

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**

**March 25, 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/84684224018>. (Meeting ID: 846 8422 4018).

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 Havens**

**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. Service Awards

1. Mr. Cafferty will recognize and congratulate Vicki Tanious, Senior Accountant/Payroll, for 5 years of service with the District.
2. Mr. Cafferty will recognize and congratulate Eric Wilson, Senior Mechanic, for 20 years of service with the District.

b. Continuing Education & Training, Degree and Certification Program Acknowledgement

1. Mr. Cafferty will recognize and congratulate Daniel Lopez, Maintenance Worker I, for obtaining his State Water Resources Control Board T-2 Treatment Certification.
2. Mr. Cafferty will recognize and congratulate Roman Kociban, Crew Chief, for obtaining his State Water Resources Control Board D-5 Distribution Certification.
3. Mr. Cafferty will recognize and congratulate Vincent Coppola, Maintenance Worker II, for obtaining his State Water Resources Control Board D-5 Distribution Certification.
4. Mr. Cafferty will recognize and congratulate Will Wesson, Maintenance Worker II, for obtaining his Water Utility Science – Water Distribution Certificate from Santiago Canyon College.

5. Mr. Cafferty will recognize and congratulate Marisol Melendez, Customer Service Representative I, for obtaining her Associates Degree in Liberal Arts & Humanities from Golden West College.

## 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 25, 2021 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.

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

### GENERAL MANAGER ACTION ITEMS

3. **Resolution No. 21-3-2 Concurring in the Nomination of Jo MacKenzie to the California Special Districts Association Board of Directors, Southern Network, Seat A** (Reference Material Included)

The Board will consider concurring in the Vista Irrigation District's nomination of Jo MacKenzie to the California Special Districts Association Board of Directors, Southern Network, Seat A.

**Recommended Action:** Staff recommends that the Board consider adopting Resolution No. 21-3-2 which concurs with the Vista Irrigation District's nomination of Jo MacKenzie to the California Special Districts Association Board of Directors, Southern Network, Seat A.

RESOLUTION NO. 21-3-2

RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE EL TORO WATER DISTRICT  
CONCURRING IN THE NOMINATION of JO MACKENZIE  
TO THE CALIFORNIA SPECIAL DISTRICTS ASSOCIATION  
BOARD OF DIRECTORS, SOUTHERN NETWORK, SEAT A

**GENERAL MANAGER INFORMATION ITEMS**

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

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

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

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

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

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

7. **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.

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

- a. SOCWA Board Meeting – March 4, 2021
- b. SOCWA Engineering Committee Meeting – March 11, 2021
- c. SOCWA Finance Committee Meeting – March 16, 2021

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

- a. MWDOC Planning/Operations Meeting – March 1, 2021
- b. MWDOC/MET Directors Workshop – March 3, 2021
- c. MWDOC Administration & Finance Committee – March 10, 2021
- d. MWDOC Board Meeting – March 17, 2021
- e. MWDOC Managers Meeting – March 18, 2021

10. **Local Agency Formation Commission (LAFCO) Report**
  - a. Report on the March 10, 2021 meeting.
  
11. **South Orange County Watershed Management Area (SOCWMA) Management and/or Executive Committee Report** (Reference Material Included)
  - a. Report on the March 1, 2021 Management Committee meeting.
  - b. Report on the March 4, 2021 Executive Committee meeting.
  
12. **Santiago Aqueduct Commission (SAC)** (Reference Material Included)
  - A. Report On The March 18, 2021 SAC Meeting
  
13. **ISDOC Meetings** (Reference Material Included)
  - a. Report on the March 2, 2021 ISDOC Executive Committee meeting.
  
14. **WACO Meetings** (Reference Material Included)
  - a. Report on the March 5, 2021 WACO meeting
  - b. Report on the March 16, 2021 WACO Planning Committee meeting
  
15. **City Coordination Meetings** (Reference Material Included)
  - a. Report on the February 24, 2021 Lake Forest Quarterly Utility Coordination Meeting

## **COMMITTEE AND GENERAL INFORMATION**

16. **Dates to Remember for March/April 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. *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.*