

MINUTES OF THE REGULAR MEETING
OF THE
BOARD OF DIRECTORS
OF THE
EL TORO WATER DISTRICT
August 25, 2022

President Freshley called the meeting of the Board of Directors of the ELTORO WATER DISTRICT to order at 7:35 a.m. and announced that the meeting started late due to technical difficulties.

President Freshley led in the Pledge of Allegiance to the flag.

Directors KATHRYN FRESHLEY, KAY HAVENS, MIKE GASKINS, MARK MONIN (zoom), and JOSE VERGARA participated.

Also present were DENNIS P. CAFFERTY, General Manager, HANNAH FORD, Engineering Manager, SHERRI SEITZ, Public Affairs Manager, VU CHU, Water Use Efficiency Analyst, JUDY CIMORELL, Human Resources Manager, SCOTT HOPKINS, Operations Superintendent, ERIC NGUYEN, Lab Tech II, GILBERT J. GRANITO, General Counsel, MARK SERNA, South Coast Water District, RICK SHINTAKU, South Coast Water District, DOUG DAVERT, LAFCO (zoom), JIM FISLER, MESA Water District (zoom), CAROL MOORE, Laguna Woods Mayor (zoom), and POLLY WELSCH, Recording Secretary.

JASON HAYDEN, CFO, was absent.

Oral Communications/Public Comments

Mr. Davert introduced himself as President of East Orange County Water District and Chairman of LAFCO. He further stated that he, Mr. Fisler, and President Freshley serve as our Special District Representatives to LAFCO.

Mr. Davert provided an update on LAFCO's projects that assist Special Districts.

Mr. Fisler of Mesa Water District introduced himself and stated that LAFCO has seven voting members, two Orange County Supervisors from the Cities and one from the Public, and each area has an Alternate. He further stated that they have overhauled their website for direct access to their Commissioners and forms to start annexations and protest letters.

At approximately 7:45 a.m. Mr. Davert and Mr. Fisler left the meeting.

Items Received Too Late to be Agendized

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

Service Awards

Mr. Cafferty recognized and congratulated Eric Nguyen on 5 years of service with the District.

Mr. Cafferty introduced new employee Vu Chu, Water Use Efficiency Analyst to the Board.

At approximately 7:48 a.m. Mr. Nguyen left the meeting.

Doheny Desalination Project Presentation

Mr. Shintaku and Mr. Serna of South Coast Water District provided a project overview of the Doheny Ocean Desalination Project.

President Freshley asked if the District participates, what are the issues to get the water from the Doheny Plant to us. Mr. Shintaku replied that they would work on the hydraulic issues for the water pressure and flow.

At approximately 8:35 a.m. Mr. Shintaku and Mr. Serna left the meeting.

Consent Calendar

President Freshley asked for a Motion.

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

Roll Call Vote:

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

Director Reports for Meetings Attended

Director Monin stated that he attended the CASA conference, the CSDA conference, the WACO meeting, the MWDOC Board meeting, the ISDOC Executive Committee meeting, the MWDOC/MET Directors workshop, the South Orange County Economic Coalition meeting, the WACO Planning Committee meeting, the OCWA meeting, the OCCOG meeting, the CAG meeting, the Special Board meeting, and the regular Board meetings.

Director Vergara stated that he attended the MWDOC/MET Directors workshop, the CAG meeting, the WACO meeting, the WACO Planning Committee meeting, WateReuse meeting, the MWDOC Admin/Finance meeting, the MWDOC Planning & Operations meeting, the City of Lake Forest City Council, the South Economic Coalition meeting, the Special Board meeting and the regular Board meetings.

Director Gaskins stated that he attended the RRC meeting, the CAG meeting, the WACO meeting, the SOCWA Board meeting, the SOCWA Finance Committee meeting, the MWDOC Board meeting, the MWDOC Admin/Finance Committee meeting, the MWDOC/MET Directors workshop, the MWDOC Planning/Operations meeting, the Special Board meeting and the regular Board meetings.

