

The mission of Three Valleys Municipal Water District is to supplement and enhance local water supplies to meet our region's needs in a reliable and cost-effective manner.



**BOARD OF DIRECTORS
REGULAR MEETING**

MARCH 1, 2023

8:00 AM

1021 E. Miramar Avenue | Claremont, California 91711-2052

909.621.5568 | www.threevalleys.com



THREE VALLEYS MUNICIPAL WATER DISTRICT REGULAR BOARD MEETING AGENDA

1021 E. Miramar Avenue, Claremont, CA 91711

March 1, 2023 – 8:00 AM

The mission of Three Valleys Municipal Water District is to supplement and enhance local water supplies to meet our region’s needs in a reliable and cost-effective manner.

NOTICE OF VIDEOCONFERENCE/TELECONFERENCE ACCESSIBILITY

Three Valleys MWD will hold this meeting of its Board of Directors on the date and time, and at the location set forth above. The public may participate in the meeting by physical attendance at the meeting or by videoconference or teleconference utilizing the following links:

Link to join webinar: <https://tvmwd.zoom.us/j/84803144139>

OR

Dial in: (669) 900-9128, Webinar ID: 848 0314 4139

Any member of the public wishing to participate in public comment may do so in any of the following manners: (1) by using the “Raise Hand” feature on the Zoom platform and when prompted by the Board President during the public comment period, (2) by filling out the electronic speaker’s card at the following link <https://arcg.is/0z5GqQ> prior to the close of public comment, (3) by sending an email to PublicComment@tvmwd.com prior to the close of public comment, or (4) those attending the meeting in person may complete a speaker’s card and provide it to the Executive Assistant prior to the close of public comment.

- | | |
|---|---------|
| 1. CALL TO ORDER | ROBERTO |
| 2. ROLL CALL | AGUIRRE |
| Jody Roberto, President
Mike Ti, Vice-President
Carlos Goytia, Secretary
Bob Kuhn, Treasurer
David De Jesus, Director
Jeff Hanlon, Director
Danielle Soto, Director | |
| 3. FLAG SALUTE | ROBERTO |
| 4. AGENDA REORDER/ADDITIONS <i>[Government Code Section 54954.2(b)(2)]</i> | ROBERTO |

Additions to the agenda may be considered when two-thirds of the board members present determine a need for immediate action, and the need to act came to the attention of TVMWD after the agenda was posted; this exception requires a degree of urgency. If fewer than two-thirds of the board members are present, all must affirm the action to add an item to the agenda. The Board shall call for public comment prior to voting to add any item to the agenda after posting.

5. PUBLIC COMMENT (*Government Code Section 54954.3*) ROBERTO
Opportunity for members of the public to directly address the Board on items of public interest that is within the subject matter jurisdiction of TVMWD. The public may also address the Board on items being considered on this agenda.

We request that remarks be limited to three minutes or less. Pursuant to Government Code Section 54954.3, if speaker is utilizing a translator, the total allotted time will be doubled.

6. PRESENTATION LITCHFIELD
A. TVMWD TEAM ACHIEVEMENTS AND MILESTONES

7. ACTION AGENDA

The following items on the Action Agenda call for discussion and action by the Board. All items are placed on the agenda so that the Board may discuss and take action on the item if the Board is so inclined.

A. ADOPT SUNSHINE ORDINANCE NO. 23-03-25 KENNEDY
Legal Counsel Kennedy will present a revised draft of the Sunshine Ordinance based on updated information and prior comments received from the Board.

BOARD ACTION REQUIRED 7.A

Staff Recommendation: Approve as Presented

8. GENERAL MANAGER'S REPORT LITCHFIELD
The Executive Leadership Team will provide brief updates on existing matters under their purview and will be available to respond to any questions thereof.

A. SALARY SCHEDULE REVIEW EFFECTIVE JULY 1, 2023 ROBLES
The Board will review the salary schedule that is to be effective as of July 1, 2023.

B. FY 2023/2024 BUDGET WORKSHOP LINTHICUM

- FY 2023/24 Budget
- CY 2024 Rates
- CY 2024 Fixed Charges
- CY 2024 Capacity Charges
- 2023 Capital Improvement Plan

C. FY 2023/24 ANNUAL PURCHASE ORDERS LINTHICUM
The Board will review a list of vendors for ongoing goods and services for FY 2023/24.

D. CSDA COMMERCIAL CARD PROGRAM REBATE LINTHICUM
The Board will be apprised of the rebates earned by paying vendors via credit card.

ITEM 8 CONTINUED

- E. CSDA BOARD OF DIRECTORS CALL FOR NOMINATIONS – SEAT C LITCHFIELD
The Board will discuss if there is any interest in nominating a Director to the CSDA Board of Directors, Seat C for the 2024-2026 term.
- F. ACWA/JPIA EXECUTIVE COMMITTEE CALL FOR NOMINATIONS LITCHFIELD
The Board will discuss if there is any interest in nominating a Director or supporting a Director from another agency to ACWA/JPIA's Executive Committee.
- G. CALIFORNIA MUNICIPAL UTILITIES ASSOCIATION – SENATE BILL 366 LITCHFIELD
PUBLIC RELATIONS FUNDING
The Board will be updated on legislative outreach efforts for the Solve the Water Crisis Coalition through SB 366.
- H. PROJECTS SUMMARY UPDATE PANZER
The Board will be provided an oral update of ongoing TVMWD projects.
9. DIRECTORS'/GENERAL MANAGER'S ORAL REPORTS ROBERTO
Directors may report on activities for meetings to which they are assigned to serve as the representative or alternate of TVMWD and on other areas of interest.
- A. METROPOLITAN WATER DISTRICT DE JESUS
- B. CHINO BASIN WATERMASTER KUHN
- C. MAIN SAN GABRIEL BASIN WATERMASTER TI
- D. SIX BASINS WATERMASTER ROBERTO
- E. SAN GABRIEL BASIN WATER QUALITY AUTHORITY KUHN
- F. ADDITIONAL BOARD MEMBER REPORTS/COMMENTS ALL
- G. GENERAL MANAGER'S COMMENTS LITCHFIELD
10. CLOSED SESSION ROBERTO
- 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

11. FUTURE AGENDA ITEMS

ROBERTO

12. ADJOURNMENT AND NEXT MEETING

ROBERTO

The Board will adjourn to a regular Board Meeting on March 15, 2023 at 8:00 AM.


