

MINUTES OF THE REGULAR MEETING
OF THE
BOARD OF DIRECTORS
OF THE
EL TORO WATER DISTRICT
November 21, 2023

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

Director Gaskins led in the Pledge of Allegiance to the flag.

Directors KAY HAVENS, MIKE GASKINS, MARK MONIN, FRED ADJARIAN, and KATHRYN FRESHLEY participated.

Also present were DENNIS P. CAFFERTY, General Manager, JUDY CIMORELL, Human Resources Manager, SCOTT HOPKINS, Operations Superintendent, VISHAV SHARMA, CFO, VU CHU, Water Use Efficiency Analyst, SHERRI SEITZ, Public Affairs Manager, GILBERT J. GRANITO, General Counsel, and POLLY WELSCH, Recording Secretary.

Determination of a Quorum

Roll Call:

Director Adjarian	here
Director Gaskins	here
Director Freshley	here
Vice President Monin	here
President Havens	here

Five Board members were 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.

Consent Calendar

President Havens asked for a Motion.

Motion: Director Adjarian made a Motion, seconded by Director Freshley to approve the Consent Calendar.

Roll Call Vote:

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

Director Reports for Meetings Attended

Director Gaskins stated that he attended the MWDOC Planning/Operations meeting, the ISDOC Executive Committee meeting, the MWDOC Admin/Finance meeting, the MWDOC/MET Directors workshop, the MWDOC Board meeting, the CAG meeting, the MWDOC Board meeting, the Lake Forest Legislative Luncheon, the South County Agencies meeting, will be attending the ACWA JPIA and ACWA conference next week, and attended the regular ETWD Board meetings.

Director Freshley stated that she attended the MWDOC Planning/Operations meeting, the MWDOC/MET Directors workshop, the MWDOC Board meeting, the SOCWA Board meeting, the LAFCO meeting, the WACO meeting, the LF Legislative Luncheon, the Lake Forest City Council meeting, the South Orange County Watershed

Meeting, the OCWA luncheon, the CAG meeting, will attend the ACWA JPIA and ACWA conference next week, and attended the regular ETWD Board meetings.

Director Adjarian stated that he attended the MWDOC/MET Directors workshop, the WACO meeting, the WaterReuse conference, the Lake Forest Legislative Luncheon, the OCWA luncheon, the CAG meeting, the MWDOC Special Board meeting, will be attending the ACWA conference next week, and attended the regular ETWD Board meetings.

President Havens stated that she attended the MWDOC/MET Directors workshop, a Laguna Woods Village Third Landscape Committee meeting, the WACO meeting, a Girl Scout Tour meeting, MWDOC Planning/Operations meeting, meeting with the Pres/VP/GM, MWDOC Admin/Finance Committee meeting, the Lake Forest Legislative Luncheon, the South Orange County Watershed Management meeting, the Agenda Review meeting, the CAG meeting, the South County Agencies meeting, and the regular ETWD Board meetings.

Vice President Monin stated that he attended the Lake Forest Legislative Luncheon, the WACO meeting, the ISDOC Executive Committee meeting, the CAG meeting, the MWDOC/MET Directors workshop, the MWDOC Admin/Finance meeting, the MWDOC Board meeting, the OCCOG meeting, the Pres/VP/GM meeting, the Laguna Woods City Council meeting, the Lake Forest City Council meeting, will be attending the ACWA conference, and attended the regular ETWD Board meetings.

General Manager Action Items

Resolution No. 23-11-1 Regular Board Meetings Schedule

President Havens asked for a Motion.

Motion: Vice President Monin made a Motion, seconded by Director Adjarian to adopt Resolution No. 23-11-1 which adopts the District's schedule of Regular Board Meetings for the 2024 calendar year.

Roll Call Vote:

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

Resolution No. 23-11-2 Adopting the Ninth Amendment to the District's Bylaws

Mr. Cafferty stated that the schedule in the bylaws stating who the current Board members are has been updated. He further stated that the terms of the President and Vice President were also revised.

Mr. Cafferty stated that staff is proposing we define the President and Vice President taking office at the beginning of the calendar year and ending their terms at the end of the calendar year. He further stated that the election and Oath of Office of the Vice President could be done at the end of the December Board meeting, taking office effective January 1st.

Mr. Cafferty stated that we should defer taking action on adopting the new bylaws until the December Board meeting, as staff will need to revise some language.

Vice President Monin and Director Freshley suggested swearing in the new Vice President at the last Board meeting in December. Mr. Cafferty proposed revised

language to define the President and Vice President terms. The Board concurred with the revised language.

President Havens asked for a Motion.

Motion: Director Freshley made a Motion, seconded by Director Monin to approve and modify the amended ninth amendment to the District's bylaws including the terms of office for the President and Vice President to be concluded at the end of the December Board meeting.

Roll Call Vote:

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

Resolution No. 23-11-3 ETWD Administrative Code

Mr. Cafferty stated that staff has been working on a variety of different documents included in the Rules & Regulations and Policies & Procedures. He further stated that staff is proposing creating an Administrative Code to collect the data in one location.

Mr. Cafferty stated that the new Administrative Code will allow for a new Indexing which will locate the documents in one place. He further stated that there are a number of current policies that the Board has never seen.

Mr. Cafferty stated that as we renew annual policies they will move into the Admin Code in the new format. He further stated that staff will add a few policies each month to the Admin Code until it is complete.

