

MINUTES OF THE REGULAR MEETING  
OF THE  
BOARD OF DIRECTORS  
OF THE  
EL TORO WATER DISTRICT  
June 22, 2023

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

Director Freshley 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, JUDY CIMORELL, Human Resources Manager, HANNAH FORD, Engineering Manager, VISHAV SHARMA, CFO, SHERRI SEITZ, Public Affairs Manager, VU CHU, Water Use Efficiency Analyst, MIKE MIAZGA, IT Manager, GILBERT J. GRANITO, General Counsel, GOLNAR FOZI, Special Counsel (8:40 a.m.), CAROL MOORE, Laguna Woods City Council member (Zoom), and POLLY WELSCH, Recording Secretary.

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 no.

#### Presentation of Awards, Recognitions, Certifications, and Introductions

Mr. Cafferty recognized and congratulated Mike Miazga, IT Manager for 20 years of service with the District.

At approximately 7:41 a.m. Mr. Miazga left the meeting.

#### Consent Calendar

President Havens asked for a Motion.

Motion: Director Gaskins made a Motion, seconded by Director Freshley and 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 Freshley stated that she attended the MWDOC Planning/Operations meeting, the MWDOC/MET Directors workshop, the MWDOC Board meeting, the MWDOC Water Policy Forum dinner, the SOCWA Board meetings, the SOCWA

Finance Committee meeting, LAFCO, the Laguna Woods City Council meetings, WACO, the ACWA Region 10 meeting, the Mission Viejo Chamber breakfast, the South Orange County Watershed meeting, and the District's regular Board meetings.

Vice President Vergara stated that he attended the MWDOC/MET Directors workshop, the MWDOC Board meeting, the MWDOC Planning/Operations meeting, the MWDOC Admin/Finance meeting, the WaterReuse meeting, the Mission Viejo Chamber breakfast, the Lake Forest City Council meeting, the ACWA Region 10 meeting, and the District's regular Board meetings.

Director Gaskins stated that he attended the WACO meeting, the ISDOC Executive Committee meeting, the LAFCO meeting, MWDOC Admin/Finance meeting, the ISDOC Quarterly meeting, the MWDOC Board meeting, the MWDOC Water Policy Forum dinner, the ACWA Region 10 meeting, and the District's regular Board meetings.

Director Monin stated that he attended the MWDOC/MET Directors workshop, the MWDOC Admin/Finance, the MWDOC Planning/Operations meeting, the MWDOC Board meeting, WACO, the WACO Planning Committee meeting, the ACWA Region 10 meeting, the MWDOC Water Policy Forum dinner, the ISDOC Executive Committee meeting, the ISDOC Quarterly meeting, OCCOG, the South OC Economic Coalition meeting, and the District's regular Board meetings.

President Havens stated that she attended the WACO meeting, the MWDOC Planning/Operations meeting, the MWDOC/MET Directors workshop, the South OC Watershed Management meeting, the Pres/VP/GM meetings, the Agenda Review, the MWDOC Admin/Finance meeting, the MWDOC Water Forum dinner, the ACWA Region

10 meeting, an Executive meeting with MNWD, and the District's regular Board meetings.

General Manager Action Items

CSDA Board of Directors – Southern Network – Seat C Election

Mr. Cafferty stated that the District received information from 3 candidates for the Seat C election. He further stated that the 3 candidates are Arlene Schafer (incumbent) from Costa Mesa Sanitary District, Al Nederhood from MWDOC, and John Skerbelis from Rubidoux Community Services District.

Vice President Vergara proposed voting for Al Nederhood because he feels that although Arlene Schafer has done a great job, after 30 years we should give the opportunity to another person.

Director Monin stated that Arlene Schafer has done a good job on CSDA.

Director Freshley and Director Gaskins stated that they agree with Vice President Vergara's suggestion to support Al Nederhood. President Havens agreed.

President Havens asked for a Motion.

Motion: Vice President Vergara made a Motion, seconded by Director Gaskins, to direct the General Manager to cast the District's ballot vote for the California Special Districts Association (CSDA) Board of Directors, Southern Network, Seat C for Al Nederhood, by the July 14, 2023 deadline.

Roll Call Vote:

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



Motion passes 4-0 with 1 abstention.

#### Resolution No. 23-6-1 Regular Board Meetings Schedule

President Havens asked for a Motion.

Motion: Director Monin made a Motion, seconded by Director Freshley, to adopt Resolution No. 23-6-1 which amends the meeting time for the July 27, 2023 Regular Board meeting from 7:30 a.m. to 7:00 p.m.

#### Roll Call Vote:

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

#### General Manager Information Items

##### General Manager's Monthly Report

Mr. Cafferty stated that some time ago the General Manager of Santa Ana Watershed Project Authority (SAWPA) presented their Cloud Seeding Program to the Board. He further stated that staff has been discussing with SAWPA the possibility of putting in a pilot facility at the R-6 Reservoir site, which we plan to bring to the Board for approval next month.

Director Monin stated that on the Customer Service Activity report, the numbers have come down and are looking better.

Mr. Cafferty stated that the OC Grand Jury report will be agendized for discussion in July or August. He further stated that the District is requested but not required to reply.

Director Monin stated that a new OC Jury comes in in July. Mr. Cafferty replied that the District would need to decide the pluses and minuses in responding and then decide whether or not to respond.

