



THREE VALLEYS MUNICIPAL WATER DISTRICT REGULAR BOARD MEETING MINUTES

January 4, 2023 – 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
Jeff Hanlon, Director
Bob Kuhn, Director
Danielle Soto, Director

STAFF PRESENT

Matthew Litchfield, General Manager
Steve Kennedy, Legal Counsel
Liz Cohn, Senior Financial Analyst
Freeman Ensign, Operations Supervisor
Karen Harberson, Compliance Specialist
Kirk Howie, Chief Administrative Officer
Leonardo Larios, Shift Operator
Sylvie Lee, Chief Water Resources Officer
James Linthicum, Chief Finance Officer
Kevin Panzer, Engineer
Robert Peng, I.T. Manager
Viviana Robles, Human Resources/Risk Manager
Esther Romero, Accounting Technician
Marissa Turner, Admin./Communications Assistant

Virtual Attendees: Andy Bullington, City of Covina; Josh Byerrum, Walnut Valley Water District; Ed Hilden, Walnut Valley Water District; Richard Lambros, Engineering Contractors' Association; Ben Lewis, Golden State Water Company; Myra Malner, Rowland Water District; Mike Melinte, City of Covina Water; Dave Michalko, Valencia Heights Water Company; John Monsen, Sierra Club; Toby Moore, Golden State Water Company; Stephanie Moreno, San Gabriel Basin Water Quality Authority; Sherry Shaw, Walnut Valley Water District; Madelyn Yang

In Person Attendees: Tom Coleman, Rowland Water District; Chris Diggs, City of Pomona; Erik Hitchman, Walnut Valley Water District; Tony Lima, Rowland Water District; Dusty Moasio, Rowland Water District

3. FLAG SALUTE

The flag salute was led by President Roberto.

4. AGENDA REORDER/ADDITIONS

No reorder or additions to the agenda were requested.

5. PRESENTATION

A. SOLVE THE WATER CRISIS

General Manager Litchfield showed a brief video on the statewide educational effort Solve the Water Crisis. The objective of the coalition is to inform policy makers of the current water crisis and the urgency that requires state action to secure California's Future. At the local level Southern California uses 50% less water than they did a decade ago and even with the increase in population water demand is down. The region has invested nearly \$1 Billion in conservation rebates and incentives and budget-based water rates have helped incentivize water efficiency. General Manager Litchfield discussed the Water Supply Plan announced in August 2022 by Governor Newsom and some of the negative impacts caused from the drought. The proposed solutions of the Solve the Water Crisis include more surface groundwater storage, improve inter-regional and local conveyance, creative regulatory solutions, voluntary agreements, new supply including investments in local water structure such as groundwater recharge, desalinization, and recycling. General Manager Litchfield addressed the board's questions.

6. PUBLIC COMMENT

John Monsen provided public comment.

7. ACTION AGENDA

A. ADOPT RESOLUTION NO. 23-01-953 RE-AUTHORIZING REMOTE TELECONFERENCE 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 Kuhn Second: Director Ti Ayes: De Jesus, Goytia, Hanlon, Kuhn, Roberto, Soto, Ti Noes: Absent: Motion No. 23-01-5413 Adoption of Resolution No. 23-01-953 Motion passed 7-0-0

B. APPROVAL OF POLICY MANUAL UPDATE

General Manager Litchfield commented on the item that the comments received from the board have been incorporated into the Policy Manual.

Upon motion and second, President Roberto called for a roll call vote.

Moved: Director Ti Second: Director Kuhn
Ayes: De Jesus, Goytia, Hanlon, Kuhn, Roberto, Soto, Ti
Noes:
Absent:
Motion No. 23-01-5414 Approval of Policy Manual
Motion passed 7-0-0

C. CY 2023 BOARD OFFICERS

President Roberto opened the floor for discussion for nominations of Board President, Vice President, Secretary, and Treasurer for a 2-year term.