In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Executive Assistant at (909) 621-5568 at least 24 hours prior to the meeting.

Pursuant to Government Code Section 54957.5, materials related to an item on this agenda submitted after distribution of the agenda packet will be posted on the TVMWD website at www.threevalleys.com.

Three Valleys MWD Board meeting packets and agendas are available for review at www.threevalleys.com.

**BOARD ACTION**

BOARD OF DIRECTORS STAFF REPORT

To: TVMWD Board of Directors
From: Matthew H. Litchfield, General Manager 
Date: March 1, 2023
Subject: **Adopt Sunshine Ordinance No. 23-03-25**

Funds Budgeted: \$

Fiscal Impact: \$

Staff Recommendation

The Board will consider adopting the revised Sunshine Ordinance No. 23-03-25.

Discussion

Legal Counsel Kennedy provided a revised version of the Sunshine Ordinance based on updated information and prior comments received from the Board at the January 18, 2023 Board of Directors meeting. Section 2.2 – Special Meetings and Section 2.3.6.

Since AB 361 is scheduled to sunset on February 28, 2023, remote participation by board members will be subject to the AB 2449 legislation signed into law last year effective March 1, 2023. Remote Participation revisions are red lined in **Exhibit A**. A Board Member Teleconferencing Policy is attached as Exhibit B to Sunshine Ordinance No. 23-03-25, and a Notification of Remote Board Meeting Attendance form is attached to the proposed Exhibit B of the Sunshine Ordinance.

Strategic Plan Objective(s)

3.3 – Be accountable and transparent with major decisions

Attachment(s)

Exhibit A – Sunshine Ordinance No. 23-03-25

Meeting History

Board of Directors Meeting, January 18, 2023, Action Item

Board of Directors Meeting, January 4, 2023, Informational Item Only

NA/ML

ORDINANCE NO. 23-03-25

**AN ORDINANCE OF THE BOARD OF DIRECTORS
OF THE THREE VALLEYS MUNICIPAL WATER DISTRICT
CONCERNING THE CONDUCT OF ITS PUBLIC MEETINGS**

WHEREAS, the Board of Directors of the Three Valleys Municipal Water District finds as follows:

A. The Three Valleys Municipal Water District (“the District”) is a municipal water district organized and operating pursuant to California Water Code Section 71000 et seq.

B. The District is governed by an elected Board of Directors (“the Board”) whose meetings are subject to the requirements of the Ralph M. Brown Act, California Government Code Section 54950 et seq. (“the Brown Act”).

C. On March 7, 2001, the Board adopted Ordinance No. 3-01-8 in order to clarify and supplement the Brown Act and to ensure that the Board’s deliberations and the District’s operations are open to the public to the full extent permitted by law.

D. On May 7, 2001, the Board adopted Ordinance No. 5-01-9 which amended Ordinance No. 3-01-8 to impose further requirements upon itself which allow greater access to the meetings of the Board than prescribed in the Brown Act.

E. On February 22, 2002, the Board adopted Ordinance No. 02-02-11 which further amended Ordinance No. 3-01-8 with respect to the date, time, and place of the Board’s regular meetings.

F. On June 25, 2003, the Board adopted Ordinance No. 6-03-12 which further amended Ordinance No. 3-01-8 with respect to closed session agenda descriptions and the date, time, and place of the Board’s regular meetings.

G. On May 19, 2004, the Board adopted Ordinance No. 05-04-13 which further amended Ordinance No. 3-01-8 with respect to the date, time, and place of the Board's regular meetings, and consolidated all of the amendments to Ordinance No. 3-01-8 into a single comprehensive document.

H. On January 18, 2012, the Board adopted Ordinance No. 12-01-19 which amended Ordinance No. 05-04-13 with respect to the dates of the Board's regular meetings and the posting of its agendas.

I. On April 17, 2013, the Board adopted Ordinance No. 13-04-20 which amended Ordinance No. 12-01-19 with respect to the closed session descriptions attached hereto as Exhibit A so as to maintain compliance with statutory amendments to the Brown Act.

J. On February 17, 2021, the Board adopted Ordinance No. 21-02-22 which amended Ordinance No. 13-04-20 to modify Section 2.3.5 hereof to expand the availability of background material to the public beyond the requirements of Government Code Section 54957.5.

K. On June 15, 2022, the Board adopted Ordinance No. 22-06-23 which amended Ordinance No. 21-02-22 to further modify Section 2.3.5 hereof to incorporate the requirements of Senate Bill 274, which became effective January 1, 2022.

L. The purpose of this Ordinance is to (1) modify Section 2.3.3 hereof to incorporate requirements of Senate Bill 1100 which became effective January 1, 2023, (2) modify Section 2.3.5 hereof to incorporate requirements of Assembly Bill 2647 which became effective January 1, 2023, (3) add Section 2.3.6 hereto to assist in compliance with various Brown Act requirements related to remote participation by Board members, and (4) ensure that the Board's deliberations are performed in a manner that reflect a dedication to the highest standards of integrity and

accountability so as to continue to earn the trust and confidence of the parties served by the District.

THEREFORE, THE BOARD OF DIRECTORS of the Three Valleys Municipal Water District does hereby adopt and ordain as follows:

Section 1. **COMPLIANCE WITH STATUTORY REQUIREMENTS.**

All meetings of the Board and all committees thereof shall be conducted in compliance with all applicable requirements of the Brown Act.

Section 2. **ADDITIONAL REQUIREMENTS.**

2.1. **Regular Meetings.** Pursuant to Government Code Section 54954(a), all regular meetings of the Board shall be held at 8:00 a.m. on the first and third Wednesdays of each month at the District offices located at 1021 East Miramar Avenue, Claremont, California, unless otherwise provided in the agenda that is prepared and posted therefor in accordance with Section 2.3 hereof.

