

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**

**February 22, 2024**

**7:30 a.m.**

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

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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/88159945696> (Meeting ID: 881 5994 5696).

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 Monin**

**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 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 Roman Kociban, Crew Chief, for 10 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 January 25, 2024 Board meeting

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

4. **ACWA/JPIA Presentation**

Representatives from ACWA/JPIA will provide an update to the Board.

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

**GENERAL MANAGER ACTION ITEMS**

**6. Resolution No. 24-2-2 Revisions to El Toro Water District Employee Handbook (Reference Materials Included)**

Staff will review and comment on proposed revisions to the Employee Handbook.

**Recommended Action:** Staff recommends that the Board adopt Resolution No. 24-2-2 which amends the Districts Employee Handbook and adds the Employee Handbook to the El Toro Water District Administrative Code.

RESOLUTION NO. 24-2-2

RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE EL TORO WATER DISTRICT  
AMENDING THE EL TORO WATER DISTRICT  
EMPLOYEE HANDBOOK  
AND ADDING THE EMPLOYEE HANDBOOK  
TO THE EL TORO WATER DISTRICT  
ADMINISTRATIVE CODE

**7. Resolution No. 24-2-3 Amending the El Toro Water District Internal Revenue Code Section 125 Premium Only Plan (Reference Materials Included)**

Staff will review and comment on proposed the amendments to the El Toro Water District Internal Revenue Code Section 125 Premium Only Plan.

**Recommended Action:** Staff recommends that the Board adopt Resolution No. 24-2-3 which amends and restates the Districts IRC Section 125 Premium Only Plan.

RESOLUTION NO. 24-2-3

RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
EL TORO WATER DISTRICT AMENDING & RESTATING THE  
EL TORO WATER DISTRICT  
INTERNAL REVENUE CODE (IRC)  
SECTION 125 PREMIUM ONLY PLAN

**8. Nomination of a Candidate to the California Special Districts Association Board of Directors, Seat A (Reference Material Included)**

Staff will comment on the potential nomination of a candidate to the California Special Districts Association Board of Directors, Seat A, and submitting the nomination by the April 10, 2024 deadline.

**Recommended Action:** Staff recommends the Board consider nominating a candidate to the California Special Districts Association Board of Directors, Seat A, and submitting the nomination by the April 10, 2024 deadline.

## GENERAL MANAGER INFORMATION ITEMS

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 – February 1, 2024
  - b. SOCWA Engineering Committee Meeting – February 8, 2024
  - c. SOCWA Finance Committee Meeting – February 20, 2024
14. **Municipal Water District of Orange County (MWDOC) Report** (Reference Material Included)
  - a. MWDOC Water Policy Forum Dinner – January 31, 2024
  - b. MWDOC Planning/Operations Meeting – February 5, 2024
  - c. MWDOC/MET Directors Workshop – February 7, 2024
  - d. MWDOC Admin/Finance Meeting – February 14, 2024
  - e. MWDOC Board Meeting – February 21, 2024
15. **South Orange County Agencies Group Meeting** (Reference Material Included)  
Report on the January 25, 2024 South Orange County Agencies Group Meeting
16. **Local Agency Formation Commission (LAFCO) Report** (Reference Material Included)  
Report on the February 14, 2024 LAFCO meeting
17. **ISDOC Meetings Report** (Reference Material Included)  
Report on the February 6, 2024 ISDOC Executive Committee meeting
18. **WACO Meetings Report** (Reference Material Included)
  - a. Report on the February 2, 2024 WACO meeting
  - b. Report on the February 20, 2024 WACO Planning meeting



## COMMITTEE AND GENERAL INFORMATION

### 19. Dates to Remember for February/March (Reference Material Included)

## COMMENTS REGARDING NON-AGENDA ITEMS

### ATTORNEY REPORT

### CLOSED SESSION

1. Pursuant to Government Code Section 54956.9(d)(1) to consult with legal counsel and staff regarding the following existing litigation: *Plaintiff, Marlene Jean v. Defendants, Dollar Tree Stores, Inc. et al.*, Superior Court of Los Angeles Case No. 19STCV25234.
2. Pursuant to Government Code Section 564956.9(d)(2) to consult with legal counsel and staff - Potential 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.*

MINUTES OF THE REGULAR MEETING  
OF THE  
BOARD OF DIRECTORS  
OF THE  
EL TORO WATER DISTRICT  
January 25, 2024

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

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

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

Also present were DENNIS P. CAFFERTY, General Manager, JUDY CIMORELL, Human Resources Manager (8:10 am), VU CHU, Water Use Efficiency Analyst, MIKE MIAZGA (Zoom), GILBERT J. GRANITO, General Counsel, RANDALL CRANE, MWDOC Director, KATIE VINCENT, MWDOC, JIM FISLER, LAFCO Commissioner, JOHN LEWIS, LAFCO, CAROL MOORE, Laguna Woods Council Member (Zoom), and POLLY WELSCH, Recording Secretary.

Determination of a Quorum

Five Board members were present for the meeting, therefore a quorum was determined.

Oral Communications/Public Comments

Mr. Fisler, LAFCO Commissioner stated that LAFCO will be holding a study session at their February meeting and Strategic Planning session on leadership and team building. He further stated that there are three seats coming up for election on the Commission including two City seats as well as the Special Districts seat.

Mr. Crane, MWDOC Director recognized ETWD on accomplishments for the commitment to empowering Orange County Girl Scouts with the knowledge and skills to be lifelong water stewards.

Mr. Crane also recognized ETWD for the commitment in educating Orange County Scouts BSA about where their water comes from and ways to protect the health and security of our natural resources.

At approximately 7:40 a.m. Mr. Fislser and Mr. Lewis left the meeting.

#### Items Received Too Late to be Agendized

Vice President Gaskins asked if there were any items received too late to be agendized. Mr. Cafferty replied no.

#### Consent Calendar

Vice President Gaskins asked for a Motion.

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

#### Roll Call Vote:

Director Adjarian	aye
Director Freshley	aye
Director Havens	aye
Vice President Gaskins	aye
President Monin	aye (Zoom)

#### Director Reports for Meetings Attended

Director Freshley stated that she attended the MWDOC/MET Directors workshop, the MWDOC Planning/Operations meeting, the MWDOC Board meeting, the LAFCO meeting, the WACO meeting, the RRC meeting, the SOCWA Finance meeting, the SOCWA Board meeting, the OCWA luncheon, the Laguna Woods City Council

meeting, the regular ETWD Board meetings, and will be attending the MWDOC Water Policy Forum dinner.

Director Havens stated that she attended the MWDOC/MET Directors workshop, the MWDOC Planning/Operations meeting, the Laguna Woods Third Landscape Committee meeting, the WACO meeting, the MWDOC Admin/Finance meeting, the MWDOC Board meeting, the regular ETWD Board meetings, the State Water Control Board hearing, and will be attending the SOCAG meeting, and the MWDOC Water Policy Forum dinner.

Director Adjarian stated that he attended the MWDOC/MET Directors workshop, the MWDOC Planning/Operations meeting, the WACO meeting, coffee with Senator Janet Nguyen, the OCWA luncheon, the regular ETWD Board meetings, and will be presenting on TV-6 on ETWD's Fats, Oils, and Grease management program, the ISDOC Quarterly luncheon, and the MWDOC Water Policy Forum dinner.

Vice President Gaskins stated that he attended the MWDOC/MET Directors workshop, the MWDOC Planning/Operations meeting, the WACO meeting, the RRC meeting, the LAFCO meeting, the MWDOC Board meeting, the 2-day MET inspection tour, the OCWA luncheon, the regular ETWD Board meetings, and will be attending the SOCAG meeting and MWDOC Water Policy Forum dinner.

President Monin stated that he attended the WACO meeting, the WACO Planning Committee meeting, the President/VP/GM meeting, the MWDOC/MET Directors workshop, the MWDOC Planning/Operations meeting, the Agenda Review meeting, the OCWA luncheon, the ISDOC Executive Committee meeting, the regular ETWD Board meetings, and will be listening remotely to the ISDOC Quarterly meeting and will be attending the MWDOC Water Policy Forum dinner.

General Manager Action Items

Resolution No. 24-1-1 Modifying Standing and External Organization Board and Staff

Assignments for Calendar Year 2024

Vice President Gaskins asked for a Motion.

Motion: Director Freshley made a Motion, seconded by Director Adjarian to adopt Resolution No. 24-1-1 modifying Standing and External Organization Board and Staff Assignments for calendar year 2024.

Roll Call Vote:

Director Adjarian	aye
Director Freshley	aye
Director Havens	aye
Vice President Gaskins	aye
President Monin	aye (Zoom)

Resolution No. 24-1-2 ETWD Administrative Code

Mr. Cafferty stated that this item represents the continuing process to transfer policies into the new Administrative Code. He further stated that each month additional policies will be added until the Administrative Code is complete.

Mr. Cafferty stated that duties describing the Office of the President and Vice President have been added to the Administrative Code.

Vice President Gaskins asked for a Motion.

Motion: Director Freshley made a Motion, seconded by Director Havens to adopt Resolution No. 24-1-2 which adopts the amended ETWD Administrative Code.

Roll Call Vote:

Director Adjarian	aye
Director Freshley	aye
Director Havens	aye
Vice President Gaskins	aye
President Monin	aye (Zoom)

## General Manager Information Items

### General Manager's Monthly Report

Mr. Cafferty stated that he attended the CSDA Essential Leadership Skills Webinar in pursuit of the Certified Special District Manager certification.

Mr. Cafferty stated that he met with Chris Macon, Laguna Woods City Manager, and they discussed the Oso Lift Station driveway into the Laguna Woods Wilderness Park. He further stated that the City wants to install a solar powered camera on the light pole inside the Lift Station to capture the entrance. Mr. Cafferty stated that an agreement would be developed to deal with any issues of access or liability, which will be brought before the Board at a future date.

Mr. Cafferty stated that the City of Laguna Woods and Orange County Fire Authority (OCFA) are working to build a potential new fire station off Moulton Parkway at City Center Park, which will require use of the District's road that is current access to the R-2 Reservoir site. He further stated that they are looking for an easement arrangement where they can access the new station.

Mr. Cafferty stated that OCFA would take over maintenance of the road and improvements to the fence with an automatic gate instead of the existing chain and padlock. He further stated that this project could take a few years to complete.

### Legislative Reports

Vice President Gaskins noted that the recent CSDA flyer had some interesting bills that are up for proposal.

### Public Education and Outreach Report

Ms. Seitz stated that Director Freshley gave a presentation last month to TV-6 on Direct Potable Reuse, and Director Adjarian will be presenting this month on Fats,

Oils, and Grease.

Ms. Seitz stated that the newsletter topics will include Direct Potable Reuse, Fix-a-Leak Week, Rebates, the GFOA Certificate of Achievement for Excellence in Financial Reporting, ETWD in the Community, Wipes, New Faces at ETWD, Spring Landscape Checkup, and the New Billing System.

Ms. Seitz stated that staff is preparing news releases on the new President and Vice President and receiving the GFOA Certificate of Achievement for Excellence in Financial Reporting.

Ms. Seitz stated that staff is working on an RFP for a new website design.

Ms. Seitz stated that Mr. Cafferty and Mr. Chu will be speaking at the Laguna Hills Third Mutual Water Conservation Committee meeting on Water Supply Conditions.

Ms. Seitz stated that included in the Board report is a MET Water Conservation Survey from Probolsky Research.

#### Water Use Efficiency Report

Mr. Chu provided an update on the Water Use Efficiency Report and landscape efficiency standards reporting.

#### SOCWA Reports

Mr. Cafferty stated that the SOCWA Finance Committee is starting their budget process.

#### MWDOC Reports

Mr. Cafferty stated that staff is working with MNWD on the interconnection and upcoming repairs to the AMP pipeline.

Director Freshley stated that the 5 or 6% water rate increase that MET is planning is unrealistic and could be 12 or 15%.

#### LAFCO

Director Freshley stated that they discussed the appointment process between Cities and Special Districts and the voting process.

#### ISDOC

President Monin stated that they formed an Ad-hoc Committee for the website design.

#### WACO

President Monin stated that they had a presentation on Snowpack/Snow Melt and How Did We Do.

### COMMITTEE AND GENERAL INFORMATION

#### Dates to Remember for January/February

Mr. Cafferty stated that staff plans to schedule a Special Board meeting in early February to discuss the first draft of the budget.

#### Comments Regarding Non-Agenda Items

There were no comments.

#### Recess

At approximately 9:35 a.m. the Board took a short recess.

#### Regular Session

At approximately 9:40 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 both items on today's Closed Session agenda.



Closed Session

At approximately 9:40 a.m. the Board went into Closed Session. Also at this time everyone left the meeting except the Board members, General Counsel, and Mr. Cafferty.

Regular Session/Open Report

At approximately 9:55 a.m. the Board returned to Regular Session.

Mr. Granito reported that the Board did go into Closed Session to discuss both items on today's Closed Session agenda.

Mr. Granito reported that during the first phase of the Closed Session, the Dollar Tree litigation - Item #1, the General Manager and General Counsel led a discussion. No reportable action was taken.

Mr. Granito reported that during the second phase of the Closed Session the General Manager led a discussion on Item #2, a matter of potential litigation. No reportable action was taken.

Adjournment

There being no further business to come before the Board, the meeting was adjourned at 10:00 a.m.

Respectfully submitted,

\_\_\_\_\_  
POLLY WELSCH  
Recording Secretary

APPROVED:

\_\_\_\_\_  
MARK MONIN, 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

# ACWA JPIA Update

## EL TORO WATER DISTRICT

**Adrienne Beatty, JPIA Chief Executive Officer**  
**Jennifer Jobe, Director of Pooled Programs**

*“A Partnership of Public Water Agencies”*





# **What is the JPIA?**

**A Partnership  
of the JPIA  
and 400  
California  
Water Agencies**

Only Public Water Agencies

Membership Requirements

Premium Stabilization Fund

Long-term relationships with  
Members







# Retrospective Premium Adjustments



**Over \$75 million** refunded to JPIA Members since inception of the Program

# Governance

Membership

Board of Directors

Executive Committee

Finance & Audit  
Committee

Personnel Committee

Liability Program  
Committee

Property Program  
Committee

Workers'  
Compensation  
Program Committee

Employee Benefits  
Program Committee

Risk Management  
Committee

California Water  
insurance Fund (CWIF)



# Programs

Liability

Property

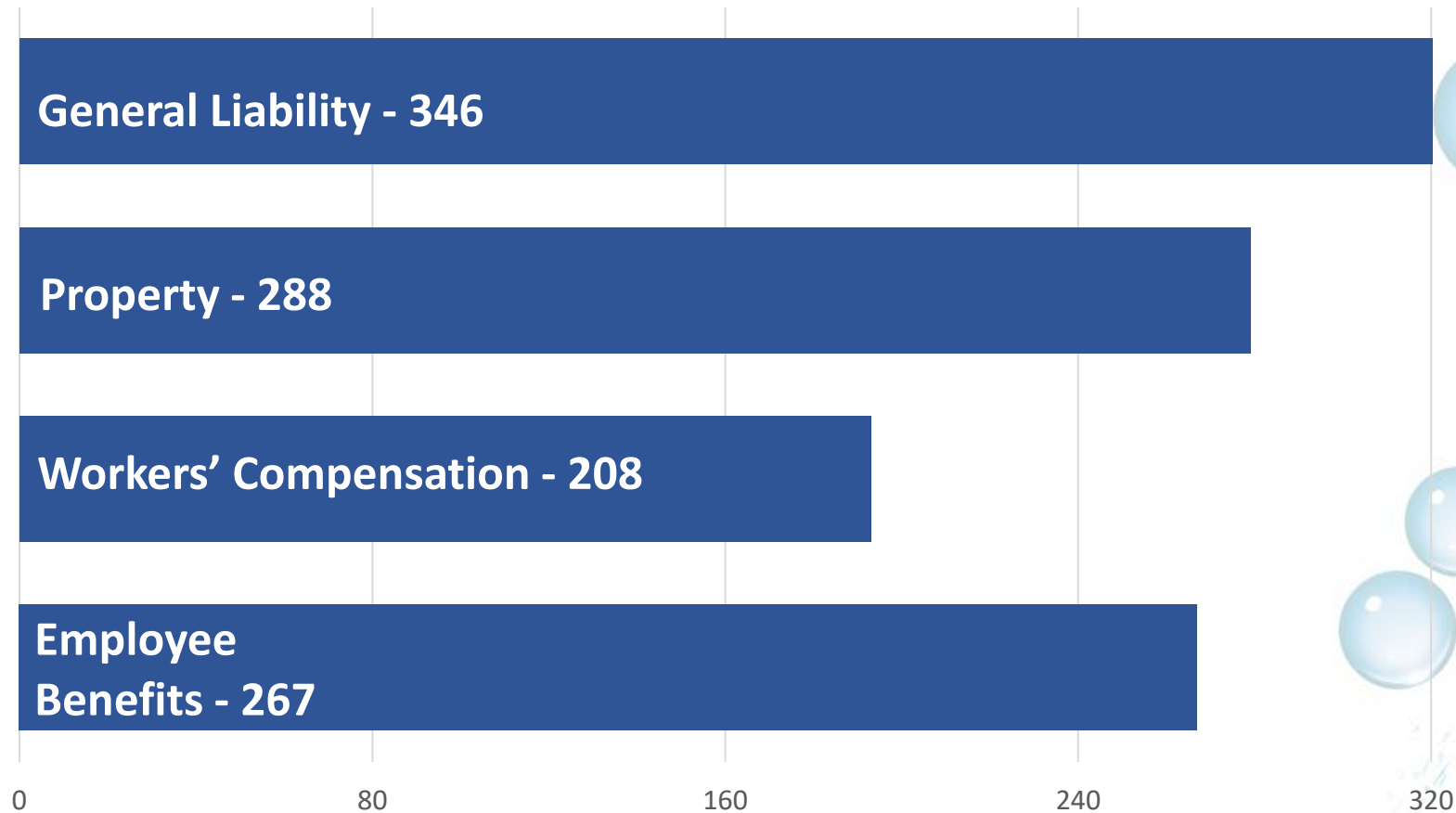
Workers'  
Comp

Employee  
Benefits



# Membership Snapshot

As of February 1, 2024

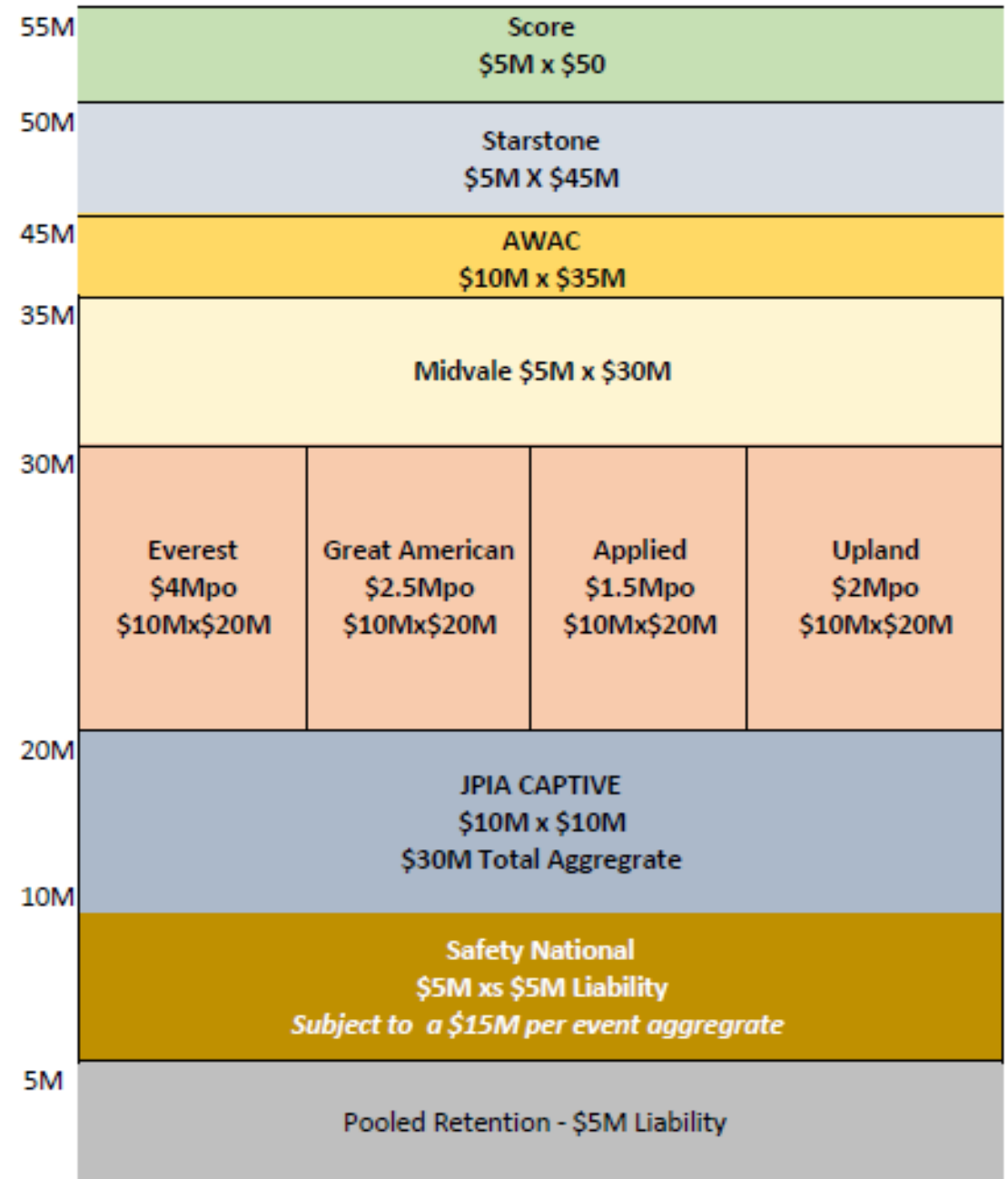


# Liability Program

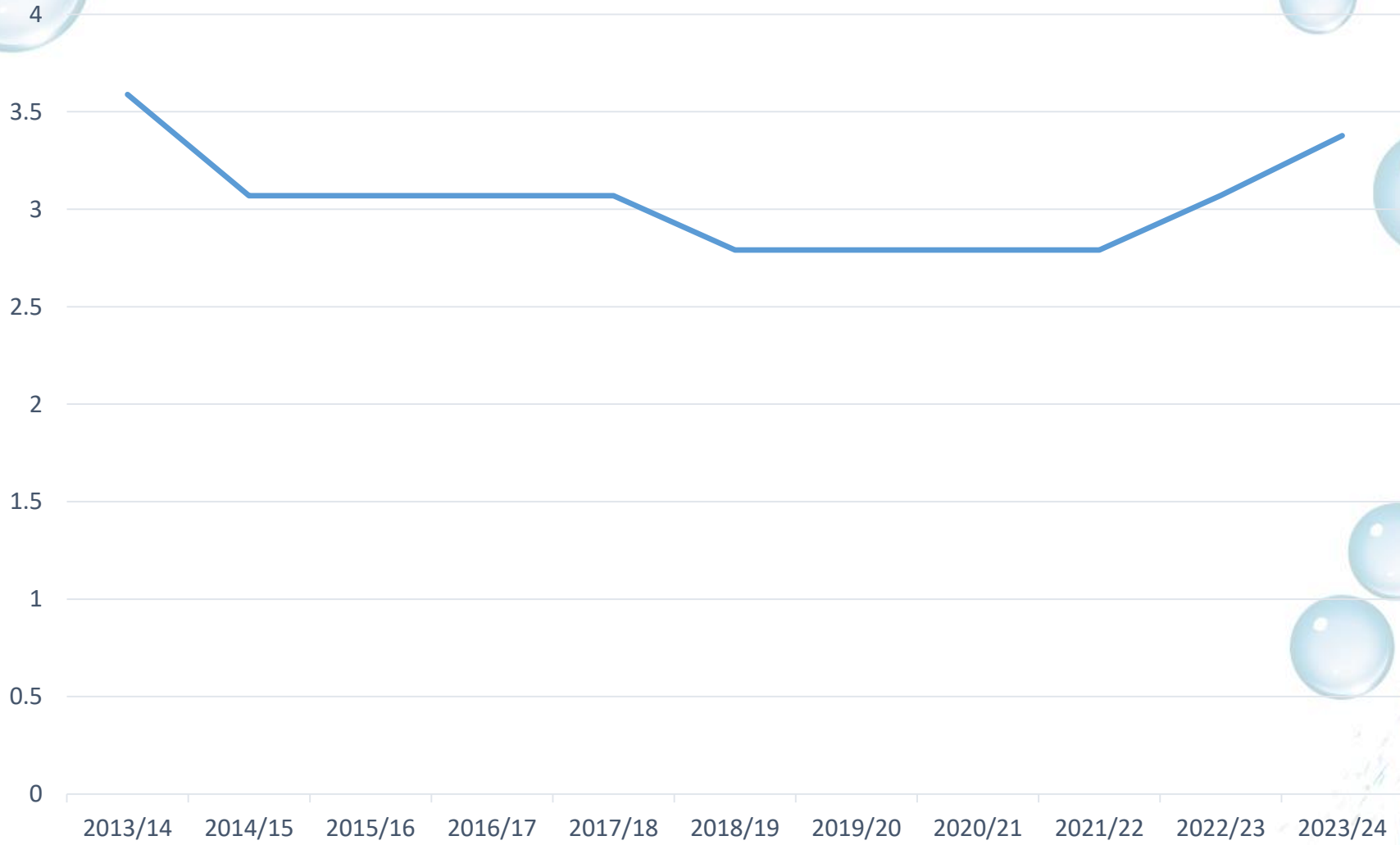


# Liability Program

- 346 members
- \$5M pool retention
- \$55M total limits
- 10% rate increase



# Historical Rates



# Property Program



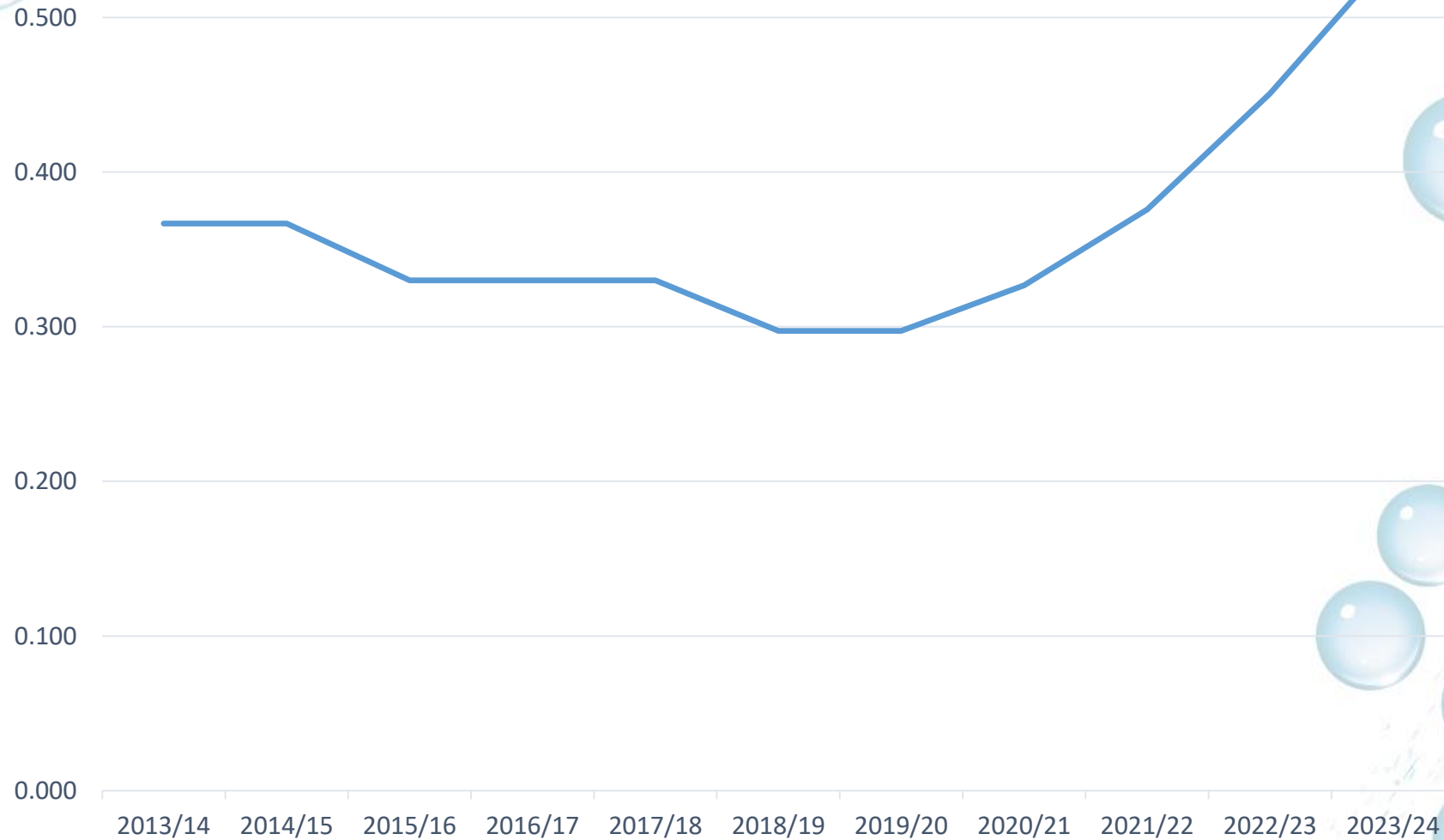
# Property Program

- 288 Members
- \$11.7B in TIV
- \$10 million retention
- \$500 million limit
- 20% rate increase



\$500M	APIP 100%								\$3,147,640
\$50M	ASPEN	CANOPIUS	RSUI	LONDON		6.25% AXIS	12.50% M. RE	35% STARR TECH	
LAYER PRICE	\$2,856,945	\$3,149,727	\$2,475,000	\$3,511,111					
PREMIUM FOR LINE	\$171,417	\$236,230	\$396,000	\$588,111					
	6%	7.50%	16%	16.75%					
\$25M	CORE 13.75%	KEMAH 5.00%	ZURICH 13.33%	SOMPO 6.67%	RSUI 7.50%	6.25%	12.50%	35%	
LAYER PRICE	\$3,084,150	\$3,208,333	\$2,881,217	\$1,652,775	\$3,437,500	\$3,069,444	\$3,500,000	\$3,000,000	
PREMIUM FOR LINE	\$424,071	\$160,417	\$384,066	\$110,240	\$257,813	\$191,840	\$437,500	\$1,050,000	
\$10M	ACWA 100%								

# Historical Rates



# Workers' Compensation Program



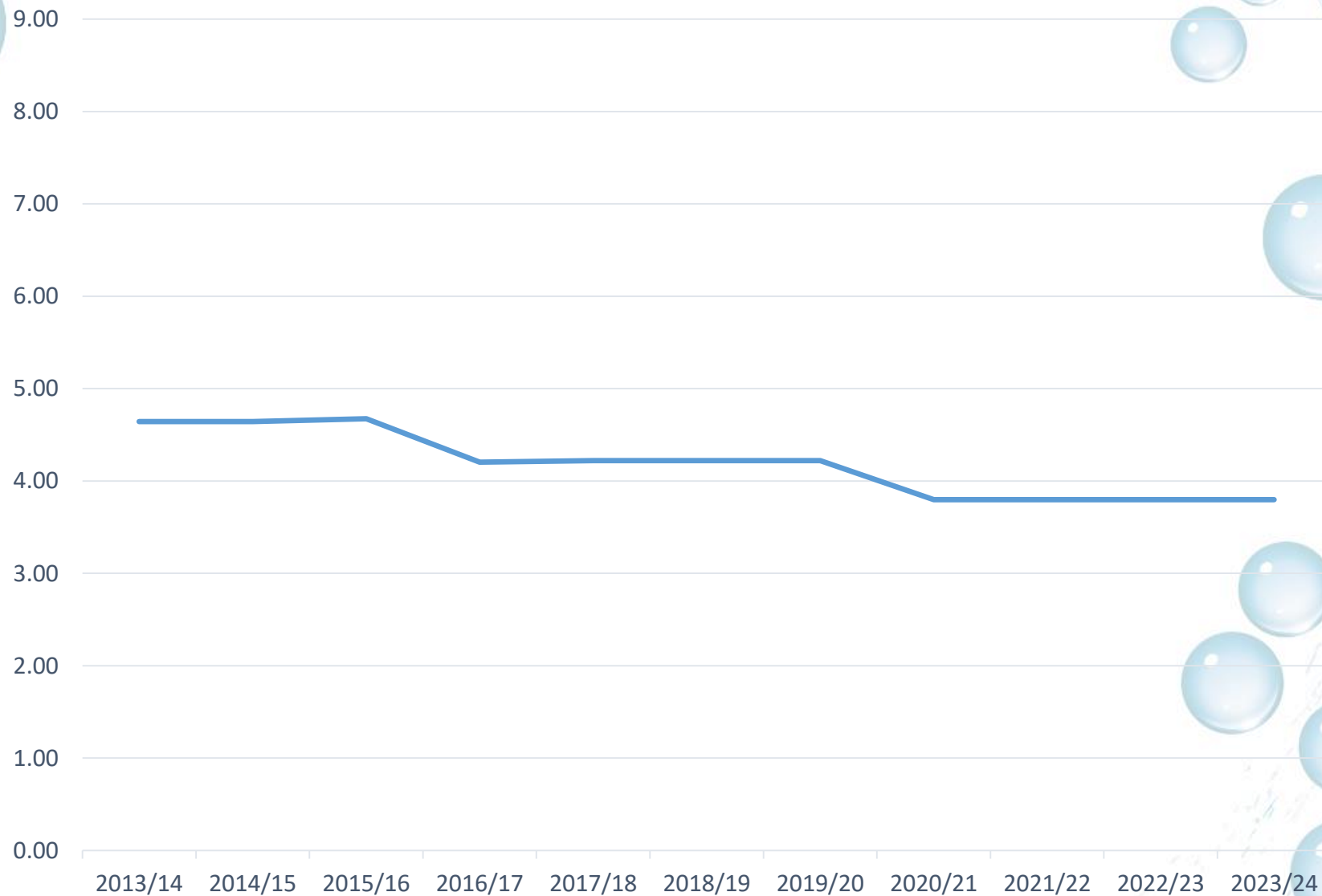


# Workers' Compensation Program

- 208 members
- Over 7,500 employees covered
- \$2 million self-insured retention
- Full statutory limits
- 2023-2024 - flat rate renewal
  - Reinsurer offered 5% rate *decrease* + 2-year rate guarantee (up to -3%)



# Historical Rates

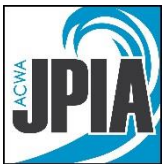


# Employee Benefits Program

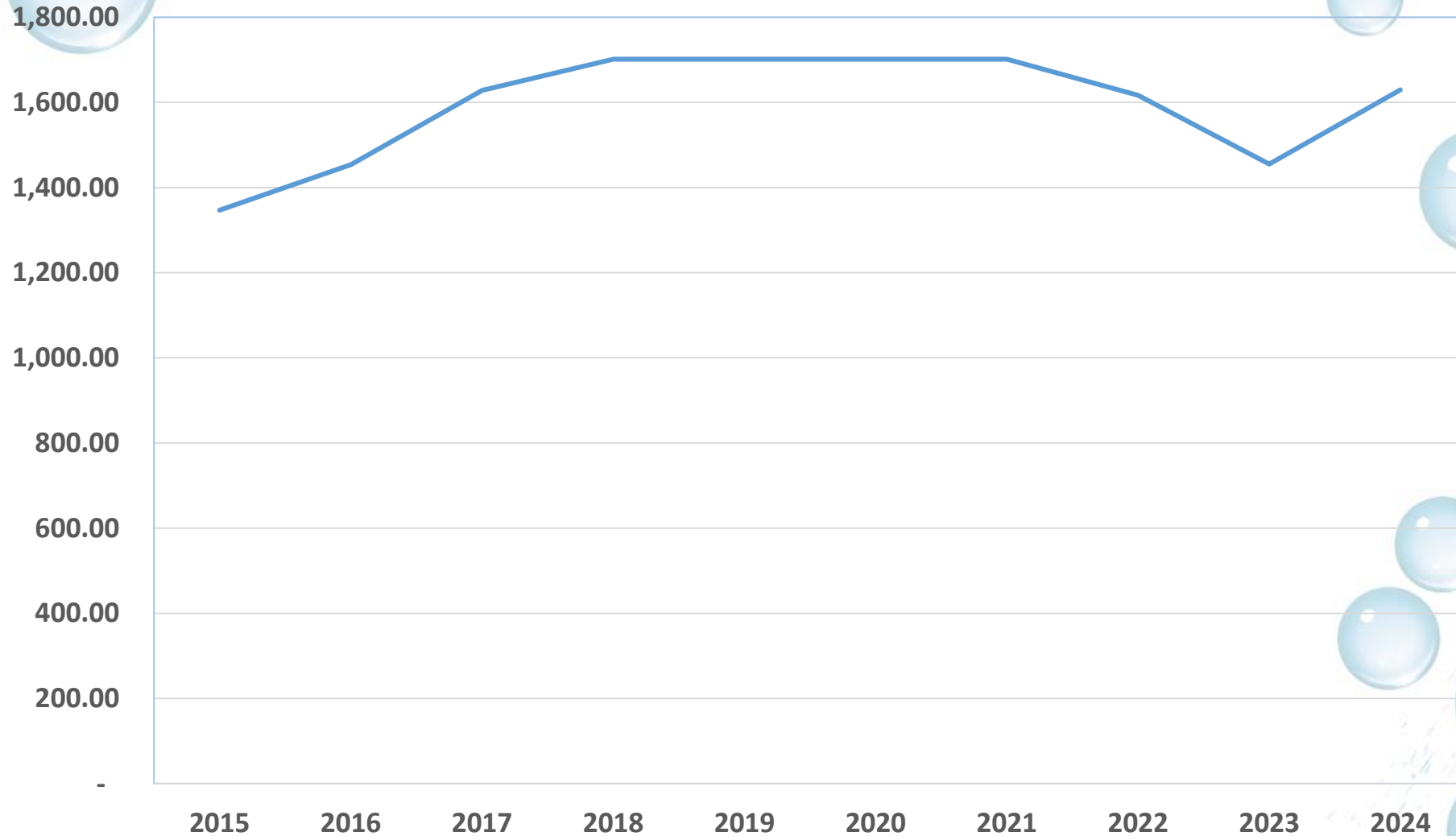


# Employee Benefits Program

- 267 Members
- 2024 Rates:
  - self-funded PPO +12%
  - dental/vision - flat
  - insured programs - flat to +10%
- 2024 Program Changes:
  - PBM transition
  - Navigator implementation
  - Carrum incentive



# Historical Rates



# Cyber Insurance



# Cyber Insurance

- 275 group-purchasers
- \$50-\$100K deductible
- \$5 million total policy aggregate limit/\$3 million per member

Year	Premium	% Change
• 2020-2021	\$127,000	+38%
• 2021-2022	\$929,000	+641%
• 2022-2023	\$1,100,000	+29%
• 2023-2024	\$1,100,000	0%



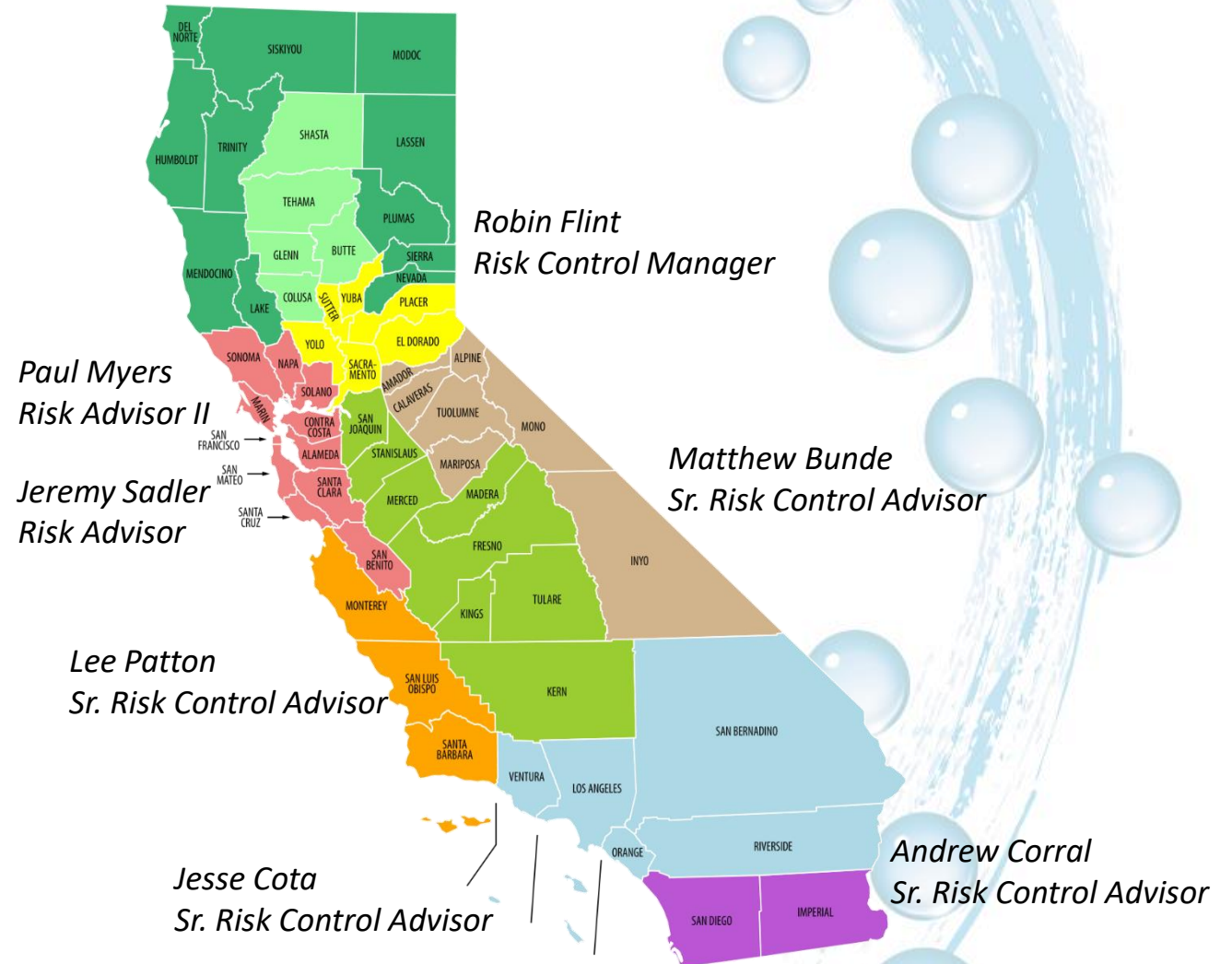


# Risk Management



# Risk Advisor Support Team

- Robin Flint, Risk Control Manager
  - *Six geographically deployed Risk Advisors*
- Chuck Wagenseller, Cost Estimator
- TBD, Cost Estimator (*coming Spring '24*)
- Jennifer Nogosek, Property & Liability Claims Manager
- Erin Bowles, WC Claims Manager



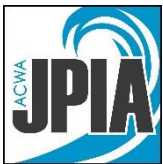
# Risk Management

- Annual onsite Risk Assessment Surveys
- Multiple onsite training days
- Customized virtual trainings
- Annual focus areas

## Commitment to Excellence (C2E) Program

### Loss Categories:

- Wildfire Prevention
- Vehicle Operations
- Construction
- Infrastructure
- Employment Practices
- Ergonomics/Falls



# Retrospective Premium Adjustment Process



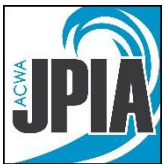
# RSF Flow

Premiums

Retrospective Premium Adjustments

Rate Stabilization Fund

Refunds



**Retrospective Premium  
Adjustments (RPA)**



**Liability  
CAT Fund**



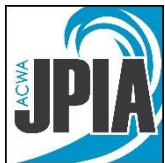
**Work Comp  
CAT Fund**



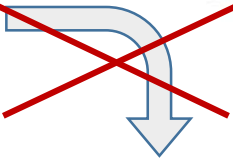
**Rate Stabilization  
Fund (RSF)**



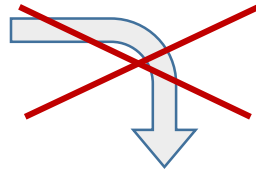
**Refund to Members**



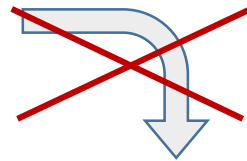
# Retrospective Premium Adjustments (RPA)



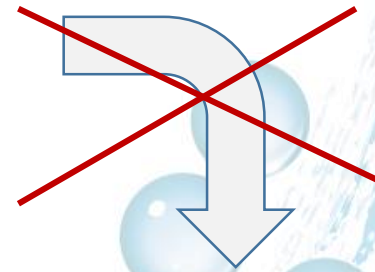
Liability  
CAT Fund



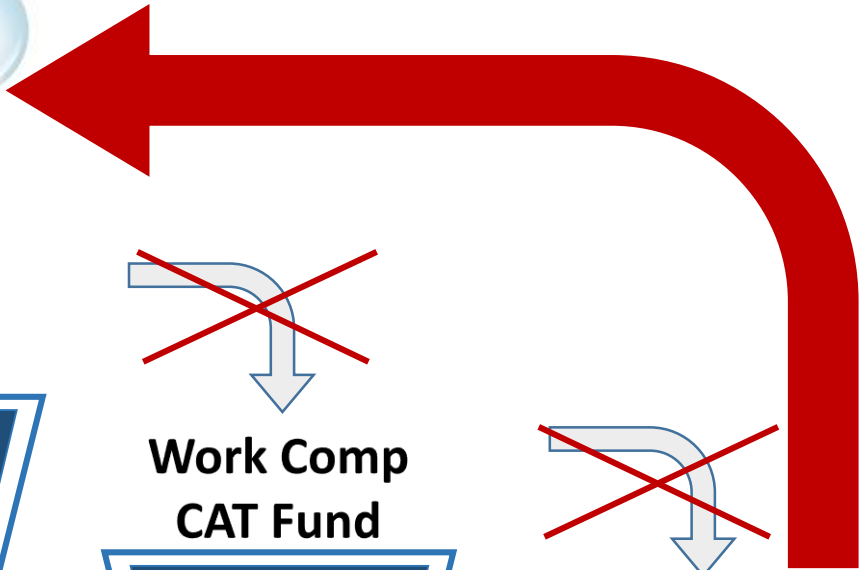
Work Comp  
CAT Fund



Rate Stabilization  
Fund (RSF)



Refund to Members





# EL TORO WATER DISTRICT

## Training

### Vector Solutions:

*343 courses completed*

### PDP Program:

*7 enrolled*

## Risk Management

**Last RAS**

*March 2023*







## STAFF REPORT

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**To:** Board of Directors **Meeting Date:** February 22, 2024  
**From:** Judy Cimorell, Director Human Resources  
**Subject:** Revisions to Employee Handbook

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The District is committed to providing and maintaining personnel policies that are consistent and current with both federal and state law. It is also the intent of the District to maintain personnel policies that retain the District's competitive stature for recruiting and retaining talented and qualified staff.

### CHANGES TO THE EMPLOYEE HANDBOOK

The reference material includes the redlined excerpts from the Employee Handbook identifying all of the proposed changes. The following provides a summary that highlights the proposed changes.

#### General Non-Substantive Changes

A variety of non-substantive changes were made to provide capitalizations where appropriate, and correct other format or typographical errors. These changes are not shown in the redlined version.

#### Section IV – Leaves of Absence

- **Reproductive Loss Leave**
  - Effective January 1, 2024 a new California law was adopted to provide unpaid, but protected, leave to an employee who sustains a reproductive loss. The law requires for up to five (5) days per Reproductive Loss Event which includes a failed adoption, failed surrogacy, miscarriage, stillbirth or an unsuccessful assisted reproduction.

## **Section V – Benefits**

- **Sick Leave**
  - Under California’s Healthy Workplace Healthy Family Act of 2014 and California Sick Leave laws, the law requires public agencies to provide paid sick leave to temporary, seasonal or part time employees. These are employee who would not be eligible for sick leave under the District’s regular sick leave policy.
  - Effective January 1, 2024, California SB 616 expands paid sick leave entitlements for California employees raising the maximum accrual amount to 10 days or 80 hours.
- **Service Recognition Award Program**
  - Added a Service Recognition Award Program to align with the District’s current practices. The amounts of award have been updated from the previous practice to provide the amount of award in a more consistent and equal amount based on tenure.

## **Section VI – Management / Employee Relations**

- **Expenses & Expense Accounts**
  - Minor modifications to the Expenses & Expense Accounts Policy are proposed to update employee expense reimbursement policies as well as update meal allowances to reflect current cost expectations.

## **Section VII – District Property**

- **Electronic and Social Media**
  - Additional language was added to the Social Media section of the policy to make it clear that the policy is not intended to limit the ability of employees to engage in protected activities per updates to the National Labor Relations Act (NLRA).
- **Personal Use of District Cell Phone**
  - In the Personal Use of District Cell Phone policy, additional language was added to make it clear that it is not intended to limit the ability of employees o engage in protected activities under the NLRA. We also made non-substantive language updates to the policy generally. In addition, the use of outdated devices (Blackberries) was removed.
- **Workplace Privacy – Audio/Video Recordings**
  - The Workplace Privacy policy was added to include the use of cameras and video recordings on District property and to articulate narrow restrictions on their use for specific business interests and legal obligations.

- **Off-Duty Use of Facilities**

- The Off Duty Use of Facilities policy was revised to be more specific about the restrictions regarding off duty use of facilities, specifying that it does not include rest and meal break periods and provides an exception when the District gives express authorization. Additional language was added to make it clear that the policy is not intended to limit the ability of employees to engage in protected activities under the NLRA.

## **Section VIII – Employee Conduct**

- **Prohibited Conduct**

- Language was added to make it clear that the company will not discipline employees under this policy for conduct that relates to the employees' ability to engage in protected activities under the law.

- **Drug and Alcohol Free Workplace**

- The Drug and Alcohol Free Workplace policy was updated to reflect Fair Employment and Housing Act (FEHA) expansion to protect against discrimination on the basis of cannabis/marijuana use off the job and away from the worksite. The law doesn't, however, permit an employee to possess, be impaired by or use cannabis on the job, and it maintains employers' rights and obligations in keeping a drug- and alcohol-free workplace

- **Prohibited Use of District Cell Phone While Driving**

- The Prohibited Use of District Cell Phone policy was renamed to "Prohibited Use of Company Devices While Driving" to reflect the content of the policy more accurately, which is primarily focused compliance with California's laws on the use of phones and devices while driving. Additional minor non-substantive language changes were also made.

- **Conducting Personal Business**

- In the Conducting Personal Business policy, language was added to make it clear that it is not intended to limit the ability of employees to engage in protected activities under the NLRA.

- **Confidential Information**

- The Confidential Information policy was revised to be more specific about what types of information constitutes "confidential information" under the policy and what doesn't (e.g., wage information and other terms and conditions of employment). Additional language was added to this policy to make it clear that the policy is not intended to limit the ability of employees to engage in protected activities under the NLRA.

- **News Media Contacts**

- This policy was revised to clarify that the policy does not broadly restrict anyone from commenting to the news or media; rather, it only restricts employees from commenting to news and media on the District's behalf or as the District's representative. Additional language was added to this policy to make it clear that the policy is not intended to limit the ability of employees to engage in protected activities under the NLRA.

- **Off Duty Conduct**

- The Off Duty Conduct policy was entirely removed from the Employee Handbook as it likely runs afoul of the NLRB's new workplace rules test. The types of off-duty conduct that can be regulated by the District are very narrow, such as harassment that takes place after hours, which is already addressed in the District's Harassment and Discrimination policy.

## **CONCLUSION**

The Employee Handbook has been updated in compliance with current policies and laws. The proposed updates have been approved by the District's labor counsel for review and approval. The updated Employee Handbook will help staff ensure employees and applicants are treated objectively and keep the District compliant with federal and state laws. In addition, proposed updates to certain benefits will help the District to both recruit and retain the qualified and talented staff that are critical to the high level of service provided to the District's customers. Following approval, staff will conduct an employee meeting to update and inform employees of the changes to the Employee Handbook.

## **RECOMMENDATION**

Staff recommends that the Board adopt Resolution No. 24-2-2 which amends the District's Employee Handbook and adds the Employee Handbook to the El Toro Water District Administrative Code.

### **RESOLUTION NO. 24-2-2**

**RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE EL TORO WATER DISTRICT  
AMENDING THE EL TORO WATER DISTRICT  
EMPLOYEE HANDBOOK  
AND ADDING THE EMPLOYEE HANDBOOK  
TO THE EL TORO WATER DISTRICT  
ADMINISTRATIVE CODE**

**RESOLUTION NO. 24-2-2**

**RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE EL TORO WATER DISTRICT  
AMENDING THE EL TORO WATER DISTRICT  
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TO THE EL TORO WATER DISTRICT  
ADMINISTRATIVE CODE**

**WHEREAS**, THE El Toro Water District Employee Handbook requires periodic updates to maintain compliance and consistency with current labor laws and practices; and

**WHEREAS**, THE El Toro Water District maintains personnel policies regarding wages and benefits to ensure the ability to recruit and retain employees necessary to preserve the reliability of the services provided by the District; and

**WHEREAS**, the Board of Directors of the El Toro Water District has reviewed the Employee Handbook as set forth in Exhibit "A" which is attached hereto and incorporated by this reference.

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Directors of the El Toro Water District hereby adopts modifications to the El Toro Water District Employee Handbook, as set forth in Exhibit "A", which is attached hereto, effective February 22, 2024.

**BE IT FURTHER RESOLVED**, that the Board of Directors does hereby adopt the Amended El Toro Water District Administrative Code, incorporating the Employee Handbook as Section 8000 of the Administrative Code, effective February 22, 2024

**ADOPTED, SIGNED AND APPROVED** this 22nd day of February, 2024.

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MARK MONIN, President  
El Toro Water District and of the  
Board of Directors thereof

ATTEST

---

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

**EXHIBIT "A"**

**RESOLUTION NO. 24-2-2**

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## Reproductive Loss Leave

The District provides employees who have been employed at least thirty (30) calendar days with Reproductive Loss Leave, in the event of a Reproductive Loss Event.

Reproductive Loss Leave may be taken for up to five (5) days per Reproductive Loss Event.

For purposes of this policy, a reproductive loss event is the day, or the final day for a multiple day event, of one of the following:

- **Failed adoption:** The dissolution or breach of an adoption agreement with the birth mother or legal guardian, or an adoption that is not finalized because it is contested by another party. This event applies to a person who would have been a parent of the adoptee if the adoption had been completed.
- **Failed surrogacy:** The dissolution or breach of a surrogacy agreement, or a failed embryo transfer to the surrogate. This event applies to a person who would have been a parent of a child born as a result of the surrogacy.
- **Miscarriage:** May be a miscarriage by a person, by person's current spouse or domestic partner, or by another individual if the person would have been a parent of a child born as a result of the pregnancy.
- **Stillbirth:** May be a stillbirth resulting from a person's pregnancy, the pregnancy of a person's current spouse or domestic partner, or another individual if the person would have been a parent of a child born as a result of the pregnancy.
- **Unsuccessful assisted reproduction:** An unsuccessful round of intrauterine insemination or of an assisted reproductive technology procedure (i.e., artificial insemination or an embryo transfer, including gamete and embryo donation). Assisted reproduction does not include reproduction through sexual intercourse. This event applies to a person, the person's current spouse or domestic partner, or another individual, if the person would have been a parent of a child born as a result of the pregnancy.

The days of reproductive leave do not need to be taken consecutively, however such leave must be taken within three (3) months of the reproductive loss event, or, if prior to or immediately following a reproductive loss event, the employee is on or choose to go on leave under California's pregnancy disability law, the California Family Rights Act, or any other leave provided by state or federal law, then the employee may complete their reproductive loss leave within three months of the end of the other leave, at which time any remaining unused reproductive loss leave will expire.

Reproductive Loss Leave is unpaid; however, employees may elect to use accrued paid leaves, such as sick leave, personal leave or vacation in order to provide for their compensation while on Reproductive Loss Leave.

If an employee experiences more than one reproductive loss event within a 12-month period, the District will provide Reproductive Loss Leave up to a maximum of 20 days within a 12-month period.

The District will maintain the confidentiality of any employee who requests to use or uses Reproductive Loss Leave, and the District will not disclose such information other than to internal personnel or counsel, as necessary, or as required by law.

## **Sick Leave**

Sick leave is a form of insurance that employees accumulate in order to minimize the economic hardships that may result from short-term illness or injury to employees or their immediate family. It is intended to be used only when actually required to recover from illness or injury; sick leave is not intended to be used in lieu of vacation. Time off for medical and dental appointments will be treated as sick leave.

### **Sick Pay Amount and Accrual for Regular Employees Who Are Full-Time or Part-Time Working at Least 30 Hours per Week**

The District offers paid sick leave to **regular full-time employees** at a rate of eight (8) hours per month. **Regular part-time employees** working less than forty (40) and a minimum of thirty (30) hours per week will accrue sick leave on a prorated basis. Unused sick leave hours carry over until they reach a cap of 960 hours, at which time they will be treated as set forth further below.

### **Sick Pay Amount and Accrual for Temporary and Part-Time Employees Working Less than 30 Hours per Week**

Temporary and part-time employees working less than 30 hours per week will be eligible for sick leave under the Healthy Workplaces Healthy Families Act, ~~at a rate of one hour of paid sick time for every 30 hours worked up to a maximum accrual of 48 hours of paid sick time~~

A temporary or part-time employee working under 30 hours per week who works 30 or more days within a year from the commencement of employment with the District accrues one hour of paid sick leave for every 30 hours worked. Accrued and unused sick leave carries over to the following year of employment however the temporary or part-time employee working under 30 hours per week will stop earning sick leave once they have accrued 80 hours or 10 work days of such leave, whichever is greater.

~~Accrued, unused time under this policy will carry over each year up to a maximum of 48 hours per calendar year.~~ Unused sick time is not paid out at the time of separation from employment. However, temporary or part-time employees working less than 30 hours per week who are re-employed with the Water District within one year of separation will have their accrued unused bank of sick leave made available to them upon re-hire.

### **Sick Leave Benefits Accrual and Pay-Out for Regular Employees Working Full-Time or Part-Time at least 30 Hours per Week**

Employees hired prior to July 1, 1997

On December 31 of any given year, any excess sick balance over 960 hours will be transferred to Vacation time. A formula of five percent (5%) times the number of complete years employed will be applied to the excess hours over 960 to determine the number of hours to be transferred. The maximum portion of the excess sick balance to be transferred will not exceed 100%. Hours

transferred under the terms of this paragraph will be considered after regular vacation hours have been calculated.-

Employees hired on or after July 1, 1997:

On December 31 of any given year, any excess sick balance over 960 hours will not be transferred to vacation time but will be paid to the employee at 50% of the excess hours over 960.

**Payment of Sick Leave upon Termination**

A portion of accumulated sick leave will be paid upon termination of employment.

A formula of five percent (5%) times the number of complete years employed will be applied to the hours accumulated. The maximum portion of accumulated sick leave to be paid will not exceed 100%.

**Coordination of Sick Benefits**

During a period of time when an employee is disabled and collecting payment from Worker's Compensation, Disability or Paid Family Leave, if the employee has available sick time they can elect to pay the difference between the employee's regular straight time rate of pay and the amount paid to the employee by Worker's Compensation, Disability or Paid Family Leave.

If you do not have accrued, paid sick leave, or if you have used all of your sick leave, you may choose to substitute vacation or personal time off for further absences from work, related to your illness or injury.

**Qualifying Reasons for Paid Sick Leave**

Paid sick time can be used for the following reasons:

- Diagnosis, care or treatment of an existing health condition for an employee or covered family member, as defined below.
- Preventive care for an employee or an employee's covered family member.
- For certain, specified purposes when the employee is a victim of crime or abuse.

For purposes of paid sick leave, a covered family member includes:

- A child defined as a biological, foster or adopted child; a stepchild; or a legal ward, regardless of the age or dependency status of the child. A "child" also may be someone for whom you have accepted the duties and responsibilities of raising, even if they are not your legal child.
- A "parent" defined as a biological, parent-in-law, foster or adoptive parent; a stepparent; or a legal guardian of an employee or the employee's spouse or registered domestic partner. A parent may also be someone who accepted the duties and responsibilities of

raising you when you were a minor child, even if they are not your legal parent.

- A spouse.
- A registered domestic partner.
- A grandparent.
- A grandchild.
- A sibling.
- A designated person as defined as any person identified by the employee at the time the employee requests paid sick leave.

A notification from a doctor that you are able to return to work may be required for any absences due to illness or injury of longer than three (3) days. A doctor's note may be required if you are on written warning, or exhibiting a pattern of excessive use of Sick Leave.

Abusive or excessive use of sick leave may result in disciplinary action, up to and including termination.

Employees cannot be discriminated or retaliated against for requesting or using accrued paid sick time.

### **Use of Paid Sick Leave**

If the need for paid sick leave is foreseeable, employees shall provide advance oral or written notification to their supervisor. If the need for paid sick leave is not foreseeable, you must contact your supervisor as soon as practicable. A phone call, email, or text message is acceptable providing you receive a response back from your supervisor acknowledging your absence. If your supervisor is unavailable, you should contact your Department Head or the Human Resources Manager. If you become sick during the day, you must notify your supervisor, or if unavailable, the Department Head or Human Resources Manager.

A Time off Request Form must be completed upon return to work, approved by the employee's Department Head and submitted to payroll for processing. Each department head is responsible for reporting sick leave taken by an employee under their supervision. Time cards are to be used by all non-exempt employees.

An employee's use of paid sick time may run concurrently with other leaves under local, state or federal law.

Paid sick leave is a benefit that also covers absences for work-related illness or injury. Employees who have a work-related illness or injury are covered by workers' compensation insurance. However, workers' compensation benefits usually do not cover absences for medical treatment. When you report a work-related illness or injury, you will be sent for medical treatment, if treatment is necessary. You will be paid your regular wages for the time you spend seeking initial medical treatment.

Any further medical treatment will be under the direction of the health care provider. Any absences from work for follow-up treatment, physical therapy or other prescribed appointments will be paid up to a maximum of two hours per appointment. If you have accrued and unused paid sick leave, the additional absences from work will be paid with the use of paid sick leave.

Appointments should be made at the beginning or end of the regular work shift.

## Service Recognition Award Program

The District values the contributions, knowledge and experience of long-term employees. In appreciation of this dedicated service, the District recognizes employees as they reach milestone anniversaries of employment.

All employees celebrating milestone anniversaries will receive a letter of appreciation from the General Manager and be recognized by the Board of Directors at a Board meeting. Employees are also recognized at an All Employee Meeting with their peers.

All active full-time and part-time regular employees become eligible for a service award in the year in which they complete five years of service and each five years thereafter.

All service awards under this program are taxable income.

