



THREE VALLEYS MUNICIPAL WATER DISTRICT REGULAR BOARD MEETING MINUTES

Wednesday, June 1, 2022 – 8:00 a.m.

1. CALL TO ORDER

The Board meeting was called to order at 8:00 a.m. at the District office located at 1021 East Miramar Ave., Claremont, CA, and via teleconference. The presiding officer was President Jody Roberto.

2. ROLL CALL

Roll call was taken with a quorum of the Board present.

DIRECTORS PRESENT

Jody Roberto, President
Carlos Goytia, Secretary
Mike Ti, Treasurer
David De Jesus, Director
Bob Kuhn, Director
Danielle Soto, Director

DIRECTORS ABSENT

Brian Bowcock, Vice President

STAFF PRESENT

Matthew Litchfield, General Manager
Steve Kennedy, Legal Counsel
Nadia Aguirre, Executive Assistant
Dominique Aguiar, Operations Supervisor
Liz Cohn, Senior Financial Analyst
Karen Harberson, Compliance Specialist
Kirk Howie, Chief Administrative Officer
Steve Lang, Chief Operations Officer
Sylvie Lee, Chief Water Resources Officer
James Linthicum, Chief Finance Officer
Kevin Panzer, Assistant Engineer
Robert Peng, I.T. Manager
Ben Peralta, Project Manager
Viviana Robles, Human Resources/Risk Manager
Esther Romero, Accounting Technician
Marissa Turner, Admin./Communications Assistant

Virtual Attendees: Josh Byerrum, Walnut Valley Water District; Ed Chavez, Water Quality Authority; Kelly Gardner, Main San Gabriel Basin Watermaster; Kevin Hayakawa, Walnut Valley Water District; Ed Hilden, Walnut Valley Water District; Shawn Igoe, City of La Verne; Richard Lambros, Engineering Contractors' Association; Ben Lewis, Golden State Water Company; Szu Lu, Rowland Water District; Jared Macias, Walnut Valley Water District; Myra Malner, Rowland Water District; John Mendoza; Dusty Moasio, Rowland Water District; Carolee Monroe, League of Women Voters; John Monsen, Sierra Club; Stephanie Moreno, Water Quality Authority; Gabriela Sanchez, Rowland Water District; Sherry Shaw, Walnut Valley Water District; Jennifer Stark, City of Claremont; Lisa Tarpin, Southern California Group; Tony Zampiello, Main San Gabriel Basin Watermaster

In Person Attendee: Tom Coleman, Rowland Water District; Tony Lima, Rowland Water District

3. FLAG SALUTE

The flag salute was led by President Roberto.

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4. AGENDA REORDER/ADDITIONS

Item 7 – Public Meeting and Item 8.A – Resolution No. 22-06-DRAFT, were reordered ahead of Item 5 – Public Comment.

5. PUBLIC COMMENT

President Roberto opened public comment and there was none.

6. ACTION AGENDA

A. ADOPT RESOLUTION NO. 22-06-930 RE-AUTHORIZING REMOTE TELCONFERENCE MEETINGS PURSUANT TO THE PROVISIONS OF ASSEMBLY BILL 361

Upon motion and second and no discussion, President Roberto called for a roll call vote.

Moved: Director De Jesus	Second: Director Soto
Ayes: De Jesus, Goytia, Kuhn, Roberto, Soto, Ti	
Noes:	
Absent: Bowcock	
Motion No. 22-06-5380 Adoption of Resolution No. 22-06-930	
Motion passed 6-0-1	

B. WATER EDUCATION FOR LATINO LEADERS CONFERENCE SPONSORSHIP

Director Soto requested a \$7,500 sponsorship for WELL’s second conference to be held June 10 and 11, 2022. Per the Outreach Program Policy, any sponsorship request by a director of more than \$1,000 shall be brought to the full board for input and approval. The event must align with the TVMWD Strategic Plan and provide a direct nexus to water. Director Soto provided an overview of agenda panels, one of which she will be moderating.

Directors expressed their concerns regarding the sponsorship due to budget concerns.

Director Soto motioned, and Director Goytia seconded a motion to approve the \$7,500 WELL Conference sponsorship.

Director De Jesus offered a substitute motion of a \$2,500 sponsorship for the WELL Conference. Director Soto withdrew her original motion. Legal Counsel Kennedy stated a donation or sponsorship of \$2,500 to the WELL Conference would not be considered a gift of public funds as there is a direct nexus to water.

Director De Jesus noted that under Robert’s Rules of Order, he allowed for discussion after making a substitute motion. Director De Jesus amended his motion to a partial contribution of \$2,500 towards the WELL Conference. The motion was seconded by President Roberto.

Moved: Director De Jesus Second: Director Roberto
Ayes: De Jesus, Roberto, Soto
Noes: Goytia, Kuhn Ti
Absent: Bowcock
Motion No. 22-06-5381 for a partial contribution of \$2,500 to the WELL
Conference
Motion did not pass 3-3-1

President Roberto called for a roll call vote of the original motion for a full conference sponsorship of \$7,500.

Moved: Director Soto Second: Director Goytia
Ayes: Goytia, Kuhn, Soto, Ti
Noes: De Jesus, Roberto
Absent: Bowcock
Motion No. 22-06-5382 Approval of a \$7,500 sponsorship to the WELL
Conference
Motion passed 4-2-1

7. PUBLIC MEETING FY 2022/23 STANDBY CHARGE

President Roberto opened the public meeting at 8:04 a.m. Chief Finance Officer Linthicum reviewed the standby charge for FY 22/23. The standby charge will increase from \$20.43 to \$24.18. Based on MWD's 10-year rate forecast, the standby charge is expected to exceed the maximum rate of \$29.41 within 2 years. No public comment was received in writing or at the time of the meeting. President Roberto closed the public meeting at 8:06 a.m. A public hearing will be held at the next board meeting on June 15, 2022.

