



**REGULAR BOARD MEETING AGENDA
TRABUCO CANYON WATER DISTRICT
32003 DOVE CANYON DRIVE, TRABUCO CANYON, CALIFORNIA
VIDEO/AUDIO BROADCAST MEETING
APRIL 21, 2021 AT 7:00 PM**

BOARD OF DIRECTORS

Don Chadd, President
Stephen Dopudja, Vice President
Glenn Acosta, Director
Edward Mandich, Director
Michael Safranski, Director

DISTRICT STAFF

Fernando Paludi, General Manager
Michael Perea, District Secretary
Cindy Byerrum, District Treasurer
Atkinson, Andelson, Loya, Ruud & Romo
District General Legal Counsel

AGENDA NOTE:

*Due to the spread of COVID-19 and as authorized by the Governor's Executive Order, Trabuco Canyon Water District will be holding this Regular Board Meeting by video broadcast via **Go To Meeting**, and the meeting will be available live by video conference and telephone audio as follows:*

Video Conferencing: You can join the meeting from your computer, tablet, or smartphone by clicking on the following link: <https://zoom.us/j/91386811652>

Telephone Audio: 1 (669) 900-6833 (Toll Free)
Access Code: 913-8681-1652

*Persons desiring to monitor the Board meeting agenda items may download the Board meeting agenda and documents on the internet at **www.tcwd.ca.gov**.*

*You may submit public comments by email to the Board at **mperea@tcwd.ca.gov**. In order to be part of the record, emailed comments on meeting agenda items must be received by the District, at the referenced e-mail address, not later than 6:00 p.m. (PDT) on the day of the meeting. Public comments may also be submitted by teleconference during the meeting.*

CALL MEETING TO ORDER

PLEDGE OF ALLEGIANCE

ITEMS RECEIVED TOO LATE TO BE AGENDIZED

Determine need and take action on item(s) that arose subsequent to posting the Regular Board Meeting agenda.

VISITOR PARTICIPATION

*Members of the public wishing to address the Board regarding a particular item on the agenda are requested to submit public comments by email to the Board at **mperea@tcwd.ca.gov**. Public comments may also be submitted by teleconference during the meeting. The Board President will call on the visitor following the Board's discussion about the matter. Members of the public will be given the opportunity to speak prior to the Board taking action on that item. For persons desiring to make verbal comments and utilizing a translator to present their comments into English reasonable time accommodations, consistent with State law, shall be provided. Please limit comments to three minutes.*

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ORAL COMMUNICATION

Members of the public who wish to make comment on matters not appearing on the agenda are requested to submit oral communication by email to the Board at mperea@tcwd.ca.gov. Public comments may also be submitted by teleconference during the meeting. Under the requirements of State Law, Directors cannot take action on items not identified on the agenda and will not make decisions on such matters. The Board President may direct District Staff to follow up on issues as may be deemed appropriate. For persons desiring to make verbal comments and utilizing a translator to present their comments into English reasonable time accommodations, consistent with State law, shall be provided. Please limit comments to three minutes.

DIRECTORS' COMMENTS AND MEETING REPORTS

REPORT FROM THE GENERAL MANAGER

CONSENT CALENDAR

All matters under the Consent Calendar will be approved by one motion unless a Board member or staff member requests a separate action on a specific item.

ITEM 1: APPROVAL OF MINUTES OF BOARD MEETING(S)

RECOMMENDED ACTION

Approve the minutes of the following Board Meetings:

1. March 17, 2021 Regular Board Meeting

ITEM 2: TREASURER'S REPORT

a. **FINANCE/AUDIT COMMITTEE MEETING**

RECOMMENDED ACTION:

Receive and file the following Finance/Audit Committee Meeting Recap(s):

1. March 10, 2021

b. **PRESENTATION OF FINANCIALS**

RECOMMENDED ACTION:

Receive and file the preliminary statement(s) of revenues and expenses and preliminary unaudited financials for the following month(s):

1. February 2021

c. **PAYMENT OF BILLS FOR CONSIDERATION**

RECOMMENDED ACTION:

Retify the payment of bills for consideration, Payroll and Payroll Taxes for March 2021.