A nomination was made for Director Roberto to serve as President. Upon motion and second, and no further nominations, President Roberto called for a roll call vote.

Moved: Director Ti Second: Director Kuhn
Ayes: De Jesus, Goytia, Hanlon, Kuhn, Roberto, Soto, Ti
Noes:
Absent:
Motion No. 23-01-5415 Nomination of Board President Roberto
Motion passed 7-0-0

A nomination and second was made for Director Ti to serve as Vice President. A secondary motion was made for the nomination for Director Goytia as Vice President. The secondary motion for Director Goytia to serve as Vice President was not seconded and died for a lack of second. With no further nominations or discussion, President Roberto called for a roll call vote for Director Ti to serve as Vice President.

Moved: Director Kuhn Second: Director Roberto
Ayes: De Jesus, Goytia, Hanlon, Kuhn, Roberto, Soto, Ti
Noes:
Absent:
Motion No. 23-01-5416 Nomination of Board Vice President Ti
Motion passed 7-0-0

A nomination was made for Director Goytia to serve as Secretary. Upon motion and second, no further nominations, President Roberto called for a roll call vote.

Moved: Director Kuhn Second: Director Ti
Ayes: De Jesus, Goytia, Hanlon, Kuhn, Roberto, Soto, Ti
Noes:
Absent:
Motion No. 23-01-5417 Nomination of Board Secretary Goytia
Motion passed 7-0-0

A nomination was made for Director Kuhn to serve as Treasurer. Upon motion and second, no further nominations, President Roberto called for a roll call vote.

Moved: Director De Jesus Second: Director Roberto
 Ayes: De Jesus, Goytia, Hanlon, Kuhn, Roberto, Soto, Ti
 Noes:
 Absent:
 Motion No. 23-01-5418 Nomination of Board Treasurer Kuhn
 Motion passed 7-0-0

D. CY 2023 BOARD APPOINTMENTS

President Roberto opened the floor for discussion for the CY 2023 Board appointments. Board discussion ensued on the proposed committee assignments. Upon a motion and second, President Roberto called for a roll call vote.

COMMITTEE / BOARD	REPRESENTATIVE	ALTERNATE
ACWA Region 8 Delegate	Bob Kuhn	Mike Ti
ACWA / JPIA Representative	Bob Kuhn	Mike Ti
Chino Basin Watermaster ¹	Bob Kuhn	David De Jesus
City of Pomona	Carlos Goytia	Danielle Soto
Main San Gabriel Basin Watermaster	Mike Ti	Danielle Soto
MWD Board Representative	David De Jesus	N/A
PWR Joint Water Line Commission	Carlos Goytia	Mike Ti
Rowland Water District	Mike Ti	Jody Roberto
San Gabriel Basin WQA ^{1,2}	Bob Kuhn	Jody Roberto
San Gabriel Valley Chamber of Commerce	Danielle Soto	Jody Roberto
San Gabriel Valley Council of Governments (SGV-COG) ³	Carlos Goytia	Bob Kuhn
San Gabriel Valley Economic Partnership (SGVEP)	Mike Ti	Jody Roberto
Six Basins Watermaster ¹	Jody Roberto	Jeff Hanlon
Southern California Water Coalition	Mike Ti	Jody Roberto
Spadra Basin GSA	Carlos Goytia	Jody Roberto
Walnut Valley Water District	David De Jesus	Jody Roberto

Moved: Director Kuhn Second: Director De Jesus
 Ayes: De Jesus, Goytia, Hanlon, Kuhn, Roberto, Soto, Ti
 Noes:
 Absent:
 Motion No. 23-01-5419 Approval of CY 2023 Appointments
 Motion passed 7-0-0

8. GENERAL MANAGER'S REPORTS

A. SUNSHINE ORDINANCE REVIEW

Legal Counsel Kennedy reviewed three different pieces of legislation that directly affects the Brown Act that was passed during the last legislative session: Assembly Bill 2449, Assembly Bill 2647, and Senate Bill 1100. Under AB 2449, a Board Director may remote teleconference no more than 2 meetings per calendar year under (I) just cause or (II) emergency circumstances. They must inform the Board at the earliest opportunity possible so the Board can take action to approve such a request at earliest opportunity. No director may participate solely by teleconference from remote locations for more than 3 consecutive months or 20% of the regular Board meetings within a calendar year. AB 2449 does not replace the Brown Act and the Board has the option to exercise the Brown Act instead of AB 2449 if they comply with the requirements. A quorum of the board must be physically present at the meeting location.

