

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**  
**January 26, 2023**  
**7:30 a.m.**

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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/85959748904> (Meeting ID: 859 5974 8904).

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 Havens**

**PLEDGE OF ALLEGIANCE – Director Gaskins**

**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.)

### 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 December 15, 2022 Board meeting

**Recommended Action:** The Board will consider approving the above Consent Calendar.

### 2. **Director Reports for Meetings Attended** (Oral Report)

## GENERAL MANAGER ACTION ITEMS

### 3. **Virtual or Hybrid Board Meetings per AB 361** (Reference Material Included)

The Board will consider approving the continuation of virtual or hybrid meetings pursuant to AB 361 for an additional 30 days based on findings that 1) the Board has considered the circumstances of the state of emergency for COVID-19, and 2) state and local officials continue to impose or recommend measures to promote social distancing.

**Recommended Action:** Staff recommends that the Board of Directors reaffirm the findings and determinations under Assembly Bill 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 (1) it has reconsidered the circumstances of the state of emergency for COVID-19, and (2) state and local officials continue to impose or recommend measures to promote social distancing.

### 4. **Resolution No. 23-1-2 Modifying Standing and External Organization Board and Staff Assignments for Calendar Year 2023** (Reference Material Included)

Staff will review and comment on Resolution No. 23-1-2 modifying Standing and External Organization Board and Staff Assignments for calendar year 2023.

**Recommended Action:** Staff recommends approval of Resolution No. 23-1-2 modifying Standing and External Organization Board and Staff Assignments for calendar year 2023.

RESOLUTION NO. 23-1-2

RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
EL TORO WATER DISTRICT  
MODIFYING STANDING AND EXTERNAL ORGANIZATION  
BOARD AND STAFF ASSIGNMENTS  
FOR CALENDAR YEAR 2023

**GENERAL MANAGER INFORMATION ITEMS**

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

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

**6. 2023 JPIA Executive Committee Election Notice**  
(Reference Material Included)

Staff will review with the Board the nominating procedures for the JPIA Executive Committee.

**7. Legislative Reports** (Reference Material Included)

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

**8. Public Education and Outreach Report** (Reference Material Included)

Staff will review and comment on the Public Education and Outreach report.

**9. Water Use Efficiency Report** (Reference Material Included)

a. Staff will review and comment on the Water Use Efficiency Report

**10. SOCWA Report** (Reference Material Included)

a. SOCWA Finance Committee Meeting – December 20, 2022

b. SOCWA Board Meeting – January 5, 2023

c. SOCWA PC-2 Meeting – January 10, 2023

d. SOCWA Engineering Committee Meeting – January 12, 2023

e. Santa Margarita Water District / Moulton Niguel Water District Facility  
Operations Proposal

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

- a. MWDOC Board Meeting – December 21, 2023
- b. MWDOC Planning/Operations Meeting – January 3, 2023
- c. MWDOC/MET Directors Workshop – January 4, 2023
- d. MWDOC Admin/Finance Committee Meeting – January 11, 2023
- e. MWDOC Special Board Meeting – January 11, 2023
- f. MWDOC Managers Meeting – January 12, 2023
- g. MWDOC Board Meeting – January 18, 2023
- h. MWDOC/OCWD Meeting – January 25, 2023

**12. Local Agency Formation Commission (LAFCO) Report**  
(Reference Material Included)

- a. Report on the January 11, 2023 meeting

**13. ISDOC Meetings Report** (Reference Material Included)

- a. Report on the January 3, 2023 ISDOC Executive Committee meeting

**14. WACO Meetings Report** (Reference Material Included)

- a. Report on the January 6, 2023 WACO meeting
- b. Report on the January 17, 2023 WACO Planning meeting

**COMMITTEE AND GENERAL INFORMATION**

**15. Dates to Remember for January 2023/February 2023** (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 – 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.*