

MINUTES OF THE REGULAR MEETING
OF THE
BOARD OF DIRECTORS
OF THE
EL TORO WATER DISTRICT
September 26, 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 Adjarian 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, SHERRI SEITZ, Public Affairs Manager, VU CHU, Water Use Efficiency Analyst, CAROL MOORE, Laguna Woods City Council Member (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 Adjarian made a Motion, seconded by Vice President Gaskins 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

Vice President Gaskins stated that he attended the ISDOC Executive meeting, the RRC meeting, the MWDOC P&O meeting, the MWDOC Board meeting, the SOCWA Board meeting, the WACO meeting, the LAFCO meeting, the Agenda Review meeting, the ETWD Engineering and Finance meeting, the ETWD regular Board meeting, will be attending SOCAG today, the OC Water Summit tomorrow, and the President/VP/GM meeting on Monday.

President Monin stated that he attended the ISDOC Executive Committee meeting, the MWDOC P&O meeting, the MWDOC Board Workshop, the WACO meeting, the CSDA Annual Conference, the MWDOC A&F meeting, the Agenda Review meeting, the WACO Planning meeting, the MWDOC Board meeting, ETWD's Engineering and Finance meeting, ETWD's regular Board meeting, and will be at the OC Water Summit tomorrow.

Director Adjarian stated that he attended the WACO meeting, the WACO Planning meeting, ETWD's two Board meetings, and will be attending the OC Water Summit tomorrow.

Director Freshley stated that she attended the MWDOC P&O Committee meeting, the MWDOC Workshop, the MWDOC Board meeting, ETWD's Engineering and Finance meeting, ETWD's regular Board meeting, the SOCWA Board meeting, the RRC meeting, the WACO meeting, the LAFCO meeting, the Laguna Woods City Council meeting, and will be attending the OC Water Summit tomorrow.

Director Havens stated that she attended the MWDOC P&O meeting, the MWDOC Met Directors Workshop, the WACO meeting, the MWDOC A&F meeting, the MWDOC Board meeting, the two ETWD Board meetings, will be attending the SOCAG meeting today, and the OC Water Summit tomorrow.

General Manager Action Items

City of Laguna Woods Easement – Fire Station

Mr. Cafferty stated that the proposed fire station's location is adjacent to the P-1 Pump Station Site access road on the City of Laguna Woods City Centre Park property. The City of Laguna Woods has requested the District to grant an easement that will allow access up the District's road to ingress the proposed fire station and exit onto Moulton Parkway. Mr. Cafferty further stated that the District will consider granting access via the easement subject to separate agreements involving the required improvements. He added that Orange County Fire Authority design process will involve improvements of the road to ensure that it can structurally handle the fire equipment and that it is sufficiently wide enough for two-way traffic.

Director Freshley inquired about the District's water main lines in the area and asked if the fence will be moved. Mr. Cafferty explained that the District has multiple water lines in the area and the protection of the water lines will be included as a part of the design. He also explained that there are two gates; one at the bottom of the road and one at the top of the road. Mr. Cafferty stated that the upper gate would remain but the lower gate would be removed.

Mr. Cafferty pointed out that the fire station adds an important benefit to the Laguna Woods Village Community and also to the District because of its proximity to the P-1 Pump Stations facility should emergency fire services be needed.

Mr. Cafferty stated that no Board action is necessary today as staff will continue to work with the City of Laguna Woods on an easement agreement and an action item will be brought back next month.

Resolution No. 24-9-1 El Toro Water District Administrative Code

Mr. Cafferty stated that Section 7120 Establishment of Accounts has not been revised since 2003 and changes include increasing the administrative fee to establish an account from \$15.00 to \$20.00, requesting email addresses from customers, and requesting a W-9 forms for non-residential accounts.

Director Havens asked if any of the increased fees are subject to the Proposition 218 legal process. She also noted that the fees are diminutive specifically on the credit worthiness section.

Mr. Granito explained that the fee increases are not subject to the Proposition 218 legal process. However, the fees cannot exceed the reasonable cost for providing for said services.

Mr. Cafferty stated there was no change to the \$50.00 deposit for credit worthiness for both residential and non-residential. After further discussion the Board decided for the deposit to remain the same.

