

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

May 25, 2023

7:30 a.m.

BOARDROOM, DISTRICT OFFICE
24251 LOS ALISOS BLVD., LAKE FOREST, CA 92630

Vice President Vergara will be attending remotely from:
27231 Eastridge Drive
Lake Forest, CA 92630

This meeting will be held in person. As a convenience for the public, the meeting may also be accessed by Zoom and will be available by either computer or telephone audio as indicated below. Because this is an in-person meeting and the virtual component is not required, but rather is being offered as a convenience, if there are any technical issues during the meeting, this meeting will continue and will not be suspended.

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/82940793297> (Meeting ID: 829 4079 3297).

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 – President Havens

ROLL CALL (Determination of a Quorum)

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. **Consider Board Member’s Request for Remote Participation (AB 2449)**

2. **Presentation of Awards, Recognitions, Certifications and Introductions**

a. **Service Awards**

Mr. Cafferty will recognize and congratulate Raymund Llada, Maintenance Worker II for 5 years of service with the District.

Mr. Cafferty will recognize and congratulate Marisol Melendez, Customer Service Office Representative I for 5 years of service with the District.

3. **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 April 27, 2023 Board meeting

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

4. **Quarterly Review of the District's 401(k) Retirement Savings Plan**
(Reference Material Included)

A HighMark representative will review and comment on the investment performance of the District's 401(k) Retirement Savings Plan.

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

GENERAL MANAGER ACTION ITEMS

6. **Resolution No. 23-5-1 In Support of the Nomination of Cathy Green as a Candidate for the Position of Association of California Water Agencies President** (Reference Material Included)

The Board will consider supporting the nomination of Cathy Green of the Orange County Water District as a candidate for the position of Association of California Water Agencies President.

Recommended Action: Staff recommends that the Board consider adopting Resolution No. 23-5-1 which supports Cathy Green as a candidate for the position of Association of California Water Agencies President.

RESOLUTION NO. 23-5-1

RESOLUTION OF THE BOARD OF DIRECTORS
OF THE EL TORO WATER DISTRICT
IN SUPPORT OF THE NOMINATION OF
CATHY GREEN AS A CANDIDATE FOR THE POSITION OF
ASSOCIATION OF CALIFORNIA WATER AGENCIES PRESIDENT

7. **Resolution No. 23-5-2 Rescinding the District's Level 2 Water Shortage**
(Reference Material Included)

Staff will review and comment on Resolution No. 23-5-2 which rescinds the District's declaration of a Level 2 Water Shortage pursuant to the District's Water Shortage Contingency Plan.

Recommended Action: Staff recommends that the Board consider adopting Resolution No. 23-5-2 which rescinds the District's declaration of a Level 2 Water Shortage.

RESOLUTION NO. 23-5-2

RESOLUTION OF THE BOARD OF DIRECTORS
OF THE EL TORO WATER DISTRICT
RESCINDING THE LEVEL 2 WATER SHORTAGE PURSUANT TO
THE DISTRICT'S WATER SHORTAGE CONTINGENCY PLAN

GENERAL MANAGER INFORMATION ITEMS

8. **Strategic Plan Status Report** (Reference Material Included)
Staff will review and comment on the Strategic Plan Status Report.
9. **General Manager's Monthly Report** (Reference Material Included)
Staff will review and comment on the General Manager's Monthly Report.
10. **Legislative Reports** (Reference Material Included)
Staff and General Counsel will review and comment on the Legislative reports.
11. **Public Education and Outreach Report** (Reference Material Included)
Staff will review and comment on the Public Education and Outreach report.
12. **Water Use Efficiency Report** (Reference Material Included)
Staff will review and comment on the Water Use Efficiency Report
13. **SOCWA Report** (Reference Material Included)
 - a. SOCWA Board Meeting – May 4, 2023
 - b. SOCWA Special Board Meeting – Facilitated Meeting #1 – May 4, 2023
 - c. SOCWA Engineering Committee Meeting – May 11, 2023
 - d. SOCWA Finance Committee Meeting – May 16, 2023
 - e. SOCWA Board Meeting – Budget Workshop – May 18, 2023
 - f. SOCWA Special Board Meeting – Facilitated Meeting #2 – May 18, 2023
14. **Municipal Water District of Orange County (MWDOC) Report**
(Reference Material Included)
 - a. MWDOC Planning/Operations Meeting – May 1, 2023
 - b. MWDOC/MET Directors Workshop – May 3, 2023
 - c. MWDOC Special Board Meeting – May 5, 2023
 - d. MWDOC Admin/Finance Meeting – May 15, 2023
 - e. MWDOC Board Meeting – May 17, 2023
 - f. MWDOC Managers Meeting – May 18, 2023
15. **Local Agency Formation Commission (LAFCO) Report**
(Reference Material Included)
 - a. Report on the May 10, 2023 meeting

16. ISDOC Meetings Report (Reference Material Included)

- a. Report on the May 2, 2023 ISDOC Executive Committee meeting

17. WACO Meetings Report (Reference Material Included)

- a. Report on the May 5, 2023 WACO meeting
- b. Report on the May 16, 2023 WACO Planning meeting

COMMITTEE AND GENERAL INFORMATION

18. Dates to Remember for May/June 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.