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ITEM 3: ENGINEERING/OPERATIONAL COMMITTEE MEETING

RECOMMENDED ACTION:

Receive and file the following Engineering/Operational Committee Meeting Recap(s):

1. March 3, 2021
2. March 15, 2021

ITEM 4: EXECUTIVE COMMITTEE MEETING

RECOMMENDED ACTION:

Receive and file the following Executive Committee Meeting Recap(s):

1. March 9, 2021

ITEM 5: RATIFICATION OF DIRECTORS' FEES AND EXPENSES, AND TENTATIVE FUTURE MEETINGS/ATTENDANCE

RECOMMENDED ACTION:

Ratify the Directors' expenses and fees from March 2021 and approve tentative future meetings/attendance.

ACTION CALENDAR

All matters under the Action Calendar have been reviewed by the General Manager and Staff prior to the Board's consideration.

ADMINISTRATIVE MATTERS

ITEM 6: DISCUSSION AND POSSIBLE ACTION(S) CONCERNING THE CORONAVIRUS, INCLUDING SAFETY OF DISTRICT SERVICES AND EMPLOYEES, AND IMPACT TO BOARD & COMMITTEE MEETINGS

RECOMMENDED ACTION(S):

Receive information at the time of the Board meeting and take action(s) as deemed appropriate.

ITEM 7: DISCUSSION AND POSSIBLE ACTION(S) RELATED TO THE PROPOSED PALOMA SQUARE DEVELOPMENT (DOVE CANYON PLAZA) AND OTHER RELATED MATTERS

RECOMMENDED ACTION:

Receive information at the time of the Board meeting and take action(s) as deemed appropriate.

FINANCIAL MATTERS

ITEM 8: DISCUSSION AND POSSIBLE ACTION CONCERNING INDEPENDENT AUDITING SERVICES FOR TRABUCO CANYON WATER DISTRICT

RECOMMENDED ACTION:

Receive information at the time of the Board meeting and authorize the General Manager to execute a contract for independent auditing services for Trabuco Canyon Water District, Trabuco Canyon Improvement Corporation, and Trabuco Canyon Public Financing Authority, with Nigro & Nigro LLP for a three-year period and not-to-exceed amount of \$61,500 (Action Calendar).



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ITEM 9: DISCUSSION AND RATIFICATION OF TWO VEHICLES FOR TRABUCO CANYON WATER DISTRICT'S FIELD VEHICLE FLEET

RECOMMENDED ACTION:

Receive information at the time of the Board meeting and authorize the General Manager to purchase two District fleet vehicles for a total amount not-to-exceed \$80,000.

ITEM 10: DISCUSSION AND POSSIBLE ACTION CONCERNING MUNICIPAL WATER DISTRICT OF ORANGE COUNTY (MWDOC) PROPOSED FISCAL YEAR 2021-22 RATES, CHARGES, AND BUDGET

RECOMMENDED ACTION:

Receive information at the time of the Board meeting and take action(s) as deemed appropriate.

ITEM 11: DISCUSSION AND ACTION CONCERNING CUSTOMER BILLING AND UNPAID BALANCES

RECOMMENDED ACTION:

Receive information at the time of the Board meeting and take action(s) as deemed appropriate.

ENGINEERING MATTERS

ITEM 12: DISCUSSION AND POSSIBLE ACTION CONCERNING TRABUCO CANYON WATER DISTRICT'S DOMESTIC WATER STORAGE AND RESERVOIR SITING STUDY UPDATE

RECOMMENDED ACTION:

Receive and file the Domestic Water Storage and Reservoir Siting Study Update.