8. GENERAL MANAGER'S REPORT

A. REVIEW RESOLUTION NO. 22-06-DRAFT FOR FY 2022/23 WATER STANDBY CHARGE

As part of Resolution No. 22-06-DRAFT, the draft Engineer's Report is included in the board packet. The report includes the equivalent dwelling units (EDU) within our area, how the charge is calculated, how it is allocated across each of the EDU's, and historical perspective.

B. ANNUAL SUNSHINE ORDINANCE REVIEW

Legal Counsel Kennedy provided the Board an update on the Sunshine Ordinance. TVMWD has been operating under AB 361 since October 2021, allowing the Board to conduct meetings remotely and for the public to participate remotely. AB 2449 has passed out of the assembly by a vote of 65-4, and if signed into law it will allow agencies flexibility with teleconferencing of board meetings. SB 274 amended Government Code Section 54954.1, requiring local agencies that have an internet website to e-mail a copy of, or website link to, the agenda or a copy of all the documents constituting the agenda packet if a party seeking such documents requests that the items be delivered by e-mail. Legal Counsel Kennedy suggested some technical modifications to Section 2.3.5 of the Sunshine Ordinance, be brought forth to the next board meeting for adoption.

C. SOCIAL MEDIA POLICY – ELECTED OFFICIALS

A draft of the Social Media Policy was originally brought forward to the Board at the February 2, 2022 board meeting. Since then, additional edits have been made to the policy by legal counsel and board members. Some changes include rearrangement of sections, new language additions, and deletion of sections. The policy intends to further the transparency and pertinent activities that TVMWD is involved with. The Social Media Policy will be brought back to the June 15, 2022 board meeting for consideration of approval.

D. 2022 ANNUAL WATER SHORTAGE REPORT

Each urban water supplier is now required to prepare an Annual Water Supply and Demand Assessment (Annual Assessment) and submit an Annual Water Shortage Assessment Report (Annual Shortage Report) to the Department of Water Resources (DWR) on or before July 1, 2022, and every year thereafter. TVMWD has worked with its Member Agencies and MWD in developing the imported water supply conditions as required by the Annual Assessment. The Annual Shortage Report was prepared using methodologies consistent with the DWR guidelines and TVMWD's 2020 Water Shortage Contingency Plan. Chief Water Resources Officer Lee provided the details of the report. This final report will be presented to the Board for consideration of approval at the June 15, 2022, board meeting and submitted to DWR before July 1, 2022.

E. REVIEW OF FY 2022/23 GENERAL MANAGER'S WORK PLAN

General Manager Litchfield presented the FY 22/23 General Manager's Work Plan. The Work Plan lays out the specific projects or initiatives to meet overall goals in support of TVMWD's mission. Each activity listed is referenced back to a specific strategic goal outlined in the FY 22/23 Strategic Plan. After this item is potentially approved at the June 15, 2022, board meeting, General Manager Litchfield will work with staff on department work plans supporting the General Manager's Work Plan. Director Ti requested to add the pump back improvement to the Work Plan. This item will be brought back to the June 15, 2022 board meeting for consideration of approval.

F. ON-CALL PAY RATE INCREASE

Chief Operations Officer Lang reviewed the recommended on-call pay rate increase for standby operators and lab operators. The standby operator's pay will increase from \$35 to \$45, and the lab operator's pay will increase from \$90 to \$100, effective July 1, 2022. The pay rate increase will result in a \$7,600 increase in the budget and the amount was not included in the FY 22/23 budget. The 2021 salary survey revealed that TVMWD is 27% below the market average. This item will be brought back to the June 15, 2022 board meeting for consideration of approval.

G. PROJECTS SUMMARY UPDATE

Project Manager Peralta provided an update of the Miragrand Well project. The contractor is making good progress; however, there is a delay in the motor delivery to mid-August. The remaining portions of the project will still be completed on time. The Emerald Service Meter

Upgrade project is substantially complete with only minor punch list items remaining. The cabinet has been functional for a couple of weeks.

9. CLOSED SESSION

The Board convened into closed session at 9:55 a.m. to discuss the following items:

A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION [Government Code Section 54956.9(d)(1)]

Name of Case: San Diego County Water Authority v. Metropolitan Water District of Southern California, et al., San Francisco County Superior Court Case No. CPF-14-514004

(Consolidated with Case Nos. CPF-16-515282 and CPF-18-516389)

B. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION [Government Code Section 54956.9(d)(1)]

Name of Case: Chino Basin Municipal Water District v. City of Chino, et al., San Bernardino County Superior Court Case No. RCV RS 51010

C. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

- Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2)
- One potential case

The Board convened out of closed session and into open session at 10:36 a.m. Legal Counsel Kennedy stated no reportable action was taken.

10. FUTURE AGENDA ITEMS

No future agenda items were requested.

Director Soto reported she was absent from the previous board meeting because she was at the WELL Conference in Sacramento. Director Soto will present what she learned at a future board meeting.


President Roberto wished Director De Jesus and General Manager Litchfield a happy birthday. President Roberto requested to have Directors'/General Manager's Oral Reports on all board meeting agendas.

11. ADJOURNMENT AND NEXT MEETING

The board meeting adjourned at 10:40 a.m. to the next regular board meeting scheduled for Wednesday, June 15, 2022.



Jody Roberto
President, Board of Directors



Recorded by: Nadia Aguirre
Executive Assistant