Under AB 2647, any agenda-related materials that are provided to the board after the agenda has been posted need to be made available to the public at the same time these are provided to the board by posting these materials to the website as well as making these physically available to the public. The recommended changes will be brought back on the Sunshine Ordinance at the next board meeting for approval.

Under Senate Bill 1100, the Board President can remove members of the public who are being disruptive during a meeting. Legal Counsel Kennedy recommended to the board that this provision be added to the Sunshine Ordinance and addressed the boards concerns regarding what would be considered disruptive behavior. The recommended changes will be brought back on the Sunshine Ordinance at the next board meeting for approval.

B. JPIA INSURANCE RECOGNITION

Human Resources/Risk Manager Robles presented the JPIA insurance recognition award to the board. Each year the JPIA recognizes members that have a loss ratio of 20% or less in their Liability, Property, and Workers Compensation programs. TVMWD's percentages are as follows: liability 3%, property 8.3%, Workers Compensation .2%.

9. DIRECTORS & GENERAL MANAGERS REPORTS

Director Kuhn requested his reports be rearranged to go first. President Roberto approved his request.

B. CHINO BASIN WATERMASTER

Director Kuhn stated that the Chino Basin Watermaster did not meet in December.

E. SAN GABRIEL BASIN WATER QUALITY AUTHORITY

Director Kuhn reported that \$10 million of federal funding was divided and distributed to qualifying water distributors including Three Valleys to be used for projects. Another \$10

million of funding was awarded to SGVWQA and discussions are taking place on how to distribute those funds.

A. METROPOLITAN WATER DISTRICT

Director De Jesus reported no significant updates to report on Metropolitan Water District. Ad Hoc meetings begin later this month. Director De Jesus responded to a comment made on the MWD committee assignments and the rotation of the committee members.

C. MAIN SAN GABRIEL BASIN WATERMASTER

Director Ti reported during the December 07, 2023 meeting, Brian Bowcock was recognized for his years of service with TVMWD. Upper San Gabriel Valley MWD entered a water purchase agreement for 15,000 acre feet of water.

D. SIX BASINS WATERMASTER

Director Roberto reported that in November, Brian Bowcock was recognized for his years of service as the TVMWD Six Basins representative on the 6 Basins Board, and no meeting was held in December. The board adopted an MOU to Establish San Antonio Spreading Grounds Project Committee.

F. ADDITIONAL BOARD MEMBER REPORTS/COMMENTS

Director Hanlon expressed his gratitude toward the board.

Director Ti thanked Tony Lima for his 2 years of service as Rowland Water District President. Director Lu Yang now serves as Board President and Director Bellah serves as Vice President.

Director Goytia wished everyone a happy new year and thanked his constituents and fellow board members.

G. GENERAL MANAGER'S COMMENTS

General Manager Litchfield had no comments.

10. CLOSED SESSION

The Board convened into closed session at 10:30 a.m. to discuss the following items:

A. 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

The Board reconvened out of closed session at 11:02 a.m. Legal counsel Kennedy stated no reportable action was taken.

11. FUTURE AGENDA ITEMS

No future agenda items were requested.

12. ADJOURNMENT AND NEXT MEETING

The board meeting adjourned at 11:03 a.m. to the next regular board meeting scheduled for Wednesday, January 18, 2023.



Jody Roberto
President, Board of Directors



Recorded by: Nadia Aguirre
Executive Assistant