Mr. Cafferty stated that once the Admin Code is complete, it will be put on the District's website for easy access.

Mr. Cafferty reviewed the redline changes to the new Admin Code and ensued Board discussion on same.

President Havens asked for a Motion.

Motion: Vice President Monin made a Motion, seconded by Director Adjarian to adopt Resolution No. 23-11-3 which adopts the El Toro Water District's Administrative Code.

Roll Call Vote:

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

General Manager Information Items

General Manager's Monthly Report

There were no comments.

Legislative Reports

There were no comments.

Public Education and Outreach Report

Ms. Seitz stated that the CAG topics last week were on water supply regulations and consumption, and ETWD's Master Plan and Asset Management Plan update.

Ms. Seitz stated that Vice President Monin presented on TV-6 on what ETWD does to prepare for emergencies and what residents can do. She further stated that

Director Freshley would be the next speaker and the topic will be on FOG and the use of non-flushable wipes.

Ms. Seitz stated that the District was approved for a Next Door account which residents can get local tips, buy and sell items, and read local news. She further stated that CSDA has been working with special districts to receive the same access to information and resources that cities and counties have.

Mr. Seitz stated that staff hosted a booth and provided water at the Mission Viejo County Disaster Preparedness Expo on October 21st at the Norman Murray Community and Senior Center.

Ms. Seitz stated that staff hosted a booth at the H2O for HOA's event October 26th at the Norman Murray Community Center. President Havens was interviewed after the event.

Ms. Seitz stated that due to low turnout, the Pipe Patrol workshops were canceled and Mr. Chu worked directly with customers who signed up. She further stated that ETWD is co-hosting a series of free online landscape workshops with MWD and run by G3 Green Gardeners Group.

Ms. Seitz stated that staff hosted a Girl Scout tour at the WRP on November 4th, and President Havens provided a brief introduction and staff provided tours.

Ms. Seitz stated that staff will be hosting a booth and providing water at the City of Lake Forest/Lake Forest Chamber of Commerce Elf Yourself 5K Race on November 18th at the Lake Forest Sports Park. She further stated that staff is also co-hosting a Boy Scout tour at the WRP on December 9th where Director Adjarian will provide a brief introduction and staff will provide tours.

Water Use Efficiency Report

Mr. Chu stated that water usage was down slightly compared to the same time last year. He further stated that staff completed and submitted the annual Water Loss Report.

SOCWA Reports

Director Freshley stated that they approved the \$543,991 for the design of the Effluent Transmission Main Trail Bridge Crossing Project.

Director Freshley stated that there was discussion on SMWD, PC-2, PC-15, PC-17, and the cost of MNWD to get out of the PC-15 contract.

MWDOC Reports

Director Freshley stated that at the Board meeting they discussed MET allocation for Fixed Costs and Fixed Revenue.

LAFCO

Director Freshley stated that the Audit was approved with no issues.

ISDOC

Vice President Monin stated that they discussed the website, associate member policy, the annual audit, and the pros and cons of a 501(3)©.

WACO

Vice President Monin stated that there was a presentation from OC Sanitation District on the Forefront of Advanced Treatment of Contaminants of Emerging Concern.

COMMITTEE AND GENERAL INFORMATION

Dates to Remember for November/December 2023

There were no comments.

Comments Regarding Non-Agenda Items

Vice President Monin commented on the presentation of the 401(k) funds going from a 5-star fund to a 1-star fund.

Recess

At approximately 9:15 a.m. the Board took a short recess.

Regular Session

At approximately 9:25 a.m. the Board returned to Regular Session.

Attorney Report

Mr. Granito reported that there is a need for a Closed Session at today's meeting to discuss Items 2 & 3 of today's Closed Session agenda.

Closed Session

At approximately 9:25 a.m. the Board went into Closed Session. Also at this time everyone left the meeting except the Board members, Mr. Cafferty, and during this time Mr. Hopkins stayed for Item #2 and then left the meeting.

Open Session Report

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

Mr. Granito reported that the Board went into Closed Session to discuss items #2 and 3 of today's Closed Session agenda.

Mr. Granito reported that during the first phase of the Closed Session, the General Manager led a discussion on item #2 of today's Closed Session agenda (potential litigation). No reportable action was taken. During this phase of the Closed

Session, Scott Hopkins, Operations Superintendent of the District participated.

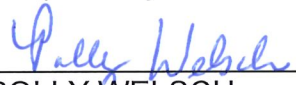
Thereafter Mr. Hopkins left the Closed Session.

Mr. Granito reported that during the second phase of the Closed Session, he led a discussion with regard to item #3 of today's Closed Session agenda. During this phase of the Closed Session all Board Members and Mr. Cafferty participated. Mr. Granito reported that during this phase of the Closed Session the Board Members unanimously adopted and executed a Motion (Minute Order) authorizing and directing the District's General Manager, Dennis P. Cafferty, to execute and file all documentation and affidavits on behalf of the District, to Request the District's Exclusion from the Settlement Agreements pertaining to both Multi-District pending/existing litigation matters noted in Item #3 of today's Closed Session agenda (3M and DuPont).

Adjournment


There being no further business to come before the Board, the meeting was adjourned at 9:48 a.m.

Respectfully submitted,

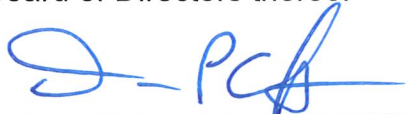


POLLY WELSCH
Recording Secretary

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