2.2. **Special Meetings.** Special meetings of the Board may be called from time to time and will be conducted in accordance with Government Code Section 54956. The Board shall not add ~~any non-agendized item to the agenda of a special meeting.~~ Further, nor shall any agenda for ~~a special meeting shall~~ provide an opportunity for the Board to consider the possible addition of any non-agendized item to the agenda of a special meeting.

2.3. **Agendas.**

2.3.1. **Descriptions.** The agenda for all Board meetings and all committee meetings that are open to the public shall contain a brief, general description of each item of business to be transacted or discussed during the meeting and shall avoid the use of undefined abbreviations or acronyms not in common usage and terms whose meaning is not known to the

general public. The agendas may refer to explanatory documents, including but not limited to correspondence or reports, within the written material prepared and/or forwarded by District staff to the Board concerning the subject matter of any agenda item. The description of an agenda item is adequate if it is sufficiently clear and specific to alert a person whose interests are affected by the item that he or she may have reason to attend the meeting or seek more information about the item.

2.3.2. Additions. The Board shall not discuss or take action on any item not appearing on the posted agenda for the meeting unless otherwise authorized by the Brown Act. All findings and/or determinations required by Government Code Section 54954.2(b) shall be expressly made by the Board and duly reflected in the minutes of the meeting.

2.3.3. Public Comment. The agenda for all meetings of the Board shall include an item for Public Comment so as to provide an express opportunity for members of the public to directly address the Board in accordance with the requirements of Government Code Section 54954.3(a) prior to the Board's consideration of the merits of any item placed on the agenda. In the event that a motion is made to reorder the agenda, or add an item to the agenda, or otherwise take any Board action prior to the Public Comment portion of the agenda, the President of the Board shall ask any members of the public in attendance at the meeting whether they wish to comment on the motion that is pending before the Board. During the Board's consideration of items discussed after the Public Comment portion of the agenda, the President of the Board should exercise best efforts to recognize any member of the public who wishes to speak on that issue prior to any action thereon that is taken by the Board. While testimony and input received from the public during Board meetings is a valuable part of the Board's decision-making process, the Board

President is nevertheless authorized pursuant to Government Code Section 54954.3(b) to limit public testimony to three (3) minutes for each individual speaker. The Board President is also authorized pursuant to Government Code Section 54957.95 to remove from a meeting any member of the public whose behavior is disrupting the meeting, but only after due warning unless the disrupting behavior constitutes a true threat of force.

2.3.4. Posting. The agendas of all Board meetings and all committee meetings which are open to the public shall be posted in the following locations: (1) an exterior bulletin board located outside the District headquarters that is accessible twenty-four (24) hours a day; (2) on-line at the District's website known as www.threevalleys.com; and (3) an interior bulletin board located in the lobby of the District headquarters.

2.3.5. Background Material. Staff material, consisting of agendas, staff reports, and other material prepared and forwarded by staff which provide background information and recommendations, regarding agenda items, when distributed to all or to a majority of the members of the Board in connection with a matter which is subject to discussion or consideration in open session at a public meeting, shall be made readily available to the public on the District's website, at the District's offices, and upon request. If a member of the public requests that a copy of such material be delivered by e-mail, District staff shall e-mail a copy of, or website link to, the documents as requested unless District staff determines that delivery by e-mail or by other electronic means is technologically infeasible, in which case District staff must send the documents by mail in accordance with the mailing requirements of the Brown Act.

2.3.6. Remote Participation. A Board member wishing to participate in a meeting from a remote location pursuant to Government Code Sections 54953(b) or 54953(f) must

notify District staff at the earliest opportunity as soon as possible so that the agenda for the meeting can be prepared and/or amended accordingly and that all other necessary accommodations can be arranged, [and the meeting conducted, in a manner generally consistent with the policy attached hereto as Exhibit B and incorporated herein by this reference.](#)

2.4. **Closed Sessions.**

2.4.1. Agenda Descriptions. Substantial compliance with the permissive provisions of Government Code Section 54954.5, as generally reflected in Exhibit A attached hereto and incorporated herein by this reference, is mandatory under this Ordinance with respect to the description of any closed session items on any Board meeting agenda. For closed sessions held pursuant to Government Code Section 54957, the agenda will use the description in Exhibit A that best describes the purpose of the closed session. When the purpose of the closed session is to conduct a hearing on specific complaints or charges brought against an employee of the District, the agenda description shall read “PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE, employee given 24-hour notice.”

2.4.2. Advance Announcement. Prior to holding any closed session, the Board shall state in open session the item or items to be discussed in the closed session. The statement may take the form of a reference to the item or items as they are listed by number or letter on the agenda, and must include any and all matters otherwise required to be disclosed under the Brown Act. For closed sessions held pursuant to Government Code Section 54956.9(d)(3), the Board must announce the existing facts and circumstances which authorize the holding of the closed session or specifically state that it believes that facts and circumstances that might result in litigation against the District are not yet known to a potential plaintiff or plaintiffs. In the closed

session, the Board shall consider only those matters covered in its statement. Nothing in this section shall require or authorize the release of information which is exempt from disclosure under state or federal law.

2.4.3. Public Reports on Closed Session Actions. The Board shall publicly report any action taken in closed session, and the vote or abstention of every member present thereon, in the manner and to the extent required by Government Code Section 54957.1.

2.5. Ad Hoc Committees. In order to be exempt from the notice, agenda, and public participation requirements of the Brown Act, all ad hoc committees of the Board shall substantially comply with the following guidelines: (1) The committee shall be comprised of less than a quorum of the Board; (2) The committee's life should be restricted to a relatively short period of time; (3) The committee's purpose should be limited to a single and specific task; (4) The committee shall not be given any independent discretionary authority to make ultimate decisions on behalf of the Board with respect to the final resolution of the task; (5) The committee's charge should not be automatically renewed upon completion of its particular assignment or expiration of its fixed term; (6) The committee's meeting schedule should not be on a regular basis or established by formal action of the Board; and (7) Public notice of the formation of the committee shall be given in a timely manner.

