

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

FINANCE AND INSURANCE COMMITTEE MEETING AND ENGINEERING COMMITTEE MEETING

January 23, 2023

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/81177652498> (Meeting ID: 811 7765 2498).

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 TO ORDER – President Havens

PLEDGE OF ALLEGIANCE – Director Monin

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 times set aside for "COMMENTS REGARDING NON-AGENDA ENGINEERING COMMITTEE ITEMS" or for "COMMENTS REGARDING NON-AGENDA FIC 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 item(s) 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.)

FINANCE AND INSURANCE COMMITTEE MEETING

CALL MEETING TO ORDER – Director Monin

1. Consent Calendar (Reference Material Included)

(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 December 12, 2022 Finance and Insurance Committee meeting (Minutes included)

Recommended Action: The Board will be requested to approve the above Consent Calendar.

FINANCIAL INFORMATION ITEMS

2. Update on the Implementation of the Springbrook Software System (Reference Material Included)

Staff will provide an update on the status of the implementation of the Springbrook Software System.

3. Government Finance Officers Association (GFOA) Certificate of Achievement (Reference Material Included)

Staff will comment on the District's receipt of the Government Finance Officers Association Certificate of Achievement for Excellence in Financial Reporting for the District's annual comprehensive financial report for the fiscal year ended June 30, 2021.

FINANCIAL ACTION ITEMS

4. **Quarterly Insurance Report** (Reference Material Included)

Staff will review and comment on the Quarterly Insurance Report for the period October 1, 2022 through December 31, 2022.

Recommended Action: Staff recommends that the Board Receive and File the Quarterly Insurance Report for the period of October 1, 2022 through December 31, 2022.

5. **Financial Package - Authorization to Approve Bills for Consideration dated January 23, 2023 and Receive and File Financial Statements as of December 31, 2022** (Reference Material Included)

The Board will consider approving Bills for Consideration dated January 23, 2023 and Receive and File Financial Statements as of December 31, 2022.

Recommended Action: Staff recommends that the Board 1) approve, ratify and confirm payment of those bills as set forth in the schedule of bills for consideration dated January 23, 2023, and 2) receive and file the Financial Statements for the period ending December 31, 2022.

COMMENTS REGARDING NON-AGENDA FIC ITEMS

CLOSE FINANCE AND INSURANCE COMMITTEE MEETING

ENGINEERING COMMITTEE

CALL MEETING TO ORDER – Director Vergara

6. **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 December 12, 2022 Engineering Committee meeting. (Minutes Included)

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

ENGINEERING ACTION ITEMS

7. **Boom Truck Replacement** (Reference Material Included)

Staff will review and comment on the proposed replacement of the District Boom Truck.

Recommended Action: Staff recommends that the Board of Directors authorize the General Manager to enter into a purchase order contract with Nixon-Egli Equipment Company in the amount of \$365,780.77 for the purchase of a replacement Boom Truck. Staff further recommends that the Board authorize the General Manager to fund the purchase cost from the designated Capital Reserves in accordance with the District's adopted Capital Reserve Policy.

8. **Main Office HVAC Improvement Project Change Order** (Reference Material Included)

Staff will review and comment on Change Order No. 3 to the Main Office HVAC Improvement Project contract to 1) add additional structural reinforcement to the roof, 2) provide permitting and installation of wiring from new HVAC smoke detectors to the existing fire alarm panel and 3) remove and replace four existing thermostats. The Change Order No. 3 amount of \$28,281.70 brings the total value of the project change orders to \$60,319.75.

Recommended Action: Staff recommends that the Board of Directors ratify the General Manager's approval of Change Order No. 3 to the Empire Design and Build, Inc. contract in the amount of \$28,281.70. Staff further recommends that the Board authorize the General Manager to fund the project costs from the District's Capital Reserves in accordance with the District's adopted Capital Reserve Policy.

9. **Filter Plant Demolition Project Change Order** (Reference Material Included)

Staff will review and comment on a change order necessary to mitigate the erosion of the slope above the demolished clear well at the Filtration Plant Demolition Project.

Recommended Action: Staff recommends that the Board of Directors authorize the General Manager to issue a change order to the contract with Resource Environmental, Inc. in an amount not to exceed \$70,000 for slope repairs to mitigate erosion of the slope above the demolished clear well at the Filtration Plant Demolition Project. Staff further recommends that the Board authorize the General Manager to fund the project costs from the District's Capital Reserves in accordance with the District's adopted Capital Reserve Policy.

10. **Resolution No. 23-1-1 Direct Potable Reuse Feasibility Study Grant Application** (Reference Material Included)

Staff will review and comment on Resolution No. 23-1-1 authorizing staff to accept grant funding for the Direct Potable Reuse Feasibility Study from the U.S. Bureau of Reclamation.

Recommended Action: Staff recommends that the Board of Directors adopt Resolution No. 23-1-1, authorizing the General Manager, or designee, to apply for, receive, and enter into a cooperative agreement, and administer a grant for the 2023 Bureau of Reclamation WaterSMART: Water Recycling and Desalination Planning Grant.

RESOLUTION NO. 23-1-1

RESOLUTION OF THE BOARD OF DIRECTORS
OF THE EL TORO WATER DISTRICT
AUTHORIZING THE GENERAL MANAGER, OR DESIGNEE, TO APPLY FOR,
RECEIVE, AND ENTER INTO A COOPERATIVE AGREEMENT, AND
ADMINISTER A GRANT FOR THE 2023 BUREAU OF RECLAMATION
WATERSMART: WATER RECYCLING AND DESALINATION PLANNING GRANT.

GENERAL INFORMATION ITEMS

11. **El Toro Water District Capital Project Status Report**
(Reference Material Included)

Staff will review and comment on the El Toro Water District Capital Project Status Report.

12. **WRP Optimization Study** (Reference Material Included)

Staff will provide an update on the recommendations from the WRP Optimization Study.

13. **Warehouse Project Status Report** (Reference Material Included)

Staff will review and comment on the status of the proposed construction of a Warehouse at the Filtration Plant site.

14. **Engineering Items Discussed at Various Conferences and Meetings**

The Committee will discuss any pertinent Engineering items discussed at Conferences.

COMMENTS REGARDING NON-AGENDA ENGINEERING COMMITTEE ITEMS

CLOSE ENGINEERING COMMITTEE MEETING

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 – Potential Litigation (one matter).
2. Pursuant to Government Code Section 54956.9(a) to consult with legal counsel and staff. *Plaintiff, Marlene Jean v. Defendants, Dollar Tree Stores, et al./Cross-Complainant, Park Aliso Commercial Center, Ltd, et al. v. Cross-Defendant, El Toro Water District, et al.*, Superior Court of Los Angeles Case No. 19STCV25234. [Government Code Section 54956.9(a)] – Pending Litigation (one matter).

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.