

## EXECUTIVE COMMITTEE MEETING AGENDA TRABUCO CANYON WATER DISTRICT

ADMINISTRATIVE FACILITY
32003 DOVE CANYON DRIVE, TRABUCO CANYON, CA
NOVEMBER 8, 2023 AT 5:00 PM

### **COMMITTEE MEMBERS**

Ed Mandich, Committee Chair Stephen Dopudja, Committee Member

### **DISTRICT STAFF**

Fernando Paludi, General Manager Michael Perea, District Secretary

### **AGENDA NOTE:**

Trabuco Canyon Water District (District) will make this meeting available by telephone audio as follows:

Persons desiring to monitor the Committee meeting agenda items may download the Executive Committee meeting agenda and documents on the internet at <a href="www.tcwd.ca.gov">www.tcwd.ca.gov</a>. You may submit public comments by email to the Committee at <a href="mperea@tcwd.ca.gov">mperea@tcwd.ca.gov</a>. 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 10:00 a.m. (PDT) on the day of the meeting.

#### **CALL MEETING TO ORDER**

#### **VISITOR PARTICIPATION**

Members of the public wishing to address the Committee regarding a particular item on the agenda are requested to complete a speaker card and submit it to staff. The Committee Chair will call on the visitor following the Committee's discussion about the matter. Committees do not constitute a quorum of the Board of Directors and Committee Members cannot make decisions on matters. The Committee makes recommendations only to the Board of Directors. Members of the public will be given the opportunity to speak to the Committee prior to making a recommendation on the matter. 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.

#### **ORAL COMMUNICATION**

Members of the public who wish to make comment on matters not appearing on the agenda are invited to identify themselves and encouraged to make comment at this time. The Committee Chair will call on the visitor following the Committee's discussion about the matter. Committees do not constitute a quorum of the Board of Directors and Committee Members cannot make decision on matters. The Committee makes recommendations only to the Board of Directors. Under the requirements of State Law, Committee Members cannot take action on items not identified on the agenda and will not make decisions on such matters. The Committee Chair 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.

### **COMMITTEE MEMBER COMMENTS**

REPORT FROM THE GENERAL MANAGER

### **ADMINISTRATIVE MATTERS**

### ITEM 1: APPROVAL OF EXECUTIVE COMMITTEE MEETING RECAP

### **RECOMMENDED ACTION:**

Approve the following Executive Committee Meeting Recap and recommend that the Board receive and file the same (Consent Calendar):

1. October 9, 2023

#### **DISCUSSION MATTERS**

### ITEM 2: BOARD AGENDA PLANNING CALENDAR

### **RECOMMENDED ACTION:**

Committee to discuss information at the time of the Executive Committee Meeting and take action(s) as deemed appropriate.

### ITEM 3: RESIDENTIAL WATER METER DOWNSIZING PROGRAM

### **RECOMMENDED ACTION:**

Committee to discuss information at the time of the Executive Committee Meeting and take action(s) as deemed appropriate.

#### ITEM 4: REVIEW OF DISTRICT EXPENSE REIMBURSEMENT POLICY

### **RECOMMENDED ACTION:**

Committee to discuss information at the time of the Executive Committee Meeting and take action(s) as deemed appropriate.

### ITEM 5: DISCUSSION OF DISTRICT HUMAN RESOURCES AND BENEFITS ADMINISTRATION SUPPORT

### **RECOMMENDED ACTION:**

Committee to discuss information at the time of the Executive Committee Meeting and take action(s) as deemed appropriate.

#### ITEM 6: DISCUSSION OF DISTRICT PORTER PROPERTY

### **RECOMMENDED ACTION:**

Committee to discuss information at the time of the Executive Committee Meeting and take action(s) as deemed appropriate.

#### **OTHER MATTERS**

### ITEM 7: REPORTS OR COMMENTS FROM THE GENERAL MANAGER AND/OR STAFF

### **RECOMMENDED ACTION:**

Hear other matters from the General Manager and/or Staff.

