ITEMS TO BE ADDED, REMOVED, OR REORDERED ON THE AGENDA**

General Manager Shoenberger reported there were two items that arose after the agenda was posted and action needs to be taken prior to the next Board meeting. GM Shoenberger recommended adding Item 9B - Senate Bill No. 323 (Caballero) – Support if Amended and Item 9C – Association of California Water Agencies/Joint Powers Insurance Authority Executive Committee Election Concurring Nominations.

President DePasquale asked for comments from the Board. There were no comments.

President DePasquale asked for comments from the public. There were no comments.

**MOTION**

Motion by Director Bockmiller, second by Director Atkinson, to add Item 9B - Senate Bill No. 323 (Caballero) – Support if Amended and Item 9C – Association of California Water Agencies/Joint Powers Insurance Authority Executive Committee Election Concurring Nominations to the agenda. Motion passed 4-0-0-1, by the following roll call vote:

AYES:	DIRECTORS	Atkinson, Bockmiller, Fisler, DePasquale
NOES:	DIRECTORS	None
ABSTAIN:	DIRECTORS	None
ABSENT:	DIRECTORS	Dewane

**CONSENT CALENDAR ITEMS:**

Approve all matters under the Consent Calendar by one motion unless a Board member, staff, or a member of the public requests a separate action.

1. Approve minutes of regular Board meeting of February 11, 2021.
2. Approve minutes of adjourned regular Board meeting of February 23, 2021.
3. Approve attendance considerations (additions, changes, deletions).
4. Board Schedule:
  - Conferences, Seminars, and Meetings
  - Board Calendar

President DePasquale asked for comments from the Board. There were no comments.

President DePasquale asked for comments from the public. There were no comments.

**MOTION**

Motion by Director Atkinson, second by Director Fisler, to approve Items 1 – 4 of the Consent Calendar. Motion passed 4-0-0-1, by the following roll call vote:

AYES:	DIRECTORS	Atkinson, Bockmiller, Fisler, DePasquale
NOES:	DIRECTORS	None
ABSTAIN:	DIRECTORS	None
ABSENT:	DIRECTORS	Dewane

**PRESENTATION AND DISCUSSION ITEMS:**

5. INDEPENDENT SPECIAL DISTRICTS OF ORANGE COUNTY EXECUTIVE COMMITTEE VACANCY:

GM Shoenberger introduced Water Policy Manager Taylor who provided a brief overview of the topic.

Discussion ensued amongst the Board.

Ms. Taylor responded to questions from the Board and they thanked her for the information.

6. FISCAL YEAR 2020 AUDIT RESULTS AND COMPREHENSIVE ANNUAL FINANCIAL REPORT:

Chief Financial Officer Khalifa introduced Clifton Larson Allen LLP Principal Kassie Radermacher who proceeded with a presentation that highlighted the following:

- Scope of Services
- Independent Auditors' Report
- Report on Internal Control
- Communication to Those Charged with Governance

President DePasquale asked for comments from the Board.

Director Bockmiller asked Ms. Radermacher: "Did you receive full cooperation from staff or did you receive any resistance?"

Ms. Radermacher responded: "We received full participation from staff and no resistance."

Director Bockmiller: "Mesa Water has to operate under certain laws, rules and regulations regarding accounting. We hire auditors to make sure that we do, did you do that?"

Ms. Radermacher: "As a part of a government auditing standards audit, we review compliance with certain laws and regulations that are direct in materiality to the financial statement. So, in that review, the item that we did note was disclosed in the Government Auditing Standards letter regarding the investment policy."

The Board thanked Ms. Radermacher for the presentation.

President DePasquale asked for comments from the public. There were no comments.

Motion by Director Fisler, second by Director Atkinson, to approve Mesa Water District's audited financial statements for the fiscal year ended June 30, 2020 and direct staff to finalize the Fiscal Year 2020 Comprehensive Annual Fiscal Report.

Director Bockmiller offered a substitute motion.

MOTION

Motion by Director Bockmiller, second by Director Fislser, to:

- a. Approve Mesa Water District's audited financial statements for the fiscal year ended June 30, 2020 and direct staff to finalize the Fiscal Year 2020 Comprehensive Annual Fiscal Report;
- b. Agendize a review of the Statement of Investment Policy at a future meeting; and
- c. Agendize annually a review of the Statement of Investment Policy.

Motion passed 4-0-0-1, by the following roll call vote:

AYES:	DIRECTORS	Atkinson, Bockmiller, Fislser, DePasquale
NOES:	DIRECTORS	None
ABSTAIN:	DIRECTORS	None
ABSENT:	DIRECTORS	Dewane

7. EMERGENCY WATER SUPPLY RELIABILITY ASSESSMENT PROGRAM:

GM Shoenberger and Water Operations Manager Manning provided a brief overview of the topic.

GM Shoenberger and Ms. Manning responded to questions from the Board and they thanked them for the information.

President DePasquale asked for comments from the Board. Comments were received.

President DePasquale asked for comments from the public. There were no comments.

