

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**  
**March 24, 2022**

**7:30 a.m.**

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 attend the meeting in person at the District's office or may observe and address the Meeting by joining at this link: <https://us02web.zoom.us/j/85649922548>. (Meeting ID: 856 4992 2548).

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 Freshley**

**PLEDGE OF ALLEGIANCE – President Freshley**

**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.)

## ACWA JPIA PRESENTATION

Mr. Andy Sells, Chief Executive Officer, Adrienne Beatty, Assistant Executive Officer, and Cathy Green, Executive Committee Member will present the District with a refund check from ACWA JPIA.

### 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 24, 2022 Board meeting.
- b. Consider approving the Directors and General Manager to attend the ACWA Spring Conference May 1-5, 2022 in Sacramento, Ca.

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

## **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. **Adoption of an amended Water Shortage Contingency Plan (Appendix H to the ETWD 2022 Urban Water Management Plan)** (Reference Material Included)

Prior to opening the Public Hearing, staff will review and comment on an amendment to the District's Water Shortage Contingency Plan (Appendix H to the ETWD 2022 Urban Water Management Plan). Legal Notice of the Public Hearing was published in compliance with applicable legal noticing requirements.

3. **Adoption of ETWD Water Shortage Contingency Response Ordinance 2022-1**  
(Reference Material Included)

Prior to opening the Public Hearing, staff will review and comment on the necessity and process to replace the District's Water Conservation & Water Supply Shortage Ordinance 2015-3 with the Water Shortage Contingency Response Ordinance 2022-1. Legal Notice of the Public Hearing was published in compliance with applicable legal noticing requirements.

## **PUBLIC HEARING**

4. **Public Hearing Regarding Adoption of an amended Water Shortage Contingency Plan (Appendix H to the ETWD 2022 Urban Water Management Plan).**

At this time the Board will conduct a Public Hearing to receive and consider public input regarding the adoption of an amended Water Shortage Contingency Plan (Appendix H to the ETWD 2022 Urban Water Management Plan).

5. **Public Hearing Regarding Adoption of ETWD Water Shortage Contingency Response Ordinance 2022-1.**

At this time the Board will conduct a Public Hearing to receive and consider public input regarding the adoption of ETWD Water Shortage Contingency Response Ordinance 2022-1.

## **CLOSE PUBLIC HEARING**

## **REGULAR SESSION – Action Items**

6. **Resolution No. 22-3-1 Adopting the Amended Water Shortage Contingency Plan (Appendix H to the ETWD 2022 Urban Water Management Plan)**  
(Reference Material Included)

Staff will review and comment on Resolution No. 22-3-1 which adopts the amended Water Shortage Contingency Plan (Appendix H to the ETWD 2022 Urban Water Management Plan).

**Recommended Action:** Staff recommends that the Board consider adopting Resolution No. 22-3-1 which adopts the amended Water Shortage Contingency Plan (Appendix H to the ETWD 2022 Urban Water Management Plan).

RESOLUTION NO. 22-3-1

RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE EL TORO WATER DISTRICT  
ADOPTING THE AMENDED WATER SHORTAGE CONTINGENCY PLAN  
(APPENDIX H TO THE ETWD 2022 URBAN WATER MANAGEMENT PLAN)

7. **Resolution No. 22-3-2 Adopting the ETWD Water Shortage Contingency Response Ordinance 2022-1** (Reference Material Included)

Staff will review and comment on Resolution No. 22-3-2 which adopts the ETWD Water Shortage Contingency Response Ordinance 2022-1.

**Recommended Action:** Staff recommends that the Board consider adopting Resolution No. 22-3-2 which adopts the ETWD Water Shortage Contingency Response Ordinance 2022-1.