Section 3. REVIEW OF ORDINANCE ON ANNUAL BASIS.

Each year, the Board may review this Ordinance to determine its effectiveness and the necessity for its continued operation. As such time, the District's General Manager shall report to the Board on the operation of this Ordinance, and make any recommendations deemed appropriate, including proposals to amend the Ordinance. Upon conclusion of its review, the

Board may take any action it deems appropriate concerning this Ordinance. Nothing herein shall preclude the Board from taking action on the Ordinance at times other than upon conclusion of the annual review. The Board's failure to conduct the annual review shall result in the continued operation of this Ordinance for another year or until otherwise modified by the Board.

Section 4. **SEVERABILITY.**

If any provision of this Ordinance, or the application thereof to any person or circumstance, is held to be invalid, such invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

Section 5. **EFFECTIVE DATE.**

The provisions of this Ordinance shall supersede all prior inconsistent ordinances and shall take effect immediately upon adoption.

Adopted this ~~18th~~ 1st day of ~~January~~March, 2023.

ROLL CALL:

AYES:

NOES:

ABSTAIN:

ABSENT:

President, Board of Directors

ATTEST:

Secretary, Board of Directors

EXHIBIT A

Under Government Code Section 54954.5, the following language has been provided by the State Legislature as sample language which will meet the mandate of the Brown Act for properly identifying closed session items on the Board's agenda:

LICENSE/PERMIT DETERMINATION (Government Code Section 54956.7)

Applicant(s): (Specify number of applicants)

CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Government Code Section 54956.8)

Property: (Specify street address; parcel number if no street address; or other unique reference of parcel under negotiation)

District Negotiator: (Specify names of negotiators attending closed session) (If the specified negotiator is to be absent, an agent or designee may participate provided the name of the agent or designee is announced publicly prior to the closed session.)

Negotiating parties: [Specify name of party (not agent)]

Under negotiation: (Specify whether instruction to negotiator will concern price, terms of payment, or both)

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

Name of case: (Specify by reference to claimant's name, name of parties, case or claim numbers)

or

Case name unspecified: (Specify whether disclosure would jeopardize service of process or existing settlement negotiations)

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2):
(Specify number of potential cases)

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Initiation of litigation pursuant to Government Code Section 54956.9(d)(4): (Specify
number of potential cases)

LIABILITY CLAIMS (Government Code Section 54956.95)

Claimant: (Specify name unless unspecified pursuant to Section 54961)

Agency claimed against: (Specify name)

THREAT TO PUBLIC SERVICES OR FACILITIES (Government Code Section 54957)

Consultation with: (Specify name of law enforcement agency and title of officer, or name
of applicable District representative and title)

PUBLIC EMPLOYEE APPOINTMENT (Government Code Section 54957)

Title: (Specify description of position to be filled)

PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code Section
54957)

Title: (Specify position title of employee being reviewed)

PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE (Government Code Section
54957)

(No additional information is required in connection with a closed session to consider
discipline, dismissal, or release.)

CONFERENCE WITH LABOR NEGOTIATORS (Government Code Section 54957.6)

District designated representatives: (Specify names of designated representatives)

attending the closed session) (If circumstances necessitate the absence of a specified representative, an agent or designee may participate in place of the absent representative so long as the name of the agent or designee is announced at an open session held prior to the closed session.)

Employee organization: (Specify name of organization representing employee or employees in question)

or

Unrepresented employee: (Specify position title of unrepresented employee who is the subject of negotiations)

CASE REVIEW/PLANNING (Government Code Section 54957.8)

(No additional information is required in connection with a closed session to consider case review or planning.)

EXHIBIT B

Board Member Teleconferencing Policy

Article I. Policy:

The policy set forth herein ("Policy") shall govern the Agency's use of Teleconferencing for the attendance at Meetings of the Members of its Legislative Bodies. The Global Teleconferencing Policies (Article III) and Standard Teleconferencing Procedures (Article IV) shall apply in all instances, except when (1) a Board member has either "just cause" or an "emergency circumstance" so as to permit the use the Expanded Teleconferencing Procedures (Article V) or (2) a State of Emergency issued by the California Governor is in effect sufficient to trigger the use of the Emergency Teleconferencing Procedures (Article VI).

Article II. Definitions:

Unless otherwise defined herein, the following definitions shall apply to this Policy:

Agency – shall refer to the Three Valleys Municipal Water District.

Brown Act / Ralph M. Brown Act – shall refer to Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5 of the California Government Code, known as the "Ralph M. Brown Act" pursuant to Government Code section 54950.5, as such shall be amended from time to time.

Legislative Body – shall have the same meaning as provided by Government Code Section 54952, including the Agency's governing board.

Member – shall have the same meaning as provided by Government Code Section 54952.1.

Meeting – shall have the same meaning as provided by Government Code Section 54952.2.

State – shall mean the State of California.

State of Emergency – shall mean a state of emergency proclaimed by the California Governor or such others as may be empowered pursuant to Section 8625 of the California Emergency Services Act, as set forth in Article 1 (commencing with Section 8550) of Chapter 7 of Division 1 of Title 2 the California Government Code.

Teleconferencing – attendance from different locations, other than the physical location of a meeting, by way of an audio device, whether it be telephone, audio-only internet connection, or otherwise.

Videoconferencing – attendance from different locations, other than the physical location of a meeting, by way of a dual audio and visual device, whereby participants can be both seen and heard. For purposes of this Policy, Videoconferencing may include attendance by way of a single device or software package, or attendance via an audio-device with synced camera or webcasting.

Article III. Global Teleconferencing Policies:

At the discretion of the Legislative Body and/or the Agency's General Manager, any employee, consultant, vendor, or individual presenting or attending a Meeting of a Legislative Body, other than a Member of the Legislative Body, shall be permitted to attend via teleconference or videoconference without compliance with the rules or conditions set forth herein. Members of the Legislative Body, inclusive of the governing board Members and committee or bodies required to comply with the Brown Act, may only participate via teleconference or videoconference as permitted by this Policy.