The amounts of the service awards shall be as follows:

<u>Years of Service</u>	<u>Award</u>
<u>5</u>	<u>\$150</u>
<u>10</u>	<u>\$300</u>
<u>15</u>	<u>\$450</u>
<u>20</u>	<u>\$600</u>
<u>25</u>	<u>\$750</u>
<u>30</u>	<u>\$900</u>
<u>35</u>	<u>\$1050</u>
<u>40</u>	<u>\$1200</u>
<u>45</u>	<u>\$1350</u>
<u>50</u>	<u>\$1500</u>

## **Expenses & Expense Accounts**

The District reimburses employees for approved business expenses. Employees who have incurred business expenses must submit required receipts and the Expense Reimbursement Form to accounting each month.

### **Purpose**

1. To advance training and professionalism, the El Toro Water District (District) encourages and authorizes attendance at various schools, seminars and

conferences by its employees. Employees may also be required to travel both in and outside the state to conduct official District business. The purpose of this travel and expense policy is to furnish rules, guidelines, and procedures for governing reimbursement for travel expenses, and to establish certain procedures concerning travel authorization, documentation, and accounting. The District's objectives are to allow travel arrangements, and activities for its employees that conserve District funds and that have a significant and meaningful link to the purposes, policies, and interests of the District.

2. "Travel" shall mean attendance at meetings, conferences, or other functions on District business at other than the ~~employee's headquarters~~ District's facilities. Employees shall not be in travel status to the extent that they travel to perform job assignments related to District facilities within designated service or maintenance areas unless it is overnight.

### **Authorization for Travel**

Employees if authorized by their supervisors may travel anywhere within Orange County to carry out their assignments.

Other travel on District business by employees shall be undertaken only with the prior approval of the General Manager, or the Assistant General Manager.

### **Travel Arrangements**

To ensure the accuracy of travel arrangements and compliance with district policy, all employees will be required to complete all the appropriate travel forms. The forms will then be submitted to the ~~Board Secretary~~ Executive Assistant to the General Manager & Board or designee for processing.

Employees traveling on District business may make all travel arrangements and registrations through the ~~Board Secretary~~ Executive Assistant to the General Manager & Board or designee. All such payment and registration requests must be submitted in a timely manner to allow sufficient time for normal processing.

### **Policy**

1. Employees are expected to exercise good judgment and a proper regard for economy in incurring expenses.
2. When required, the district will prepay airfares, lodging costs and conference registration fees. All such payment requests must allow sufficient time for normal processing and approval prior to payment.
3. When traveling on official District business, employees are encouraged to utilize their personal credit cards and/or cash for all expenses, and then to request reimbursement for such expense. However, in circumstances where the use of such credit cards and/or cash is deemed impractical, and where the total expense is expected to exceed fifty (\$50.00), the District may provide an advance of funds.



Such advance shall not exceed one hundred percent (100%) for the total estimated expense.

4. Within ten (10) working days after completion of a trip, a travel expense report should be submitted to the ~~Board Secretary~~ Executive Assistant to the General Manager & Board or designee.
5. Paid receipts for lodging, rail or airfares and conference registration fees are required if such expenses have been incurred. All other receipts received in the normal course of business shall also be attached.
6. There is no objection to an employee's spouse and/or other family member accompanying them on an official trip, provided that their presence does not detract from the employee's performance of duty. However, the District will not reimburse any expenses attributable to any companion.
7. In any situation where extraordinary travel expenses are expected to be incurred, or where this Policy does not adequately cover the situation or would result in an undue hardship, exceptions may be made with prior approval.
8. An employee may use any mode of transportation, designated or approved, including airline, railroad, bus or automobile. Reimbursement will be based on the following paragraphs.
  - A. Travel shall be by the most direct route. If an indirect route is used, the additional costs shall be at the employee's personal expense. Whenever air travel is used, an advance travel request shall be submitted to the ~~Board Secretary~~ Executive Assistant to the General Manager & Board or designee in order to obtain the lowest possible fare.
  - B. Air travel reimbursement shall be limited to economy fares including all applicable fee charges and taxes where such service is available. Travel to and from airports shall be by the most cost effective method.
  - C. Reimbursement for the use of private cars, except those receiving a car allowance, shall be at the rate as established by the Internal Revenue Services (IRS). Mileage reimbursement shall be limited to the economy fare for air travel. Parking charges at the destination will be reimbursed in accordance with the provisions of this policy.
  - D. Reimbursement for the use of rental cars will be allowed only when such use has been approved in advance. Maximum reimbursement for car rental will be for a full-size car.
  - E. Travel in District vehicles may be approved when circumstances warrant it. When traveling in a District vehicle, receipts shall be secured for the purchase of gas, oil, and other supplies necessary in-route. These amounts shall be shown on the expense report with a notation that a

District vehicle was used, indicating the District unit number, the license plate number and make of the vehicle. The amount of the charge shall be typed opposite the transportation category.

If emergency repairs are necessary, they shall be paid for by the person to whom the car is assigned. All receipts for such payments must be furnished in order to obtain reimbursement.

- F. It is expected that hotel and motel reservations will be made in advance whenever possible, and that lodging will be secured at rates considered reasonable for the particular destination. "Government rates" or "commercial rates" shall be requested at hotels and motels offering these discounts.
- G. Reimbursement for lodging shall be limited to the minimum number of nights required to conduct the assigned District business as approved in advance. If an employee chooses to arrive earlier or stay later, the additional lodging and other expenses related to this decision will be the employee's personal expense.
- H. Generally, an employee shall not use lodging unless the destination is a 75-mile or more drive from the District's Administration Office or unless there is a very early or late official meeting that could justify the employee staying overnight at the destination. The use of lodging must be approved in advance.
- I. Any room service charges appearing on the hotel bill shall be deducted from the bill and reimbursed in accordance with the provisions of this policy.
- J. Local and long distance telephone and computer access charges will be reimbursed when such charges are incurred in conducting official District business or making essential personal calls such as a "safe arrival call." Charges will be shown on a separate line of the travel expense report and shall, therefore, be deducted from the hotel bill.
- K. When meals are associated with employee travel the following policies and procedures will apply:
  - i. Maximum allowance to cover individual meals, including meal tips, will be provided as follows:

Breakfast	<del>\$20.00</del> <u>25.00</u>
Lunch	<del>\$25.00</del> <u>30.00</u>
Dinner	<del>\$35.00</del> <u>40.00</u>

Under certain meeting or conference circumstances the maximum meal allowance may not be sufficient. In such cases, the General Manager has the authority to review and, if deemed appropriate, may approve the expenditure. Under similar instances involving the General Manager, the President of the Board of Directors shall review, and if deemed appropriate, may approve the expenditure.

- ii. No reimbursement shall be made for meals, other than during travel, without prior approval.
  - iii. No reimbursement shall be made for alcohol at any time.
  - iv. For travel that requires less than a full day, and for the day of departure and day of return on longer trips, the above amounts will be allowed for the meals actually required. All meal allowances shall be entered on the appropriate lines of the Travel Expense Report, with receipt(s) attached.
  - v. When conference, seminar or school registration fees include one or more meals, or where individual meals are otherwise provided, no amount shall be entered for this meal on the travel expense form.
  - vi. Paid itemized receipts for meals, in addition to any credit card receipts, are required if meal expenses have been incurred.
- L. At times when other expenses associated with travel are required, employees will be reimbursed for all business expenses necessary to conduct the assigned District business. Examples include, but not limited to the following:
- i. Airport parking charges when air travel is used.
  - ii. Parking charges at the destination hotel or garage when transportation is by private or rental car.
  - iii. Airport bus/shuttle, ~~or~~ taxi [or rideshare](#) fares where free airport bus/shuttle service is not available.
  - iv. Conference, seminar or school registration fees.
  - v. Local transportation (only as required for official District business).
  - vi. A reasonable amount will be allowed for baggage handling, laundry and dry cleaning for employees attending a conference or school of more than one week in length. All receipts for such expense must be submitted with the travel expense report.
  - vii. No reimbursement will be made for personal expenses such as newspapers, magazines, haircuts, shoeshines, excessive personal telephone calls, taxi fares to and from restaurants, and other personal expenses.

## **Safety Shoes**

- A. The District requires all of its field employees to wear steel-toed safety shoes. A new employee is required to have at least one serviceable pair of such shoes on the first day of work. The District will either pay the shoe store directly or reimburse an employee for the actual cost of such safety shoes, not to exceed \$400.00. Proof of Purchase will be required before reimbursement can be made.
- B. The allowance for safety shoes may also be used to cover costs for orthopedic insoles as necessary.
- C. Each twelve-month period thereafter, the District will either pay the shoe store directly or reimburse an employee for the actual cost of purchasing or maintaining said steel-toed safety shoes, not to exceed \$400.00. These allowances are not cumulative.
- D. At the discretion of the employee's Department Head, repairs to an existing pair of boots or purchase of a second pair of boots may be authorized during the fiscal year at a cost not to exceed \$400.00. Proof of repair or purchase is required before reimbursement can be made.

## **Meal Allowance**

If an employee is required to work beyond his regularly scheduled shift and through a commonly, recognized mealtime, the employee shall be entitled to a meal at the District's expense. Amounts are to be paid from petty cash funds upon receipt of proof of purchase.

## **Transportation**

In certain instances, where employees are required to frequently utilize private vehicles on approved District business, a regular monthly allowance may be paid for this purpose. The amount of this monthly allowance is set by the Board of Directors. Employees covered by this provision will be notified individually of the amount to be assigned. Said employees will not be paid an additional amount on a per mile basis.

## **Mileage Allowance**

- A. Certain employees are required to take a District vehicle home at the close of work for use in returning to District work sites in the event of an emergency and are required to return such vehicle to the District duty site at the next commencement of work. Use of said vehicle shall be limited to business purposes only. No personal use of same is permitted.
- B. Employees who drive their personal vehicles on approved District business shall be reimbursed at the rate prescribed by the Internal Revenue Service's standards, as adjusted from time to time. Business use of personal vehicles shall be approved in advance by the employee's supervisor. Employees

receiving a monthly vehicle allowance pursuant to Paragraph III above will not be eligible for such reimbursement.

### **Uniforms and Safety Equipment**

- A. Uniforms and safety equipment will be provided and maintained by the District to all field and plant personnel. Field and plant personnel are required to be attired in the prescribed uniform during their working hours.
- B. Uniforms, tools, keys and I.D. cards issued to the employee by the District must be returned to the District prior to or at the time of departure from employment with ETWD.

### **Personal Cell Phone Allowance**

Employees whose job duties include the frequent need for a cell phone, and who have not been issued a District cell phone, may receive extra compensation, in the form of a cell phone allowance, to cover business-related costs on their personal cell phone. No further reimbursement for cell phone costs is available to employees who receive such an allowance.

- A. Employees eligible for a cell phone allowance generally include employees whose job assignment regularly requires emergency call back, irregular work hours or other job related factors that require the employee to routinely utilize a cell phone to enhance their ability to perform their job duties. The General Manager shall give final approval on all cell phone allowances.
- B. The standard monthly cell phone allowance amount shall be \$60.00 per month for a smartphone and \$40.00 per month for a phone without data. No further reimbursement for cell phone costs is available to employees who receive an allowance.
- C. The approved cell phone allowance will be paid on the first check of the month as part of the employee's paycheck and will be subject to all applicable payroll taxes. The allowance does not constitute an increase to base pay, and will not be included in the calculation of percentage increases to base pay due to salary increases, promotions, etc.
- D. The employee must retain an active cell phone contract as long as a cell phone allowance is in place. The employee must provide their Department Head and the District's IT department with their current cell phone number and immediately notify both parties if the number changes. Employees receiving a cell phone allowance are expected to carry the cell phone on their person both on and off duty and respond when called for District business.
- E. Employees may choose the cellular service provider and plan design of their choice.
- F. Because the employee owns the cell phone personally, and the allowance provided is taxable income, the employee may use the phone for both business and personal purposes, as needed. Use of the phone in any manner contrary to local, state, or federal laws will constitute misuse, and will result in immediate termination of the cell phone allowance.

- G. If, prior to the end of the cell phone contract, a personal decision by the employee, or employee misconduct, or misuse of the phone, results in the cell phone allowance being discontinued or the need to end or change the cell phone contract, the employee will bear the cost of any fees associated with that change or cancellation.

For example, if an employee resigns, and no longer wants to retain the current cell phone contract for personal purposes, any cancellation charges will be the employee's responsibility.

If you have any questions about the District's expense reimbursement policy, contact your supervisor.

## **Electronic and Social Media**

The District uses various forms of electronic communications including, but not limited to, communications via computers, email, fax machines, telephones, mobile phones, smart phones, text messaging, internet, PDAs, etc. All electronic communications are official District records and are the property of the District. The District reserves the right to access and disclose all messages sent through its system for any purpose.

Messages transmitted over the electronic communications system should be limited to District business activities, for the accomplishment of business related tasks, or communications directly related to District business, administration, or practices.

The following general policies apply:

- Computers and all data transmitted through the District servers are District property owned by the District for the purpose of conducting District business. These items must be maintained according to the District rules and regulations. Computers must be kept clean and employees must exercise care to prevent loss and damage. Prior authorization must be obtained before any District property may be removed from the premises.
- All electronic communications also remain the sole property of the District and are to be used for District business. For example, email messages are considered District records.
- Electronic information created by an employee using any computer or any means of electronic communication is also the property of the District and remains the property of the District.
- Information stored in the District computers and file servers is the property of the District and may not be distributed outside the District in any form whatsoever without the written permission of the General Manager.
- Violation of any of the provisions of this policy, whether intentional or not, will subject the District employees to disciplinary action, up to and including termination.

## **Monitoring of District Property**

The District reserves the right to inspect all District property to ensure compliance with its rules and regulations, without notice to the employee and at any time, not necessarily in the employee's presence. The District computers and all electronic communications and electronic information are subject to monitoring and no one should expect privacy regarding such use. The District reserves the right to access, review and monitor electronic files, information, messages, text messages, e-mail, Internet history, browser-based webmail systems and other digital archives and to access, review and monitor the use of computers, software, and electronic communications to ensure that no misuse or violation of District policy or any law occurs. E-mail may be monitored by the District and there is no expectation of privacy. Assume that e-mail may be accessed, forwarded, read or heard by someone other than the intended recipient, even if marked as "private."

Employee passwords may be used for purposes of security but the use of a password does not affect the District's ownership of the electronic information or ability to monitor the information. The District may override an employee's password for any reason.

Employees are not permitted to access the electronic communications of other employees or third parties unless directed to do so by the District management.

## **Prohibited Use**

All existing District policies apply to employee use of computers, electronic communications, electronic information, and the Internet. This includes policies that deal with misuse of District assets or resources. It is a violation of District policy to use computers, electronic communications, electronic information, or the Internet, in a manner that: is discriminatory harassing or obscene; constitutes copyright or trademark infringement; violates software licensing rules; is illegal; or is against District policy. It is also a violation of policy to use computers, electronic communications, electronic information, or the Internet to communicate confidential or sensitive information or trade secrets.

The display of any kind of sexually explicit multimedia content, message, or document on any District computer is a violation of the District's policy against sexual harassment. This description of prohibited usage is not exhaustive and it is within the discretion of the District to determine if there has been a violation of this policy. Employees that engage in prohibited use will be subject to discipline and/or immediate termination.

This policy is not intended to limit the ability of employees to discuss with other employees the terms and conditions of their employment, including such topics as wages, job performance, workload, supervisors, or staffing.

## **Computer and Internet Use**

The District provides computers, electronic communications, electronic information and information technology resources, including the Internet, to its employees to help them do their job. Generally, these District resources and property should be used only for business related purposes; however, there are a few exceptions:

- To send and receive necessary and occasional personal communications;
- To use the telephone system, cell phones or smart phones for brief and necessary



personal calls or messages; and

- To access the Internet for brief personal searches and inquiries during meal times or other breaks, [or outside of work hours] provided that employees adhere to all other usage policies.

Any personal usage of District property must not interfere with the employee's work performance, take away from work time, consume supplies, slow other users, slow the servers or computer systems, or tie up printers or other shared resources, or violate any District policy, including policies against harassment, discrimination and disclosure of confidential or trade secret information. All policies relating to monitoring usage of District property apply.

## **Social Media**

The District uses social media in limited circumstances for defined business purposes. Social media is a set of Internet tools that aid in the facilitation of interaction between people online. If you have specific questions about which programs the District deems to be social media, consult with the public relations representative or information technology manager.

Use of Internet based programs such as Facebook, Linked In, and Twitter (this is not meant to be an exhaustive list) may be used in furtherance of District goals. However, only authorized individuals are allowed to speak/write in the name of the District using the social media tools of the District.

Your supervisor will authorize you in writing if you can use these District social media tools to perform your job duties. Authorized individuals using the District social media tools shall identify themselves honestly, accurately and completely and comply with all District policies in using this media.

Your authorization is limited to business purposes and personal use of these District social media tools or programs is prohibited and can result in discipline up to and including termination. All policies relating to monitoring usage of District property apply.

Employees can use their own personal devices to engage in social media during non-working times, such as breaks and meal periods, all other District policies against inappropriate usage, including the District's no tolerance for discrimination, harassment or retaliation in the workplace, and protection of confidential and trade secret information apply.

[This policy is not intended, nor should it be interpreted, to in any way limit the ability of employees to:](#)

- [Communicate with others regarding the terms and conditions of their employment, including such topics as wages, job performance, workplace safety, workload, supervisors, staffing or other terms and conditions of employment; or](#)
- [Otherwise engage in protected concerted activity that employees have the right to engage in under federal, state or local law.](#)



## Employee-owned Devices

The District recognizes that occasional use of the employee's own computers (including hand held devices) and electronic communications may occur during working time. The District allows such occasional personal use as long as the usage does not interfere with the employee's work performance, take away from work time or violate any District policy. All other District policies, including the District's no tolerance for discrimination, harassment or retaliation in the workplace apply. The District reserves the right to adjust this policy on a case by case basis as it deems appropriate.

## Voice Mail

The phone system is equipped with a very efficient and easy to use voice mail system. You should change your voice mail message if you are going to be out of the office.

## Personal Use of District Cell Phone

Cell phones (including handheld devices and smart phones such as ~~Blackberries and~~ iPhones) may be provided to some employees to assist them in performing their job. Cell phones are District [property](#). Data (including web browsing), messages (including voice mail, mobile email, and text messaging), and other stored electronic information is subject to monitoring and the employee does not have an expectation of privacy in the use of this District property.

[The District may ask you to assign a password to your company cell phone to prevent unauthorized access. You must share the password on all District devices with the District. The password does not, in any way, diminish the District's ownership of the cell phone or ability to monitor the information.](#)

District cell phones must not be used in any manner that violates any other District policy, including safety policies, confidentiality policies, and policies against discrimination and harassment.

Employees who are provided a District cell phone may use it to send and receive occasional and limited personal communications. Any personal usage of a District-issued cell phone must not interfere with the employee's work performance, take away from work time, or violate any District policy, including policies against harassment, discrimination and disclosure of confidential or trade secret information. Employees are responsible for paying for additional time or data usage in excess of any rate plan maintained by the District [that is unrelated to performance of job duties or following company directions](#).

## [Workplace Privacy – Audio/Video Recordings](#)

[The District may use video surveillance in public areas \(not in restrooms, locker rooms or changing areas\). The use of cameras and videos will solely be based on specific business interest and legal obligations.](#)

## Off-Duty Use of Facilities

Employees are prohibited from remaining on the District premises or making use of District facilities while not on duty after their shift has ended. This does not include rest and meal break periods. ~~Employees are expressly prohibited from using District facilities, District property, or District equipment for personal use unless expressly authorized by company policy or a supervisor. This policy is not intended, nor should it be interpreted, to in any way to limit the ability of employees to use the District's email systems to:~~

- ~~• Communicate with other employees regarding the terms and conditions of their employment during non-working times, including such topics as wages, job performance, workplace safety, workload, supervisors, ~~or~~ staffing or other terms and conditions of employment; or~~
- Otherwise engage in protected concerted activity that employees had the right to engage in under federal, state or local law.

## Prohibited Conduct

Employees are expected to conduct themselves in a manner to further the District's objectives. The following conduct is prohibited and will not be tolerated by the District. This list of prohibited conduct is illustrative only; other types of conduct that threaten security, personal safety, employee welfare and District operations also may be prohibited and will result in disciplinary action up to and including termination.

- Falsifying employment records, employment information, or other District records and giving false or misleading information during the application and/or selection process ;
- Inefficient or careless performance of job responsibilities or inability to perform job duties satisfactorily;
- Recording the work time of another employee or allowing any other employee to record your work time, or falsifying any time card, either your own or another employee's;
- Theft and deliberate or careless damage or destruction of any District property, or the property of any employee or customer;
- Removing or borrowing District property without prior authorization;
- Unauthorized opening of, or tampering with, locks in desks, doors, cabinets, etc., or unauthorized use of or duplication of keys.
- Misuse of electronic systems (email, internet, fax, phones) per policy.
- Unauthorized use or misuse of District monies, equipment, time, materials, or facilities;
- Provoking a fight or fighting during working hours or on District property;
- Threatening or intimidating other employees, supervisors, vendors, or customers;

- Participating in horseplay or practical jokes on District time or on District premises;
- Carrying firearms or any other dangerous weapons on District premises at any time;
- Insubordination, including but not limited to failure or refusal to obey the orders or instructions of a supervisor or member of management, or the use of abusive or threatening language toward a supervisor or member of management;
- Using abusive, vulgar, threatening or intimidating language at any time on District premises;
- Causing, creating, or participating in a disruption of any kind during working hours on District property or to fellow employees, visitors, or customers at any time;
- Violation of District punctuality and attendance policies. Absences protected by state or federal law do not count as violations of this policy. Protected paid sick time under California law does not count as a violation of this policy.
  
- Failing to obtain permission to leave work for any reason during normal working hours, not including meal and rest periods;
- Failing to observe working schedules, including rest and lunch periods;
- Sleeping or malingering on the job;
- Working overtime without authorization or refusing to work assigned overtime;
- Violating any safety, health, security or District policy, rule, procedure or violation of the District's drug and alcohol policy;
- Committing a fraudulent act or a breach of trust under any circumstances;
- Failure to immediately report the loss of a California driver's license due to suspension, withdrawal, forfeiture or confiscation by any court of law or by the California Division of Motor Vehicles. This rule applies only to those employees who must maintain such a license as a condition of their employment.
  
- Failure to report involvement in an accident occurring on the District's premises, or involving the District's equipment, or giving false information in accident or insurance reports.
- Violating the District's anti-harassment or equal employment opportunity policies; and
  
- Failing to promptly report work-related injury or illness.

[This list of prohibited conduct is illustrative only; other types of conduct that threaten security, personal safety, employee welfare and/or company operations also may be prohibited and will result in disciplinary action up to and including termination.](#)

This statement of prohibited conduct does not alter the company's policy of at-will employment. Either you or the District remain free to terminate the employment relationship at any time, with or without reason or advance notice.

The District will not discipline employees for conduct that relates to employees' ability to:

- Communicate with others regarding the terms and conditions of their employment, including such topics as wages, job performance, workplace safety, workload, supervisors, staffing or other terms and conditions of employment; or
- Otherwise engage in concerted activity protected under federal, state or local law.

~~This statement of prohibited conduct does not alter the District's policy of at-will employment. Either you or the District remain free to terminate the employment relationship at any time, with or without reason or advance notice.~~

## **Drug and Alcohol Free Workplace**

El Toro Water District is committed to a safe and healthful work environment for all employees. The District is concerned about employees being under the influence of alcohol, marijuana, illegal drugs and/or controlled substances at work. Use of these substances, whether on or off the job can detract from an employee's work performance, efficiency, safety, and health, and therefore seriously impair District operations. In addition, the use or possession of these substances on the job constitutes a potential danger to the welfare and safety of other employees and exposes the District to the risks of property loss or damage, or injury to other persons.

Furthermore, the use of prescription drugs and/or over-the-counter drugs also may affect an employee's job performance and may seriously impair the employee's value to the District.

The following rules and standards of conduct apply to all employees either on District property or when performing District related business elsewhere or during the workday (including meals and rest periods). The following are strictly prohibited by District policy:

- Being under the influence of, or impaired by, an illegal or controlled substance, alcohol or marijuana while on the job.
- Using or possessing illegal or controlled substances, alcohol or marijuana while on the job (including the illegal use of prescription drugs and possessing drug paraphernalia)
- Manufacturing, distributing, selling, or purchasing of an illegal or controlled substance, alcohol or marijuana while on the job or conducting District business.
- A District employee is prohibited from working or being subject to call in if impaired by alcohol, marijuana or any illegal or controlled substance.
- Driving a District vehicle while under the influence of alcohol, marijuana or any illegal or controlled substance.
- An employee must notify their supervisor before beginning work when taking medications or drugs which could interfere with the safe and effective performance of

duties or operation of District equipment. If there is a question regarding an employee's ability to perform assigned duties safely and effectively while using prescribed medications, the District may require medical clearance.

- The District will not discriminate against employees for the use of marijuana off the job and away from the worksite, nor will the District take disciplinary action against employees for such use, so long it does not result in the employee being under the influence of marijuana while on the job (e.g., using marijuana off-duty and outside of work and then coming to work while still under the influence/impaired). Safety Sensitive Personnel must follow the Department of Transportation requirements.
- Compliance with this policy is a condition of employment. Disciplinary action will be taken against those who violate this policy. The District may also bring the matter to the attention of appropriate law enforcement authorities.

## SEARCHES

In order to enforce this policy and promote a safe, productive and efficient workplace, the District has the right to search and inspect all District property, including but not limited to lockers, storage areas, furniture, District vehicles, and other places under the common control of the District, or joint control of the District, and employees. No employee has any expectation of privacy in any District building, property, or communications system. The District reserves the right to conduct searches of employees and/or their personal property, and to implement other measures necessary to deter and detect abuse of this policy.

An employee's conviction on a charge of illegal sale or possession of any controlled substance while off District property will not be tolerated because such conduct, even though off duty, reflects adversely on the District. In addition, the District must keep people who sell or possess controlled substance off District premises in order to keep the controlled substances themselves off the premises.

## DRUG AND ALCOHOL TESTING

The District has discretion to test a current employee for alcohol or drugs in the following instances:

### 1. Reasonable Suspicion Testing

The District may require a blood test, urinalysis, or other drug and/or alcohol screening of those persons reasonably suspected of using or being under the influence of a drug or alcohol at work. Testing must be approved by the Human Resources Manager or the General Manager, or a designee.

“Reasonable suspicion” is based on objective factors, such as behavior, speech, body odor, appearance, or other evidence of recent drug or alcohol use which would lead a reasonable person to believe that the employee is under the influence of drugs or alcohol at work. In order to receive authority to test, the supervisor must record the factors that support reasonable suspicion and discuss the matter with the Human Resources Manager. If there is a reasonable

suspicion of drug or alcohol abuse at work, the employee will be relieved from duty and placed on sick leave until the test results are received.

## 2. Post-Accident Testing

The District may require alcohol or drug screening following any work-related accident or any violation of safety precautions or standards, whether or not an injury resulted from the accident or violation, provided that the “reasonable suspicion” factors described above are present.

### **Employee’s Responsibilities**

A District employee must:

- Not report to work or be on standby or on-call status while their ability to perform job duties is impaired due to on or off duty alcohol, marijuana or drug use;
- Not possess or use controlled substances (illegal drugs or prescription drugs without a prescription) at any time, or use alcohol or marijuana at any time while on District property or while on duty for the District at any location;
- Not directly or indirectly through a third-party manufacture, sell, distribute, dispense, or provide controlled substances to any person, including any employee, at any time; or manufacture, sell, distribute, dispense or provide alcohol or marijuana to any employee while either or both are on duty;
- Notify their supervisor, before beginning work, when taking any medications or drugs, prescription or nonprescription, which may interfere with the safe and effective performance of duties or operation of District equipment;
- Notify the department director of any criminal conviction for a drug violation that occurred in the workplace within no more than five days after such conviction;
- Notify the supervisor immediately of facts or reasonable suspicions when the employee observes behavior or other evidence that a fellow employee poses a risk to the health and safety of the employee or others;
- Consent to drug or alcohol, or marijuana testing and searches pursuant to this policy; and
- Follow the District’s drug, marijuana and alcohol-free workplace policy.

### **Drug Free Awareness Program**

Counseling and treatment of drug and alcohol related problems are available through the District’s Employee Assistance Program provider.

The District will encourage and reasonably accommodate employees with alcohol, marijuana or drug dependencies to seek treatment and/or rehabilitation. Employees desiring such assistance should request a treatment or rehabilitation leave. The District is not obligated, however, to continue to employ any person whose performance of essential job duties is impaired because of drug or alcohol or marijuana use, nor is the District obligated to re-employ any person who

has participated in treatment and/or rehabilitation if that person's job performance remains impaired as a result of dependency. Additionally, employees who are given the opportunity to seek treatment and/or rehabilitation, but fail to successfully overcome their dependency or problem, will not automatically be given a second opportunity to seek treatment and/or rehabilitation. This policy on treatment and rehabilitation is not intended to affect the District's treatment of employees who violate the regulations described previously. Rather, rehabilitation is an option for an employee who acknowledges a chemical dependency and voluntarily seeks treatment to end that dependency.

### **Safety Sensitive Personnel**

El Toro Water District has numerous employees who work in safety-sensitive positions such as in a confined-space, or with hazardous material or operating and maintaining vehicles and heavy equipment. The Department of Transportation has determined their own definition of a safety-sensitive employee as one in any position requiring the use of a Class "A" or Class "B" commercial driver's license, or a Class "C" with a hazardous waste certificate commercial driver's license.

The Department of Transportation has set standards for the testing of drug and alcohol use for all employees with a Class A or Class B commercial driver's license, or a Class "C" with a hazardous waste certificate commercial driver's license. All safety-sensitive employees, as defined by the Department of Transportation (DOT), are required to comply with the Department of Transportation regulations **in addition to** El Toro Water District's requirements as set forth above.

***The Department of Transportation policy is in accordance with regulations of the Department of Transportation and only those safety-sensitive employees of El Toro Water District whose position requires the use of a Class "A" or Class "B" commercial driver's license, or a Class "C" with a hazardous waste certificate commercial driver's license will be subject to the terms and conditions as set forth in the policy.***

### **Prohibited Use of District [Cell Phone Devices](#) While Driving**

In the interest of the safety of our employees and other drivers [and pedestrians on the road](#), ~~The~~ District employees are prohibited from using cell phones (including all smart phones) or other wireless communication devices (including laptops [and tablets](#)) while driving on District business and/or District time.

If your job requires that you keep your cell phone or other wireless communication device turned on while you are driving, you must use a hands-free, voice-operated device at all times. Under no circumstances should employees place phone calls while operating a motor vehicle while driving on District business and/or District time. Violating this policy is a violation of law and a violation of District rules.

Writing, sending, or reading text-based communication - including text messaging, instant messaging, e-mail, web browsing and use of smart phone applications - on any wireless device or cell phone while driving is also prohibited under this policy unless the device is specifically designed and configured to allow voice-operated and hands-free operation to dictate, send, or



listen, and it is used in that manner while driving.

Violating this policy is a violation of law and a violation of District rules.

## Conducting Personal Business

Employees are to conduct only District business while at work. Employees may not conduct personal business or business for another employer during their scheduled working hours unless on break periods. For purposes of this policy, personal business does not include engaging in communications in response to an emergency or:-

- Communicating with others regarding the terms and conditions of their employment, including such topics as wages, job performance, workplace safety, workload, supervisors, staffing or other terms and conditions of employment; or
- Otherwise engaging in protected concerted activity that employees have the right to engage in under federal, state or local law.

## Confidential Information

**Each employee is responsible for safeguarding the confidential information obtained during employment.**

In the course of your work, you may have access to trade secrets or similarly protected proprietary or confidential information regarding El Toro Water District's business (such as financial data, research and development, marketing, business plans or strategies, suppliers, business partners or customers).

Confidential information does not include information about the terms and conditions of your employment, such as wages,, benefits, workplace safety and other topics you have the right to discuss with other employees under the law.

-You have a responsibility to prevent revealing or divulging any confidential information such- information unless it is necessary for you to do so in the performance of your duties or as required by law.

Access to, or disclosure of, confidential information should be on a "need-to-know" basis and must be authorized by your supervisor, the Human Resources Manager or the General Manager. Any breach of this policy will not be tolerated and legal action may be taken by the District.

This policy does not prohibit employees from confidentially disclosing trade secret, proprietary or confidential information to federal, state and local government officials, or to an attorney, when done to report or investigate a suspected violation of the law. Employees may also



disclose the information in certain court proceedings if specific procedures to protect the information are followed. Nothing in this policy is intended to conflict with 18 U.S.C. sec. 1833(b) or create liability for disclosures of trade secrets that are expressly allowed by 18 U.S.C. sec. 1833(b).

Nothing in this policy prevents you from discussing or disclosing information about unlawful acts in the workplace, such as harassment or discrimination or any other conduct that you have reason to believe is unlawful.

This policy is not intended, nor should it be interpreted, to in any way limit the ability of employees to:

- Communicate with others regarding the terms and conditions of their employment during non-working times, including such topics as wages, job performance, workplace safety, workload, supervisors, staffing or other terms and conditions of employment; or
- Otherwise engage in protected concerted activity that employees have the right to engage in under federal, state or local law.

## **News Media Contacts**

Employees may be approached for interviews or comments by the news media. Only contact people designated by the General Manager may comment to news reporters on behalf of ~~may comment to news reporters on~~ the District regarding District policy or events relevant to the District.

This policy is not intended, nor should it be interpreted, to in any way limit the ability of employees to:

- Communicate with others regarding the terms and conditions of their employment, including such topics as wages, job performance, workplace safety, workload, supervisors, staffing or other terms and conditions of employment; or
- Otherwise engage in protected concerted activity that employees have the right to engage in under federal, state or local law.

## **~~Off-Duty Conduct~~**

~~While the District does not seek to interfere with the off-duty and personal conduct of its employees, certain types of off-duty conduct may interfere with the District's legitimate business interests. Off-duty conduct by an employee that directly conflicts with the District's essential business interests and disrupts business operations will not be tolerated.~~

# ***EL TORO WATER DISTRICT***



## ***ADMINISTRATIVE CODE***

Adopted

February ~~2022~~, 2024

## **DISTRICT**

1000 Principal Office  
1010 Seal

## **BOARD OF DIRECTORS**

2000 General Authority  
2010 Membership  
2020 Terms of Office  
2030 Elections  
2040 Meetings  
2050 Quorum: Votes Necessary  
2060 Compensation  
2070 Board Staff Relationship  
2080 Guidelines for Board Conduct  
2090 Committees of the Board

## **BOARD OFFICERS AND EMPLOYEES**

3000 Officers Other Than Directors  
3010 Elimination  
3020 President (Term of Office)  
3030 Succession to Presidency  
3040 Vice President (Election – Term of Office – Succession to Presidency)  
3050 Secretary  
3060 Treasurer  
3070 Duties and Powers of President  
3080 Duties and Powers of Vice President  
3090 Employees  
3100 District Legal Counsel  
3110 District Auditors

## **ETWD DIRECTORS**

4000 Directors' Compensation  
4010 Directors' Benefits  
4020 Directors' Travel & Expense Reimbursement

## **ETHICS**

5000 Ethics Training

## **FINANCIAL MATTERS**

- 6000 District Claim Procedures
- 6010 Board Authorization of Fund Transfers With the District Capital Budget
- 6020 Budget Policy
- 6030 Designated Staff Credit Card Issuance / Usage Policy
- 6040 Cash Reserve Policy
- 6050 Debt Management Policy
- 6060 Capitalization Policy for Capital Assets
- 6070 Disposal of Surplus Property
- 6080 Investment Policy

## **SERVICE AND RATE**

- 7000 Statement of Service Outside of District Boundaries
- 7010 Statement of Construction of Water and Sewer

## **PERSONNEL MATTERS**

- 8000 Employee Handbook (Incorporated by Reference)



## STAFF REPORT

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**To: Board of Directors**

**Meeting Date: February 22, 2024**

**From: Judy Cimorell, Director Human Resources**

**Subject: El Toro Water District Section 125 Premium Only Plan**

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In 1995 the El Toro Water District ("District") established a premium only 125 Plan. The plan is so titled since it refers to Section 125 of the Internal Revenue Code. This section of the code allows companies to establish health and welfare plans for their employees and allows the employees to pay their portion of the premiums on a "pre-tax" basis.

Every five years the District's 125 Plan needs to be updated. We accomplish this by using a third party service. Staff therefore contracted with Core Documents for purposes of amending and restating the District's 125 Plan effective January 1, 2024.

ERISA counsel has previously concluded that it is appropriate under the circumstances and is not in conflict with either the 401(k) or 457 Plans.

### **CHANGES TO THE EL TORO WATER DISTRICT SECTION 125 PREMIUM ONLY PLAN**

- Dennis P. Cafferty, General Manager replaced Robert Hill as the Document Signer.
- Aflac Hospital Insurance was added to the Plan.
- Aflac Critical Care was added to the Plan
- Aflac Dental was added to the Plan

### **CONCLUSION**

The El Toro Water District Section 125 Premium Only Plan has been updated with the current changes.

The Plan states that contributions and benefits under the Plan shall not discriminate in favor of Highly Compensated Employees; nor shall the aggregate cost of the Medical Insurance Benefits provided to Key Employees exceed 25% of the aggregate of such cost for the Medical Insurance Benefits provided to all Employees under the Plan.

The required Highly Compensated Nondiscrimination and Key Employees tests were performed and the District passed both tests.

## **RECOMMENDATION**

Staff recommends that the Board adopt Resolution No. 24-2-3 which amends and restates the Districts IRC Section 125 Premium Only Plan.

### **RESOLUTION NO. 24-2-3**

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
EL TORO WATER DISTRICT AMENDING AND RESTATING THE  
EL TORO WATER DISTRICT  
INTERNAL REVENUE CODE (IRC)  
SECTION 125 PREMIUM ONLY PLAN**

**RESOLUTION NO. 24-2-3**

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
EL TORO WATER DISTRICT AMENDING AND RESTATING THE  
EL TORO WATER DISTRICT  
INTERNAL REVENUE CODE (IRC)  
SECTION 125 PREMIUM ONLY PLAN**

**WHEREAS**, the Board of Directors of the El Toro Water District has previously adopted the El Toro Water District “Section 125 Premium Only Plan with HSA Module” allowing for payment of medical benefit costs by employees on a pre-tax basis.

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Directors of the El Toro Water District does hereby amend and restate the El Toro Water District “Section 125 Premium Only Plan with HSA module” as set forth in Exhibit “A” which is attached hereto.

**BE IT FURHTER RESOLVED**, that the amended and restated “Section 125 Premium Only Plan with HSA module” is approved effective January 1, 2024.

**ADOPTED, SIGNED AND APPROVED**, this 22<sup>nd</sup> day of February 2024.

\_\_\_\_\_  
MARK MONIN, President  
El Toro Water District and of  
the Board of Directors thereof

ATTEST

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

**EXHIBIT "A"**

**RESOLUTION NO. 24-2-3**



**EL TORO WATER DISTRICT**  
**PREMIUM ONLY PLAN**

**PURPOSE**

The El Toro Water District Premium Only Plan (“Plan”), originally adopted by El Toro Water District effective August 1, 1995, is amended and restated herein effective January 1, 2024. The purpose of the Plan is to allow Employees of El Toro Water District and other Participating Employers, to choose between at least one permitted taxable benefit, such as cash compensation from existing income and at least one qualified benefit such as health care coverage under medical plan(s) sponsored by El Toro Water District (via salary reduction).

El Toro Water District intends that the Plan qualify as a “cafeteria plan” under section 125 of the Internal Revenue Code of 1986 ("Code") as amended, and that the Medical Insurance Benefits that an Employee elects to receive under the Plan be eligible for exclusion from the Employee’s income for federal income tax purposes.

Although this Plan has been reduced to writing in order to comply with section 125 of the Code, the Plan shall also serve as an amendment to each of the health plans described in Schedule A affected by its provisions in order to permit the benefits of this Plan to be fully implemented.

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*Section 1*

**DEFINITIONS**

The words and phrases as used herein shall have the following meanings, unless a different meaning is plainly required by the context, and pronouns shall be interpreted so that the masculine pronoun shall include the feminine and the singular shall include the plural.

**“Adoption Agreement”** means the written agreement by which an Affiliated Company adopts this Plan.

**“Affiliated Company”** means:

A. any company which is a member of a controlled group of corporations with the Employer within the meaning of section 1563(a) of the Code, determined without regard to sections 1563(a) (4) and (e) (3) (C);

B. all organizations under common control with the Employer within the meaning of section 414 (c) of the Code:

C. all organizations which are included with the Employer in an affiliated service group within the meaning of section 414 (m) of the Code; or

D. any other entity required to be aggregated with the Employer pursuant to regulations under section 414 (o) of the Code.

**“Beneficiary”** means the person, persons or trust designated by written revocable designation filed with the Plan Administrator by the Participant to receive payments under this Plan, including the Participant and any dependents of a Participant.

**“Cash”** for purposes of section 125, cash means cash from current compensation (including salary reduction), payment for annual leave, sick leave, or other paid time off, severance pay, property, and certain after-tax employee contributions.

**“Change in Status”** has the meaning described in Section 4.3.

**“COBRA”** means the Consolidated Omnibus Budget Reconciliation Act of 1985, as amended.

**“Code”** means the Internal Revenue Code of 1986 as amended, and the same as may be amended from time to time.

**“Dependent”** has the meaning described in Section 2.8.

**“Effective Date”** means August 1, 1995; amended and restated January 1, 2024.

**“Eligible Employee”** means any non-union Employee regularly scheduled to work 30 or more hours per week for a Participating Employer.

**“Employee”** means an individual that the Employer classifies as a common-law employee, leased employee, or full time life insurance salesman, and who is on the Employer’s W-2 payroll, but does not include the following: (a) individuals classified by the Employer as a contract worker, independent contractor, temporary employee, or casual employee for the period during which such individual is so classified, whether or not any such individual is on the Employer’s W-2 payroll; (b) any individual who performs services for the Employer but who is paid by a temporary or other employment or staffing agency for the period during which such individual is paid by such agency; (c) any employee covered under a collective bargaining agreement; (d) any self-employed individual; (e) any partner in a partnership; and (f) any more-than-2% shareholder in a Subchapter S corporation. The term “Employee” does include “former Employees” for the limited purpose of allowing continued eligibility for benefits under the Plan for the remainder of the Plan Year in which an Employee ceases to be employed by the Employer, but only to the extent specifically provided elsewhere under this Plan.

**“Employer”** means El Toro Water District and any other business organization which succeeds to its business and elects to continue this Plan.

**“Enrollment Period”** means the calendar month preceding the beginning of any Plan Year.

**“Entry Date”** means the first day of the month following completion of 30 consecutive days of active employment as an Eligible Employee.

**“ERISA”** means the Employee Retirement Income Security Act of 1974, and the same as may be amended from time to time.

**“FMLA”** means the Family and Medical Leave Act of 1993, as amended.

**“Health Savings Account”** or **“HSA”** means a health savings account established under Code § 223. Such arrangements are individual trusts or custodial accounts, each separately established and maintained by an Employee with a qualified trustee/custodian.

**“High Deductible Health Plan”** means the high deductible health plan offered by the Employer that is intended to qualify as a high deductible health plan under Code § 223(c)(2), as described in materials provided separately by the employer. The High Deductible Health Plan may or may not be the sole Medical Insurance Plan eligible for pre-tax Salary Reduction funding hereunder.

**“Highly Compensated Employee”** means any Employee defined as such in section 414(q) of the Code.

**“HIPAA”** means the Health Insurance Portability and Accountability Act of 1996, as amended.

**“HSA Benefits”** has the meaning described in Section 7.1.

**“HSA-Eligible Individual”** means an individual who is eligible to contribute to an HSA under Code § 223 and who has elected qualifying High Deductible Health Plan coverage offered by the Employer and who has not elected any disqualifying non-High Deductible Health Plan coverage offered by the Employer.

**“Key Employee”** means any Employee defined as such in section 416(I) (I) of the Code.

**“Medical Insurance Benefits”** means a health care coverage option, available from time to time under the Plan, as set forth in Schedule A hereto.

**“Participant”** means any Eligible Employee who has met the conditions for participation set forth in Section 2.

**“Participating Employer”** means El Toro Water District and any Affiliated Company that adopts this Plan with the consent of the Employer. As of the Amendment Date, the Employer is the only Participating Employer.

**“Plan”** means the El Toro Water District Premium Only Plan which is described herein and as amended from time to time, and which is intended to constitute a separate, written Plan for the exclusive benefit of Eligible Employees.

**“Plan Number” or “PN”** assigned by El Toro Water District is 501.

**“Plan Sponsor”** means El Toro Water District (“Employer”).

**“Plan Year”** means the twelve-month period commencing each January 1 and ending on the subsequent December 31.

**“Premium Payment Benefits”** means the amount set aside for Medical Insurance Benefits under Section 3.2 and credited to the Participant’s Premium Only Account.

**“Premium Only Account”** means the account established in each Participant’s name as provided under Section 3.2 and which is used to record the allocation of Premium Payment Benefits for the expenditure of the Medical Insurance Benefits elected by a Participant.

**“Premium Expense”** means the expense identified with the Medical Insurance Benefits elected by a Participant in accordance with Section 3.2.

**“Qualified Benefits”** For purposes of section 125, Qualified Benefit means benefits excludible from an employee’s gross income under a specific provision of the Code and must not defer compensation, except as specifically allowed in section 125(d)(2)(B), (C) or (D). Examples of qualified benefits include the following: group-term life insurance on the life of an employee (section 79); or employer-provided accident and health plans. A cafeteria plan may also offer long-term and

short-term disability coverage as a qualified benefit (see section 106). See paragraph (q) in Sec. 1.125-1 for nonqualified benefits.

**“QMCSO”** means a qualified medical child support order, as defined in ERISA Section 609(a).

**“Salary Reduction Agreement”** means a voluntary agreement whereby an Employee agrees to reduce his compensation for the forthcoming Plan Year (or, if the agreement becomes effective after the beginning of the Plan Year, for the balance of the Plan Year) for purposes of obtaining the Medical Insurance Benefits offered by the Plan.

**“Spouse”** means an individual who is legally married to a Participant as determined under applicable state law (and who is treated as a spouse under the Code).

*Section 2*

**PARTICIPATION IN THE PLAN**

**2.1 Eligibility to Participate.** Each Eligible Employee may elect to participate in the Plan if the Individual satisfies all of the following: (a) is an Employee of a Participating Employer; (b) is working 30 or more hours per week; and (c) has been employed by the Employer for 30 consecutive days. Eligibility shall also be subject to the additional requirements, if any, specified in the Medical Insurance Plan.

Self-employed individuals are not eligible to participate in the Plan. New proposed regulations make clear that:

- sole proprietors,
- partners,
- directors of corporations, and
- 2-percent shareholders of an S corporation

are not employees for purposes of this Plan. (C Corporation owners who are employees and a director of the Corporation are eligible to participate in the Plan in their capacity as an Employee).

**2.2 Procedure for and Effect of Participation.** An Eligible Employee may become a Participant in the Plan by executing a Salary Reduction Agreement under which the Employee agrees to reduce his Compensation for the forthcoming Plan Year (or, if such Salary Reduction Agreement becomes effective after the beginning of the Plan Year, for the balance of the Plan Year). The Salary Reduction Agreement shall be governed by Section 3 hereof. By becoming a Participant, each individual shall for all purposes be deemed conclusively to have consented to the provisions of the Plan and all amendments thereto.

An Eligible Employee's spouse or dependents can only receive benefits through the Plan if they are named on an Eligible Employee's qualifying policy. Eligible Employee's spouse or dependents can not participate in the Plan independently.

**2.3 Cessation of Participation.** A Participant will cease to be a Participant as of the earliest of:

- A. the date on which the Plan terminates;
- B. the date on which he ceases (because of retirement, termination of employment, layoff, reduction of hours, or any other reason) to be an Eligible Employee. Notwithstanding the foregoing, for purposes of pre-taxing COBRA coverage certain Employees may continue eligibility for periods on the terms and subject to the restrictions described in Section 6.4;
- C. the first day of any Plan Year for which he has elected not to participate in the Plan;



- D. the date on which he revokes his election and elects not to participate in Medical Insurance Benefits, on account of and consistent with a change in family status in accordance with Section 4.3; or
- E. the date on which he fails to make a contribution in accordance with Section 3.5.

Termination of participation in this Plan will automatically revoke the Participant's elections. The Medical Insurance Benefits will terminate as of the date specified in the Medical Insurance Plan.

Notwithstanding the foregoing, a former Eligible Employee who is absent by reason of sickness, disability, or other authorized leave of absence may continue as a Participant for so long as such authorized absence continues in accordance with such rules and regulations as the Participating Employer may direct.

**2.4 Recommencement of Participation.** If a Participant terminates his or her employment for any reason, including (but not limited to) disability, retirement, layoff, or voluntary resignation, and then is rehired within 30 days or less after the date of a termination of employment, then the Employee will be reinstated with the same elections that such individual had before termination. If a former Participant is rehired more than 30 days following termination of employment and is otherwise eligible to participate in the Plan, then the individual may make new elections as a new hire as described in Section 3.2. Notwithstanding the above, an election to participate in the Premium Payment Module will be reinstated only to the extent that coverage under the Medical Insurance Plan (here, major medical insurance) is reinstated. If an Employee becomes ineligible for any reason (other than for termination of employment), including (but not limited to) a reduction of hours, and then becomes an Eligible Employee again, the Employee must complete the waiting period described in Section 2.1 before again becoming eligible to participate in the Plan.

**2.5 FMLA Leaves of Absence.** Notwithstanding any provision to the contrary in this Plan, if a Participant goes on a qualifying leave under the FMLA, then to the extent required by the FMLA, the Employer will continue to maintain the Participant's Medical Insurance Benefits on the same terms and conditions as if the Participant were still an active Employee. That is, if the Participant elects to continue his or her coverage while on leave, the Employer will continue to pay its share of the Contributions.

An Employer may require participants to continue all Medical Insurance Benefit coverage for Participants while they are on paid leave (provided that Participants on non-FMLA paid leave are required to continue coverage). If so, the Participant's share of the Contributions shall be paid by the method normally used during any paid leave (e.g., on a pre-tax Salary Reduction basis).

In the event of unpaid FMLA leave (or paid FMLA leave where coverage is not required to be continued), a Participant may elect to continue his or her Medical Insurance Benefits during the leave. If the Participant elects to continue coverage while on FMLA leave, then the Participant may pay his or her share of the Contributions in one of the following ways:

- with after-tax dollars, by sending monthly payments to the Employer by the due date established by the Employer;
- with pre-tax dollars, by having such amounts withheld from the Participant's ongoing Compensation (if any), including unused sick days and vacation days, or pre-paying all or a portion of the Contributions for the expected duration of the leave on a pre-tax Salary Reduction basis out of pre-leave Compensation. To pre-pay the Contributions, the Participant must make a special election to that effect prior to the date that such Compensation would normally be made available (pre-tax dollars may not be used to fund coverage during the next Plan Year); or
- under another arrangement agreed upon between the Participant and the Plan Administrator (e.g., the Plan Administrator may fund coverage during the leave and withhold "catch-up" amounts from the Participant's Compensation on a pre-tax or after-tax basis) upon the Participant's return.

If the Employer requires all Participants to continue Medical Insurance Benefits during an unpaid FMLA leave, then the Participant may elect to discontinue payment of the Participant's required Contributions until the Participant returns from leave. Upon returning from leave, the Participant will be required to repay the Contributions not paid by the Participant during the leave. Payment shall be withheld from the Participant's Compensation either on a pre-tax or after-tax basis, as agreed to by the Plan Administrator and the Participant.

If a Participant's Medical Insurance Benefits coverage ceases while on FMLA leave (e.g., for non-payment of required contributions), then the Participant is permitted to re-enter the Medical Insurance Benefits upon return from such leave on the same basis as when the Participant was participating in the Plan prior to the leave, or as otherwise required by the FMLA. In addition, the Plan may require Participants whose Medical Insurance Benefits coverage terminated during the leave to be reinstated in such coverage upon return from a period of unpaid leave, provided that Participants who return from a period of unpaid, non-FMLA leave are required to be reinstated in such coverage.

**2.6 Non-FMLA Leaves of Absence.** If a Participant goes on an unpaid leave of absence that does not affect eligibility, then the Participant will continue to participate and the Contributions due for the

Participant will be paid by pre-payment before going on leave, by after-tax contributions while on leave, or with catch-up contributions after the leave ends, as may be determined by the Plan Administrator. If a Participant goes on an unpaid leave that affects eligibility, then the election change rules in Section 4.4(d) will apply.

**2.7 Uniformed Service Under USERRA.** A Participant who is absent from employment with the Employer on account of being in “uniformed service”, as that term is defined by the Uniformed Services Employment and Reemployment Rights Act of 1994 (“USERRA”), may elect to continue participation in the Plan. The coverage period shall extend for the lesser of 24 months or until the Participant fails to apply for reinstatement or to return to employment with the Employer. The Participant shall be responsible for making the required contributions during the period during which he or she is in “uniformed service”. The manner in which such payments are made shall be determined by the Plan Administrator, in a manner similar to Section 2.5 (regarding the payment of contributions with respect to FMLA Leave). A Participant whose coverage under the group health insurance plan is terminated on account of his or her being in “uniformed service”, and is later reinstated, shall not be subject to a new exclusion or waiting period requirement imposed by such group health plan and/or medical savings account, provided that such requirements would not have been imposed if coverage had not been terminated as a result of the “uniformed service”.

**2.8 Definition of Dependent.** Any individual who is a tax dependent of the Participant as defined in Code § 152, with the following exceptions: (1) a dependent is defined as in Code § 152, determined without regard to subsections (b)(1), (b)(2), and (d)(1)(B) thereof; and (2) a dependent means any child (as defined in Code § 152(f)(1)) of the Participant who as of the end of the taxable year has not attained age 27, and (3) a dependent means any child to whom IRS Rev. Proc. 2008-48 applies (regarding a child of divorced parents, etc., where one or both parents have custody of the child for more than half of the calendar year and where the parents together provide more than half of the child's support for the calendar year), is treated as a dependent of both parents.

The definition of “Dependent” has been revised under Section 152 of the Code by the Working Families Tax Relief Act of 2005 (WFTRA). An individual is considered to be a dependent if he or she is a qualifying child or qualifying relative of the taxpayer.

The following qualifying criteria now apply to be a "dependent child":

- 1) The individual has a specific family type relationship to the taxpayer
- 2) The individual does not provide more than half of his or her own support
- 3) The individual has the same place of residence as the taxpayer for more than half of the year

4) The individual does not turn age 19 (24 if a full-time student)\*, by the end of the Plan Year

In addition, the following qualifying criteria apply to be a "dependent relative":

- 1) The individual has a specific family type relationship to the taxpayer
- 2) The individual is not a qualifying child of any other taxpayer
- 3) The individual receives more than half of his or her support from the taxpayer
- 4) The individual's annual gross income is less than the Section 151 limit (this criteria does not apply to health plans)

In the case of an individual who is permanently and totally disabled (as defined in Code Section 22(e)(3)) at any time during such calendar year, the age requirement for a qualifying child does not apply.

No person shall be considered a Dependent of more than one Employee. If both an Employee and an Employee's spouse are employed by Employer dependent children may be covered by either spouse, but not by both.

\*NOTE: the Internal Revenue Service (the "IRS") Notice 2010-38 (the "Notice") provides important guidance regarding the tax treatment of employer-provided health coverage to employees' adult children who have not attained age 27 as of the end of the employee's taxable year. Treasury regulations have been amended retroactively to March 30, 2010, to allow both the amounts paid by an employer for coverage for an employee's adult children and the amounts paid by (or reimbursed to) the employee for such coverage to be excluded from the employee's gross income, in the same manner as coverage that is provided to an employee's spouse or dependent defined under Section 152 of the Code. This coverage is provided to such adult child (as defined in Code § 152(f)(1)) regardless of whether the child satisfies the other requirements listed above. The Notice provides important guidance and further clarifications with regard to these issues.

*Section 3*

**BENEFITS AND METHODS OF FUNDING**

**3.1 Benefits Offered.** When first eligible or during the Open Enrollment Period as described under Section 2.2, Participants will be given the opportunity to elect Premium Payment Benefits, as described in Section 6. See Schedule A for a complete description of available benefits and refer to specific insurance premium rate sheets for individual maximum elective contribution.

**3.2 Premium Payment Benefits.** Upon proper election by a Participant in accordance with Section 3.3 herein, there shall be credited to each Participant's Premium Only Account any Premium Payment Benefits that correspond to the Participant's Salary Reduction Agreement determined in accordance with Section 3.3 hereof. Such Premium Payment Benefits shall not exceed the Premium Expense of the Medical Insurance Benefits elected, set forth in Schedule A attached hereto, as it may be revised by the Employer from time to time. The Participant's Premium Payment Benefits shall be credited as and when such sum is redirected from the Participant's compensation pursuant to the Salary Reduction Agreement then in effect. The Premium Payment Benefits shall be used to pay all or part of the Premium Expense of the Medical Insurance Benefits that the Participant has designated pursuant to Section 3.3. The Premium Expense paid on behalf of any Participant shall be a charge to the balance of his Premium Only Account. It is specifically the Participant's responsibility regarding insurance premium reimbursement not to request anything that could violate the terms of their insurance policy.

**3.3 Election of Benefits.** An Employee who first becomes eligible to participate in the Plan mid-year may elect to commence participation in one or more Benefits after eligibility requirements have been satisfied, provided that an Election Form/Salary Reduction Agreement is submitted to the Plan Administrator before the date in which participation will commence.

Each Eligible Employee shall submit to the Employer, before the close of the Enrollment Period for each Plan Year, or when Employee first becomes eligible, a Salary Reduction Form identifying the Medical Insurance Benefits to be provided by the Employer to or on behalf of the Eligible Employee. An Employee who does not elect benefits when first eligible may not enroll until the next Open Enrollment Period, unless an event occurs that would justify a mid-year election change, as described under Section 4.4.

Each election under this Section 3.3 may be modified by the Employer to the extent required to enable the Plan, and payments hereunder, to satisfy the requirements of Section 125 of the Code. If an Eligible Employee separates from service with a Participating Employer during a period in which

he is covered under Medical Insurance Benefits, the Employer may terminate the remaining portion of Medical Insurance Benefits coverage provided by the Plan. Any Participant or newly Eligible Employee who fails to execute an appropriate Salary Reduction Agreement during the Enrollment Period shall be deemed to have elected cash compensation (regular income) to the extent permissible.

**3.4 Provision of Benefits.** The Participating Employer shall provide the Medical Insurance Benefits the Participant has elected under the Plan. Eligibility for Premium Payment Benefits shall be subject to the additional requirements specified in the Medical Insurance Plan. The provisions of this Plan are not intended to override any exclusions, eligibility requirements, or waiting periods specified in the Medical Insurance Plan. It is specifically the Participant's responsibility regarding insurance premium reimbursement not to request anything that could violate the terms of their insurance policy.

### **3.5 Employer and Employee Contributions.**

*Employer Contributions.* For Employees who elect Premium Payment Benefits, the Employer will contribute a portion of the Contributions (if applicable) as provided in the open enrollment materials furnished to Employees and/or on Election Form/Salary Reduction Agreement.

*Employee Contributions.* Employees who elect any of the Premium Payment Benefits, may pay for the cost of that coverage on a pre-tax Salary Reduction basis by completing an Election Form/Salary Reduction Agreement, or may pay with after-tax deductions.

If a Participant does not have sufficient Premium Payment Benefits to pay for the Medical Insurance Benefits elected, the Participating Employer is authorized to withhold the additional amounts from a Participant's pay on an after-tax basis to the extent required for said Medical Insurance Benefits.

Participants are required to increase or decrease their payments under the terms of the Plan and as required by the Plan Administrator, if there is an increase or decrease in the premium payments required by an independent, third party provider in order to maintain any Medical Insurance Benefits.

Notwithstanding the foregoing, Medical Insurance Benefits shall cease to be provided to a Participant if said Participant fails to make a contribution required under the terms of the Plan.

**3.6 Nondiscrimination.** Contributions and benefits under the Plan shall not discriminate in favor of Highly Compensated Employees; nor shall the aggregate cost of the Medical Insurance Benefits provided to Key Employees exceed 25% of the aggregate of such cost for the Medical Insurance Benefits provided to all Employees under the Plan. The Employer may limit or deny any Employee's Salary Reduction Agreement to the extent necessary to avoid any such discrimination.

**3.7 Insurance Contracts.** Any dividends or retroactive rates or other refunds which may

become payable under any Medical Insurance Benefits due to actuarial error in rate calculation shall be the exclusive property of and shall be retained by a Participating Employer.

**3.8 Using Salary Reductions to Make Contributions.** Salary Reductions are applied by the Employer to pay for the Participant's share of the Contributions for the Premium Payment Benefits and for the purposes of this Plan and the Code, are considered to be Employer contributions. It is specifically the Participant's responsibility regarding insurance premium reimbursement not to request anything that could violate the terms of their insurance policy.

If, as of the date that any elected coverage under this Plan terminates, a Participant's year-to-date Salary Reductions exceed or are less than the Participant's required Contributions for the coverage, then the Employer will, as applicable, either return the excess to the Participant as additional taxable wages or recoup the due Salary Reduction amounts from any remaining Compensation.

For those Participants who elect to pay their share of the Contributions for any of the Medical Insurance Benefits with after-tax deductions, both the Employee and Employer portions of such Contributions will be paid outside of this Plan.

**3.9 Funding the Plan.** All of the amounts payable under this Plan shall be paid from the general assets of the Employer, but Premium Payment Benefits are paid as provided in the applicable insurance policy. Nothing herein will be construed to require the Employer or the Plan Administrator to maintain any fund or to segregate any amount for the benefit of any Participant, and no Participant or other person shall have any claim against, right to, or security or other interest in any fund, account, or asset of the Employer from which any payment under this Plan may be made. There is no trust or other fund from which Benefits are paid. While the Employer has complete responsibility for the payment of Benefits out of its general assets (except for Premium Payment Benefits paid as provided in the applicable insurance policy), it may hire an unrelated third-party paying agent to make Benefit payments on its behalf.

## *Section 4*

### **IRREVOCABILITY OF ELECTIONS AND EXCEPTIONS**

**4.1 Irrevocability of Elections.** Except as described in this Article 4, a Participant's election under the Plan is irrevocable for the duration of the Period of Coverage to which it relates. In other words, unless an exception applies, the Participant may not change any elections for the duration of the Period of Coverage regarding:

- participation in this Plan;
- Salary Reduction amounts; or
- election of particular Benefit Package Options.