RESOLUTION NO. 22-3-2

RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE EL TORO WATER DISTRICT  
ADOPTING THE ETWD WATER SHORTAGE CONTINGENCY  
RESPONSE ORDINANCE 2022-1

8. **Resolution No. 22-3-3 Declaring a Level 2 Water Shortage**  
(Reference Material Included)

Staff will review and comment on Resolution No. 22-3-3 which declares a Level 2 Water Shortage pursuant to the District's Water Shortage Contingency Plan and Water Shortage Contingency Response Ordinance 2022-1.

**Recommended Action:** Staff recommends that the Board consider adopting Resolution No. 22-3-3 which declares a Level 2 Water Shortage.

RESOLUTION NO. 22-3-3

RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE EL TORO WATER DISTRICT  
DECLARING A LEVEL 2 WATER SHORTAGE PURSUANT TO  
THE DISTRICT'S WATER SHORTAGE CONTINGENCY PLAN AND  
WATER CONTINGENCY RESPONSE ORDINANCE (ORDINANCE NO. 2022-1)

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

## GENERAL MANAGER ACTION ITEMS

10. **Nomination of a Candidate to the California Special Districts Association Board of Directors, Southern Network – Seat B** (Reference Material Included)

Staff will comment on the potential nomination of a candidate to the California Special Districts Association Board of Directors, Southern Network, Seat B, and the requirement to submit the nomination by the March 31, 2022 deadline.

**Recommended Action:** The Board will consider nominating a candidate to the California Special Districts Association Board of Directors, Southern Network, Seat B, and submit the nomination by the March 31, 2022 deadline.

11. **Appointment for the Orange County LAFCO Regular and Alternate Special District Member Seats** (Reference Material Included)

Staff will review the formal notice that the term for the Orange County LAFCO Regular and Alternate Special District Member seats, currently expires June 30, 2022. The appointment process is conducted by mailed ballot. The deadline for submitting Nomination Forms and a Declaration of Qualification to Vote for the seat is due to LAFCO by 3:00 pm on April 22, 2022.

**Recommended Action:** Staff recommends the Board consider 1) authorizing a member of the Board to vote in the OC LAFCO Special District Selection Committee election, 2) designate a member of the Board as the alternate voting member, 3) to consider nominating Kathryn Freshley for the Alternate Special District member and 4) direct the General Manager to submit the Declaration of Qualification to Vote form and Nomination Form to LAFCO by the April 22, 2022 deadline.

## GENERAL MANAGER INFORMATION ITEMS

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

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

13. **General Manager's Monthly Report** (Reference Material Included)

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

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

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

15. **Public Education and Outreach & Water Use Efficiency Reports**  
(Reference Material Included)

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

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

- a. SOCWA Board Meeting – March 3, 2022
- b. SOCWA Engineering Committee Meeting – March 10, 2022
- c. SOCWA All-Hands Meeting – March 11, 2022
- d. SOCWA Finance Committee Meeting – March 15, 2022

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

- a. MWDOC/MET Directors Workshop – March 2, 2022
- b. MWDOC Admin/Finance Committee Meeting – March 9, 2022
- c. MWDOC Planning & Operations Meeting – March 14, 2022
- d. MWDOC Board Meeting – March 16, 2022
- e. MWDOC Managers Meeting – March 17, 2022

18. **South Orange County Watershed Management Area (SOCWMA) Reports**  
(Reference Material Included)

- a. Report on the March 3, 2022 Executive Committee meeting

19. **Local Agency Formation Commission (LAFCO) Report**

- a. Report on the March 9, 2022 meeting

20. **ISDOC Meetings** (Reference Material Included)

- a. Report on the March 1, 2022 ISDOC Executive Committee meeting

21. **WACO Meetings** (Reference Material Included)

- a. Report on the March 4, 2022 WACO meeting
- b. Report on the March 15, 2022 WACO Planning Committee meeting

## COMMITTEE AND GENERAL INFORMATION

### 22. Dates to Remember for March/April (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. Pursuant to Government Code Section 54956.9 (d) (2) to consult with legal counsel and staff – Anticipated Litigation (two matters).

### 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.*