To the extent a Member desires to attend a Meeting via teleconference or videoconference, the Member shall generally be required to comply with the foregoing "Standard Teleconferencing Procedures" (Article IV) unless the circumstances exist to justify the use of the "Expanded Teleconferencing Procedures" (Article V) or "Emergency Teleconferencing Procedures" (Article VI).

A Member not in compliance with any such procedures, as applicable, shall not be permitted to attend a Meeting via teleconference or videoconference for any purpose, whether to participate in or listen to such Meeting.

In all instances in which a Member is attending a Meeting via Teleconferencing or Videoconferencing, the Legislative Body shall:

1. Take all votes by roll-call;
2. Conduct the Meeting in a manner that protects the statutory and constitutional rights of the parties and public appearing before the Legislative Body;
3. Provide notice and post agendas as otherwise required by the Brown Act; and
4. Permit members of the public access to the Meeting and an opportunity to address the Legislative Body as required by the Brown Act.

Article IV. Standard Teleconferencing Procedures:

A Member may attend a Meeting via Teleconferencing or Videoconferencing if the following conditions are satisfied:

1. At least a quorum of the Members of the Legislative Body participate in the Meeting from locations within the boundaries of the Agency;
2. The agenda posted for the Meeting is posted at all teleconference locations, each of which are identified in the notice and the agenda for the Meeting; and
3. Each teleconference location is accessible to the public, and the public is permitted to comment at each teleconference location.

Article V. Expanded Teleconferencing Procedures (Effective Thru January 1, 2026):

A Member may attend a Meeting via videoconference only (Teleconferencing will not be permitted under these procedures), without the need to comply with the Standard Teleconference Procedure requirements to notice and post at the agenda locations or make such locations accessible to the public, if the following conditions are satisfied:

1. At least a quorum of the Members of the Legislative Body participate in-person from a single physical location accessible to the public, which is within the boundaries of the Agency and clearly identified in the posted agenda;

Item 7.A - Exhibit A

2. The public is permitted to attend the Meeting either by teleconference or videoconference in a manner such that the public can remotely attend and offer real-time comment during the Meeting;
3. Notice of the means by which the public can remotely attend the Meeting via teleconference or videoconference and offer comment during the Meeting is included within the posted agenda;
4. The Member(s) seeking to remotely attend the Meeting complete(s) and submit(s) to the Agency the Notification of Remote Board Meeting Attendance form attached hereto and incorporated herein by this reference stating either "just cause" or an "emergency circumstance" that justifies their attendance via videoconference.
 - a. A Member shall only have "just cause" for remote attendance if such participation is for one of the following reasons:
 - i. To provide childcare or caregiving need to a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner, with such terms having the same meaning as those terms are defined in Government Code Section 12945.2;
 - ii. Due to a contagious illness that prevents the Member from attending in-person;
 - iii. Due to a need related to a physical or mental disability as defined in Government Code Sections 12926 and 12926.1 not otherwise accommodated; and
 - iv. Due to travel while on official business of the Legislative Body or another state or local agency;
 - b. A Member shall have an "emergency circumstance" if such participation is due to a physical or family medical emergency that prevents the Member from attending in person.
5. The Member(s) have not attended a Meeting remotely on the basis of "just cause" for more than two Meetings in the current calendar year; and
6. The Member(s) have not attended a Meeting remotely on the basis of "just cause" or "emergency circumstance" for more than three consecutive months or more than four Meetings in a calendar year.
7. The Legislative Body has, and has implemented, a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, consistent with the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and resolving any doubt in favor of accessibility. In each instance in which notice of the time of the Meeting is otherwise given or the agenda for the Meeting is otherwise posted, the Legislative Body shall also give notice of the procedure for receiving and resolving requests for accommodation.

In order to utilize the Expanded Teleconference Procedures, a Member shall:

1. For a "just cause" circumstance, notify the Legislative Body at the earliest opportunity, including at the start of a regular Meeting, of their need to participate remotely for just cause, including a general description of the circumstance relating to their need to appear remotely at the given Meeting;
2. For an "emergency circumstance," request to participate at a Meeting due to an "emergency circumstance" as soon as possible, preferably before the posting of the agenda but up to the start of the Meeting, with such request including a general description of the circumstances relating to their need to appear remotely at the given Meeting, though any description for emergency circumstances need not exceed 20 words and need not include any medical diagnosis or disability or personal medical information exempt from disclosure by law;

3. The Member shall publicly disclose at the Meeting before any action is taken whether any other individuals 18 years of age or older are present in the room at the remote location with the Member, and the general nature of the Member's relationship with such individuals; and
4. Participate through Videoconferencing, with both audio and visual technology.

Upon receipt of a request from a Member to utilize the Expanded Teleconference Procedure, the Legislative Body shall:

1. Take action by majority vote on a request to participate remotely due to an "emergency circumstance" at its earliest opportunity, which may be taken as a noticed agenda item or as an added item if sufficient time was not provided to place the proposed action on the agenda; and
2. In the event of a disruption that prevents the broadcast of the Meeting to members of the public, or in the event of a disruption within the Agency's control that prevents members of the public from offering public comment using the Teleconferencing or Videoconferencing options, take no further action during a Meeting until such access is restored.

Article VI. Emergency Teleconferencing Procedures (Effective Thru January 1, 2024):

Notwithstanding the Standard Teleconferencing Procedures, a Legislative Body may elect to use these "Emergency Teleconferencing Procedures" to allow Teleconferencing if any of the following circumstances apply:

1. The Legislative Body holds a Meeting during a proclaimed State of Emergency and State or local officials have imposed or recommended measures to promote social distancing;
2. The Legislative Body holds a Meeting during a proclaimed State of Emergency for the purpose of determining, by a majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees; or
3. The Legislative Body holds a Meeting during a proclaimed State of Emergency and the Legislative Body had determined, by majority vote, that as a result of the emergency, meeting in person would present imminent risks to the health and safety of attendees.