**4.2 Procedure for Making New Elections if Exception to Irrevocability Applies.**

- (a) *Timeframe for Making New Election.* A Participant (or an Eligible Employee who, when first eligible under Section 2.1 or during the Open Enrollment Period under Section 2.2, declined to be a Participant) may make a new election within 30 days of the occurrence of an event described in Section 4.4, as applicable, but only if the election under the new Election Form/Salary Reduction Agreement is made on account of and is consistent with the event and if the election is made within any specified time period (e.g., for Sections 4.4(d) through 4.4(i), within 30 days after the events described in such Sections, or within 60 days for loss of Medicaid or CHIP coverage or notice of eligibility for a Premium Assistance Subsidy). Notwithstanding the foregoing, a Change in Status (e.g., a divorce or a dependent's losing student status) that results in a beneficiary becoming ineligible for coverage under the Medical Insurance Plan shall automatically result in a corresponding election change, whether or not requested by the Participant within the normal 30-day period.
- (b) *Effective Date of New Election.* Elections made pursuant to this Section 4.2 shall be effective for the balance of the Period of Coverage following the change of election unless a subsequent event allows for a further election change. Except as provided in Section 4.4(e) for HIPAA special enrollment rights in the event of birth, adoption, or placement for adoption, all election changes shall be effective on a prospective basis only (i.e., election changes will become effective no earlier than the first day of the next calendar month following the date that the election change was filed, but, as determined by the Plan Administrator, election changes may become effective later to the extent that the coverage in the applicable Benefit Package Option commences later).



**4.3 Change in Status Defined.** A Participant may make a new election upon the occurrence of certain events as described in Section 4.4, including a Change in Status, for the applicable Module. “Change in Status” means any of the events described below, as well as any other events included under subsequent changes to Code § 125 or regulations issued thereunder, which the Plan Administrator, in its sole discretion and on a uniform and consistent basis, determines are permitted under IRS regulations and under this Plan:

- (a) *Legal Marital Status.* A change in a Participant’s legal marital status, including marriage, death of a Spouse, divorce, legal separation, or annulment;
- (b) *Number of Dependents.* Events that change a Participant’s number of Dependents, including birth, death, adoption, and placement for adoption;
- (c) *Employment Status.* Any of the following events that change the employment status of the Participant or his or her Spouse or Dependents: (1) a termination or commencement of employment; (2) a strike or lockout; (3) a commencement of or return from an unpaid leave of absence; (4) a change in worksite; and (5) if the eligibility conditions of this Plan or other employee benefits plan of the Participant or his or her Spouse or Dependents depend on the employment status of that individual and there is a change in that individual’s status with the consequence that the individual becomes (or ceases to be) eligible under this Plan or other employee benefits plan, such as if a plan only applies to salaried employees and an employee switches from salaried to hourly-paid, union to non-union, or full-time to part-time (or vice versa), with the consequence that the employee ceases to be eligible for the Plan;
- (d) *Dependent Eligibility Requirements.* An event that causes a Dependent to satisfy or cease to satisfy the Dependent eligibility requirements for a particular benefit, such as attaining a specified age, Student status, or any similar circumstance; and
- (e) *Change in Residence.* A change in the place of residence of the Participant or his or her Spouse or Dependents.

**4.4 Events Permitting Exceptions to Irrevocability Rule for All Benefits.** A Participant may change an election as described below upon the occurrence of the stated events for the applicable Module of this Plan:

- (a) *Open Enrollment Period* - A Participant may change an election during the Open Enrollment Period in accordance with Section 2.2.
- (b) *Termination of Employment* - A Participant’s election will terminate under the Plan upon termination of employment in accordance with Sections 2.3 and 2.4, as applicable.

- (c) *Leaves of Absence* - A Participant may change an election under the Plan upon FMLA leave in accordance with Section 2.5 and upon non-FMLA leave in accordance with Section 2.6.
- (d) *Change in Status* - A Participant may change his or her actual or deemed election under the Plan upon the occurrence of a Change in Status (as defined in Section 4.3), but only if such election change is made on account of and corresponds with a Change in Status that affects eligibility for coverage under a plan of the Employer or a plan of the Spouse's or Dependent's employer (referred to as the general consistency requirement). A Change in Status that affects eligibility for coverage under a plan of the Employer or a plan of the Spouse's or Dependent's employer includes a Change in Status that results in an increase or decrease in the number of an Employee's family members (i.e., a Spouse and/or Dependents) who may benefit from the coverage.

The Plan Administrator, in its sole discretion and on a uniform and consistent basis, shall determine, based on prevailing IRS guidance, whether a requested change is on account of and corresponds with a Change in Status. Assuming that the general consistency requirement is satisfied, a requested election change must also satisfy the following specific consistency requirements in order for a Participant to be able to alter his or her election based on the specified Change in Status:

- (1) *Loss of Spouse or Dependent Eligibility; Special COBRA Rules.* For a Change in Status involving a Participant's divorce, annulment or legal separation from a Spouse, the death of a Spouse or a Dependent, or a Dependent's ceasing to satisfy the eligibility requirements for coverage, a Participant may only elect to cancel accident or health insurance coverage for (a) the Spouse involved in the divorce, annulment, or legal separation; (b) the deceased Spouse or Dependent; or (c) the Dependent that ceased to satisfy the eligibility requirements. Canceling coverage for any other individual under these circumstances would fail to correspond with that Change in Status. Notwithstanding the foregoing, if the Participant or his or her Spouse or Dependent becomes eligible for COBRA (or similar health plan continuation coverage under state law) under the Employer's plan (and the Participant remains a Participant under this Plan in accordance with Section 2.2), then the Participant may increase his or her election to pay for such coverage (this rule does not apply to a Participant's Spouse who becomes eligible for COBRA or similar coverage as a result of divorce, annulment, or legal separation).

IRS Notice 2010-38 states that the applicable Treasury Regulations have been amended retroactively to March 30, 2010, to include Change in Status events covering children under age 27 who do not otherwise qualify as dependent children, including becoming newly eligible for coverage or eligible for coverage beyond the date on which the child otherwise would have lost coverage.

(2) *Gain of Coverage Eligibility Under Another Employer's Plan.* For a Change in Status in which a Participant or his or her Spouse or Dependent gains eligibility for coverage under a cafeteria plan or qualified benefit plan of the employer of the Participant's Spouse or Dependent as a result of a change in marital status or a change in employment status, a Participant may elect to cease or decrease coverage for that individual only if coverage for that individual becomes effective or is increased under the Spouse's or Dependent's employer's plan. The Plan Administrator may rely on a Participant's certification that the Participant has obtained or will obtain coverage under the Spouse's or Dependent's employer's plan, unless the Plan Administrator has reason to believe that the Participant's certification is incorrect.

(e) *HIPAA Special Enrollment Rights* - If a Participant or his or her Spouse or Dependent is entitled to special enrollment rights under a group health plan, as required by HIPAA under Code § 9801(f), then a Participant may revoke a prior election for group health plan coverage and make a new election, provided that the election change corresponds with such HIPAA special enrollment right. As required by HIPAA, a special enrollment right will arise if:

- a Participant or his or her Spouse or Dependent declined to enroll in group health plan coverage because he or she had other coverage, and eligibility for such other coverage is subsequently lost due to legal separation, divorce, death, termination of employment, reduction in hours, or exhaustion of the maximum COBRA period, or the other coverage was non-COBRA coverage and employer contributions for such coverage were terminated; or
- a new Dependent is acquired as a result of marriage, birth, adoption, or placement for adoption. An election to add previously eligible Dependents as a result of the acquisition of a new Spouse or Dependent child shall be considered to be consistent with the special enrollment right. An election change on account of a HIPAA special enrollment attributable to the birth, adoption, or placement for adoption of a new Dependent child

- may, subject to the provisions of the underlying group health plan, be effective retroactively (up to 30 days).
- a Participant or their Dependent becomes eligible for a Premium Assistance Subsidy (60 day special enrollment period provided by CHIP Reauthorization Act effective April 1, 2009).
  - a Participant or their Dependent loses Medicaid or CHIP coverage (60 day special enrollment period provided by CHIP Reauthorization Act effective April 1, 2009).
- (f) *Certain Judgments, Decrees and Orders* - If a judgment, decree, or order (collectively, an “Order”) resulting from a divorce, legal separation, annulment, or change in legal custody (including a QMCSO) requires accident or health coverage for a Participant’s child (including a foster child who is a Dependent of the Participant), then a Participant may (1) change his or her election to provide coverage for the child (provided that the Order requires the Participant to provide coverage); or (2) change his or her election to revoke coverage for the child if the Order requires that another individual (including the Participant’s Spouse or former Spouse) provide coverage under that individual’s plan and such coverage is actually provided.
- (g) *Medicare and Medicaid* - If a Participant or his or her Spouse or Dependent who is enrolled in a health or accident plan under this Plan becomes entitled to (i.e., becomes enrolled in) Medicare or Medicaid (other than coverage consisting solely of benefits under Section 1928 of the Social Security Act providing for pediatric vaccines), then the Participant may prospectively reduce or cancel the health or accident coverage of the person becoming entitled to Medicare or Medicaid, but coverage for the unaffected Participants may not be canceled or reduced. Furthermore, if a Participant or his or her Spouse or Dependent who has been entitled to Medicare or Medicaid loses eligibility for such coverage, then the Participant may prospectively elect to commence or increase the accident or health coverage of the individual who loses Medicare or Medicaid eligibility.
- (h) *Change in Cost* - For purposes of this Section 4.4(h), “similar coverage” means coverage for the same category of benefits for the same individuals (e.g., family to family or single to single). For example, two plans that provide major medical coverage are considered to be similar coverage. For purposes of this definition, (1) a health FSA is not similar coverage with respect to an accident or health plan that is not a health FSA; (2) an HMO and a PPO are considered to be similar coverage; and (3) coverage by another employer, such as a Spouse’s or

Dependent's employer, may be treated as similar coverage if it otherwise meets the requirements of similar coverage.

- (1) *Increase or Decrease for Insignificant Cost Changes.* Participants are required to increase their elective contributions (by increasing Salary Reductions) to reflect insignificant increases in their required contribution for their Benefit Package Option(s), and to decrease their elective contributions to reflect insignificant decreases in their required contribution. The Plan Administrator, in its sole discretion and on a uniform and consistent basis, will determine whether an increase or decrease is insignificant based upon all the surrounding facts and circumstances, including but not limited to the dollar amount or percentage of the cost change. The Plan Administrator, on a reasonable and consistent basis, will automatically effectuate this increase or decrease in affected employees' elective contributions on a prospective basis.
- (2) *Significant Cost Increases.* If the Plan Administrator determines that the cost charged to an Employee of a Participant's Benefit Package Option(s) (such as the PPO for the Medical Insurance Plan) significantly increases during a Period of Coverage, then the Participant may (a) make a corresponding prospective increase in his or her elective contributions (by increasing Salary Reductions); (b) revoke his or her election for that coverage, and in lieu thereof, receive on a prospective basis coverage under another Benefit Package Option that provides similar coverage (such as an HMO); or (c) drop coverage prospectively if there is no other Benefit Package Option available that provides similar coverage. The Plan Administrator, in its sole discretion and on a uniform and consistent basis, will decide whether a cost increase is significant in accordance with prevailing IRS guidance.
- (3) *Significant Cost Decreases.* If the Plan Administrator determines that the cost of any Benefit Package Option (such as the PPO for the Medical Insurance Plan) significantly decreases during a Period of Coverage, then the Plan Administrator may permit the following election changes: (a) Participants who are enrolled in a Benefit Package Option other than the Benefit Package Option that has decreased in cost may change their election on a prospective basis to elect the Benefit Package Option that has decreased in cost (such as the PPO for the Medical Insurance Plan); and (b) Employees who are otherwise eligible under Section 2.1 may elect the Benefit Package Option that has decreased in cost (such as the PPO) on a prospective basis, subject to the terms and limitations of the Benefit Package Option. The Plan Administrator, in its sole discretion and on a uniform and consistent

basis, will decide whether a cost decrease is significant in accordance with prevailing IRS guidance.

- (i) *Change in Coverage* - The definition of “similar coverage” under Section 4.4(h) applies also to this Section 4.4(i).

(1) *Significant Curtailment*. If coverage is “significantly curtailed” (as defined below), Participants may elect coverage under another Benefit Package Option that provides similar coverage. In addition, as set forth below, if the coverage curtailment results in a “Loss of Coverage” (as defined below), then Participants may drop coverage if no similar coverage is offered by the Employer. The Plan Administrator in its sole discretion, on a uniform and consistent basis, will decide, in accordance with prevailing IRS guidance, whether a curtailment is “significant,” and whether a Loss of Coverage has occurred.

(a) *Significant Curtailment Without Loss of Coverage*. If the Plan Administrator determines that a Participant’s coverage under a Benefit Package Option under this Plan (or the Participant’s Spouse’s or Dependent’s coverage under his or her employer’s plan) is significantly curtailed without a Loss of Coverage (for example, when there is a significant increase in the deductible, the co-pay, or the out-of-pocket cost-sharing limit under an accident or health plan, such as the PPO under the Medical Insurance Plan) during a Period of Coverage, the Participant may revoke his or her election for the affected coverage, and in lieu thereof, prospectively elect coverage under another Benefit Package Option that provides similar coverage (such as the HMO). Coverage under a plan is deemed to be “significantly curtailed” only if there is an overall reduction in coverage provided under the plan so as to constitute reduced coverage generally.

(b) *Significant Curtailment With a Loss of Coverage*. If the Plan Administrator determines that a Participant’s Benefit Package Option (such as the PPO under the Medical Insurance Plan) coverage under this Plan (or the Participant’s Spouse’s or Dependent’s coverage under his or her employer’s plan) is significantly curtailed, and if such curtailment results in a Loss of Coverage during a Period of Coverage, then the Participant may revoke his or her election for the affected coverage and may either prospectively elect coverage under another Benefit Package Option that provides similar coverage (such as the HMO) or drop coverage if no other Benefit Package Option providing similar coverage is offered by the Employer.

(c) *Definition of Loss of Coverage.* For purposes of this Section 4.4(i)(1), a “Loss of Coverage” means a complete loss of coverage (including the elimination of a Benefit Package Option, an HMO ceasing to be available where the Participant or his or her Spouse or Dependent resides, or a Participant or his or her Spouse or Dependent losing all coverage under the Benefit Package Option by reason of an overall lifetime or annual limitation). In addition, the Plan Administrator, in its sole discretion, on a uniform and consistent basis, may treat the following as a Loss of Coverage:

- a substantial decrease in the medical care providers available under the Benefit Package Option (such as a major hospital ceasing to be a member of a preferred provider network or a substantial decrease in the number of physicians participating in the PPO for the Medical Insurance Plan or in an HMO);
- a reduction in benefits for a specific type of medical condition or treatment with respect to which the Participant or his or her Spouse or Dependent is currently in a course of treatment; or
- any other similar fundamental loss of coverage.

(2) *Addition or Significant Improvement of a Benefit Package Option.* If during a Period of Coverage the Plan adds a new Benefit Package Option or significantly improves an existing Benefit Package Option, the Plan Administrator may permit the following election changes: (a) Participants who are enrolled in a Benefit Package Option other than the newly added or significantly improved Benefit Package Option may change their elections on a prospective basis to elect the newly added or significantly improved Benefit Package Option; and (b) Employees who are otherwise eligible under Section 2.1 may elect the newly added or significantly improved Benefit Package Option on a prospective basis, subject to the terms and limitations of the Benefit Package Option. The Plan Administrator, in its sole discretion and on a uniform and consistent basis, will decide whether there has been an addition of, or a significant improvement in, a Benefit Package Option in accordance with prevailing IRS guidance.

(3) *Loss of Coverage Under Other Group Health Coverage.* A Participant may prospectively change his or her election to add group health coverage for the Participant or his or her Spouse or Dependent, if such individual(s) loses coverage under any group health coverage sponsored by a governmental or educational institution, including (but not limited to) the following: a state children’s health insurance program (SCHIP) under Title XXI of the

Social Security Act; a medical care program of an Indian Tribal government (as defined in Code § 7701(a)(40)), the Indian Health Service, or a tribal organization; a state health benefits risk pool; or a foreign government group health plan, subject to the terms and limitations of the applicable Benefit Package Option(s). Beginning April 1, 2009, employees and dependents are permitted to enroll in the Employer's group health insurance plan within 60 days of the loss of Medicaid or CHIP coverage.

- (4) *Change in Coverage Under Another Employer Plan.* A Participant may make a prospective election change that is on account of and corresponds with a change made under an employer plan (including a plan of the Employer or a plan of the Spouse's or Dependent's employer), so long as (a) the other cafeteria plan or qualified benefits plan permits its participants to make an election change that would be permitted under applicable IRS regulations; or (b) the Plan permits Participants to make an election for a Period of Coverage that is different from the plan year under the other cafeteria plan or qualified benefits plan. For example, if an election is made by the Participant's Spouse during his or her employer's open enrollment to drop coverage, the Participant may add coverage to replace the dropped coverage. The Plan Administrator, in its sole discretion and on a uniform and consistent basis, will decide whether a requested change is on account of and corresponds with a change made under the other employer plan, in accordance with prevailing IRS guidance.

A Participant entitled to change an election as described in this Section 4.4 must do so in accordance with the procedures described in Section 4.2.

#### **4.5 Election Modifications For HSA Benefits May Be Changed Prospectively at Any Time**

As set forth in Section 7.1, an election to make a Contribution to an HSA can be increased, decreased or revoked at any time on a prospective basis. Such election changes shall be effective no later than the first day of the next calendar month following the date that the election change was filed. No Benefit Package Option election changes can occur as a result of a change in HSA election except as otherwise described in this Section 4. A Participant entitled to change an election as described in this Section 4.5 must do so in accordance with the procedures described in Section 4.2.

**4.6 Election Modifications Required by Plan Administrator.** The Plan Administrator may, at any time, require any Participant or class of Participants to amend the amount of their Salary Reductions for a Period of Coverage if the Plan Administrator determines that such action is necessary or advisable in order to (a) satisfy any of the Code's nondiscrimination requirements



applicable to this Plan or other cafeteria plan; (b) prevent any Employee or class of Employees from having to recognize more income for federal income tax purposes from the receipt of benefits hereunder than would otherwise be recognized; (c) maintain the qualified status of benefits received under this Plan; or (d) satisfy Code nondiscrimination requirements or other limitations applicable to the Employer's qualified plans. In the event that contributions need to be reduced for a class of Participants, the Plan Administrator will reduce the Salary Reduction amounts for each affected Participant, beginning with the Participant in the class who had elected the highest Salary Reduction amount and continuing with the Participant in the class who had elected the next-highest Salary Reduction amount, and so forth, until the defect is corrected.

*Section 5*

**PLAN ADMINISTRATOR**

**5.1 Plan Administrator.** The administration of this Plan shall be under the supervision of the Plan Administrator. It is the principal duty of the Plan Administrator to see that this Plan is carried out, in accordance with its terms, for the exclusive benefit of persons entitled to participate in this Plan without discrimination among them.

**5.2 Powers of the Plan Administrator.** The Plan Administrator shall have such duties and powers as it considers necessary or appropriate to discharge its duties. It shall have the exclusive right to interpret the Plan and to decide all matters thereunder, and all determinations of the Plan Administrator with respect to any matter hereunder shall be conclusive and binding on all persons. Without limiting the generality of the foregoing, the Plan Administrator shall have the following discretionary authority:

- (a) to construe and interpret this Plan, including all possible ambiguities, inconsistencies, and omissions in the Plan and related documents, and to decide all questions of fact, questions relating to eligibility and participation, and questions of benefits under this Plan;
- (b) to prescribe procedures to be followed and the forms to be used by Employees and Participants to make elections pursuant to this Plan;
- (c) to prepare and distribute information explaining this Plan and the benefits under this Plan in such manner as the Plan Administrator determines to be appropriate;
- (d) to request and receive from all Employees and Participants such information as the Plan Administrator shall from time to time determine to be necessary for the proper administration of this Plan;
- (e) to furnish each Employee and Participant with such reports with respect to the administration of this Plan as the Plan Administrator determines to be reasonable and appropriate, including appropriate statements setting forth the amounts by which a Participant's Compensation has been reduced in order to provide benefits under this Plan;
- (f) to receive, review, and keep on file such reports and information regarding the benefits covered by this Plan as the Plan Administrator determines from time to time to be necessary and proper;
- (g) to appoint and employ such individuals or entities to assist in the administration of this Plan as it determines to be necessary or advisable, including legal counsel and benefit consultants;

- (h) to sign documents for the purposes of administering this Plan, or to designate an individual or individuals to sign documents for the purposes of administering this Plan;
- (i) to secure independent medical or other advice and require such evidence as it deems necessary to decide any claim or appeal; and
- (j) to maintain the books of accounts, records, and other data in the manner necessary for proper administration of this Plan and to meet any applicable disclosure and reporting requirements.

**5.3 Reliance on Participant, Tables, etc.** The Plan Administrator may rely upon the direction, information, or election of a Participant as being proper under the Plan and shall not be responsible for any act or failure to act because of a direction or lack of direction by a Participant. The Plan Administrator will also be entitled, to the extent permitted by law, to rely conclusively on all tables, valuations, certificates, opinions, and reports that are furnished by accountants, attorneys, or other experts employed or engaged by the Plan Administrator.

**5.4 Provision for Third-Party Plan Service Providers.** The Plan Administrator, subject to approval of the Employer, may employ the services of such persons as it may deem necessary or desirable in connection with the operation of the Plan. Unless otherwise provided in the service agreement, obligations under this Plan shall remain the obligation of the Employer.

**5.5 Fiduciary Liability.** To the extent permitted by law, the Plan Administrator shall not incur any liability for any acts or for failure to act except for their own willful misconduct or willful breach of this Plan.

**5.6 Compensation of Plan Administrator.** Unless otherwise determined by the Employer and permitted by law, any Plan Administrator that is also an Employee of the Employer shall serve without compensation for services rendered in such capacity, but all reasonable expenses incurred in the performance of their duties shall be paid by the Employer.

**5.7 Bonding.** The Plan Administrator shall be bonded to the extent required by ERISA.

**5.8 Insurance Contracts.** The Employer shall have the right (a) to enter into a contract with one or more insurance companies for the purposes of providing any benefits under the Plan; and (b) to replace any of such insurance companies or contracts. Any dividends, retroactive rate adjustments, or other refunds of any type that may become payable under any such insurance contract shall not be assets of the Plan but shall be the property of and be retained by the Employer, to the extent that such amounts are less than aggregate Employer contributions toward such insurance.

**5.9 Inability to Locate Payee.** If the Plan Administrator is unable to make payment to any Participant or other person to whom a payment is due under the Plan because it cannot ascertain the identity or whereabouts of such Participant or other person after reasonable efforts have been made to identify or locate such person, then such payment and all subsequent payments otherwise due to such Participant or other person shall be forfeited following a reasonable time after the date any such payment first became due.

**5.10 Effect of Mistake.** In the event of a mistake as to the eligibility or participation of an Employee, the allocations made to the account of any Participant, or the amount of benefits paid or to be paid to a Participant or other person, the Plan Administrator shall, to the extent that it deems administratively possible and otherwise permissible under Code § 125 or the regulations issued thereunder, cause to be allocated or cause to be withheld or accelerated, or otherwise make adjustment of, such amounts as it will in its judgment accord to such Participant or other person the credits to the account or distributions to which he or she is properly entitled under the Plan. Such action by the Plan Administrator may include withholding of any amounts due to the Plan or the Employer from Compensation paid by the Employer.

## *Section 6*

### **PREMIUM ONLY PLAN MODULE**

**6.1 Benefits.** The only Medical Insurance Benefits that are offered under the Premium Payment Module are benefits under the Medical Insurance Plan providing major medical benefits and other ancillary benefits outlined in Schedule A. Notwithstanding any other provision in this Plan, the Medical Insurance Benefits outlined in Schedule A are subject to the terms and conditions of the Medical Insurance Plans, and no changes can be made with respect to such Medical Insurance Benefits under this Plan (such as mid-year changes in election) if such changes are not permitted under the applicable Insurance Plan. An Eligible Employee can (a) elect benefits under the Premium Payment Module by electing to pay for his or her share of the Contributions for Medical Insurance Benefits on a pre-tax Salary Reduction basis (Premium Payment Benefits); or (b) elect no benefits under the Premium Payment Module and to pay for his or her share of the Contributions, if any, for Medical Insurance Benefits with after-tax deductions outside of this Plan. Unless an exception applies (as described in Section 4), such election is irrevocable for the duration of the Period of Coverage to which it relates. It is specifically the Participant's responsibility regarding insurance premium reimbursement not to request anything that could violate the terms of their insurance policy.

**6.2 Contributions for Cost of Coverage.** The annual Contribution for a Participant's Premium Payment Benefits is equal to the amount as set by the Employer, which may or may not be the same amount charged by the insurance carrier.

**6.3 Medical Insurance Benefits Provided Under the Medical Insurance Plan.** Medical Insurance Benefits will be provided by the Medical Insurance Plan(s), not this Plan. The types and amounts of Medical Insurance Benefits, the requirements for participating in the Medical Insurance Plan, and the other terms and conditions of coverage and benefits of the Medical Insurance Plans are set forth in the Medical Insurance Plans. All claims to receive benefits under the Medical Insurance Plans shall be subject to and governed by the terms and conditions of the Medical Insurance Plan(s) and the rules, regulations, policies, and procedures adopted in accordance therewith, as may be amended from time to time.

**6.4 Medical Insurance Benefits and COBRA.** Notwithstanding any provision to the contrary in this Plan, to the extent required by COBRA, a Participant and his or her Spouse and Dependents, as applicable, whose coverage terminates under the Medical Insurance Benefits because of a COBRA qualifying event (and who is a qualified beneficiary as defined under COBRA), shall be given the opportunity to continue on a self-pay basis the same coverage that he or she had under the Medical

Insurance Plan the day before the qualifying event for the periods prescribed by COBRA. Such continuation coverage shall be subject to all conditions and limitations under COBRA. Contributions for COBRA coverage for Medical Insurance Benefits may be paid on a pre-tax basis for current Employees receiving taxable compensation (as may be permitted by the Plan Administrator on a uniform and consistent basis, but may not be prepaid from contributions in one Plan Year to provide coverage that extends into a subsequent Plan Year) where COBRA coverage arises either (a) because the Employee ceases to be eligible because of a reduction in hours; or (b) because the Employee's Dependent ceases to satisfy the eligibility requirements for coverage. For all other individuals (e.g., Employees who cease to be eligible because of retirement, termination of employment, or layoff), Contributions for COBRA coverage for Medical Insurance Benefits shall be paid on an after-tax basis (unless may be otherwise permitted by the Plan Administrator on a uniform and consistent basis, but may not be prepaid from contributions in one Plan Year to provide coverage that extends into a subsequent Plan Year).

## *Section 7*

### **HEALTH SAVINGS ACCOUNT (HSA) MODULE**

**7.1 HSA Benefits.** An Eligible Employee can elect to participate in the HSA Module by electing to pay the Contributions on a pre-tax Salary Reduction basis to the Employee's HSA established and maintained outside the Plan by a trustee/custodian to which the Employer can forward contributions to be deposited (this funding feature constitutes the HSA Benefits offered under this Plan). As described in Section 4, such election can be increased, decreased or revoked prospectively at any time during the Plan Year, effective no later than the first day of the next calendar month following the date that the election change was filed.

HSA Benefits cannot be elected with Health FSA Benefits unless the Limited (Vision/ Dental/ Preventive Care) Health FSA Option is selected.

**7.2 Contributions for Cost of Coverage for HSA; Maximum Limits.** The annual Contribution for a Participant's HSA Benefits is equal to the annual benefit amount elected by the Participant (for example, if the maximum \$7,300 annual benefit amount is elected, then the annual contribution amount is also \$7,300). In no event shall the amount elected exceed the statutory maximum amount for HSA contributions applicable to the Participant's High Deductible Health Plan coverage option (i.e., single or family) for the calendar year in which the contribution is made. Effective January 1, 2024, the maximum HSA contribution amounts are \$4,150 for single coverage and \$8,300 for family coverage, indexed annually.

An additional catch-up Contribution (\$1,000 each year) may be made for Participants who are age 55 or older. In addition, the maximum annual Contribution shall be reduced by any matching (or other) Employer Contribution made on the Participant's behalf other than pre-tax Salary Reductions made under the Plan.

**7.3 Recording Contributions for HSA.** As described in Section 7.5, the HSA is not an employer-sponsored employee benefit plan - it is an individual trust or custodial account separately established and maintained by a trustee/custodian outside the Plan. Consequently, the HSA trustee/custodian, not the Employer, will establish and maintain the HSA. The HSA trustee/custodian will be chosen by the Participant, not by the Employer. The Employer may, however, limit the number of HSA providers to whom it will forward contributions that the Employee makes via pre-tax Salary Reductions - such a list is not an endorsement of any particular HSA provider. The Plan Administrator will maintain records to keep track of HSA Contributions an Employee makes via pre-

tax Salary Reductions, but it will not create a separate fund or otherwise segregate assets for this purpose. The Employer has no authority or control over the funds deposited in a HSA.

**7.4 Tax Treatment of HSA Contributions and Distributions.** The tax treatment of the HSA (including contributions and distributions) is governed by Code § 223.

**7.5 Trust/Custodial Agreement; HSA Not Intended to Be an ERISA Plan.** HSA Benefits under this Plan consist solely of the ability to make Contributions to the HSA on a pre-tax Salary Reduction basis. Terms and conditions of coverage and benefits will be provided by and are set forth in the HSA, not this Plan. The terms and conditions of each Participant's HSA trust or custodial account are described in the HSA trust or custodial agreement provided by the applicable trustee/custodian to each electing Participant and are not a part of this Plan.

The HSA is not an employer-sponsored employee benefits plan. It is a savings account that is established and maintained by an HSA trustee/custodian outside this Plan to be used primarily for reimbursement of "qualified eligible medical expenses" as set forth in Code § 223(d)(2). The Employer has no authority or control over the funds deposited in a HSA. Even though this Plan may allow pre-tax Salary Reduction contributions to an HSA, the HSA is not intended to be an ERISA benefit plan sponsored or maintained by the Employer.



*Section 8*

**MISCELLANEOUS**

**8.1 Amendment and Termination.** The Employer may amend or terminate this Plan at any time. The Employer may amend this Plan retroactively to enable the Plan to qualify as a cafeteria plan under section 125 of the Code. No amendment shall deprive any Participant or Beneficiary of any benefit to which he or she is entitled under this Plan with respect to contributions previously made; and no amendment shall provide for the use of funds or assets other than for the benefit of Employees and their Beneficiaries, except as may be specifically authorized by statute or regulation.

**8.2 Effect of Plan on Employment.** The Plan shall not be deemed to constitute a contract of employment between the Participating Employer and any Participant or to be consideration or an inducement for the employment of any Participant or Employee. Nothing contained in this Plan shall be deemed to give any Participant or Employee the right to be retained in the service of the Participating Employer or to interfere with the right of the Participating Employer to discharge any Participant or Employee at any time regardless of the effect which such discharge will have upon him or her as a Participant of this Plan.

**8.3 Alienation of Benefits.** No benefit under this Plan may be voluntarily or involuntarily assigned or alienated, except as provided pursuant to a Qualified Medical Child Support Order pursuant to Section 609 of ERISA and Section 8.4 hereof.

**8.4 Facility of Payment.** If the Employer deems any person incapable of receiving benefits to which he is entitled by reason of not having reached the age of majority, illness, infirmity, or other incapacity, it may direct that payment be made directly for the benefit of such person or to any person selected by a Participating Employer to disburse it, whose receipt shall be a complete acquittance therefore. Such payments shall, to the extent thereof, discharge all liability of the Participating Employer.

**8.5 Proof of Claim.** As a condition of receiving benefits under the Plan, any person may be required to submit whatever proof the Plan Administrator may require either directly to the Plan Administrator or to any person delegated by him/her.

**8.6 Status of Benefits.** The Employer believes that this Plan is in compliance with section 125 of the Code and that it provides certain benefits to Employees which are tax free pursuant to other provisions of the Code. This Plan has not been submitted to the Internal Revenue Service for approval and thus there can be and is no assurance that intended tax benefits will be available. Any Participant, by accepting benefits under this Plan, agrees to be liable for any tax

that may be imposed with respect to those benefits, plus any interest as may be imposed.

**8.7 Applicable Law.** The Plan shall be construed and enforced according to the laws of the State of California to the extent not preempted by any federal law.

**8.8 Source of Benefits.** The Participating Employer and any insurance company contracts purchased or held by a Participating Employer shall be the sole sources of benefits under the Plan. No Employee or Beneficiary shall have any right to, or interest in, any assets of the Participating Employer upon termination of employment or otherwise, except as provided from time to time under the Plan, and then only to the extent of the benefits payable under the Plan to such Employee or Beneficiary.

**8.9 No Reversion to Employer.** At no time shall any part of Plan assets be used for, or diverted to, purposes other than the exclusive benefit of Participants or their Beneficiaries, or for defraying reasonable expenses of administering the Plan.

**8.10 Severability.** If any provision of this Plan shall be held invalid or unenforceable, such invalidity or unenforceability shall not affect any other provision, and this Plan shall be construed and enforced as if such provision had not been included.

**8.11 Heirs and Assigns.** This Plan shall be binding upon the heirs, executors, administrators, successors and assigns of all parties, including each Participant and Beneficiary.

**8.12 Headings and Captions.** The headings and captions set forth in the Plan are provided for convenience only, shall not be considered part of the Plan, and shall not be employed in construction of the Plan.

**8.13 Information to be Furnished.** Participants shall provide the Employer and/or Participating Employer with such information and shall complete and sign such forms and documents, as may reasonably be requested from time to time for the Purpose of administration of the Plan.

Amended Document Effective January 1, 2024

## EL TORO WATER DISTRICT

By: \_\_\_\_\_ Witness: \_\_\_\_\_  
Dennis P. Caffery

**EL TORO WATER DISTRICT**

**Schedule A**

**MEDICAL CARE COVERAGE OPTIONS UNDER THE PLAN\*:**

**NAME OF COVERAGE**

Group Health Insurance  
HSA High Deductible Group Health Insurance  
HSA Tax-Free Savings Account  
Dental Insurance  
Vision Insurance  
Cancer Insurance  
Accident Insurance  
Hospital Indemnity Insurance  
Critical Illness Insurance

\*The Employee contributions necessary to obtain the coverage options set forth in this Schedule A above will be communicated by the Employer to Eligible Employees at the time of Enrollment and in Schedule B. The required Employee contribution amounts will be considered as the maximum elective Employee contributions necessary for participation in each Plan option above. It is specifically the Participant's responsibility regarding insurance premium reimbursement not to request anything that could violate the terms of their insurance policy.

**EL TORO WATER DISTRICT**

**Schedule B**

**FORMULA FOR EMPLOYEE CONTRIBUTIONS UNDER THE PLAN**

The following description of the Employee Contribution per Participant may be expressed as a percentage of monthly cost, or as a flat monthly dollar amount. If the formula for Employee contributions varies by class of Employees, the Employer Sponsor assumes full responsibility for its Employer contribution design.\*

Name of Benefit Plans To Be Offered		Employee Only	Employee & Child(ren)	Employee & Spouse	Employee & Family
Anthem Blue Cross PPO	ER	90%	90%	90%	90%
	EE	10%	10%	10%	10%
Anthem Blue Cross HMO	ER	90%	90%	90%	90%
	EE	10%	10%	10%	10%
Anthem Blue Cross CDHP	ER	90%	90%	90%	90%
	EE	10%	10%	10%	10%
Kaiser HMO	ER	95%	95%	95%	95%
	EE	5%	5%	5%	5%
Kaiser CDHP	ER	95%	95%	95%	95%
	EE	5%	5%	5%	5%
Delta Dental PPO	ER	100%	100%	100%	100%
	EE	0%	0%	0%	0%
VSP Vision	ER	100%	100%	100%	100%
	EE	0%	0%	0%	0%
Aflac Accident	ER	0%	0%	0%	0%
	EE	100%	100%	100%	100%
Aflac Cancer	ER	0%	0%	0%	0%
	EE	100%	100%	100%	100%
Aflac Hospital	ER	0%	0%	0%	0%
	EE	100%	100%	100%	100%
Aflac Critical Care	ER	0%	0%	0%	0%
	EE	100%	100%	100%	100%
Aflac Dental	ER	0%	0%	0%	0%
	EE	100%	100%	100%	100%
HSA Tax Free Savings Account Employer Contribution	ER	100%	100%	100%	100%
	EE	0%	0%	0%	0%
Employee Contribution	ER	0%	0%	0%	0%
	EE	100%	100%	100%	100%

\*An asterisk in the premium column means there are multiple rates based on age, sex, or other demographics. Please refer to specific insurance carrier premium rate sheets for individual maximum elective contribution.

In no event shall the existence of any Employer contributions for monthly premium costs, as indicated above, be construed to require the Employer to pay or otherwise be liable for any deductible, coinsurance, co-payment or other cost-sharing amounts related to the applicable medical care coverage option elected by the Participant.

ER = Employer Contribution  
EE = Employee Contribution

**EL TORO WATER DISTRICT**

**Schedule C**

**PARTICIPATING AFFILIATED EMPLOYERS**

(Companies under common ownership)

The following organizations and entities shall be Participating Employers under the Plan:

**Name of Participating Employer**

None



## STAFF REPORT

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**To:** Board of Directors **Meeting Date:** February 22, 2024  
**From:** Dennis Cafferty, General Manager  
**Subject:** California Special Districts Association (CSDA) Board of Directors  
Call for Nominations – Southern Network Region, Seat A

---

The leadership of CSDA is elected from its six geographical networks. Each of the six networks has three seats on the board with staggered three year terms. The CSDA Elections and Bylaws Committee is looking for independent special district Board Members or their General Managers from the Southern Network who are interested in leading the direction of the California Special Districts Association for the 2025-2027 term, Seat A. Candidates must be affiliated with an independent special district that is a CSDA Regular Member in good standing and located within the Southern Network (see attached CSDA Network Map).

The incumbent for Seat A, Jo MacKenzie, Director, Vista Irrigation District is running for re-election.

Details regarding the Commitment and Expectations are described as follows:

- Attend all board meetings, usually 4-5 meetings annually, at the CSDA office in Sacramento.
- Participate on at least one committee, meets 3-5 times a year at the CSDA office in Sacramento. (CSDA reimburses directors for their related expenses for board and committee meetings as outlined in Board policy.)
- Attend, at minimum, the following CSDA annual events: Special Districts Legislative Days - held in the spring, and the CSDA Annual Conference - held in the fall. (CSDA does not reimburse travel related expenses for the two conferences even if a board or committee meeting is held in conjunction with the event.)
- Complete all four modules of CSDA's Special District Leadership Academy within 2 years of being elected. (CSDA does not reimburse expenses for the academy classes even if a board or committee meeting is held in conjunction with the event.)

## **RECOMMENDATION**

### **Recommended Action at the February 22, 2024 Board Meeting:**

Staff recommends the Board consider nominating a candidate to the California Special Districts Association Board of Directors, Southern Network, Seat A, and submitting the nomination by the April 10, 2024 deadline.



**California Special  
Districts Association**

*Districts Stronger Together*

**DATE:** February 5, 2024

**TO:** CSDA Voting Member Presidents and General Managers

**FROM:** CSDA Elections and Bylaws Committee

**SUBJECT: CSDA BOARD OF DIRECTORS CALL FOR NOMINATIONS  
SEAT A**

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The Elections and Bylaws Committee is looking for Independent Special District Board Members or their General Managers who are interested in leading the direction of the California Special Districts Association for the 2025 - 2027 term.

The leadership of CSDA is elected from its six geographical networks. Each of the six networks has three seats on the Board with staggered 3-year terms. Candidates must be affiliated with an independent special district that is a CSDA Regular Member in good standing and located within the geographic network that they seek to represent.  
(See attached CSDA Network Map)

The CSDA Board of Directors is the governing body responsible for all policy decisions related to CSDA's member services, legislative advocacy, professional development, and other resources for members. The Board of Directors is crucial to the operation of the Association and to the representation of the common interests of all California's special districts before the Legislature and the State Administration. Serving on the Board requires one's interest in the issues confronting special districts statewide.

**Commitment and Expectations:**

- Attend all Board meetings, usually 4-5 meetings annually, at the CSDA office in Sacramento.
- Participate on at least one committee, meets 3-5 times a year at the CSDA office in Sacramento.  
*(CSDA reimburses Directors for their related expenses for Board and committee meetings as outlined in Board policy).*
- Attend, at minimum, the following CSDA annual events: Special Districts Legislative Days - held in the spring, and the CSDA Annual Conference - held in the fall.  
*(CSDA does **not** reimburse expenses for the two conferences even if a Board or committee meeting is held in conjunction with the event)*
- Complete all four modules of CSDA's Special District Leadership Academy within 2 years of being elected.  
*(CSDA does **not** reimburse expenses for the Academy classes even if a Board or committee meeting is held in conjunction with the event).*



**Nomination Procedures:** Any Regular Member district in good standing is eligible to nominate one person, a board member or managerial employee (as defined by that district's Board of Directors), for election to the CSDA Board of Directors. **A copy of the member district's resolution or minute action and Candidate Information Sheet must accompany the nomination. The deadline for receiving nominations is April 10, 2024. Nominations and supporting documentation may be mailed or emailed.**

Mail: 1112 I Street, Suite 200, Sacramento, CA 95814  
Fax: 916.442.7889  
E-mail: [amberp@csda.net](mailto:amberp@csda.net)

***Once received, nominees will receive a candidate's letter. The letter will serve as confirmation that CSDA has received the nomination and will also include campaign guidelines.***

CSDA will begin electronic voting on June 10, 2024. All votes must be received through the system no later than 5:00 p.m. July 26, 2024. The successful candidates will be notified no later than July 30, 2024. All selected Board Members will be introduced at the Annual Conference in Indian Wells, CA in September 2024.

#### **Expiring Terms**

(See enclosed map for Network breakdown)

<b>Northern Network</b>	Seat A – Greg Orsini, Director, McKinleyville Community Services District*
<b>Sierra Network</b>	Seat A – Noelle Mattock, El Dorado Hills Community Services District*
<b>Bay Area Network</b>	Seat A – Chad Davisson, General Manager, Ironhouse Sanitary District*
<b>Central Network</b>	Seat A – Patrick Ostly, General Manager, North of River Sanitary District*
<b>Coastal Network</b>	Seat A – Elaine Magner, Director, Pleasant Valley Recreation & Park District*
<b>Southern Network</b>	Seat A – Jo MacKenzie, Director, Vista Irrigation District*

(\* = Incumbent is running for re-election)

**CSDA will be using a web-based online voting system allowing your district to cast your vote easily and securely. Electronic Ballots will be emailed to the main contact in your district June 10, 2024.** All votes must be received through the system no later than 5:00 p.m. July 26, 2024.

*Districts can opt to cast a paper ballot instead; but you must contact Amber Phelen by e-mail [amberp@csda.net](mailto:amberp@csda.net) **by April 10, 2024** in order to ensure that you will receive a paper ballot on time.*

**CSDA will mail paper ballots on June 10, 2024 per district request only.**

If you have any questions, please contact Amber Phelen at [amberp@csda.net](mailto:amberp@csda.net).





**California Special  
Districts Association**  
*Districts Stronger Together*

## 2024 BOARD OF DIRECTORS NOMINATION FORM

Name of Candidate: \_\_\_\_\_

District: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

\_\_\_\_\_

Network: \_\_\_\_\_ (see map)

Telephone: \_\_\_\_\_

(PLEASE BE SURE THE PHONE NUMBER IS ONE WHERE WE CAN REACH THE CANDIDATE)

Fax: \_\_\_\_\_

E-mail: \_\_\_\_\_

Nominated by (optional): \_\_\_\_\_

Return this form, a Board resolution/minute action supporting the candidate, and Candidate Information Sheet by mail or email to:

CSDA  
Attn: Amber Phelen  
1112 I Street, Suite 200  
Sacramento, CA 95814  
(877) 924-2732

[amberp@csda.net](mailto:amberp@csda.net)

***DEADLINE FOR RECEIVING NOMINATIONS:***

**April 10, 2024 at 5:00 p.m.**



**California Special  
Districts Association**  
*Districts Stronger Together*

## 2024 CSDA BOARD CANDIDATE INFORMATION SHEET

The following information **MUST** accompany your nomination form and Resolution/minute order:

Name: \_\_\_\_\_

District/Company: \_\_\_\_\_

Title: \_\_\_\_\_

Elected/Appointed/Staff: \_\_\_\_\_

Length of Service with District: \_\_\_\_\_

1. Do you have current involvement with CSDA (such as committees, events, workshops, conferences, Governance Academy, etc.):

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2. Have you ever been associated with any other state-wide associations (CSAC, ACWA, League, etc.):

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3. List local government involvement (such as LAFCo, Association of Governments, etc.):

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4. List civic organization involvement:

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**\*\*Candidate Statement – Although it is not required, each candidate is requested to submit a candidate statement of no more than 300 words in length. Any statements received in the CSDA office after the nomination deadlines will not be included with the ballot.**

# GENERAL MANAGER'S REPORT

February 2024

## I. OFFICE OF THE GENERAL MANAGER

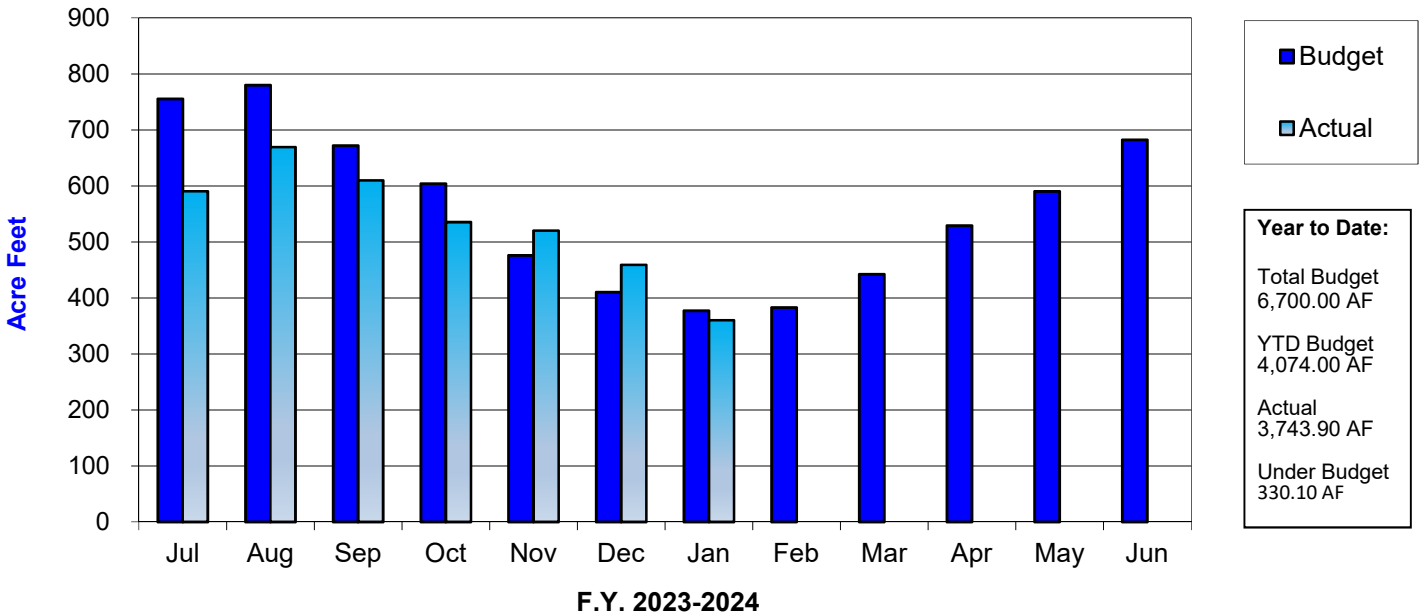
- MWDOC Board Meeting
- MWDOC A&F Committee Meeting
- MWDOC P&O Committee Meeting
- MWDOC / MET Directors Workshop
- SOCWA Board Meeting
- SOCWA Finance Committee Meeting
- WACO Meeting
- Meeting with Springbrook – Utility Billing Conversion Project
- Meeting with Tetra Tech – Aliso Creek Lift Station
- Joint Regional Water Supply System Closed Session
- Meeting with Rick Shintaku, South Coast Water District General Manager
- Third Laguna Hills Mutual Water Conservation Committee Meeting
- United Laguna Woods Mutual WRP Tour
- South Orange County Agencies Group Meeting
- Community Advisory Group Meeting
- IT Master Plan Kickoff Meeting
- ETWD President / Vice President / GM Meeting
- ETWD RRC Meeting
- ETWD Agenda Review Meeting
- ETWD Special Board Meeting
- ETWD Regular Engineering & Finance Committee Meetings
- ETWD Regular Board Meeting

## II. DOMESTIC AND RECYCLED WATER SALES

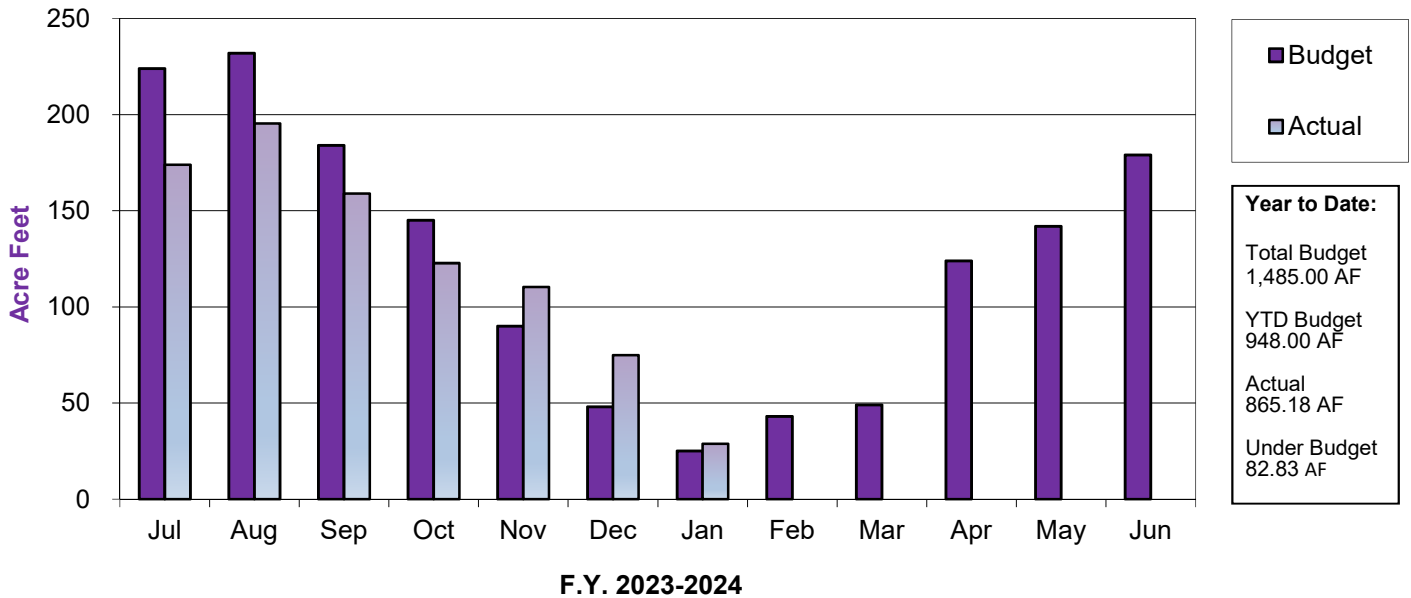
Actual domestic sales for the year-to-date as of January 31, 2024 are 3,743.90 acre-feet. This compares to year-to-date budgeted domestic sales of 4,074.00 acre-feet. The year-to-date variation in actual to budgeted sales reflects a decrease of 330.10 acre-feet. Actual sales are 60.67 acre-feet lower than last year-to-date actual sales for the same period.

Actual recycled sales for the year-to-date as of January 31, 2024 are 865.18 acre-feet. This compares to year-to-date budgeted recycled sales of 948.00 acre-feet. The year-to-date variation in actual to budgeted sales reflects a decrease of 82.83 acre-feet. Actual sales are 35.01 acre-feet lower than last year-to-date actual sales for the same period.

## POTABLE WATER SALES



## RECYCLED WATER SALES



**Customer Service Activity Report**

<b>Regular Service Calls</b>	<b>JAN 2024</b>	<b>JAN 2023</b>	<b>Telephone Calls</b>	<b>JAN 2024</b>	<b>JAN 2023</b>
Serviceman Dispatched to Read, Connect/Disconnect Service	85	99	Change of Service: Connections and Disconnections	68	51
<b>Field Investigations:</b>			Billing / Payments & Graph Inquires	174	109
Check for leaks - calls to CS Office:(irrigation,meter,street leaks)			Assistance with online payments and ETWD's portal (cc, e-checks, other.)	50	14
Customer Responsible	8	24	Variance / Adjustment Inquiries	11	10
District Responsible	4	4	Variance / Adjustment Requests Processed	4	13
None found/other	6	4	Ordinance Infraction / Water Waste Complaints	0	1
High Reads Checked - High Consumption (Billing Dept.)	62	8			
Cust Leaks: 29 No Leaks: 33					
Check Stopped Slowed Meters-Low Consumption (Billing)	16	7	Outside Utility Districts	39	20
Re-Check Read	30	9	Phone calls Transfer to other Departments within ETWD	40	36
Ordinance Infraction	0	0	Phone calls for the Board of Directors	0	0
Recycled Water	1	0	Recycled Water	1	0
Water Quality: Taste / Odor / Color	4	0	Water Quality Taste - Odor - Color	3	1
Phone response: _4_ Field response: 0_			Leaks / Breaks	12	16
Flooding (Hydrant) Meters issued	0	0	Flooding Meter calls (Hydrant)	2	1
Sewer - Odor/Stoppage/ Manhole Covers	1	2	Sewer Problems (odor / spills)	1	1
Meter Box: Lids / Covers Replaced	23	29			
Meter Box Clean, Digout	3	3	Backflow / Cross Connection (questions or yearly testing forms)	0	1
Raised Meter Box			ETWD facilities inquiries: Boxes/Covers/Lids/Hydrants/Pump Stations/Graffiti/ "Gen. Maint"	6	0
Trim Bushes / Meter Obstruction	43	5			
General Maintenance Response	2	9	Tyco (ADT) Calls (Alarms to ETWD facilities)	2	0
Fire Hydrants: Hit / Leaks / Caps	2	1	ATT Calls (access to tower sites)	0	0
Pressure(psi) Checks / Reads	4	3	SCE Calls (access to tower sites)	1	0
CSSOV (Angle Meter/Ball Valve/Gate Valve/Globe Valve) chk,repair,replaced	10	7	Pager Calls specifically for Pump Stations - SCADA	0	0
AMS angle-meter-stop replace/repair	1	0			
Bees Removed	1	1			
Backflow / Cross Connection	0	5	Payment Extensions	26	33
Fogged Registers	27	23	Delinquent Payment Calls to Customer 's prior to shut off per billing calendar (automatic courtesy dialer)	68	48
OMCOP: Old Meter Change - Out Program	1	0	Return Calls from customers left on our voice mail system. Ext 500	10	5
Other: (uncommon non-maintenance calls)	10	6	Email Correspondence:	54	85
On-Call After Hrs. CS Response	15	27	Maintenance Service Order Requests (bees, psi, fogged-dirty registers)	7	1
# Posting Notice & 24 Hr. Door Hangers Hung	96	115	Misc. (other: employment, deliveries, sales calls)	38	7
#Shut Offs/Disconnect for Non-Payment (DNP)	22	21	Payment Processing Fee Complaints	0	0
Removed Meter	1	5	Customers Complaints non bill related.	0	0
New Meter	2	1	Billing Disputes	0	0
Unread Meters	3	2			
<b>Total Field Investigations</b>	<b>484</b>	<b>421</b>	<b>Total Telephone Calls</b>	<b>617</b>	<b>453</b>

**Uncollectible Accounts:**

		<b>Credit Card Payments</b>	<b>JAN 2024</b>	<b>JAN 2023</b>
<b>Budget YTD</b>	<b>\$11,668.00</b>	<b>REGULAR</b>	<b>1,459 \$276,090.03</b>	<b>1,263 \$202,661.67</b>
<b>Actual YTD</b>	<b>\$ 9,756.00</b>			

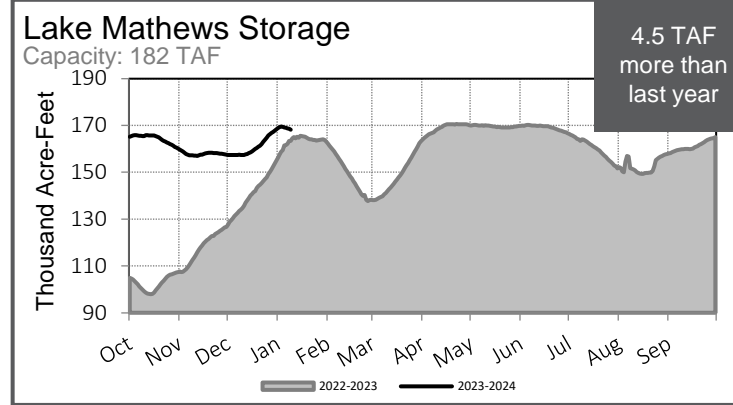
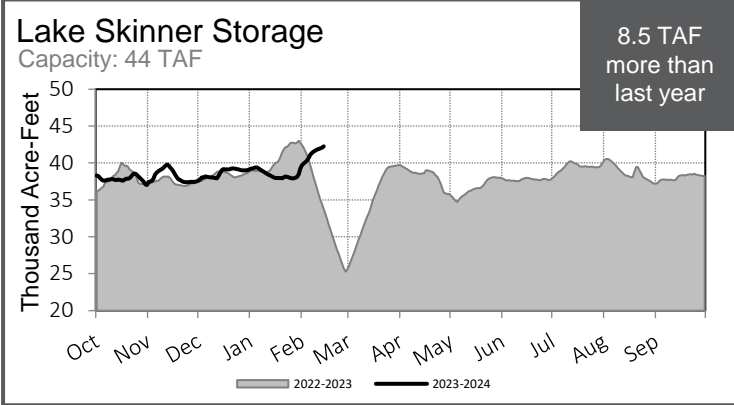
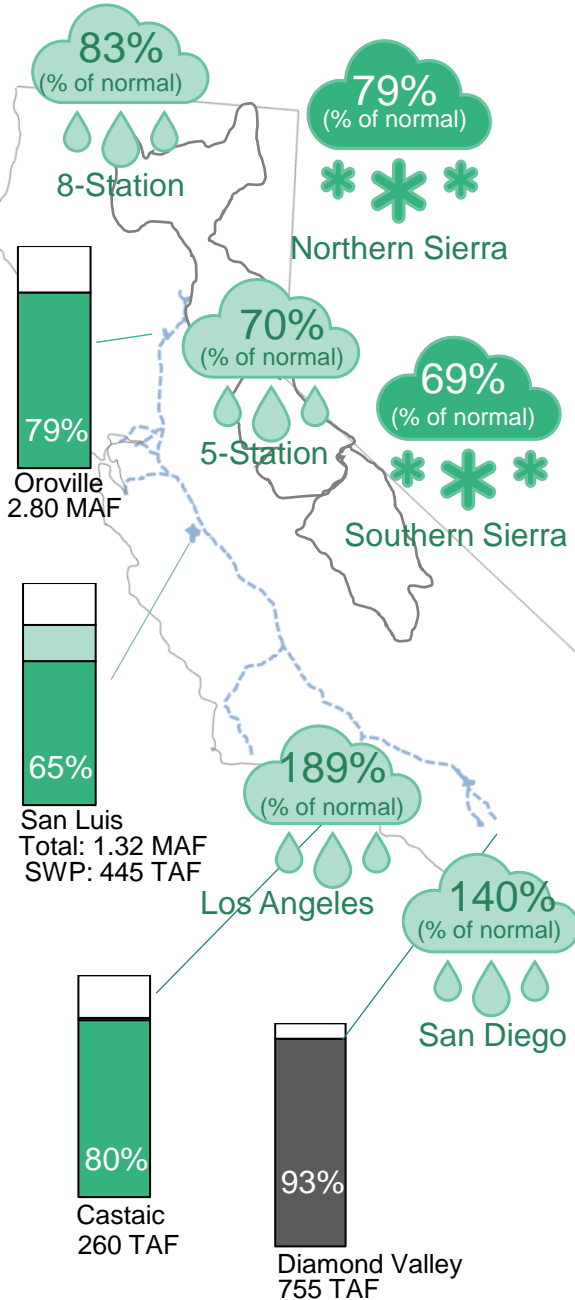




2024 SWP Table A – 10% - 191,150 AF

Projected 2024 CRA Diversions – 979,000 AF

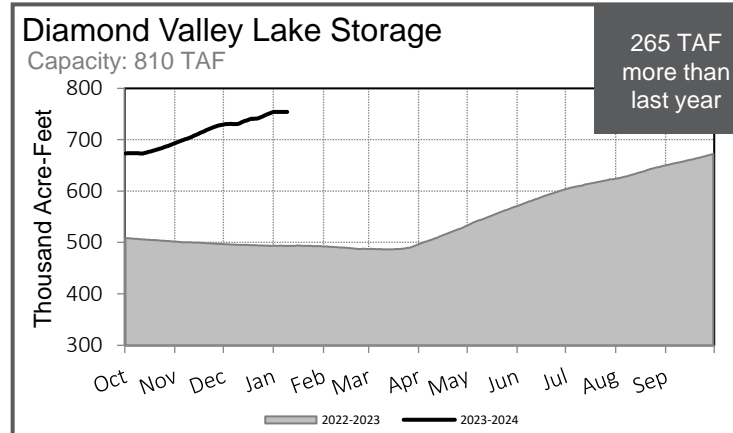
## Metropolitan Resources



### MWD WSDM Storage

Calendar Year 2024

	Take Capacity (2024)
Lake Mead ICS	130,000 acre-feet
State Water Project System	593,000 acre-feet
In-Region Supplies and WSDM Actions	635,000 acre-feet



## Highlights

Learn more about imported supplies:

- State Water Project - <https://www.mwdh2o.com/state-water-project-map/>
- Colorado River Aqueduct - <https://www.mwdh2o.com/colorado-river-aqueduct-map/>



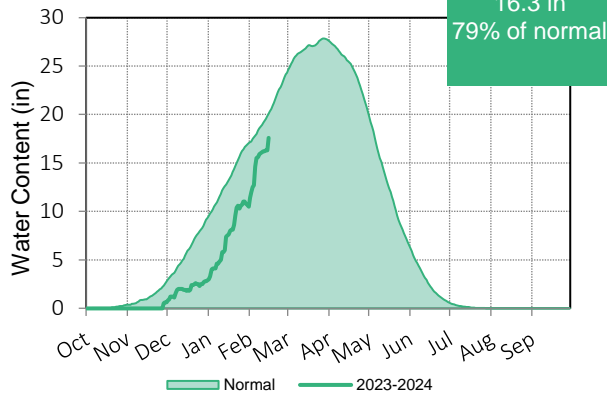
This report is produced by the Water Resource Management Group and contains information from various federal, state, and local agencies. The Metropolitan Water District of Southern California cannot guarantee the accuracy or completeness of this information. Readers should refer to the relevant state, federal, and local agencies for additional or for the most up to date water supply information. Reservoirs, lakes, aqueducts, maps, watersheds, and all other visual representations on this report are not drawn to scale. Questions? Email mferreira at mwdh2o dot com



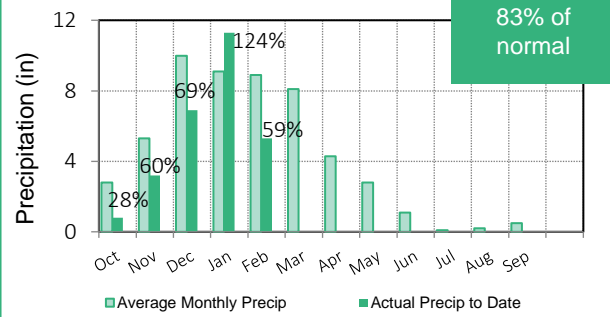
# State Water Project Resources

As of: 02/14/2024

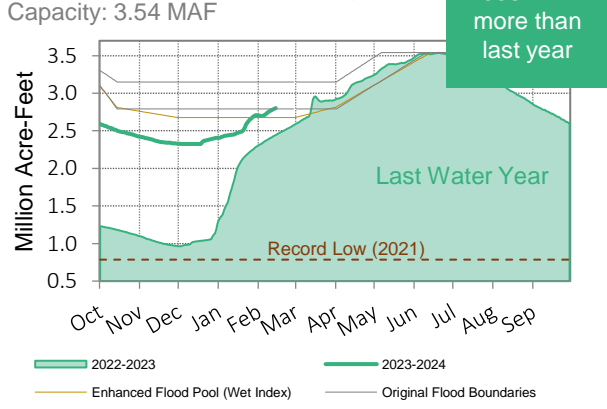
## Northern Sierra Snowpack



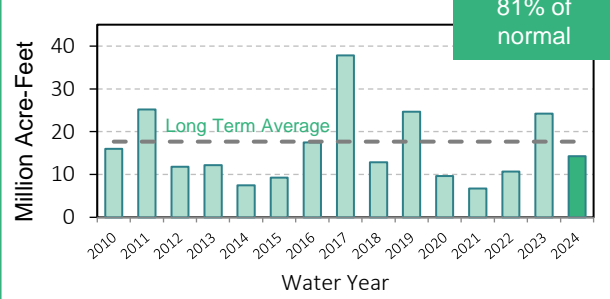
## 8 Station Index Precipitation



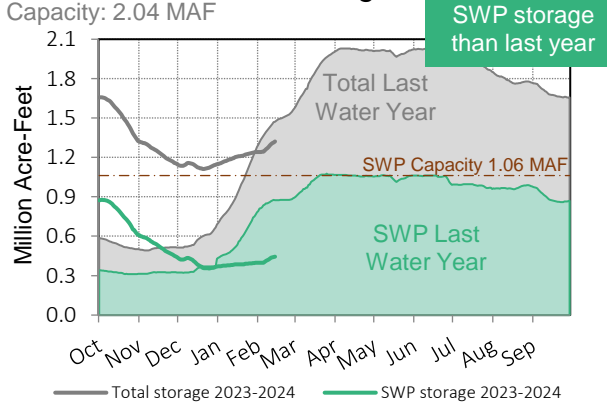
## Oroville Reservoir Storage



## Sacramento River Runoff



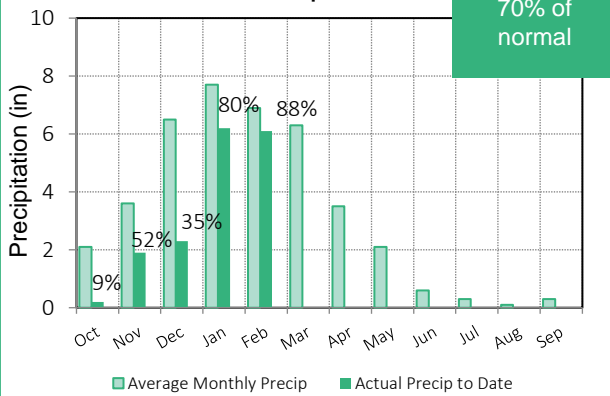
## San Luis Reservoir Storage



## Other SWP Supplies

Calendar Year 2024  
**Carryover 200,000 acre-feet**

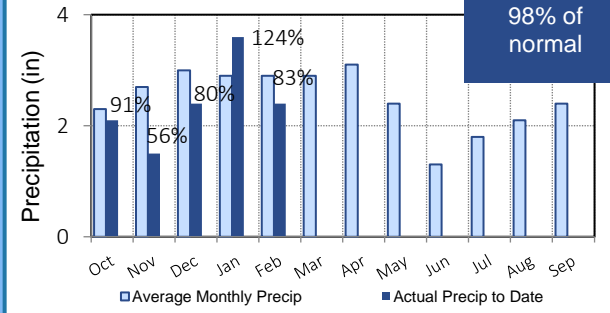
## 5 Station Index Precipitation



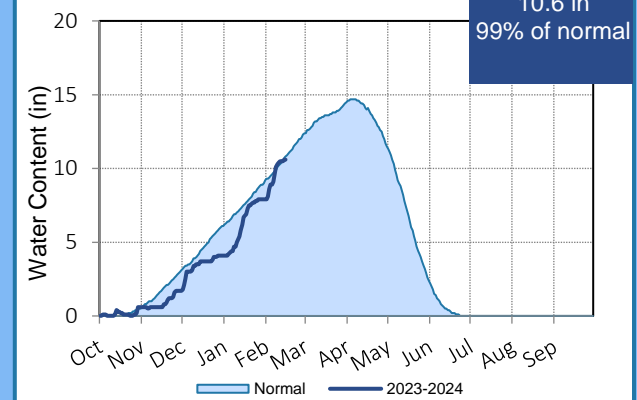
# Colorado River Resources

As of: 02/14/2024

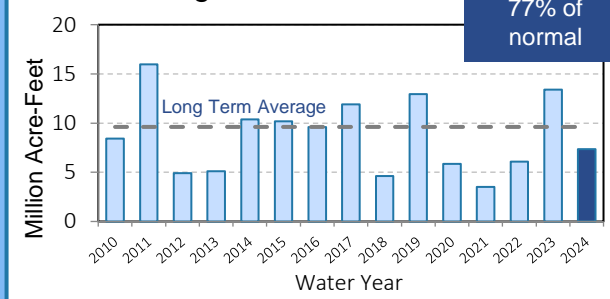
## Upper Colorado Precipitation



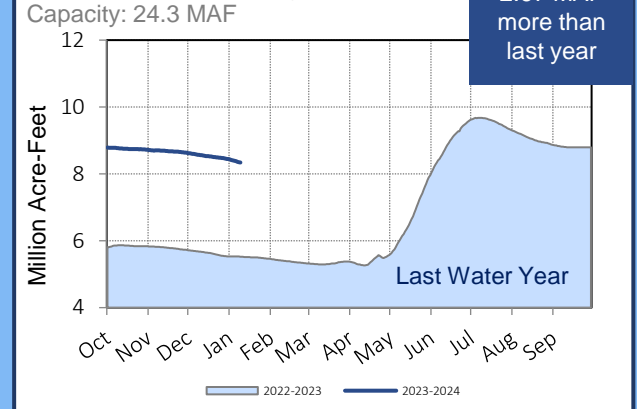
## Upper Colorado Snowpack



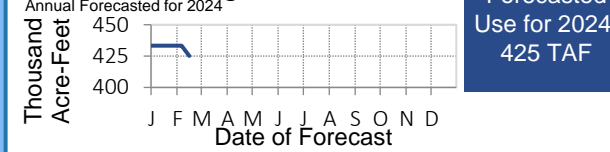
## Powell Unregulated Inflow



## Lake Powell Storage



## PVID/Yuma Agricultural Use



## Projected Lake Mead ICS

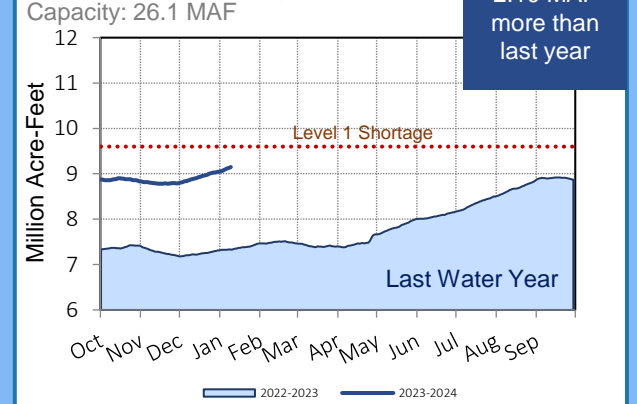
Calendar Year 2024  
**Put (+) / Take (-) TBD**

## Lake Mead Surplus/Shortage Outlook

	2024	2025	2026
Surplus	0%	0%	0%
Shortage	100%	90%	83%
Metropolitan DCP*			10% 195 TAF

Likelihood based on results from the January 2024 CRMMS in Ensemble Model/CRSS model run. Includes DCP Contributions.  
\* Chance of required DCP contribution by Metropolitan. Volume is average contribution when needed.