#### **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 District Administrative Facility, 32003 Dove Canyon Drive, Trabuco Canyon, California (District Facility). If such writings are distributed to members of the Board less than 72 hours prior to the meeting, they will be available in the lobby area of the District Facility at the same time as they are distributed, except that, if such writings are distributed immediately prior to or during the meeting, they will be available in the Boardroom at the District Facility.

### COMPLIANCE WITH THE REQUIREMENTS OF CALIFORNIA GOVERNMENT CODE SECTION 54954.2

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 meeting. Notification 48 hours prior to the meeting will assist the District in making reasonable arrangements to accommodate your request. The District office is wheelchair accessible.

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### **ADMINISTRATIVE MATTERS**

### ITEM 1: APPROVAL OF EXECUTIVE COMMITTEE MEETING RECAP

Information will be presented at the time of the meeting.

### **RECOMMENDED ACTION:**

Approve the following Executive Committee Meeting Recap and recommend that the Board receive and file the same (Consent Calendar):

1. October 9, 2023



### TRABUCO CANYON WATER DISTRICT EXECUTIVE COMMITTEE MEETING RECAP | OCTOBER 9, 2023

### **DIRECTORS PRESENT**

Vice President Ed Mandich, Committee Chair President Stephen Dopudja, Committee Member

### **STAFF PRESENT**

Fernando Paludi, General Manager Michael Perea, Assistant General Manager Roseann Lejsek, Administrative Assistant Phil Serpas, CMMS/SCADA Administrator

### **CONSULTANTS PRESENT**

Laura Ratcliffe, Hanson Bridgett, LLP - District General Counsel

### **PUBLIC PRESENT**

None

#### **CALL MEETING TO ORDER**

Vice President Mandich called the October 9, 2023 Executive Committee Meeting to order at 5:00 PM.

### **VISITOR PARTICIPATION**

No visitor participation was received.

### **ORAL COMMUNICATION**

No oral communication was received.

### **COMMITTEE MEMBER COMMENTS**

None

### REPORT FROM THE GENERAL MANAGER

Mr. Paludi provided a brief update on the following matters:

- Mr. Paludi reported that SCADA-related issues impacted certain District facilities over the weekend. Mr. Serpas
  provided additional information concerning system adjustments and planned improvements.
- Mr. Paludi reported that the Orange County Water Summit is scheduled for October 13<sup>th</sup> in Costa Mesa, and he mentioned that the District has reserved a table for Directors and staff.

### **DISCUSSION MATTERS**

### ITEM 1: APPROVAL OF EXECUTIVE COMMITTEE MEETING RECAP

Mr. Paludi presented the Executive Committee Meeting Recap(s) for Committee consideration in accordance with the agenda.

MOTION: Approve the Executive Committee Meeting Recap(s) and recommend the Board of Directors

receive and file the same (Consent Calendar) – Director Dopudja

### TRABUCO CANYON WATER DISTRICT EXECUTIVE COMMITTEE MEETING RECAP | OCTOBER 9, 2023

**SECOND:** Director Mandich

AYES: Directors Mandich & Dopudja

NOES: None ABSTAIN: None

MOTION PASSED/FAILED: Passed 2 - 0

### ITEM 2: DISCUSSION OF WATER METER SIZING POLICY AND PROCEDURE

Mr. Paludi presented this matter for Committee consideration, and he reported that District staff has worked with General Counsel on this matter and presented handouts of the proposed policy and procedure. Mr. Paludi reviewed a procedural flowchart that indicated the proposed process for resizing a residential water meter at the request of District customers. Discussion occurred concerning Orange County Fire Authority (OCFA) regulatory requirements for residences with interior fire sprinkler systems and the typically associated water demands. Mr. Paludi provided a handout of the proposed permit application and water demand worksheet for Committee review. Discussion occurred concerning the proposed water demand analysis and checklist requirements. The Committee recommended that District staff and General Counsel balance the mitigation of the District's risk exposure on this proposed policy while meeting the needs of the District's customers.

**MOTION:** The Committee recommended forwarding this matter to the Board of Directors for consideration at the next Regular Board Meeting (Action Calendar).