MOTION

Motion by Director Bockmiller, second by Director Fislser, to approve the Emergency Water Supply Reliability Assessment Program subject to the availability of Coastal Pumping Transfer Program (CPTP) or other forms of Basin Management water, where Mesa Water would then make use of the Basin Management water programs to perform planned reliability testing. Motion passed 4-0-0-1, by the following roll call vote:

AYES:	DIRECTORS	Atkinson, Bockmiller, Fislser, DePasquale
NOES:	DIRECTORS	None
ABSTAIN:	DIRECTORS	None
ABSENT:	DIRECTORS	Dewane

RECESS

President DePasquale declared a recess at 6:36 p.m. in order to conduct the Mesa Consolidated Water District Improvement Corporation Annual Meeting.

**ACTION ITEMS:**

8. MESA CONSOLIDATED WATER DISTRICT IMPROVEMENT CORPORATION ANNUAL MEETING:

The regular Board meeting reconvened at 6:54 p.m.

9. 2021 STATE LEGISLATION PERTAINING TO OPEN MEETING AND WATER ISSUES:

Water Policy Manager Taylor provided a brief overview of the topic.

Discussion ensued amongst the Board.

President DePasquale asked for comments from the public. There were no comments.

**MOTION**

Motion by Director Fisler, second by Director Atkinson, to approve the recommended positions on the 2021 State Legislation pertaining to Open Meetings and Water Issues. Motion passed 4-0-0-1, by the following roll call vote:

AYES:	DIRECTORS	Atkinson, Bockmiller, Fisler, DePasquale
NOES:	DIRECTORS	None
ABSTAIN:	DIRECTORS	None
ABSENT:	DIRECTORS	Dewane

**ITEM 9B – SENATE BILL NO. 323 (CABALLERO) – SUPPORT IF AMENDED:**

Water Policy Manager Taylor provided a brief overview of the topic.

Discussion ensued amongst the Board.

Attorney Anslow responded to questions from the Board.

President DePasquale asked for comments from the public. There were no comments.

**MOTION**

Motion by Director Bockmiller, second by Director Fisler, to approve a Support if Amended position on SB 323 (Caballero): Local government: water or sewer service: legal actions. Motion passed 4-0-0-1, by the following roll call vote:

AYES:	DIRECTORS	Atkinson, Bockmiller, Fisler, DePasquale
NOES:	DIRECTORS	None
ABSTAIN:	DIRECTORS	None
ABSENT:	DIRECTORS	Dewane

**ITEM 9C – ASSOCIATION OF CALIFORNIA WATER AGENCIES/JOINT POWERS INSURANCE AUTHORITY EXECUTIVE COMMITTEE ELECTION CONCURRING NOMINATIONS:**

Director Bockmiller provided a brief overview of the topic.

President DePasquale asked for comments from the public. There were no comments.

**MOTION**

Motion by Director Atkinson, second by Director Fisler, to adopt Resolution Nos. 1537 and 1538 Concurring in Nomination of Melody McDonald and Randall Reed to the Executive Committee of the Association of California Water Agencies Joint Powers Insurance Authority. Motion passed 4-0-0-1, by the following roll call vote:

<b>AYES:</b>	<b>DIRECTORS</b>	Atkinson, Bockmiller, Fisler, DePasquale
<b>NOES:</b>	<b>DIRECTORS</b>	None
<b>ABSTAIN:</b>	<b>DIRECTORS</b>	None
<b>ABSENT:</b>	<b>DIRECTORS</b>	Dewane

**REPORTS:**

**10. REPORT OF THE GENERAL MANAGER:**

- February Key Indicators Report
- Other (no enclosure)

**11. DIRECTORS’ REPORTS AND COMMENTS**

**INFORMATION ITEMS:**

**12. DIRECTORS’ REPORTS (AB 1234) PER CA GOVERNMENT CODE SECTION 53232.3 (D):**

**13. OTHER (NO ENCLOSURE):**

**CLOSED SESSION:**

President DePasquale announced that the Board was going into Closed Session at 7:54 p.m.

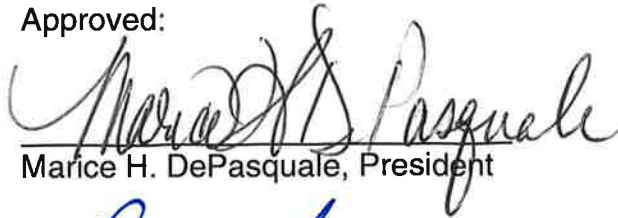
**14. CONFERENCE WITH GENERAL LEGAL COUNSEL – EXISTING LITIGATION:**  
Pursuant to California Government Code Section 54956.9(d)(1)  
Reporting Issue: Department of Drinking Water

The Board returned to Open Session at 8:07 p.m.

District Secretary Garcia announced that the Board conducted one Closed Session with the General Manager, Assistant General Manager, District Secretary, Water Operations Manager, and General Legal Counsel pursuant to California Government Code Section 54956.9(d)(1). The Board received information and gave direction to staff. There was no further announcement.

President DePasquale adjourned the meeting at 8:07 p.m. to an Adjourned Regular Board Meeting scheduled for Tuesday, March 23, 2021 at 3:30 p.m.

Approved:



Marice H. DePasquale, President



Denise Garcia, District Secretary