

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**

**January 28, 2021**

**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 Gaskins, Freshley, Havens, Monin, and Vergara 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/84082821874>. (Meeting ID: 840 8282 1874). 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 Monin**

**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. MUNICIPAL WATER DISTRICT OF ORANGE COUNTY (MWDOC) DISCUSSION**

MWDOC Board President Sat Tamaribuchi and General Manager Robert Hunter will be in attendance to engage in a discussion with the Board about current and upcoming MWDOC issues.

**2. 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 December 16, 2020 Board meeting.

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

**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.

**3. Director Reports for Meetings Attended (Oral Report)**

## GENERAL MANAGER ACTION ITEMS

4. **Resolution No. 21-1-2 Modifying Standing and External Organization Board and Staff Assignments for Calendar Year 2021**  
(Reference Material Included)

Staff will review and comment on Resolution No. 21-1-2 modifying Standing and External Organization Board and Staff Assignments for calendar year 2021.

**Recommended Action:** Staff recommends approval of Resolution No. 21-1-2 modifying Standing and External Organization Board and Staff Assignments for calendar year 2021.

### RESOLUTION NO. 21-1-2

RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
EL TORO WATER DISTRICT  
MODIFYING STANDING AND EXTERNAL ORGANIZATION  
BOARD AND STAFF ASSIGNMENTS  
FOR CALENDAR YEAR 2021

## GENERAL MANAGER INFORMATION ITEMS

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

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

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

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

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

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

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

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

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

- a. SOCWA Engineering Committee Meeting – January 14, 2021
- b. SOCWA Finance Committee Meeting – January 19, 2021

10. **Municipal Water District Of Orange County (MWDOC) Report**  
(Reference Material Included)
  - a. MWDOC Planning/Operations Meeting – January 4, 2021
  - b. MWDOC/MET Directors Workshop – January 6, 2021
  - c. MWDOC Special Board Meeting – January 8, 2021
  - d. MWDOC Administration & Finance Committee – January 13, 2021
  - e. MWDOC Member Agency 2021 Rate Study Meeting –January 14, 2021
  - f. MWDOC Board Meeting – January 20, 2021
  - g. MWDOC/OCWD Joint Planning Committee Meeting – January 27, 2021
  
11. **Local Agency Formation Commission (LAFCO) Report**
  - a. Report on the January 13, 2020 meeting.
  
12. **South Orange County Watershed Management Area (SOCWMA) Management and/or Executive Committee Report**
  - a. Report on the January 4, 2021 Management Committee meeting.
  
13. **ISDOC Meetings** (Reference Material Included)
  - a. Report on the January 5, 2021 ISDOC Executive Committee meeting.
  
14. **WACO Meetings** (Reference Material Included)
  - a. Report on the January 8, 2021 WACO meeting
  - b. Report on the January 19, 2021 WACO Planning Committee meeting

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

15. **Dates to Remember for January/February** (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. *El Toro Water District v. Rossmoor Sanitation, Inc. et al and Does 1through 50 inclusive- Orange County Superior Court- Case No. 30-2020-01152257-CU-OR—CJC.*
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) (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. Laguna Hills Investment Company, L.P., a Delaware Limited Liability Company, et al. inclusive of El Toro Water District and Does 1 through 20, inclusive. Defendants- Orange County Superior Court- Case No. 30-2020-01140132-CU-EI-CXC.*

## 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.*