### **ITEM 3: FACILITIES TOUR UPDATE**

Mr. Paludi presented this matter for Committee consideration, and he provided a brief update on the preparations for this event. Mr. Paludi reported that approximately forty customers have registered for the event which exceeds the capacity of the rental vehicle, so he recommended the reservation of another vehicle to accommodate the attendees. Mr. Paludi provided a draft tour itinerary handout for review and comment. Discussion occurred concerning the planned tour route, staffing, and other event planning efforts.

**MOTION:** None – Informational item only.

#### **OTHER MATTERS**

### ITEM 4: REPORTS OR COMMENTS FROM THE GENERAL MANAGER AND/OR STAFF

There were no other reports provided.

**MOTION:** None – Informational item only.

### **ADJOURNMENT**

Vice President Mandich adjourned the October 9, 2023 Executive Committee Meeting at 6:16 p.m.

### **DISCUSSION MATTERS**

### ITEM 2: BOARD AGENDA PLANNING CALENDAR

Information will be presented at the time of the meeting.

### **RECOMMENDED ACTIONS:**

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

### **DISCUSSION MATTERS**

### ITEM 3: RESIDENTIAL WATER METER DOWNSIZING PROGRAM

At the September 21, 2023 Regular Board Meeting, the Board of Directors directed staff to develop a procedure for handling requests from customers to evaluate a smaller water meter size for their property. Staff developed a proposed meter downsizing program and procedure for single family residential accounts only, which was presented at the October 19 Regular Board Meeting and again at a Special Board Meeting on November 1. At the November 1 meeting, the Board approved the proposed program subject to certain modifications and conditions and requested that the Board's Executive Committee review and approve the final program and associated forms prior to accepting meter downsizing applications from customers.

Staff is incorporating the modifications requested at the November 1 Special Board Meeting and the final proposed application forms will be provided to the Committee at the time of the Committee meeting.

### **RECOMMENDED ACTIONS:**

Committee to discuss information at the time of the Executive Committee Meeting and take action(s) as deemed appropriate.

### **EXHIBIT(S)**:

None

### **DISCUSSION MATTERS**

### ITEM 4: REVIEW OF DISTRICT EXPENSE REIMBURSEMENT POLICY

The District's current Expense Reimbursement Policy was updated and adopted by the Board of Directors in June 2022. The Committee will review the existing policy and consider any potential modifications.

### **RECOMMENDED ACTIONS:**

Committee to discuss information at the time of the Executive Committee Meeting and take action(s) as deemed appropriate.

### **EXHIBIT(S):**

1. TCWD Expense Reimbursement Policy

### TRABUCO CANYON WATER DISTRICT EXPENSE REIMBURSEMENT POLICY BOARD APPROVED JUNE 16, 2022

The Trabuco Canyon Water District (**District**) is obligated to ensure that expenditures made by the District are solely for public purposes. The District also is responsible to taxpayers and the public to be prudent and wise in making those expenditures. The purpose of this **Policy** is to govern and provide for a process by which a member of the District's Board of Directors or a District employee may seek reimbursement for expenses that they have incurred in the conduct of agency business.

This Policy is adopted pursuant to Government Code Section 53232.2, which provides that if a local agency reimburses members of its legislative body for actual and necessary expenses incurred in the performance of official duties, then the agency's governing board must adopt a written policy, in a public meeting, specifying the types of activities that qualify for reimbursement of expenses such as those related to travel, meals and lodging. District Board members and employees should ensure that their proposed expenses are reimbursable before incurring the expenses. Additional procedures are set forth in Attachment A, which may be amended from time to time by the General Manager in accordance with applicable laws and in furtherance of the purposes of this Policy.

**SECTION 1. AUTHORIZED EXPENSES.** Expenses incurred in connection with the following types of activities generally constitute authorized and reimbursable expenses, and do not need pre-expense approval of the Board, as long as the other requirements of this Policy and implementing procedures are met:

- (a) Communicating with representatives of regional, state and national governments on Board-adopted policy positions;
- (b) Attending conferences or educational seminars designed to improve the skills and knowledge of Board members or District employees, so long as the skills and knowledge relate to their position with the District:
- (c) Participating in regional, state and national organizations whose activities affect the District's interests;
- (d) Performing tasks related to District business:
- (e) All other expenses must be approved by the Board, in a public meeting, before the expense is incurred.

