

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
AND
PUBLIC HEARING
July 27, 2023
7:00 p.m.
BOARDROOM, DISTRICT OFFICE
24251 LOS ALISOS BLVD., 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/87056637760> (Meeting ID: 870 5663 7760).

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

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. 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 June 22, 2023 Board meeting
- b. Consider approving the Directors to attend the CASA Annual Conference on August 9-11, 2023 in San Diego, CA
- c. Consider approving the Directors to attend the CSDA Annual Conference on August 28-31 in Monterey, CA

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

3. **Increases to Certain Water, Sewer and Recycled Water Service Rates and Charges** (Reference Material Included)

Prior to opening the public hearing, Staff will review and comment on proposed amendments to Schedules No. 1-W, 1-S, 2-S, 3-S, and 4-W of the District's Rules and Regulations as it relates to proposed increases to certain water, sewer and recycled water service rates and charges. The proposed increases have been incorporated in the District's approved 2023/24 Operating Budget.

Following today's public hearing, the Board of Directors will be requested to consider taking action to adopt Resolution No. 23-7-2 approving amendments to Schedules No. 1-W, 1-S, 2-S, 3-S, and 4-W of the District's Rules and Regulations as it relates to increases to certain water, sewer and recycled water service rates and charges.

OPEN PUBLIC HEARING

4. **Public Hearing Regarding Adoption of Proposed Increases to Certain Water, Sewer and Recycled Water Service Rates and Charges**

At this time the Board of Directors will conduct a public hearing to receive and consider public comments and protests regarding proposed increases to certain water, sewer and recycled water service rates and charges.

PUBLIC COMMENT

The Public will be invited to comment on the proposed increase to the District's rates and charges.

CLOSE PUBLIC HEARING

The Board President will close the Public Hearing at this time.

REGULAR SESSION

5. **Resolution No. 23-7-2 Adopting Amendments to the District's Rules and Regulations** (Reference Material Included)

Staff will review and comment on Resolution 23-7-2 which amends Schedules 1-W, 1-S, 2-S, 3-S, and 4-W of the District's Rules and Regulations thereby increasing certain water, sewer and recycled water service rates and charges, effective August 1, 2023.

Recommended Action: The Board of Directors will consider adopting Resolution No. 23-7-2 which Resolution 1) provides for an increase to certain water, sewer and recycled water service rates and charges, effective August 1, 2023, and 2) makes findings and a determination that the action taken in this Resolution is exempt from the requirements of the California Environmental Water Quality Act.

RESOLUTION NO. 23-7-2

RESOLUTION OF THE BOARD OF DIRECTORS
OF THE EL TORO WATER DISTRICT
APPROVING AN AMENDMENT TO THE DISTRICT'S
RULES AND REGULATIONS WHICH AMENDMENT
1) PROVIDES FOR AN INCREASE TO
CERTAIN OF THE DISTRICT'S WATER, SEWER
& RECYCLED WATER SERVICE RATES AND CHARGES
AND
2) MAKES FINDINGS AND DETERMINATIONS
THAT THE ACTION TAKEN IN THIS RESOLUTION IS EXEMPT
FROM THE REQUIREMENTS OF THE CALIFORNIA
ENVIRONMENTAL QUALITY ACT (CEQA)

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

GENERAL MANAGER INFORMATION ITEMS

7. **ACWA 2023 Board Officers Election** (Reference Material Included)

Staff will provide an update on the status and process for the ACWA President and Vice President election for the 2024-'25 term as well as the election of the Region 10 Board.

8. **Orange County Grand Jury Report "Historic Rain. Yet Drought Remains"**
(Reference Material Included)

Staff will lead a discussion regarding the Orange County Grand Jury Report titled Historic Rain, Yet Drought Remains.

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 – July 6, 2023
 - b. SOCWA Facilitated Discussion Meeting – July 27, 2023
14. **Municipal Water District of Orange County (MWDOC) Report** (Reference Material Included)
 - a. MWDOC Planning/Operations Meeting – July 3, 2023
 - b. MWDOC/MET Directors Workshop – July 5, 2023
 - c. MWDOC Admin/Finance Meeting – July 12, 2023
 - d. MWDOC Board Meeting – July 19, 2023
 - e. MWDOC Managers Meeting – July 20, 2023
 - f. MWDOC/OCWD Joint Planning Committee Meeting – July 26, 2023
15. **Local Agency Formation Commission (LAFCO) Report** (Reference Material Included)
 - a. The Pulse – OC LAFCO
 - b. Southwest Region Municipal Service Review – Administrative Review Draft
16. **South Orange County Agencies Group Meeting** (Reference Material Included)
 - a. Report on the July 26, 2023 South Orange County Agencies Group Meeting
17. **ISDOC Meetings Report** (Reference Material Included)
 - a. Report on the July 11, 2023 ISDOC Executive Committee meeting
18. **WACO Meetings Report** (Reference Material Included)
 - a. Report on the July 7, 2023 WACO meeting
 - b. Report on the July 18, 2023 WACO Planning meeting

COMMITTEE AND GENERAL INFORMATION

19. **Dates to Remember for July/August 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 (two matters).
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.