

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**  
**AND**  
**PUBLIC HEARING**

**June 24, 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/84109824111>. (Meeting ID: 841 0982 4111). 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 Vergara**

**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 Vincent Coppola, Maintenance Worker III, for 5 years of service with the District.
2. Mr. Cafferty will recognize and congratulate Adam Anderson, Customer Service Field Representative I for 20 years of service with the District.
3. Mr. Cafferty will recognize and congratulate Donnie Boyles, Maintenance Worker I, for 20 years of service with the District.

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

1. Mr. Cafferty will recognize and congratulate Cesar Cassani, Wastewater Operator II, for obtaining his Certificate of Proficiency in Water Distribution from Santiago Canyon 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 January 14, 2021 Special Board Budget workshop.

- b. Consider approving the minutes of the May 27, 2021 Board meeting.
- c. Consider approving the Directors and General Manager to attend the WateReuse conference at the JW Marriott in Los Angeles September 19-21, 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. **INCREASES TO CERTAIN WATER, SEWER, AND RECYCLED WATER SERVICE RATES AND CHARGES** (Reference Material Included)

Prior to opening the public hearing, Staff will review and comment on proposed amendments to Schedules No. 1-W, 1-S, 3-S, and 4-W of the District's Rules and Regulations as it relates to proposed increases to certain water, sewer and recycled water service rates and charges. The proposed increases have been incorporated in the District's approved 2021/22 Operating Budget.

Following today's public hearing, the Board of Directors will be requested to consider taking action to adopt Resolution No. 21-6-1 approving amendments to Schedules No. 1-W, 1-S, 3-S, and 4-W of the District's Rules and Regulations as it relates to increases to certain water, sewer and recycled water service rates and charges.

## **OPEN PUBLIC HEARING**

### 3. **PUBLIC HEARING REGARDING ADOPTION OF PROPOSED INCREASES TO CERTAIN WATER AND RECYCLED WATER SERVICE RATES** (Reference Material Included)

At this time the Board of Directors will conduct a public hearing to receive and consider public comments and protests regarding proposed increases to certain water, sewer and recycled water service rates and charges.

## **PUBLIC COMMENT**

The Public will be invited to comment on the proposed increase to the District's rates and charges.

## CLOSE PUBLIC HEARING

The Board President will close the Public Hearing at this time.

## REGULAR SESSION

4. **RESOLUTION NO. 21-6-1 ADOPTING AMENDMENTS TO THE DISTRICT'S RULES AND REGULATIONS** (Reference Material Included)

The Board of Directors will review Resolution No. 21-6-1 and consider taking action on same.

**Recommended Action:** The Board of Directors will consider adopting Resolution No. 21-6-1 which Resolution 1) provides for an increase to certain water, sewer and recycled water service rates and charges, effective July 1, 2021, and 2) makes findings and a determination that the action taken in this Resolution is exempt from the requirements of the California Environmental Water Quality Act.

### RESOLUTION NO. 21-6-1

RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE EL TORO WATER DISTRICT  
APPROVING AN AMENDMENT TO THE  
DISTRICT'S RULES AND REGULATIONS  
WHICH AMENDMENT  
1) PROVIDES FOR AN INCREASE TO  
CERTAIN OF THE DISTRICT'S WATER, SEWER  
& RECYCLED WATER SERVICE RATES AND CHARGES  
AND  
2) MAKES FINDINGS AND DETERMINATIONS  
THAT THE ACTION TAKEN IN THIS  
RESOLUTION IS EXEMPT FROM THE  
REQUIREMENTS OF THE CALIFORNIA  
ENVIRONMENTAL QUALITY ACT (CEQA)

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

## GENERAL MANAGER ACTION ITEMS

6. **California Special Districts Association Board of Directors, Southern Network – Seat A Election** (Reference Material Included)

The Board will consider the candidates for the California Special Districts Association Board of Directors, Southern Network, Seat A, and the requirement to cast a ballot by the July 16, 2021 deadline.

**Recommended Action:** Staff recommends the Board select a candidate and direct the General Manager to cast a ballot for said candidate for the California Special Districts Association Board of Directors, Southern Network, Seat A, and cast the ballot by the July 16, 2021 deadline.

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

Staff will provide an update on the status of the District's response to the COVID-19 pandemic as well as discuss staff's recommendations to update the provisions of the District's COVID Prevention Program to align with recent modifications to the Cal/OSH Emergency Temporary Standards.

**Recommended Action:** Staff recommends the Board of Directors authorize the following changes to the District COVID Prevention Plan.

- Fully vaccinated District employees do not need to be offered testing or excluded from work after close contact unless they have COVID-19 symptoms.
- Fully vaccinated District employees do not need to wear face coverings except for certain situations during outbreaks and in settings where CDPH requires all persons to wear them.
- District employees must document their vaccination status to Human Resources to be considered as a vaccinated employee.
- District employees are not required to wear face coverings when outdoors regardless of vaccination status except for certain employees during outbreaks.
- Physical distancing requirements have been eliminated except where the District determines there is a hazard and for certain employees during major outbreaks.

## **GENERAL MANAGER INFORMATION ITEMS**

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 – June 3, 2021
  - b. SOCWA Engineering Committee Meeting – June 10, 2021
  - c. SOCWA Finance Committee Meeting – June 15, 2021
  
12. **Municipal Water District Of Orange County (MWDOC) Report**  
(Reference Material Included)
  - a. MWDOC/MET Directors Workshop – June 2, 2021
  - b. MWDOC Administration & Finance Committee – June 9, 2021
  - c. MWDOC Planning/Operations Meeting – June 14, 2021
  - d. MWDOC Board Meeting – June 16, 2021
  - e. MWDOC Managers Meeting – June 17, 2021
  
13. **Local Agency Formation Commission (LAFCO) Report**
  - a. Report on the June 9, 2021 meeting
  
14. **South Orange County Watershed Management Area (SOCWMA) Management and/or Executive Committee Report** (Reference Material Included)
  - a. Report on the June 7, 2021 Management Committee meeting - canceled
  
15. **ISDOC Meetings** (Reference Material Included)
  - a. Report on the June 2, 2021 ISDOC Executive Committee meeting.
  
16. **WACO Meetings** (Reference Material Included)
  - a. Report on the June 4, 2021 WACO meeting
  - b. Report on the June 15, 2021 WACO Planning Committee meeting

## **COMMITTEE AND GENERAL INFORMATION**

17. **Dates to Remember for June/July 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. [Class Action] *Kessner et al. v. City of Santa Clara, et al. (Santa Clara County Superior Court - Case No. 20 CV 364054)*.

### 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.*