MINUTES OF THE REGULAR MEETING
OF THE
BOARD OF DIRECTORS
OF THE
EL TORO WATER DISTRICT
November 23, 2021

President Gaskins called the meeting of the Board of Directors of the ELTORO WATER DISTRICT to order at 7:30 a.m. on November 23, 2021.

Director Havens led in the Pledge of Allegiance to the flag.

Committee Members MIKE GASKINS, KATHRYN FRESHLEY, MARK MONIN, JOSE VERGARA, and KAY HAVENS participated.

Also present were DENNIS P. CAFFERTY, General Manager, JUDY CIMORELL, Human Resources Manager, SCOTT HOPKINS, Operations Superintendent, JASON HAYDEN, CFO, HANNAH FORD, Engineering Manager, SHERRI SEITZ, Public Relations/Emergency Preparedness Administrator (via zoom), MIKE MIAZGA, IT Manager, DANIEL OROZCO, Employee, BRIAN MILLER, Employee, GILBERT J. GRANITO, General Counsel, JEFF MOSHER, SAWPA General Manager, CAROL MOORE, Laguna Woods City Council member (via zoom), and POLLY WELSCH, Recording Secretary

Oral Communications/Public Comments

Ms. Moore praised Ms. Seitz on the ease of the CAG invitation sign up link on the District's website.

Items Received Too Late to be Agendized

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

Consent Calendar

President Gaskins asked for a Motion.

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

Roll Call Vote:

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

Santa Ana River Watershed Project Authority (SAWPA) Weather Modification Pilot Program

Mr. Mosher gave a presentation on a weather modification and cloud seeding project using ground and aerial seeding's with silver iodide.

At approximately 8:00 a.m. Mr. Mosher left the meeting.

Director Reports for Meetings Attended

Director Havens stated that she attended the ISDOC Executive Committee meeting, the RRC meeting, the MWDOC/MET Directors workshop, SOCWA, the SOCWMA Management Committee meeting, the WACO meeting, Laguna Woods Third Water Conservation meeting, the MWDOC Admin/Finance Committee meeting, the MWDOC Board meeting, the OCWA meeting, the

SOCEC meeting, and the regular Board meetings, and she plans to attend the ACWA Fall conference next week.

Director Monin stated that he attended the ISDOC Executive Committee meeting, the MWDOC/MET Directors workshop, the WACO meeting, the MWDOC Admin/Finance Committee meeting, and the OCCOG meeting where they had politicians speaking about the oil spill, water, and infrastructure bills. He further stated that he also attended the WACO Planning Committee meeting, the Orange County Emergency Council meeting, the District's Special Board meeting, a California State Patrol Board meeting, the Laguna Woods City Council meeting, and the regular Board meetings. He also plans to attend the ACWA conference next week.

Vice President Freshley stated that she attended the MWDOC Board meeting, the MWDOC Planning/Operations meeting, the RRC meeting, the SOCWA Finance meeting, the LAFCO meeting, the District's Special Board meeting, the Pres/VP/GM meeting, the regular Board meetings, the Agenda Review meeting, the Laguna Woods City Council meeting, the OC Water Summit, the OCWA meeting, and she plans to attend the ACWA/JPIA conference next week.

Director Vergara stated that he attended the TV-6 program, MWDOC/MET Directors workshop, MWDOC Admin/Finance meeting, MWDOC Board meeting, the WACO meeting, the WACO Planning Committee meeting, the South OC Economic Coalition, the District's Special Board meeting, the regular Board

meetings, and he plans to attend the South Orange County Agencies meeting, and the ACWA conference.

President Gaskins stated that he attended the MWDOC Admin/Finance meeting, the MWDOC Admin/Finance meeting, the MWDOC/MET Directors workshop, the MWDOC Board meeting, the Lake Forest Chamber event, the District's Special Board meeting, the Agenda Review meeting, the regular Board meetings, the Pres/VP/GM meeting, the ISDOC meeting, the WACO meeting, the OCWA meeting, and he plans to attend the ACWA/JPIA conference next week.

General Manager Action Items

COVID-19 Update

Mr. Cafferty stated that the pandemic continues with another variant, and staff is recommending that the Board grant the General Manager discretion to extend the use of Emergency Administrative Leave.

President Gaskins asked for a Motion.

Motion: Vice President Freshley made a Motion, seconded by Director Monin and unanimously carried across the Board to grant the General Manager discretion to extend the use of Emergency Administrative Leave as necessary up to 160 hours per employee per month, until the February 24, 2022 meeting of the Board of Directors.

Roll Call Vote:

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

President Gaskins aye

General Manager Information Items

General Manager's Monthly Report

Mr. Cafferty stated that the ETWD Water Savings Compared to 2013 Chart reflects the reduction in water use for the District compared to the goal for reduced consumption set by the State. Vice President Freshley suggested that the charts are misleading as they should be reflecting negative numbers to show when the numbers are going below zero.

Director Havens asked a question on some of our chlorine levels. Mr. Cafferty replied that the western portion of our system is where we converted the majority to recycled water and active flushing is taking place.

Mr. Cafferty stated that the Battery report shows positive results of savings for the District. He further stated that also included is the STEM report.