Director Freshley asked what happened with the Battery report changes. Mr. Cafferty replied that he will investigate.

#### Legislative Reports

Mr. Cafferty stated that there has been a significant revision to AB 1572 regarding non-functional turf that MET has been working with the author of the bill. He further stated that the Bill author has consented to removing the reference to multi-family residential in turf that as previously written in the bill would prohibit use of the irrigation of that turf water as non-functional turf. He further stated that with the removal of this reference, MET is in support of the bill.

#### Public Education and Outreach Report

Ms. Seitz stated that ETWD won first place in the Bronze Anvil Awards in the newspaper category for our re-branding and outreach to help customers reduce their water use.

Ms. Seitz stated that the newsletter is going out next week in the ETWD bills, to the HOA's, Laguna Woods E-blast, and the Laguna Woods Globe.

Ms. Seitz stated that the Annual Water Quality report was mailed on June 13<sup>th</sup> and June 16<sup>th</sup>.

Director Monin stated that he is interested in presenting on the TV-6 program again. Mr. Seitz will speak to the staff at TV-6 about the possibility of resuming ETWD participation on TV-6.

Ms. Seitz stated that MET offers landscape workshops and we will consider hosting some of the workshops and staff will hold leak detection workshops.

#### Water Use Efficiency Report

Mr. Chu stated that customer usage is picking up slightly, however usage was notably lower than the previous year. He further stated that MWDOC's leak detection team was able to complete 45-miles of leak detection in the Laguna Woods Village area for ETWD at no cost, and did not find many leaks, and the leaks they did find were on the customer's side.

President Havens stated that on page 111 and 112, could the color of the Recycled Water be changed to stand out more. Mr. Chu replied that he will change the color to be more robust and purple.

#### Recess

At approximately 8:52 a.m. the Board took a short recess. Also at this time, everyone left the meeting except the Board members, the General Manager, General Counsel, Ms. Cimorell, and Special Counsel, Golnar Fozi.

#### Closed Session

At approximately 9:02 a.m. the Board went into Closed Session with regards to both items on the Closed Session agenda.

#### Regular Session/Open Session Report

At approximately 9:40 a.m. the Regular Session resumed. Also at this time Ms. Ford, Mr. Sharma, and Ms. Welsch returned to the Open Session.

Mr. Granito (General Counsel) reported that during the first phase of the Closed Session, the District's Special Counsel, Golnar Fozi and General Manager led a

discussion with regard to one matter of potential litigation. (Noted in Item #1 of today's Closed Session Agenda) No reportable action was taken.

During the second phase of the Closed Session, Mr. Granito reported on one additional matter of potential litigation. (Noted in Item #1 of today's Closed Session Agenda). No reportable action was taken.

In addition, Mr. Granito reported on the status of the pending litigation (Noted in Item #2 of today's Closed Session Agenda). No reportable action was taken.

#### SOCWA Reports

Director Freshley stated that at the SOCWA Board meeting they made the selection of the Board Chair and Vice Chair. She further stated that Matt Collings was re-elected as Board Chair, and Frank Ury and Scott Goldman as co-Vice Chairs.

Mr. Cafferty stated that the SOCWA Board approved the General Fund budget for only the first quarter based on the project committee participation methodology that has been used for the last few years.

Mr. Cafferty stated that he has been attending a series of staff meetings between MNWD, SMWD and SCWD. Mr. Cafferty recommended the District support the MNWD proposal to operate the Regional Treatment Plant. The Board discussed and generally concurred with the MNWD proposal.

At approximately 10:15 a.m. Ms. Ford left the meeting.

#### MWDOC Reports

Vice President Vergara stated that Ms. Akerman's contract was renewed.



## SOCWMA

President Havens stated that they discussed the Orange County Storm Water program, the budget where we are anticipating \$9,000 returned, as the budget was reduced 19%. She further stated that they had a presentation by the Orange County Conservation Corps Green Workforce Development and Services.

## LAFCO

Director Freshley stated that they discussed MWDOC's request to be involved in the OCWD MSR. She further stated that the Fiscal Indicators Report will be presented at the CALAFCO meeting.

## ISDOC

Director Monin stated that they are working on website maintenance and links to access the ISDOC meetings. He further stated that they discussed scholarships for smaller Districts.

## WACO

Director Monin stated that there was a presentation on the role of beavers in California's Watersheds.

## COMMITTEE AND GENERAL INFORMATION

### Dates to Remember for June/July 2023

There were no comments.

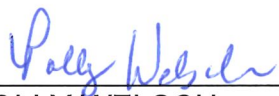
### Comments Regarding Non-Agenda Items

There were no comments.

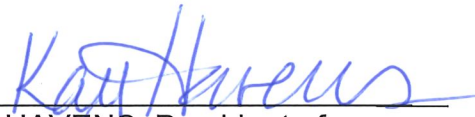
Adjournment


There being no further business to come before the Board, the meeting was adjourned at 10:20 a.m.

Respectfully submitted,

  
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POLLY WELSCH  
Recording Secretary

APPROVED:

  
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KAY HAVENS, President of  
the El Toro Water District and the  
Board of Directors thereof

  
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DENNIS P. CAFFERTY, Secretary  
of the El Toro Water District and  
the Board of Directors thereof