## Lake Mead Storage



# WILL SERVE SUMMARY REPORT

## January 2024

PROJECT NAME	PROJECT DESCRIPTION	PHASE	CFF
Arbors Access Ramp	Adding a 1-1/2" water service connection with backflow protection and connecting to the existing sewer system	Close-Out	\$ 28,785
Burger Town Sewer Connection	Addition of a 4" sewer lateral	Construction	\$ -
The Village at Laguna Hills (Demo Phase)	Demolition of the various sized water services, irrigation services, fire services, and sewer services at the former mall site.	Close-Out	\$ -
The Village at Laguna Hills (Retail Phase)	Installation of various sized water, fire, and sewer services at the former mall site.	Plan Check	Not Yet Calculated
The Village at Laguna Hills (Central Residential Phase)	Installation of various sized water, fire, and sewer services at the former mall site.	Plan Check	Not Yet Calculated
The Village at Laguna Hills (Southern Residential Phase)	Installation of various sized water, fire, and sewer services at the former mall site.	Plan Check	Not Yet Calculated
Womens Health Pavilion	New construction of a health pavilion with water services, irrigation services, sewer services, and fire water services.	Close-Out	\$ 21,856
Target	Addition of an irrigation service, fire services, and potable water services (24440 Alicia Pkwy Bldg B Suite "A" Potable Service, 24440 Alicia Pkwy Bldg B Fire Service, 24420 Alicia Pkwy Bldg A Fire Service, 24440 Alicia Pkwy Irrigation)	Construction	\$ 157,176
Laguna Hills Inn Fire Sprinkler Upgrade	Fire System upgrades including conversion of a fire hydrant to private and addition of a 6-inch DCDA	Construction	\$ -
Moulton Parkway Commercial Kitchens	Upgrade the existing domestic service, sewer service and installation of a DCDA.	Plan Check	Not Yet Calculated
25376 Maximus Group Home	Upgrading the water service	Plan Check	Not Yet Calculated
Indian Super Mart Kitchen	addition of a kitchen	Plan Check	Not Yet Calculated
Parentis Health Sewermain Relocation	Relocating an existing sewermain	Plan Check	Not Yet Calculated



To:	MWDOC Workshop
From:	Syrus Devers
Date:	February 7th, 2024
Re:	State Legislative Report

### Legislature

A New Reality for Most Legislators–Deficits: Only a handful of sitting legislators were in office the last time California faced a severe deficit. Over the next several weeks, members of budget subcommittees will get their first taste of how their relationships with their colleagues will change in the face of a deficit. Personal values get tested during a deficit in a way that does not happen when there is plenty to go around.

A Break for Public Water Agencies?: Driven by historic droughts, water agencies were repeatedly lashed by legislation requiring conservation for the sake of conservation, as opposed to meaningful water savings. After consecutive years of rain that reminded the state about the risks from floods, and scathing reports from the Legislative Analyst’s Office (LAO) and the Public Policy Institute of California (PPIC) questioning the value and cost of conservation legislation, public water agencies may catch a break. They may even decide to push back.

There were no bills of significance to report on at the time this report was prepared, so no Bill Matrix yet, but with the bill introduction deadline of February 16th approaching, there will very likely be some bills to report on at the workshop.

### Newsom’s Budget Performance

Back in December the Legislative Analyst’s Office (LAO) projected a \$68 billion “budget problem” (actual term used). Newsom’s budget revealed on January 10th indicated a \$38 billion budget problem. A few days later the LAO published what Newsom’s budget would look like if all the same definitions were used. When apples are compared to apples, Newsom’s budget revealed a \$58 billion budget problem. As for the \$10 billion difference, LAO said it was due to “optimistic but not unreasonable” assumptions about future revenues on the part of Newsom.

Newsom came up with a new way to avoid calling it a cut—a “reversion”--but he cut \$174.4 million from a \$348 million fund for groundwater and recycling programs. He also delayed \$100 million from that fund until next year, and he cut \$50 million from dam safety. As bad as that is, it is nowhere near as bad as the cuts to transportation and the Greenhouse Gas Reduction Fund: \$600 million and \$1.4 billion respectively.

## **Delta Conveyance**

The previous report covered the environmental groups that sued the Department of Water Resources over the final EIR approval for the Delta Conveyance. Since then more parties have joined: the Counties of San Joaquin, Contra Costa, Yolo, and Solano, the Central Delta Water Agency, Contra Costa County Water Agency, and Local Agencies of the North Delta, all sued under CEQA and other laws. None of this was unexpected.



**WHITTINGHAM**  
PUBLIC AFFAIRS ADVISORS

February 7, 2024

TO: MWDOC Board of Directors

FROM: Peter Whittingham

SUBJECT: January 2024 Report

The month of January brought a variety of activities, announcements and events in Orange County. Following are a few of the more notable developments and issues of the month:

- Longtime Yorba Linda City Councilmember Gene Hernandez tendered his resignation from Council upon being appointed to the Yorba Linda Water District Board to serve the balance of former Board member Wayne Miller's term.
- Newport Beach City Councilmember Erik Weigand was unanimously appointed to represent District 7 on the Orange County Water District Board of Directors. Board member Weigand will complete the term of the late Kelly Rowe.
- The U.S. Army Corps of Engineers beach replenishment project in San Clemente was put on hold due the poor quality of material dredged from an offshore borrow pit in Oceanside caused maintenance problems for the contractor's equipment. San Clemente residents had also expressed concerns regarding the rocks, gravel and dark sand being pumped onto the popular beach. The Army Corps is now looking at bringing sand from a pit less than a mile offshore from Del Mar.
- The Huntington Beach City Council received a presentation from its Public Works Department on the findings of a recent water and wastewater services rates study. The City's rates were last adjusted in 2019. Financial consultants have been working with City staff members to evaluate data and technical analyses, and residents and business owners will receive an official Proposition 218 notification early this spring. The City Council currently plans to conduct a public hearing on water and wastewater rates at its meeting of Tuesday, April 16.
- The South Coast Water District Board approved the Water and Sewer Services Agreement with Dana Point Harbor Partners, developers of new hotel, restaurant, and retail offerings in the Harbor, which is owned by the County of Orange. A groundbreaking celebration will be held this morning, February 7. The first two phases of the landside construction (renovation of the boat slips has been ongoing for several

Whittingham PAA, LLC

31441 Santa Margarita Parkway, Suite A181 ▪ Rancho Santa Margarita, CA 92688

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months) will include a 972 stall, state-of-the-art parking structure, surrounding landscaping and site work and extension of Golden Lantern Road into the revitalized parking structure and harbor.

- The nonpartisan Legislative Analyst’s Office issued a report that was highly critical of the State Water Resources Control Board’s water-use efficiency regulations, saying that many “...may be unrealistic for suppliers to achieve.” The proposed rules include specific goals for 2025, 2030 and 2035; in Orange County, a number of water districts and cities have single-digit targets for 2035, while others are facing substantial mandates, including the cities of Tustin (29%), Brea (22%), Orange (21%) and Newport Beach (19%), as well as Trabuco Canyon (24%) and Laguna Beach County (22%) water district.

It is a pleasure to work with you and to represent the Municipal Water District of Orange County.

Sincerely,



Peter Whittingham

# Metropolitan Water District of Southern California State Legislation Matrix

**January 8, 2024 – Second Year of Legislative Session**

Item No. 2d

Bill Number Author	Amended Date Location	Title-Summary	MWD Position	Effects on Metropolitan
<p><b>AB 400</b> <b>B. Rubio (D – Baldwin Park)</b></p> <p>Sponsors: California State Association of Counties, League of California Cities</p>	<p>Chaptersed</p> <p>Signed by Governor Chapter 201, Statutes of 2023</p>	<p><b>Local agency design-build projects: authorization.</b></p> <p>This measure would extend the existing sunset date to January 1, 2031, for the use of design-build as a delivery method for public works contracts.</p>	<p><b>Support</b></p> <p>Based on October 2021 Board Action</p>	<p>Metropolitan’s current authority to use design-build under AB 1845 (Calderon, CH: 275, 2022) will sunset on January 1, 2028. The provisions of this bill allow Metropolitan to use design-build for future projects through January 1, 2031.</p>
<p><b>AB 460 Bauer-Kahan (D – Orinda)</b></p>	<p>Amended 5/18/23</p> <p>Two-year bill</p> <p>Senate Natural Resources and Water Committee</p>	<p><b>State Water Resources Control Board: water rights and usage: interim relief: procedures.</b></p> <p>This bill grants the State Water Resources Control Board authority to issue an interim relief order to enforce the reasonable use doctrine, water rights, water quality standards, and other provisions of water law.</p>	<p><b>Oppose</b></p> <p>Based on 2023 Water Rights Principles, adopted April 2023</p>	<p>The stated intent of this bill is aimed at deterring unlawful diversions during a drought emergency with swift State Board action and stiff penalties for violations. This bill would give the State Board expansive new authority to assume control of the State Water Project, Metropolitan or its members’ use of imported or locally-sourced water, Metropolitan’s diversion and use of water on the Delta Islands, and a number of other projects and Metropolitan operations. This bill would give the Water Board the authority to assert such control with very short or no prior notice or an opportunity to be heard. The State Board also would not require the use of the California Evidence Code, meaning these expedited decisions could be made based on testimony that is hearsay or by people not qualified to testify as experts on scientific or technical issues in court.</p>

# Metropolitan Water District of Southern California State Legislation Matrix

## January 8, 2024 – Second Year of Legislative Session

Bill Number Author	Amended Date Location	Title-Summary	MWD Position	Effects on Metropolitan
AB 1337 Wicks (D - Oakland)	Amended 5/18/23 Two-year bill Senate Natural Resources and Water Committee	<b>State Water Resources Control Board: water diversion curtailment.</b>  This bill would authorize SWRCB to adopt regulations for various water conservation purposes and implement these regulations through orders curtailing the diversion or use of water under any claim of right.	<b>Oppose</b>  Based on Metropolitan Policy Principles for Modernization of Water Rights Administration, adopted April 2023	Regardless of whether there is a drought emergency, this bill would allow the State Board, by regulation, to permanently reduce permit rights (including SWP, Colorado River pre-1914 rights, or Delta Island license, pre-1914 or riparian right diversions) upon a finding that current diversions result in a waste or unreasonable use of water or that they harm public trust (fish and wildlife) resources. This would be a new broad power to the State Board that could permanently reallocate any water rights under any water year conditions without the protection or process of individual adjudications.
AB 1567 Garcia (D-Coachella)	Amended 5/26/2023 Two-year bill Senate Natural Resources and Water Committee	<b>Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, Clean Energy, and Workforce Development Bond Act of 2024.</b>  This measure would authorize a \$15.995 billion general obligation bond for the March 5, 2024, ballot to fund a broad range of resource-based programs that will assist California to improve its climate resiliency.	<b>Support, if amended</b>  Based on June 2023 Board Action	This measure is consistent with Metropolitan's current policy priorities and supports the objectives of Metropolitan's Climate Adaptation Master Plan.  Metropolitan is seeking amendments to increase funding for recycled water, dam safety, regional conveyance, drought and conservation projects.
AB 1572 Friedman (D - Glendale)  Co-sponsors: Metropolitan, Imperial County, National Resources Defense Council	Chaptered  Signed by Governor Chapter 849, Statutes of 2023	<b>Potable water: nonfunctional turf.</b>  This measure prohibits the use of potable water for the irrigation of non-functional turf located on commercial, industrial, institutional. This measure provides the State Water Resources Control Board with the authority to postpone compliance dates as prescribed.	<b>Co-sponsor</b>  Based on April 2023 Board action	Based on input from the Board and member agencies, Metropolitan secured amendments to exclude multi-family residential buildings and protect the authority and local control of public water systems.  Metropolitan is a co-sponsor of this measure.



# Metropolitan Water District of Southern California State Legislation Matrix

## January 8, 2024 – Second Year of Legislative Session

Bill Number Author	Amended Date Location	Title-Summary	MWD Position	Effects on Metropolitan
<p><b>AB 1573 Friedman (D - Glendale)</b></p> <p>Sponsor: Earth Advocacy and California Native Plant Society</p>	<p>Amended on 9/1/2023</p> <p>Two Year Bill</p> <p>Senator Floor – Inactive File</p>	<p><b>Water conservation: landscape design: model ordinance.</b></p> <p>This measure would update the model water efficient landscape ordinance for new or renovated nonresidential areas to require at least 25% local native plants beginning January 1, 2026. This measure would also prohibit the use of nonfunctional turf in nonresidential landscape projects after January 1, 2026.</p>	<p><b>Support</b></p> <p>Based on 2023 Legislative Priorities and Principles, adopted December 2022</p>	<p>This measure is consistent with Metropolitan’s effort to reduce nonfunctional turf within its service area.</p>
<p><b>AB 1648 Bains (D - Bakersfield)</b></p>	<p>Amended 3/16/2023</p> <p>Two Year Bill</p> <p>Assembly Water, Parks, and Wildlife Committee</p>	<p><b>Water: Colorado River Conservation</b></p> <p>This measure would specifically prohibit Metropolitan and LADWP to offset federally required reductions on Colorado River resources with increased water deliveries from other regions of California, including the Delta, retroactively as of January 1, 2023.</p>	<p><b>Oppose</b></p> <p>Based on 2023 Legislative Priorities and Principles, adopted December 2022</p>	<p>This measure would impair Metropolitan’s flexibility with its entire water portfolio, including the Integrated Water Resources Plan and the Annual Operating Plan. Metropolitan’s reliability and its ability to meet demands would also be impaired by restrictions on partnerships with its State Water Project and Colorado River Basin stakeholders.</p>

# Metropolitan Water District of Southern California State Legislation Matrix

## January 8, 2024 – Second Year of Legislative Session

Bill Number Author	Amended Date Location	Title-Summary	MWD Position	Effects on Metropolitan
<b>SB 122</b> <b>Senate Committee</b> <b>on Budget and</b> <b>Fiscal Review</b>	Chaptered  Signed by the Governor Chapter 51, Statutes of 2023	<b>Flood Flow Streamlining</b>  Provisions in this trailer bill provide that diversion of flood flows for groundwater recharge do not require an appropriate water right if specified conditions regarding the diversion are met. These provisions exempt from the California Environmental Quality Act (CEQA) specified actions related to the implementation of Colorado River water conservation agreements with the US Bureau of Reclamation.	<b>Seek Amendments</b>  Based on Metropolitan Policy Principles for Modernization of Water Rights Administration 2023 Water Rights Principles, adopted April 2023 Based on, adopted April 2023	The no-permit authorization poses a significant concern to Metropolitan’s State Water Project supplies. There is no protest process, no requirement that diverters avoid harm to other legal water users with water rights senior to the flood flow diverter, and no protection of SWP and CVP rights to divert “excess flows” when they exist in the system up to the full capacity of the projects.  Metropolitan will work with the administration to address these issues as the program is implemented.
<b>SB 124</b> <b>Senate Committee</b> <b>on Budget and</b> <b>Fiscal Review</b>	Chaptered  Signed by the Governor Chapter 53, Statutes of 2023	<b>Green Financing Programs for Federal IRA Funding</b>  This measure contains various provisions to implement the 2023 State Budget Act, which includes authorizing the State Infrastructure and Economic Development Bank and the Department of Water Resources (DWR) to access and utilize federal funding in the Inflation Reduction Act to finance projects that reduce greenhouse emissions.	<b>Support</b>  Based on 2023 Legislative Priorities and Principles, adopted December 2022	For the State Water Project, DWR’s direct investment in qualifying projects could lower its capital costs, which would ultimately be passed on to Metropolitan and other SWP contractors.

# Metropolitan Water District of Southern California State Legislation Matrix

## January 8, 2024 – Second Year of Legislative Session

Bill Number Author	Amended Date Location	Title-Summary	MWD Position	Effects on Metropolitan
<b>SB 146</b> <b>Gonzalez (D-Long Beach)</b>	Chaptered  Signed by the Governor Chapter 58, Statutes of 2023	<p><b>Public resources: infrastructure: contracting.</b></p> <p>This measure is part of the negotiated infrastructure trailer bill package and authorizes DWR to use the progressive design-build (PDB) project delivery method for up to eight public works projects that exceed \$25 million. The Delta conveyance facilities and seawater desalination are expressly prohibited under this measure.</p>	<p><b>Support</b></p> <p>Based on October 2021 Board Action</p>	<p>By utilizing PDB and awarding a project contract prior to the completion of all design work, DWR can potentially reduce overall costs and execute shorter project delivery schedules. This could lead to reduced costs for SWP-related projects-resulting in cost savings being passed on to Metropolitan.</p>
<b>SB 147</b> <b>Ashby (D-Sacramento)</b>	Chaptered  Signed by the Governor Chapter 59, Statutes of 2023	<p><b>Fully protected species: California Endangered Species Act: authorized take</b></p> <p>This measure is part of the negotiated infrastructure trailer bill package and authorizes the take of fully protected species for certain infrastructure projects if specified conditions are met. Eligible projects include the maintenance, repair and improvement of the State Water Project, as well as critical regional and local water infrastructure.</p>	<p><b>Support and Amend</b></p> <p>Based on 2023 Legislative Priorities and Principles, adopted December 2022</p>	<p>While this alternative may have benefits over current FPS regulations, the requirements are extensive and may make permit terms infeasible or cost prohibitive and could create other litigation risks for permittees.</p>
<b>SB 149</b> <b>Caballero (D-Merced)</b>	Chaptered  Signed by the Governor Chapter 60, Statutes of 2023	<p><b>California Environmental Quality Act: administrative and judicial procedures: record of proceedings: judicial streamlining.</b></p> <p>This measure is part of the negotiated infrastructure trailer bill package and makes various changes to CEQA. This bill provides clarification for what is considered as part of the administrative record, as well as allowing a public agency to deny a request to prepare the record of proceedings. This bill also provides for expedited judicial review for specified energy and transportation projects.</p>	<p><b>Support and Amend</b></p> <p>Based on 2023 Legislative Priorities and Principles, adopted December 2022</p>	<p>Administrative Records Streamlining: Overall, the provisions would be beneficial to Metropolitan as they could lower CEQA litigation costs and shorten litigation timelines.</p> <p>Expedited Judicial Review: The process for preparing the administrative record for any governor-certified infrastructure project must follow certain extensive and potentially costly specifications. While expedited judicial review is beneficial in concept, unless amended, the prerequisites may be infeasible or costly to implement.</p>

# Metropolitan Water District of Southern California State Legislation Matrix

## January 8, 2024 – Second Year of Legislative Session

Bill Number Author	Amended Date Location	Title-Summary	MWD Position	Effects on Metropolitan
<b>SB 150</b> <b>Durazo (D-Los Angeles)</b>	Chaptered  Signed by the Governor Chapter 61, Statutes of 2023	<p><b>Construction: workforce development: public contracts.</b></p> <p>This measure is part of the negotiated infrastructure trailer bill package and focuses on strengthening the state’s workforce and community benefits with infrastructure investments through California’s share of federal funds.</p>	<p><b>Support</b></p> <p>Based on 2023 Legislative Priorities and Principles, adopted December 2022</p>	<p>This bill is intended to help develop procurement models to enhance the state’s training and access pipeline for jobs while ensuring community benefits on infrastructure and manufacturing investments.</p> <p>This bill is consistent with Metropolitan’s policy and practice and could benefit the district by helping build the next generation of the state’s construction workforce.</p>
<b>SB 366</b> <b>Caballero (D - Merced)</b>  Sponsors: California Municipal Utilities Association, California Council for Environmental and Economic Balance, California State Association of Counties	Amended 6/29/2023  Two-year bill  Assembly Water, Parks, and Wildlife Committee	<p><b>The California Water Plan: long-term supply targets.</b></p> <p>This measure would revise the California Water Plan to require the DWR to update the California Water Plan by December 31, 2028, and every five years after, to include a long-term water supply target for 2050 and discussion on the development of specified water supply sources to meet demand.</p>	<p><b>Support, if amended</b></p> <p>Based on 2023 Legislative Priorities and Principles, adopted December 2022</p>	<p>The intent of this bill is to help modernize California’s water management practices and provide long-term reliable supplies in response to the current climate challenges.</p> <p>Metropolitan is seeking amendments that include, but are not limited to, ensuring the 2050 target reflects statewide, regional, and local planning efforts and clarifying that the CA Water Plan should not establish a separate plan for complying with the Delta Plan, but should be complimentary and focus on supporting the co-equal goals of the Delta.</p>

# Metropolitan Water District of Southern California State Legislation Matrix

## January 8, 2024 – Second Year of Legislative Session

Bill Number Author	Amended Date Location	Title-Summary	MWD Position	Effects on Metropolitan
<b>SB 659</b> <b>Ashby (D – Sacramento)</b>  Sponsors: Sacramento Regional Water Authority	Chaptered  Signed by the Governor Chapter 624, Statutes of 2023	<b>California Water Supply Solutions Act of 2023.</b>  This bill would require DWR to develop a groundwater recharge plan by January 1, 2026, to create additional groundwater recharge capacity and include the plan as part of the 2028 update to the California Water Plan.	<b>Support, if Amended</b>  Based on 2023 Legislative Priorities and Principles adopted December 2022.	This bill intends to elevate the importance of groundwater in the state’s planning efforts. Additional recharge capacities developed through implementation of this bill could potentially help in the successful implementation of projects such as Metropolitan’s Pure Water project, LADWP’s Operation Next project, and the Pure Water San Diego, potentially helping to maximize stormwater capture and increase sustainability of groundwater basins within Metropolitan’s service area.
<b>SB 687</b> <b>Eggman (D - Stockton)</b>	Amended 5/2/2023  Two-year bill  Senate Appropriations Committee – Suspense File	<b>Water Quality Control Plan: Delta Conveyance Project.</b>  This measure will require the State Water Resources Control Board to adopt a final update of the Bay-Delta Water Quality Control Plan before the Board considers a change in the point of diversion or any other water rights permit or order for the Delta Conveyance Project.	<b>Oppose</b>  Based on 2023 Legislative Priorities and Principles, adopted December 2022	Metropolitan supports updating the Water Quality Control Plan to protect beneficial uses in the Delta. This bill would result in halting or delaying planning efforts on the Delta Conveyance Project and potentially prevent the project from operating if approved.

# Metropolitan Water District of Southern California State Legislation Matrix

## January 8, 2024 – Second Year of Legislative Session

Bill Number Author	Amended Date Location	Title-Summary	MWD Position	Effects on Metropolitan
<p><b>SB 706 Caballero (D-Merced)</b></p> <p>Sponsors: CA State Association of Counties; County of San Diego; Design Build Institute of America Western Pacific Chapter; League of California Cities</p>	<p>Chaptered</p> <p>Signed by the Governor Chapter 500, Statutes of 2023</p>	<p><b>Public contracts: progressive design-build: local agencies.</b></p> <p>This bill would provide additional authority, until January 1, 2023, for cities, counties, and special districts to use progressive design-build (PDB) authority for up to 10 public works projects that are in excess of \$5 million. In addition, any local agency that uses this authorized progressive-design build process must submit a report to the Legislature.</p>	<p><b>Support</b></p> <p>Based on 2023 Legislative Priorities and Principles, adopted December 2022</p>	<p>Currently, PDB-eligible projects are limited to wastewater treatment facilities, park and recreational facilities, solid waste management facilities and water recycling facilities. This bill now authorizes cities, counties and special districts, including Metropolitan, to use PDB for public works projects. This supports Metropolitan’s priority of ensuring reliable water supply deliveries throughout its service area.</p>
<p><b>SB 867 Allen (D-Santa Monica)</b></p>	<p>Amended 6/22/2023</p> <p>Two-Year Bill</p> <p>Assembly Natural Resources Committee</p>	<p><b>Drought, Flood and Water Resilience, Wildfire and Forest Resilience, Coastal Resilience, Extreme Heat Mitigation, Biodiversity and Nature-Based Climate Solutions, Climate Smart Agriculture, Park Creation and Outdoor Access, and Clean Energy Bond Act of 2024.</b></p> <p>This measure would authorize a \$15.5 billion general obligation bond for a range of resource-based programs that will improve California’s climate resiliency. If approved, this measure would be on the March 5, 2024 statewide ballot.</p>	<p><b>Support, if amended</b></p> <p>Based on June 2023 Board Action</p>	<p>This measure is consistent with Metropolitan’s current policy priorities and supports the objectives of Metropolitan’s Climate Adaptation Master Plan.</p> <p>Metropolitan is seeking amendments to increase funding for recycled water, dam safety, regional conveyance, drought, and conservation projects.</p>



## STAFF REPORT

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**To: Board of Directors**

**Meeting Date: February 22, 2024**

**From: Sherri Seitz, Public Affairs Manager**

**Subject: Public Education and Outreach Report**

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### **Bill Message**

Customer February/March bill message:

With the recent rains and the cooler temperatures, it's time to give your sprinklers a break. Landscapes require less water and adjusting your irrigation timers can make a significant difference in conserving water. Visit <https://etwd.com/conservation/water-conservation/> and use the outdoor watering calculator to obtain a customized water schedule for your landscape.

### **Laguna Woods Village Television (LWVT)**

A link to Director Fred Adjarian's Fats, Oils and Grease (FOG) presentation on LWVT's "This Day" from January 26, 2024 can be found here:

<https://youtu.be/0HEHZ2WJKwY?si=9qzXNjFJc7tU9lhC>

### **Adopt a Channel**

The signage for the ETWD Adopt a Channel is being fabricated by the County of Orange. Staff is waiting for a completion date.

### **ETWD News**

News releases regarding ETWD's new President and Vice-President and the District receiving the GFOA Certificate of Achievement for Excellence in Financial Reporting follow this report.

### **ETWD Northline Lift Station/City of Laguna Woods Dog Park**

ETWD in coordination with the City of Laguna Woods and City of Laguna Hills will be creating a delineated walkway in front of Northline Lift Station during the wet well coating rehabilitation project from February 26 thru March 5, 2024. We will post the construction alert on ETWD's website, social media, distribute to the City of Laguna Woods and the City of Laguna Hills and distribute through the City of Laguna Woods E-blast. In addition, we will have signage on the dog park gates ahead of the project and two A-frame signs at either end of the delineated walkway in front of Northline Pump Station during the project to inform the public. A copy of the construction alert and signage follow this report.

### **MWDOC Rebate Participants Survey**

Last year MWDCOC sent out surveys to rebate participants. Attached are a few slides with excerpts of comments from the survey regarding how they feel about the rebate program. Overall, the rebate participants comments are very positive and the rebates are appreciated by the public. ETWD staff also have received direct feedback from customers that appreciate the rebate program.

### **Community Events**

#### **Miracle for Kids**

On February 21, 2024, ETWD is hosting a volunteer opportunity for staff to help assemble over 300 St. Patrick's Day craft kits to be included with the next Miracle for Kids Lucky Box of Miracles. Each month Miracle for Kids delivers a box of household necessities and seasonal items to over 300 families in need with critically-ill children.

#### **City of Lake Forest/Lake Forest Chamber of Commerce State of the City/Meet the Mayor Event**

ETWD will be providing the drought tolerant plant centerpieces for the upcoming City of Lake Forest and Lake Forest Chamber of Commerce State of the City/Meet the Mayor event on Thursday, March 21, 2024 at the Lake Forest Civic Center.

#### **Children's Water Education Festival**

ETWD staff will host an educational/activity booth at the Children's Water Education Festival on March 27 and 28, 2024. Staff is in the process of determining the activity for this year.



**Laguna Woods Village Earth Day**

ETWD will host a booth at the Laguna Woods Earth Day event on April 18, 2024 from 12 noon to 2:30 pm. at Clubhouse 5 in the ballroom.

**City of Mission Viejo Earth Day/Arbor Day**

ETWD will host a booth at the City of Mission Viejo Earth Day/Arbor Day event on Saturday, April 20, 2024, on Oso Creek Trail north of Jeronimo Road from 8:00 a.m. to 12 noon.



**February 12, 2024**

### **El Toro Water District Board of Directors Selects New Officers**

The El Toro Water District (ETWD) is pleased to announce the selection of the board officers for the 2024 calendar year. Director Mark Monin will serve as Board President and Director Mike Gaskins will serve as Vice President.

With a strong commitment to serving our community and ensuring the sustainable management of our water resources, Director Monin brings a wealth of experience and expertise to his new role as Board President. Having served on the board for ten years, Director Monin has a deep understanding of the challenges and opportunities facing our water district and the region.

"I am honored to serve as the ETWD Board President," said President Monin. "I look forward to working closely with my fellow board members, stakeholders, and our dedicated staff to continue advancing our mission of providing safe, reliable, and sustainable water and wastewater services to our community."

Joining President Monin in his new leadership role is Director Gaskins, who has been elected as Vice President of the board. With over 40 years of professional experience as a civil servant, Vice President Gaskins brings valuable water industry insights and a passion for human resources and water quality to his position.

"I am excited to serve as the ETWD Vice President and to collaborate with President Monin and the rest of the board to address the critical water issues facing our region," said Vice President Gaskins. "Together, we will work tirelessly to ensure the long-term viability and resilience of our water resources."

Please join us in congratulating President Monin and Vice President Gaskins in their roles as board officers for the calendar year 2024. Their leadership will undoubtedly guide ETWD towards continued success in fulfilling its mission to serve our community.



ETWD President Monin (left) and Vice President Gaskins (right) taking the oath of office.

#

### **About ETWD**

The El Toro Water District is a *District of Distinction* accredited by the Special District Leadership Foundation because of its commitment to good governance and to ethical and sound operating practices. ETWD is governed by a five-member Board of Directors and provides full-service potable water, wastewater and recycled water for use across portions of the cities of Aliso Viejo, Lake Forest, Laguna Hills, Mission Viejo and the entire city of Laguna Woods.

Website: [www.etwd.com](http://www.etwd.com)



**February 16, 2024**

## **El Toro Water District Honored with Prestigious Award for Financial Reporting Excellence**

El Toro Water District (ETWD) is honored to have been awarded the Certificate of Achievement for Excellence in Financial Reporting by the Government Finance Officers Association (GFOA) for its comprehensive financial report for the fiscal year ended June 30, 2022. ETWD has proudly earned this award for the last seven consecutive years.

The GFOA's Certificate of Achievement is the highest form of recognition in the field of governmental accounting and financial reporting. It signifies a government entity's commitment to transparency, accountability, and excellence in financial reporting.

ETWD's annual comprehensive financial report was meticulously judged by an impartial panel against stringent criteria set forth by the GFOA. The report demonstrated a constructive "spirit of full disclosure," effectively communicating the district's financial story.

In response to receiving this prestigious award, Dennis Cafferty, ETWD General Manager, remarked: "We are incredibly honored to receive this recognition from the Government Finance Officers Association. This award reflects our unwavering dedication to transparency and accountability in financial reporting. It is a testament to the hard work and commitment of our team to provide our stakeholders with clear and comprehensive financial information. We remain steadfast in our commitment to upholding the highest standards of financial reporting as we continue to serve our community."

ETWD remains committed to its mission of providing safe, reliable, and sustainable water services to the residents and businesses it serves.

For more information about ETWD and its financial reporting practices, please visit <https://etwd.com/governance/>



# CONSTRUCTION ALERT

## EL TORO WATER DISTRICT NORTHLINE LIFT STATION IMPROVEMENT PROJECT

### PROJECT DETAILS

During the Northline Lift Station improvement project, ETWD will be recoating a wet well in the lift station.

### CITY OF LAGUNA WOODS DOG PARK ACCESS

The City of Laguna Woods Dog Park will remain open during the project. The project will limit access to a specific walkway in front of the lift station. Please follow the signs and stay on the delineated path.

### QUESTIONS

If you have any questions regarding the project or access in front of the ETWD Northline Lift Station, you are encouraged to call ETWD at **(949) 837-0660**.

**We thank you for your your patience.**

CONSTRUCTION START DATE: **FEB. 26, 2024**

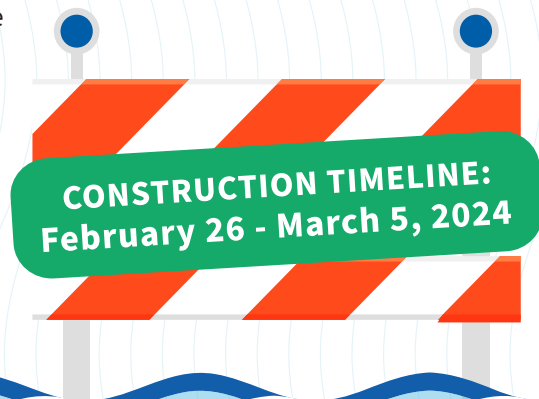
### CONSTRUCTION IMPACTS AND WORK HOURS

- **FEB. 26: 7 A.M. TO 7 P.M.**
- **FEB. 27 - MAR. 5: 7 A.M. TO 4 P.M.**
- **MONDAY THROUGH FRIDAY**

### During the project, residents near the area can expect:

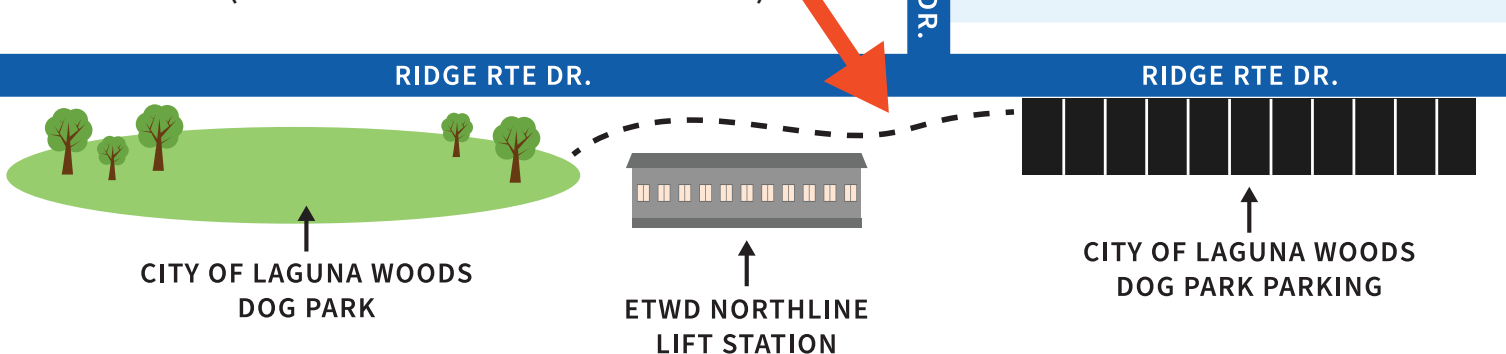
- Increased construction noise during the day.
- Increased construction traffic in and around the site, including the area of Ridge Route Drive and Peralta Drive and the accessway between the Dog Park and it's parking lot.
- Larger vehicles moving on and off the property.

For more information on this project call **(949) 837-0660**.



### 36" WIDE PEDISTRIAN PARKWAY

ACCESS FOR THE PUBLIC FROM THE PARKING LOT TO THE DOG PARK (NO ACCESS FROM RIDGE ROUTE DR.)





# **El Toro Water District** **Construction Alert**

**February 26 – March 5, 2024**

The El Toro Water District will conduct facility improvements on the Northline Lift Station

**City of Laguna Woods Dog Park**  
**Will remain OPEN**

## **Delineated Walking Path**

Please follow the delineated path from the parking lot to the dog park

## **Construction Hours:**

Feb. 26: 7 a.m. – 7 p.m.

Feb. 27 – Mar. 5: 7 a.m. – 4 p.m.

**Telephone: 949-837-0660**

**Email: [District@etwd.com](mailto:District@etwd.com)**

*Thank You for Your Patience*

\*\*Para información en Español llame a nuestra oficina\*\*





**“I want to thank the MWDOC staff who worked on the help desk and responded to all the inquiries. They were extremely responsive, detailed, and professional, and made the whole project much easier to implement!”**

**“I love the program now going into our second year of growth. Water savings are terrific.”**

**“Excellent program! So glad to participate in it and create a beautiful sustainable water feature with drought-resistant plants and a riverbed in our front yard! Thank you for the opportunity!”**





**“This was a great experience. You made it clear and easy. I could not be happier with the end result.”**

**“This program is wonderful! I'm very happy with my landscape, and just finished helping one of my friends apply and revamp their yard as well.”**

**“I am very happy to have the new landscape instead of a lawn because I don't have to water a lawn and the plants are doing well and look good with little water and require less maintenance.”**

**“The staff are very helpful, otherwise I may give up.”**







**“The entire staff were extremely helpful every time I had a question or concern. Responses were quick and concise. The woman who came to inspect the property was very nice and friendly as well!”**

**“I love the outcome of my changes and have added more drought tolerant plants in my yard. Everything requires less water and maintenance, I love it!!”**

**“Very happy with the design and outcome of the plant selection. We're saving water!”**

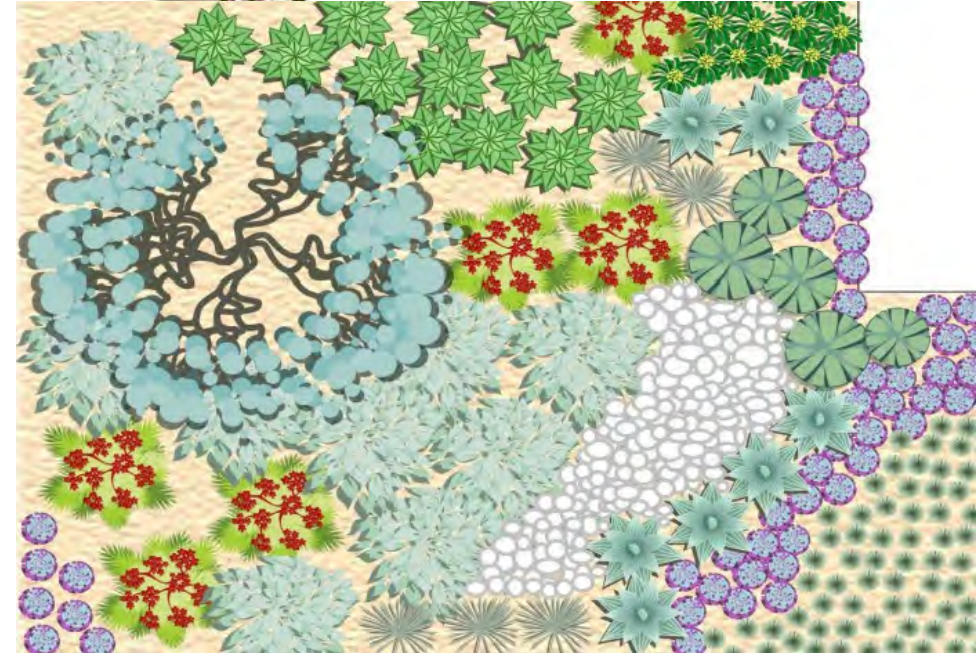




**“I really appreciate this program and the staff who worked with me to help me ensure that I fulfilled the requirements properly.”**

**“This program is one of the best use of our tax dollars. It is achieving so many objectives from present and future sustainable perspective. The guidance from the water district and every representative of theirs have been very helpful and professional. Thank you!”**

**“Amazing program! Seamless and very incentivizing to remove turf and most importantly to save water. I have been encouraging my friends to do this too!”**





**STAFF REPORT**

**To: Board of Directors**

**Meeting Date: February 22, 2024**

**From: Vu Chu, Water Use Efficiency Analyst**

**Subject: Water Use Efficiency Report**

**Rebate Programs:**

The SoCal WaterSmart regional rebate program is available to ETWD customers provided by the Metropolitan Water District of Southern California, the Municipal Water District of Orange County and ETWD.

The following tables reflect the ETWD customer device rebates available to customers from July 2022 through June 30, 2024.

Select device purchases are eligible for rebates while meeting eligibility requirements and subject to funding availability. Rebate information can be found at [www.etwd.com/conservation/rebates](http://www.etwd.com/conservation/rebates).

**Residential Rebate Programs:**

<b>Device</b>	<b>MET Rebate</b>	<b>MWDOC Grant</b>	<b>ETWD Rebate</b>	<b>Total Rebate (up to)</b>
High Efficiency Clothes Washer	\$85		\$115	\$200
Premium High Efficiency Toilet	\$40		\$60	\$100
Rotating Sprinkler Nozzles (min 30 per home)	\$2 ea			\$2
Smart Irrigation Timer	\$80	\$100	\$70	\$250
Turf Removal Program (up to 5,000 sq ft)*	\$2 sq. ft.	\$1 sq. ft.	\$1 sq. ft.	\$4 sq. ft.

Soil Moisture Sensor System <1 Acre >1 Acre	\$80 \$35/station	\$100	\$70	\$250 \$35/station
Hose Bib Irrigation Controller	\$35			\$35
Rain Barrels Cisterns (200 -500 gallon) (501-999 gallon) (1,000 gallon or more)	\$35 \$250 \$300 \$350			\$35 \$250 \$300 \$350
Spray to Drip Irrigation (up to 5,000 sf of converted area per fiscal year)		\$0.50 sq. ft.	\$0.25 sq. ft.	\$0.75 sq. ft.

\*Designated recycled water sites are not eligible for turf removal rebates. MWDOC Grant funding based on availability. ETWD has discontinued funding of synthetic turf rebates.

**Commercial Rebate Programs:**

Device	MET Rebate	MWDOC Grant	ETWD Rebate	Total Rebate (up to)
Premium High Efficiency Toilet	\$40			\$40
Multi-family Premium High Efficiency Toilet	\$40			\$40
Zero Water/Ultra Low Water Urinal	\$200			\$200
Plumbing Flow Control Valve (min. 10)	\$5			\$5
Smart Irrigation Timer/Central Computer Irrigation Controller/Soil Moisture Sensor System/Hose Bib Irrigation Controller	\$35/station			\$35/station
Rotating Sprinkler Nozzles (minimum quantity of 15)	\$2			\$2
Rotating Nozzles – Large Rotary	\$13			\$13
Turf Removal Program (up to 50,000 sq ft MET-MWDOC/up to 10,000 sq. ft. ETWD funding)*	\$2 sq. ft*			\$2 sq. ft.*

Spray to Drip Irrigation (up to 45,000 sq. ft)		\$0.50 sq. ft.		\$0.50 sq. ft.
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\*Designated recycled water sites are not eligible for turf removal rebates. Synthetic turf is not eligible for the turf removal rebate. Additional commercial rebates available online at [ocwatersmart.com](http://ocwatersmart.com). MWDOC Grant funding based on availability.

**Actual Customer Rebates Analysis:**

The following ETWD residential customer and commercial customer device rebates were approved by the Metropolitan Water District and the Municipal Water District of Orange County during the month of January 2024.

Residential Device Rebates	Rebates Approved January 2024	ETWD Amount Paid	MET Amount Paid	Total Rebate Paid
High Efficiency Clothes Washer	1	\$115	\$85	\$200.00
Smart Irrigation Timer	1	\$53.68	\$80	\$133.68

The following ETWD rebates for Turf Removal Program and Spray-To-Drip Program that have been paid during the current fiscal year 2023/2024 through the end of January 2024.

Turf Removal Program	Total Square Feet	ETWD Supplemental Amount	ETWD Supplemental Rebate Total
Turf Removal – Residential	5,231	\$1 sq. ft.	\$5,231.00
Turf Removal - Commercial	27,432	\$0	\$0
Spray-To-Drip - Residential	4,185	\$0.25 sq. ft.	\$1,046.25
Spray-To-Drip - Commercial	1,764	\$0	\$0

**Sources of Funding:**

Funding sources for rebate programs come from the Metropolitan Water District of Southern California (MET) and the Municipal Water District of Orange County (MWDOC). For FY 22/23 and FY 23/24, ETWD provides supplemental funding for selected residential rebate

programs. The table below illustrates the breakdown between MET and MWDOC grants for all the rebates/programs for the past 5 years.

Year	MET Funding \$	MET Funding %	MWDOC Funding \$	MWDOC Funding %
2023	\$6,036,504	85%	\$1,064,649	15%
2022	\$5,081,784	73%	\$1,867,379	27%
2021	\$2,191,208	75%	\$745,834	25%
2020	\$3,054,544	78%	\$882,295	22%
2019	\$1,793,762	67%	\$870,254	33%

**Water Use Efficiency Plan Update:**

The District Water Budget-Based Tiered Conservation Rate Structure (WBBTCRS) pricing structure is the primary plan that gives customers the incentive needed to be efficient. The Plan efforts initially will concentrate on those customers continually in the Inefficient and Excessive Tiers (Tiers 3 and 4). [During January 2024, residential customers accounted for 86.2% of Tier 3 usage and dedicated irrigation accounted for 13.8%. For Tier 4, residential customers accounted for 55.4% and dedicated irrigation accounted for 44.6% during the same period.](#)

**Total Consumption Comparison to Evapotranspiration (ET) Factor:**

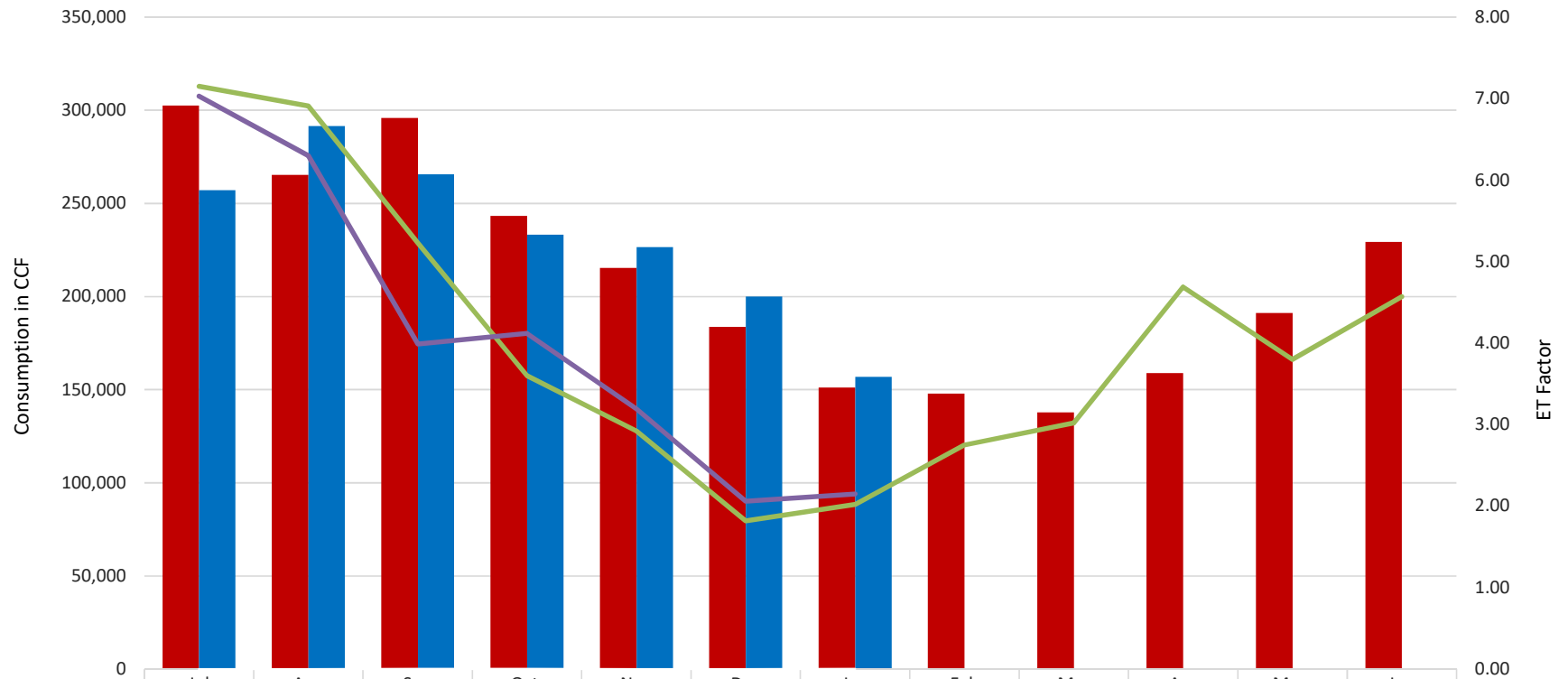
Included in this month’s Water Use Efficiency Report is a chart comparing the current fiscal year consumption and ET factor to the fiscal 2022/23 consumption and ET factor. [Total potable water consumption increased 3.74% in January 2024 versus January 2023. The ET factor increased from 2.02 to 2.15 during the same period.](#)

**ETWD Tier Consumption Information and Usage Information Compared to Previous Years:**

The following graphs highlight ETWD year-to-date consumption and consumption by tier for the current fiscal year compared to 2022-2023 fiscal year. ETWD water consumption compared to 2013 and 2020 are also included.

