



## **MINUTES OF THE REGULAR BOARD MEETING OF THE BOARD OF DIRECTORS OF TRABUCO CANYON WATER DISTRICT | JULY 15, 2020**

The Regular Meeting of the Board of Directors of the Trabuco Canyon Water District (TCWD or District) conducted on July 15, 2020 was called to order by President Safranski at 7:00 PM, via conference call in the Board Room at the District Administrative Facility, located at 32003 Dove Canyon Drive, Trabuco Canyon, California. Mr. Michael Perea, District Secretary, transcribed the minutes thereof.

### **DIRECTORS PRESENT ON CONFERENCE CALL**

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

### **STAFF PRESENT**

Fernando Paludi, General Manager  
Michael Perea, Assistant General Manager/District Secretary

### **STAFF PRESENT ON CONFERENCE CALL**

Lorrie Lausten, District Engineer  
Lisa Marie Sangi, Administrative Assistant

### **DISTRICT CONSULTANTS PRESENT AT ADMINISTRATION FACILITY**

Rob Anslow, District General Legal Counsel (Atkinson, Andelson, Loya, Ruud & Romo - AALRR)

### **DISTRICT CONSULTANTS PRESENT ON CONFERENCE CALL**

Cyndy Byerrum, District Treasurer (Eide Bailey)

### **PUBLIC PRESENT ON THE CONFERENCE CALL**

Beth Heard, Resident

### **PLEDGE OF ALLEGIANCE**

All callers and attendees were instructed to face the nearest flag and site the Pledge of Allegiance. Mr. Perea led the Board of Directors, District staff, and audience in the Pledge of Allegiance.

### **ITEMS TOO LATE TO BE AGENDIZED**

None

### **VISITOR PARTICIPATION**

None

### **ORAL COMMUNICATION**

None

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**DIRECTOR'S COMMENTS**

Director Mandich reported on his attendance at the Orange County Public Works (OCPW) Trabuco Creek Bridge Project meeting, and he provided a brief overview of the matters discussed at the meeting.

Director Dopudja provided a brief update concerning the District Properties Ad Hoc Committee.

Director Chadd reported that he had filed his paperwork for re-election with the Orange County Registrar of Voters.

Director Acosta expressed his appreciation to District staff for the facility tour. Director Acosta reported on his attendance at the City of Rancho Santa Margarita City Council meeting, and he reported that Southern California Edison (SCE) presented information related to their Public Safety Power Shutoff (PSPS) program.

Director Safranski expressed his appreciation to District staff and his fellow Board Members during this challenging time due to the impacts of COVID-19.

**REPORT FROM THE GENERAL MANAGER**

Mr. Paludi reported that District staff were awarded the H.R. La Bounty Safety Award from ACWA/JPIA for ergonomic improvements to the District's chemical delivery truck.

**CONSENT CALENDAR**

President Safranski indicated that all matters under the Consent Calendar would be approved by one motion unless a Board member or staff member requests a separate action on a specific item.

**Action:** A motion was made by Director Mandich and seconded by Director Acosta to approve the presented Consent Calendar Items. There was no further discussion.  
The motion was approved by a vote of 5 - 0.

**ADMINISTRATIVE MATTERS**

**ITEM 5: DISCUSSION AND POSSIBLE ACTION(S) CONCERNING CURRENT PUBLIC HEALTH CONCERNS INCLUDING DISTRICT GOVERNANCE TO ADDRESS THE CORONAVIRUS, SAFETY OF DISTRICT SERVICES AND EMPLOYEES, AND/OR IMPACT TO BOARD & COMMITTEE MEETINGS**

Mr. Paludi provided a brief update on this matter to the Board, and he reported that the District's Administration Facility has been closed to the public due to the Governor's action related to the impacts of COVID-19. Discussion occurred concerning future public meeting scheduling and attendance option consistent with the Governor's Order.

**Action:** The Board took no action on this matter.

*Director Mandich recused himself from discussion on the following matters by physically leaving the Conference Call at approximately 7:23 PM.  
Move Item 11 after Item 6.*

**ITEM 6: DISCUSSION AND POSSIBLE ACTION(S) RELATED TO THE PROPOSED PALOMA SQUARE DEVELOPMENT (DOVE CANYON PLAZA) AND OTHER RELATED MATTERS**

Mr. Paludi provided a brief update on this matter, and he reported that the District Properties Ad Hoc Committee met to discuss this matter with Special Legal Counsel. Director Dopudja briefly updated the Board on the matter, and he added that the District has not heard from the Developer to date.