### **SECTION 2. EXPENSES NOT ELIGIBLE FOR REIMBURSEMENT.** Expenses that are not eligible for reimbursement include:

- (a) The personal portion of any trip;
- (b) Political or charitable contributions;
- (c) Family expenses, including a partner's expenses when accompanying a Board member or an employee on District-related business, as well as child- or pet-related expenses;
- (d) Entertainment expenses, including theater, movies (either in-room or at the theater), sporting events (including gym, massage and/or golf-related expenses), or other cultural events;
- (e) Alcohol/personal hotel honor bar expenses;
- (f) Tips greater than 20 percent (unless automatically included in the bill):
- (g) Regular commuting costs and personal automobile expenses, including for vehicle maintenance and repairs, traffic and parking citations, insurance and gasoline;
- (h) Personal losses incurred while on District business; and
- (i) Visitor gym fees where the lodging includes free gym services.

Any questions regarding the propriety of a particular type of expense should be resolved by the approving authority before the expense is incurred.

**SECTION 3. TRANSPORTATION.** Board members and employees are encouraged to use public transit and carpool to the maximum extent possible when travelling on District business. If transportation is needed for Directors or employees to travel for District business other than in District vehicles, costs are eligible for reimbursement as follows:

- (a) <u>Airfare</u>: Airfares that are reasonable and economical (coach fare) are eligible for reimbursement. Ticket purchases should be made well in advance to take advantage of low fares when possible.
- (b) Automobile:
  - (1) Personal automobile mileage is reimbursed at Internal Revenue Service (IRS) rates in effect at the time of travel. Tolls are eligible for reimbursement, unless the charges are incurred as part of the Director or employee's normal commute to or from the District.
  - (2) An employee of the District, authorized to travel on District business by use of a privately-owned motor vehicle, shall be reimbursed for the actual miles traveled portal to portal; mileage incurred for personal use during travel will not be reimbursed and must be segregated from actual District business mileage submitted for reimbursement. Reimbursement for auto mileage shall not exceed the cost of coach airfare for the same trip when it would be less expensive to fly than drive.
- (c) <u>Car Rental</u>: Rental car costs and fees are authorized for reimbursement only when necessary and when other transportation is not feasible or car rental is more economical. Cars are to be reserved at a rate that does not exceed the standard-size car rate.
- (d) <u>Taxis/Rideshare</u>: Taxi/Rideshare fares and gratuity (of no more than 20%) will be reimbursed only when shuttle or public transportation is not practical.
- (e) <u>Parking and Shuttles</u>: Reasonable parking costs will be reimbursed. Long-term parking or shuttle service to and from the airport may be claimed as a miscellaneous expense for reimbursement.
- (f) Public Transit: Actual fares for public transit will be reimbursed.

**SECTION 4. LODGING.** Lodging costs are only reimbursable when Directors or personnel travel for purposes set forth in Section 1, above. Lodging expenses at the single-room rate will be reimbursed or paid for when travel on District business reasonably requires an overnight stay. If such lodging is in connection with a conference, training or other educational activity, lodging expenses must not exceed the group rate published by the conference sponsor or training provider for the event in question, if such rates are available at the time of booking. If the group rate or lodging is not available, reimbursement will be limited to within a reasonable percentage of the U.S. General Services Administration (GSA) rate at the time of travel.

**SECTION 5. MEALS & INCIDENTAL EXPENSES**. Meals and incidental expenses are reimbursable whenever Directors or personnel travel for purposes set forth in Section 1, above, and as otherwise set forth below.

- (a) <u>Business Meetings</u>: Actual and reasonable costs of business meals and gratuities are allowed when representing the District, regardless of geographic location.
- (b) <u>Conference</u>, <u>Seminar or Training</u>: When Directors attend conferences, seminars and trainings for the District, reimbursements will be provided for the actual cost of meals, capped by the maximum established GSA for all meals, based on the locations of the events. Employees are entitled to reimbursement at the GSA rates for all meals not provided under conference, seminar and training registration fees.
- (c) Alcohol: The District will not pay for alcohol or hotel-room personal bar/honor bar expenses.
- (d) Other: Employees may be reimbursed for other meal costs under the following conditions:
  - (i) When the employee is performing emergency work and cannot leave the job during the normal meal period.

