MINUTES OF THE REGULAR MEETING
OF THE
ENGINEERING COMMITTEE MEETING

March 23, 2020

President Monin called the Meeting of the Board to order at 7:30 a.m. on March 23, 2020.

All Committee Members JOSE F. VERGARA, MARK MONIN, KATHRYN FRESHLEY, MIKE GASKINS, and KAY HAVENS participated telephonically via Zoom.

Also participating telephonically via Zoom were DENNIS P. CAFFERTY, General Manager, JUDY CIMORELL, Human Resources Manager, NEELY SHAHBAKHTI, Finance Manager/Controller, RICK OLSON, Operations Superintendent, BOBBY YOUNG, Principal Engineer, GILBERT J. GRANITO, General Counsel, and POLLY WELSCH, Recording Secretary.

Pledge of Allegiance

Director Freshley led in the Pledge of Allegiance.

Oral Communications/Public Comments

There was no public and no comments.

Items Received Too Late to be Agendized

President Monin asked if there were any items received too late to be agendized. Mr. Cafferty replied no.

Coronavirus COVID-19 – El Toro Water District Response Update

Mr. Cafferty stated that we have asked staff to work split schedules and minimize their time at the office. He further stated that we have closed access to the building

and have several staff members telecommunicating using a combination of working from home and minimal time on site.

Mr. Cafferty stated that we have suspended the Recycled Water project and any other non-essential projects at this time. He further stated that staff is following all of the CDC guidelines in terms of social distancing, and hygiene efforts.

Mr. Cafferty stated that WEROC has hosted several conference calls, and Mr. Cafferty has been conferencing and emailing with neighboring agency General Managers to learn from each other.

Mr. Cafferty stated that our Purchasing department has made tremendous efforts prior to this outbreak of maintaining supplies. President Monin asked what the other agencies are running low on supplies. Mr. Cafferty replied that along with us, other agencies are running out of masks and hand sanitizer.

Director Vergara asked if any employees at ETWD are out sick. Mr. Cafferty replied there has not been anyone diagnosed, but we had one employee with a cough who did not report to work, and another employee was potentially exposed to someone who had the virus and that employee is staying home.

Director Havens stated that the employees have Essential Service Worker status, and since things may get worse before better, are they able to show that they are an Essential Service Worker. Mr. Cafferty replied that each employee carries a District badge and on the back side of the badge it states "Disaster Service Worker California Government Code Section 3100-3109".

Resolution No. 20-3-1 Amending the El Toro Water District Employee Handbook

Mr. Cafferty stated that due to the changes we have had to make to our work schedules, and managing staff in an effort to achieve social distancing, it falls outside what's defined in our Employee Handbook so we created some additional language that provides a definition of an Emergency Workweek that allows staff to work as much as 12-hour days without any hours over 9 being overtime. He further stated that the language also allows a work week that keeps essential services running while maintaining the reliability of water quality with less staff.

Mr. Cafferty stated that the revised work schedules and effort to achieve social distancing will result in employees, to varying degrees, working less than 40 hours in a week. Mr. Cafferty further stated that an Emergency Administrative Leave category has been created, that would be invoked only in the event of an emergency, that will allow employees to coded time to ensure receipt of their full paychecks. Mr. Cafferty stated that he proposes to change the language to 160 hours per employee instead of 20 days which will typically accommodate the period until the next Board Meeting.

Director Vergara asked if the proposal will cost additional money and whether there is legislation being passed that might aid the District. Mr. Cafferty replied that the proposed utilization of Emergency Administrative Leave won't cost the District additional money, it is simply continuing to pay existing budgeted payroll. Mr. Cafferty further noted that staff is monitoring legislation but have not yet seen any Federal action that will aid the District to recover any payroll associated costs.

Director Freshley asked if our Human Resources department has discussed with EDD how to report employee hours working at home. Vice President Gaskins stated that there is a difference between Public Sector and Private, and for Private Sector it is

still overtime after 40 hours in a work week, but overtime after 8 hours a day is not overtime. Mr. Cafferty replied that our Human Resources department has checked to see that we are in compliance with the labor law requirements.

Mr. Cafferty stated there is a change in the proposed Handbook language. Mr. Cafferty explained the reference to 20 days of Emergency Administrative Leave is being changed to say 160 hours which is the equivalent of 20 days but will sync better with our varying hours and the definition of a day.

President Monin asked for a Motion.

Motion: Director Freshley made a Motion, seconded by Vice President Gaskins and unanimously carried across the Board to approve Resolution No. 20-3-1 which amends the ETWD Employee Handbook.

Roll Call Vote:

Director Freshley	aye
Director Havens	aye
President Monin	aye
Vice President Gaskins	aye
Director Vergara	aye

Delegation of Authority

Mr. Cafferty stated that the proposed change in the Recommended Action clarified that the action was simplty to address the ability to increase spending beyond the typical General Managers authority in the event of an emergency. He further stated that thus far our expenses associated with the response to this crisis have not been extraordinary.