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Dove Canyon resident Ms. Beth Heard asked the Board if they plan to take action related to Senate Bill 1385.

Mr. Anslow provided a brief update and status report on SB 1385 for the Board, and the overall potential impacts of the proposed legislation. Discussion occurred the Board's position on the proposed legislation. Director Acosta recommended forwarding the matter to the Executive Committee for their review, including the preparation of a position statement from the Board President.

**Action:** A motion was made by Director Acosta and seconded by Director Dopudja to work with Legal counsel on the opposition letter.  
The motion was approved by a vote of 4 – 0 – 0- 1 with Director Mandich absent.

**ITEM 11: DISCUSSION AND RATIFICATION OF CONTRACT CHANGE ORDER NO. 7 TO PACIFIC HYDROTECH FOR THE RIDGELINE BOOSTER PUMP STATION IMPROVEMENTS AND CAPACITY INCREASE PROJECT**

Mr. Paludi introduced this matter for Board consideration, and he mentioned that this project is completed. Ms. Lausten reported that District staff has filed a Notice of Completion with the County of Orange, and she mentioned that Pacific Hydrotech has issued Contract Change Order No. 7 for the additional control signals. Discussion occurred concerning ongoing negotiations with the Developer related to the cost sharing agreement.

**Action:** A motion was made by Director Acosta and seconded by Director Dopudja to ratify Contract Change Order No. 7 to Pacific Hydrotech Construction in the not to exceed amount of \$1,220 for additional control signals. There was no further discussion.  
The motion was approved by a vote of 4 – 0 – 0- 1 with Director Mandich absent.

*Director Mandich returned to the Board Room at approximately 7:46pm and resumed his participation on the remaining business.*

**FINANCIAL MATTERS**

**ITEM 7: DISCUSSION AND ADOPTION OF RESOLUTION NO. 2020-1280 ESTABLISHING DISTRICT APPROPRIATIONS LIMIT FOR FISCAL YEAR 2020/2021**

Mr. Paludi introduced this matter for Board consideration, and he mentioned that this matter was reviewed with the Finance/Audit Committee. Mr. Perea provided a brief update concerning this annually recurring matter, and he mentioned this matter is normally adopted prior to the adoption of the annual budget but was delayed due to impacts of COVID-19 according to the State Department of Finance.

**Action:** A motion was made by Director Mandich and seconded by Director Chadd to Adopt Resolution No. 2020-1280 – Resolution of the Board of Directors of Trabuco Canyon Water District Establishing Appropriations Limit for Fiscal Year 2020/2021, Pursuant to Article XIII B of the California Constitution. There was no further discussion.  
The motion was approved by a vote of 5 – 0.

**ITEM 8: PUBLIC HEARING CONCERNING TRABUCO CANYON WATER DISTRICT'S FISCAL YEAR 2020/2021 UNDEVELOPED LAND/WATER STANDBY CHARGES AND ADOPTION OF PROPOSED RESOLUTION NO. 2020-1281 AND POSSIBLE BOARD ACTION THEREON**

Mr. Paludi introduced this matter for Board consideration, and he mentioned that this matter was reviewed at the prior Regular Board Meeting. Mr. Perea provided a brief review of the purpose of the charges and an overview of the adoption process.

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President Safranski opened the Public Hearing at approximately 7:50 pm.

Mr. Perea reported that District staff has complied with Proposition 218 notification requirements and have not received any written comments or protests to date.

President Safranski closed Public Hearing at approximately 7:52 pm.

**Action:** A motion was made by Director Chadd and seconded by Director Mandich to Adopt Resolution No. 2020-1281 - Resolution of the Board of Directors of the Trabuco Canyon Water District Establishing Water Standby Charges for the Fiscal Year 2020/2021; Making Certain Findings and Taking Related Actions in Connection Therewith. There was no further discussion.  
The motion was approved by a vote of 5 – 0.

**ITEM 9: DISCUSSION CONCERNING TRABUCO CANYON WATER DISTRICT’S OTHER POST EMPLOYMENT BENEFITS (OPEB) BIENNIAL ACTUARIAL VALUATION REPORT AND GASB 75 ACTUARIAL VALUATION REPORT**

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Mr. Paludi presented this matter for Board consideration, and he mentioned this matter was reviewed with the Financial/Audit Committee. Mr. Perea provided a brief overview of the Biennial Actuarial Valuation Report and GASB 75 Actuarial Valuation Report requirements consistent with GASB prepared by Nyhart. Mr. Perea added that District staff has provided the required documentation and annual payment to CalPERS CERBT in accordance with the report.