If utilizing the Emergency Teleconferencing Procedures, the Legislative Body shall:

1. Give notice in the agenda for such Meeting of the means by which members of the public may access the Meeting and offer public comment via a Teleconferencing or Videoconferencing option, which shall include an opportunity for public comment in real-time;
2. In the event of a disruption that prevents the broadcast of the Meeting to members of the public, or in the event of a disruption within the Agency's control that prevents members of the public from offering public comment using the Teleconferencing or Videoconferencing options, take no further action during a Meeting until such access is restored; and
3. Not close the public comment period, or the opportunity to register to comment, until the time that the general public comment period has elapsed.

The Legislative Body may continue use of the Emergency Teleconferencing Procedures for as long as the State of Emergency remains active, provided that, not later than 30 days after Teleconferencing for the first time, and every 30 days thereafter, the Legislative Body finds by majority vote that:

1. The Legislative Body has reconsidered the circumstances of the State of Emergency; and
2. Any of the following circumstances exist:
 - a. The State of Emergency continues to directly impact the ability of the Members to meet safely in person; or
 - b. State or local officials continue to impose or recommend measures to promote social distancing.

In the event of the use of these Emergency Teleconferencing Procedures, it shall not be necessary for the Agency to provide a physical location from which the public may attend or comment.

Article VII. Miscellaneous Provisions:

With respect to the Standard Teleconferencing Procedures, Expanded Teleconferencing Procedures, and Emergency Teleconferencing Procedures set forth herein, such are intended to comply with Government Code Sections 54953(b), (f), and (e), respectively, and, as such, in the event of a conflict between this Policy and such statutory provisions, the statutory provisions shall control and be implemented as if set forth in full in this Policy.



Name: _____

Today's Date: _____

Board Meeting Date: _____

NOTIFICATION OF REMOTE BOARD MEETING ATTENDANCE

Directors may not attend a meeting remotely on the basis of Just Cause or Emergency Circumstances for more than three consecutive months or more than 20% (up to four) meetings in a calendar year.

JUST CAUSE

Each Director is responsible for notifying the General Manager and Executive Assistant at the earliest opportunity possible (including at the start of a regular meeting) of the need to participate remotely for Just Cause. Remote participation for Just Cause reasons shall not be utilized by any Director for more than two meetings per calendar year.

Just Cause means any of the following:

- A childcare or caregiving need of a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner that requires them to participate remotely.
- A contagious illness that prevents a member from attending in person
- A need related to a physical or mental disability not otherwise accommodated
- Travel while on official business of the legislative body or another state or local agency

A general description (typically not to exceed 20 words) of the circumstances relating to the need to appear remotely at the meeting **must** be included:

EMERGENCY CIRCUMSTANCES


Each Director is responsible for notifying the General Manager and Executive Assistant as soon as possible (preferably before posting of the agenda but up to the start of the meeting) of the need to participate remotely due to Emergency Circumstances.

Emergency Circumstances means the following: A physical or family medical emergency that prevents a member from attending in person.

A general description (typically not to exceed 20 words) of the circumstances relating to the need to appear remotely at the meeting **must** be included. The general description of the circumstances does not require the member to disclose any medical diagnosis or disability, or any personal medical information that is already exempt under existing law, such as the Confidentiality of Medical Information Act.



BOARD OF DIRECTORS STAFF REPORT

To: TVMWD Board of Directors
From: Matthew H. Litchfield, General Manager 
Date: March 1, 2023
Subject: **Salary Schedule effective July 1, 2023**

Funds Budgeted: \$

Fiscal Impact: \$ 218,000

Staff Recommendation

No Action Necessary – Informational Item Only

Background

Since 2014 staff has completed the district's Salary Surveys triennially. With recent board discussions, staff completed the Salary Survey ahead of its normal schedule due to market inflation.

Pursuant to CalPERS and California Code of Regulations Section 570.5, salary schedule changes must be approved and adopted by the employer's governing body according to the requirements of applicable public meeting laws.

Discussion

Provided for review is a draft of the salary schedule to be effective July 1, 2023. All salary ranges were considered independently. Based on the survey results, the General Manager is recommending the following changes:

- Proposed salary schedule reflects range market adjustments of up to 15% along with a 7.5% COLA based on the 2022 Consumer Price Index - Urban Wage Earners and Clerical Workers, as prepared by the Bureau of Labor Statistics. These ranges are included in calculating the budget for FY 2023/2024.
As a reminder, these adjustments are made to the salary ranges, not to the individual employee's salary. Salary changes continue to be based on the merits of the employees' annual evaluation.
- Increase Education incentive from \$3,000 per calendar year to \$5,000 to be aligned with the market.
- Sunset the Technology Loan Program. This program provides staff with a 5 year interest free loan of up to \$3,500 for the purchase of home technology.

This item will be brought back for consideration of adoption on March 15, 2023.

Strategic Plan Objective(s)

3.3 – Be accountable and transparent with major decisions

4.1 – Prepare next generation of water professionals

4.3 – Maximize employee retention

Attachment(s)