- (ii) When an exempt employee is required to work outside of their normal work hours.
- (iii) When a meal is purchased for non-District personnel performing a complimentary service for the District, e.g., serving on a District oral interview panel.
- (iv) When provided during staff meetings, open houses and other District-sponsored obligatory meetings.

### **SECTION 6. REGISTRATION FEES**

Registration fees for conferences or meetings will be reimbursed at actual cost.

### **SECTION 7. FAX/INTERNET**

Board members and employees will be reimbursed for actual fax or internet connection expenses incurred for District business.

### **SECTION 8. LAUNDRY OR VALET SERVICE**

The reasonable actual costs of laundry or valet services are allowable when the travel exceeds five business days. On shorter trips, laundry or valet service will be allowed only in unusual circumstances.

### **SECTION 9. REPORTS TO THE BOARD**

When a Board member attends a conference, training, seminar or other event for which they seek reimbursement from the District, the Board member must submit a brief oral or written report at the next regular Board meeting. If multiple members attended, a joint report may be made.

### **SECTION 10. COMPLIANCE WITH LAWS**

District Board members and employees should keep in mind that some expenditures may be subject to reporting under the Political Reform Act and other laws. All District expense reports, Travel Authorization Forms and accompanying documentation are public records subject to disclosure under the Public Records Act and other applicable laws.

### **SECTION 11. IMPLEMENTING PROCEDURES**

The District and its Board members and employees must follow the procedures adopted to implement this Policy. The procedures may be revised by the General Manager in compliance with all laws and in furtherance of this Policy.

### **SECTION 12. DISCIPLINARY ACTIONS FOR NON-COMPLIANCE**

Misuse of public resources or falsifying expense reports in violation of District Policy or procedures may result in any or all of the following:

- (a) Loss of reimbursement privileges;
- (b) Required restitution to the District;
- (c) The District reporting the expenses as income to State and Federal tax authorities;
- (d) Civil Penalties of up to \$1,000 per day and three-times the value of the resources used (Gov't Code §§53232.4 and 8314);
- (e) Prosecution for misuse of public resources:
- (f) For employees, discipline up to and including employee termination; and
- (g) For Board members, censure by the Board or such other measure as may be determined by the Board.

# ATTACHMENT A: PROCEDURES IMPLEMENTING TRABUCO CANYON WATER DISTRICT EXPENSE REIMBURSEMENT POLICY

#### 1. PURPOSE

These procedures implement the Trabuco Canyon Water District (**District**) Expense Reimbursement Policy (**Policy**). The procedures provide guidance for how the District will reimburse Board members and employees for authorized expenses incurred in the normal conduct of District Business. These procedures may be amended from time to time by the General Manager in accordance with applicable laws and in furtherance of the Policy.

### 2. AUTHORIZING AUTHORITIES

- a. Only the following individuals can authorize travel and approve expense report forms:
  - i. The Board for the Board of Directors and the General Manager;
  - ii. The General Manager for the Assistant General Manager; and
  - iii. The General Manager or Assistant General Manager for all other District employees. The General Manager has the discretion to approve employee expenses that occur under unusual circumstances when there is clearly a benefit to the District.
- b. Additionally, check signatories are not authorized to sign reimbursement checks to themselves. In the event that a finance audit committee member is being reimbursed, the alternative committee member must sign reimbursement checks.

### 3. TRAVEL AUTHORIZATION REQUEST

- a. Directors must obtain approval from the Board of Directors and employees must submit travel authorization forms to the General Manager and Assistant General Manager before District travel:
  - i. To attend any meeting, conference, training or other event involving overnight accommodations;
  - ii. Outside of the counties of Orange, Los Angeles, San Diego, San Bernardino or Riverside.
- b. The District Secretary or Assistant District Secretary will coordinate all travel arrangements, including air transportation, hotel and rental car reservations, through District-approved providers.

