

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

September 23, 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/85650155731>. (Meeting ID: 856 5015 5731).

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 – Vice President 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.)

PRESENTATION OF AWARDS, RECOGNITIONS AND INTRODUCTIONS

a. Recognitions

1. Mr. Cafferty will recognize and congratulate Will Wesson, Maintenance Worker I, for receiving his D-4 Water Distribution Operator certification from the State of California State Water Resources Control Board.

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 August 26, 2021 Board meeting.
- b. Consider approving the minutes of the Adjourned Finance and Insurance Committee meeting of August 23, 2021 which continued at the August 26, 2021 Board meeting.
- c. Consider approving the Directors and General Manager to attend the Orange County Water Summit in Anaheim, CA on October 15, 2021.
- d. Consider approving the Directors and General Manager to attend the ACWA Fall Conference in Pasadena, CA November 30, 2021 to December 2, 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. **Policy Statement 1985-5 (IV) Travel and Expense Reimbursement Policy**
(Reference Material Included)

Staff and the Board will review the District's Travel and Expense Reimbursement Policy.

Recommended Action: Staff recommends that no modifications to the District's Travel and Expense Reimbursement Policy are necessary at this time.

4. **Association of California Water Agencies (ACWA) Committee Consideration for 2022/23** (Reference Material Included)

Staff will review and comment on the ACWA Committee Consideration process.

Recommended Action: Staff recommends that the Board of Directors 1) determine which Directors would like to serve on ACWA committees for 2022/23 and 2) direct staff to submit completed Committee Consideration Forms by the September 30 deadline.

5. **MWDOC Choice Program 2021-2022** (Reference Material Included)

Staff will review and comment on the MWDOC Choice Program and the payment of a MWDOC invoice associated with the District's participation in the Water Use Efficiency and School Choice Programs.

Recommended Action: Staff recommends that the Board of Directors authorize the District's General Manager to pay MWDOC's Invoice #16854, dated 8/28/21, in the amount of \$56,885.43 for the MWDOC WUE and School Choice Programs.

GENERAL MANAGER INFORMATION ITEMS

6. **General Manager Performance Evaluation Form**

A potential form to facilitate the annual performance evaluation of the General Manager is provided for consideration by the Board.

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

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

8. **General Manager's Monthly Report** (Report Included)

Staff will review and comment on the General Manager's Monthly Report.

9. **Legislative Reports** (Reference Materials Included)

Staff and General Counsel will review and comment on the Legislative reports.

10. **Public Education and Outreach & Water Conservation Reports**
(Reference Material Included)

Staff will review and comment on the Public Education and Outreach & Water Conservation Reports.

11. **SOCWA Reports** (Reference Material Included)

- a. SOCWA Board Meeting – September 2, 2021
- b. SOCWA Engineering Committee Meeting – September 9, 2021
- c. SOCWA Finance Committee Meeting – September 21, 2021

12. **Municipal Water District Of Orange County (MWDOC) Report**
(Reference Material Included)

- a. MWDOC/MET Directors Workshop – September 1, 2021
- b. MWDOC Planning/Operations Meeting – September 7, 2021
- c. MWDOC Administration & Finance Committee – September 8, 2021
- d. MWDOC Board Meeting – September 15, 2021
- e. MWDOC Managers Meeting – September 16, 2021

13. **Local Agency Formation Commission (LAFCO) Report**

- a. Report on the September 8, 2021 meeting

14. **ISDOC Meetings** (Reference Material Included)

- a. Report on the September 7, 2021 ISDOC Executive Committee meeting

15. **WACO Meetings** (Reference Material Included)

- a. Report on the September 10, 2021 WACO meeting
- b. Report on the September 21, 2021 WACO Planning Committee meeting

COMMITTEE AND GENERAL INFORMATION

16. **Dates to Remember for September/October 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. 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)*.
2. In accordance with Government Code Section 54956.96 in order to receive, discuss, and/or take action concerning information obtained by the District's representative pertaining to a closed session of the South Orange County Wastewater Authority ("SOCWA"), a joint powers agency.

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.