

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 ENGINEERING COMMITTEE MEETING AND FINANCE AND INSURANCE COMMITTEE MEETING

March 22, 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/83405763233>. (Meeting ID: 834 0576 3233). 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 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 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.)

ENGINEERING COMMITTEE

CALL MEETING TO ORDER – Director Vergara

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 February 22, 2021 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. **Emergency Operations Plan Update Change Order**
(Reference Material Included)

Staff will review and comment on a change order to the existing contract with Claris Strategy to provide consulting services for the El Toro Water District Emergency Operations Plan Update.

Recommended Action: Staff recommends that the Board of Directors authorize the District's General Manager to issue an additional Task Order to the current contract with Claris Strategy in the amount of \$5,000.00 for additional consulting services to complete the update to the El Toro Water District Emergency Operations Plan.

3. **WRP Aeration Basin Diffuser Replacement Project**
(Reference Material Included)

Staff will review and comment on construction bids received for the replacement of the diffusers in the Water Recycling Plant Aeration Basin No. 1.

Recommended Action: Staff recommends that the Board of Directors authorize the District's General Manager to enter into a contract with J.R. Filanc Construction Company, Inc. in the amount of \$203,630.00 for the Aeration Basin Diffuser Replacement project. Staff further 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.

4. **Phase II Recycled Water On-Site Retrofits Project Change Order**
(Reference Material Included)

Staff will review and comment on a change order to the construction contract with Evolution Landscape, Inc. to construct the retrofits of the Phase II Recycled Water Project in the Phase II West (B) area which will bring the Phase II Recycled Water Project to completion.

Recommended Action: Staff recommends that the Board of Directors authorize the District's General Manager to issue a construction change order to the existing contract with Evolution Landscape, Inc. in the amount of \$140,241.97 for the construction of the Phase II Recycled Water On-Site Retrofits in project area Phase II West (B). Staff further 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

5. **El Toro Water District Capital Project Status Report**
(Reference Material Included)

Staff will review and comment on the El Toro Water District Capital Project Status Report.

6. **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 Havens

7. **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 February 22, 2021 Finance and Insurance Committee meeting (Minutes Included)

Recommended Action: The Board will be requested to approve the subject minutes listed above in the Consent Calendar.

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

8. **Financial Package - Authorization to Approve Bills for Consideration dated March 22, 2021 and Receive and File Financial Statements as of February 28, 2021** (Reference Material Included)

The Board will consider approving the Bills for Consideration dated March 22, 2021 and Receive and File Financial Statements as of February 28, 2021.

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 March 22, 2021, and 2) receive and file the Financial Statements for the period ending February 28, 2021.

9. **Resolution No. 21-3-1 Changing the Authorized Signatories for the Local Agency Investment Fund (LAIF)** (Reference Material Included)

Staff will comment on changing the authorized signatories on the District's account with LAIF.

Recommended Action: Staff recommends that the Board adopt Resolution No. 21-3-1 changing the authorized signatories on District's account with the Local Agency Formation Investment Fund (LAIF).

RESOLUTION NO. 21-3-1

RESOLUTION OF THE BOARD OF DIRECTORS OF THE
EL TORO WATER DISTRICT CHANGING THE
AUTHORIZED SIGNATORIES ON THE
LOCAL AGENCY INVESTMENT FUND ACCOUNT
(ACCOUNT NO. 90-30-001)

FINANCIAL INFORMATION ITEMS

10. **CalTRUST Investment Pool** (Reference Material Included)

Staff will provide an overview and lead a discussion regarding potential investment opportunities in the CalTRUST Investment Pool.

11. **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.

12. **2021/22 Fiscal Year Budget Preparation and Tentative Schedule Status Report** (Reference Material Included)

Staff will review and comment on the 2021/22 fiscal year Budget Preparation and Tentative Schedule.

COMMENTS REGARDING NON-AGENDA FIC ITEMS

CLOSE FINANCE AND INSURANCE COMMITTEE MEETING

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.