**Action:** A motion was made by Director Chadd and seconded by Director Dopudja to receive and file the Trabuco Canyon Water District Biennial Actuarial Valuation Report and GASB 75 Actuarial Valuation Report prepared by Nyhart Actuary & Employee Benefits.  
The motion was approved by a vote of 5 – 0.

**FINANCIAL MATTERS**

**ITEM 10: DISCUSSION AND POSSIBLE ACTION(S) RELATING TO THE PROPOSED ADJUSTMENT TO TRABUCO CANYON WATER DISTRICT’S CAPACITY CHARGES FOR WATER SERVICE**

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Mr. Paludi presented this matter to the Board for consideration, and he mentioned this matter was reviewed with the Finance/Audit Committee. Ms. Lausten briefly reviewed the Technical Memorandum prepared by PSOMAS which evaluated the District’s current capacity charges and proposed adjustments based on increased cost of design, construction, and acquisition of facilities since the current charges were adopted.

**Action:** A motion was made by Director Chadd and seconded by Director Mandich to agendize Public Hearing and authorize District staff to furnish Notice of Public Hearing on Adjustment to TCWD’s Capacity Charges for the August 19, 2020 Regular Board Meeting.  
The motion was approved by a vote of 5 – 0.

**ENGINEERING MATTERS**

**ITEM 12: DISCUSSION AND RATIFICATION OF CONTRACT CHANGE ORDER NO. 2 TO TESCO CONTROLS FOR DOVE/ROBINSON RANCH RECYCLED WATER PUMP STATION REHABILITATION PROJECT**

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Mr. Paludi presented this matter to the Board for consideration, and he mentioned this matter was reviewed with the Engineering/Operational Committee. Ms. Lausten provided a brief project update, and she reported that TESCO Controls has issued a Contract Change Order No. 2 associated with the SCE meter relocation, installation

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of additional underground conduit and wiring, and the removal of certain paving improvements. Discussion occurred concerning scheduling a facility site tour for the Board of Directors.

**Action:** A motion was made by Director Chadd and seconded by Director Acosta to approve Contract Change Order No. 2 to Tesco Controls in the not to exceed amount of \$13,227.37 for the SCE meter relocation, additional conduits/wiring and deduction of trench paving. There was no further discussion.  
The motion was approved by a vote of 5 – 0.

**ITEM 13: DISCUSSION AND RATIFICATION OF CONTRACT AMENDMENT NO. 2 TO JIG CONSULTANTS FOR BELL CANYON SEWER LIFT STATION REHABILITATION PROJECT**

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Mr. Paludi introduced this matter for Board review, and he mentioned this matter was reviewed with the Engineering/Operational Committee. Ms. Lausten provided a brief project update, and she highlighted the new project schedule due to procurement impacts and SCE layout recommendations. Discussion occurred concerning onsite temporary fencing and aesthetic considerations.

**Action:** A motion was made by Director Dopudja and seconded by Director Mandich to approve Contract Amendment No. 2 to JIG Consultants in the not to exceed amount of \$17,800 for additional services during the bid phase, revisions to Southern California Edison plans and additional meetings during construction. There was no further discussion.  
The motion was approved by a vote of 5 – 0.

**LEGISLATIVE, ADMINISTRATIVE AND OTHER MATTERS**

**ITEM 14: LOCAL GOVERNMENTAL AND LEGISLATIVE INFORMATIONAL MATTER(S)**

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Mr. Paludi provided updates on the following matters:

- Mr. Paludi and Mr. Perea met with the owners of the Sakaida Nursery property and their representatives.
- Mr. Paludi and Ms. Lausten met with the San Juan Basin Authority Executive Officer and Santa Margarita Water District General Manager Dan Ferons to discuss the Salt and Nutrient Management Plan.

**Action:** The Board took no action on this matter.

**OTHER INFORMATION/MATTERS**

There were no other information or matters received.

**ADDITIONAL DIRECTORS' COMMENTS**

There were no additional Directors' comments received.

**ADDITIONAL GENERAL MANAGER COMMENTS**

There were no additional General Manager comments received.

**ADJOURNMENT**

President Safranski adjourned the July 15, 2020 Regular Board Meeting at 8:14 PM.