Vice President Havens stated that she attended the Agenda Review meeting, the CAG meeting, two meetings of the Pres/VP/GM, the WACO meeting, the WateReuse meeting, the ISDOC Executive Committee meeting, the MWDOC Board meeting, the MWDOC Admin/Finance meeting, the MWDOC Planning/Operations meeting, the OCWA meeting, the MWDOC/MET Directors workshop, two LWV Third Landscape United Town Hall meetings, the Special Board meeting and the regular Board meetings.

President Freshley stated that she attended the Agenda Review meeting, two meetings of the Pres/VP/GM, the two RRC meetings, the CAG meeting, the WACO meeting, two SOCWA Board meetings, the MWDOC Planning/Operations meeting, the ACWA Engineering Committee meeting, the CASA conference, the

OCWA meeting, the MWDOC/MET Director workshop, the City of Laguna Woods Council meeting, the Special Board meeting and the regular Board meetings.

General Manager Action Items

COVID-19 Update

Mr. Cafferty stated that it is time to consider granting the General Manager discretion to extend the use of Emergency Administrative Leave as necessary up to 160 hours per employee per month.

President Freshley asked for a Motion.

Motion: Director Vergara made a Motion, seconded by Director Gaskins 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 November 22, 2022 meeting of the Board of Directors.

Roll Call Vote:

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

Resolution No. 22-8-1 Regular Board Meetings Schedule

Mr. Cafferty stated that this item is being brought before the Board today to see if the majority wishes to change the time and/or dates of the District's Board meetings. The Board had discussion and left the decision to a vote.

President Freshley asked for a Motion.

Motion: Director Vergara made a Motion, seconded by Director Gaskins to approve Resolution No. 22-8-1.

Roll Call Vote:

Director Vergara	no
Director Monin	aye
Director Gaskins	no
Vice President Havens	no
President Freshley	no

Motion failed 4-1 to approve Resolution 22-8-1 changing the District's regular Engineering/Finance Committee and regular Board meeting times/dates.

OC Grand Jury Response

Mr. Cafferty discussed the draft response letter with the Board and the Board provided comments.

President Freshley asked for a Motion.

Motion: Director Gaskins made a Motion, seconded by Vice President Havens to approve the District's response letter on the Orange County Grand Jury's Findings and Recommendations including the Board's recommendations, and have the General Manager submit the letter to the Presiding Judge of the Superior Court before September 20, 2022.

Roll Call Vote:

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

Virtual or Hybrid Board Meetings per AB 361

Mr. Cafferty discussed with the Board the need to continue virtual or hybrid meetings pursuant to AB 361 for an additional 30 days based on findings that the Board has considered the circumstances of the state of emergency for COVID-19, and state and local officials continue to impose or recommend measures to promote social distancing.

President Freshley asked for a Motion.

Motion: Director Monin made a Motion, seconded by Director Vergara and unanimously carried across the Board to reaffirm the findings and determinations under AB 361 and extend Resolution No. 22-7-4 for the continuation of virtual or hybrid meetings for the next 30 days based on the findings that it has reconsidered the circumstances of the state of emergency for COVID-19, and state and local officials continue to impose or recommend measures to promote social distancing.

Roll Call Vote:

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

General Manager Information Items

General Manager's Monthly Report

Mr. Cafferty stated that MET's Upper Feeder will be shutdown for a period of two weeks for a leak repair. He further stated that MET is asking LA County to shutdown all outdoor watering for the two week period.

Mr. Cafferty stated that there was discussion on the potential use of Irvine Lake water during this period which would come at a cost for ETWD of approximately \$30,000 - \$60,000.

Legislative Reports

There were no comments.

Public Education and Outreach Report

Ms. Seitz stated that the fall newsletter will be published and distributed in September, with topics being Drought and Water Reliability, ETWD projects, rebates, what to plant, community events, and new employee introductions.

Ms. Seitz stated that construction alerts for the Filter Site Reuse and the R-6 Floating Cover and Liner Replacement projects were mailed to residents, and zoom meetings for each project were held. She further stated that construction alert postcards will be mailed to residents surrounding the project approximately a week prior to construction start date.

