

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

President Monin called the meeting of the Board of Directors of the EL TORO WATER DISTRICT to order at 7:30 a.m.

Director Freshley led the Pledge of Allegiance to the flag.

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

Also present were DENNIS P. CAFFERTY, General Manager, GILBERT J. GRANITO, General Counsel, JUDY CIMORELL, Director of Human Resources, HANNAH FORD, Director of Engineering, VISHAV SHARMA, CFO, SCOTT HOPKINS, Operations Superintendent, SHERRI SEITZ, Public Affairs Manager, VU CHU, Water Use Efficiency Analyst, MIKE MIAZGA, IT Manager (Zoom), VICKI TANIOUS, Senior Accountant (Zoom), and MARISOL MELENDEZ, Recording Secretary.

Determination of a Quorum

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

Oral Communications/Public Comments

There were no comments.

Items Received Too Late to be Agendized

President Monin asked if there were any items received too late to be agendized.

Mr. Cafferty replied no.

Consent Calendar

President Monin asked for a Motion.

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

Roll Call Vote:

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

Directors Reports for Meetings Attended

Director Adjarian stated that he attended the MWDOC MET Directors Workshop, the MWDOC A&F meeting, the WACO meeting, the Districts Engineering and Finance meeting, and today's Board meeting.

Director Freshley stated that she attended the MWDOC P&O Committee meeting, the MWDOC Board Workshop, ETWD's Engineering and Finance meeting, ETWD's regular Board meeting, the SOCWA Special Board meeting, two SOCWA closed sessions, the WACO meeting, the LAFCO meeting, the Laguna Woods City Council meeting, and the Orange County Water Association meeting.

Director Havens stated that she attended the MWDOC P&O meeting, the MWDOC Met Directors Workshop, the Laguna Hills Chamber Event, the Aliso Creek Collaboration Workshop, the MWDOC A&F meeting, the WACO meeting, the MWDOC Board meeting, and the regular ETWD Board Meetings.

Vice President Gaskins stated that he attended the MWDOC P&O meeting, the ISDOC Executive Meeting, the MWDOC Board Workshop, the Laguna Hills Chamber Event, the LAFCO meeting, the WACO meeting, the Agenda Review meeting, the MWDOC Board meeting, the President/VP/GM meeting, the ETWD Engineering and Finance meeting, the MWDOC/OCWD meeting, the ETWD regular Board meeting today, the SOCAG meeting today, the Chanel Six event, will be going to CASA next week, and the SOCAL Water Coalition lunch.

President Monin stated that he attended the MWDOC P&O meeting, the ISDOC Executive Committee meeting, the MWDOC/MET Board Workshop, the MWDOC A&F meeting, the WACO meeting, the Agenda Review meeting, the WACO Planning meeting, the MWDOC Board meeting, the Laguna Woods City Council meeting, the OCWA lunch, the President/VP/GM meeting, ETWD's Engineering and Finance meeting, ETWD's Regular Board meeting, the ISDOC Quarterly Luncheon, and will be at CASA next week.

General Manager Action Items

Adoption of the Workplace Violence Prevention Plan for El Toro Water District

Mrs. Cimorell stated that back in September Senate Bill 553 was passed which amended the labor code to include the CAL/OSHA workplace violence plan training. She further stated she attended a webinar hosted by ACWA/JPIA where Shaw Law Group presented and they are providing services to plan and build the District's training. Mrs. Cimorell stated that District staff participated in a Workplace Violence Prevention training last month and Board members will also be required to participate in the one-hour training.

President Monin asked if the plan included any topics on mass shootings. Mrs. Cimorell stated the plan includes several related topics and Mr. Cafferty, Mr. Coppola, and herself each have responsibilities in order to implement the plan.

President Monin asked for a Motion.

Motion: Director Adjarian made a Motion, seconded by Vice President Gaskins to approve the adoption of the Workplace Violence Prevention Plan for El Toro Water District.

Roll Call Vote:

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

Resolution No. 24-7-2 Standing Committee Schedule for the Remainder of the Calendar Year 2024

Mr. Cafferty stated this resolution adopts the standing committee meetings including the Agenda Review meeting, the Regional Reclamation Committee meeting, and CAG for the remainder of the Calendar Year 2024.