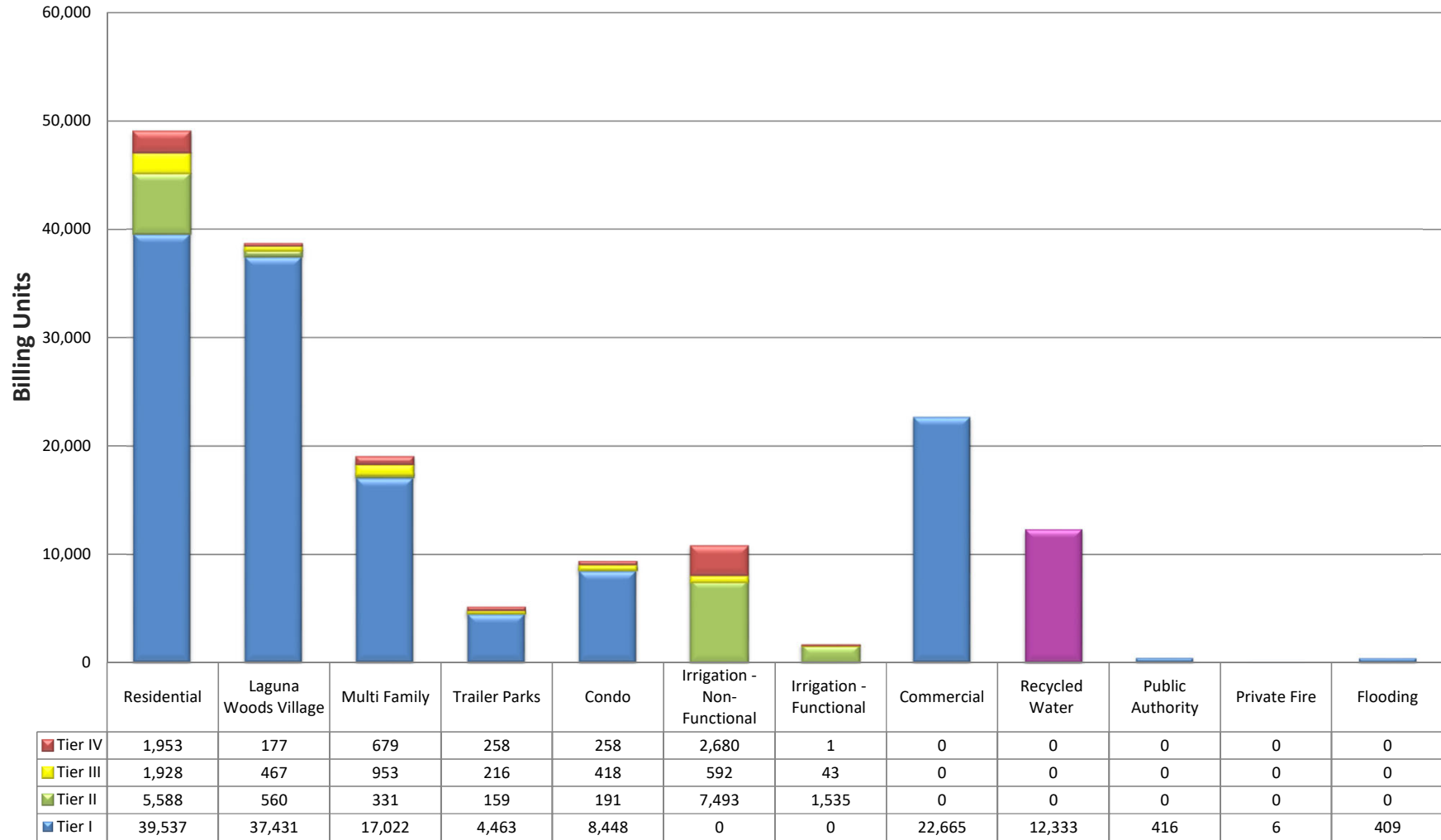


### Total Consumption Comparison (CCF)



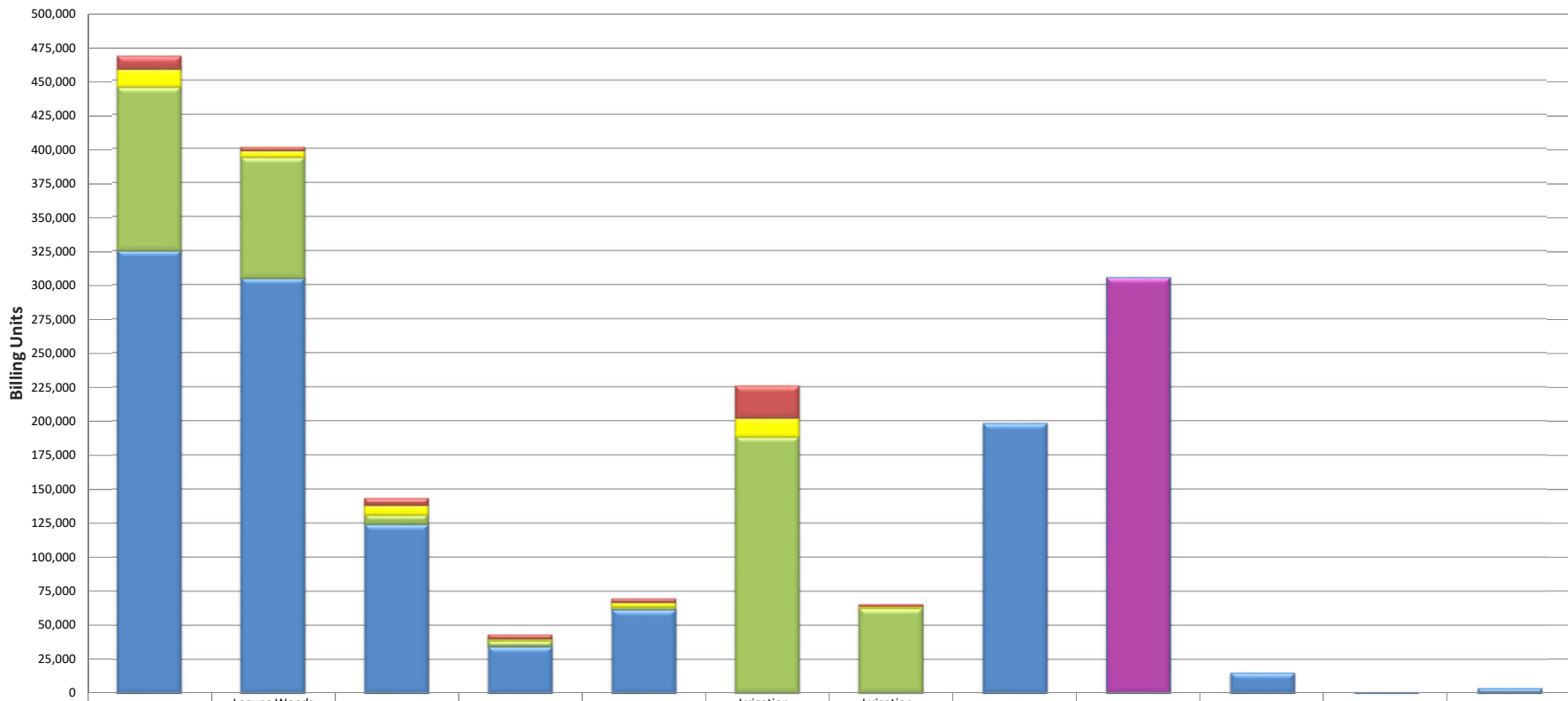
	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
<span style="color: red;">■</span> FY 2022-2023	302,569	265,312	295,875	243,292	215,271	183,731	151,223	147,895	137,806	158,858	191,244	229,339
<span style="color: blue;">■</span> FY 2023-2024	257,133	291,565	265,582	233,191	226,607	199,886	156,877					
% Change	-15.02%	9.90%	-10.24%	-4.15%	5.27%	8.79%	3.74%					
<span style="color: green;">—</span> FY 22/23 ET	7.15	6.91	5.23	3.60	2.92	1.82	2.02	2.75	3.02	4.69	3.80	4.57
<span style="color: purple;">—</span> FY 23/24 ET	7.03	6.30	3.99	4.12	3.19	2.06	2.15					

## January 2024 Water Sales



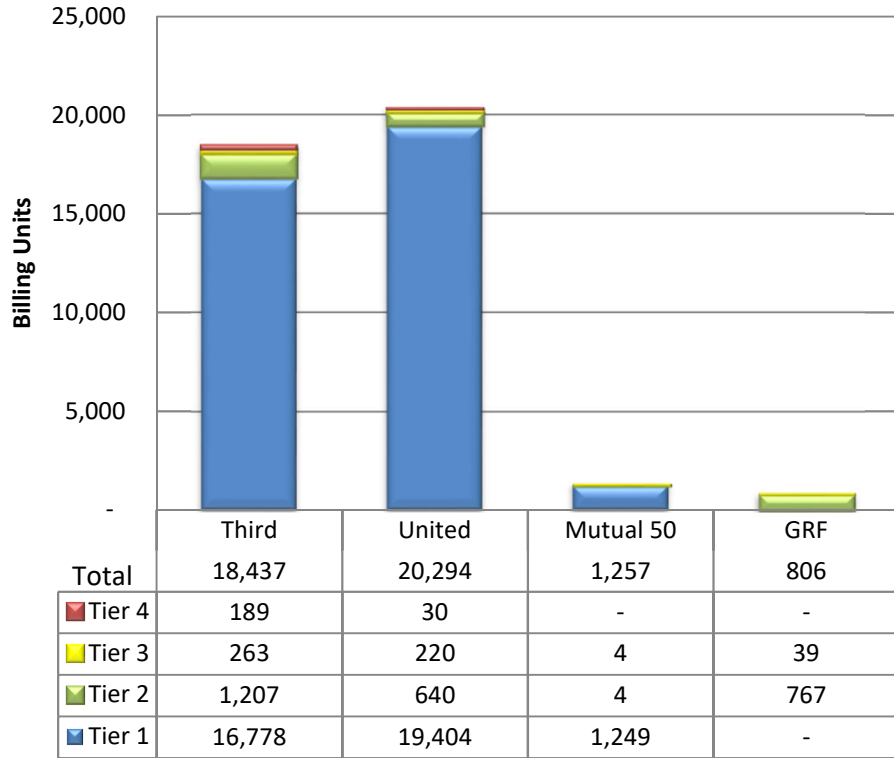


### Year-to-Date Water Sales as of January 2024

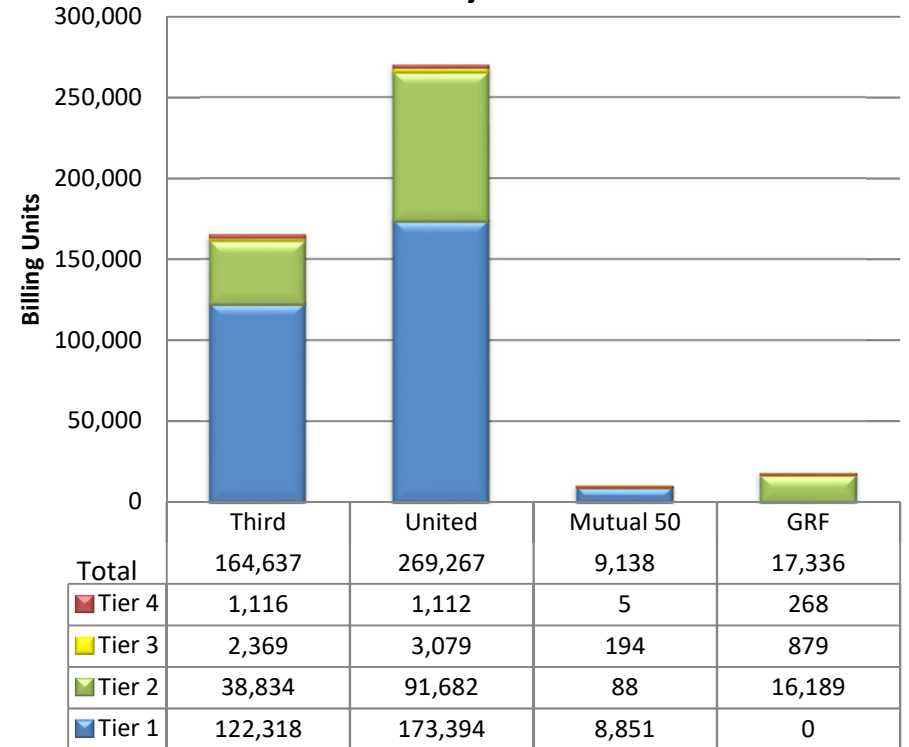


	Residential	Laguna Woods Village	Multi Family	Trailer Parks	Condo	Irrigation - Functional	Irrigation - Recreational	Commercial	Recycled Water	Public Authority	Private Fire	Flooding
Tier IV	9,436	2,193	4,752	2,603	2,440	23,325	886	0	0	0	0	0
Tier III	13,213	4,980	6,888	1,620	3,574	13,779	1,488	0	0	0	0	0
Tier II	120,000	88,834	7,203	3,761	1,299	188,709	62,681	0	0	0	0	0
Tier I	324,797	304,563	124,546	34,592	62,103	0	0	198,364	304,923	14,853	58	3,301

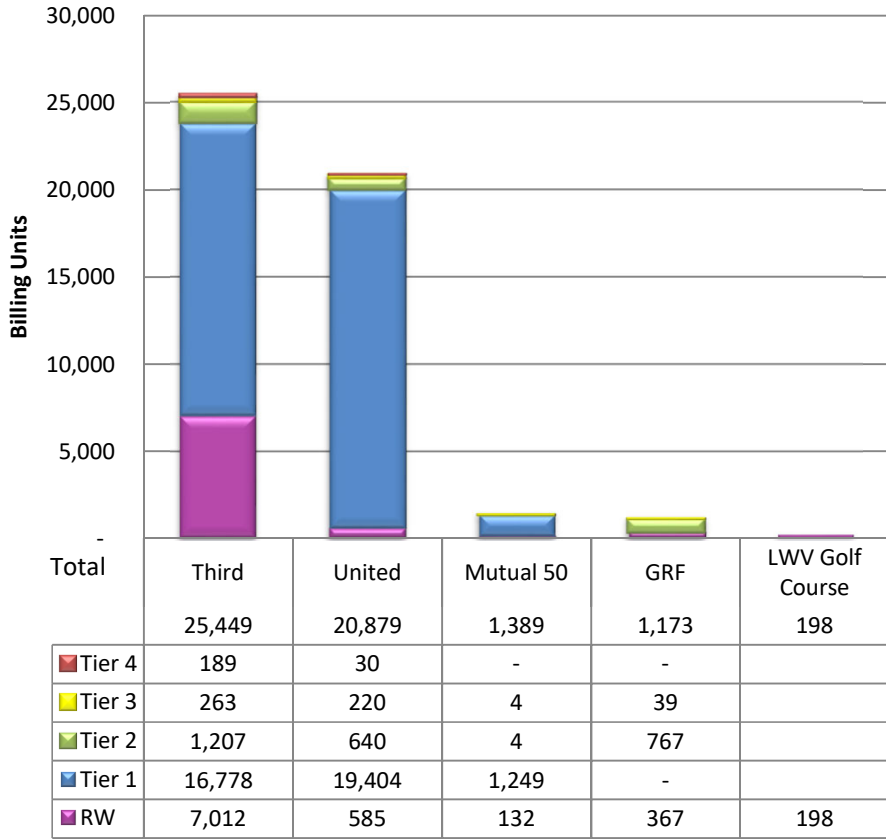
### Laguna Woods Village January 2024 Water Sales



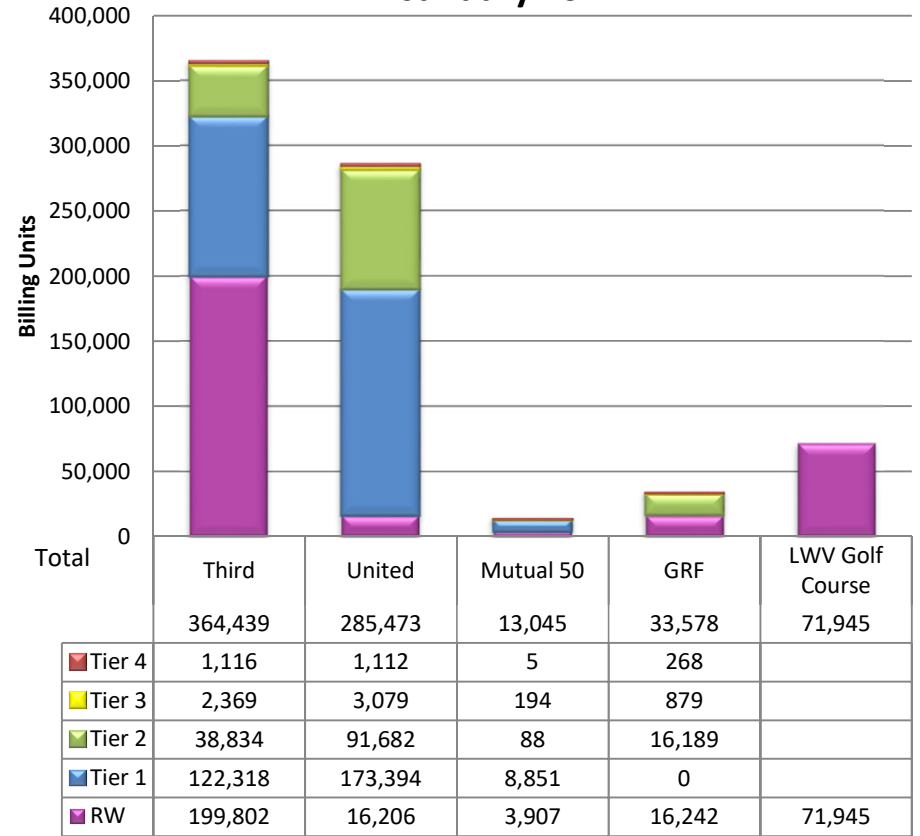
### Laguna Woods Village Year-to-Date Water Sales January 2024



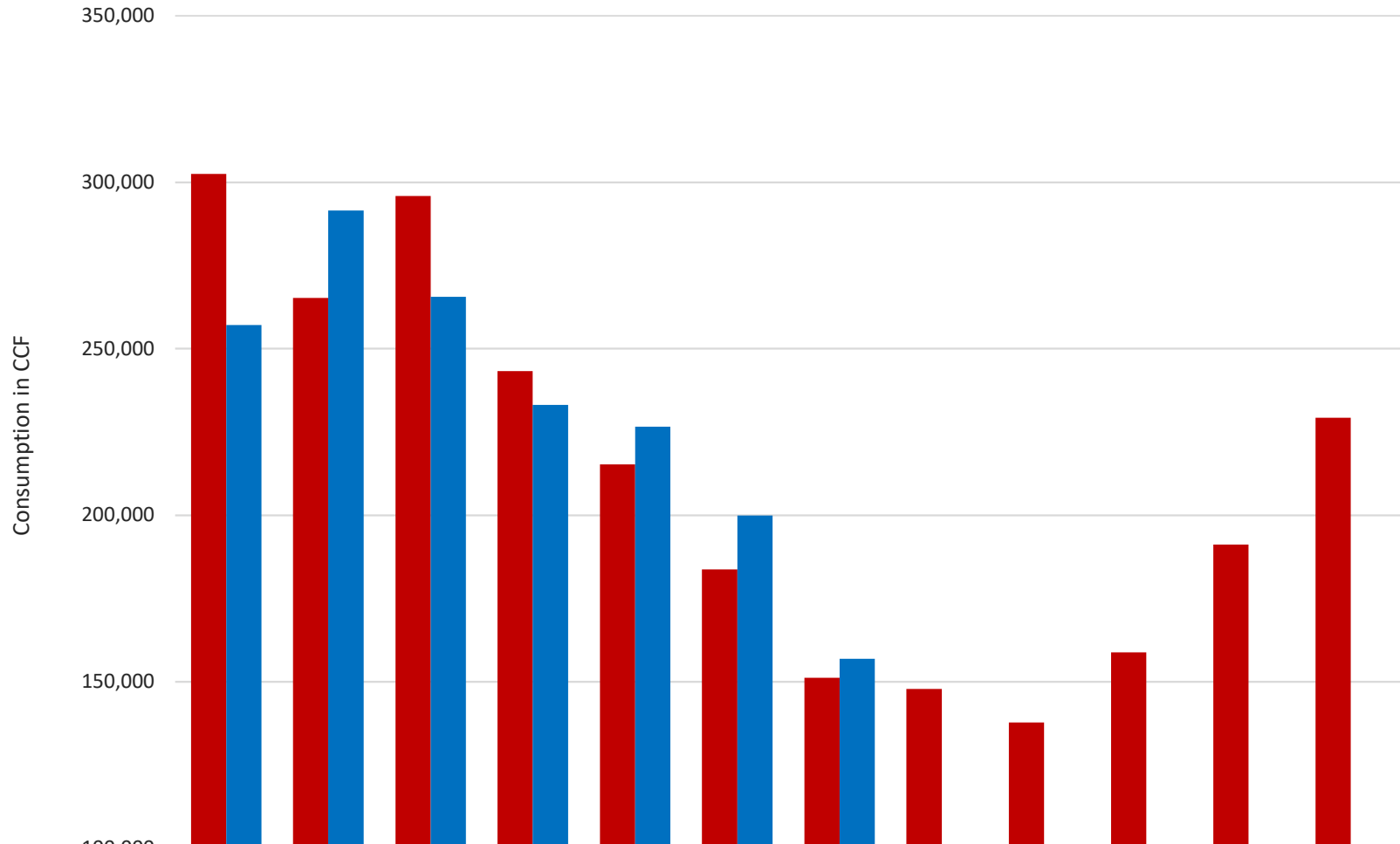
### Laguna Woods Village January 2024 Water & RW Sales



### Laguna Woods Village Year-to-Date Water & RW Sales January 2024

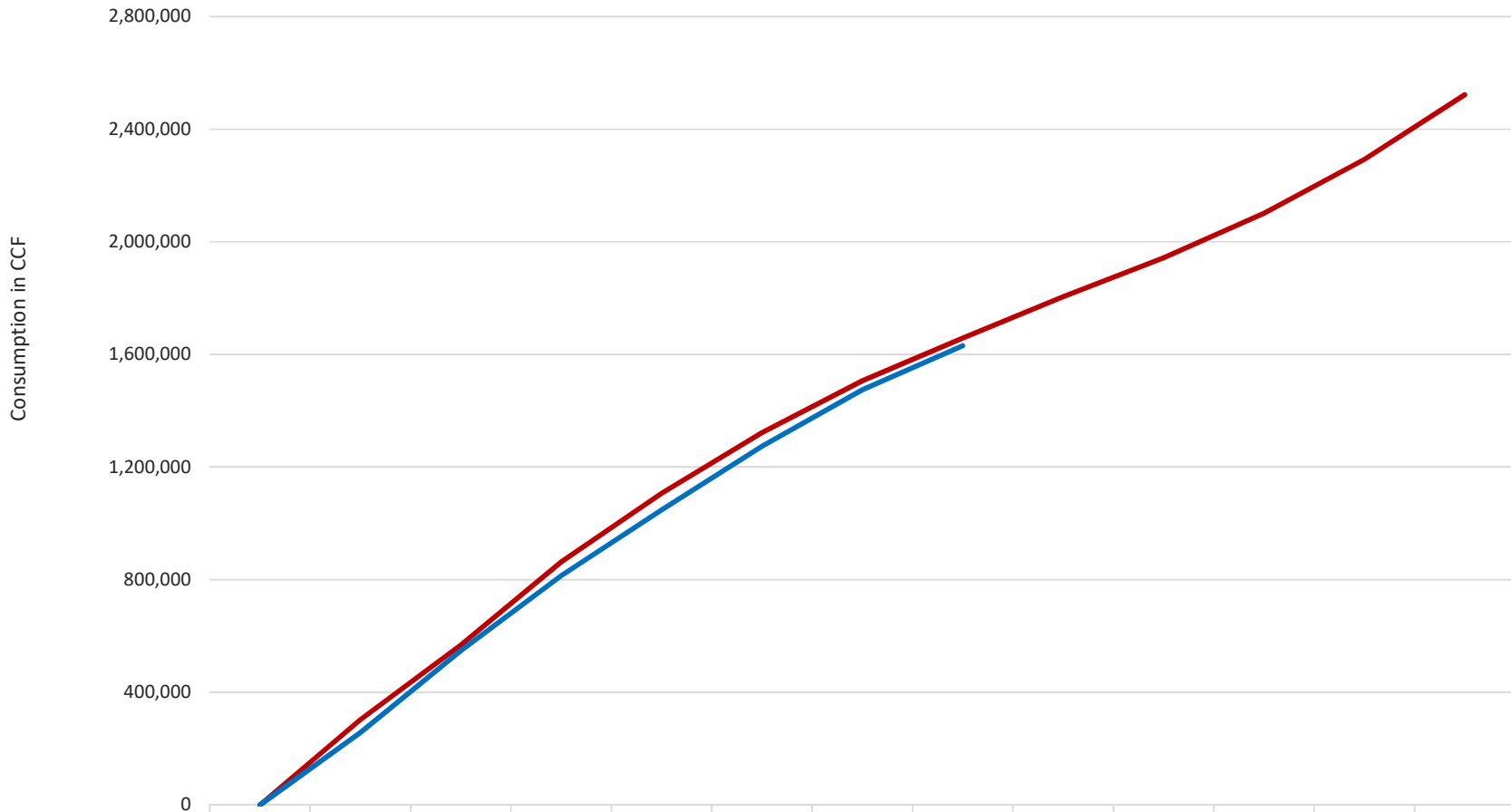


## ETWD Total Consumption



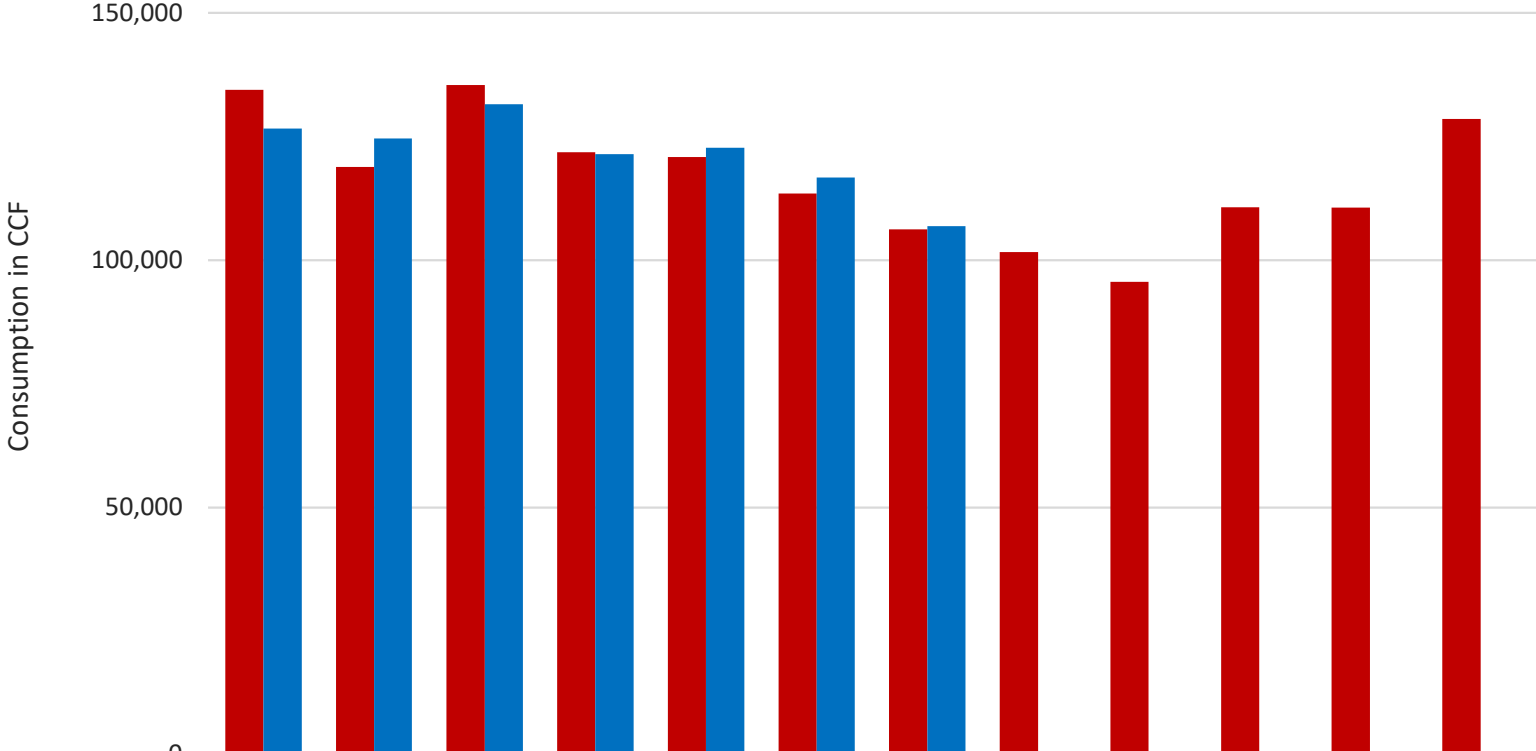
	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
<span style="color: red;">■</span> 2022-2023	302,569	265,312	295,875	243,292	215,271	183,731	151,223	147,895	137,806	158,858	191,244	229,339
<span style="color: blue;">■</span> 2023-2024	257,133	291,565	265,582	233,191	226,607	199,886	156,877					
% Change	-15.02%	9.90%	-10.24%	-4.15%	5.27%	8.79%	3.74%					

### ETWD Fiscal YTD Consumption



	YTD Start	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
2022-2023	0	302,569	567,881	863,756	1,107,04	1,322,31	1,506,05	1,657,27	1,805,16	1,942,97	2,101,83	2,293,07	2,522,41
2023-2024	0	257,133	548,698	814,280	1,047,47	1,274,07	1,473,96	1,630,84					
% Change		-15.02%	-3.38%	-5.73%	-5.38%	-3.65%	-2.13%	-1.59%					

### Tier I Consumption



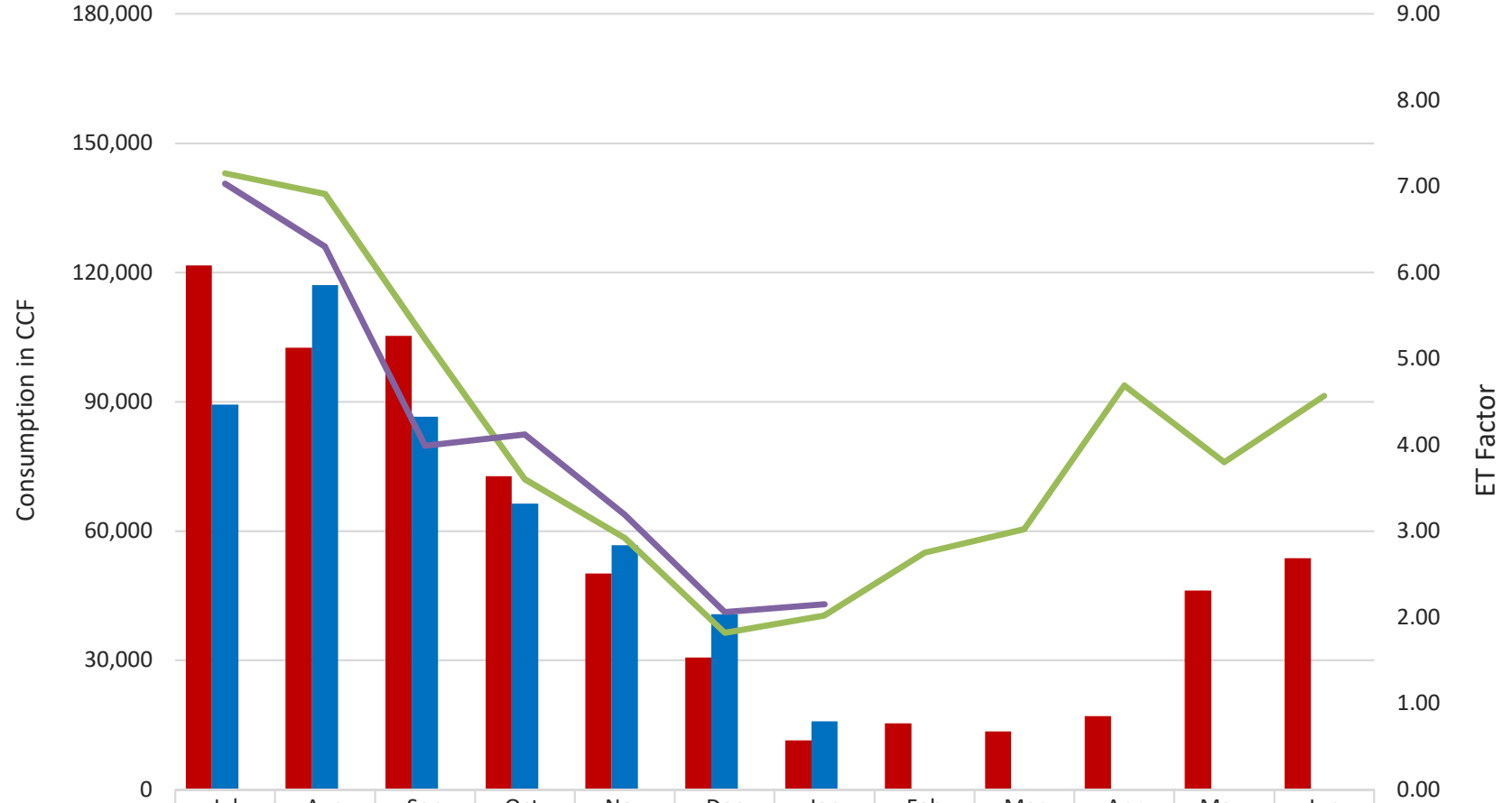
	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
2022-2023	134,45	118,83	135,39	121,83	120,87	113,47	106,21	101,61	95,661	110,73	110,63	128,54
2023-2024	126,58	124,63	131,52	121,50	122,76	116,68	106,90					
% Change	-5.85%	4.88%	-2.86%	-0.27%	1.56%	2.83%	0.64%					

### Tier I Fiscal YTD Consumption



	YTD Start	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
2022-2023	0	134,454	253,288	388,682	510,513	631,387	744,860	851,076	952,691	1,048,35	1,159,08	1,269,71	1,398,26
2023-2024	0	126,589	251,222	382,748	504,252	627,017	743,700	850,601					
% Change		-5.85%	-0.82%	-1.53%	-1.23%	-0.69%	-0.16%	-0.06%					

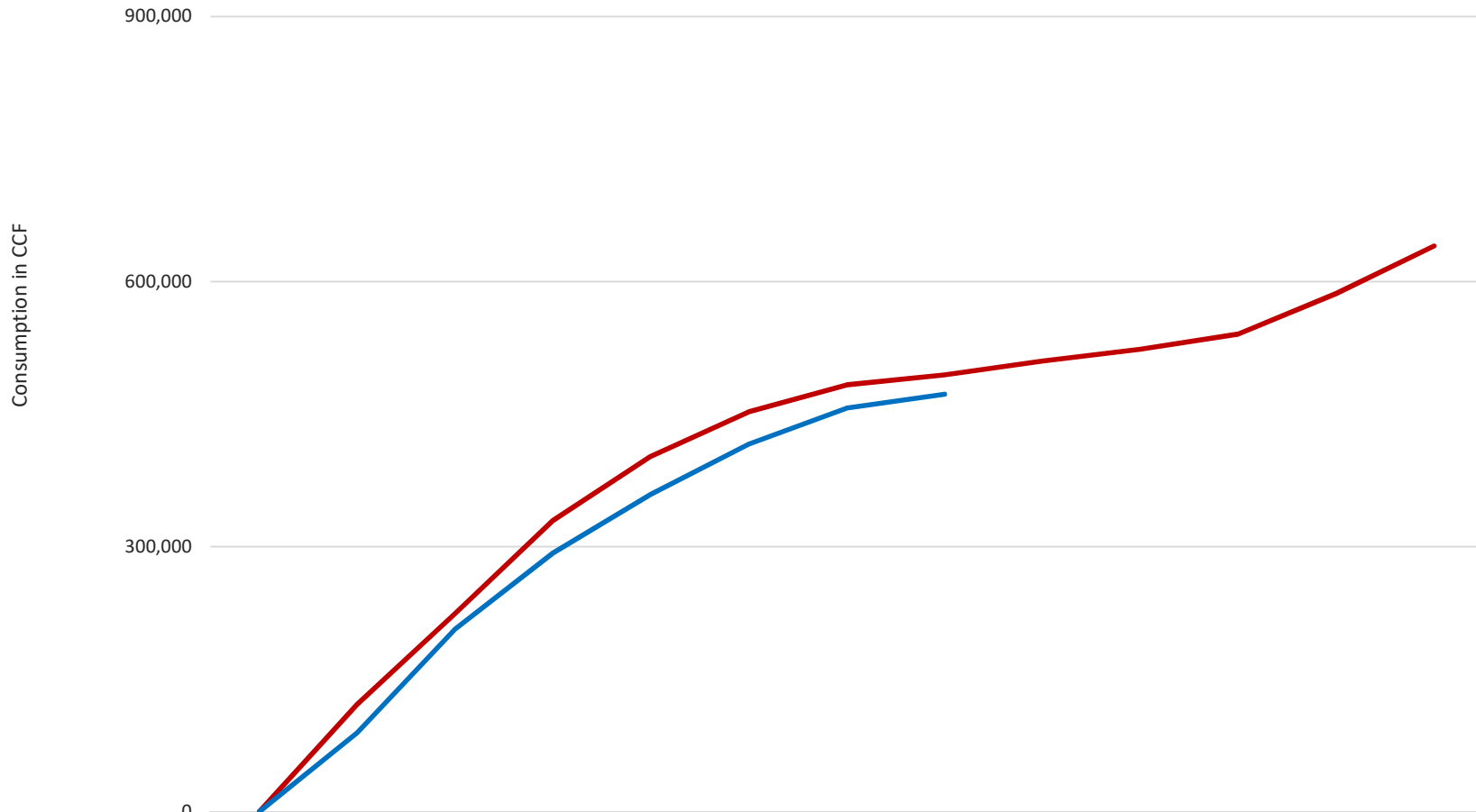
### Tier II Consumption



	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
2022-2023	121,621	102,525	105,292	72,718	50,151	30,663	11,482	15,388	13,515	17,051	46,166	53,657
2023-2024	89,331	117,071	86,517	66,331	56,689	40,691	15,857					
% Change	-26.55%	14.19%	-17.83%	-8.78%	13.04%	32.70%	38.10%					
22/23 ET	7.15	6.91	5.23	3.60	2.92	1.82	2.02	2.75	3.02	4.69	3.80	4.57
23/24 ET	7.03	6.30	3.99	4.12	3.19	2.06	2.15					

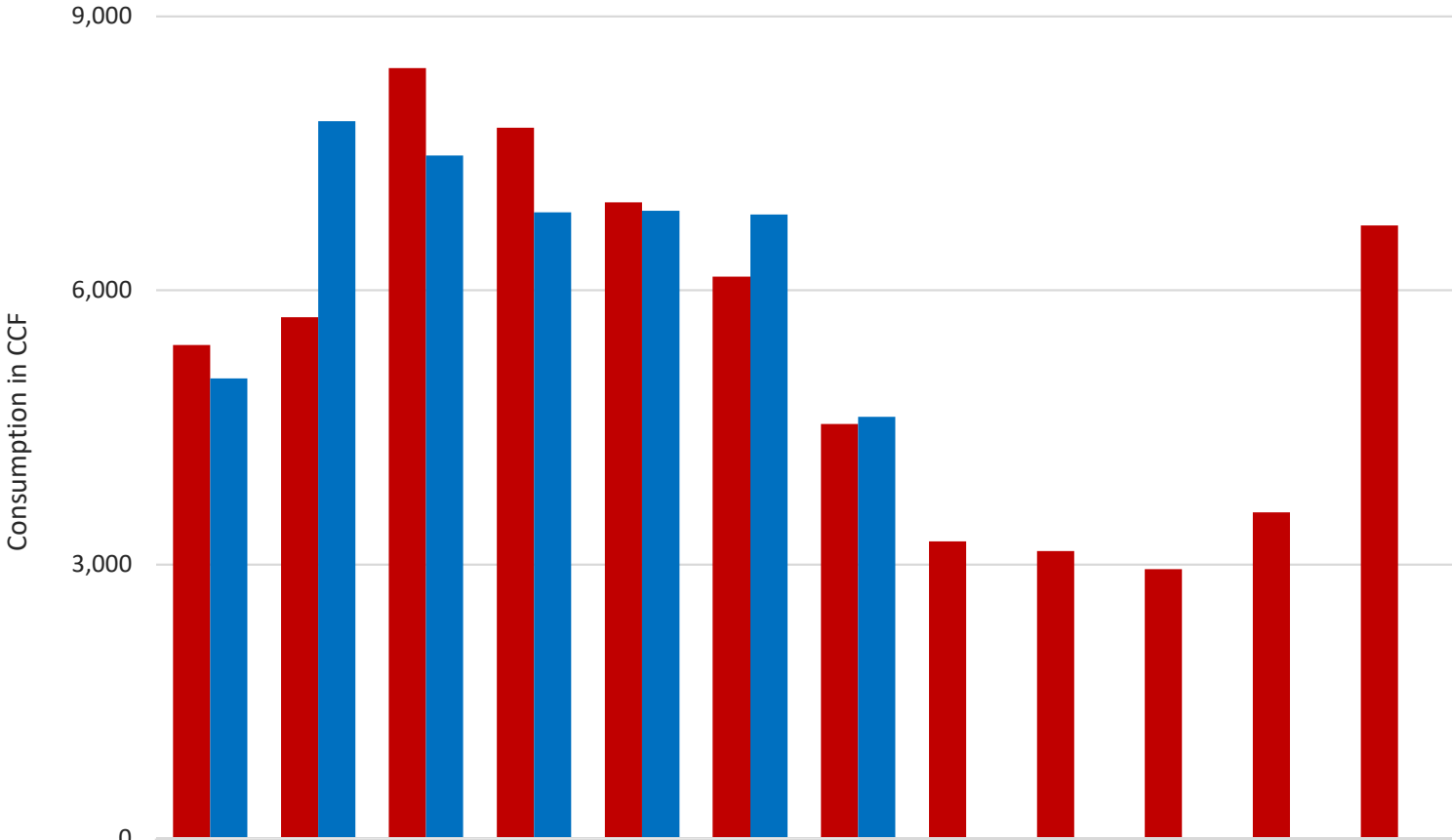


### Tier II Fiscal YTD Consumption



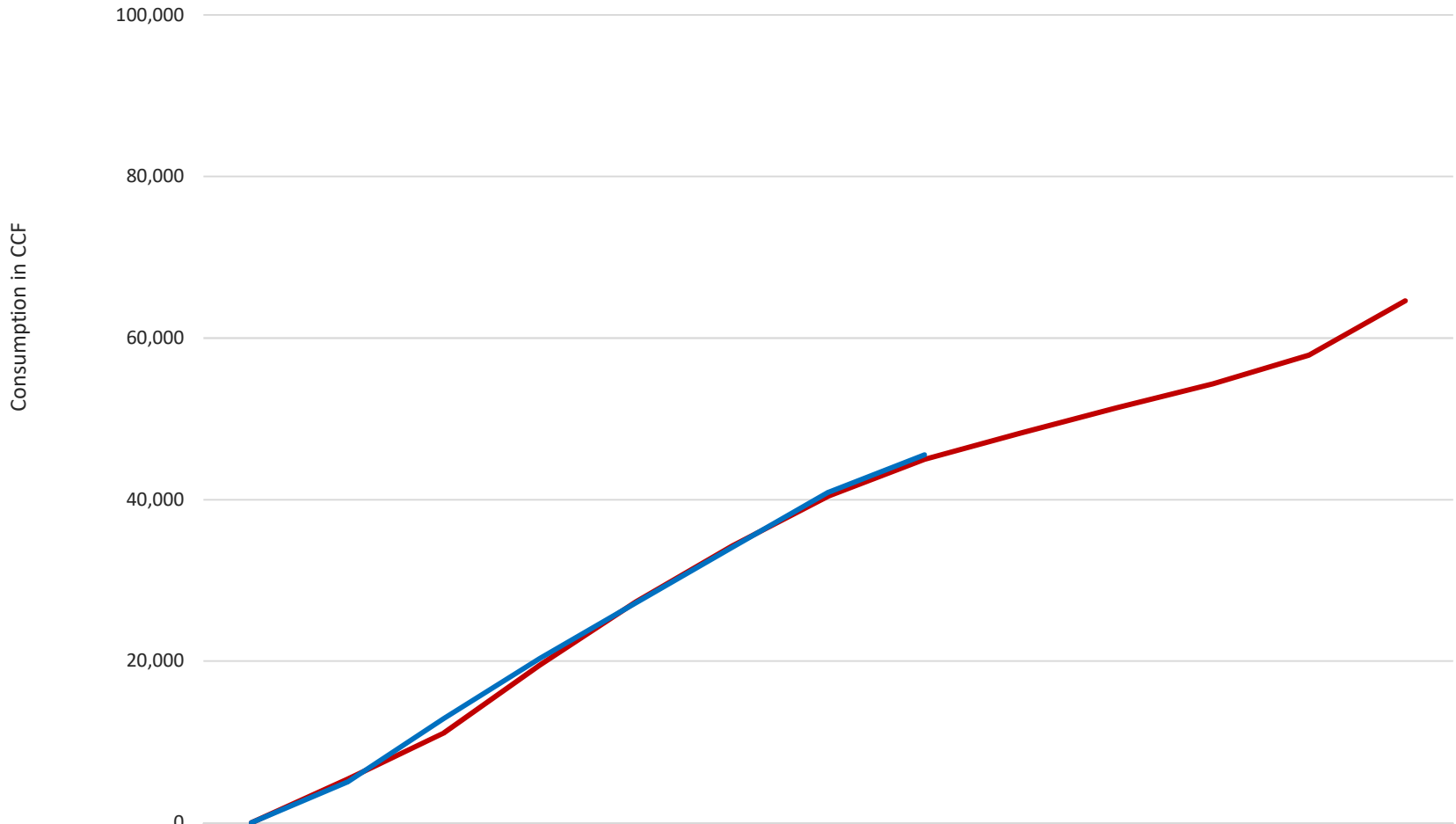
	YTD Start	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
2022-2023	0	121,621	224,146	329,438	402,156	452,307	482,970	494,452	509,840	523,355	540,406	586,572	640,229
2023-2024	0	89,331	206,402	292,919	359,250	415,939	456,630	472,487					
% Change		-26.55%	-7.92%	-11.09%	-10.67%	-8.04%	-5.45%	-4.44%					

### Tier III Consumption



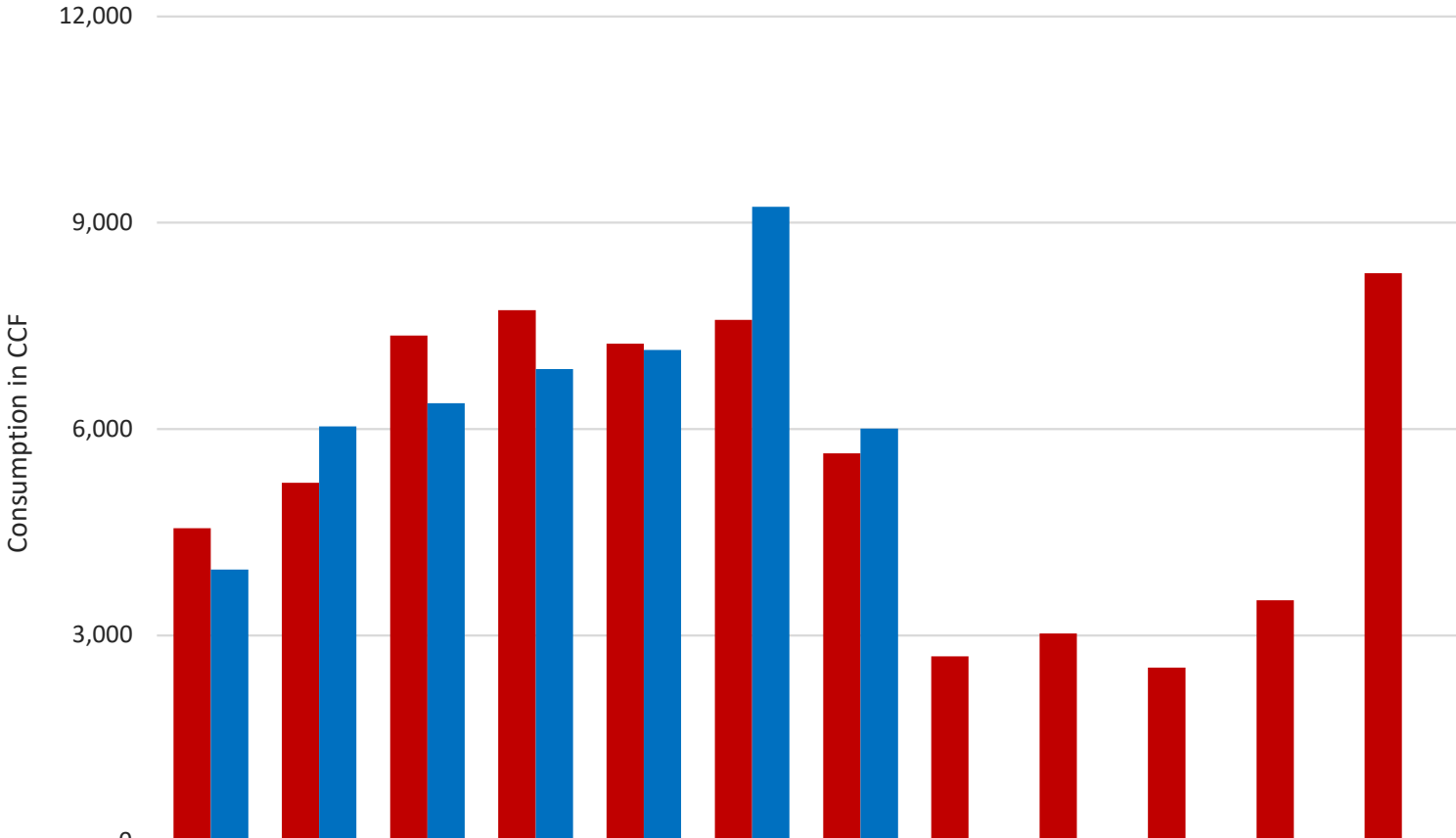
	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
2022-2023	5,402	5,705	8,432	7,778	6,967	6,151	4,537	3,253	3,149	2,948	3,570	6,713
2023-2024	5,036	7,853	7,477	6,855	6,872	6,832	4,617					
% Change	-6.78%	37.65%	-11.33%	-11.87%	-1.36%	11.07%	1.76%					

### Tier III Fiscal YTD Consumption



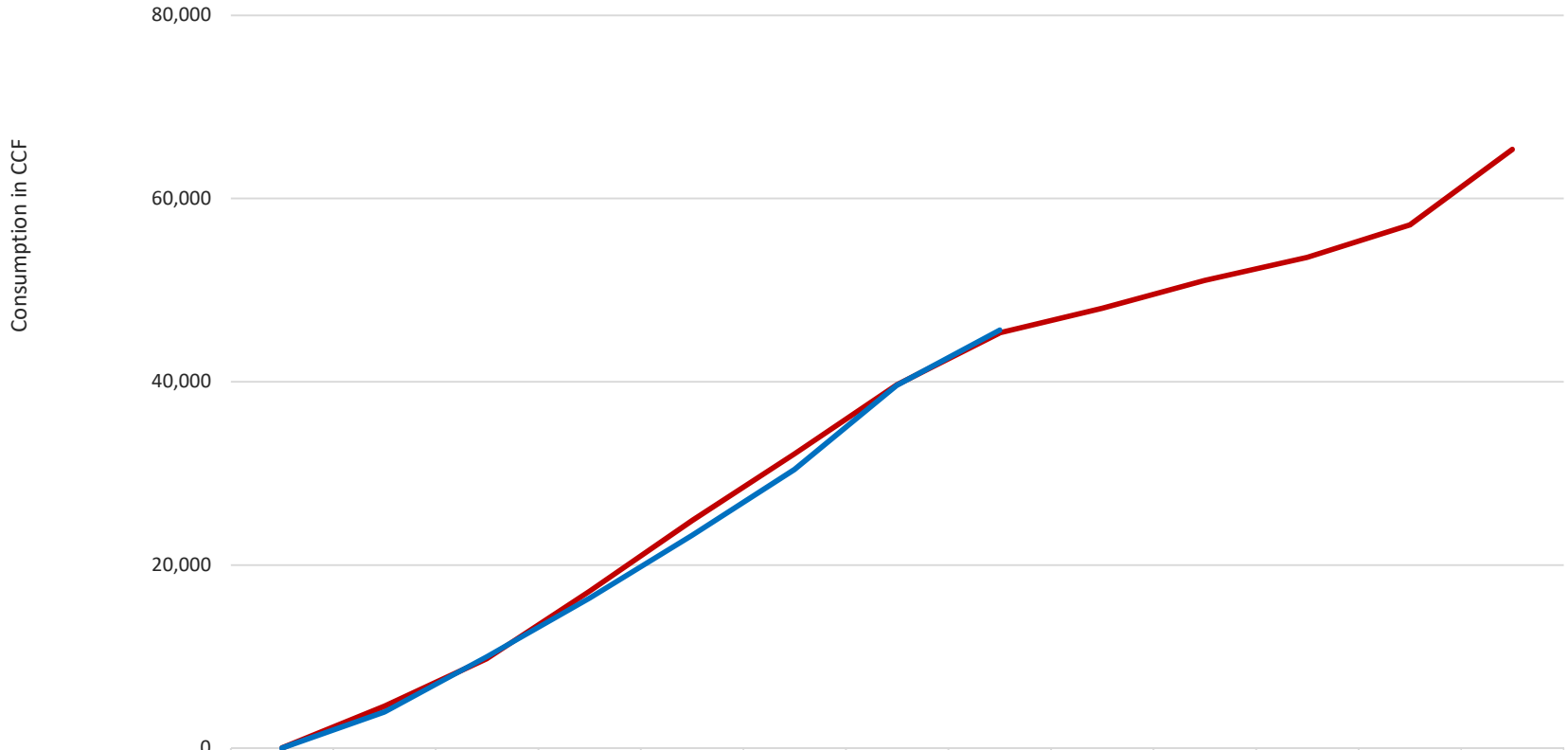
	YTD Start	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
2022-2023	0	5,402	11,107	19,539	27,317	34,284	40,435	44,972	48,225	51,374	54,322	57,892	64,605
2023-2024	0	5,036	12,889	20,366	27,221	34,093	40,925	45,542					
% Change		-6.78%	16.04%	4.23%	-0.35%	-0.56%	1.21%	1.27%					

### Tier IV Consumption



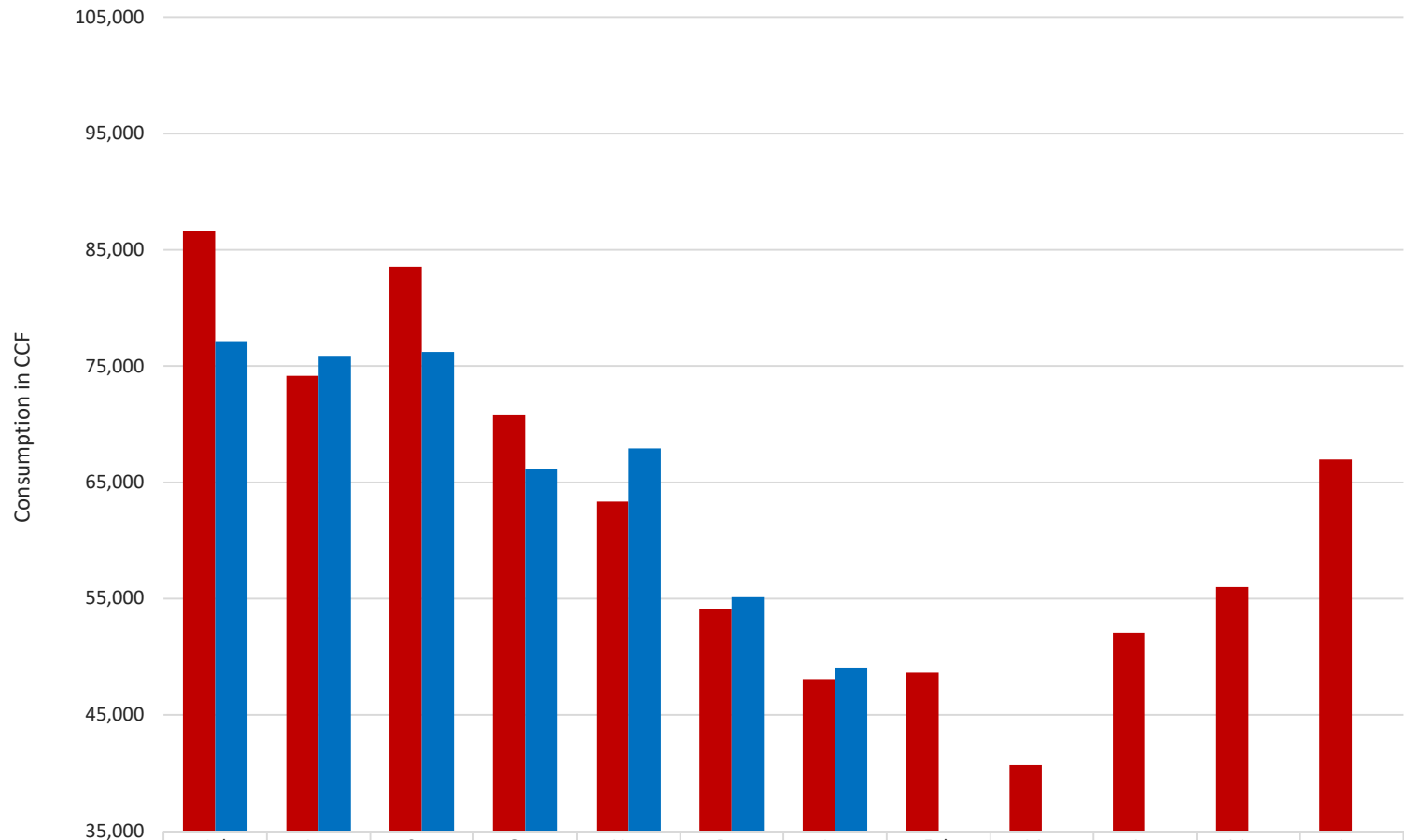
	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
2022-2023	4,560	5,219	7,361	7,727	7,241	7,582	5,643	2,695	3,030	2,532	3,513	8,264
2023-2024	3,957	6,038	6,378	6,874	7,149	9,233	6,006					
% Change	-13.22%	15.69%	-13.35%	-11.04%	-1.27%	21.78%	6.43%					

### Tier IV Fiscal YTD Consumption



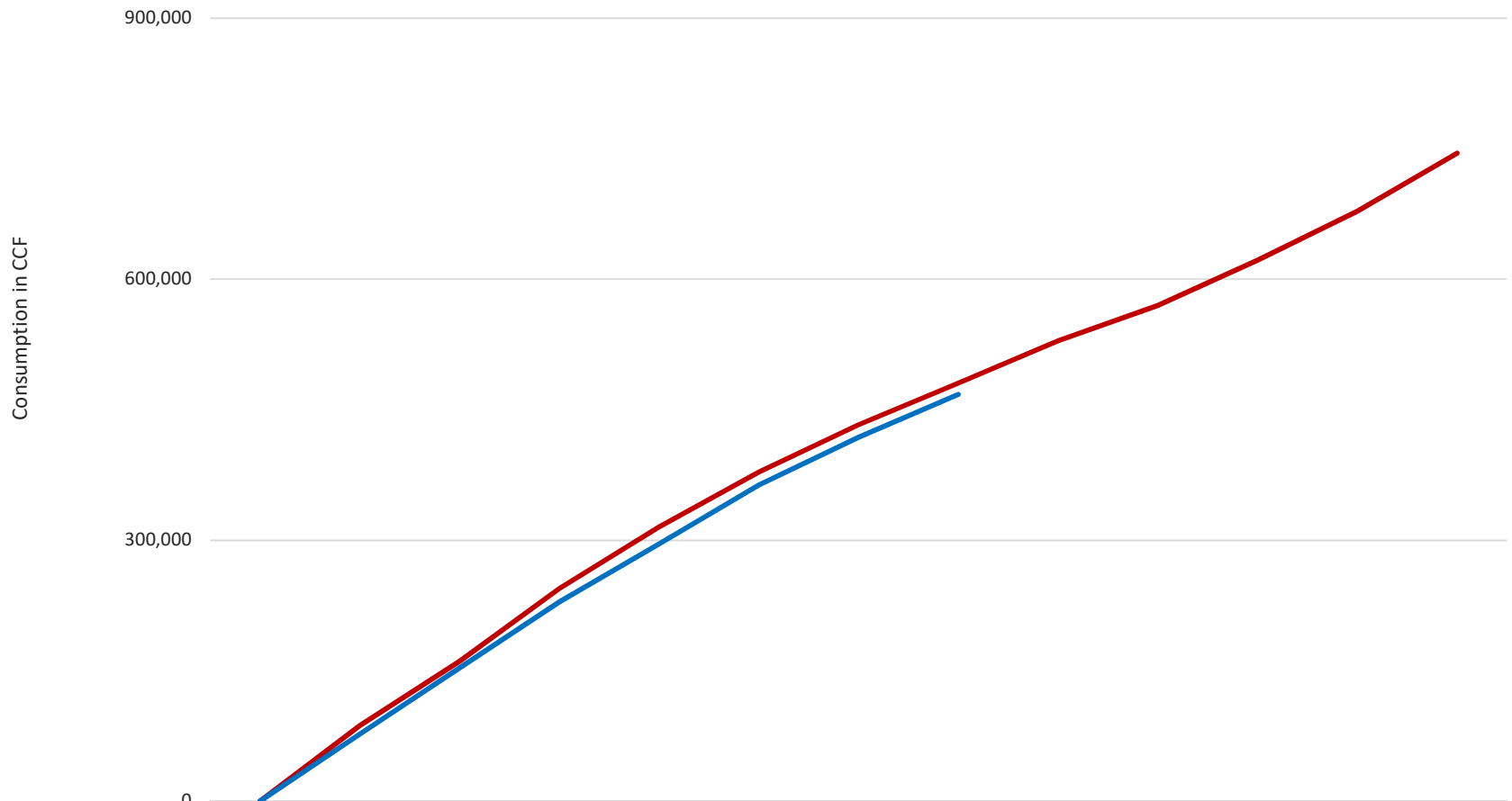
	YTD Start	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
2022-2023	0	4,560	9,779	17,140	24,867	32,108	39,690	45,333	48,028	51,058	53,590	57,103	65,367
2023-2024	0	3,957	9,995	16,373	23,247	30,396	39,629	45,635					
% Change		-13.22%	2.21%	-4.47%	-6.51%	-5.33%	-0.15%	0.67%					

### Single Family Residents Consumption



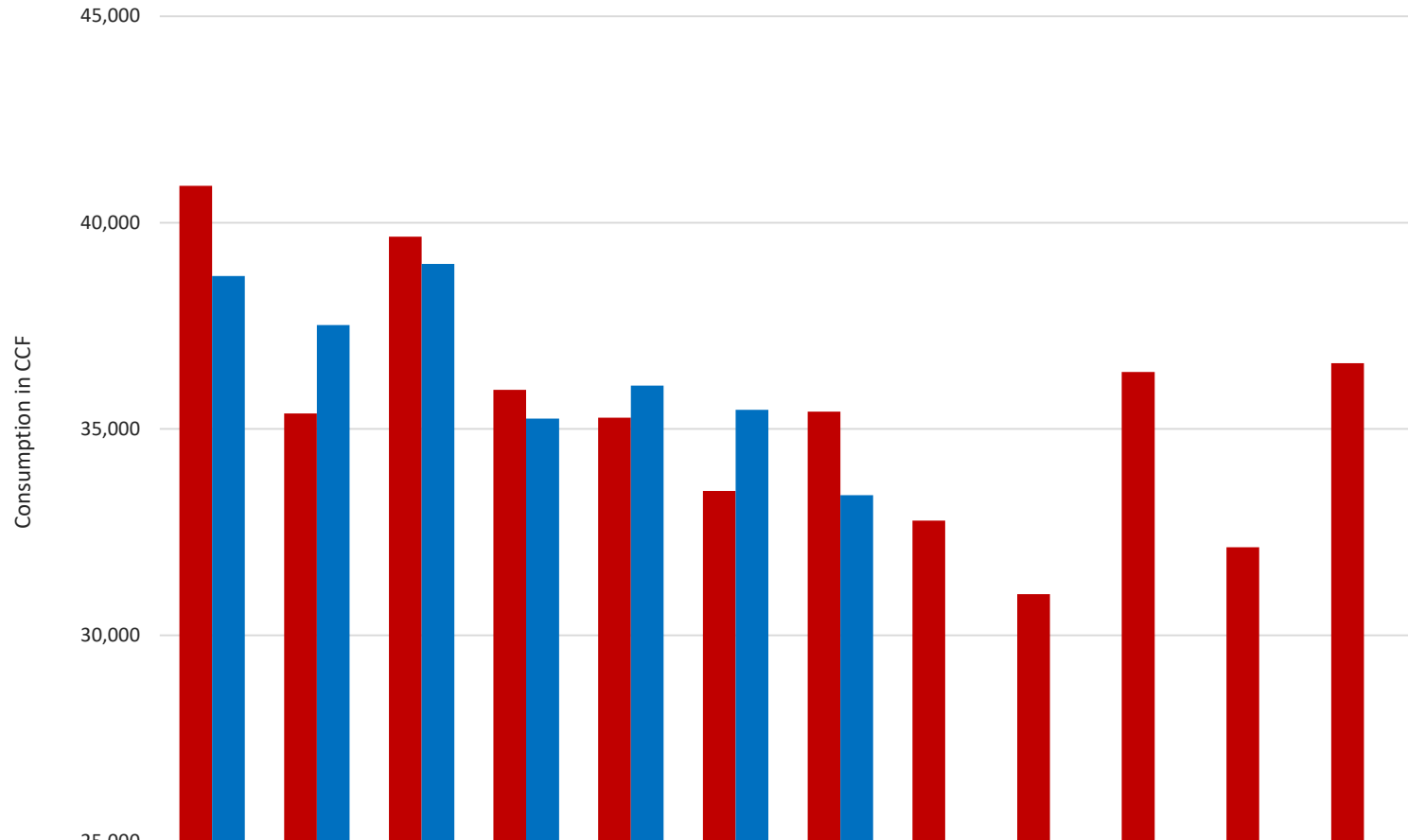
	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
2022-2023	86,607	74,169	83,523	70,756	63,356	54,100	48,008	48,670	40,687	52,066	55,989	66,974
2023-2024	77,138	75,888	76,225	66,154	67,909	55,131	49,006					
% Change	-10.93%	2.32%	-8.74%	-6.50%	7.19%	1.91%	2.08%					

### Single Family Residents YTD Consumption



	YTD Start	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
2022-2023	0	86,607	160,776	244,299	315,055	378,411	432,511	480,519	529,189	569,876	621,942	677,931	744,905
2023-2024	0	77,138	153,026	229,251	295,405	363,314	418,445	467,451					
% Change		-10.93%	-4.82%	-6.16%	-6.24%	-3.99%	-3.25%	-2.72%					

