

I hereby certify that the following agenda was posted at least 72 hours prior to the time of the meeting so noticed below at 24251 Los Alisos Boulevard, Lake Forest, California.



A handwritten signature in blue ink, appearing to read "D. P. Cafferty", is written over a horizontal line.

DENNIS P. CAFFERTY, Secretary of the El Toro Water District and the Board of Directors thereof

AGENDA

EL TORO WATER DISTRICT

REGULAR MEETING OF THE BOARD OF DIRECTORS ENGINEERING COMMITTEE MEETING AND FINANCE AND INSURANCE COMMITTEE MEETING

April 20, 2020

7:30 a.m.

This Meeting is being conducted in accordance with Governor Newsom's Executive Order N-29-20 (Paragraph 3) and the conditions specified therein which waive certain provisions of the Brown Act.

In an effort to protect public health and prevent the spread of COVID-19 (Coronavirus), and in accordance with the Governor's Executive Order N-29-20, **there will be no public location for attending in person.**

The Order allows all Board Members to participate telephonically in the Meeting from remote locations. As such, Directors Monin, Gaskins, Vergara, Freshley and Havens will be participating telephonically.

Members of the public who wish to comment on any item within the jurisdiction of the District or on any item on the agenda, may observe and address the Meeting by joining at this link: <https://zoom.us/j/95414425337>. (Meeting ID: 954-1442-5337). Members of the public who wish only to listen to the telephonic meeting may dial in at the following numbers (669) 900-6833 or (346) 248-7799 with the same Meeting ID noted above.

CALL TO ORDER – President Monin

PLEDGE OF ALLEGIANCE – Director Vergara

ORAL COMMUNICATIONS/PUBLIC COMMENTS

Members of the public may address the Board at this time or they may reserve this opportunity with regard to an item on the agenda until said item is discussed by the Board. Comments on other items will be heard at the times set aside for “COMMENTS REGARDING NON-AGENDA ENGINEERING COMMITTEE ITEMS” or for “COMMENTS REGARDING NON-AGENDA FIC ITEMS.” The public may identify themselves when called on and limit their comments to three minutes.

ITEMS RECEIVED TOO LATE TO BE AGENDIZED

Determine need and take action to agendize item(s) which arose subsequent to the posting of the Agenda. (ROLL CALL VOTE: Adoption of this recommendation requires a two-thirds vote of the Board members present, or, if less than two-thirds of the Board members are present, a unanimous vote of those members present.)

ENGINEERING COMMITTEE

CALL MEETING TO ORDER – Director Freshley

1. Consent Calendar

(All matters under the Consent Calendar will be approved by one motion unless a Board member or a member of the public requests separate action or discussion on a specific item)

- a. Consider approving the minutes of the March 23, 2020 Engineering Committee meeting. (Minutes Included)

Recommended Action: The Board will be requested to approve the subject minutes.

APPROVAL OF ITEMS REMOVED FROM TODAY’S ENGINEERING COMMITTEE

CONSENT CALENDAR

The Board will discuss items removed from today’s Engineering Committee Consent Calendar requiring further discussion.

Recommended Action: The Board will be requested to approve the items removed from today’s Engineering Committee Consent Calendar.

ENGINEERING ACTION ITEMS

2. **City of Laguna Hills Street Pavement Rehabilitation Project**
(Reference Material Included)

Staff will review and comment on costs associated with adjustment to grade of District valves and manholes following a City of Laguna Hills street resurfacing project on residential streets within the District service area.

Recommended Action: Staff recommends that the Board of Directors authorize the District's General Manager to approve payment of a City of Laguna Hills invoice in the amount of \$75,880.

3. **Cal Trans Utility Agreement** (Reference Material Included)

Staff will review and comment on the Utility Agreements which document the relocation of certain District facilities at the State's cost to accommodate the expansion of the 1-5 freeway.

Recommended Action: Staff recommends that the Board of Directors authorize the District's General Manager to execute Utility Agreement No. 12-UT-1450 and Utility Agreement No. 12-UT-1285.

4. **The Village at Laguna Hills Water Supply Assessment**
(Reference Material Included)

Staff and Consultant will review and comment on a Water Supply Assessment prepared by Arcadis U.S. Inc. for the Village at Laguna Hills Project.

Recommended Action: Staff recommends that the Board approve and accept the Water Supply Assessment for the Village at Laguna Hills Project and authorize the General Manager to transmit same to the City of Laguna Hills to be incorporated into and/or by reference in the 5 Lagunas Project environmental documents.

ENGINEERING GENERAL INFORMATION ITEMS

5. **EI Toro Water District Capital Project Status Report**
(Reference Material Included)

Staff will review and comment on the EI Toro Water District Capital Project Status Report.

6. **Engineering Items Discussed at Various Conferences and Meetings**
(Oral Report)

The Committee will discuss any pertinent Engineering items discussed at Conferences.

COMMENTS REGARDING NON-AGENDA ENGINEERING COMMITTEE ITEMS

CLOSE ENGINEERING COMMITTEE MEETING

FINANCE AND INSURANCE COMMITTEE MEETING

CALL MEETING TO ORDER – Director Vergara

7. **Consent Calendar**

(All matters under the Consent Calendar will be approved by one motion unless a Board member or a member of the public requests separate action or discussion on a specific item)

- a. Consider approving the minutes of the March 23, 2020 Finance and Insurance Committee meeting. (Minutes Included)

Recommended Action: The Board will be requested to approve the subject minutes.