Mr. Cafferty stated that the District has received the Certificate of Environmental Laboratory Accreditation.

Water loss Report

President Gaskins stated that the summation page at the end of the report presumes that roughly 70% of our water loss is through meter inaccuracies. Mr. Cafferty stated that the process is challenging due to State reporting requirements for these reports.

Vice President Freshley asked who requires this report, and what do they do with the data. Mr. Cafferty replied the Department of Water Resources requires it, and may use some of the measurements for water loss per service

connection per day.

Water Shortage Contingency Plan

Mr. Cafferty stated that staff is reviewing the District's Water Shortage Contingency Plan and Ordinance as well as the process for approval of updated documents. He further stated that when the District adopted the Urban Water Management Plan in May, the Urban Water Management Planning Act had been changed to require an Appendix that presents the Water Shortage Contingency Plan.

Mr. Cafferty also noted that included in the package are the current versions of the updated Ordinance and Water Shortage Contingency Plan, which modifies the plan to establish 6 levels of water supply shortages, different communication protocols, and different responses as the District progresses through the water supply shortage levels. He further stated that the District will need to hold a Public Hearing with the appropriate noticing requirements before adopting this Ordinance and Plan.

Director Havens asked if we would provide Public Service announcements with the District's intent to go to Level 2. Mr. Cafferty replied that we could do so.

Legislative Reports

There were no comments.

Public Education and Outreach & Water Use Efficiency Reports

Ms. Seitz stated that Director Monin will be scheduled for the December 20th TV-6 program. She further stated that the newsletter will be going out in

December.

Ms. Seitz stated that last month the Elf Yourself 5K run occurred and the District provided the water trailer and water bottles to all runners. She further stated that there were 500 runners.

Ms. Seitz stated that invitations for the CAG meeting went out and we are receiving responses for the December 9th meeting.

SOCWA Reports

Mr. Cafferty stated that there was continuing discussion on SOCWA's purchasing policy.

MWDOC Reports

President Gaskins stated that he attended the MWDOC meetings and is appreciative of their support for our Filtration Plant Demo project. Mr. Cafferty stated that MWDOC has signed both the Consulting Contract and the Cost Share Agreement.

Vice President Freshley stated that at the MWDOC Planning/Operations meeting they discussed Strand Ranch.

Mr. Cafferty stated that at the MWDOC/MET Directors workshop they discussed the LRP agreement between MET, MWDOC, and ETWD.

LAFCO

Vice President Freshley stated that the Strategic Plan was approved, and there was discussion on a Protest Hearing for the SMWD annexation of San Juan Capistrano's Water and Wastewater Utilities.

SOCWMA

Director Havens stated that they had a representative from the Pacific Marine Center who discussed that actions that occurred during the recent oil spill. She further stated that they discussed the Brown Act teleconferencing findings for future meetings.

ISDOC

Director Monin stated that they held the quarterly meetings, and the next Committee meeting will be in December.

WACO

Director Vergara stated that Dan Walters, journalist from CalMatters provided a presentation on Water and Power.

COMMITTEE AND GENERAL INFORMATION

There were no comments.

Dates to Remember for November/December 2021

There were no comments.

COMMENTS REGARDING NON-AGENDA ITEMS

There were no comments.

Recess

At approximately 9:20 a.m. the Board took a short recess.

Regular Session

At approximately 9:30 a.m. the Board returned to Regular session.

Attorney Report

Closed Session

At approximately 9:30 a.m. the Board went into Closed Session. Also

at this time, everyone left the meeting except for the Board members, General Counsel, Judy Cimorell, HR Manager, and Dennis Cafferty, General Manager.

At approximately 10:00 a.m. Ms. Cimorell and Mr. Cafferty left the Closed Session.

At approximately 10:10 a.m. Mr. Cafferty joined the Closed Session.

At approximately 10:15 a.m. Mr. Cafferty left the Closed Session.

Regular Session

At approximately 10:20 a.m. the Board returned to Regular Session. Also at this time, Mr. Cafferty and Ms. Welsch returned to the meeting.

Open Session Report

Mr. Granito reported that the Board did go into Closed Session with regard to item #1 and item #4 of today's Closed Session agenda.

Mr. Granito reported that during the first phase of the Closed Session, General Counsel gave a status report on the Kessner litigation, and no reportable action was taken.

Mr. Granito reported that during the second phase of the Closed Session, the Board resumed the General Manager's annual performance evaluation process. Mr. Cafferty participated in this part of the Closed Session, and no reportable action was taken.

General Manager Compensation

Motion: Vice President Freshley made a Motion to consider granting the District's General Manager a 6.5% compensation increase. There was no second to the Motion, and therefore the Motion failed.

Motion: Director Havens made a Motion to grant the District's General Manager a 6% compensation increase, seconded by President Gaskins, and unanimously carried across the Board. The Motion carried 5-0 and passed.

Roll Call Vote:

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

Adjournment

There being no further business to come before the Board, the meeting was adjourned at 10:25 a.m.

Respectfully submitted,

POLLY WELSCH
Recording Secretary

APPROVED:

MIKE GASKINS, 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