ITEM 13: DISCUSSION AND POSSIBLE ACTION(S) CONCERNING AGREEMENT FOR CONSTRUCTION OF WATER AND SEWER FACILITIES (APPLICATION FOR WATER SERVICE), SANTIAGO SADDLE CREST DEVELOPMENT, ORANGE COUNTY TRACT NO. 17388

RECOMMENDED ACTION(S):

Recommend the Board of Directors:

- 1. Consent to "Assignment and Assumption of Development Agreement" between Santiago Saddle Crest LLC and Rutter Santiago, L.P.*
- 2. Approve "Settlement Agreement and General Release" between Trabuco Canyon Water District and Rutter Santiago, L.P.*

LEGISLATIVE AND OTHER MATTERS

ITEM 14: DISCUSSION AND POSSIBLE ACTION TO ADOPT AN "OPPOSE" POSITION ON AB 1434 (FRIEDMAN) – INDOOR RESIDENTIAL WATER USE STANDARDS

RECOMMENDED ACTION(S):

Recommend the Board of Directors adopt an "OPPOSE" position on AB 1434 (Friedman).



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ITEM 15: LOCAL GOVERNMENTAL AND LEGISLATIVE INFORMATIONAL MATTER(S)

RECOMMENDED ACTION(S):

Review and discuss local government and legislative informational matter(s) and take action(s) as deemed appropriate.

CLOSED SESSIONS:

CLOSED SESSION NO. 1: CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Significant exposure to legal proceedings and/or litigation

Government Code Sections 54956.9(d)(2) and 54954.5(c)

Number of Potential Cases: 1

CLOSED SESSION NO. 2: CONFIDENTIAL INFORMATION – PUBLIC EMPLOYEE PERFORMANCE EVALUATION

TITLE: GENERAL LEGAL COUNSEL

Pursuant to California Government Code Sections 54957(b) and 54954.5(e), the Board will meet in Closed Session to review and discuss confidential information concerning the District’s General Legal Counsel (Public Employee Performance Evaluation)

ITEM 16: REPORT OF ACTION(S) TAKEN IN CLOSED SESSIONS

RECOMMENDED ACTION(S):

Provide announcement(s) of action(s) taken in Closed Session(s), if any.

ITEMS RECEIVED TOO LATE TO BE AGENDIZED

ITEM 17: _____

ITEM 18: _____

OTHER INFORMATION/MATTERS

Reports or comments from the General Manager and/or Staff

ADDITIONAL DIRECTORS’ COMMENTS

Additional reports or comments from Directors

END ACTION CALENDAR & ADJOURNMENT

AVAILABILITY OF AGENDA MATERIALS

Agenda exhibits and other writings that are disclosable public records distributed to all or a majority of the members of the Trabuco Canyon Water District Board of Directors in connection with a matter subject to discussion or consideration at an open meeting of the Board of Directors are available for public inspection at the Trabuco Canyon Water District Administrative Facility, 32003 Dove Canyon Drive, Trabuco Canyon, California (District Administrative Facility) and will be posted online on the District’s website located at www.tcwd.ca.gov. If such writings are distributed to members of the Board less than 72 hours prior to the meeting, they will be available online at www.tcwd.ca.gov at the same time as they are distributed to the Board Members, except that, if such writings are distributed immediately prior to or during the meeting, they will be posted online on the District’s website located at www.tcwd.ca.gov.

COMPLIANCE WITH THE REQUIREMENTS OF CALIFORNIA GOVERNMENT CODE SECTION 54954.2



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In compliance with California law and the Americans with Disabilities Act, if you need special disability-related modifications or accommodations, including auxiliary aids or services in order to participate in the meeting, or if you need the agenda provided in an alternative format, please contact the District Secretary at (949) 858-0277, at least 48 hours in advance of the scheduled Board meeting. Notification at least 48 hours prior to the meeting will assist the District in making reasonable arrangements to accommodate your request. The Board Meeting Room is wheelchair accessible.

FUTURE SCHEDULED REGULAR BOARD MEETINGS OF THE BOARD OF DIRECTORS

Upcoming Regular Meetings of the Board are expected to be held at the District Administrative Facility (Board Meeting Room) located at 32003 Dove Canyon Drive, Trabuco Canyon, California 92679 and are currently scheduled as follows:

May 19, 2021 | June 16, 2021 | July 21, 2021

The District may conduct future meetings via teleconferencing and/or video during the current ongoing emergency situation.

