

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.



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 FINANCE AND INSURANCE COMMITTEE MEETING AND ENGINEERING COMMITTEE MEETING

June 22, 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://us02web.zoom.us/j/88305701854>. (Meeting ID: 883 0570 1854). 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 Freshley**

**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.)

**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) (4) to consult with legal counsel and staff regarding the initiation of litigation (Quiet Title Action) regarding the District’s Oso Lift Station Site. (Special Counsel, Jennifer Pancake will participate offsite with regard to Item 1).
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) (2) to consult with legal counsel and staff - potential litigation (one matter).

**REGULAR SESSION**

**REPORT ON CLOSED SESSION (Legal Counsel)**

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

## **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 May 26, 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. Caltrans I-5 Widening Project (Reference Material Included)**

Staff will review and comment on the construction bids submitted for the construction of the utility relocations necessary to accommodate the Caltrans I-5 Widening Project.

**Recommended Action:**

Staff recommends that the Board of Directors authorize the District's General Manager to enter into a construction contract with Paulus Engineering, Inc. in the amount of \$769,777 for construction of the utility relocations necessary to accommodate the Caltrans I-5 Widening Project. Staff also recommends that the Board authorize the General Manager to fund the project costs from the District's Capital Reserves in accordance with the District's adopted Capital Reserve Policy.

3. **Oso Lift Station Improvement Project** (Reference Material Included)

Staff will review and comment on the construction bids submitted for the construction of the Oso Lift Station Improvement Project.

**Recommended Action:**

Staff recommends that the Board of Directors authorize the District's General Manager to 1) enter into a contract with J.R. Filanc Construction Company, Inc. in the amount of \$1,954,236.00 for construction of the Oso Lift Station Improvement Project; and 2) enter into a contract with Tetra Tech in the amount of \$84,000.00 for professional engineering services during construction. Staff also recommends that the Board authorize the General Manager to fund the project costs from the District's Capital Reserves in accordance with the District's adopted Capital Reserve Policy.

**ENGINEERING GENERAL INFORMATION ITEMS**

4. **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.

5. **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

### 6. 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 May 26, 2020 Finance and Insurance Committee meeting (Minutes Included)
- b. Consider approving the minutes of the June 9, 2020 Board Budget Workshop meeting (Minutes included)

### 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

7. **El Toro Water District 2020/21 Operating Budget** (Reference Material Included)

Staff will provide an update on the status of the 2020/21 Operating Budget.

**Recommended Action:** Staff recommends that the Board approve the 2020/21 Operating Budget.

8. **Financial Package - Authorization to Approve Bills for Consideration dated June 22, 2020 and Receive and File Financial Statements as of May 31, 2020** (Reference Material Included)

The Board will consider approving the Bills for Consideration dated June 22, 2020 and Receive and File Financial Statements as of May 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 June 22, 2020, and 2) receive and file the Financial Statements for the period ending May 31, 2020.

9. **Olin Chemical**

Staff will review and comment on a purchase order contract with Olin Chemical in the amount not to exceed \$94,000 (\$80,000 at the WRP Tertiary Treatment Plant and \$14,000 at the R1/R2 Reservoir Management System) for the purchase of 12 ½% concentration Sodium Hypochlorite.

**Recommended Action:** The Board will consider approving the purchase order contract for Olin Chemical in the amount not to exceed \$94,000 for the purchase of 12 ½% concentration Sodium Hypochlorite.

10. **Nieves Landscape**

Staff will review and comment on a purchase order contract with Nieves Landscape in the amount not to exceed \$137,648.

**Recommended Action:** The Board will consider approving the purchase order contract with Nieves Landscape in the amount not to exceed \$137,648.

11. **CAMP Reserves Investment Direction**

Staff will review and comment on the consensus direction provided by the Board at the May Finance Committee meeting relative to the investment of the District's reserve funds.

**Recommended Action:** The Board will consider confirming the direction to PFM to use their best judgement in the investment of District reserve funds in a portfolio that may include longer duration investments with the District's previous benchmark, the ICE BoAML 1-3 year Treasury Index, while staying within the District's liquidity needs.

**FINANCIAL INFORMATION ITEMS**

12. **Joint Powers Insurance Authority Overview**

Staff will provide a presentation describing the programs and services provided to the District by the ACWA Joint Powers Insurance Authority.

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**

**ADJOURNMENT TO 7:30 a.m., Monday, July 20, 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.*