APPROVAL OF ITEMS REMOVED FROM TODAY'S FINANCE AND INSURANCE COMMITTEE CONSENT CALENDAR

The Board will discuss items removed from today's Finance and Insurance Committee Consent Calendar requiring further discussion.

Recommended Action: The Board will be requested to approve the items removed from today's Finance and Insurance Committee Consent Calendar.

FINANCIAL ACTION ITEMS

8. **Quarterly Insurance Report** (Reference Material Included)

Staff will review and comment on the Quarterly Insurance Report for the period January 1, 2020 through March 31, 2020.

Recommended Action: Staff recommends that the Board Receive and File the Quarterly Insurance Report for the period of January 1, 2020 through March 31, 2020.

9. **Financial Package - Authorization to Approve Bills for Consideration dated April 20, 2020 and Receive and File Financial Statements as of March 31, 2020** (Reference Material Included)

The Board will consider approving the Bills for Consideration dated April 20, 2020 and Receive and File Financial Statements as of March 31, 2020.

Recommended Action: Staff recommends that the Board 1) approve, ratify and confirm payment of those bills as set forth in the schedule of bills for consideration dated April 20, 2020, and 2) receive and file the Financial Statements for the period ending March 31, 2020.

10. **Annual Review of the District's Cash Reserve Policy Statement 1994-12 (IV)** (Reference Material Included)

The District performs an annual review of the Cash Reserve Policy Statement 1994-12 (IV). Staff recommends amendments to the Cash Reserve Policy.

Recommended Action: Staff recommends adopting Resolution No. 20-4-1 which amends the Districts Cash Reserve Policy Statement 1994-12 (IV).

RESOLUTION NO. 20-4-1

RESOLUTION OF THE BOARD OF DIRECTORS
OF EL TORO WATER DISTRICT
WHICH AMENDS THE DISTRICT'S
CASH RESERVE POLICY STATEMENT 1994-12 (IV)

11. **LAFCO Dues Reapportionment** (Reference Material Included)

Staff will review and comment on the proposed LAFCO Dues Reapportionment for Special Districts as proposed by the Independent Special Districts of Orange County (ISDOC). The District must vote on the proposed Reapportionment by April 24, 2020.

Recommended Action: Staff recommends the Board of Directors authorize the General Manager to Vote "Yes" on the proposed LAFCO Dues Reapportionment for Special Districts and submit the ballot to ISDOC.

FINANCIAL INFORMATION ITEMS

12. **Director Travel & Expense Reimbursement Policy Statement**

Staff will lead a discussion about a potential temporary suspension of the Director Travel & Expense Policy prohibition of carrying over unused portions of a Director's annual budget for travel related expenses to a subsequent budget period in light of the rescheduling of certain events and conferences typically attended by District Directors due to the COVID-19 pandemic.

13. **2020/21 Fiscal Year Budget/Cost of Service Evaluation/Preparation and Tentative Schedule Status Report** (Reference Material Included)

Staff will review and comment on the 2020/21 fiscal year Budget/Cost of Service Evaluation/Preparation and Tentative Schedule.

14. **Tiered Water Usage and Revenue Tracking** (Reference Material Included)

Staff will review and comment on monthly and year to date Tiered Water Usage and Revenue tracking.

COMMENTS REGARDING NON-AGENDA FIC ITEMS

CLOSE FINANCE AND INSURANCE COMMITTEE MEETING

ATTORNEY REPORT

CLOSED SESSION

At this time the Board will go into Closed Session as follows:

1. At this time the Board will go into Closed Session pursuant to Government Code Section 54956.9 (d) (1) to consult with legal counsel and staff on a matter of pending litigation. *The People of the State of California, acting by and through the Department of Transportation. Plaintiff, vs. County of Orange; Pacific and Telegraph Co.; Santa Margarita Water District; Laguna Hills Sanitation, Inc., California Corporation; and Does 1 through 50, inclusive. Defendants- Orange County Superior Court- Case No. 30-2020-01122114-CU-EI-CXC.*
2. At this time, the Board will go into Closed Session pursuant to Government Code Section 54956.9 (d) (1) to consult with legal counsel and staff on a matter of pending litigation. [Class Action] *Kessner et al. v. City of Santa Clara, et al. (Santa Clara County Superior Court - Case No. 20 CV 364054.)*

3. At this time, the Board will go into Closed session pursuant to Government Code Section 54956.9 (d) (4) to consult with legal counsel and staff and decide whether to initiate litigation (one matter)

REGULAR SESSION

REPORT ON CLOSED SESSION (Legal Counsel)

Mr. Granito will provide an oral report on the Closed Session.

ADJOURNMENT TO 7:30 a.m., Tuesday, May 26, 2020.

The agenda material for this meeting is available to the public at the District's Administrative Office, which is located at 24251 Los Alisos Blvd., Lake Forest, Ca. 92630. If any additional material related to an open session agenda item is distributed to all or a majority of the board of directors after this agenda is posted, such material will be made available for immediate public inspection at the same location.

Request for Disability-Related Modifications or Accommodations

If you require any disability-related accommodation, including auxiliary aids or services, in order to participate in this public meeting, please telephone the District's Recording Secretary, Polly Welsch at (949) 837-7050, extension 225 at least forty-eight (48) hours prior to said meeting. If you prefer, your request may be submitted in writing to El Toro Water District, P.O. Box 4000, Laguna Hills, California 92654, Attention: Polly Welsch.