

MINUTES OF THE REGULAR MEETING
OF THE
BOARD OF DIRECTORS
OF THE
EL TORO WATER DISTRICT
April 27, 2023

President Havens called the meeting of the Board of Directors of the ELTORO WATER DISTRICT to order at 7:30 a.m.

Vice President Vergara led in the Pledge of Allegiance to the flag.

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

Also present were DENNIS P. CAFFERTY, General Manager, SCOTT HOPKINS, Operations Superintendent, HANNAH FORD, Engineering Manager, SHERRI SEITZ, Public Affairs Manager, VU CHU, Water Use Efficiency Analyst, MIKE MIAZGA, IT Manager (Zoom), GILBERT J. GRANITO, General Counsel, JOHN HALMINSKI, ATS Communications (Zoom), STEPHEN DOPUDJA, TCWD, FERNANDO PALUDI, TCWD, and POLLY WELSCH, Recording Secretary.

JUDY CIMORELL, Human Resources Manager, and JASON HAYDEN, CFO were absent.

Determination of a Quorum

Roll Call:

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

President Havens aye

All five Board members are present for the meeting, therefore a quorum was determined.

Oral Communications/Public Comments

There were no comments.

Items Received Too Late to be Agendized

President Havens asked if there were any items received too late to be agendized. Mr. Cafferty replied nothing to be added to the agenda. He further stated that staff received information regarding the ACWA JPIA Executive Committee Election, which he passed out to the Board members.

Presentation of Awards, Recognitions, Certifications, and Introductions

Mr. Cafferty recognized and introduced Abel Estrada, Customer Service/Billing Supervisor for 10 years of service with the District.

Mr. Cafferty recommended taking Item #7 of today's agenda out of order so that the visitors from TCWD could speak on this agenda item.

TCWD "SOCWA Withdrawal and Continued Services Agreement"

Mr. Cafferty introduced Mr. Paludi and Mr. Dopudja of Trabuco Canyon Water District (TCWD). He further stated that TCWD is withdrawing from SOCWA as they don't actually participate in any of the SOCWA facilities and have only participated in the Regional Recycled Water Permit.

Mr. Cafferty stated that TCWD will be obtaining their own permit and while waiting for the permit, they have worked out an arrangement with SOCWA to contract with them until they get their permanent permit. He further stated on a continuing

basis, TCWD will continue to participate in some of the purchasing contracts as well as the Salt and Nutrient Management Plan services that SOCWA provides.

Mr. Cafferty stated that the agreement has been approved by all of the other SOCWA member agencies, and we are the last agency to approve other than SOCWA itself.

President Havens asked for a Motion.

Motion: Director Monin made a Motion, seconded by Director Freshley and unanimously carried across the Board to authorize the General Manager to execute the Consent to the Trabuco Canyon Water District withdrawal from South Orange County Wastewater Authority (SOCWA) and Continued Services Agreement, subject to non-substantive changes.

Roll Call Vote:

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

At approximately 7:45 a.m. Mr. Paludi and Mr. Dopudja left the meeting.

Consent Calendar

Discussion ensued on attending the CSDA 2023 Special Districts Legislative Days conference May 16-17, 2023 in Sacramento. The Board approved Director Monin to attend the conference.

Director Vergara asked what benefit the District gets from a Director attending this conference, since we get most of the legislative reports from MWDOC. Director Monin replied that legislators need to understand how big the infrastructure need is

going to be, and ETWD should be in line to receive some of the funding that is available for these projects.

Director Gaskins stated that he has attended a CSDA conference in the past and there were good training sessions and networking opportunities with other water districts.

President Havens asked for a Motion.

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

Roll Call Vote:

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

Director Reports for Meetings Attended

Director Vergara stated that he attended the MWDOC Planning/Operations meeting, the MWDOC/MET Directors Workshop, the MWDOC Admin/Finance meeting, the Agenda Review, the City of Lake Forest meeting, and the regular ETWD Board meetings.

Director Freshley stated that she attended the MWDOC Planning/Operations meeting, the MWDOC/MET Directors Workshop, the LAFCO meeting, the Cal LAFCO meeting, the WACO meeting, the MWDOC Board meeting, the MWDOC Elected Officials Forum, the RRC meeting, two SOCWA Board meetings, the SOCWA Finance Committee meeting, the OCWA luncheon, two Laguna Woods City Council meetings,

the CSDA webinar on LAFCO, the OCWD Groundwater Replenishment Dedication, and the regular ETWD Board meetings.