Ms. Seitz stated that staff is in the process of applying for an encroachment permit for the Adopt-a-Channel program for Channel F23. She further stated that Channel F23 runs behind the business on Lake Forest Drive between Avenida de la Carlota and Mill Creek Drive.

Ms. Seitz stated that ETWD sponsored six virtual landscape workshops with MET which were held in the evening and included California Friendly Native Plant Landscape, Irrigation & Water Use Efficiency, Garden Design, Turf Removal, Deciphering your Irrigation Controller, and Drip Irrigation Fundamentals.

Ms. Seitz stated that staff had a booth at the City of Mission Viejo's National Night Out. She further stated that Mr. Cafferty presented at the United mutual meeting in Clubhouse 3 where he provided an update on current water supply, drought, and urgent need for water efficiency.

Water Use Efficiency Report

Mr. Chu commented on the rebate programs, actual customer rebates and budget analysis, total consumption compared to evapotranspiration (ET) factor, and graphs highlighting ETWD's year-to-date consumption and consumption by tier for the current fiscal year compared to the 2021/22 fiscal year, and also compared to the 2013 and 2020 years.

SOCWA Reports

President Freshley stated that at the SOCWA Board meeting they discussed a report by SMWD on their Operation Plan for the Latham Plant and taking over PC-2.

Ms. Ford stated that at the SOCWA Engineering Committee meeting they discussed Asset Management and reviewed the Audit Review Report.

Mr. Cafferty stated that at the SOCWA Finance Committee meeting they discussed their OPEB process.

MWDOC Reports

Director Vergara stated that at the MWDOC Planning/Operations meeting there was a presentation by Susan Kennedy about the Cadiz Project.

President Freshley stated that during the MWDOC Board meeting they discussed their response to the Orange County Grand Jury report letter.

Mr. Cafferty stated that at the MWDOC Managers meeting there were continued updates on the Colorado River Conditions, the OC Grand Jury letter, the Upper Feeder Shutdown, a lack of funding for the WEROC project, and finalization of member agency boundaries.

South Orange County Agencies Group Report

Mr. Cafferty stated that at the South Orange County Agencies Group meeting they discussed the OC Grand Jury report, current issues, the MET Upper Feeder shutdown, and the Colorado River issues.

LAFCO

Director Freshley stated that she had no comments on the LAFCO meeting.

ISDOC

Director Monin stated that they discussed the ISDOC election process.

Mr. Cafferty stated that the District received emails from Greg Mills of Serrano Water District pursuing the President role, and Paul Mezmer of Surfside Colony Community Service District pursuing the second Vice President position.

WACO

Director Monin stated that the program was the Evolution of MET's Agricultural Partnerships, and Bard Water District Seasonal Fallowing.

COMMITTEE AND GENERAL INFORMATION

Dates to Remember for August/September

There were no comments.

Comments Regarding Non-Agenda Items

There were no comments.

Recess

At approximately 10:15 a.m. the Board took a short recess.

Regular Session

At approximately 10:25 a.m. the Board returned to Regular Session.

Attorney Report

Mr. Granito reported that there is a need for a Closed Session today to discuss both items of today's Closed Session agenda.

Closed Session

At approximately 10:25 a.m. the Board went into Closed Session. Also at this time everyone left the meeting except the Board members, Ms. Cimorell, and Mr. Cafferty.

Open Session/Report

At approximately 10:55 a.m. the Board returned to Regular session. Also at this time Ms. Welsch returned to the meeting.

Mr. Granito reported that during the Closed Session, the General Manager and General Counsel discussed the status of the Item #1 matter and provided input. No reportable action was taken.

Mr. Granito reported that during the second phase of the Closed Session, the General Manager and Human Resources Manager led a discussion on Item #2. No reportable action was taken.

Adjournment

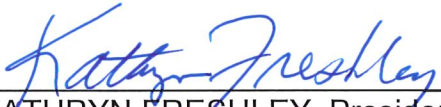
There being no further business to come before the Board, the meeting was adjourned at 11:00 a.m.

Respectfully submitted,




POLLY WELSCH
Recording Secretary

APPROVED:



KATHRYN FRESHLEY, 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