President Monin asked for a Motion.

Motion: Director Havens made a Motion, seconded by Director Freshley to adopt Resolution No. 24-7-2 Standing Committee schedule for the remainder of the calendar year 2024.

Roll Call Vote

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

Resolution No. 24-7-3 Adopting an Eleventh Amended Conflict of Interest Code

Mr. Cafferty stated the County requires the District to update the Conflict of Interest Code or to indicate that there are no updates and in this case, there were two position title changes for Mrs. Ford and Mr. Harnisch; Director of Engineering and Senior Engineer.

President Monin asked for a Motion.

Motion: Director Havens made a Motion, seconded by Director Adjarian to approve Resolution No. 24-7-3 adopting an eleventh amended Conflict of Interest Code.

Roll Call Vote

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

Resolution No. 24-7-4 El Toro Water District Administrative Code

Mr. Cafferty stated that a document in the Rules and Regulations titled “Preliminary Statement” that preceded with several sections defining rates is being moved into the Administrative Code. He further stated that the changes redlined in the Board package are included in sections 7020 through 7100 which consist of updates to services and rates.

Mr. Cafferty stated that in the future, there will be an Administrative Code compilation presented to the Board on a periodic basis to display the work in progress as well as a completed version as an information item during a Board meeting.

President Monin asked for a Motion.

Motion: Director Adjarian made a Motion, seconded by Director Havens to approve Resolution No. 24-7-4 El Toro Water District Administrative Code.

Roll Call Vote

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

Resolution No. 24-7-5 Modifying Standing and External Organization Board and Staff

Assignments for the remainder of Calendar Year 2024

Mr. Cafferty stated that Resolution 24-7-5 returns Director Gaskins as the District's primary representative at ACWA JPIA.

President Monin asked for a Motion.

Motion: Director Havens made a Motion, seconded by President Monin to approve Resolution No. 24-7-5 Modifying Standing and External Organization Board and Staff Assignments for the remainder of Calendar Year 2024.

Roll Call Vote

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

General Manager Information Items

General Manager's Monthly Report

Mr. Cafferty stated that the report is in the package and asked if anyone had any questions.

Director Freshley inquired about the credit amount that is owed on page 64 of the Board package. Mr. Cafferty stated credits occasionally occur and examples include a credit due to a customer erroneously putting the decimal in the wrong place or the District might have to process a refund for a construction meter deposit.

Director Havens and President Monin commended Mr. Cafferty's presentations at the MWDOC Member Agency Spotlight and the Laguna Woods City Council meeting.

Legislative Reports

Mr. Cafferty stated that last months extensive report covered all updates and doesn't have anything to add to this month's report.

Public Education and Outreach Report

Ms. Seitz stated that the next CAG Meeting is scheduled for August 8, 2024 and mentioned the last LWVT presentation is linked in the package.

President Monin suggested to emphasize the matter of rising costs. Mr. Cafferty stated that the rising costs topic has been frequently publicized in District's Public Outreach and will continue to do so.

Ms. Seitz stated staff has received and reviewed the website RFP's and will present a recommendation for award in August. President Monin requested to have the chosen vendor provide a brief presentation to the Board. Mr. Cafferty stated the presentation would likely be done remotely.

Ms. Seitz stated that another letter regarding the lead and copper testing was distributed which informed customers of the secondary confirmation the contractors will be performing.

Director Havens asked how much notice the homeowner is given. Ms. Seitz replied that customers are given a 1-2 week notice in addition to a door hanger after the confirmation is complete.

Ms. Seitz stated that the contractor is returning to Northline and signage is being prepared for the site due to its proximity to the dog park's parking lot.

Ms. Seitz announced the upcoming community events including the State of the County event on August 9, 2024 and the Laguna Woods Village 60th Anniversary event on September 9, 2024.

Water Use Efficiency Report

Mr. Chu stated that June consumption was up approximately 4% compared to last year and the total fiscal year consumption was down 1% compared to last year. He further noted that the State Water Board adopted "Making California a Way of Life" on July 3, 2024 which will go into effect January 1, 2025.