Director Gaskins stated that he attended the MWDOC Planning/Operations meeting, the ISDOC Executive meeting, the RRC meeting, the MWDOC/MET Directors workshop, the SOCWA meeting, the MWDOC Elected Officials Forum, WACO, two Budget Committee meetings, LAFCO, a Concerned Citizens presentation, the Laguna Woods Village's Earth Day, the two Budget meetings, and the regular ETWD Board meetings.

Director Monin stated that he attended the MWDOC Planning/Operations meeting, the ISDOC Executive Committee meeting, the MWDOC/MET Directors Workshop, WACO, the WACO Planning Committee meeting, the MWDOC Admin/Finance Committee meeting, a tour of R-6, the Laguna Woods City Council meeting, the OCWD Groundwater Dedication, the OCWA meeting, the MWDOC Elected Officials Forum, the MWDOC Board meeting, the Lake Forest City Council meeting, the regular ETWD Board meetings, Earth Day at Laguna Woods Village, and he will be attending OCCOG.

President Havens stated that she attended the MWDOC Planning/Operations meeting, two Budget meetings, the OCWA meeting, the MWDOC/MET Directors Workshop, the tour of R-6, WACO, the MWDOC Admin/Finance meeting, the OCWD Groundwater Tour, the Agenda Review meeting, the MWDOC Board meeting, the regular ETWD Board meetings, and she will be speaking to the Laguna Woods Water Conservation Committee.

General Manager Action Items

ACWA JPIA Executive Committee Election

Mr. Cafferty stated that the ACWA JPIA Executive Committee has four openings, and at the time of the Board package, their election material was not yet published, so we only had a memo requesting support from Fred Bockmiller of Mesa Water District. He further stated that Mr. Bockmiller is an incumbent and is running to keep the seat.

Mr. Cafferty stated that he passed out the election material this morning that he was able to get from the ACWA JPIA website, and there are 12 candidates for the four open positions.

The Board gave discretion to Director Gaskins to vote for the four open positions. No Motion was taken.

Resolution No. 23-4-3 Amending ETWD's Policy Statement 1985-5 (IV) Travel and Expense Reimbursement Policy

Mr. Cafferty stated that this policy is reviewed annually with the Board and is being amended to increase the employee's meal allowances.

Vice President Vergara asked how much the meal allowances were increased. Mr. Cafferty replied that each meal allowance was increase by \$5.00, so the breakfast went from \$15.00 to \$20.00, lunch went from \$20.00 to \$25.00, and dinner went from \$30.00 to \$35.00. The overall increase per day for meal allowance went from \$65/day to \$80/day.

President Havens asked for a Motion.

Motion: Director Gaskins made a Motion, seconded by Director Monin and unanimously carried across the Board to approve Resolution No. 23-4-3 amending El Toro Water District's Policy Statement 1985-5 (IV) Travel and Expense Reimbursement Policy.

Roll Call Vote:

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

Motion passes 4-0.

General Manager Information Items

General Manager's Monthly Report

Mr. Cafferty stated that CSDA has coordinated a meeting of Special District Representatives with Assembly Member Diane Dixon's office during the week of the ACWA Spring conference.

Director Monin stated that the Customer Service report looks good and numbers continue to go down.

Director Freshley asked a question on the Tertiary Treatment Plant report and asked the difference between the main irrigation and utility water. Mr. Cafferty replied that there are three main discharge stations at the pump station; the golf course, the distribution system, and a certain amount of water used just at the Plant which is irrigation water and utility water used during the secondary treatment process.

Communications Facilities License Program

Mr. Cafferty stated that the District has several cell site leases at three of the District's facilities. He further stated that we collect approximately \$230,000 in revenue annually.

Mr. Cafferty stated that staff is working with ATS Communications who are experts in this field, and they will be the primary point of contact for the lease sites.

President Havens asked if we have current site audits regarding the sites should anything be damaged. Mr. Cafferty replied yes.

At approximately 8:35 a.m. Mr. Halminski left the meeting.

Legislative Reports

Ms. Seitz stated that the District signed two support bills for ACWA's Advanced Clean Fleets, and the SB 34 and SB 29 which are Surplus Land Acts regarding how public agencies dispose of surplus property.