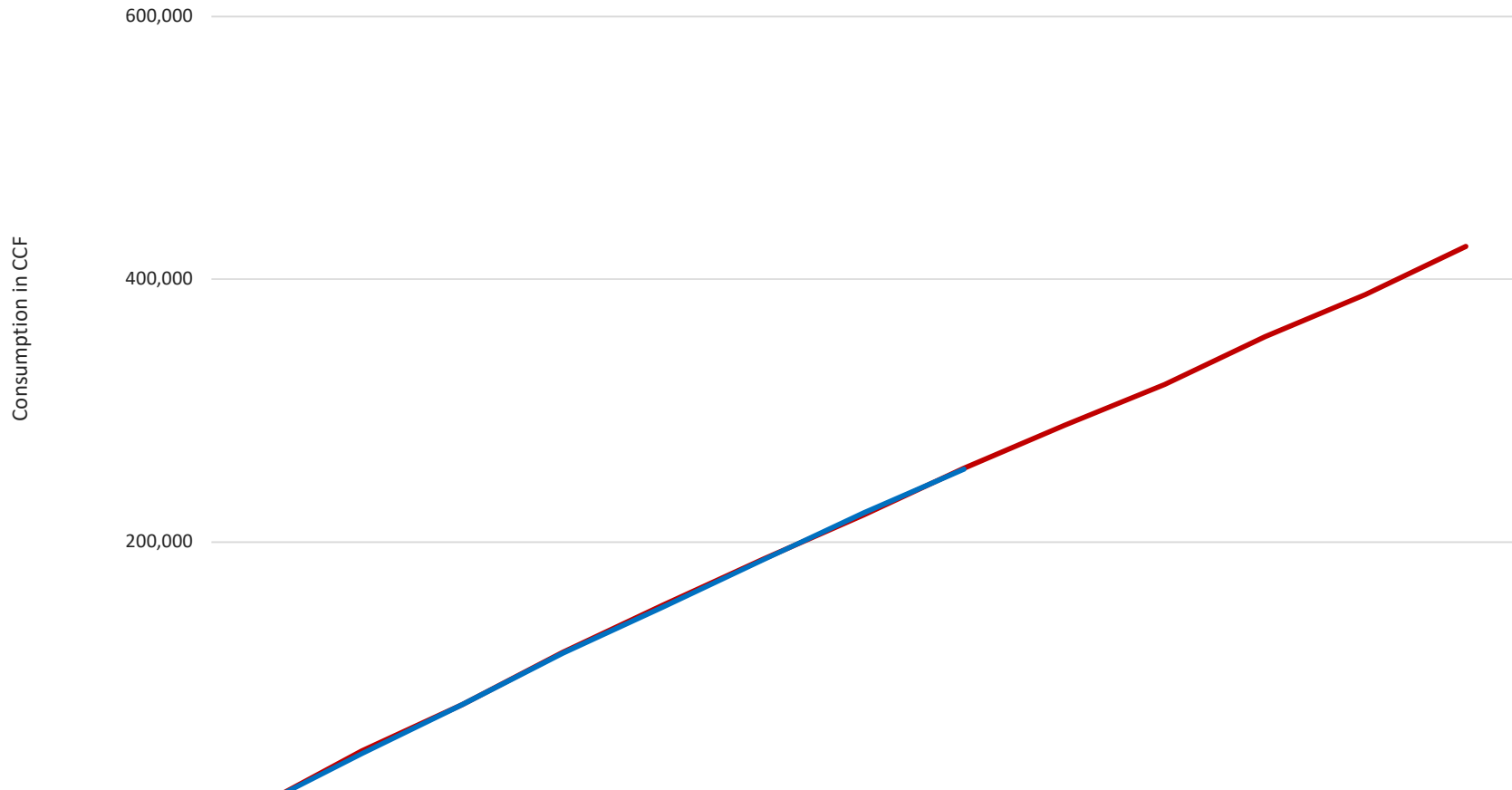
### Multi Family Residents Consumption



	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
2022-2023	40,893	35,378	39,659	35,949	35,277	33,501	35,420	32,782	30,992	36,378	32,130	36,592
2023-2024	38,711	37,515	38,997	35,246	36,057	35,459	33,396					
% Change	-5.34%	6.04%	-1.67%	-1.96%	2.21%	5.84%	-5.71%					

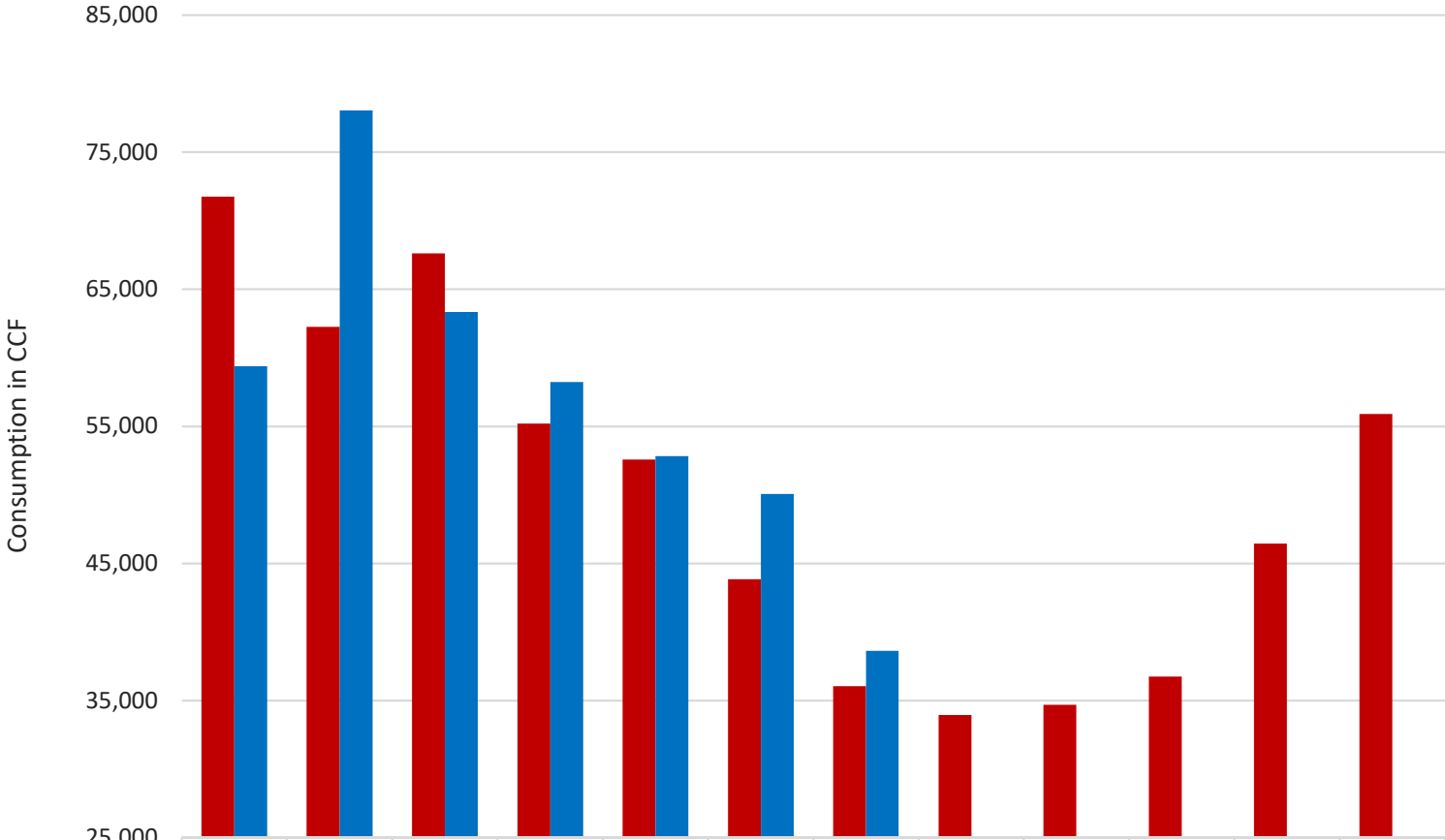


### Multi Family Residents YTD Consumption



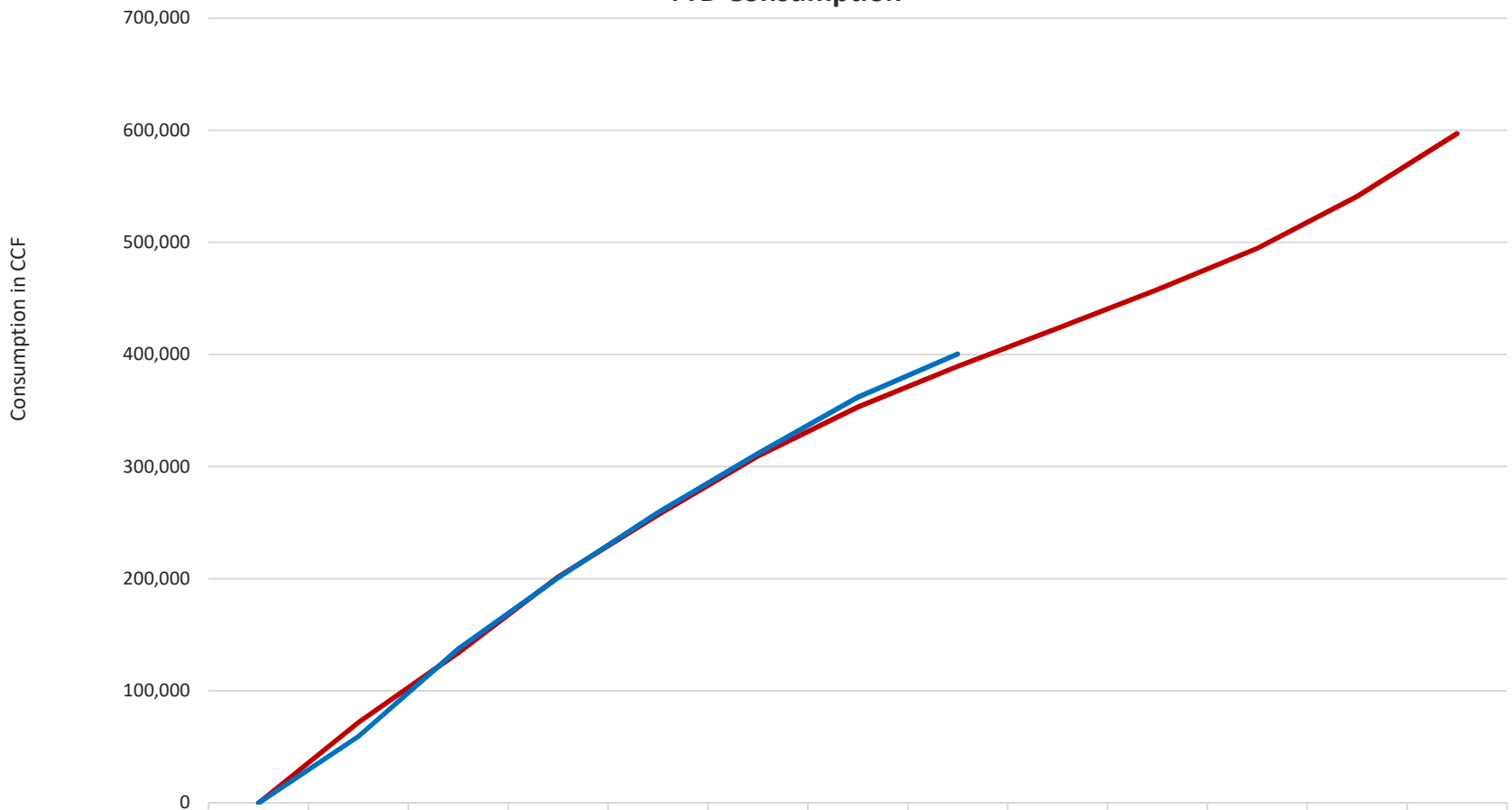
	YTD Start	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
2022-2023	0	40,893	76,271	115,930	151,879	187,156	220,657	256,077	288,859	319,851	356,229	388,359	424,951
2023-2024	0	38,711	76,226	115,223	150,469	186,526	221,985	255,381					
% Change		-5.34%	-0.06%	-0.61%	-0.93%	-0.34%	0.60%	-0.27%					

### Laguna Woods Village Consumption (Excluding Dedicated Irrigation)



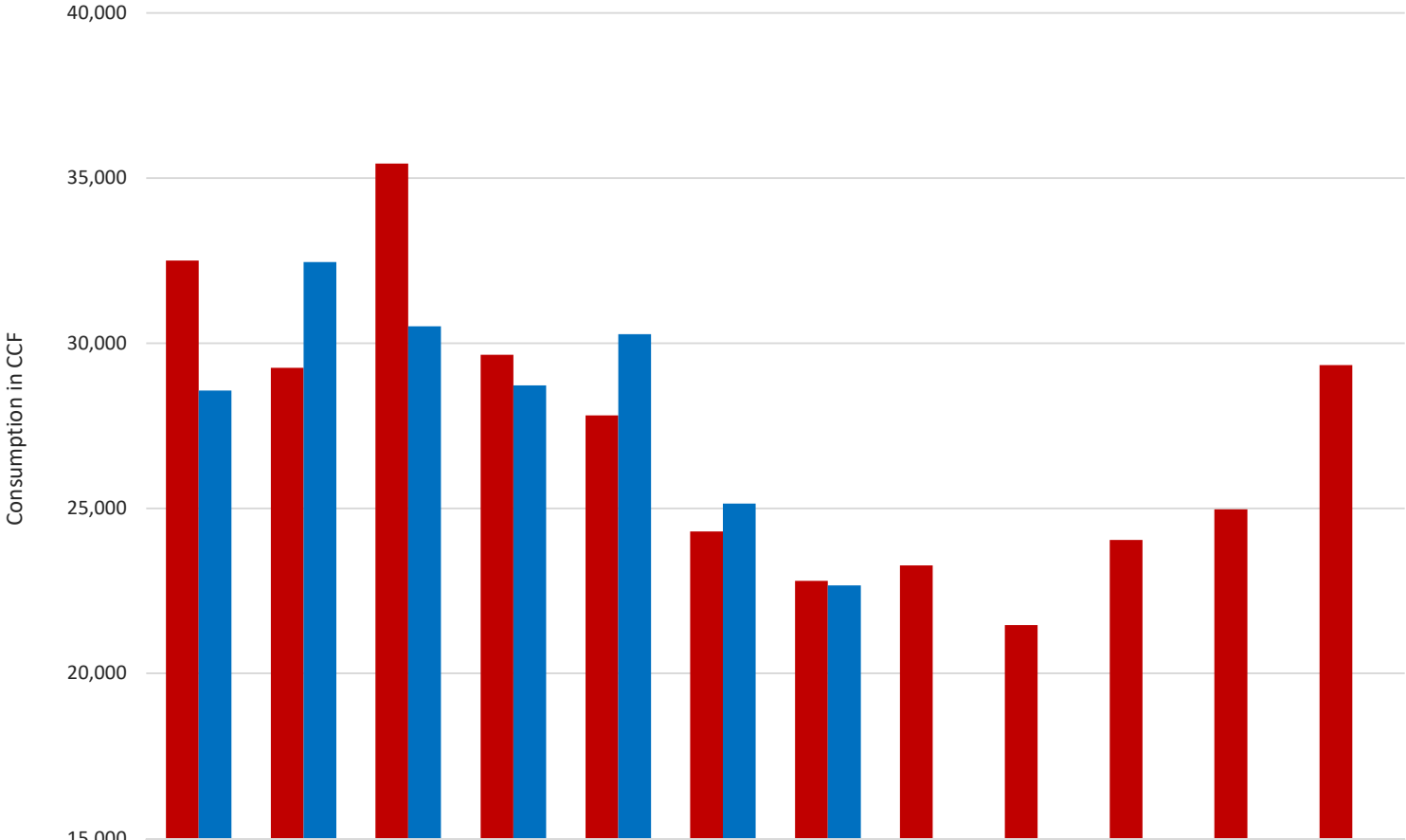
	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
2022-2023	71,755	62,259	67,619	55,197	52,565	43,857	36,038	33,935	34,694	36,736	46,453	55,899
2023-2024	59,374	78,060	63,342	58,247	52,834	50,078	38,635					
% Change	-17.25%	25.38%	-6.33%	5.53%	0.51%	14.18%	7.21%					

### Laguna Woods Village (Excluding Dedicated Irrigation) YTD Consumption



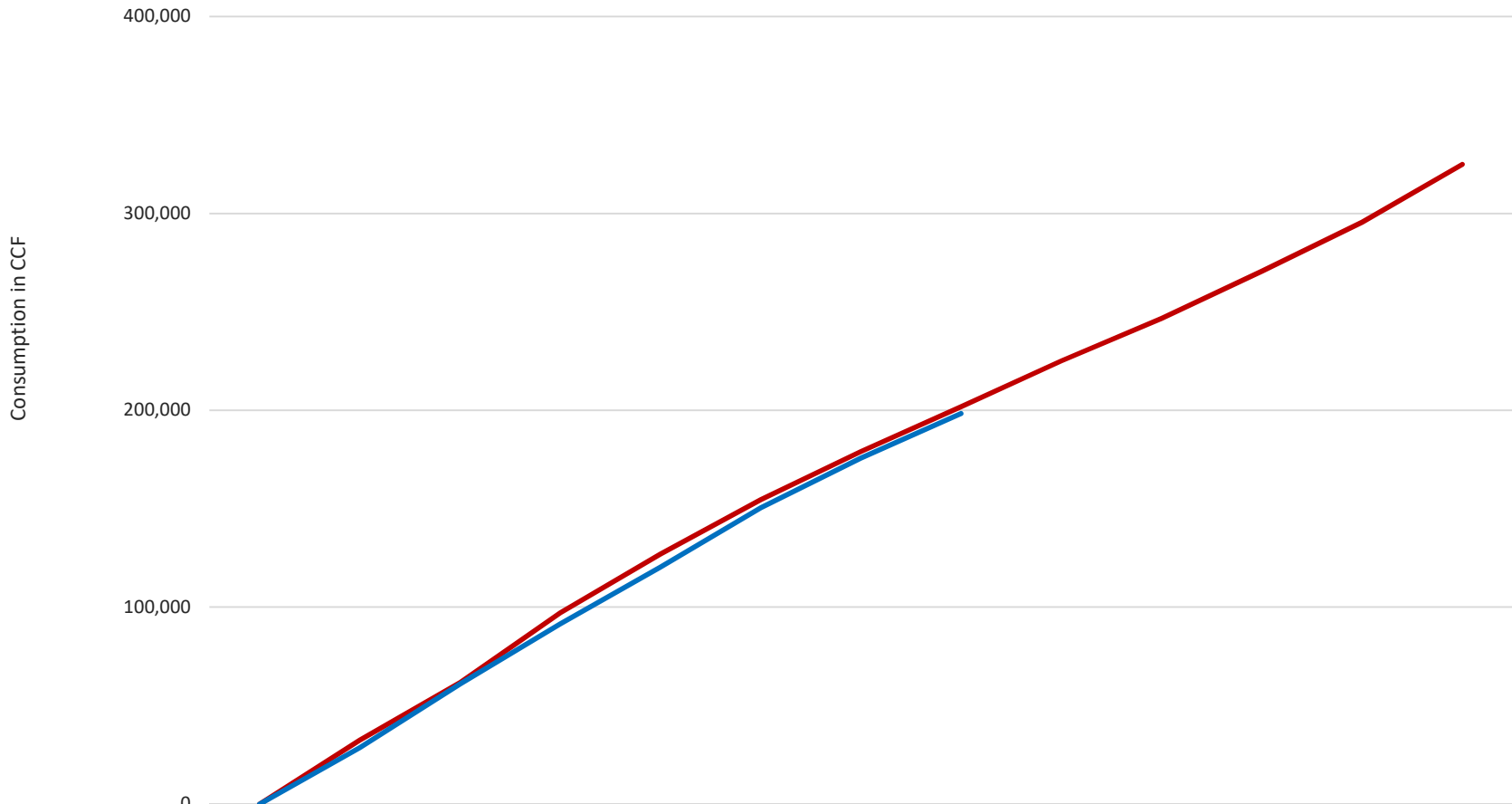
	YTD Start	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
2022-2023	0	71,755	134,014	201,633	256,830	309,395	353,252	389,290	423,225	457,919	494,655	541,108	597,007
2023-2024	0	59,374	137,434	200,776	259,023	311,857	361,935	400,570					
% Change		-17.25%	2.55%	-0.43%	0.85%	0.80%	2.46%	2.90%					

### Commercial Consumption



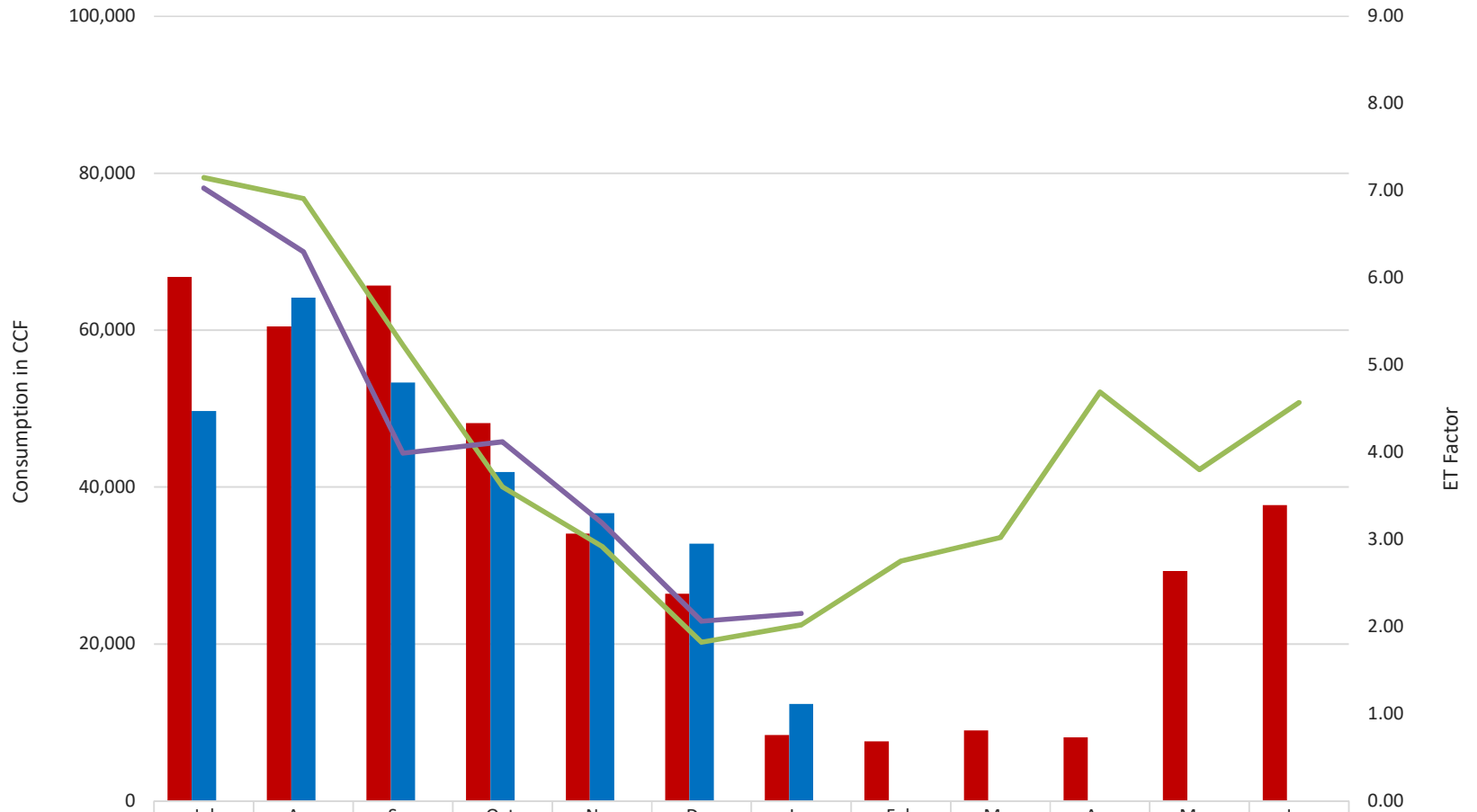
	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
2022-2023	32,509	29,263	35,438	29,659	27,823	24,307	22,802	23,280	21,469	24,043	24,968	29,341
2023-2024	28,574	32,456	30,520	28,727	30,275	25,147	22,665					
% Change	-12.10%	10.91%	-13.88%	-3.14%	8.81%	3.46%	-0.60%					

### Commercial YTD Consumption



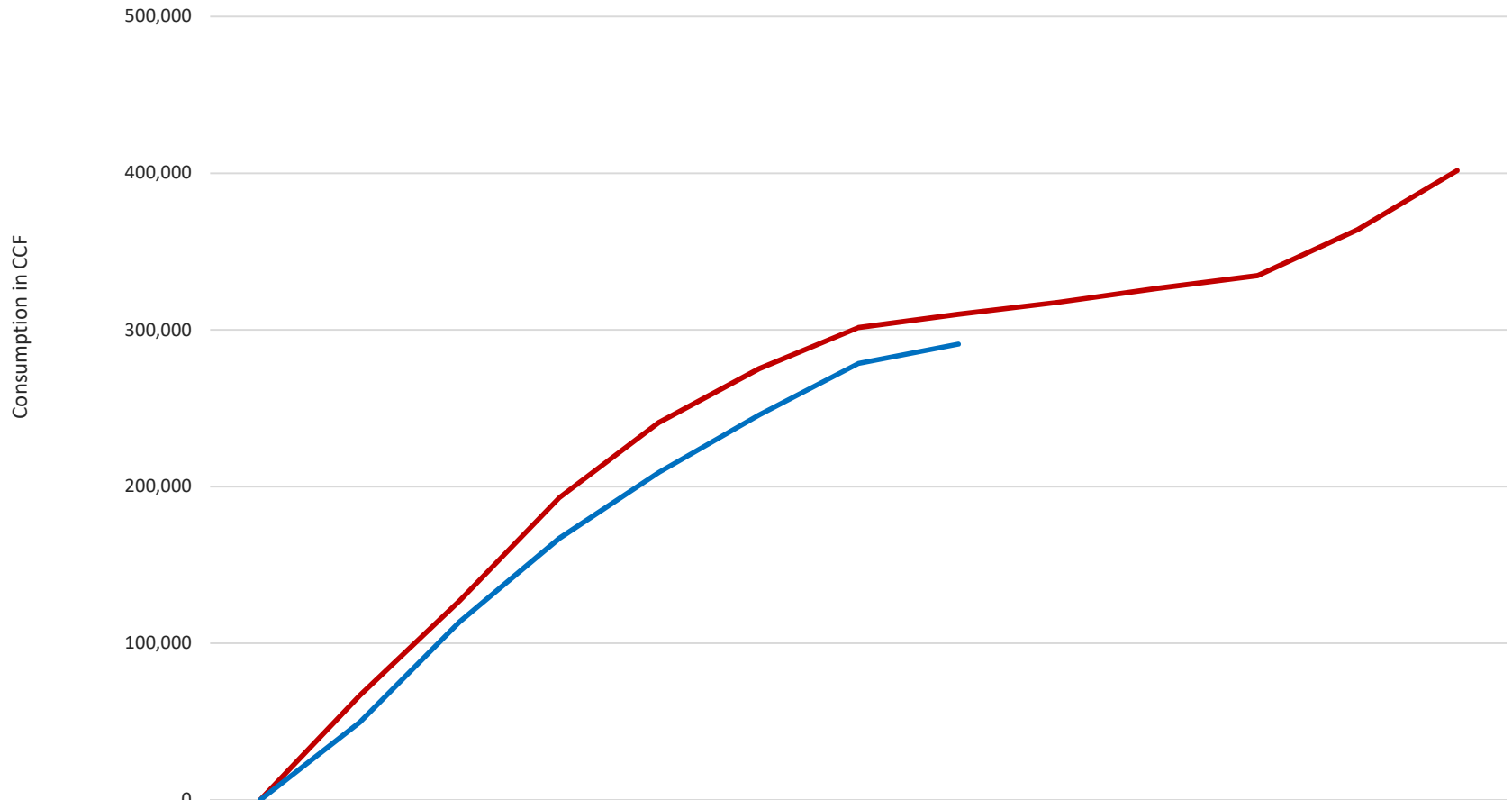
	YTD Start	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
2022-2023	0	32,509	61,772	97,210	126,869	154,692	178,999	201,801	225,081	246,550	270,593	295,561	324,902
2023-2024	0	28,574	61,030	91,550	120,277	150,552	175,699	198,364					
% Change		-12.10%	-1.20%	-5.82%	-5.20%	-2.68%	-1.84%	-1.70%					

### Dedicated Irrigation Consumption (including LWV)



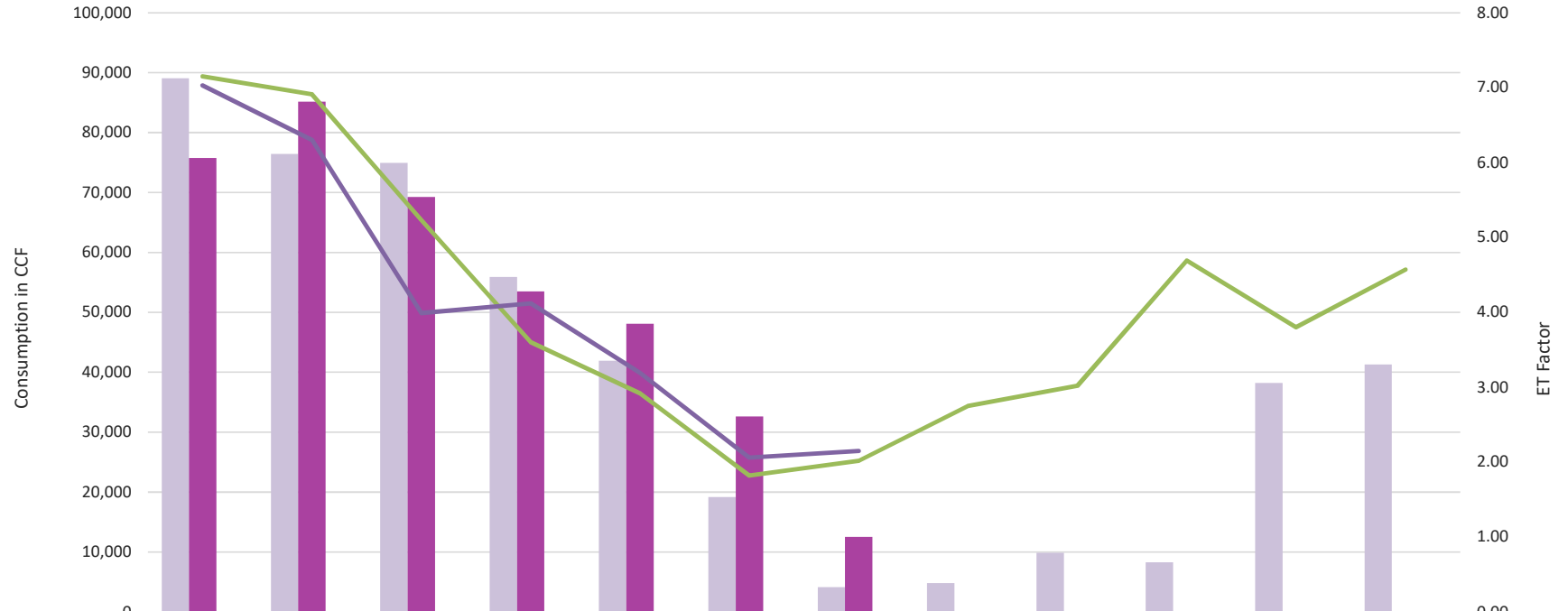
	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
2022-2023	66,782	60,477	65,678	48,152	34,035	26,411	8,412	7,564	8,982	8,084	29,310	37,715
2023-2024	49,690	64,132	53,334	41,917	36,675	32,771	12,344					
% Change	-25.59%	6.04%	-18.79%	-12.95%	7.76%	24.08%	46.74%					
22/23 ET	7.15	6.91	5.23	3.60	2.92	1.82	2.02	2.75	3.02	4.69	3.80	4.57
23/24 ET	7.03	6.30	3.99	4.12	3.19	2.06	2.15					

### Dedicated Irrigation Consumption (including LWV) YTD Consumption



	YTD Start	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
<span style="color: red;">—</span> 2022-2023	0	66,782	127,259	192,937	241,089	275,124	301,535	309,947	317,511	326,493	334,577	363,887	401,602
<span style="color: blue;">—</span> 2023-2024	0	49,690	113,822	167,156	209,073	245,748	278,519	290,863					
% Change		-25.59%	-10.56%	-13.36%	-13.28%	-10.68%	-7.63%	-6.16%					

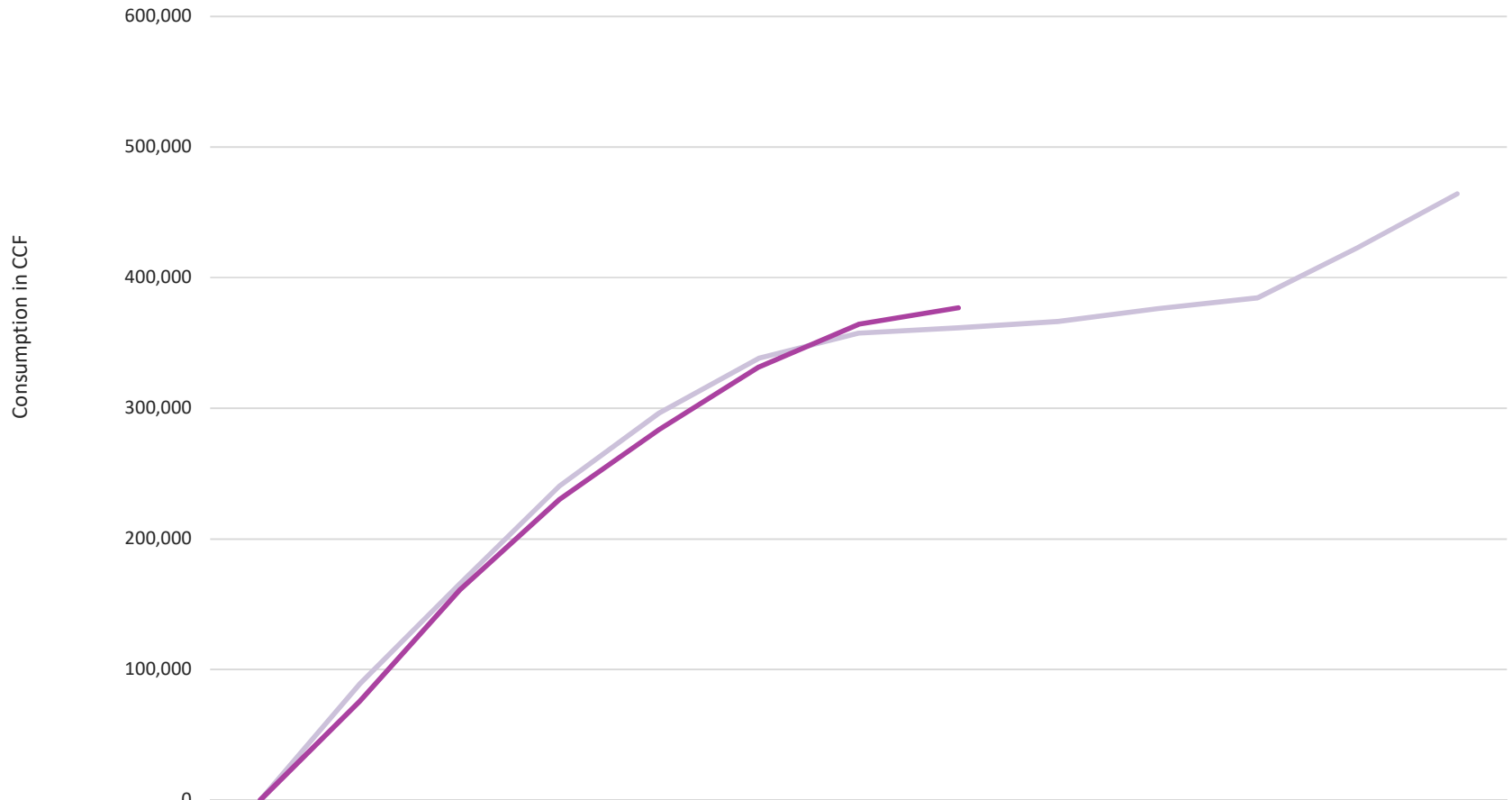
### Recycled Water Consumption



	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
FY 2022-2023	89,088	76,424	74,943	55,909	41,920	19,185	4,152	4,801	9,905	8,252	38,244	41,307
FY 2023-2024	75,779	85,141	69,253	53,474	48,088	32,602	12,531					
% Change	-14.94%	11.41%	-7.59%	-4.36%	14.71%	69.93%	201.81%					
FY 22/23 ET	7.15	6.91	5.23	3.60	2.92	1.82	2.02	2.75	3.02	4.69	3.80	4.57
FY 23/24 ET	7.03	6.30	3.99	4.12	3.19	2.06	2.15					



### Recycled Water YTD Consumption

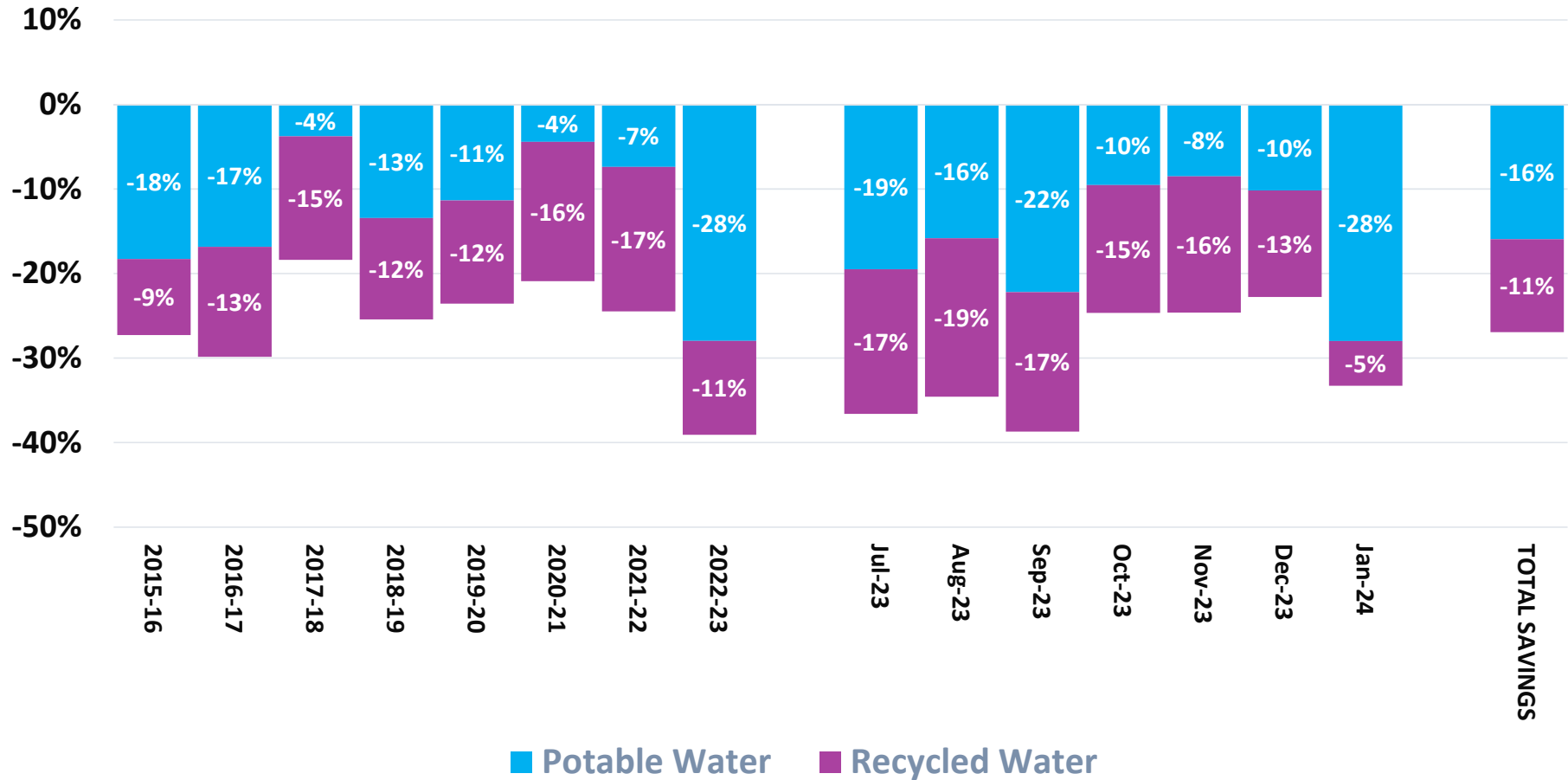


	YTD Start	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
2022-2023	0	89,088	165,512	240,455	296,364	338,284	357,469	361,621	366,422	376,327	384,579	422,823	464,130
2023-2024	0	75,779	160,920	230,173	283,647	331,735	364,337	376,868					
% Change		-14.94%	-2.77%	-4.28%	-4.29%	-1.94%	1.92%	4.22%					





# ETWD WATER USAGE COMPARED TO 2013



I hereby certify that the following Agenda was posted at least 72 hours prior to the time of the Board Meeting so noticed below at the usual agenda posting location of the South Orange County Wastewater Authority (SOCWA) and at [www.socwa.com](http://www.socwa.com).



Danita Hirsh, Assistant Secretary  
SOCWA and the Board of Directors thereof

*Regular Meeting of The  
South Orange County Wastewater Authority  
Board of Directors*

February 1, 2024  
8:30 a.m.

PHYSICAL MEETING LOCATION:  
South Orange County Wastewater Authority  
34156 Del Obispo Street  
Dana Point, CA 92629

THE BOARD OF DIRECTORS MEETING ROOM IS WHEELCHAIR ACCESSIBLE. IF YOU REQUIRE ANY SPECIAL DISABILITY RELATED ACCOMMODATIONS, PLEASE CONTACT THE SOUTH ORANGE COUNTY WASTEWATER AUTHORITY SECRETARY'S OFFICE AT (949) 234-5452 AT LEAST SEVENTY-TWO (72) HOURS PRIOR TO THE SCHEDULED MEETING TO REQUEST SUCH ACCOMMODATIONS. THIS AGENDA CAN BE OBTAINED IN ALTERNATE FORMAT UPON REQUEST TO THE SOUTH ORANGE COUNTY WASTEWATER AUTHORITY'S SECRETARY AT LEAST SEVENTY-TWO (72) HOURS PRIOR TO THE SCHEDULED MEETING. MEMBERS OF THE PUBLIC HAVE THE OPTION TO PARTICIPATE IN AND MAY JOIN THE MEETING REMOTELY VIA VIDEO CONFERENCE FOR VISUAL INFORMATION ONLY (USE ZOOM LINK BELOW) AND BY TELECONFERENCE FOR AUDIO PARTICIPATION (USE PHONE NUMBERS BELOW). THIS IS A PHONE-CALL MEETING AND NOT A WEB-CAST MEETING, SO PLEASE REFER TO AGENDA MATERIALS AS POSTED ON THE WEBSITE AT [WWW.SOCWA.COM](http://WWW.SOCWA.COM). ON YOUR REQUEST, EVERY EFFORT WILL BE MADE TO ACCOMMODATE PARTICIPATION. FOR PARTIES PARTICIPATING REMOTELY, PUBLIC COMMENTS WILL BE TAKEN DURING THE MEETING FOR ORAL COMMUNICATION IN ADDITION TO PUBLIC COMMENTS RECEIVED BY PARTIES PARTICIPATING IN PERSON. COMMENTS MAY BE SUBMITTED PRIOR TO THE MEETING VIA EMAIL TO ASSISTANT SECRETARY DANITA HIRSH AT [DHIRSH@SOCWA.COM](mailto:DHIRSH@SOCWA.COM) WITH THE SUBJECT LINE "REQUEST TO PROVIDE PUBLIC COMMENT." IN THE EMAIL, PLEASE INCLUDE YOUR NAME, THE ITEM YOU WISH TO SPEAK ABOUT, AND THE TELEPHONE NUMBER YOU WILL BE CALLING FROM SO THAT THE COORDINATOR CAN UN-MUTE YOUR LINE WHEN YOU ARE CALLED UPON TO SPEAK. THOSE MAKING PUBLIC COMMENT REQUESTS REMOTELY VIA TELEPHONE IN REAL-TIME WILL BE ASKED TO PROVIDE YOUR NAME, THE ITEM YOU WISH TO SPEAK ABOUT, AND THE TELEPHONE NUMBER THAT YOU ARE CALLING FROM SO THE COORDINATOR CAN UNMUTE YOUR LINE WHEN YOU ARE CALLED UPON TO SPEAK. ONCE THE MEETING HAS COMMENCED, THE CHAIR WILL INVITE YOU TO SPEAK AND ASK THE COORDINATOR TO UNMUTE YOUR LINE AT THE APPROPRIATE TIME.

AGENDA ATTACHMENTS AND OTHER WRITINGS THAT ARE DISCLOSABLE PUBLIC RECORDS DISTRIBUTED TO ALL, OR A MAJORITY OF, THE MEMBERS OF THE SOUTH ORANGE COUNTY WASTEWATER AUTHORITY BOARD OF DIRECTORS IN CONNECTION WITH A MATTER SUBJECT FOR DISCUSSION OR CONSIDERATION AT AN OPEN MEETING OF THE BOARD OF DIRECTORS ARE AVAILABLE FOR PUBLIC INSPECTION IN THE AUTHORITY ADMINISTRATIVE OFFICE LOCATED AT 34156 DEL OBISPO STREET, DANA POINT, CA ("AUTHORITY OFFICE") OR BY PHONE REQUEST MADE TO THE AUTHORITY OFFICE AT 949-234-5452. IF SUCH WRITINGS ARE DISTRIBUTED TO MEMBERS OF THE BOARD OF DIRECTORS LESS THAN SEVENTY-TWO (72) HOURS PRIOR TO THE MEETING, THEY WILL BE AVAILABLE IN THE RECEPTION AREA OF THE AUTHORITY OFFICE AT THE SAME TIME AS THEY ARE DISTRIBUTED TO THE BOARD OF DIRECTORS AND SENT TO ANY REMOTE PARTICIPANTS REQUESTING EMAIL DELIVERY OR POSTED ON SOCWA'S WEBSITE. IF SUCH WRITINGS ARE DISTRIBUTED IMMEDIATELY PRIOR TO, OR DURING, THE MEETING, THEY WILL BE AVAILABLE IN THE MEETING ROOM OR IMMEDIATELY UPON VERBAL REQUEST TO BE DELIVERED VIA EMAIL TO REQUESTING PARTIES PARTICIPATING REMOTELY.

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Agenda

- 1. CALL TO ORDER
- 2. PLEDGE OF ALLEGIANCE
- 3. ORAL COMMUNICATIONS

*Members of the public may address the board regarding an item on the agenda or may reserve this opportunity during the meeting at the time the item is discussed by the board. There will be a three-minute limit for public comments.*

- 4. APPROVAL OF BOARD MEMBER REQUEST FOR REMOTE PARTICIPATION

ACTION Board Discussion/Direction and Action.

PAGE NO

- 5. CONSENT CALENDAR

A. Minutes of Board of Directors..... 1

- Board of Directors Special Meeting of January 11, 2024

ACTION The Board will be requested to approve the subject Minutes.

B. Minutes of Finance Committee ..... 5

- Finance Committee Meeting of December 1, 2023

ACTION The Board will be requested to receive and file the Minutes.

C. Minutes of Engineering Committee ..... 8

- Engineering Committee Meeting of November 9, 2023

ACTION The Board will be requested to receive and file the Minutes.

D. Operations Report (December)..... 11

- 1. Monthly Operational Report
- 2. SOCWA Ocean Outfall Discharges by Agency
- 3. Quarterly Report on Key Operational Expenses
- 4. Beach Ocean Monitoring Report
- 5. Recycled Water Report
- 6. Pretreatment Report (January/February)

ACTION The Board will be requested to receive and file subject reports as submitted.

E. Capital Improvement Program Status Report (January) ..... 61

ACTION Information item.

Agenda

F. Capital Improvement Construction Projects Progress Report (January)  
[Project Committees 2 and 15] ..... 64

ACTION Information Item.

6. ENGINEERING MATTERS

A. Contract Award for Aliso Creek Ocean Outfall and San Juan Creek Ocean Outfall  
Ballast Maintenance [Project Committees 5 and 24] ..... 68

ACTION The Engineering Committee recommends the following actions:

- a. The PC 24 Board of Directors approve a budget amendment for Project Number 342410 (ACOO Ballast Repair) to increase the budget by \$30,000 to \$280,000, and
- b. The PC 5 and PC 24 Board of Directors: i. find that the Aliso Creek Ocean Outfall and San Juan Creek Ocean Outfall Ballast Maintenance Project is statutorily exempt, and ii. approve the contract to Subsea Global Solutions, Inc., for a total amount of \$370,000 for the ACOO and SCJOO Ballast Maintenance Project with a contingency of \$37,000 (10% of the contract).

7. GENERAL MANAGER’S REPORT

A. PC 12 SNMP Professional Services and Budget Adjustment [Project Committee 12] ..... 73

ACTION Staff recommends that the PC 12 Board of Directors i. approve up to \$50,000 per year to Dr. Michael Welch for professional services for FY 2023-24 through FY 2026-27, and ii. approve a PC 12 budget adjustment of \$55,000 for FY 2023-24 to complete SNMP-related services

B. Discussion on the SCWD/SMWD Proposal Framework .....

- PC 15 Update carryover from October 24 Board Meeting
- PC 17 Discussion of ownership and operation transfer
- SMWD/SCWD Update [PC 2]

ACTION Board Discussion/Direction and Action.

C. General Counsel’s Update .....

- JPA Revision Process (Standing item)

ACTION Information Item

D. Acting General Manager’s Report..... 75

ACTION Board Discussion/Direction and Action.

South Orange County Wastewater Authority  
Board of Directors Meeting  
February 1, 2024

Agenda

E. Upcoming Meetings Schedule: .....

- February 1, 2024 – Board of Directors Regular Meeting
- February 1, 2024 – PC 2 Committee Meeting (Closed Session)
- February 8, 2024 – Engineering Committee Meeting
- February 20, 2024 – Finance Committee Meeting
- March 7, 2024 – Board of Directors Regular Meeting

ACTION Information Item.

8. OTHER MATTERS

Determine the need to take action on the following item(s) introduced by the Acting General Manager/Director of Operations, which arose after the posted agenda. [Adoption of this action requires a two-thirds vote of the Board, or if less than two-thirds are present, a unanimous vote.]

ADJOURNMENT

THE NEXT SOCWA BOARD MEETING  
MARCH 7, 2024



**NOTICE OF REGULAR MEETING  
OF THE  
SOUTH ORANGE COUNTY WASTEWATER AUTHORITY  
ENGINEERING COMMITTEE**

**February 8, 2024  
8:30 a.m.**

NOTICE IS HEREBY GIVEN that a Regular Meeting of the South Orange County Wastewater Authority (SOCWA) Engineering Committee was called to be held on **February 8, 2024, at 8:30 a.m.** SOCWA staff will be present and conducting the meeting at the SOCWA Administrative Office located at 34156 Del Obispo Street, Dana Point, California.

THE SOCWA MEETING ROOM IS WHEELCHAIR ACCESSIBLE. IF YOU REQUIRE ANY SPECIAL DISABILITY RELATED ACCOMMODATIONS, PLEASE CONTACT THE SOUTH ORANGE COUNTY WASTEWATER AUTHORITY SECRETARY'S OFFICE AT (949) 234-5452 AT LEAST SEVENTY-TWO (72) HOURS PRIOR TO THE SCHEDULED MEETING TO REQUEST SUCH ACCOMMODATIONS. THIS AGENDA CAN BE OBTAINED IN ALTERNATE FORMAT UPON REQUEST TO THE SOUTH ORANGE COUNTY WASTEWATER AUTHORITY'S SECRETARY AT LEAST SEVENTY-TWO (72) HOURS PRIOR TO THE SCHEDULED MEETING. MEMBERS OF THE PUBLIC HAVE THE OPTION TO PARTICIPATE IN AND MAY JOIN THE MEETING REMOTELY VIA VIDEO CONFERENCE FOR VISUAL INFORMATION ONLY (USE ZOOM LINK BELOW) AND BY TELECONFERENCE FOR AUDIO PARTICIPATION (USE PHONE NUMBERS BELOW). THIS IS A PHONE-CALL MEETING AND NOT A WEB-CAST MEETING, SO PLEASE REFER TO AGENDA MATERIALS AS POSTED ON THE WEBSITE AT [WWW.SOCWA.COM](http://WWW.SOCWA.COM). ON YOUR REQUEST, EVERY EFFORT WILL BE MADE TO ACCOMMODATE PARTICIPATION. FOR PARTIES PARTICIPATING REMOTELY, PUBLIC COMMENTS WILL BE TAKEN DURING THE MEETING FOR ORAL COMMUNICATION IN ADDITION TO PUBLIC COMMENTS RECEIVED BY PARTIES PARTICIPATING IN PERSON. COMMENTS MAY BE SUBMITTED PRIOR TO THE MEETING VIA EMAIL TO ASSISTANT SECRETARY DANITA HIRSH AT [DHIRSH@SOCWA.COM](mailto:DHIRSH@SOCWA.COM) WITH THE SUBJECT LINE "REQUEST TO PROVIDE PUBLIC COMMENT." IN THE EMAIL, PLEASE INCLUDE YOUR NAME, THE ITEM YOU WISH TO SPEAK ABOUT, AND THE TELEPHONE NUMBER YOU WILL BE CALLING FROM SO THAT THE COORDINATOR CAN UN-MUTE YOUR LINE WHEN YOU ARE CALLED UPON TO SPEAK. THOSE MAKING PUBLIC COMMENT REQUESTS REMOTELY VIA TELEPHONE IN REAL-TIME WILL BE ASKED TO PROVIDE YOUR NAME, THE ITEM YOU WISH TO SPEAK ABOUT, AND THE TELEPHONE NUMBER THAT YOU ARE CALLING FROM SO THE COORDINATOR CAN UN-MUTE YOUR LINE WHEN YOU ARE CALLED UPON TO SPEAK. ONCE THE MEETING HAS COMMENCED, THE CHAIR WILL INVITE YOU TO SPEAK AND ASK THE COORDINATOR TO UN-MUTE YOUR LINE AT THE APPROPRIATE TIME.

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AGENDA

1. Call Meeting to Order
2. Public Comments

*THOSE WISHING TO ADDRESS THE ENGINEERING COMMITTEE ON ANY ITEM LISTED ON THE AGENDA WILL BE REQUESTED TO IDENTIFY AT THE OPENING OF THE MEETING AND PRIOR TO THE CLOSE OF THE MEETING. THE AUTHORITY REQUESTS THAT YOU STATE YOUR NAME WHEN MAKING THE REQUEST IN ORDER THAT YOUR NAME MAY BE CALLED TO SPEAK ON THE ITEM OF INTEREST. THE CHAIR OF THE MEETING WILL RECOGNIZE SPEAKERS FOR COMMENT AND GENERAL MEETING DECORUM SHOULD BE OBSERVED IN ORDER THAT SPEAKERS ARE NOT TALKING OVER EACH OTHER DURING THE CALL.*

PAGE NO.

3. Approval of Minutes..... 1
  - Engineering Committee Minutes of January 18, 2024

**Recommended Action:** Staff requests that the Engineering Committee approve the subject Minutes as submitted.

4. Operations Report..... 5

**Recommended Action:** Information Item.

5. Budgeted Flow and Solids FY 2024-25 [Project Committees 2, 12, 15, and 17] ..... 6

**Recommended Action:** Staff recommends approval of the CY 2023 flows and solids for use in the FY 24-25 budget.

6. Capital Improvement Construction Projects Progress and Change Order Report (February) [Project Committees 2 and 15] ..... 11

**Recommended Action:** Information Item.

7. Coastal Treatment Plant (CTP) Funding Strategy and Implementation Update [Project Committee 15]..... 14

**Recommended Action:** Committee Discussion/Direction/Action.

8. J.B. Latham Treatment Plant (JBL) Advanced Treatment Evaluation Update [Project Committee 2]..... 43

**Recommended Action:** Committee Discussion/Direction/Action

9. Effluent Transmission Main (ETM) Trail Bridge Crossing Project Update [Project Committee 21, Reach D]..... 44

**Recommended Action:** Committee Discussion/Direction/Action.

10. Capital Improvement Program (CIP) Budget Update .....72

**Recommended Action:** Information Item.

Adjournment

I hereby certify that the foregoing Notice was personally emailed or mailed to each member of the SOCWA Engineering Committee at least 72 hours prior to the scheduled time of the Regular Meeting referred to above.

I hereby certify that the foregoing Notice was posted at least 72 hours prior to the time of the above-referenced Engineering Committee meeting at the usual agenda posting location of the South Orange County Wastewater Authority and at [www.socwa.com](http://www.socwa.com).

Dated this 2nd day of February 2024.



---

Danita Hirsh, Assistant Secretary  
SOUTH ORANGE COUNTY WASTEWATER AUTHORITY

**NOTICE OF SPECIAL MEETING  
OF THE  
SOUTH ORANGE COUNTY WASTEWATER AUTHORITY  
FINANCE COMMITTEE**

**February 20, 2024  
10:30 a.m.**

NOTICE IS HEREBY GIVEN that a Special Meeting of the South Orange County Wastewater Authority (SOCWA) Finance Committee was called to be held on **February 20, 2024, at 10:30 a.m.** SOCWA staff will be present and conducting the meeting at the SOCWA Administrative Office located at 34156 Del Obispo Street, Dana Point, California.

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+1 669 900 6833 US (San Jose)    +1 253 215 8782 US (Tacoma)  
+1 346 248 7799 US (Houston)    +1 312 626 6799 US (Chicago)  
Find your local number: <https://socwa.zoom.us/j/82510956750>

AGENDA

1. Call Meeting to Order

2. Public Comments

*THOSE WISHING TO ADDRESS THE FINANCE COMMITTEE ON ANY ITEM LISTED ON THE AGENDA WILL BE REQUESTED TO IDENTIFY AT THE OPENING OF THE MEETING AND PRIOR TO THE CLOSE OF THE MEETING. THE AUTHORITY REQUESTS THAT YOU STATE YOUR NAME WHEN MAKING THE REQUEST IN ORDER THAT YOUR NAME MAY BE CALLED TO SPEAK ON THE ITEM OF INTEREST. THE CHAIR OF THE MEETING WILL RECOGNIZE SPEAKERS FOR COMMENT AND GENERAL MEETING DECORUM SHOULD BE OBSERVED IN ORDER THAT SPEAKERS ARE NOT TALKING OVER EACH OTHER DURING THE CALL.*

PAGE NO.

3. Approval of Minutes..... 1

- Finance Committee Meeting of January 16, 2024

**Recommended Action:** Staff recommends that the Finance Committee approve the subject minutes as submitted.

4. Financial Reports for the Month of October and November 2023 ..... 3

- The financial reports included are as follows:
  - a. Summary of Disbursements for October 2023 and November 2023 (Exhibit A);
  - b. Schedule of Funds Available for Reinvestment (Exhibit B)
    - Local Agency Investment Fund (LAIF)
  - c. Schedule of Cash and Investments (Exhibit C)
  - d. Capital Schedule (Exhibit D)
    - Capital Projects – Graph (Exhibit D-1)
  - e. Budget vs. Actual Expenses:
    - Operations and Environmental Summary (Exhibit E-1)
    - Operations and Environmental by PC (E-1.2)
    - Residual Engineering, after transfer to Capital (Exhibit E-2)
    - Administration (Exhibit E-3)
    - Information Technology (IT) (Exhibit E-4)

**Recommended Action:** Staff recommends that the Finance Committee recommend that the Board of Directors (i) receive and file the October and November 2023 Financial Reports, (ii) ratify the October 2023 disbursement for the period from October 1, 2023, through October 31, 2023, totaling \$2,317,317, (iii) ratify the November 2023 disbursement for the period from November 1, 2023, through November 30, 2023, totaling \$2,919,463.

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5. Financial Reports for the Month of December 2023 .....25

- The financial reports included are as follows:
  - a. Summary of Disbursements for December 2023 (Exhibit A);
  - b. Schedule of Funds Available for Reinvestment (Exhibit B)
    - Local Agency Investment Fund (LAIF)
  - c. Schedule of Cash and Investments (Exhibit C)
  - d. Capital Schedule (Exhibit D)
    - Capital Projects – Graph (Exhibit D-1)
  - e. Budget vs. Actual Expenses:
    - Operations and Environmental Summary (Exhibit E-1)
    - Operations and Environmental by PC (E-1.2)
    - Residual Engineering, after transfer to Capital (Exhibit E-2)
    - Administration (Exhibit E-3)
    - Information Technology (IT) (Exhibit E-4)
  - f. Cash Roll Forward Q2 FY 2023-24
    - Cash Roll Forward Notes
    - Large Capital Cash Reconciliation to the General Ledger
    - Large Capital Cash Roll Forward Balance by PC, Member Agency, and Project
    - Small Capital Cash Roll Forward Balance by PC, Member Agency, and Project
    - Non-Capital Cash Roll Forward Balance by PC, Member Agency, and Project

**Recommended Action:** Staff recommends that the Finance Committee recommend that the Board of Directors (i) receive and file the December 2023 Financial Reports, (ii) ratify the December 2023 disbursement for the period from December 1, 2023, through December 31, 2023, totaling \$2,505,237, (iii) receive and file the Fiscal Year 2023-24 Q2 Cash Roll Forward as submitted.

6. FY 2024-25 Budget Update.....55

- Presentation
- Budget Review Schedule
- Memo Environmental Compliance Laboratory FTE
- Memo Administration Labor Charges
- CIP Verbal Update

**Recommended Action:** Committee Discussion/Direction/Action

7. PARS Change to US Bank – Verbal Report .....

**Recommended Action:** Information Item.

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Adjournment

I hereby certify that the foregoing Notice was personally emailed or mailed to each member of the SOCWA Finance Committee at least 24 hours prior to the scheduled time of the Special Meeting referred to above.

I hereby certify that the foregoing Notice was posted at least 24 hours prior to the time of the above-referenced Finance Committee meeting at the usual agenda posting location of the South Orange County Wastewater Authority and at [www.socwa.com](http://www.socwa.com).

Dated this 16th day of February 2024.



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Danita Hirsh, Assistant Secretary  
SOUTH ORANGE COUNTY WASTEWATER AUTHORITY

**Polly Welsch**

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**From:** Polly Welsch  
**Sent:** Monday, January 8, 2024 11:52 AM  
**To:** Mark Monin; Michael Gaskins; Kay Havens; Kathryn Freshley; 'fadjarian@etwd.com'  
**Subject:** FW: PLEASE JOIN US! January 31, 2024, MWDOC Water Policy Forum & Dinner

**Importance:** High

Please let me know if you are interested in attending this event.  
Depending on interest, we will decide if we want to reserve a table for ETWD.

Thanks.

---

**From:** MWDOC <info@mwdoc.com>  
**Sent:** Thursday, January 4, 2024 1:55 PM  
**To:** District <District@etwd.com>  
**Subject:** PLEASE JOIN US! January 31, 2024, MWDOC Water Policy Forum & Dinner



**2024 WATER POLICY**  
*Forum & Dinner*





## Please Join Us!

**REGISTER NOW!**

[www.MWDOC.com/WPD](http://www.MWDOC.com/WPD)

Registration is now open for the upcoming MWDOC Water Policy Forum & Dinner, scheduled for Wednesday, January 31, 2024. The evening will showcase the insights, perspectives, strategies, and visions of several new water general managers from Southern California.

---

**WEDNESDAY**

*January 31, 2024*

**5:30 PM + 8:00 PM**

Join us at the Westin, South Coast Plaza, to kick off 2024 by networking with industry colleagues and hearing from new regional water leaders as they take the reins of their respective agencies.

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**THE WESTIN  
SOUTH COAST PLAZA**  
*686 Anton Boulevard  
Costa Mesa, CA 92626*

We look forward to seeing you and your colleagues there!

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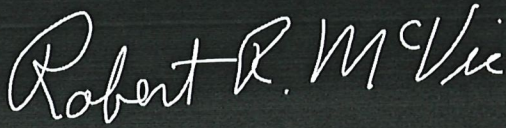
**RESERVED TABLES**

**ARE AVAILABLE!**

*Reserved tables (with*



Sincerely,



Robert R. McVicker, P.E.