President Monin asked for a Motion.

Motion: Director Adjarian made a Motion, seconded by Director Freshley to adopt Resolution No. 24-9-1 which adopts the amended 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

General Manager Information Items

General Manager's Monthly Report

Mr. Cafferty noted that the Recycled Water Sales for August of 2024 is the highest sales month of recycled water ever.

Mr. Cafferty stated that he attended a productive meeting yesterday with District accounting staff and US Bank Representatives regarding potential future plans.

District of Distinction Accreditation

Mr. Cafferty announced that Chris Palmer from CSDA plans to be here next month to present the District of Distinction Accreditation Award to the Board. He added that El Toro Water District first pursued the District of Distinction in 2007 and has maintained it since. Mr. Cafferty stated that the recent accreditation raised the District's DOD level to Platinum which represents the highest DOD level available.

Legislative Reports

There were no comments.

Public Education and Outreach Report

Laguna Woods Village Television (LWVT)

Ms. Seitz stated the next Laguna Woods Village Television interview will feature Director Adjarian whose tentative topic is emergency preparedness.

Ms. Seitz reported that the District's newsletter was sent to customers last week, will be published in the Laguna Woods Globe, and will be sent out via e-blast.

Ms. Seitz stated staff will begin the website redesign with Big Wig Monster Media LLC soon and they will provide an introductory presentation at next month's Board meeting.

Ms. Seitz stated the channel (Adopt a Channel program) has been cleaned up and staff is now working with the County to cut down the dry bush and vegetation.

Ms. Seitz stated a photo of President Monin receiving the District of Distinction Platinum Award at the CSDA Conference is in the package and staff will do a press release next month after CSDA attends the District's Board meeting.

Ms. Seitz reported on the recent community events that District staff has participated in including a successfully led OC Grand Jury Inspection Trip at R-6 last month. Ms. Seitz also provided upcoming community event dates that staff will be participating in.

Ms. Seitz stated that staff will be meeting with Kurt Wiemann from Laguna Woods Village to discuss AB 1572 updates.

Water Use Efficiency Report

Mr. Chu reported that total consumption was up approximately 9% compared to the same month last year and recycled water usage also increased by 18% in comparison to last year. He added that Laguna Woods Village usage (excluding irrigation) is also trending up higher than usual at 18%.

SOCWA Reports

Director Freshley provided a report on the recent SOCWA meetings.

MWDOC

There were no comments.

LAFCO

Director Freshley stated there was discussion regarding the clarity of legislative interfacing responsibilities which has been historically held by the CAL LAFCO General Manager and there will be further updates at the annual conference.

ISDOC

President Monin stated that Executive Committee elections are complete.

WACO

President Monin stated the Mayor of Santa Ana helped put together a great presentation with the City of Santa Ana. He added that their next event will be held by the County of Orange on the topic of Orange County Action Planning.

COMMITTEE AND GENERAL INFORMATION

Dates to Remember for September/October

There were no comments.

Comments Regarding Non-Agenda Items

Director Adjarian announced that he will be resigning his position on the El Toro Water District's Board of Directors, effective October 31, 2024. He thanked everyone for their support over the years.

Mr. Cafferty provided an overview of the timelines for filling the Board vacancy following Director Adjarian's leaving of office.

Attorney Report

Mr. Granito provided a legislative update on AB 1827, which addresses concerns associated with the Otay Water District's tiered rate structure. He explained the significance of the legislation and its impact on water districts across the state. Mr. Granito mentioned the appeal filed by the Otay Water District to the Supreme Court, highlighting the ongoing legal challenges.

Mr. Cafferty stated that from a legislative standpoint, AB 1827 is important because it speaks to the methodology that most agencies including El Toro Water District use.

Closed Session

At approximately 9:02 a.m. the meeting went into a closed session. At this time, everyone left the meeting except for the Board members, General Counsel, and the General Manager.

Regular Session

At approximately 10:11 a.m. regular session continued. Also, at this time Ms. Melendez returned to the meeting.

Attorney Report on Closed Session

Mr. Granito reported that no reportable action was taken during the closed session.

Adjournment

There being no further business to come before the Board, the meeting was adjourned at approximately 10:11 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