Public Education and Outreach Report

Ms. Seitz stated that Mr. Cafferty spoke about water supply in California at the Concerned Citizens of Laguna Woods Village Earth Day event on April 20th.

Ms. Seitz stated that President Havens will provide an update on water supply at the Third Mutual Water Conservation Committee on April 27th.

Ms. Seitz stated that staff will be scheduling Scout Clinics and tours of the Plant in November and December.

Ms. Seitz stated that staff attended the Children's Water Education Festival March 29-30th at UCI where there were over 4,500 students in attendance.

Ms. Seitz stated that the May CAG meeting will be held on Wednesday, May 17th at 11:30 a.m.

Ms. Seitz stated that staff will attend a site walk with the County for the Adopt-a-Channel project in the next couple weeks.

Ms. Seitz stated that staff will be attending the Plant Irrigation Trials. She further stated that ETWD entered the Newsletter Redesign into the Public Relations Society of America (PRSA) Anvil Tactical Awards and we are a finalist in the bronze category. Winners will be notified June 8, 2023 in New York City.

Water Use Efficiency Report

Mr. Chu stated that water use continues to decline due to current weather conditions. He further stated that total usage in March was down 32% lower than March of last year with the largest decline being in irrigation usage.

Mr. Chu stated that there was a slight increase in rebates for turf removal. He further stated that staff has pending applications that require final inspections for residential and commercial.

President Havens stated that on page 226 of the Board package, Dedicated Irrigation Consumption (including LWV) shows evapotranspiration.

SOCWA Reports

Director Freshley stated that an agreement from PC-2 was reached to extend the PC-2 Agreement until September 30th.

Director Freshley stated that facilitated discussions will start soon regarding the future of SOCWA.

Mr. Cafferty stated that the expiration of the PC-2 agreement is what is driving this discussion. He further stated that SOCWA is proceeding on their budget, and our share increased significantly.

MWDOC Reports

Mr. Cafferty stated that MWDOC adopted their budget. He further stated that they approved some memberships and did not approve others.

Mr. Cafferty stated that discussion continues between MWDOC and OCWD with LAFCO selecting a consultant to do a focused MSR.

South Orange County Agencies Group Meeting

Director Gaskins stated that discussions are held regarding various topics, but no actions are taken.

LAFCO

Director Freshley stated that discussions were had on the MSR process. She further stated that there were several speakers during the Public Comment section of the agenda, which most were representatives of MWDOC and IRWD.

Director Freshley stated that they voted and selected a consulting firm to perform their MSR which is Webb Associates in Riverside.

ISDOC

Director Monin stated that they discussed a scholarship program for lower income districts. He further stated that they discussed a LAFCO dues letter.

WACO

Director Monin stated that Dr. Marty Ralph provided a presentation on Atmospheric Rivers and Forecast Informed Reservoir Operations.

President Havens suggested a future topic of artificial intelligence and it's impact on the water industry.

COMMITTEE AND GENERAL INFORMATION

Dates to Remember for April/May 2023

There were no comments.

Comments Regarding Non-Agenda Items

Mr. Cafferty stated that included in the General Managers report, ACWA has changed the election procedure for their President and Vice President to an electronic vote taking place this summer. He further stated that we have received a request to support Cathy Green as President which will be agendized at the May Board meeting.

Attorney Report

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

Recess

At approximately 9:25 a.m. the Board took a short recess.

Regular Session

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

Closed Session

At approximately 9:30 a.m. the Board went into Closed Session with regard to both items on the Closed Session agenda. Also at this time, everyone left the meeting except the Board members, the General Manager, and General Counsel.

Open Session Report

At approximately 9:45 a.m. Regular Session resumed. Also at this time Ms. Welsch returned to the meeting.

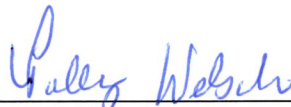
Mr. Granito reported that the Board did go into Closed Session with regard to both items of today's Closed Session agenda, and during the first phase of the Closed Session the District's General Counsel and General Manager led a discussion on Item #1 (potential litigation). No reportable action was taken.

Mr. Granito reported that during the second phase of the Closed Session, the General Manager led a discussion with General Counsel and the Board on Item #2 Dollar Tree litigation. No reportable action was taken.

Adjournment

There being no further business to come before the Board, the meeting was adjourned at 9:45 a.m.

Respectfully submitted,



POLLY WELSCH
Recording Secretary

APPROVED:



KAY HAVENS, 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