

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**

**July 22, 2021**

**7:30 a.m.**

Members of the public who wish to comment on any item within the jurisdiction of the District or on any item on the agenda, attend the meeting in person at the District's office or may observe and address the Meeting by joining at this link:

<https://us02web.zoom.us/j/85429701931>. (Meeting ID: 854 2970 1931).

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. Please be advised the Meeting is being recorded.

**CALL MEETING TO ORDER – President Gaskins**

**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 time set aside for "COMMENTS REGARDING NON-AGENDA 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 items 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.)

### **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 June 24, 2021 Board meeting.
- b. Consider approving the Directors to attend the California Association of Sanitation Agencies Annual Conference at the Hilton San Diego Bayfront August 11 - 13, 2021.

**Recommended Action:** The Board will be requested to approve the subject minutes and conference attendance.

## **APPROVAL OF ITEMS REMOVED FROM TODAY'S CONSENT CALENDAR**

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

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

### **2. Director Reports for Meetings Attended (Oral Report)**

## **GENERAL MANAGER ACTION ITEMS**

### **3. Adoption of Resolution No. 21-7-1 in Compliance of Senate Bill 1087 (SB 1087) (Reference Material Included)**

Staff and General Counsel will comment on the following: (1) SB 1087 (effective January 1, 2006), which Bill amended Government Code Section 65589.7 and added Water Section 10631, and (2) Resolution No. 21-7-1 reaffirming El Toro Water District's Policies and Procedures for Providing Priority Service to Affordable Housing Projects in compliance with said Bill.

Government Code Section 65589.7 provides that public agencies or private entities that provide water or sewer services shall adopt, by July 1, 2006 and, at least every five years thereafter, written policies and procedures with specific objective standards for providing priority service to lower income housing projects.

RESOLUTION NO. 21-7-1

RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE EL TORO WATER DISTRICT  
REAFFIRMING THE DISTRICT'S  
POLICIES AND PROCEDURES FOR PROVIDING  
PRIORITY SERVICE TO AFFORDABLE HOUSING PROJECTS  
(GOVERNMENT CODE SECTION 65589.7 AND  
WATER CODE SECTION 10631.1)

Water Code Section 10631.1 provides that water use projections of Urban Water Management Plans shall include "projected water use" by lower income housing projects.

**Recommended Action:** The Board will consider adopting Resolution No. 21-7-1 reaffirming the District's Policies and Procedures for Providing Priority Service to Affordable Housing Projects.

4. **CASA Voting Agency Representative** (Reference Material Included)

At the CASA Annual Business Meeting during the August 11-13 Annual Conference CASA will conduct an Election of the Directors for FY 2021-22 and consider Approval of the Dues Resolution for the 2021-22 fiscal year. In order to facilitate the District's participation in the CASA action items, the Board will consider appointing an official voting agency representative along with two alternates and consent to receive official communications electronically.

**Recommended Action:** The Board will consider appointing an official voting agency representative, for the CASA action items, along with two alternates and consent to receive official communications electronically.

5. **Adoption of Resolution No. 21-7-2 Supporting Pam Tobin as a Candidate for the Office of the Association of California Water Agencies President**  
(Reference Material Included)

The Board will consider supporting Pam Tobin of the San Juan Water District as the Association of California Water Agencies President.

**Recommended Action:** Staff recommends that the Board consider adopting Resolution No. 21-7-2 which supports Pam Tobin as the Association of California Water Agencies President.

RESOLUTION NO. 21-7-2

RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE EL TORO WATER DISTRICT  
TO SUPPORT PAM TOBIN AS A CANDIDATE  
FOR THE OFFICE OF ACWA PRESIDENT

6. **Adoption of Resolution No. 21-7-3 Supporting Orange County Water District's Cathy Green as the Association of California Water Agencies Vice President**  
(Reference Material Included)

The Board will consider concurring in the nomination of Cathy Green of the Orange County Water District (OCWD) as the Association of California Water Agencies Vice President.

**Recommended Action:** Staff recommends that the Board consider adopting Resolution No. 21-7-3 which supports Cathy Green as the Association of California Water Agencies Vice President.

RESOLUTION NO. 21-7-3

RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE EL TORO WATER DISTRICT TO SUPPORT  
ORANGE COUNTY WATER DISTRICT (OCWD)  
FIRST VICE PRESIDENT CATHY GREEN AS A  
CANDIDATE FOR THE OFFICE OF ACWA  
VICE PRESIDENT

7. **COVID-19 Prevention Program** (Reference Material Included)

Staff will review and comment on revisions to the District COVID-19 Prevention Program

**Recommended Action:**

Staff recommends that the Board of Directors approve the El Toro Water District COVID-19 Prevention Program as revised.

8. **Revisions to Employee Handbook** (Reference Material Included)

Staff will review and discuss proposed revisions to the ETWD Employee Handbook for consideration by the Board. The proposed revisions include a proposed Consumer Driven Health Plan with a Health Savings Account option.

**Recommended Action:**

Staff recommends that the Board of Directors approve the update to the "Insurances" section of the existing ETWD Employee Handbook and provide direction to Staff regarding funding levels for the Employee Health Savings Accounts.

**GENERAL MANAGER INFORMATION ITEMS**

9. **COVID-19 Update** (Reference Material Included)

Staff will provide an update on the status of the District's response to the COVID-19 pandemic.

10. **General Manager's Monthly Report** (Report Included)  
Staff will review and comment on the General Manager's Monthly Report.
11. **Legislative Reports** (Reference Materials Included)  
Staff and General Counsel will review and comment on the Legislative reports.
12. **Public Education and Outreach & Water Conservation Reports**  
(Reference Material Included)  
Staff will review and comment on the Public Education and Outreach & Water Conservation Reports.
13. **Municipal Water District Of Orange County (MWDOC) Report**  
(Reference Material Included)
  - a. MWDOC Planning/Operations Meeting – July 6, 2021
  - b. MWDOC/MET Directors Workshop – July 7, 2021
  - c. MWDOC Administration & Finance Committee – July 14, 2021
  - d. MWDOC Board Meeting – July 21, 2021
  - e. MWDOC Managers Meeting – July 22, 2021
14. **Local Agency Formation Commission (LAFCO) Report**
  - a. Report on the July 14, 2021 meeting
15. **ISDOC Meetings** (Reference Material Included)
  - a. Report on the July 6, 2021 ISDOC Executive Committee meeting.
16. **WACO Meetings** (Reference Material Included)
  - a. Report on the July 2, 2021 WACO meeting
  - b. Report on the July 20, 2021 WACO Planning Committee meeting

#### **COMMITTEE AND GENERAL INFORMATION**

17. **Dates to Remember for July/August 2021** (Reference Material Included)

#### **COMMENTS REGARDING NON-AGENDA ITEMS**

## 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. [Class Action] *Kessner et al. v. City of Santa Clara, et al. (Santa Clara County Superior Court - Case No. 20 CV 364054)*.

### REGULAR SESSION

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

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

### ADJOURNMENT

*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.*