Exhibit A – Salary Schedule effective July 1, 2023

Meeting History

None

NA/VR

**THREE VALLEYS MUNICIPAL WATER DISTRICT
ANNUAL SALARY RANGE BY CLASSIFICATION
Effective: July 1, 2023**

CLASSIFICATION	ANNUAL SALARY RANGE		
	Miniumum	Mid	Maximum
ACCOUNTING TECHNICIAN	\$ 62,249	\$ 80,924	\$ 99,599
ADMINISTRATIVE/COMMUNICATIONS ASSISTANT	\$ 61,678	\$ 80,182	\$ 98,686
ASSISTANT ENGINEER	\$ 72,198	\$ 93,857	\$ 115,516
CHIEF ADMINISTRATIVE OFFICER	\$ 189,037	\$ 245,748	\$ 302,459
CHIEF FINANCE OFFICER	\$ 187,845	\$ 244,198	\$ 300,551
CHIEF OPERATIONS OFFICER	\$ 160,088	\$ 208,114	\$ 256,140
CHIEF WATER RESOURCES OFFICER	\$ 170,757	\$ 221,984	\$ 273,211
COMPLIANCE SPECIALIST	\$ 93,195	\$ 121,154	\$ 149,113
ENGINEER	\$ 109,089	\$ 141,816	\$ 174,543
ENGINEERING ASSISTANT	\$ 68,038	\$ 88,449	\$ 108,860
EXECUTIVE ASSISTANT	\$ 85,554	\$ 111,220	\$ 136,886
GENERAL MANAGER	\$ 203,846	\$ 265,000	\$ 326,154
HUMAN RESOURCES/RISK MANAGER	\$ 111,475	\$ 144,918	\$ 178,361
INFORMATION TECHNOLOGY MANAGER	\$ 127,833	\$ 166,183	\$ 204,533
INSTRUMENTATION/ELECTRICAL SYSTEM OPERATOR	\$ 106,544	\$ 138,507	\$ 170,470
OPERATIONS SUPERVISOR	\$ 107,701	\$ 140,011	\$ 172,321
OPERATIONS SUPERVISOR (T5)	\$ 129,241	\$ 168,013	\$ 206,785
PLANT ASSISTANT	\$ 49,632	\$ 64,521	\$ 79,410
SENIOR FINANCIAL ANALYST	\$ 101,958	\$ 132,546	\$ 163,134
SHIFT OPERATOR II	\$ 61,085	\$ 79,411	\$ 97,737
SHIFT OPERATOR III	\$ 75,182	\$ 97,737	\$ 120,292
SHIFT OPERATOR IV	\$ 84,705	\$ 110,116	\$ 135,527
SHIFT OPERATOR V	\$ 88,007	\$ 114,409	\$ 140,811
WATER RESOURCES ANALYST I	\$ 65,000	\$ 84,500	\$ 104,000
WATER RESOURCES ANALYST II	\$ 79,062	\$ 102,781	\$ 126,500
WATER RESOURCES ANALYST III	\$ 93,125	\$ 121,063	\$ 149,001
	HOURLY		
WATER RESOURCES INTERN (PT)	\$ 17.00		\$ 22.00

Based on Board approval, an adjustment to each salary range classification will be considered for July 1 of each year. Range adjustments are tied to changes in the Consumer Price Index - Urban Wage Earners and Clerical Workers for Los Angeles-Long Beach-Anaheim as prepared by the Bureau of Labor Statistics, from current year annual to the prior year annual. The adjustment to each salary range is intended to keep TVMWD's salary ranges at the market level and may not necessarily impact individual salaries. The opportunity for individual salary increases will continue under the merit-based system employed by TVMWD. An important note is that an employee's annual salary may be below the minimum salary range if: (1) their annual evaluation has not yet occurred in the current fiscal year or (2) their performance documented in prior annual evaluations has not merited an increase that has kept up with index adjustments to the salary ranges.

Shift Differential Pay

- Operators and plant assistants who work on Friday, Saturday or Sunday will be compensated with 10% additional pay for those hours.
- Shift differential pay is considered special compensation and will be reported to CalPERS as such.

On-Call Pay


- Standby operators who serve as the on-call standby operator each evening will be paid \$45 per day (\$90 on holidays).
- Lab operators who serve as the on-call plant operator each evening will be paid \$100 per day (\$200 on holidays).
- In addition to receiving the on-call pay noted above, the on-call operators will be paid for the additional time spent responding to situations.
 - If responding by phone/tablet/laptop only, the on-call operator will be guaranteed at least 15 minutes of additional pay. All time over 15 minutes will be rounded up to the nearest 15 minute increment.
 - If responding in person, the on-call operator will be guaranteed at least two hours of additional pay. All time over two hours (portal to portal) will be rounded up to the nearest 15 minute increment.
 - Operators will be eligible for OT and shift differential pay as applicable for time spent responding.
- On-call pay is not considered special compensation and thus will not be included as a part of final compensation in calculating CalPERS pension.

Holiday Pay

- Any employee scheduled who works on either the actual holiday or the observed holiday will be paid at one and one-half times the employee's regular rate of pay. Since the employee is working the holiday, the employee will also be paid an additional ten hours at regular pay for that holiday.



BOARD OF DIRECTORS STAFF REPORT

To: TVMWD Board of Directors
From: Matthew H. Litchfield, General Manager 
Date: March 1, 2023
Subject: **FY 2023/2024 Budget**

Funds Budgeted: \$

Fiscal Impact: \$

Staff Recommendation

No Action Necessary – Informational Item Only

Discussion

Staff will conduct a budget workshop today. Attached is the first draft of the FY 2023/2024 budget. Staff has considered the following assumptions in preparing this budget:

- This draft is based on MWD's Ten-Year Financial Forecast presented by MWD staff April 2022 for the 2023 and 2024 rate setting cycles.
- TVMWD projected sales are based on TVMWD member agency input. Each agency provided an estimate regarding their 2023-2028 demands.
- Assumes TVMWD will maximize flows from the Miramar Plant.
- Assumes OSCOP agreement between MWD and TVMWD will offset any costs of not maximizing flows from the Miramar Plant.

Highlights of this draft budget:

Pass Through Fund

- The MWD RTS Charge is increasing \$650,000 for FY 2023/2024 and calendar year 2024. This is primarily due to:
 - MWD allocating more costs to the Standby Charge (\$167 million for 2024 versus \$154 million for 2023)
 - TVMWD taking proportionately more water over the last 10 years than other MWD agencies (4.54% for 2024 versus 4.49% for 2023)

The standby charge collected for the fiscal year is estimated to increase from \$24.18 to \$27.50 per EDU.

- The MWD Capacity Charge is decreasing \$100,000 for the fiscal year but increasing \$75,000 for calendar year 2024. This is primarily due to MWD's Capacity Charge rate fluctuating greatly. The rate for 2021-2024 has moved from \$10,700 to \$12,200 to \$10,600 to \$11,200 per cfs.

Capital Fund

- The Capital Improvement Plan lists projects that are both included in the proposed budget and for the next 5 years. While the projects for FY 23/24 will exceed the property tax revenues expected, capital reserves can be used to offset this temporary shortfall. The revenues for the 5 year period are expected to be \$14.5M, while projects are expected to be \$13.2M.
- Details of the Capital Improvement Plan are included in Exhibit D attached.

