

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
ENGINEERING COMMITTEE MEETING AND
FINANCE AND INSURANCE COMMITTEE MEETING

September 25, 2023

7:30 a.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/81172078223> (Meeting ID: 811 7207 8223).

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 TO ORDER – President Havens

PLEDGE OF ALLEGIANCE – Director Freshley

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 times set aside for “COMMENTS REGARDING NON-AGENDA ENGINEERING COMMITTEE ITEMS” or for “COMMENTS REGARDING NON-AGENDA FIC 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 item(s) 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)

FINANCE AND INSURANCE COMMITTEE MEETING

CALL MEETING TO ORDER – Director Gaskins

2. Consent Calendar (Reference Material Included)

(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 August 21, 2023 Finance and Insurance Committee meeting (Minutes included)

Recommended Action: The Board will be requested to approve the above Consent Calendar.

FINANCIAL INFORMATION ITEMS

3. **Other Post Employment Benefits (OPEB) Update**
(Reference Material Included)

Staff and representatives from Foster and Foster will review and comment on the updated actuarial analysis of the OPEB liability associated with the District's Retiree Healthcare Plan for the fiscal year ended June 30, 2023.

4. **Update on the Implementation of the Springbrook Software System**
(Reference Material Included)

Staff will provide an update on the status of the implementation of the Springbrook Software System

FINANCIAL ACTION ITEMS

5. **Financial Package - Authorization to Approve Payment of Bills for the Month Ending September 25, 2023 and Receive and File Financial Statements as of August 31, 2023** (Reference Material Included)

The Board will consider approving Bills for Consideration dated September 25, 2023 and Receive and File Financial Statements as of August 31, 2023.

Recommended Action: Staff recommends that the Board 1) approve, ratify and confirm payment of those bills as set forth in the Payment Summary for the month ending September 25, 2023, and 2) receive and file the Financial Statements for the month ending August 31, 2023.

COMMENTS REGARDING NON-AGENDA FIC ITEMS

CLOSE FINANCE AND INSURANCE COMMITTEE MEETING

ENGINEERING COMMITTEE

CALL MEETING TO ORDER – Director Freshley

6. **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 August 21, 2023 Engineering Committee meeting. (Minutes Included).

Recommended Action: The Board will be requested to approve the subject minutes.

ENGINEERING ACTION ITEMS

7. **Aliso Creek Lift Station Improvements Project – Alternatives Analysis** (Reference Material Included)

Recommended Action: Staff recommends that the Board of Directors authorize the General Manager to issue a contract to Tetra Tech in the amount of \$120,000.00 for engineering services to develop the Alternatives Analysis for the Aliso Creek Lift Station Improvements Project. Staff further recommends that the Board authorize the General Manager to fund the project costs from the District's Capital Reserves in accordance with the District's adopted Capital Reserve Policy.

8. **R-6 Reservoir Perimeter Road Repair Project** (Reference Material Included)

Staff will review and comment on the bids submitted for the R-6 Reservoir Perimeter Road Repair Project.

Recommended Action: Staff recommends that the Board of Directors authorize the District's General Manager to 1) issue a contract to Pave West in the amount of \$1,031,648 for construction of the perimeter road repair around the R-6 Reservoir and 2) issue a contract to GMU Engineers & Geologists in the amount of \$34,663 for Material Observation and Testing Services During Construction. Staff also recommends that the Board authorize the General Manager to fund the project costs from the District's Capital Reserves in accordance with the District's adopted Capital Reserve Policy.

9. **R-6 Reservoir Security System Replacement Project**
(Reference Material Included)

Staff will review and comment on proposals submitted to replace the security system at the R-6 Reservoir.

Recommended Action: Staff recommends that the Board of Directors authorize the District's General Manager to issue a contract to Convergent in the amount of \$89,234.00 for the installation of a security system at the R-6 Reservoir. Staff also recommends that the Board authorize the General Manager to fund the project costs from the District's Capital Reserves in accordance with the District's adopted Capital Reserve Policy.

10. **Lead and Copper Rule Revisions Compliance** (Reference Material Included)

Staff will review and comment on revisions to the Federal Lead and Copper Rule and the proposed effort to achieve compliance with the new lead service line inventory requirements.

Recommended Action: Staff recommends that the Board of Directors authorize the District's General Manager to enter into a cost sharing agreement with the Municipal Water District of Orange County in an amount Not to Exceed \$100,000 for Phase 1 engineering services from Hazen and Sawyer as part of its Lead and Copper Rules Revision compliance assistance program.

11. **Resolution No. 23-9-1 Adopting the 2023 Update to the District's Local CEQA Guidelines** (Reference Material Included)

The State CEQA Guidelines require local agencies to adopt "objectives, criteria and procedures" to implement the requirements of CEQA and the State CEQA Guidelines. (State CEQA Guidelines [14 Cal. Code Regs.] section 15022.) The El Toro Water District 2023 Local Guidelines for Implementing the California Environmental Quality Act for El Toro Water District reflect recent changes to CEQA.

Recommended Action: Staff recommends that the Board of Directors adopt Resolution No. 23-9-1 approving the 2023 update to the District's Local California Environmental Quality Act (CEQA) Guidelines.

RESOLUTION NO. 23-9-1

RESOLUTION OF THE BOARD OF DIRECTORS
OF THE EL TORO WATER DISTRICT
ADOPTING THE 2023 UPDATE TO THE DISTRICT'S
LOCAL CALIFORNIA ENVIRONMENTAL QUALITY ACT
(CEQA GUIDELINES)
(PUB RESOURCES CODE §§21000 ET SEQ.)

ENGINEERING INFORMATION ITEMS

12. **Water and Sewer Master Plan Update** (Reference Material Included)

Staff will review and comment on the Water and Sewer Master Plan Update.

13. **El Toro Water District Capital Project Status Report**
(Reference Material Included)

Staff will review and comment on the El Toro Water District Capital Project Status Report.

14. **Engineering Items Discussed at Various Conferences and Meetings**

The Committee will discuss any pertinent Engineering items discussed at Conferences.

COMMENTS REGARDING NON-AGENDA ENGINEERING COMMITTEE ITEMS

CLOSE ENGINEERING COMMITTEE MEETING

REGULAR SESSION

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)(1) and (d)(2) to consult with legal counsel and staff re: (1) *Plaintiff, Marlene Jean v. Defendants, Dollar Tree Stores, Inc. et al.*, Superior Court of Los Angeles Case No. 19STCV25234 and (2) to consider and take action on the Request For Leave to Present Late Claim filed on behalf of Park Aliso Commercial Center, LTD., Dollar Tree Stores, Inc., and Coreland Companies Commercial Real Estate Services.
2. Pursuant to Government Code Section 564956.9(d)(2) to consult with legal counsel and staff - Potential Litigation (two matters).

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.