Mr. Cafferty added that the State's intent is to reduce per-capita consumption to 47 gallons per person per day. He further stated that implementing the reduction would affect the District's current tiered billing structure causing an increase to customers' costs which requires a Proposition 218 notice. Mr. Cafferty stated that a detailed conversation will be had during the upcoming budget process to include the implementations.

Director Freshley stated United is concerned about not fully understanding the freshwater landscaping and how upcoming functional vs. non-functional regulations will affect them. Ms. Seitz stated she is available to answer questions United may have. Director Havens offered to highlight the topic in her upcoming TV-6 presentation.

SOCWA Reports

Mr. Cafferty stated he had conversations with Rich Shintaku about the proportional allocation methodology for asset payment reductions from the Coastal and Regional plant and is awaiting a response after Mr. Shintaku hears back from relevant agencies.

Mr. Cafferty also stated he had a conversation with Matt Collings regarding the July 15, 2024 meeting and redline agreements.

Mr. Cafferty stated the District had a Regional Board inspection of the plant recently and there was a District violation of a settleable solids requirement that occurred on an individual day in 2022 for which the District will need to pay a settlement of \$3,000.00. He further stated staff has clearly recognized what happened and improving communication between maintenance and lab has been addressed.

MWDOC

There were no comments.

LAFCO

Director Freshley stated commission appointments were selected by a city committee.

Director Freshley also stated there was a discussion regarding the Grand Jury Report and SOCWA's response.

Director Freshley added that the commissioner handbook was drafted.

ISDOC

President Monin stated that certain individuals that are not on the executive committee would like to exit OCCOG but he believes OCCOG is very valuable and hopes that doesn't occur.

WACO

President Monin reported on the July 12, 2024 and July 16, 2024 meetings.

COMMITTEE AND GENERAL INFORMATION

Dates to Remember for June/July

There were no comments

Comments Regarding Non-Agenda Items

Mr. Cafferty asked the Board if they were willing to have their email addresses displayed on the District website. All Board members provided consent.

Mr. Cafferty stated that the repairs necessary for the Main Office campus will cost approximately \$70,000, the majority of which will be funded by insurance. Mr. Cafferty stated that several staff are currently displaced, and it is in the best interest of the District to commence the repairs and bring the contract back to the Board for ratification in August. The Board concurred.

Mr. Cafferty stated that Staff had followed up on the question raised at the Engineering Committee regarding the use of stainless steel for the DAF MCC. Mr. Cafferty indicated that the difference in cost was relatively small at approximately \$5,000 and the harsh environment makes this a wise investment in the longevity of the new equipment.

Mr. Cafferty stated that Staff had followed upon the question raised at the Engineering Committee regarding fault limiting fuses at the Westline Lift Station Main Switchboard Project. Mr. Cafferty indicated that there is not sufficient space for fault limiting fuses at the site but there is protection downstream of the Main Switchboard.

Mr. Cafferty stated that the District is preparing to distribute payments to employees for the Board approved Occupational Certification/University and College Degree Incentive program. Mr. Cafferty advised the Board that the General Manger is proposed to receive an incentive for a Masters Degree and D-5 Distribution Certification. Mr. Cafferty stated that these incentives are as described in the approved policy but wanted the Board to be aware prior to the payment of the incentive. Director Freshley stated she feels the General Manager is not an employee but serves by virtue of the contract with the Board. Ms. Cimorell pointed out that the General Manager contract includes language extending all employee benefits to the General Manager. Mr. Cafferty stated that exclusion of Certification/Education incentive would require an amendment to the General Manager contract for which no action is agendized today. Mr. Cafferty further stated that the General Manager contract will be agendized for discussion at the August Board meeting.

Attorney Report

Mr. Granito reported that there is no need for a closed session today.

Adjournment

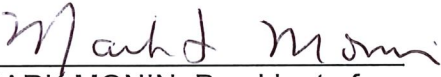
There being no further business to come before the Board, the meeting was adjourned at approximately 9:10 a.m.

Respectfully submitted,



MARISOL MELENDEZ
Recording Secretary

APPROVED:



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



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