Board President

Municipal Water District of Orange County

*company logo) are  
available for 8 guests  
at a cost of \$1,150.*

*Contact Claire Johnson:*

*(714) 916-0761*

*[cjohnson@mwdoc.com](mailto:cjohnson@mwdoc.com)*

RESERVE A TABLE!

STAY CONNECTED  
[www.MWDOC.com](http://www.MWDOC.com)



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*\*Register by Friday, January 26 for the early registration rate! This price includes the pre-dinner reception (cash bar), three-course dinner (choice of entrée), and self-parking.*

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Municipal Water District of Orange County | 18700 Ward Street, Fountain Valley, CA 92708

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MEETING OF THE BOARD OF DIRECTORS OF THE  
MUNICIPAL WATER DISTRICT OF ORANGE COUNTY  
Jointly with the  
**PLANNING & OPERATIONS COMMITTEE**  
February 5, 2024, 8:30 a.m.

Teleconference Site:  
25652 Paseo De La Paz  
San Juan Capistrano, CA 92675  
(Members of the public may attend and participate in the meeting at both in-person locations.)

**This meeting will be held in person at 18700 Ward Street, Fountain Valley, California, 92708 (Conference Room 101). As a convenience for the public, the meeting may also be accessed by Zoom Webinar and will be available by either computer or telephone audio as indicated below. Because this is an in-person meeting and the Zoom 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.**

**Computer Audio: You can join the Zoom meeting by clicking on the following link:**  
<https://zoom.us/j/8828665300>

**Telephone Audio: (669) 900 9128 fees may apply  
(877) 853 5247 Toll-free  
Webinar ID: 882 866 5300#**

**P&O Committee:**

Director Seckel, Chair  
Director Yoo Schneider  
Director Dick

Staff: H.De La Torre, J. Berg, V. Osborn,  
T. Dubuque, D. Micalizzi, H. Baez,  
M. Baum-Haley, C. Busslinger,  
T. Baca

Ex Officio Member: President McVicker

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MWDOC Committee meetings are noticed and held as joint meetings of the Committee and the entire Board of Directors, and all members of the Board of Directors may attend and participate in the discussion. Each Committee has designated Committee members, and other members of the Board are designated alternate committee members. If less than a quorum of the full Board is in attendance, the Board meeting will be adjourned for lack of a quorum and the meeting will proceed as a meeting of the Committee with those Committee members and alternate members in attendance acting as the Committee.

**ROLL CALL**

**PUBLIC COMMENTS** - Public comments on agenda items and items under the jurisdiction of the Committee should be made at this time.

**ITEMS RECEIVED TOO LATE TO BE AGENDIZED** - Determine there is a need to take immediate action on item(s) and that the need for action came to the attention of the District subsequent to the posting of the Agenda. (Requires a unanimous vote of the Committee)

**ITEMS DISTRIBUTED TO THE BOARD LESS THAN 72 HOURS PRIOR TO MEETING** -- Pursuant to Government Code section 54957.5, non-exempt public records that relate to open session agenda items and are distributed to a majority of the Board less than seventy-two (72) hours prior to the meeting will be available for public inspection in the lobby of the District's business office located at 18700 Ward Street, Fountain Valley, California 92708, during regular business hours. When practical, these public records will also be made available on the District's Internet website, accessible at <http://www.mwdoc.com>.

**DISCUSSION ITEMS**

1. OC PROJECTIONS REPORT (OCP) FROM THE CENTER FOR DEMOGRAPHIC RESEARCH (CDR)

2. TURF REMOVAL REBATE PROGRAM UPDATE
3. PROCESS FOR CONSIDERING IMPLEMENTATION OF AN ADVANCED METERING INFRASTRUCTURE CHOICE SERVICES PROGRAM FOR MEMBER AGENCIES

**INFORMATION ITEMS** (The following items are for informational purposes only – background information is included in the packet. Discussion is not necessary unless requested by a Director.)

4. UPDATE REGARDING THE AMP SHUTDOWN
5. PUBLIC AFFAIRS HIGHLIGHTS
6. WATER POLICY FORUM & DINNER – JANUARY 31, 2024
7. DEPARTMENT ACTIVITIES REPORTS
  - a. Ongoing MWDOC Reliability and Engineering/Planning Projects
  - b. WEROC
  - c. Water Use Efficiency Projects
  - d. Public and Government Affairs
8. REVIEW OF ISSUES RELATED TO PLANNING OR ENGINEERING PROJECTS, WEROC, WATER USE EFFICIENCY, FACILITY AND EQUIPMENT MAINTENANCE, WATER STORAGE, WATER QUALITY, CONJUNCTIVE USE PROGRAMS, EDUCATION, PUBLIC AFFAIRS PROGRAMS AND EVENTS, PUBLIC INFORMATION PROJECTS, PUBLIC INFORMATION CONSULTANTS, DISTRICT FACILITIES, and MEMBER-AGENCY RELATIONS

**ADJOURNMENT**

**NOTE:** At the discretion of the Committee, all items appearing on this agenda, whether or not expressly listed for action, may be deliberated, and may be subject to action by the Committee. On those items designated for Board action, the Committee reviews the items and makes a recommendation for final action to the full Board of Directors; final action will be taken by the Board of Directors. Agendas for Committee and Board meetings may be obtained from the District Secretary. Members of the public are advised that the Board consideration process includes consideration of each agenda item by one or more Committees indicated on the Board Action Sheet. Attendance at Committee meetings and the Board meeting considering an item consequently is advised.

Accommodations for the Disabled. Any person may make a request for a disability-related modification or accommodation needed for that person to be able to participate in the public meeting by telephoning Maribeth Goldsby, District Secretary, at (714) 963-3058, or writing to Municipal Water District of Orange County at P.O. Box 20895, Fountain Valley, CA 92728. Requests must specify the nature of the disability and the type of accommodation requested. A telephone number or other contact information should be included so that District staff may discuss appropriate arrangements. Persons requesting a disability-related accommodation should make the request with adequate time before the meeting for the District to provide the requested accommodation.

WORKSHOP MEETING OF THE  
BOARD OF DIRECTORS WITH MET DIRECTORS  
MUNICIPAL WATER DISTRICT OF ORANGE COUNTY  
18700 Ward Street, Conference Room 101, Fountain Valley, California  
February 7, 2024, 8:30 a.m.

Teleconference Site:  
25652 Paseo De La Paz  
San Juan Capistrano, CA 92675

(Members of the public may attend and participate in the meeting at both in-person locations.)

**This meeting will be held in person at 18700 Ward Street, Fountain Valley, California, 92708 (Conference Room 101). As a convenience for the public, the meeting may also be accessed by Zoom Webinar and will be available by either computer or telephone audio as indicated below. Because this is an in-person meeting and the Zoom 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.**

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**Telephone Audio: (669) 900 9128 fees may apply  
(877) 853 5247 Toll-free  
Webinar ID: 882 866 5300#**

## AGENDA

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### PLEDGE OF ALLEGIANCE

### ROLL CALL

### PUBLIC PARTICIPATION/COMMENTS

At this time members of the public will be given an opportunity to address the Board concerning items within the subject matter jurisdiction of the Board. Members of the public may also address the Board about a particular Agenda item at the time it is considered by the Board and before action is taken.

The Board requests, but does not require, that members of the public who want to address the Board complete a voluntary "Request to be Heard" form available from the Board Secretary prior to the meeting.

### 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.)

### ITEMS DISTRIBUTED TO THE BOARD LESS THAN 72 HOURS PRIOR TO MEETING

Pursuant to Government Code Section 54957.5, non-exempt public records that relate to open session agenda items and are distributed to a majority of the Board less than seventy-two (72) hours prior to the meeting will be available for public inspection in the lobby of the District's business office located at 18700 Ward Street, Fountain Valley, California 92708, during regular business hours. When practical, these public records will also be made available on the District's Internet Web site, accessible at <http://www.mwdoc.com>.

**NEXT RESOLUTION NO. 2146**

### PRESENTATION/DISCUSSION ITEMS

#### **1. PRESENTATION BY MET STAFF REGARDING THE DELTA CONVEYANCE PROJECT**

*Recommendation: Review and discuss the information presented.*

**2. LEGISLATIVE ACTIVITIES**

- a. State Legislative Report (SDA)
- b. Legal and Regulatory Report (Ackerman)
- c. County Legislative Report (Whittingham)
- d. Metropolitan Legislative Matrix

*Recommendation: Review and discuss the information presented.*

**3. QUESTIONS OR INPUT ON MET ISSUES FROM THE MEMBER AGENCIES/MET DIRECTOR REPORTS REGARDING MET COMMITTEE PARTICIPATION**

*Recommendation: Receive input and discuss the information presented.*

**INFORMATION ITEMS**

**4. METROPOLITAN’S PROPOSED SUPPLEMENTAL WATER MANAGEMENT (SWM) PROGRAM**

*Recommendation: Receive and file this information.*

**5. MET ITEMS CRITICAL TO ORANGE COUNTY** (The following items are for informational purposes only – a write up on each item is included in the packet. Discussion is not necessary unless requested by a Director).

- a. MET’s Finance and Rate Issue
- b. MET’s Water Supply Condition Update
- c. MET’s Water Quality Update
- d. Colorado River Issues
- e. Delta Conveyance Activities and State Water Project Issues

*Recommendation: Review and discuss the information presented.*

**6. METROPOLITAN (MET) BOARD AND COMMITTEE AGENDA DISCUSSION ITEMS**

- a. Summary regarding January MET Board Meeting
- b. Review items of significance for MET Board and Committee Agendas

*Recommendation: Review and discuss the information presented.*

**ADJOURNMENT**

Note: Accommodations for the Disabled. Any person may make a request for a disability-related modification or accommodation needed for that person to be able to participate in the public meeting by telephoning Maribeth Goldsby, District Secretary, at (714) 963-3058, or writing to Municipal Water District of Orange County at P.O. Box 20895, Fountain Valley, CA 92728. Requests must specify the nature of the disability and the type of accommodation requested. A telephone number or other contact information should be included so that District staff may discuss appropriate arrangements. Persons requesting a disability-related accommodations should make the request with adequate time before the meeting for the District to provide the requested accommodations.



MEETING OF THE BOARD OF DIRECTORS OF THE  
MUNICIPAL WATER DISTRICT OF ORANGE COUNTY  
Jointly with the  
**ADMINISTRATION & FINANCE COMMITTEE**  
February 14, 2024, 8:30 a.m.

Teleconference Site:  
25652 Paseo De La Paz  
San Juan Capistrano, CA 92675  
(Members of the public may attend and participate in the meeting at both in-person locations.)

**This meeting will be held in person at 18700 Ward Street, Fountain Valley, California, 92708 (Conference Room 101). As a convenience for the public, the meeting may also be accessed by Zoom Webinar and will be available by either computer or telephone audio as indicated below. Because this is an in-person meeting and the Zoom 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.**

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**Telephone Audio:** (669) 900 9128 fees may apply  
(877) 853 5247 Toll-free  
**Webinar ID:** 882 866 5300#

**A&F Committee:**  
Director Crane, Chair  
Director Thomas  
Director Nederhood

**Staff:** H. De La Torre, C. Harris,  
H. Chumpitazi, M. Baum-Haley,  
K. Davanaugh, M. Goldsby

Ex Officio Member: President McVicker

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MWDOC Committee meetings are noticed and held as joint meetings of the Committee and the entire Board of Directors and all members of the Board of Directors may attend and participate in the discussion. Each Committee has designated Committee members, and other members of the Board are designated alternate committee members. If less than a quorum of the full Board is in attendance, the Board meeting will be adjourned for lack of a quorum and the meeting will proceed as a meeting of the Committee with those Committee members and alternate members in attendance acting as the Committee.

#### **ROLL CALL**

**PUBLIC COMMENTS** - Public comments on agenda items and items under the jurisdiction of the Committee should be made at this time.

**ITEMS RECEIVED TOO LATE TO BE AGENDIZED** - Determine there is a need to take immediate action on item(s) and that the need for action came to the attention of the District subsequent to the posting of the Agenda. (Requires a unanimous vote of the Committee)

**ITEMS DISTRIBUTED TO THE BOARD LESS THAN 72 HOURS PRIOR TO MEETING** -- Pursuant to Government Code section 54957.5, non-exempt public records that relate to open session agenda items and are distributed to a majority of the Board less than seventy-two (72) hours prior to the meeting will be available for public inspection in the lobby of the District's business office located at 18700 Ward Street, Fountain Valley, California 92708, during regular business hours. When practical, these public records will also be made available on the District's Internet Web site, accessible at <http://www.mwdoc.com>.

#### **PROPOSED BOARD CONSENT CALENDAR ITEMS**

1. TREASURER'S REPORT
  - a. Revenue/Cash Receipt Report – January 2024
  - b. Disbursement Approval Report for the month of February 2024
  - c. Disbursement Ratification Report for the month of January 2024
  - d. GM Approved Disbursement Report for the month of January 2024
  - e. Consolidated Summary of Cash and Investment – December 2023
  - f. OPEB and Pension Trust Fund statement
  
2. FINANCIAL REPORT
  - a. Combined Financial Statements and Budget Comparative for the Period Ending December 31, 2023
  - b. Quarterly Budget Review

**PRESENTATION**

3. PRESENTATION BY JOONE LOPEZ REGARDING THE CALIFORNIA DATA COLLABORATIVE

**DISCUSSION ITEMS**

4. MWDOC's FIRST DRAFT BUDGET FOR FY 2024-25

**INFORMATION ITEMS – (THE FOLLOWING ITEMS ARE FOR INFORMATIONAL PURPOSES ONLY – BACKGROUND INFORMATION IS INCLUDED IN THE PACKET. DISCUSSION IS NOT NECESSARY UNLESS REQUESTED BY A DIRECTOR.)**

5. INFORMATION TECHNOLOGY UPDATE
6. SEMI-ANNUAL DIRECTORS ACTIVITIES REPORT
7. SEMI-ANNUAL OVERTIME REPORT
8. ANNUAL AUTO ALLOWANCE REPORT
9. DEPARTMENT ACTIVITIES REPORTS
  - a. Administration
  - b. Finance and Information Technology
10. MONTHLY WATER USAGE DATA AND WATER SUPPLY INFORMATION

**OTHER ITEMS**

11. REVIEW ISSUES REGARDING DISTRICT ORGANIZATION, PERSONNEL MATTERS, EMPLOYEE BENEFITS FINANCE AND INSURANCE

**ADJOURNMENT**

**NOTE:** At the discretion of the Committee, all items appearing on this agenda, whether or not expressly listed for action, may be deliberated, and may be subject to action by the Committee. On those



items designated for Board action, the Committee reviews the items and makes a recommendation for final action to the full Board of Directors; final action will be taken by the Board of Directors. Agendas for Committee and Board meetings may be obtained from the District Secretary. Members of the public are advised that the Board consideration process includes consideration of each agenda item by one or more Committees indicated on the Board Action Sheet. Attendance at Committee meetings and the Board meeting considering an item consequently is advised.

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REGULAR MEETING  
OF THE BOARD OF DIRECTORS  
MUNICIPAL WATER DISTRICT OF ORANGE COUNTY  
18700 Ward Street, Board Room, Fountain Valley, California  
February 21, 2024, 8:30 a.m.

Teleconference Site:  
25652 Paseo De La Paz  
San Juan Capistrano, CA 92675

(Members of the public may attend and participate in the meeting at both in-person locations.)

**This meeting will be held in person. As a convenience for the public, the meeting may also be accessed by Zoom Webinar and will be available by either computer or telephone audio as indicated below. Because this is an in-person meeting and the Zoom 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.**

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**Webinar ID:** 882 866 5300#

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## AGENDA

### MOMENT OF SILENCE

### PLEDGE OF ALLEGIANCE

### ROLL CALL

### PUBLIC COMMENTS/PARTICIPATION

At this time, members of the public will be given an opportunity to address the Board concerning items within the subject matter jurisdiction of the Board. Members of the public may also address the Board about a particular Agenda item at the time it is considered by the Board and before action is taken. If the item is on the Consent Calendar, please inform the Board Secretary before action is taken on the Consent Calendar and the item will be removed for separate consideration.

The Board requests, but does not require, that members of the public who want to address the Board complete a voluntary "Request to be Heard" form available from the Board Secretary prior to the meeting.

### ITEMS RECEIVED TOO LATE TO BE AGENDIZED

Determine need and take action to agendize items(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.)

### ITEMS DISTRIBUTED TO THE BOARD LESS THAN 72 HOURS PRIOR TO MEETING

Pursuant to Government Code section 54957.5, non-exempt public records that relate to open session agenda items and are distributed to a majority of the Board less than seventy-two (72) hours prior to the meeting will be available for public inspection in the lobby of the District's business office located at 18700 Ward Street, Fountain Valley, California 92708, during regular business hours. When practical, these public records will also be made available on the District's Internet Web site, accessible at <http://www.mwdoc.com>.

**NEXT RESOLUTION NO. 2146**

**CONSENT CALENDAR (Items 1 to 4)**

(All matters under the Consent Calendar will be approved by one motion unless a Board member requests separate action on a specific item)

**1. MINUTES**

- a. September 20, 2023 MWDOC Water Facilities Corporation
- b. January 3, 2024 Workshop Board Meeting
- c. January 17, 2024 Regular Board Meeting

*Recommendation: Approve as presented.*

**2. COMMITTEE MEETING REPORTS**

- a. Planning & Operations Committee Meeting: January 2, 2024
- b. Administration & Finance Committee Meeting: January 10, 2024
- c. Executive Committee Meeting: January 18, 2024
- d. MWDOC/OCWD Joint Planning Committee: January 24, 2024

*Recommendation: Receive and file as presented.*

**3. TREASURER'S REPORTS**

- a. MWDOC Revenue/Cash Receipt Register as of January 31, 2024
- b. Disbursement Registers (January/February)

*Recommendation: Ratify and approve as presented.*

- c. Summary of Cash and Investment and Portfolio Master Summary Report (Cash and Investment report) as of December 31, 2023
- d. PARS Monthly Statement (OPEB Trust)

*Recommendation: Receive and file as presented.*

**4. FINANCIAL REPORT**

- a. Combined Financial Statements and Budget Comparative for the Period Ending December 31, 2023
- b. Quarterly Budget Review

*Recommendation: Receive and file as presented.*

**End Consent Calendar**

**DISCUSSION ITEMS**

**5. FEDERAL LEGISLATIVE REPORT (NRR)**

*Recommendation: Review and discuss the information presented.*

**6. MEMBER AGENCY SPOTLIGHT – YORBA LINDA WATER DISTRICT**

*Recommendation: Receive and file presentation.*

**INFORMATION CALENDAR** (All matters under the Information Calendar will be Received/Filed as presented following any discussion that may occur)

**7. GENERAL MANAGER'S REPORT, FEBRUARY (ORAL AND WRITTEN)**

*Recommendation: Receive and file report(s) as presented.*

**8. MWDOC GENERAL INFORMATION ITEMS**

- a. Board of Directors - Reports re: Conferences and Meetings
- b. Requests for Future Agenda Topics

*Recommendation: Receive and file as presented.*

**ADJOURNMENT**

Note: Accommodations for the Disabled. Any person may make a request for a disability-related modification or accommodation needed for that person to be able to participate in the public meeting by contacting Maribeth Goldsby, District Secretary, at (714) 963-3058, or writing to Municipal Water District of Orange County at P.O. Box 20895, Fountain Valley, CA 92728. Requests must specify the nature of the disability and the type of accommodation requested. A telephone number or other contact information should be included so that District staff may discuss appropriate arrangements. Persons requesting a disability-related accommodation should make the request with adequate time before the meeting for the District to provide the requested accommodation.



# **GENERAL MANAGER REPORT OF STAFF ACTIVITIES**

**February 2024**

## MUNICIPAL WATER DISTRICT OF ORANGE COUNTY

### MEMBER AGENCY MANAGERS MEETING

MWDOC held its Member Agency Managers' meeting at its office in Fountain Valley on Thursday, January 18, 2024.

**In attendance:** Rudy Correa – Brea, Mike McGee - Buena Park, David Youngblood – East Orange County WD, Dennis Cafferty - El Toro WD, Michael Dunbar – Emerald Bay Service District, Mark Sprague – Fountain Valley, Alvin Papa – Huntington Beach, Cel Pasillas - Garden Grove, Ken Vecchiarelli – Golden State Water District, Keith Van Der Maaten – Long Beach County WD, Paul Cook & Paul Weghorst - Irvine Ranch WD, Andy Ramirez – La Palma, Paul Shoenberger - Mesa WD, Kaden Young & Johnathan Cruz, Laura Rocha & Matt Collings - Moulton Niguel WD, Mark Vukojevic – Newport Beach, Sonny Tran – Orange, Mike Markus, Lisa Haney & John Kennedy – Orange County WD, Dustin Burnside & David Rebensdorf - San Clemente, Jim Leach - Santa Margarita WD, Iris Lee – Seal Beach, Rick Shintaku - South Coast WD, Jason Churchill, Mike Chandler & Mike Grisso – Tustin, David Rebensdorf & Dustin Burnside – San Clemente, Scott Miller – Westminster, Mark Toy, Doug Davert & Rosanne Weston – Yorba Linda WD

**Staff in attendance:** Harvey De La Torre, Melissa Baum-Haley, Charles Busslinger, Joseph Berg, Alex Heide, Kevin Hostert, Heather Baez, Vicki Osborn, Damon Micalizzi, Sarina Sriboonlue,

#### General Meeting Information/Discussion Items:

- Draft Board Agendas
- MWDOC Budget Schedule
- AMI as a Choice-Based Technical Assistance and Grant Funding Shared Service
- Engineering Update
  - a. AMP Update
  - b. Update on Shutdowns
- WEROC Update

#### Announcements:

- MWDOC Water Policy Dinner – January 31<sup>st</sup>

#### Report Items

- Monthly GM Report
- Legislative Reports
- WEROC Matrix
- Grant Funding Opportunities
- Additional Reports or Materials

The next meeting is scheduled for February 22, 2024.

## ENGINEERING & PLANNING

### LEAD AND COPPER RULE REVISIONS – LEAD SERVICE LINE INVENTORY CHOICE PROGRAM

In mid-March 2023, multiple agencies requested MWDOC's assistance in complying with the U.S. Environmental Protection Agency (EPA) Lead and Copper Rule Revisions (LCRR) - Service Line Inventories, which all water systems are required to complete and submit to the primacy agency (for California it is the State Water Resources Control Board - SWRCB) by October 16, 2024.

On June 19, 2023, MWDOC posted an RFP for technical assistance with multiple agencies' service line inventories with the expectation that consultants provide volume discount rates for agencies under a Choice (Shared Services) Program.

On September 20, 2023, the MWDOC Board approved a contract award to Hazen and Sawyer (Hazen).

The shared services program has 13 participating agencies, each with a customized scope of work.

The project remains on schedule. Hazen completed the LCRR Hub site, a central repository of project resources, and setup of the initial GIS databases for each participating agency. Hazen continues to review available agency information and collect necessary data as part of the desktop analysis portion of the service line inventory development.

On November 30, 2023, the U.S. EPA announced draft rule changes to the LCRR, which are known as the Lead and Copper Rule Improvements (LCRI). The LCRI proposes significant changes to the LCRR regarding changed requirements and timelines. The proposed LCRI changes are currently undergoing a public comment period. MWDOC is participating in the AWWA/CMUA workshops to provide input on the compliance realities of the LCRI. Hazen has met with SWRCB staff to obtain clarity on how it will interpret and what requirements it will have as the primary agency in California.

Hazen and MWDOC staff continue to follow the LCRI closely and will update participating agencies as requirements become closer to being finalized.

MWDOC staff will provide an overview of the proposed LCRI requirements at the March P&O Committee meeting.

## MNWD PUMP-IN TO EOCF #2 TECHNICAL STUDY

MWDOC continues to support Moulton Niguel Water District's (MNWD's) technical study of a potential pump-in project to East OC Feeder #2 from the City of Santa Ana's East Station well site. MWDOC has hosted multiple meetings with staff from MET's Water Quality, Operations, and Engineering Groups, MNWD, City of Santa Ana, Orange County Water District (OCWD), and MNWD's consultant Brown & Caldwell.

MWDOC hosted a 5th technical meeting on November 16, 2023, between MET staff, MWDOC, MNWD, the City of Santa Ana, and consultant Brown & Caldwell. Brown & Caldwell recently completed a Feasibility Assessment Technical Memorandum.

## DOHENY OCEAN DESALINATION PROJECT

South Coast Water District (SCWD) continues to develop the Doheny Ocean Desalination Project. SCWD estimates an online date of 2028 if approved by the SCWD Board.

At the SCWD Board Meeting on June 22, 2023, Clean Energy Capital (CEC) provided an update on the financial implications of the project. CEC presented updated cost projections for a 5 MGD project where SCWD would take 2 MGD.

The updated estimated 1st-year water cost is \$2,597/AF (in 2028\$) or \$2,058/AF (discounted to 2023\$), which is a \$469/AF increase vs CEC's 2021 estimate. The increase is largely driven by increases in energy costs (with energy costs making up 60% of the overall cost increase).

SCWD Unit Cost of Water (\$/AF)		
MWDOC Average of High and Low	\$	2,100
5 MGD Plant	\$	2,701
Difference	\$	601
SCWD Residential Average Monthly Cost		
No Desal	\$	141.63
With 5 MGD Plant	\$	145.64
Difference	\$	4.01
CEC estimates of Construction Costs:		
Escalated to a Feb 1, 2025 construction start date	\$	137,642,914
Total Grants		(\$ 30,423,241) <sup>1</sup>
Total Development & Financing Costs	\$	30,685,350
Total Capitalized Costs	\$	137,905,023

SCWD Staff Report is located here:

[https://scwd.granicus.com/MetaViewer.php?view\\_id=3&clip\\_id=2790&meta\\_id=180312](https://scwd.granicus.com/MetaViewer.php?view_id=3&clip_id=2790&meta_id=180312)



CEC Presentation slides are located here:

[https://scwd.granicus.com/MetaViewer.php?view\\_id=3&clip\\_id=2790&meta\\_id=180313](https://scwd.granicus.com/MetaViewer.php?view_id=3&clip_id=2790&meta_id=180313)

On July 27, 2023, SCWD released the Request for Qualifications for the Progressive Design Build Operate and Maintain (DBOM) Project. SCWD received Statements of Qualifications from 7 teams and, after a qualifications review, has shortlisted three teams for the contract development phase (PCL/CDM/Veolia; Kiewit/IDE/Arcadis; Filanc/Acciona/Hazen).

On January 9, 2024, a Request for Proposals was advertised to the three shortlisted teams. Proposals are due March 7, 2024.

Preliminary geotechnical work to verify the geological conditions (location of bedrock) are suitable for slant wells began in January 2024.

<sup>1</sup>As of September 2023, SCWD has secured \$32.4M in grant funding for the Project, including \$10M from the California Department of Water Resources Desalination Construction Grant, \$20M from the U.S. Bureau of Reclamation Water Infrastructure Improvement for the Nation (WIN) Act Grant, and \$2.4M from the U.S. Environmental Protection Agency Grant.

## **SHUTDOWNS**

### **Diemer Water Treatment Plant**

The Diemer WTP shutdown took place January 14-16, 2024. The shutdown focused on replacing a damaged chlorine diffuser at Diemer, which has been successfully replaced. Diemer was returned to service on January 16th.

### **AMP Prestressed Concrete Cylinder Pipe (PCCP) Inspection and Rehabilitation**

MET conducted an inspection of the PCCP sections of the AMP down-gradient of OC-70 between October 29 through November 4, 2023, to assess the condition of the high tensile strength prestressed structural steel wire in the pipe. MET staff provided a presentation on the AMP Rehabilitation Project at the Joint Board Workshop on January 3, 2024 (presentation available at:

<https://www.mwdoc.com/wp-content/uploads/2023/11/MWDOC-AMP-Inspection-Update.pdf>

In response to the November 2023 PCCP inspection findings, MET initiated Special Operation Conditions (SOC) for the AMP to reduce pressure on the pipeline, which are currently in place.

An extended AMP shutdown from January 14 – 18, 2024, in conjunction with the Diemer shutdown, was completed to conduct additional inspections and to upsize a bypass line at OC-88 to allow for additional pressure reductions on reaches of the AMP below OC-88. Due to supply chain issues, additional pressure reductions are anticipated to begin in mid-February 2024.

## **ADDITIONAL AMP SHUTDOWNS**

April 5 – 25, 2024 - A shutdown is scheduled for the reaches down gradient of OC-70 to complete PCCP repairs between OC-70 and OC-88. Additionally, a bulkhead will be installed downgradient of OC-88, which will allow the AMP from Diemer through OC-88 to return to normal operations upon completion.

April 26 – December 31, 2024 – The reaches below OC-88 (downgradient of the bulkhead) will remain dry to allow permanent repairs to the most critical PCCP segments in the lower reaches of the AMP. Affected agencies have coordinated extensively with each other, neighboring agencies, MET, and MWDOC to accommodate the extended shutdown through the Summer. The planned use of the AMP through OC-88 into the South County Pipeline, the Baker Water Treatment Plant, EOCF#2, ATM, OC Feeder, El Toro Reservoir, Upper Chiquita Reservoir, as well as local resources are all being used extensively to support this shutdown.

### **Lake Mathews**

MET has scheduled a 2-day shutdown of Lake Mathews for March 12-13, 2024, to complete the required inspections and testing of the slide gates required by the Department of Safety of Dams (DSOD). The following pipelines will be impacted by this shutdown:

- East OC Feeder #1 and
- Santiago Lateral

## **OCEANUS POWER AND WATER LLC PUMPED HYDRO - OCEAN DESALINATION PROJECT AT CAMP PENDLETON**

Santa Margarita Water District (SMWD) Board is considering a non-binding Memorandum of Understanding with Oceanus for 5,000 Acre-feet per year (AFY) of ocean desalination water.

The Department of the Navy (“DON”) is making available for lease non-excess real property at Marine Corp Base Camp Pendleton (Camp Pendleton) for an Energy Resilience Project through a Request for Proposal (RFP) process.

Oceanus Power and Water, LLC (Oceanus) proposes developing a low-cost desalinated water and energy storage project in the northern portion of Camp Pendleton

in response to the RFP. The project would require Federal permitting for the combined Pumped hydro–ocean desalination project. The SMWD Board response is due March 12, 2024.

Oceanus' proposal, in response to the RFP, is to construct an ocean-desalinated water and energy project located on Camp Pendleton near the location of the former San Onofre nuclear power plant. The proposed water plant will produce up to 50 million gallons per day or 56,000 AFY. The project may be smaller depending on the project's needs and construction economics. The project will draw water from the ocean and pump it to a higher elevation during the day when low-cost solar power is available. In the evening hours, the water will be returned to the ocean through turbines to generate power. A side stream of the water will be treated to produce desalinated drinking water. The project, as designed, will have lower operating costs than traditional desalination plants because of the innovative approach to providing the energy required by the reverse osmosis process and the power generation capability. The project will also include components for carbon sequestration and generation of hydrogen. The proposed MOU addresses the concept of purchasing both water and power from the project.

## EMERGENCY PREPAREDNESS

### JANUARY INCIDENTS/EVENTS

- Theft (Copper)

### COORDINATION/PARTICIPATION WITH MEMBER AGENCIES AND OUTSIDE AGENCIES MEETINGS OUTSIDE OF PROGRAMS AREAS AND EMERGENCY RESPONSE

- On 1/3, Vicki attended the CESA Southern Chapter Member Meeting.
- On 1/4, Vicki and Janine attended the monthly Orange County Emergency Management Organization (OCEMO) meeting.
- On 1/4, Vicki attended the Exercise Design Meeting
- On 1/5, Vicki provided a WEROC update at WACO.
- On 1/9, WEROC hosted its quarterly meeting at MWDOC Fountain Valley.
- On 1/12, Vicki attended the CalWARN Executive Meeting.
- On 1/18, Vicki attended the MWDOC Manager's meeting, presented her goals and objectives for the remainder of the fiscal year, presented her goals for FY 24-25, and briefed that the WEROC Budget will be going to MET Managers and her funding agencies on 1/25.
- On 1/25, Vicki attended the CalOES Mutual Aid Regional Advisory Committee (MARAC)
- On 1/25, Vicki Presented her budget to her funding agencies; all supported the budget. The only agency not present was OCWD. Vicki will be following up with their General Manager.
- On 1/30, Vicki attended the Emergency Management Mutual Aid SEMS Specialist Committee Quarterly meeting. The group changed the planning document and training slides before sending the information to the MARACS.
- On 1/31, Vicki attended the County of Orange (Orange County Sheriff's Department, Emergency Management Department) Policy Group training. Vicki, as the Water and Wastewater mutual aid coordinator, is part of the policy group.

### PLANNING AND PROGRAM EFFORTS

#### AWIA & Hazard Mitigation

Vicki, with the WEROC member agencies, crafted a "Choice" Program RFP that will have a scope of work that includes the Risk Assessment, Emergency Response Plan Update, and Hazard Mitigation. RFP will be launched in February and brought to the MWDOC Board of Directors for approval, most likely in April.

### **Cyber Security and OCIAC Partnership**

WEROC continues to send out important information to the Cyber Security Distribution Group as received from DHS or the OCIAC.

WEROC has been providing information to the member agencies as required about highlighted threats to the water industry and other current world events as required.

### **Member Agency and County/Operational Area Plan Review**

Orange County Operational Area/County of Orange Excessive Temperature Annex  
City of Huntington Beach, Earthquake Annex

### **Regional Fuel Project**

Vicki continues to work on the plan.

### **Regional Mapping Project**

Janine continues to work on a revision of the 2017 WEROC Map Atlas and Public Safety Power Shut Off (PSPS) map updates. This project will go into FY 24/25

### **Regional Water Distribution Plan**

This will be done in 5 regions of OC based on the County Board of Supervisor Districts. Tabletop Exercises will be conducted in Q2/3 of 2024.

### **Training and Exercises**

After Vicki's return, Vicki will be working with agencies to schedule both exercises and training in May and June.

## MET ITEMS CRITICAL TO ORANGE COUNTY

### MET FINANCE AND RATE ISSUES

Water Transactions for November 2023 (for water delivered in September 2023) totaled 108.8 thousand acre-feet (TAF), which was 33.5 TAF lower than the budget of 142.3 TAF and translated to \$105.5 million in receipts for November 2023, which was \$37.0 million lower than the budget of \$142.5 million.

Year-to-date water transactions through November 2023 (for water delivered in May 2023 through September 2023) were 520.5 TAF, which was 178.7 TAF lower than the budget of 699.2 TAF. Year-to-date water receipts through November 2023 were \$528.2 million, which was \$187.9 million lower than the budget of \$716.1 million.

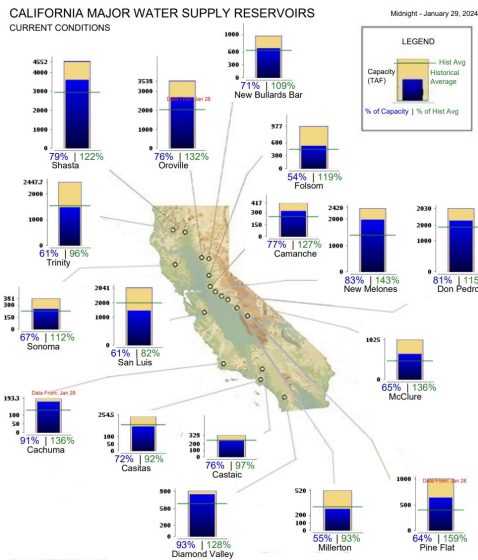
In November 2023, the 2023 Long-Range Finance Plan Needs Assessment report was presented to Metropolitan's Board. The Board agreed to concur with the report for planning purposes, and the report was reviewed by the Board again in January 2024.

### MET'S SUPPLY CONDITION UPDATE

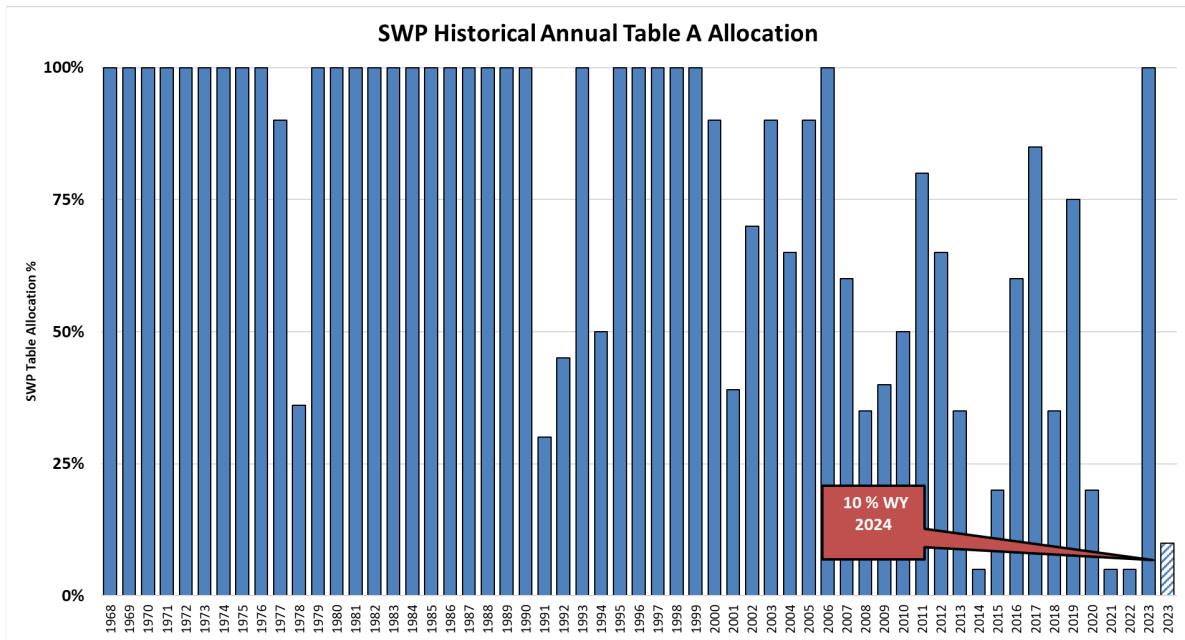
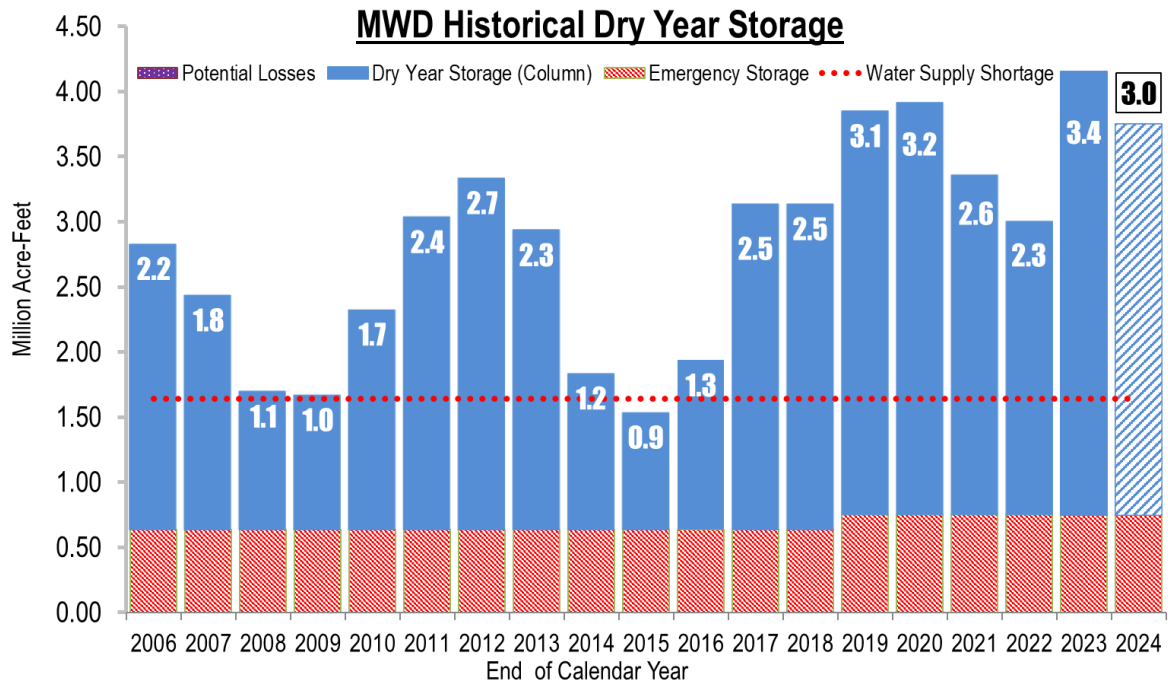
The 2023-24 Water Year (2023-24 WY) officially started on October 1, 2023. Thus far, Northern California accumulated precipitation (8-Station Index) reported **20.8 inches or 78% of normal** as of January 30th. The Northern Sierra Snow Water Equivalent was **10.7 inches on January 29<sup>th</sup>**, which is **61% of normal** for that day. The Department of Water Resources (DWR) has set the State Water Project (SWP) initial **"Table A" allocation for WY 2023-24 at 10%**.

The Upper Colorado River Basin accumulated precipitation is reporting **9.3 inches or 91% of normal as of January 22<sup>nd</sup>**. On the Colorado River system, snowpack is measured across four states in the Upper Colorado River Basin. The Upper Colorado River Basin Snow Water Equivalent was **8.5 inches as of January 30<sup>th</sup>**, which is **75% of normal** for that day. Due to the below-average inflows into Lake Powell over the past several years, the United States Bureau of Reclamation **declared a shortage at Lake Mead that has been ongoing since January 1<sup>st</sup>, 2022**. As of January 2024, **there is a 100% chance of shortage continuing in Calendar Year (CY) 2024, a 93% chance in CY 2025, and a 77% chance in CY 2026. In addition, there is a 20% chance of a California shortage in 2026.**

As of January 29<sup>th</sup>, Lake Oroville storage is at **76% of total capacity and 132% of normal**. As of January 29<sup>th</sup>, San Luis Reservoir has a current volume of **61% of the reservoir's total capacity and is 82% of normal**.



With CY 2024 estimated total demands and losses of 1.548 million acre-feet (MAF) and a 10% SWP Table A Allocation, Metropolitan is projecting that demands will exceed supply levels in CY 2024. Based on this, the estimated total dry-year storage for Metropolitan at the end of **CY 2024 will decrease to approximately 3.0 MAF.** A projected dry-year storage supply of **3.0 MAF would be approximately 2.0 MAF from a typical level where Metropolitan's goes into Water Supply Allocations.** A large factor in maintaining a high-water storage level is lower than expected water demands. We are seeing regional water demands reaching a 40-year low. **However, with a majority of MWD's water supplies stored in Lake Mead and still a 5-year shortage projection at Lake Mead, there remains a lot of uncertainty about where supply balances will be in the future.**





## 2024 WSDM Storage Detail

WSDM Storage	1/1/2024 Estimated Storage Levels <sup>1</sup>	CY 2024 Take Capacity <sup>2</sup>	2024 Total Storage Capacity
<b>Colorado River Aqueduct Delivery System</b>	<b>1,544,000</b>	<b>147,000</b>	<b>1,657,000</b>
Lake Mead ICS	1,544,000	147,000 <sup>3</sup>	1,657,000
<b>State Water Project System</b>	<b>994,000</b>	<b>593,000</b>	<b>1,889,000</b>
MWD & DWCV Carryover	297,000	297,000	350,000 <sup>4</sup>
MWD Articles 14(b) and 12(e)	0	0	N/A
Castaic and Perris DWR Flex Storage	219,000	219,000	219,000
Arvin Edison Storage Program	100,000	0	350,000
Semitropic Storage Program	199,000	45,000	350,000
Kern Delta Storage Program	123,000	32,000	250,000
Mojave Storage Program	19,000	0	330,000
AVEK High Desert Water Bank Program	37,000	0	40,000 <sup>5</sup>
<b>In-Region Supplies and WSDM Actions</b>	<b>1,018,000</b>	<b>633,000</b>	<b>1,246,000</b>
Diamond Valley Lake	758,000	501,000	810,000
Lake Mathews and Lake Skinner	199,000	87,000	226,000
Conjunctive Use Programs (CUP) <sup>6</sup>	61,000	45,000	210,000
<b>Other Programs</b>	<b>593,000</b>	<b>64,000</b>	<b>1,181,000</b>
Other Emergency Storage	381,000	0	381,000
DWCV Advanced Delivery Account	212,000	64,000	800,000
<b>Total</b>	<b>4,149,000</b>	<b>1,437,000</b>	<b>5,973,000</b>
Emergency	750,000	0	750,000
<b>Total WSDM Storage (AF) <sup>7</sup></b>	<b>3,399,000</b>	<b>1,437,000</b>	<b>5,223,000</b>

<sup>1</sup> Preliminary start of year balances, subject to DWR adjustments and USBR final accounting in May 2024.

<sup>2</sup> Take capacity assumed under a ten percent SWP Table A Allocation. Storage program losses included where applicable.

<sup>3</sup> Take capacity will be based on planned maintenance activities and current CRA supply estimate.

<sup>4</sup> Total storage capacity varies year-to-year based on prior year remaining balance added to current year contractual limits.

<sup>5</sup> Reflects a portion of the AVEK High Desert Water Bank Program's total storage capacity. The total storage capacity will be reflected once the program is fully constructed. Anticipated to be fully operational by 2027.

<sup>6</sup> Total of all CUP programs including IEUA/TVMWD (Chino Basin); Long Beach (Central Basin); Long Beach (Lakewood); Foothill (Raymond and Monk Hill); MWDOC (Orange County Basin); Three Valleys (Live Oak); Three Valleys (Upper Claremont); and Western.

<sup>7</sup> Total WSDM Storage level subject to change based on accounting adjustments.

## MET'S WATER QUALITY UPDATE

### Water System Operations

Metropolitan member agency water deliveries were 110,100 acre-feet (AF) for December, with an average of 3,550 AF per day, which was about 50 AF per day higher than in November. In addition, Metropolitan delivered 14,500 AF to Cyclic and Conjunctive Use Programs. Treated water deliveries were 10,800 AF lower than in November, for a total of 50,100 AF or 46 percent of total deliveries for the month. The Colorado River Aqueduct (CRA) pumped a total of 54,000 AF in December. Metropolitan maintained a four-pump flow along the CRA for most of the month. State Water Project (SWP) imports averaged 3,400 AF per day, totaling about 106,900 AF for the month. The target SWP blend was around 80 percent for the Weymouth Plant, 35 percent for the Diemer Plant, and 60 percent for the Skinner Plant.

The Weymouth plant's source water was temporarily switched to Silverwood Lake to support the Upper Feeder shutdown in September. The SWP target blend entering the Weymouth plant was increased to 100 percent before the shutdown and then decreased to zero percent on September 19 at the end of the shutdown. The SWP

target blend entering the Diemer plant, and Lake Skinner was zero percent in September.

Water continues to be managed according to Water Surplus and Drought Management (WSDM) principles and operational objectives, emphasizing positioning SWP supplies to meet future demands in the SWP-dependent area. Metropolitan continues deliveries to Desert Water Agency and Coachella Valley Water District. With the higher SWP Allocation and low regional demands, Metropolitan is working to maximize its use of Table A supplies this year. Metropolitan staff is working with member agencies to manage supplies through the Cyclic and Cyclic Cost Offset Program. On December 1, the Department of Water Resources issued an initial 10 percent SWP Allocation. Metropolitan will shift operations in early January 2024 to preserve SWP supplies and use more Colorado River supplies if the low SWP allocation continues through 2024.

### **Water Treatment and Distribution**

In August, Metropolitan staff hosted a Partnership for Safe Water meeting and plant tour with the City of Long Beach operations staff. The group took the time to discuss treatment plant optimization and operational strategies being used by both agencies to ensure reliable treatment plant operations to provide the highest quality water. The group also discussed operator certification requirements and strategies that could be used to aid staff in acquiring increased levels of certification.

Metropolitan staff completed pre-shutdown work at the Jensen Water Treatment Plant to prepare for the replacement of a surface wash valve. This work is required to address an actuator anomaly. Pre-shutdown work included installing temporary support and scaffolding, cutting welded support, and installing anchoring to limit the shutdown duration and optimize plant production.

In December, the SWP target blend entering the Weymouth and Diemer plants were at 80 and 35 percent, respectively. Diemer plant blend was lowered to about 10 percent late in the month to manage trihalomethanes. The SWP target entering Lake Skinner was approximately 60 percent in December, and the SWP blend leaving the lake was 50 to 60 percent. Flow-weighted running annual averages for total dissolved solids from November 2022 through October 2023 for Metropolitan's treatment plants capable of receiving a blend of supplies from the SWP and the Colorado River Aqueduct were 417, 453, and 504 milligrams per liter (mg/L) for the Weymouth, Diemer, and Skinner plants, respectively. The long-running nitrification in the distribution system concluded in early December, with nitrite concentrations below action levels in most samples and all flushing operations discontinued.

### **Future Legislation and Regulation**

On November 27, the EPA released its second version of draft guidance on how to apply the "functional equivalency" test found in the Supreme Court's County of Maui v. Hawaii Wildlife Fund decision. Under the Maui decision, the Supreme Court set forth

seven factors to help determine whether a NPDES permit is required when a point source pollutant discharged to groundwater has the same “functional equivalency” as a direct discharge to a navigable water. As with the previous version of the guidance, staff will provide comments supporting the functional equivalency tests as spelled out by the Supreme Court. Metropolitan submitted comments to EPA on the draft guidance on December 21.

On December 5, DDW released a new Annual Reporting Requirements for Metropolitan’s drinking water systems titled the “Clearinghouse Annual Inventory Report (CAIR)” for public comment. The new Order replaces section 6 of the Electronic Annual Report (eAR) and the Drought and Conservation Reporting Order. Metropolitan submitted comments to the State Water Resources Control Board asking to remove Metropolitan’s small water systems along the Colorado River Aqueduct from the drought reporting elements of the Order. The Order is set to go into effect on January 1, 2024.

On December 6, EPA published its proposed Lead and Copper Rule Improvements Rule. The proposed rule focuses on identifying and replacing lead service lines—including full lead-line replacement; lowering the lead action level from 0.015 to 0.010 micrograms per liter ( $\mu\text{g/L}$ ); and improving public education and outreach materials to include renters and individuals with limited English proficiency. Metropolitan staff is reviewing the proposal and may engage by the comment deadline of February 5, 2024.

Metropolitan staff provided testimony strongly supporting the proposed resolution to adopt direct potable reuse (DPR) regulations during the December 19 meeting of the State Water Resources Control Board. Metropolitan’s comments recognized the State Board for its significant milestone achieved to advance potable reuse development in the state through the new regulations. This comprehensive regulation is a result of several years of research and extensive stakeholder input, including from Metropolitan. It will help provide a basis for Metropolitan’s treatment approach for the Pure Water Southern California program. The State Board adopted the DPR regulations, which now triggers review through the state’s Office of Administrative Law. The DPR regulations are anticipated to be formally published in the California Code of Regulations in the coming months.

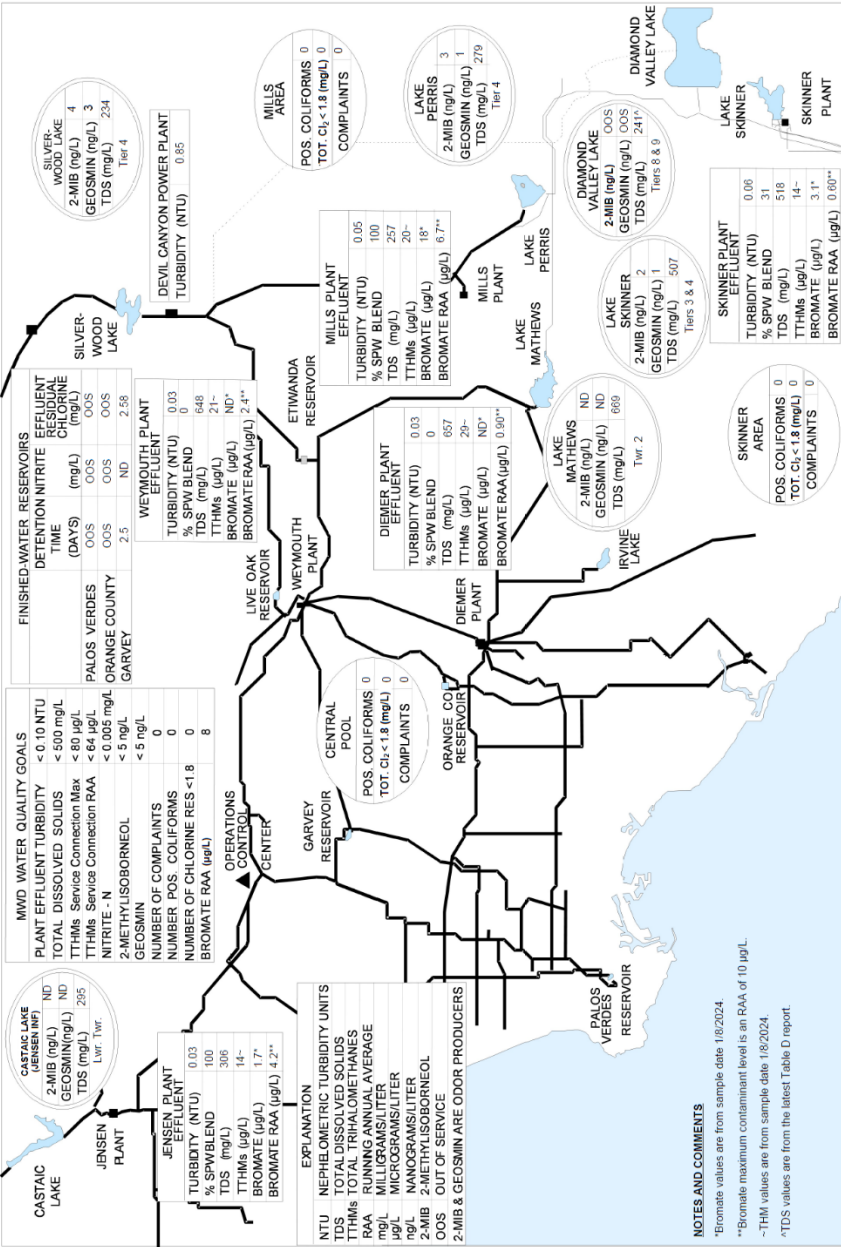
# Weekly Water Quality System Status

Wednesday, January 24, 2024

Generated On: 1/24/2024 9:55:57 AM

No Violations of State or Federal regulations were recorded during the current period.

THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA



WATER QUALITY INFORMATION LINE: (800) 354-4420  
VISIT MWD ON THE WEB AT <http://www.mwdh2o.com>

### NOTES AND COMMENTS

- \*Bromate values are from sample date 1/8/2024.
- \*\*Bromate maximum contaminant level is an RAA of 10 µg/L.
- THM values are from sample date 1/8/2024.
- \*TDS values are from the latest Table D report.

MWD water quality goals meet or exceed all State and Federal regulations.

**The Metropolitan Water District of Southern California**

**Weekly Operations Plan for 1/25/2024 – 2/1/2024**

For additional information, please contact James Bodnar at (213) 217-6099

- 1. **COLORADO RIVER AQUEDUCT:** The CRA is at a 4-pump flow.
- 2. **EAST BRANCH SPW:** Rialto Pipeline will average a flow between 100 and 200 AF/day. Santa Ana Valley Pipeline will be at 50 – 100 AF/day. Inland Feeder flow will be at 50 – 150 AF/day.
- 3. **WEST BRANCH SPW:** The flow from Castaic Lake will range between 300 and 400 AF/day. Flow to SCVWA (formerly CLWA) is currently at 45 AF/day.

4. **TERMINAL RESERVOIRS:**

Reservoir	Current Storage* (AF)	Percent of Capacity
Lake Mathews	163,200	90%
Lake Skinner	38,100	87%
DVL	754,200	93%

\*as of 1/24/2024

5. **WATER QUALITY:**

Plant	Targeted Blend (% SPW)	TDS (mg/L)	TTHMs (µg/L)
	As of 1/24/2024	As of 1/24/2024	As of 1/8/2024
Weymouth	0	648	21
Diemer	0	657	29
Skinner	0	518	39
Jensen	100	306	14
Mills	100	257	19

- 6. **WATER DELIVERIES:** January deliveries are forecasted to be about 70 TAF. As of January 24, 2024, total system demands are about 2,800 AF/day, a decrease of about 100 AF/day from last week.
- 7. **HYDROELECTRIC GENERATION:** As of January 24, 2024, the total daily average generation for the week was about 8.0 MW, with 3 of 15 hydroelectric plants in operation.

## **COLORADO RIVER ISSUES**

### **Reclamation Executes California IRA System Conservation Agreements in Las Vegas**

Following Metropolitan's November 14 and December 5 board approval of various agreements with its partners in California, on December 13, as part of the Colorado River Water Users Association's annual conference, the Commissioner of the Bureau of Reclamation Camille Touton signed several water conservation agreements with California water agencies and the Fort Yuma Quechan Indian Tribe (Quechan Tribe) to help meet the state's commitment to conserve 1.6 million acre-feet of water for Lake Mead's benefit through 2026. Metropolitan's General Manager and General Counsel signed conservation agreements with Imperial Irrigation District, Palo Verde Irrigation District (PVID), the Quechan Tribe, the Coachella Valley Water District, and the San Diego County Water Authority. These agreements will collectively leave about 250,000 acre-feet of water in Lake Mead this year. The agreements with PVID and the Quechan Tribe will leave additional water in Lake Mead through 2026. These agreements and Metropolitan's projected record amount of storing a projected 450,000 acre-feet of water in Lake Mead in 2023 have resulted in California's water use being at its lowest level since 1949. It is anticipated that additional agreements will be signed with Imperial Irrigation District in 2024 for conservation programs running through 2026. California's plan to conserve 1.6 million acre-feet of water is the equivalent of about 25 feet of elevation in Lake Mead.

## **DELTA CONVEYANCE ACTIVITIES AND STATE WATER PROJECT ISSUES**

### **Delta Conveyance**

The California Department of Water Resources (DWR) released the Final Environmental Impact Report (EIR) to the public, including public agencies that commented on the Draft EIR, in accordance with the California Environmental Quality Act (CEQA), on December 8, 2023. The Final EIR was certified on December 21, 2023, and DWR approved the proposed project. Responses to comments, the Final EIR, and accompanying informational resources can be accessed at [www.deltaconveyanceproject.com](http://www.deltaconveyanceproject.com).

The U.S. Army Corps of Engineers (USACE), as part of its permitting review under the Clean Water Act and Rivers and Harbors Act, released a draft Environmental Impact Statement (EIS) to comply with the National Environmental Policy Act for a public review that ended on March 16, 2023. USACE is developing responses to the comments received.

### **Sites Reservoir**

At the December 15 Joint Reservoir Committee and Sites Authority Board meeting, the Reservoir Committee and the Authority Board approved a contract with an outside consultant to provide wheeling rate development services. Delivering the benefits of the Sites Reservoir Project requires the shared use of the existing Glenn-Colusa Irrigation District Canal, Tehama-Colusa Canal, and the Lower Colusa Basin Drain System. Facility partner fish screens, pump stations, canals, regulating reservoirs, etc., will be needed to convey Sites water into and out of the Sites Reservoir and divert from and release back into the Sacramento River. This use of these existing facilities owned by others requires Facilities Use Agreement(s), and the Sites Storage Partners will need to pay their share of the cost for this service. The owners of these existing facilities would also benefit from shared use under the assumption that Sites water flowing through their facilities allows fixed O&M

and capital improvement costs to be spread over a larger rate base, thereby reducing the unit cost to the existing ratepayers.

### **Science Activities**

Metropolitan science staff completed its review of the Bay-Delta Water Quality Control Plan Draft Staff Report and Substitute Environmental Document released by the California State Water Resources Control Board on September 28, 2023. Metropolitan will submit written comments to the State Water Board on the Draft Staff Report and Substitute Environmental Document before the January 19, 2024, deadline.

Dr. Shawn Acuña presented on contaminant performance metrics at the North American Society of Environmental Toxicology and Chemistry Annual Meeting and Fall 2023 Zoology Colloquium. The presentation, Management for a Listed Species Using Contaminant Performance Metrics, summarized the use of contaminant performance metrics within a structured decision-making framework in the context of water projects and Delta smelt. Results from the work found that including contaminant performance metrics led to changes in management decisions.

### **Delta Island Activities**

Metropolitan staff executed three consultant agreements for design, environmental planning, and public outreach for the proposed rice and wetlands projects on Webb Tract that, if approved, will be funded by a Delta Conservancy grant. The final consultant agreement for scientific studies is expected in early January 2024. Engineering approved the Webb Tract New Project Authorization package and issued a new CIP project number.

As part of the Pacific Flyway Shorebird Survey (PFSS), Metropolitan staff coordinated with U.S. Fish and Wildlife (USFWS) staff to conduct the annual shorebird count on Bouldin Island. The PFSS is a long-term monitoring program led by Point Blue Conservation Science, designed to guide the management and conservation of wintering shorebirds.

Three levee improvement projects wrapped up work for the 2023 season. These projects occurred on the Bouldin and Bacon Islands. Approximately 8.5 miles of levee were improved. DWR provided funding for this project through the Delta Levees Special Flood Control Projects program. Additional work will be completed in 2024.

Metropolitan staff presented on the Levee Monitoring Pilot Study on Bouldin Island at the WaterStart Channels for Innovation Summit 2023. This pilot study uses innovative new technology to determine real-time changes in levee conditions.

## PUBLIC/GOVERNMENT AFFAIRS

### MEMBER AGENCY SUPPORT

#### Public Affairs Staff:

- Speakers Bureau – Coordinated, attended, and provided support for Director Crane to present El Toro Water District's Board a certificate of appreciation for their agency's partnership in hosting the Scouts BSA Soil and Water Conservation Merit Badge Clinic (Dec. 9) and the Girl Scouts Water Resources & Conservation Patch Clinic (Nov. 4)
- Prepared a retirement gift for Orange County Water District's Former General Manager, Mike Marcus
- Coordinated and scheduled the kick-off meeting for the Consumer Confidence Reports with Orange County water providers and Stetson Engineering
- Met with Yorba Linda Water District to discuss a three-part Member Agency spotlight campaign.

#### Government Affairs Staff:

- Met with staff at Mesa Water District to discuss legislative priorities for 2024.
- Along with Joe Berg, met with Soto Resources to discuss potential funding opportunities for AMI and water loss control.
- Circulated the January grants tracking and acquisition report to participating member agencies.
- Met with staff from Santa Margarita Water District to discuss legislative priorities for 2024.

### COMMUNITY AND SPECIAL EVENTS

#### Public Affairs Staff:

- Coordinated and co-hosted two (2) Scouts clinics with MWDOC Choice 3-12 School Program contractor, Orange County Department of Education's Inside the Outdoors (ITO). Due to an unexpected MWDOC member agency cancelation, ITO offered to partner with MWDOC at the last minute to host the clinics and provide community engagement opportunities for families as part of the school program offerings.
  - Hosted a Scouts BSA Clinic at Shipley Nature Center with 70 people in attendance; 50 were OC Scouts that earned their Soil and Water Conservation Merit Badge
  - Hosted a Girl Scouts Clinic at Upper Newport Bay Nature Preserve with 55 people in attendance; 39 were OC Girl Scouts that earned their MWDOC Water Resources & Conservation Patch



- Confirmed a panel of five (5) speakers and prepared materials for the January 31 Water Policy Dinner
- Coordinated, attended, and provided support on an inspection trip to Hoover Dam and the Colorado River Aqueduct with Director Dick and Director Erdman.
- Met with Orange County Water District Public Affairs staff to discuss 2024 OC Water Summit efforts.
- Met with the MWDOC OC Water Summit Committee to discuss the direction and goals for the 2024 OC Water Summit

**Government Affairs Staff:**

- Participated in the Cal Cities Water Working Group meeting.