### 4. TRAVEL ADVANCES - EMPLOYEES ONLY

- a. From time to time, it may be necessary for an employee to request a cash advance to cover anticipated expenses while traveling or doing business on the District's behalf.
- b. Such requests must be submitted to the General Manager on an Expense Report Form. Completed Expense Report Forms must document that the expense in question met the requirements of the Policy.
- c. Overpayment on advances shall be repaid no later than seven calendar days after the subject purchase is made or the employee returns from the subject travel, unless an extension of time is provided by the General Manager.
- d. No employee will be permitted an advance if that employee has an outstanding expense report.

### 5. EXPENSE REPORTS

- a. Expense report forms must be submitted within 30 calendar days of an expense being incurred, and must include the following attachments:
  - i. Approved travel authorization forms, when relevant for reimbursement of travel costs;
  - ii. Original receipts showing the claimed expenses (e.g., restaurant receipts as opposed to credit card receipts or statements), except for employee meals being reimbursed at per diem rates in accordance with the Policy;

- iii. Names and positions of participating individuals, as well as a description of the purpose of the meeting, for reimbursement of meals for individuals in addition to the Director or employee submitting the request.
- iv. A copy of the Program or Agenda of the event(s) attended, when relevant;
- v. If a Director or employee does not attend a planned trip and nonrefundable expenses have been incurred for registration, lodging and/or travel, a written explanation of the reasons for non-attendance: and
- vi. When original receipts are required under these procedures, but have been lost, a duplicate receipt if available;
- vii. If neither an original nor duplicate receipt is available, or if a receipt is not available for a small expenditure (e.g., parking meters), a detailed explanation of the expenditure and explanation of which receipts are not available; and
- viii. Telephone bills identifying calls made on District business, when relevant.
- ix. It is the employee's and Director's personal responsibility to submit an expense report and make payments in a timely manner. The District will not be responsible for interest payments or late charges that occur on credit cards. The District will in turn make every effort to reimburse properly documented and approved expenses in a timely manner, typically within seven business days.
- b. It is not intended that an employee or Director incur any financial loss while on District business nor is it intended that they realize a financial gain. If an employee or Director incurs expenses which do not appear to be covered under the Policy but which are believed to be charges to the District, the employee or Director should submit these charges on an expense report with a full explanation and supporting receipts. The approving authority shall determine if the expenses were reasonable, given all the circumstances, and if so may approve the reimbursement of those expenses.

### 6. AUDITS OF EXPENSE REPORTS

All evidence of expenses and related documentation are subject to verification that they comply with the Policy and these Procedures.

### **DISCUSSION MATTERS**

### ITEM 5: DISCUSSION OF DISTRICT HUMAN RESOURCES AND BENEFITS ADMINISTRATION SUPPORT

The Executive Committee has requested a discussion regarding the potential organizational benefit to the District of procuring external support services for the human resources function including administration of the District's employee and director benefits.

### **RECOMMENDED ACTION:**

Committee to discuss information at the time of the Executive Committee Meeting and take action(s) as deemed appropriate.

### **EXHIBIT(S)**:

None

### **DISCUSSION MATTERS**

### ITEM 6: DISCUSSION OF DISTRICT PORTER PROPERTY

The District owns 120-acres of open space property in Trabuco Canyon north of the Trabuco Highlands Community. The Executive Committee has requested a discussion of the future potential of generating revenue from the disposition of the subject property to offset other funding sources supporting District operating and/or capital expenditures.

### **RECOMMENDED ACTION:**

Committee to discuss information at the time of the Executive Committee Meeting and take action(s) as deemed appropriate.

### EXHIBIT(S):

None.

### **OTHER MATTERS**

### ITEM 7: REPORTS OR COMMENTS FROM THE GENERAL MANAGER AND/OR STAFF

Other matters may have arisen after the posting of the agenda and will be brought forward for discussion and/or information at the time of the Executive Committee.

### **RECOMMENDED ACTION:**

Hear other matters from the General Manager and/or Staff.