Mr. Cafferty stated that if some expense comes up that exceeds the authority of the General Manager, the action would allow the General Manager to approve

expenditures up to $250,000 with the approval of either the Board President or Vice President. He further stated that he would notify the entire Board when this occurs.

Director Freshley stated that she feels $250,000 is a large amount and what type of emergency could arise that would exceed $50,000. Mr. Cafferty acknowledged her concern and noted that he did not have any specifically anticipated costs. Mr. Cafferty further explained that we are dealing with rapid changes and this action provides a means to react quickly to an unanticipated expenditure only if the need should arise.

Director Freshley stated that increased operating costs should be part of the budget process and not part of capital costs. Mr. Cafferty stated that this item would be dealing with this particular emergency which will be included in the amended Purchasing Policy which will be brought before the Board at an upcoming meeting.

President Monin asked for a Motion.

Motion: Director Vergara made a Motion, seconded by Director Havens and unanimously carried across the Board that in the event of an emergency, the Board President and/or Vice President may authorize the General Manager's spending authority to $250,000 and inform the entire Board when an emergency takes place.

Roll Call Vote:

Director Freshley	aye
Director Havens	aye
President Monin	aye
Vice President Gaskins	aye
Director Vergara	aye

Engineering Committee Meeting

At approximately 8:40 a.m. Director Freshley called the meeting to order.

Consent Calendar

1. Consider approving the minutes of the February 24, 2020 Engineering Committee meeting.

Director Freshley asked for a Motion.

Motion: Vice President Gaskins made a Motion, seconded by Director Havens, and unanimously carried across the Board to approve the Consent Calendar.

Roll Call Vote:

Director Freshley	aye
Director Havens	aye
President Monin	aye
Vice President Gaskins	aye
Director Vergara	aye

Engineering Action Items

There were no action items.

Engineering General Information Items

Capital Project Status Report

Mr. Young stated that most non-essential project work has been suspended at this time.

Oso Lift Station Project

Mr. Young stated that we have received bids for this project and are in discussion with the Contractor regarding the delay in award of the construction contract until the District completes the property acquisition. He further stated that the Contractor has reached out to their suppliers and equipment manufacturers to try to determine the length at which they will hold their current costs, and if they are unable to hold the current costs, we will go out to bid again.

Mr. Cafferty stated that we are waiting on the Property Acquisition. Director

Havens asked who is working on the title issue. Mr. Cafferty replied that Special Counsel who specializes in title acquisition is working to resolve the issue.

Phase II Recycled Water Distribution System Expansion Project

Mr. Young stated that the Contractor is not currently working on the project due to the current crisis. Mr. Young further stated that we continue to work with State and County officials and have received a conditional letter of approval for some of the retrofit sites in the West Side System.

Director Freshley asked if staff foresees any real issues starting this project up again. Mr. Young replied no.

Caltrans I-5 Widening Project

Mr. Young stated that we have been in contact with CalTrans' Right of Way Division and their Design group. He further stated that we are working with their Right of Way Division to get utility agreement letters signed; however some items have risen that we are addressing with them pertaining to payment and who is liable for future payments for improvements.

Mr. Cafferty stated that CalTrans is widening the I-5 freeway that will impact the District between El Toro Road and Los Alisos Blvd. He further stated that there are a number of existing water and sewer facilities that are impacted by the widening, some of which CalTrans has acknowledged to pay for because they are in an existing easement. For utilities in the Right of Way along the Avenida De La Carlota, CalTrans has not agreed to pay for, and neither have we agreed to pay for the cost of relocating those utilities.

Aliso Creek Lift Station Skid Pump & Trailer Mounted Emergency Pump

Mr. Young stated that the piping that is currently used is ETWD's piping and the

Contractor is having difficulty obtaining their required portion of the piping that is necessary to finalize their contract.

Director Freshley asked if the kind of pipe is that unique. Mr. Olson replied that there are only a few vendors that supply the aluminum pipe material.

Director Havens asked if there is anything else we could be investing in now that could help the major economy. Mr. Cafferty replied that the economy is struggling with challenges in construction. He further stated that we intended to bring two projects to the Board this month; one being Oso and one being a significant vehicle acquisition for the Sludge Tanker.

Director Havens asked if the Sludge Tanker could be viewed as a potential weak link during this period. Mr. Cafferty replied that it could be a weak link, but staff is planning to bring this to the Board next month.

Engineering Items Discussed at Various Conferences and Meetings

There were no comments.

Comments Regarding Non-Agenda Engineering Committee Items

There were no comments.

Close Engineering Committee Meeting

At approximately 9:01 a.m. the Engineering Committee meeting was closed.

There being no further business to come before the Board, today's meeting was adjourned at 9:01 a.m. to Monday, April 20, 2020 at 7:30 a.m. at the District's Administrative Offices at 24251 Los Alisos Blvd, Lake Forest, CA. 92630.

Respectfully submitted,

Polly Welsch

POLLY WELSCH
Recording Secretary

APPROVED:



MARK L. MONIN, President
of the El Toro Water District and the
Board of Directors thereof



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