**K-12 WATER EDUCATION**

**Public Affairs Staff:**

- Provided information regarding the MWDOC K-12 Choice School Programs to the City of Garden Grove, City of San Clemente, City of Westminster, City of Huntington Beach, Santa Margarita Water District, City of La Palma, and South Coast Water District
- Met with MWDOC 3-12 Choice School Program contractor, Orange County Department of Education’s Inside the Outdoors, to discuss program progress and engagement opportunities.

**WORKFORCE INITIATIVE**

**Public Affairs Staff:**

- Met with Cheryl Davis of the American Water Works Association (AWWA) and a New England workforce collaborative to discuss water and wastewater workforce priorities and goals, including coordinated outreach, recruitment, and effective communication.
- Met with Generation: Now! to discuss Orange County-centric workforce strategies.
- Met with the Water Replenishment District (WRD) to discuss the Los Angeles Water Workforce Ad Hoc Committee
- Met with Women in Non-Traditional Roles to discuss a Water Energy Education Alliance (WEEA) Leadership Roundtable presentation.
- Met with Friends of Oceans and Parks to discuss WEEA OC Workforce advisory funding.
- Met with Bassett Adult School about their new Water Technology Career Technical Education Program and referred them to WRD’s Ad Hoc Committee
- Speakers Bureau: presented an overview of WEEA to AWWA’s Workforce Strategies Committee

- Met with WEEA sponsor Tomorrow’s Talent to discuss current activities and interest in joining an Orange County workforce advisory.
- Met with the California Environmental Literacy Initiative to discuss a WEEA/MWDOC profile and case study contribution to a California “Call to Action: Educating for a Green Economy” report.

## DIGITAL COMMUNICATIONS, PUBLICATIONS, AND MEDIA ENGAGEMENT

### Public Affairs Staff:

- Prepared and distributed content for social media
- Updated the MWDOC website as requested by several departments.

## SPECIAL PROJECTS

### Public Affairs Staff:

- Met with strategic digital communications contractor Hashtag Pinpoint to discuss direction, goals, and engagement opportunities.
- Met with LA Design Studios to discuss the direction and goals of the MWDOC.com refresh project.
- Completed all formal mid-year check-ins with staff.

### Governmental Affairs Staff:

- Staffed the ISDOC Executive Committee meeting.
- Coordinated logistics with the January WACO speakers.
- Staffed the January WACO meeting.
- Staffed the WACO Planning Committee meeting.
- Sent invitations to speakers for the March and April WACO meetings.
- Drafted the Operational Area Board appointee letter for ISDOC.
- Staffed the ISDOC Quarterly Luncheon featuring guest speaker Supervisor Don Wagner

## OUTREACH METRICS

### Public Affairs Staff:

- Google Performance Analytics (January 2024)
  - 291 business profile interactions
  - 1,774 people viewed the business profile.
- Website Analytics (GM report timeframe)
  - 12k pageviews + 10 OC Water-Smart Parks Microsite site sessions
  - Top pages for this date range

- MWDOC Homepage 1.4k
  - Water Use Efficiency 1.1k
  - RFPs/RFQs 661
  - Agendas, Packets, Minutes 473
  - Turf Removal Rebate Program 443
- ocwatersmartgardens.com Analytics (December 2023)
    - 265 Sessions
    - Top pages for this date range
      - Landing Page
      - Helpful Plant List
      - Searching for specific plant name
  - Social media (December 28<sup>th</sup> -January 30<sup>th</sup>)

According to Hootsuite – the global leader in social media management – a good engagement rate is between 1% to 5%.

For this period, MWDOC's engagement rate is at 11.84%

- 62,270 Post reach (number of people)
- 7,373 Post engagements (actions taken – likes, shares, etc.)

## LEGISLATIVE AFFAIRS

### Governmental Affairs Staff:

- Attended the SAFER work group meeting.
- Participated in the Cal-Desal legislative awards committee meeting.
- Met with Metropolitan legislative staff to discuss their legislative policy principles and offered amendments to their policy on non-functional turf, removing any language related to “residential,” which was ultimately accepted and adopted.
- Met with staff from Assemblywoman Kate Sanchez’s office.
- Attended the California Natural Resources Agency’s Climate Investments in the Governor’s budget webinar and Q&A
- Participated in the CMUA Regulatory Committee meeting.
- Participated in the CMUA Legislative Committee meeting.
- Attended the CCEEB Water, Chemistry, and Waste Committee meeting.
- Met with legislative staff from Metropolitan and the three cities to discuss legislative priorities for 2024.
- Participated in the ACWA Region 10 State Legislative Committee prep call.
- Attended a California Congressional staffers briefing on the Colorado River. Speakers included IID, Metropolitan, and the CA Colorado River Board representatives.
- Met with district staff from Senator Josh Newman’s office.

- Completed and filed the 4th quarter state lobbying report.
- Participated in the CSDA Legislative Committee meeting.
- Participated in the Cal Desal Legislative Committee meeting
- Met with staff from Assemblywoman Cottie Petrie-Norris's office
- Attended the CCEEB WCW meeting with staff from CalEPA
- Met with staff from Assemblywoman Laurie Davies' office

## **WATER USE EFFICIENCY**

### **ORANGE COUNTY DATA ACQUISITION PARTNERSHIP (OCDAP) STEERING AND TECHNICAL ADVISORY COMMITTEE (STAC)**

On January 9, Rachel Waite attended the OCDAP STAC. The working group collaborates on and organizes a regional effort to cost-share the acquisition of high-resolution aerial imagery and related products.

The next meeting is scheduled for February 13.

### **ASSOCIATION OF CALIFORNIA WATER AGENCIES (ACWA) BIMONTHLY WATER USE EFFICIENCY (WUE) MEETING**

On January 10, Joe Berg and Rachel W. joined the ACWA Bimonthly WUE Meeting. Discussion focused on the Conservation Framework, and ACWA and group member staff provided updates from individual working groups that had been meeting with DWR and SWRCB staff.

The next meeting is scheduled for March 13.

### **PA 22 ADVISORY WORKGROUP**

On January 16, Rachel W. joined the PA 22 Advisory Workgroup hosted by SAWPA. Topics discussed included the Prop 1 Enhanced Decision Support Tool and SARCCP Water Budget Assistance, including MWDOC's Dedicated Irrigation Meter Landscape Area Measurements Project.

The next meeting is scheduled for February 20.

### **ALLIANCE FOR WATER EFFICIENCY (AWE) LARGE-SCALE LANDSCAPES LEARNING COHORT SESSION #1**

On January 17, Rachel W. and Tina Fann attended the first AWE Large-Scale Landscapes Learning Cohort session of the year. Topics on the agenda included:

- H2O for HOAs partnership program
- Strategies for Building Relationships with Large Landscape Property Managers
- Data-Centric Marketing for CII Customers

The next Learning Cohort meeting is scheduled for March 4.

## **WATER USE EFFICIENCY (WUE) INTRODUCTORY MEETING WITH MESA WATER DISTRICT STAFF**

On January 17, Joe, Rachel W., Beth Fahl, Sam Fetter, and Tina met with Mesa Water District staff to provide an overview of water use efficiency and the services MWDOC provides. Topics on the agenda included:

- Water Use Efficiency General Structure
- Regional Programs
- Conservation Framework

Additional meetings will be scheduled if needed.

## **METROPOLITAN WATER USE EFFICIENCY WORKGROUP MEETING**

On January 18, Joe, Rachel Davis, Rachel W., Beth, Sam, and Tina attended the Metropolitan Water Use Efficiency Workgroup meeting. Items on the agenda included:

- MWD Board Meeting Updates
- MWD Conservation Program Updates
  - Addendum 21B – Release and Grant Funding
  - WRM Management
  - Treebate
- External Affairs Update

The next meeting is scheduled for February 15.

## **STACKED WATER USE EFFICIENCY INCENTIVES DISCUSSION**

On January 23, Joe, Rachel W., Beth, and Tina met via Zoom with staff from Orange County Public Works, Orange County Stormwater, Geosyntec, and Environmental Incentives to discuss opportunities to advance regional water use efficiency and Orange County stormwater goals through a potential partnership to expand a stacked incentives pilot program. Items discussed included:

- Refresh on Stacked Incentives Concept
- Review OC Pilot Program Status
- Partnership Opportunities Discussion
- Next Steps

The next meeting is scheduled for February 29.

## **CONSERVATION FRAMEWORK MEETING WITH BUENA PARK**

On January 23, Rachel D., Rachel W., and Sam met with Buena Park staff to discuss the Conservation Framework and MWDOC-offered programs to assist with compliance. Discussion focused on participation in the Dedicated Irrigation Meter (DIM) Landscape Area Measurement Program and on Water Loss Control activities. Follow-up meetings will be scheduled as needed.

## **METROPOLITAN WATER USE EFFICIENCY (WUE) PROGRAM ADVISORY COMMITTEE (PAC) MEETING**

On January 24, Beth participated in Metropolitan's PAC meeting. Topics on the agenda included:

- Irrigation Scheduling Calculator
- CII Device Consultant Help
- Terms & Conditions Modifications for Grant Funded Programs
- Devices/Technologies Roundtable
- General CCP Program Items

The next meeting is scheduled for April 24.

## **IRVINE RANCH WATER DISTRICT (IRWD) TOUR**

On January 24, Water Use Efficiency and Water Loss Control staff attended a tour of IRWD facilities. Staff learned about the various projects that IRWD maintains and toured their wastewater treatment system while learning how it was built to help protect public health and the environment.

## **CALIFORNIA LANDSCAPE CONTRACTORS' ASSOCIATION (CLCA) OC CHAPTER KICKOFF MEETING**

On January 24, Tina attended the 2024 Kickoff Meeting for the OC Chapter of CLCA. The kickoff meeting introduces the CLCA board members and events for the year and provides the opportunity to network with other CLCA professionals.

## **AUTOMATED METER INFRASTRUCTURE (AMI) AS A SHARED SERVICE MEETINGS**

In collaboration with the Engineering Department, Joe, Rachel D., and Rachel W., we met with two separate consultants, Arcadis, on January 30 and E Source, on February 8, to discuss AMI as a shared service. Next steps will include surveying the Member Agencies and evaluating feedback.

## **ORANGE COUNTY WATER USE EFFICIENCY WORKGROUP MEETING**

On February 1, Joe, Rachel D., Rachel W., Beth, Sam, and Tina hosted the Orange County Water Use Efficiency Workgroup meeting. Items on the agenda included:

- Water Supply Update
- Conservation Framework Update
  - Reporting Recap
  - Legislative Analyst's Office Report
  - MWDOC Consultant to Assist with Framework (Choice-Based)
- AMI Technical Assistance and Grant Funding as a MWDOC Shared Service?
- MET Conservation Program Updates

- Tree Incentive Program Update
- Grant Updates
- Water Use Efficiency Updates
  - Turf Removal/Spray to Drip Rebate Program & Grant Funding Update
    - MET Tree Incentive and MWDOC Trees as a Sustainability Feature Pilot
  - Updated Addenda
  - Direct Mailer

The next meeting is scheduled for March 7.

## **AWE LARGE LANDSCAPES PAC MEETING #2**

On February 7, Rachel W. and Tina attended the second Program Advisory Committee Meeting for the AWE Large Landscapes Project. Topics on the agenda included:

- Changes and Updates to Landscape Transformation Programs
- Research and Project Updates
  - Data Collection Status
  - Water Savings Analysis Status
  - PAC Feedback on Participant Profiles
- Market Readiness Assessment Update
- Project Next Steps



**SOUTH ORANGE COUNTY AGENCIES GROUP JOINT MEETING**  
**THURSDAY, JANUARY 25, 2024**  
**12:00 P.M. to 1:30 P.M.**  
**AGENDA**

EL TORO WATER DISTRICT  
24251 LOS ALISOS BLVD., LAKE FOREST, CA 92630

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1. Welcome and Introductions
2. MWDOC Update/Discussion
  - a. MWDOC Current Issues
  - b. Other Matters
3. MET Update/Discussion
  - a. MET Current Issues
  - b. AMP Repair Project
  - c. MET Water Supply Issues
  - d. Colorado River Negotiations
  - e. Other Matters
4. Legislative/Regulatory Update
  - a. Advanced Clean Fleets Regulation
  - b. Local
    - i. OC-LAFCO Matters
  - c. State
  - d. Federal
5. Regional Project Interests/Updates
  - a. Regional Recycled Water Discussion
  - b. South County Emergency GW Supply Project
  - c. Doheny Ocean Desalination Project Update
  - d. San Juan Watershed Project
  - e. Other Project Interests/Updates
6. Any Agency/City Updates
7. Adjournment

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*SOUTH ORANGE COUNTY AGENCIES' GROUP CONSISTS OF MEMBERS AND REPRESENTATIVES FROM*  
City of San Clemente • El Toro Water District • Emerald Bay Service District  
Irvine Ranch Water District • Laguna Beach County Water District • Moulton Niguel Water District  
Santa Margarita Water District • South Coast Water District • Trabuco Canyon Water District

**LOCAL AGENCY FORMATION COMMISSION OF  
ORANGE COUNTY**

**REGULAR MEETING AND STUDY SESSION AGENDA**

**Wednesday, February 14, 2024  
8:15 a.m.**

**County Administrative North (CAN)  
First Floor Multipurpose Room 101  
400 W. Civic Center Drive, Santa Ana, CA 92701**

*Any member of the public may request to speak on any agenda item at the time the Commission is considering the item.*

**1. CALL THE MEETING TO ORDER**

**2. PLEDGE OF ALLEGIANCE**

**3. ROLL CALL**

**4. ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATION**

**(Communications received after agenda distribution for agendized items.)**

**5. PUBLIC COMMENT**

This is an opportunity for members of the public to address the Commission on items not on the agenda, provided that the subject matter is within the jurisdiction of the Commission and that no action may be taken by the Commission on off-agenda items unless authorized by law.

**6. CONSENT CALENDAR**

**a.) January 10, 2024 – Regular Commission Meeting Minutes**

The Commission will consider approval of the January 10, 2024 meeting minutes.

**b.) Legislative Report (February 2024)**

The Commission will receive the first report of the new legislative session and activities involving legislation of LAFCO interest.

**7. PUBLIC HEARING**

No public hearing items scheduled.

**8. COMMISSION DISCUSSION AND ACTION**

No commission discussion and action items scheduled.

**9. COMMISSIONER COMMENTS**

This is an opportunity for Commissioners to comment on issues not listed on the agenda, provided that the subject matter is within the jurisdiction of the Commission. No discussion or action may occur or be taken except to place the item on a future agenda if approved by the Commission majority.

**10. EXECUTIVE OFFICER REPORT**

Executive Officer's announcement of upcoming events and brief report on activities of the Executive Officer since the last meeting.

**11. INFORMATIONAL ITEMS & ANNOUNCEMENTS**

There are no informational items and announcements.

**12. CLOSED SESSION**

No closed session items scheduled.

**13. NOTICE OF ADJOURNMENT OF THE REGULAR MEETING TO THE STUDY SESSION ON DRAFT COMMISSIONER HANDBOOK**

**14. STUDY SESSION ON DRAFT COMMISSIONER HANDBOOK**

Commissioners and staff will participate in a facilitated discussion involving leadership and teambuilding activities and a draft Commissioner handbook.

**15. ADJOURNMENT OF STUDY SESSION**

The next Regular Commission Meeting will be held on Wednesday, March 13, 2024 at 8:15 a.m. at the County Administrative North (CAN), First Floor Multipurpose Room 101, 400 W. Civic Center Drive, Santa Ana, CA 92701.

#### **PUBLIC PARTICIPATION:**

The Local Agency Formation Commission of Orange County welcomes your participation. The public may share general comments or comments on agenda items through the following options:

- 1) **In-person** comments may be provided during the general comment period on off-agenda items and during the hearing of a specific agenda item. In accordance with the OC LAFCO guidelines, each speaker's comments may not exceed three (3) minutes for the respective item. If you have documents for the Commission, please bring 15 copies and submit to the Commission Clerk for distribution.
- 2) **Written** general comments or comments on specific agenda items may be submitted by email to the Commission Clerk at [ccarter-benjamin@oclafco.org](mailto:ccarter-benjamin@oclafco.org). Comments received no less than twenty-four (24) hours prior to the regular meeting will be distributed to the Commission and included in the record.

Pursuant to Government Code Section 54957.5, public records that relate to open session agenda items that are distributed to a majority of the Commission less than seventy-two (72) hours prior to the meeting will be made available to the public on the OC LAFCO website at [www.oclafco.org](http://www.oclafco.org).

State law requires that a participant in an OC LAFCO proceeding who has a financial interest in a decision and who has made a campaign contribution of more than \$250 to any commissioner in the past year must disclose the contribution. If you are affected, please notify the Commission's staff before the hearing.

#### **AMERICANS WITH DISABILITIES ACT (ADA)**

All regular meeting agendas and associated reports are available at [www.oclafco.org](http://www.oclafco.org). Any person with a disability under the Americans with Disabilities Act (ADA) may receive a copy of the agenda or associated reports upon request. Any person with a disability covered under the ADA may also request a disability-related modification or accommodation, including auxiliary aids or services, to participate in a public meeting. Requests for copies of meeting documents and accommodations shall be made with OC LAFCO staff at (714) 640-5100 at least three business days prior to the respective meeting.

# 2024 MEETING AND EVENTS CALENDAR

Approved November 8, 2023

2024



January						
S	M	T	W	T	F	S
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29	30	31				

- OC LAFCO Regular Meeting (*begins at 8:15 a.m.*)  
**Location:** County Administrative North, First Floor Multipurpose Room 101, 400 W. Civic Center Dr., Santa Ana, CA 92701.
- Office closure due to legal holidays and flexible work schedule.
- CALAFCO Annual Conference - October 16 - 18, 2024 at Tenaya Lodge at Yosemite.



## Executive Committee Meeting

Tuesday, February 6, 2024

7:30 a.m.

### Mailing Address

P.O. Box 20895  
Fountain Valley, CA 92728

### Meeting Location

MWDOC/OCWD  
18700 Ward Street  
Fountain Valley, CA 92708

(714) 963-3058  
(714) 964-5930 fax

<https://isdoc.specialdistrict.org/>

### Executive Committee

#### President

Hon. Greg Mills  
*Serrano Water District*

#### 1<sup>st</sup> Vice President

Hon. Bob McVicker  
*Municipal Water District  
Orange County*

#### 2<sup>nd</sup> Vice President

Hon. Paul Mesmer  
*Surfside Colony Community  
Services District*

#### 3<sup>rd</sup> Vice President

Hon. Scott Nelson  
*Placentia Library District*

#### Secretary

Vacant

#### Treasurer

Hon. Sandra Jacobs  
*Santa Margarita Water District*

#### Immediate Past President

Hon. Mark Monin  
*El Toro Water District*

### Staff Administration

#### Heather Baez

*Municipal Water District of Orange  
County*

#### Tina Dubuque

*Municipal Water District of Orange  
County*

The next meeting of the ISDOC Executive Committee will be via teleconference only.  
The MWDOC/OCWD offices are closed to the public. Please use the information below to access the meeting.

Join Zoom Meeting

<https://us06web.zoom.us/j/3840960436>

Dial by your location

669 900 9128 US (San Jose)

877 853 5247 US Toll-free

888 788 0099 US Toll-free

## AGENDA

### I. Welcome, Introductions

[Please mute yourself when not speaking. Please raise hand on Zoom if you have a question or comment.]

### II. Approval of Minutes

- Approval of Minutes: January 2, 2024 and January 25, 2024

### III. Public Comments on items not on the agenda

### IV. New Business

### V. Old Business

- “Associate Member Day” – update by Ad-Hoc Committee
- ISDOC Website Launch status
- ISDOC Scholarship – CSDA’s GM Leadership Summit June 23-25, 2024

### VI. Treasurer’s Report – Director Jacobs

- Report of accounts

### VII. CSDA Report – Director Schafer or Chris Palmer

- Receive, discuss and file the CSDA Report

### VIII. LAFCO Report – Director Fisler

- Receive, discuss and file the LAFCO report

### IX. ACWA Report – Director Jacobs

- Receive, discuss and file the ACWA report

**X. OCCOG Report – Director Scheafer**

- Receive, discuss and file OCCOG report

**XI. California Association of Sanitation Agencies (CASA) Report – OCSD Representative**

- Receive, discuss and file the CASA report

**XII. Subcommittee Reports**

- Programs – Director McVicker
- Membership - Director Mesmer
- Legislative – Trustee Nelson

**XIII. Adjourn**



## QUARTERLY MEETING

Thursday, January 25, 2024, 11:30 a.m.  
**Municipal Water District of Orange County**  
**18700 Ward Street**  
**Fountain Valley, CA 92708**

### MEETING MINUTES

#### I. CALL TO ORDER:

President Greg Mills called the meeting to order at 11:34 a.m. and welcomed all.

#### DIRECTORS PRESENT:

Greg Mills	President	Serrano Water District (SWD)
Bob McVicker	1st Vice President	Municipal Water District of Orange County (MWDOC)
Paul Mesmer	2 <sup>nd</sup> Vice President	Surfside Colony Community Services District
Scott Nelson	3 <sup>rd</sup> Vice President	Placentia Library District
Vacant	Secretary	

#### DIRECTORS ABSENT:

Sandra F. Jacobs	Treasurer	Santa Margarita Water District (SMWD)
Mark Monin	Immediate Past President	El Toro Water District (ETWD)

#### SUPPORT STAFF PRESENT:

Heather Baez	MWDOC
Tina Dubuque	MWDOC
Sharon Brimer	Recording Secretary

#### PRESENTERS:

Donald P. Wagner	District Three, Chairman of the Board, Orange County Board of Supervisors
John Kriss	Surfside Colony Stormwater Protection District, President of the Board of Directors
Robert Shull, Crystal Lynn	California CLASS



**OTHERS PRESENT:**

Al Nederhood	Gavin Centeno	Randall Crane
Alicia Dunkin	Gene J.	Richard
Amy Gallagher	Hernandez	Landess
Andrew	James Fisler	Robert Anslow
Nguyen	Jeanette	Robert Housley
Bernard	Contreras	Robert "Bob"
Hartmann	Jerry Haight	Ooten
Bruce Whitaker	John Sears	Roger Yoh
Carolyn Emery	John Withers	Ryan Hill
Chriss Jordan	Jordan Chriss	Sergio
Chris Palmer	Jose Solorio	Contreras
Crystal Lynn	Kaitlyn Wu	Stacy Taylor
David Boyer	Kathryn	Stephen
Dave	Freshley	Faessel
Chamberlain	Kelley Lee	Steve LaMar
Dick Ackerman	Kelly Rivers	Tim Deutsch
Dick Fiore	Larry Dick	Tyler Diep
Donald Froelich	Linda Garafalo	William "Bill"
Fred Adjarian	Noel Hatch	Moorhead

**II. PLEDGE OF ALLEGIANCE:**

President Greg Mills led the Pledge of Allegiance.

**III. INTRODUCTIONS:**

President Mills welcomed attendees and thanked California CLASS for providing the lunch catered by Mendicino Farms.

**IV. PROGRAM:**

President Mills introduced Orange County Board of Supervisors Chairman of the Board Donald P. Wagner, who provided general information about the Board of Supervisors, its responsibilities and projects and highlighted the following:

- Reviewed the political landscape of the Board
- Public Safety Issues
  - Providing public education on drugs
  - Homeless problem – currently working on Point in Time Count.

Supervisor Wagner responded to questions. President Mills thanked him for the information.

**V. MEMBER SPOTLIGHT:**

Director Mesmer introduced Surfside Colony Storm Water Protection District President John Kriss, who proceeded with the presentation that highlighted the following:

- Review of Surfside Colony Storm Water Protection District
- Beach Erosion
- Periodic Beach Nourishment
- Battle for Stage 13
- Stage 13 Underway
- More Work to Do

**VI. ASSOCIATE MEMBER SPOTLIGHT:**

Director Mesmer introduced California CLASS Director Investment Services Crystal Lynn and Director Investment Services Robert Shull, who proceeded with the presentation that highlighted the following:

- California CLASS is a Joint Powers Authority investment pool that allows public agencies to invest funds on a cooperative basis in rated pools that are managed per state law with the primary objectives of offering Participants safety, daily and next-day liquidity, and optimized returns.
- How is it governed and managed?
- How can you participate?

Mr. Shull and Ms. Lynn responded to questions.

President Mills thanked them for the information.

**VII. REPORTS**

a. Treasurer's Report – Director Jacobs

President Mills reported:

- There is about \$7,000.

b. OC LAFCO Report – Director Fisler

Director Fisler reported that the upcoming OC LAFCO regular meeting is scheduled for February 14, 2024, at 8:15 a.m.

He noted that three commissioners' terms are expiring, two cities and one special district. Ballots will be mailed on March 11, 2024.

c. Executive Committee Report – President Mills

President Mills offered the following:

- The remodeled website is up and running: <https://www.isdoc.net>.

ISDOC Quarterly Meeting for January 25, 2024

- An ad hoc committee is developing an Associate Member Day to allow Associate Members to introduce themselves to the membership and have one-on-one discussions with ISDOC members.
- He thanked California CLASS for hosting today's event.
- ISDOC is considering a scholarship to the 2024 General Manager Leadership Summit to be held June 23 - 25, 2024, at the J. W. Marriott, Anaheim.

**VIII. NEW BUSINESS:**

None

**IX. ANNOUNCEMENTS:**

None

**X. ADJOURN:**

President Mills thanked the various attendees and staff for their assistance and participation. The meeting was adjourned at 12:53 p.m.

The next ISDOC Executive Committee Meeting is February 6, 2023, at 7:30 a.m. This will be a virtual meeting.

The next ISDOC Quarterly Luncheon is scheduled for Thursday, April 25, 2024, at 11:30 a.m.

Signed:



Greg Mills, ISDOC President



**Executive Committee Meeting  
(Virtual Meeting via Zoom)  
Tuesday, January 2, 2024, 7:30 a.m.**

**MEETING MINUTES**

**I. WELCOME:**

President Mills called the meeting to order at 7:30 a.m. and welcomed all attendees.

**DIRECTORS PRESENT:**

Greg Mills	President	Serrano Water District (SWD)
Bob McVicker	1 <sup>st</sup> Vice President	Municipal Water District of Orange County (MWDOC)
Paul Mesmer	2nd Vice President	Surfside Colony Community Services District (SCCS)
Saundra Jacobs	Treasurer	Santa Margarita Water District (SMWD)
Vacant	Secretary	
Mark Monin	Immediate Past President	El Toro Water District (ETWD)

**DIRECTORS ABSENT:**

Scott Nelson      3<sup>rd</sup> Vice President      Placentia Library District (PLD)

**SUPPORT STAFF PRESENT:**

Tina Dubuque	MWDOC
Heather Baez	MWDOC
Sharon Brimer	Recording Secretary

**OTHERS PRESENT:**

Art Perry	Costa Mesa Sanitary District (CMSD)
Ed Mandich	Trabuco Canyon Water District (TCWD)
Helen Medina	Buena Park Library District
Gavin Centeno	Orange County Local Agency Formation Commission (OC LAFCO)
Jim Fisler	Mesa Water District (MWD)
John Withers	Irvine Ranch Water District (IRWD)
Mike Gaskins	ETWD
Stacy Taylor	MWD
Stephen Faessel	Orange County Sanitation District (OCSD)

**II. MEETING MINUTES:**

- Approval of Minutes for the December 5, 2023, Executive Committee Meeting.

**MOTION:**

Motion by Director Jacobs, second Director Monin, to approve the Executive Committee meeting minutes of December 5, 2023. The motion passed unanimously.

**III. PUBLIC COMMENTS:**

President Mills asked for Public Comments. There were none, and he continued with the meeting.

**IV. NEW BUSINESS:**

- "Associate Member Day" Exhibit in 2024

President Mills noted the purpose of this event is to highlight associate members to the ISDOC members.

Director Mesmer noted Smart Energy Water offered to host the event.

A discussion ensued on the Associate Member Day format: a) in conjunction with the Quarterly Meeting, and b) in a separate mid-day meeting.

The ad hoc Committee Members are Director Mesmer, President Mills, and Heather Baez.

**V. OLD BUSINESS:**

- ISDOC Website Update

Director Mesmer reported the independent ISDOC website is scheduled to be launched sometime in January 2024.

- Orange County Council of Governments (OCCOG) 2024 dues.

A discussion ensued regarding the OCCOG 2024 dues.

**MOTION:**

Motion by Director Jacobs, second Director Monin, to approve \$500 for OCCOG 2024 dues. The motion passed unanimously.

**VI. TREASURER'S REPORT: Director Jacobs**

Director Jacobs reported that the reconciled bank account balance as of December 31, 2023, was \$7,658.24.

Director Jacobs reported the audit was completed. The website developer (Placentia Library District staff) is working on setting up online payments using the Stripe payment process.

**VII. CALIFORNIA SPECIAL DISTRICTS ASSOCIATION (CSDA) REPORT – Director Schafer or Chris Palmer**

No report for this meeting.

### **VIII. OC LAFCO REPORT: Director Fisler**

Director Fisler reported that the next OC LAFCO meeting is on January 10, 2024.

The Commission is at the halfway point of the second year of the three-year Strategic Plan.

Items on the January 10, 2024 agenda:

- Report on the appointment processes for OC LAFCO expiring terms and vacancies.
- Update on OC LAFCO Professional Services Agreements.
- Consideration will be given to a professional services agreement with RSG, Inc. to conduct municipal service and sphere of influence reviews for the Central Region.
- Consider a second amendment to BBK (Best Best and Krieger, LLP) professional services agreement to continue providing general counsel services.
- FY 23-24 Mid-Year Work Plan Update: This will include a status report of goals, objectives, and other projects in the agency's 2022-2025 Work Plan.
- The Commission will receive a comprehensive report on the remaining county unincorporated areas and disadvantaged unincorporated communities.
- The Commission will receive the second quarter fiscal report for Fiscal Year 2023-24

Director Fisler noted three commissioners will have reached the end of their terms as of June 30, 2024: Two city seats and one special district seat will be available for appointment. He offered that his seat, Special District Member, would be open, and he is seeking re-election.

### **IX. ASSOCIATION OF CALIFORNIA WATER AGENCIES (ACWA) REPORT: Director Jacobs**

Director Jacobs reported:

- The 2023 ACWA Fall Conference held in Palm Desert was a huge success.
- Cathy Green, Director of Orange County Water District, was elected ACWA President, 2024-2025.
- Ernesto A. Avila, Director of Contra Costa Water District, was elected ACWA Vice President, 2024-2025.
- The Department of Water Resources (DWR) approved the Delta Conveyance Project. The Bethany Reservoir Alignment was selected for further engineering, design, and permitting.
- ACWA published a summary of 2023 legislation.
- The Local Government Committee published information on the impact of housing densification on water agencies (Additional Dwelling Units). This is an evolving topic, and the website will be updated as appropriate.

Upcoming Conferences:

- ACWA, DC 2024 Annual Conference is February 27 – 29, 2024 in Washington D.C.
- The 2024 Spring Conference & Expo is May 7 - 9, 2024, in Sacramento

- The 2024 Fall Conference & Expo is December 3 – 5, 2024, in Palm Desert.

**X. ORANGE COUNTY COUNCIL OF GOVERNMENTS (OCCOG) REPORT: Director Scheafer**

No report for this meeting.

**XI. SUBCOMMITTEE REPORTS:**

- Programs – Director McVicker

Heather Baez reported that quarterly luncheon invitations were sent out on December 26, 2023. Currently, 23 people have registered. California CLASS will sponsor the luncheon. Follow-up reminders will be sent on January 11 and 22, 2024. Late registrations and late cancellations will incur a penalty of \$25. Supervisor Donald P. Wagner is confirmed.

The member to be spotlighted has not been selected.

California CLASS will be the Associate Member Spotlight.

- Membership – Director Mesmer

No report for this meeting.

- Legislative - Trustee Nelson

No report for this meeting.

**XII. ADJOURN:**

President Mills thanked the attendees and staff for their participation and assistance. The meeting was adjourned at 8:05 a.m.

The next Quarterly Meeting is on January 25, 2024, at 11:30 a.m. and will be held in person at the MWDOC/OCWD Joint Boardroom.

The next ISDOC Executive Committee meeting is scheduled for Tuesday, February 6, 2024, at 7:30 a.m. via Zoom.



ISDOC President, Greg Mills



**Water Advisory Committee of Orange County  
(WACO) Virtual Meeting**

**Friday, February 2, 2024  
7:30 a.m. – 9:00 a.m.**

**Zoom Registration:**  
[Click here to register](#)

**Officers**

**Chair**  
**Hon. Mark Monin**  
*El Toro Water District*

**Vice Chair**  
**Hon. Greg Mills**  
*Serrano Water District*

**Staff Contacts**

**Medha Paliwal / Dani Berch**  
*Orange County Water District (OCWD)*  
(714) 378-3200  
[www.ocwd.com/news-events/events/waco](http://www.ocwd.com/news-events/events/waco)

**Heather Baez / Christina Hernandez**  
*Municipal Water District of Orange County (MWDOC)*  
(714) 963-3058  
[www.mwdoc.com/waco](http://www.mwdoc.com/waco)

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**AGENDA**

**Welcome & Announcements**

- Mark Monin, El Toro Water District

**Reports**

- Metropolitan Water District of Southern California (MET) – Karl Seckel
- Association of California Water Agencies (ACWA) – Alicia Harasty

**Program**

State of the Orange County Groundwater Basin

John Kennedy, General Manager  
Orange County Water District

**Adjourn**  
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***Next WACO Meeting***

Friday, March 1, 2024 at 7:30 a.m. via Zoom

***Next WACO Planning Committee Meeting***

Tuesday, February 20, 2024 at 7:30 a.m. via Zoom





**WACO Planning Committee**  
**Tuesday, February 20, 2024 at 7:30 A.M.**

**Join Zoom Meeting: <https://zoom.us/j/92882659982>**  
**Meeting ID: 928 8265 9982 Phone Audio: 669-900-9128**

**AGENDA**

**WELCOME**

**Mailing Address**

P.O. Box 20895  
Fountain Valley, CA 92728

**Meeting Location**

Virtual - Zoom

(714) 378-8232  
(714) 963-0291 fax

[www.mwdoc.com/waco](http://www.mwdoc.com/waco)  
[www.ocwd.com/news-events/events/waco](http://www.ocwd.com/news-events/events/waco)

**Officers**

**Chair**

**Hon. Mark Monin**  
*El Toro Water District*

**Vice Chair**

**Hon. Greg Mills**  
*Serrano Water District*

**Staff Contacts:**

**Medha Paliwal/Dani Berch**  
*Orange County Water District*

**Heather Baez/Christina Hernandez**  
*Municipal Water District of Orange County*

**ACTION ITEMS**

1. March 1, 2024 WACO Meeting
  - Reports: MET, ACWA
  - Program: Delta Demonstration Project (San Joaquin Blueprint)
  - Speaker: Scott Hamilton, Executive Director, South Valley Water Resources Authority
2. April 5, 2024 WACO Meeting
  - Reports: MET, ACWA
    - Note: Should we replace ACWA with CSDA since our program speakers are from ACWA?
  - Program: State/Federal Legislative Update
  - Speakers: Cindy Tuck, Deputy Executive Director, ACWA (confirmed)
    - Note: Adam Quiñonez, Director of State Relations, ACWA, invited but not available; back-up option is to invite ACWA's new federal staffer to provide DC perspective

**DISCUSSION ITEMS**

1. Discuss potential topics for future meetings:
  - Electrification of fleets, tie in with MET's Climate Adaptation Master Plan for Water (CAMP4W)
  - Long-term impacts of voluntary agreements and SGMA on urban water supply
  - Atmospheric Rivers (ARs) – possible speakers:
    - Marty Ralph, Director, Center for Western Weather and Water Extremes
    - Daniel Swain, Climate Scientist, UCLA
  - Ag/Central Valley Drought Resilience Success Stories: Floodplain Forward Coalition, the Sacramento Valley Dry Year Task Force, & the Kings River Conservation District
  - CA Water Commission white paper presentation “potential state strategies for protecting communities and fish and wildlife in the event of drought”
  - Drought Resilience Interagency and Partners (DRIP) Collaborative presentation
  - Environmental Water Plans: How Can/Do They Work? (with presentations by the San Joaquin River Restoration Program & the Agreements to Support Healthy Rivers and Landscapes)
  - Flood Program (with presentations by the Central Valley Flood Protection Board & DWR's Divisions of Dam Safety & of Flood Management)
  - WSIP Projects Update (with presentations by any of these or others — Sites, Chino Basin, Kern Fan)
  - Jay Lund, CALVIN Model
  - California Irrigation Management Information System (CIMIS)
  - OC demographics – where we've been and where we are going
  - Forest restoration and headwaters
  - SWRCB's conservation as a way of life plan w/ speakers David Mitchell and Joe Berg (and possibly Dave Bolland)
  - Colorado River – update on issues/negotiations (Summer or Fall)
  - MET's climate action master plan (Fall)
  - Salton Sea w/ members from the Salton Sea Authority
  - Aggregation of water rights

- Offshore desalination, subsea reverse osmosis (SSRO) technology w/ Ocean Well Water (Tim Quinn)
  - Desal in CA: Present & Future w/ CalDesal Executive Director Glenn Farrel
  - Global Warming: Natural or Manmade? w/ speaker Roy Spencer, Ph.D., Climatologist, Author & Former NASA Scientist (can also speak to related topics such as Urbanizations Effects on Temperatures and Colorado River shortages)
  - Updating California water laws to address drought and climate change w/ Holly Doremus, Professor of Law, Berkeley
2. Discussion of February 2 meeting: State of the Orange County Groundwater Basin  
– John Kennedy, General Manager, Orange County Water District

#### **INFORMATIONAL ITEMS**

1. WACO meetings: Zoom meeting ID and meeting link change monthly
2. Planning meetings: Zoom link is the same every month
3. Meeting materials are posted at: <https://www.mwdoc.com/waco/>

#### **ADJOURN**

## **DATES TO REMEMBER**

### **FEBRUARY/MARCH**

1. Feb 23 – DISTRICT OFFICE CLOSED
2. Mar 1 – 7:30 a.m. – WACO
3. Mar 1 – 12 noon – Pres/VP/GM Meeting
4. Mar 4 – 8:30 a.m. – MWDOC Planning/Operations Meeting
5. Mar 5 – 7:30 a.m. – ISDOC Executive Committee Meeting
6. Mar 5 – 10:00 a.m. – RRC Meeting
7. Mar 6 – 8:30 a.m. – MWDOC/MET Directors Workshop
8. Mar 7 – 8:30 a.m. – SOCWA Board Meeting
9. Mar 8 – DISTRICT OFFICE CLOSED
10. Mar 10 – Daylight Savings Time Begins (Spring Forward One Hour)
11. Mar 13 – 8:15 a.m. – LAFCO
12. Mar 13 – 8:30 a.m. – MWDOC Admin/Finance Committee Meeting
13. Mar 14 – 8:30 a.m. – SOCWA Engineering Committee Meeting
14. Mar 15 – 12 noon – Pres/VP/GM Meeting
15. Mar 18 – 1:30 p.m. – Agenda Review
16. Mar 19 – 7:30 a.m. – WACO Planning Committee
17. Mar 19 – 10:30 a.m. – SOCWA Finance Committee Meeting
18. Mar 20 – 8:30 a.m. – MWDOC Board Meeting
19. Mar 21 – 8:30 a.m. – SAC Quarterly Meeting (IRWD)
20. Mar 21 – 10:30 a.m. – MWDOC Managers Meeting
21. Mar 22 – DISTRICT OFFICE CLOSED
22. Mar 25 – 7:30 a.m. – Regular Engineering/Finance Committee Meetings
23. Mar 28 – 7:30 a.m. – Regular Board Meeting
24. Mar 29 – 12 noon – Pres/VP/GM Meeting



# EL TORO WATER DISTRICT

## Glossary of Water Terms

**Accumulated overdraft:** The amount of water necessary to be replaced in the intake area of the groundwater basin to prevent the landward movement of ocean water into the fresh groundwater body.

**Acre-foot, AF:** A common water industry unit of measurement. An acre-foot is 325,851 gallons, or the amount of water needed to cover one acre with water one foot deep. An acre-foot serves annual needs of two typical California families.

**ACWA:** Association of California Water Agencies.  
A statewide group based in Sacramento that actively lobbies State and Federal Government on water issues.

**Advanced treatment:** Additional treatment processes used to clean wastewater even further following primary and secondary treatment. Also known as tertiary treatment.

**AFY:** Acre-foot per year.

**Alluvium:** A stratified bed of sand, gravel, silt, and clay deposited by flowing water.

**AMP:** Allen McCulloch pipeline.

Major pipeline transporting treated water to water districts between Yorba Linda, where it starts to El Toro Water District reservoir, where it terminates.

**Annexation:** The inclusion of land within a government agency's jurisdiction.

**Annual overdraft:** The quantity by which the production of water from the groundwater supplies during the water year exceeds the natural replenishment of such groundwater supplies during the same water year.

**Aqueduct:** A man-made canal or pipeline used to transport water.

**Aquifer:** An underground geologic formation of rock, soil or sediment that is naturally saturated with water; an aquifer stores groundwater.

**Arid:** Dry; deserts are arid places. Semi-arid places are almost as dry as a desert.

**Artesian:** An aquifer in which the water is under sufficient pressure to cause it to rise above the bottom of the overlying confining bed, if the opportunity is provided.

**Artificial recharge:** The addition of surface water to a groundwater reservoir by human activity, such as putting surface water into recharge basins. (See also: groundwater recharge and recharge basin.)

**AWWA** American Water Works Association  
Nationwide group of public and private water purveyors and related industrial suppliers.

**Base flow:** The portion of river surface flow which remains after deduction of storm flow and/or purchased imported water.

**Bay-Delta:** The Sacramento-San Joaquin Bay-Delta is a unique natural resource of local, state and national significance. The Delta is home to more than 500,000 people; contains 500,000 acres of agriculture; provides habitat for 700 native plant and animal species; provides water for more than 25 million Californians and 3 million acres of agriculture; is traversed by energy, communications and transportation facilities vital to the economic health of California; and supports a \$400 billion economy.

**BIA:** Building Industry Association.

**Biofouling:** The formation of bacterial film (biofilm) on fragile reverse osmosis membrane surfaces.

**Biosolids:** Solid organic matter recovered from a sewage treatment process and used especially as fertilizer.

**BMP:** Best Management Practice. An engineered structure or management activity, or combination of these, that eliminates or reduces adverse environmental effects.

**Brackish water:** A mixture of freshwater and saltwater.

**Brown Act:** Ralph M. Brown Act enacted by the State legislature governing all meetings of legislative bodies. Also known as the Open Meeting requirements.

**Canal:** A ditch used to move water from one location to another.

**CASA:** California Association of Sanitation Agencies The sanitation equivalent of ACWA concerned solely with issues affecting the treatment and disposal of solid waste and wastewater.

**CEQA:** California Environmental Quality Act.

**CERCLA:** Comprehensive Environmental Response, Compensation and Liability Act. This federal law establishes the Superfund program for hazardous waste sites. It provides the legal basis for the United States EPA to regulate and clean up hazardous waste sites, and if appropriate, to seek financial compensation from entities responsible for the site.

**CFS:** Cubic feet per second.

**Chloramines:** A mixture of ammonia and chlorine used to purify water.

**Clarify:** To make clear or pure by separation and elimination of suspended solid material.

**Coagulation:** The clumping together of solids so they can more easily be settled out or filtered out of water. A chemical called aluminum sulfate (alum) is generally used to aid coagulation in water treatment and reclamation.

**Coastkeepers:** A non-profit organization dedicated to the protection and preservation of the marine habitats and watersheds of Orange County through programs of education, restoration, enforcement and advocacy.

**Colored water:** Groundwater extracted from the basin that is unsuitable for domestic use without treatment due to high color and odor exceeding drinking water standards.

**Condensation:** The process of water vapor (gas) changing into liquid water. An example of condensation can be seen in the tiny water droplets that form on the outside of a glass of iced tea as warmer air touches the cooler glass.

**Confined aquifer:** An aquifer that is bound above and below by dense layers of rock and contains water under pressure.

**Conjunctive use:** Storing imported water in a local aquifer, in conjunction with groundwater, for later retrieval and use.

**Contaminate:** To make unclean or impure by the addition of harmful substances.

**CPCFA:** California Pollution Control Financing Authority. State agency providing funds for wastewater reclamation projects.

**Crisis:**

1. **a:** The turning point for better or worse **b:** a paroxysmal attack of pain, distress, or disordered function **c:** an emotionally significant event or radical change of status in a person's life <a midlife *crisis*>
2. The decisive moment (as in a literary plot)
3. **a:** An unstable or crucial time or state of affairs in which a decisive change is impending; *especially* : one with the distinct possibility of a highly undesirable outcome <a financial *crisis*> **b:** a situation that has reached a critical phase

**CTP** Coastal Treatment Plant

**CWPCA** California Water Pollution Control Association. A 7000 member non-profit educational organization dedicated to water pollution control.

**Dam:** A barrier built across a river or stream to hold water.

**Decompose:** To separate into simpler compounds, substances or elements.

**Deep percolation:** The percolation of surface water through the ground beyond the lower limit of the root zone of plants into a groundwater aquifer.

**Degraded water:** Water within the groundwater basin that, in one characteristic or another, does not meet primary drinking water standards.

**Delta:** Where the rivers empty; an outlet from land to ocean, also where the rivers deposit sediment they carry forming landforms.

**Delta Vision:** Delta Vision is intended to identify a strategy for managing the Sacramento-San Joaquin Delta as a sustainable ecosystem that would continue to support environmental and economic functions that are critical to the people of California.

**Demineralize:** To reduce the concentrations of minerals from water by ion exchange, distillation, electro-dialysis, or reverse osmosis.

**De-nitrification:** The physical process of removing nitrate from water through reverse osmosis, microfiltration, or other means.

**Desalting (or desalination):** Removing salts from salt water by evaporation or distillation. Specific treatment processes, such as reverse osmosis or multi-stage flash distillation, to demineralize seawater or brackish (saline) waters for reuse. Also sometimes used in wastewater treatment to remove salts other pollutants.

**Desilting:** The physical process of removing suspended particles from water.

**Dilute:** To lessen the amount of a substance in water by adding more water.

**Disinfection:** Water treatment which destroys potentially harmful bacteria.

**Drainage basin:** The area of land from which water drains into a river, for example, the Sacramento River Basin, in which all land area drains into the Sacramento River. Also called catchment area, watershed, or river basin.

**Drought:** A prolonged period of below-average precipitation.

**DPHS:** California Department of Public Health Services. Regulates public water systems; oversees water recycling projects; permits water treatment devices; certifies drinking water treatment and distribution operators; supports and promotes water system security; provides support for small water systems and for improving technical, managerial, and financial (TMF) capacity; provides funding opportunities for water system improvements.

**DVL:** Diamond Valley Lake. Metropolitan's major reservoir near Hemet, in southwestern Riverside County.

**DWR:** California Department of Water Resources. Guides development/management of California's water resources; owns/operates State Water Project and other water facilities.

**Endangered Species:** A species of animal or plant threatened with extinction.

**Endangered Species Act of 1973 (ESA):** The most wide-ranging of the dozens of United States environmental laws passed in the 1970s. As stated in section 2 of the act, it was designed to protect critically imperiled species from extinction as a "consequence of economic growth and development untended by adequate concern and conservation.

**Ecosystem:** Where living and non-living things interact (coexist) in order to survive.

**Effluent:** Wastewater or other liquid, partially or completely treated or in its natural state, flowing from a treatment plant.

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**Evaporation:** The process that changes water (liquid) into water vapor (gas).

**Estuary:** Where fresh water meets salt water.

**Evapotranspiration:** The quantity of water transpired (given off), retained in plant tissues, and evaporated from plant tissues and surrounding soil surface. Quantitatively, it is expressed in terms of depth of water per unit area during a specified period of time.

**FCH** Federal Clearing House – Environmental Review/Processing

**FEMA** Federal Emergency Management Agency

**Filtration:** The process of allowing water to pass through layers of a porous material such as sand, gravel or charcoal to trap solid particles. Filtration occurs in nature when rain water soaks into the ground and it passes through hundreds of feet of sand and gravel. This same natural process of filtration is duplicated in water and wastewater treatment plants, generally using sand and coal as the filter media.

**Flocculation:** A chemical process involving addition of a coagulant to assist in the removal of turbidity in water.

**Forebay:** A reservoir or pond situated at the intake of a pumping plant or power plant to stabilize water level; also, a portion of a groundwater basin where large quantities of surface water can recharge the basin through infiltration.

**Gray water reuse:** Reuse, generally without treatment, of domestic type wastewater for toilet flushing, garden irrigation and other non-potable uses. Excludes water from toilets, kitchen sinks, dishwashers, or water used for washing diapers.

**Green Acres Project (GAP):** A 7.5 million gallons per day (MGD) water reclamation project that serves tertiary treated recycled water to irrigation and industrial users in Costa Mesa, Fountain Valley, Huntington Beach, Newport Beach, and Santa Ana.

**God Squad:** A seven-member committee that is officially called the "Endangered Species Committee". Members consist of Secretary of the Interior, the Secretary of Agriculture, the Secretary of the Army, the Chairman of the Council of Economic Advisers, the Administrator of the National Oceanic and Atmospheric Administration and one individual from the affected state. The squad was established in 1978 by an amendment to the 1973 Endangered Species Act (ESA). It has only been called into action three times to deal with proposed federal agency actions that have been determined to cause "jeopardy" to any listed species. Such actions may receive an exemption from the ESA if five members of the committee determine that the action is of regional or national significance, that the benefits of the action clearly outweigh the benefits of conserving the species and that there are no reasonable and prudent alternatives to the action.

**Groundwater:** Water that has percolated into natural, underground aquifers; water in the ground, not water puddled on the ground.

**Groundwater basin:** A groundwater reservoir defined by the overlying land surface and the underlying aquifers that contain water stored in the reservoir. Boundaries of success-ively deeper aquifers may differ and make it difficult to define the limits of the basin.

**Groundwater mining:** The withdrawal of water from an aquifer in excess of recharge over a period of time. If continued, the underground supply would eventually be exhausted or the water table could drop below economically feasible pumping lifts.

**Groundwater overdraft:** The condition of a groundwater basin in which the amount of water withdrawn by pumping exceeds the amount of water that recharges the basin over a period of years during which water supply conditions approximate average.

**Groundwater recharge:** The action of increasing groundwater storage by natural conditions or by human activity. See also: Artificial recharge.

**Ground Water Replenishment System (GWRS):** A joint project of the Orange County Water District and the Orange County Sanitation District that will provide up to 100,000 acre-feet of reclaimed water annually. The high-quality water will be used to expand an existing underground seawater intrusion barrier and to replenish the groundwater basin underlying north and central Orange County.

**Groundwater table:** The upper surface of the zone of saturation (all pores of subsoil filled with water), except where the surface is formed by an impermeable body.

**GPM:** Gallons per minute.

**Ground Water Replenishment System (GWRS):** Orange County Water District's state-of-the-art, highly advanced, waste-water treatment facility.

**Hydrologic balance:** An accounting of all water inflow to, water outflow from, and changes in water storage within a hydrologic unit over a specified period.

**Hydrologic cycle:** The process of water constantly circulating from the ocean, to the atmosphere, to the earth in a form of precipitation, and finally returning to the ocean.

**Imported water:** Water that has originated from one hydrologic region and is transferred to another hydrologic region.

**Inflatable rubber dams:** Designed to replace temporary sand levees that wash out during heavy storm flow, the dams hold back high-volume river flows and divert the water into the off-river system for percolation.

**Influent:** Water or wastewater entering a treatment plant, or a particular stage of the treatment process.

**Irrigation:** Applying water to crops, lawns or other plants using pumps, pipes, hoses, sprinklers, etc.

**JPIA** Joint Powers Insurance Authority. A group of water agencies providing self-insurance to members of the ACWA.

**LAIF** Local Agency Investment Fund. Statewide pool of surplus public agency money managed by State Treasurer.

**Leach:** To remove components from the soil by the action of water trickling through.

**MAF:** Million acre feet.

**MCL:** Maximum contaminant level set by EPA for a regulated substance in drinking water. According to health agencies, the maximum amount of a substance that can be present in water that's safe to drink and which looks, tastes and smells good.

**MET:** Metropolitan Water District of Southern California.

**MGD:** Million gallons per day.

**Microfiltration:** A physical separation process where tiny, hollow filaments members separate particles from water.

**Microorganism:** An animal or plant of microscopic size.

**MWD:** Metropolitan Water District of Southern California.

**MWDOC:** Municipal Water District of Orange County. Intermediate wholesaler between MWD and 27 member agencies including ETWD.

**Non-point source pollution:** Pollution that is so general or covers such a wide area that no single, localized source of the pollution can be identified.

**NPDES** National Pollution Discharge Elimination System

**OCBC:** Orange County Business Council.

**OCEMA** Orange County Environmental Management Agency

**OCWD:** Orange County Water District.

**Opportunity:**

1. A favorable juncture of circumstances.
2. A good chance for advancement or progress .

**Organism:** Any individual form of life, such as a plant, animal or bacterium.

**PCM** Professional Community Management, Inc. Property Management company providing services to Laguna Woods Village and other homeowner associations.

**Perched groundwater:** Groundwater supported by a zone of material of low permeability located above an underlying main body of groundwater with which it is not hydrostatically connected.

**Percolation:** The downward movement of water through the soil or alluvium to the groundwater table.

**Permeability:** The capability of soil or other geologic formations to transmit water.

**Point source:** A specific site from which waste or polluted water is discharged into a water body, the source of which is identified. See also: non-point source.

**Potable water:** Suitable and safe for drinking.

**PPB:** Parts per billion.

**Precipitation:** Water from the atmosphere that falls to the ground as a liquid (rain) or a solid (snow, sleet, hail).

**Primary treated water:** First major treatment in a wastewater treatment facility, usually sedimentation but not biological oxidation.

**Primary treatment:** Removing solids and floating matter from wastewater using screening, skimming and sedimentation (settling by gravity).

**Prior appropriation doctrine:** Allocates water rights to the first party who diverts water from its natural source and applies the water to beneficial use. If at some point the first appropriator fails to use the water beneficially, another person may appropriate the water and gain rights to the water. The central principle is beneficial use, not land ownership.

**Pumping Plant:** A facility that lifts water up and over hills.

**Recharge:** The physical process where water naturally percolates or sinks into a groundwater basin.

**Recharge basin:** A surface facility, often a large pond, used to increase the infiltration of surface water into a groundwater basin.

**Reclaimed wastewater:** Wastewater that becomes suitable for a specific beneficial use as a result of treatment. See also: wastewater reclamation.

**Reclamation project:** A project where water is obtained from a sanitary district or system and which undergoes additional treatment for a variety of uses, including landscape irrigation, industrial uses, and groundwater recharge.

**Recycling:** A type of reuse, usually involving running a supply of water through a closed system again and again. Legislation in 1991 legally equates the term "recycled water" to reclaimed water.

**Reservoir:** A place where water is stored until it is needed. A reservoir can be an open lake or an enclosed storage tank.

**Reverse osmosis:** (RO) A method of removing salts or other ions from water by forcing water through a semi-permeable membrane.

**RFP** Request for Proposal

**Riparian:** Of or on the banks of a stream, river, or other body of water.

**RO:** Reverse osmosis. See the listing under "reverse osmosis."

**R-O-W** Right-of-way

**Runoff:** Liquid water that travels over the surface of the Earth, moving downward due to gravity. Runoff is one way in which water that falls as precipitation returns to the ocean.

**RWQCB** Regional Water Quality Control Board. State agency regulating discharge and use of recycled water.

**Safe Drinking Water Act (SDWA):** The Safe Drinking Water Act (SDWA) was originally passed by Congress in 1974 to protect public health by regulating the nation's public drinking water supply. The law was amended in 1986 and 1996 and requires many actions to protect drinking water and its sources: rivers, lakes, reservoirs, springs, and ground water wells. (SDWA does not regulate private wells which serve fewer than 25 individuals.) SDWA authorizes the United States Environmental Protection Agency (US EPA) to set national health-based standards for drinking water to protect against both naturally-occurring and man-made contaminants that may be found in drinking water. US EPA, states, and water systems work together to make sure that these standards are met.

**Safe yield:** The maximum quantity of water that can be withdrawn from a groundwater basin over a long period of time without developing a condition of overdraft, sometimes referred to as sustained yield.

**SAFRA** Santa Ana River Flood Protection Agency

**Salinity:** Generally, the concentration of mineral salts dissolved in water. Salinity may be measured by weight (total dissolved solids - TDS), electrical conductivity, or osmotic pressure. Where seawater is known to be the major source of salt, salinity is often used to refer to the concentration of chlorides in the water.

**SAWPA:** Santa Ana Watershed Project Authority.

**SCADA** Supervisory Control and Data Acquisition

**SCAP** Southern California Alliance of Publicly. Newly formed group of public agencies seeking reasonable regulation of sewer industry.

**SCH** State Clearing House – Environmental Review/Processing

**Seasonal storage:** A three-part program offered by Metropolitan Water District of Southern California:

**STSS (Short Term Seasonal Storage)** financially encourages agencies with local groundwater production capabilities to produce a higher percentage of their demand in the summer from their local groundwater supplies, thus shifting a portion of their demand on the MWD system from the summer to winter;

**LTSS (Long Term Seasonal Storage)** financially encourages retail agencies to take and store additional amounts of MWD water above their normal annual demands for later use; Replenishment Water provides less expensive interruptible water that is generally available and used to increase the operating yield of groundwater basins.

**Seawater intrusion:** The movement of salt water into a body of fresh water. It can occur in either surface water or groundwater basins.

**Seawater barrier:** A physical facility or method of operation designed to prevent the intrusion of salt water into a body of freshwater.

**Secondary treatment:** The biological portion of wastewater treatment which uses the activated sludge process to further clean wastewater after primary treatment. Generally, a level of treatment that produces 85 percent removal efficiencies for biological oxygen demand and suspended solids. Usually carried out through the use of trickling filters or by the activated sludge process.

**Sedimentation:** The settling of solids in a body of water using gravity.

**Settle:** To clarify water by causing impurities/solid material to sink to a container's bottom.

**Sewer:** The system of pipes that carries wastewater from homes and businesses to a treatment plant or reclamation plant. Sewers are separate from storm drains, which is a system of drains and pipes that carry rain water from urban streets back to the ocean. Overwatering your yard can also cause water to run into the streets and into storm drains. Storm drain water is not treated before it is discharged.

**SigAlert:** Any unplanned event that causes the closing of one lane of traffic for 30 minutes or more, as opposed to a planned event, like road construction, which is planned.

**SJBA** San Juan Basin Authority

**Sludge:** The solids that remain after wastewater treatment. This material is separated from the cleaned water, treated and composted into fertilizer. Also called biosolids.

**SOCWA** South Orange County Wastewater Authority. Regional Joint Powers Authority formed for collection and treatment of sewerage (previously known as AWMA/SERRA/SOCRA). SOCWA member agencies:

CSC – City of San Clemente

CSJC – City of San Juan Capistrano

CLB – City of Laguna Beach

ETWD – El Toro Water District

EBSD – Emerald Bay Service District

IRWD – Irvine Ranch Water District

MNWD – Moulton Niguel Water District

SCWD – South Coast Water District

SMWD – Santa Margarita Water District

TCWD – Trabuco Canyon Water District

**SRF** State Revolving Fund

**Storm Drain:** The system of pipes that carries rain water from urban streets back to the ocean. Overwatering your yard can also cause water to run into the streets and into storm drains. Storm drain

water is not treated before it is discharged. Storm drains are separate from sewers, which is a separate system of pipes to carry wastewater from homes and businesses to a treatment plant or reclamation plant for cleaning.

**Storm flow:** Surface flow originating from precipitation and run-off which has not percolated to an underground basin.

**SWP:** State Water Project. An aqueduct system that delivers water from northern California to central and southern California.

**SWRCB** State Water Resources Control Board

**TDS:** Total dissolved solids. A quantitative measure of the residual minerals dissolved in water that remain after evaporation of a solution. Usually expressed in milligrams per liter.

**Tertiary treatment:** The treatment of wastewater beyond the secondary or biological stage. Normally implies the removal of nutrients, such as phosphorous and nitrogen, and a high percentage of suspended solids.

**THM:** Trihalomethanes. Any of several synthetic organic compounds formed when chlorine or bromine combine with organic materials in water.

**TMA:** Too many acronyms.

**TMDL:** Total maximum daily load; A quantitative assessment of water quality problems, contributing sources, and load reductions or control actions needed to restore and protect bodies of water.

**Transpiration:** The process in which plant tissues give off water vapor to the atmosphere as an essential physiological process.

**Turbidity:** Thick or opaque with matter in suspension; muddy water.

**Ultraviolet light disinfection:** A disinfection method for water that has received either secondary or tertiary treatment used as an alternative to chlorination.

**VE** Value Engineering

**VOC:** Volatile organic compound; a chemical compound that evaporates readily at room temperature and contains carbon.

**Wastewater:** Water that has been previously used by a municipality, industry or agriculture and has suffered a loss of quality as a result.

**Water Cycle:** The continuous process of surface water (puddles, lakes, oceans) evaporating from the sun's heat to become water vapor (gas) in the atmosphere. Water condenses into clouds and then falls back to earth as rain or snow (precipitation). Some precipitation soaks into the ground (percolation) to replenish groundwater supplies in underground aquifers.

**Water rights:** A legally protected right to take possession of water occurring in a natural waterway and to divert that water for beneficial use.

**Water-use Efficiency:** The water requirements of a particular device, fixture, appliance, process, piece of equipment, or activity.

**Water year (USGS):** The period between October 1st of one calendar year to September 30<sup>th</sup> of the following calendar year.

**Watermaster:** A court appointed person(s) that has specific responsibilities to carry out court decisions pertaining to a river system or watershed.

**Water Reclamation:** The treatment of wastewater to make it suitable for a beneficial reuse, such as landscape irrigation. Also called water recycling.

**Watershed:** The total land area that from which water drains or flows to a river, stream, lake or other body of water.

**Water table:** The top level of water stored underground.

**WEF** Water Environment Federation. Formerly – Water Pollution Control Federation (WPCF). International trade group advising members of sewage treatment techniques and their effect on the environment.

**Weir box:** A device to measure/control surface water flows in streams or between ponds.

**Wellhead treatment:** Water quality treatment of water being produced at the well site.

**Wetland:** Any area in which the water table stands near, at, or above the land surface for a portion of the year. Wetlands are characterized by plants adapted to wet soil conditions.

**Xeriscape:** Landscaping that requires minimal water.