Operating Fund

- MWD's untreated water rate is increasing \$48/AF (6%). MWD's treatment surcharge is decreasing \$1/AF (0%). These changes result in an overall increase in the treated water rate of \$47/AF (4%).
- As a minor party member of Six Basins, TVMWD receives a base annual amount of only 25 AFY but is allowed to lease excess water rights from major party members, of which TVMWD had obtained at a fairly low cost for a number of years until recently. At this time, excess rights are not widely available, so TVMWD is expected to purchase full cost untreated water from MWD to spread within Six Basins to meet future groundwater well demands.
- The key to keeping TVMWD rates low is maximizing the Miramar Plant. We accomplish this primarily by providing as much supply as possible to GSWC, La Verne and JWL from TVMWD's Miramar Plant rather than MWD's Weymouth Plant.
 - The lack of availability of State Water Project (SWP) water recently caused MWD to change system operations. TVMWD entered into a temporary agreement beginning September 2021 to shift demands where possible from SWP to Colorado River Aqueduct in exchange for a \$ credit per each acre foot. TVMWD and MWD have extended this agreement for calendar year 2023.
 - The budget presented today assumes maximizing Miramar Plant deliveries, as the temporary agreement compensates TVMWD for any lost Miramar Plant sales.
- The controllable budget (All other Operating Fund expenses excluding water costs) is 7% higher than what we estimated last year for FY 2023/2024. Notable changes are as follows:

- Staff Compensation is 3% higher due to higher than expected increase for CPI.
- Professional service is 18% higher primarily due to an assumed \$50k towards Solve the Water Crisis, an increased participation by staff at meeting and conferences, a 15% increase in insurance costs, and an additional \$10k towards outside consultants.
- Planning and Resources is higher due to staff finding it necessary to regularly have more resources for grant assistance and EIR reviews. This category also reflects \$150,000 of additional funds for FY 2023/2024 to complete the drought contingency plan.
- Membership Dues and Fees is 19% higher primarily due to joining the California Municipal Utilities Association (CMUA).

TVMWD Surcharge

- While the current TVMWD surcharge for 2023 is \$0, it was stated last year that the future surcharge would be \$6/AF for 2024 and beyond unless the volatile chemical market returned to normal and the ability to purchase water at a lower cost within Six Basins. Neither of these has occurred.
- The largest impact on TVMWD 2024 surcharge is the water loss assumption on the Miramar System. Last year our assumption was 1.48%. Based on losses this last year, staff is increasing this assumption to 4.53%. This change is affecting the TVMWD surcharge by \$13/AF.
- The remaining increase of \$5/AF is due to the increases noted in the operating fund above.

Reserves

The overall board designated reserves target is \$10M. We are currently at \$9.4M but expected to be back above \$10M by the end of FY 22/23

Summary

Based on this first draft of the budget, TVMWD expects to require a surcharge of \$24 per acre foot on top of the MWD rate for 2024 and the foreseeable future.

This item will be discussed with TVMWD's member agency managers next week and brought back for further board discussion at the April 5, 2023 board meeting.

Strategic Plan Objective(s)

- 3.1 – Utilize and comply with a set of financial policies to maintain TVMWD's financial health
- 3.3 – Be accountable and transparent with major decisions

Attachment(s)

Exhibit A – FY 2023/2024 Budget Version I Draft

Exhibit B – Capacity Charges 2024 Draft

Exhibit C – Fixed Charges 2024 Draft

Exhibit D – 2023 Capital Improvement Plan Draft

Meeting History

None

NA/JL

FY 2023/24 TVMWD BUDGET VERSION 1

	FY 2022/23 Budget	FY 2022/23 Projected	FY 2023/24 Budget	Pass Through Fund	Operating Fund	Capital Fund	FY 2024/25 Budget	FY 2025/26 Budget	FY 2026/27 Budget	FY 2027/28 Budget
REVENUES										
Water Sales	68,404,581	62,632,766	68,887,572		68,887,572		72,697,772	76,468,910	79,587,623	84,329,868
Standby Charge	4,800,755	4,785,536	5,459,852	5,459,852			6,064,596	6,604,688	7,168,358	7,788,509
Capacity Charge Assessment	1,604,680	1,604,680	1,507,470	1,507,470			1,534,705	1,457,709	1,386,000	1,299,518
Property Taxes	2,654,044	2,963,639	2,909,209			2,909,209	2,909,209	2,909,209	2,909,209	2,909,209
Fixed Charge Assessment	845,637	845,637	907,904		907,904		955,338	984,216	1,019,607	1,057,420
Hydroelectric Sales	230,000	53,208	200,000		200,000		200,000	200,000	200,000	200,000
Interest Income	83,374	(62,319)	105,604		105,604		105,604	105,604	105,604	105,604
Pumpback O&M	10,000	967	10,000	10,000			10,000	10,000	10,000	10,000
Grants and Other Revenue	5,517	15,212	5,705		5,705		5,848	5,994	6,144	6,297
TOTAL REVENUES	78,638,587	72,839,327	79,993,317	6,977,322	70,106,786	2,909,209	84,483,072	88,746,331	92,392,546	97,706,425
EXPENSES										
Water Purchases	60,768,527	56,243,641	60,614,113		60,614,113		63,981,121	67,345,277	70,236,655	74,812,311
MWD RTS Charge	4,800,755	4,819,020	5,459,852	5,459,852			6,064,596	6,604,688	7,168,358	7,788,509
Staff Compensation	5,167,273	5,220,143	5,496,636		5,496,636		5,641,008	5,839,794	6,048,255	6,259,904
MWD Capacity Charge	1,604,680	1,604,680	1,507,470	1,507,470			1,534,705	1,457,709	1,386,000	1,299,518
Operations and Maintenance	2,076,500	1,217,899	2,087,950		2,087,950		2,170,161	2,255,610	2,344,423	2,436,733
Capital Repair and Replacement	2,041,919	1,226,215	597,216			597,216	2,250,000	1,500,000	100,000	100,000
Capital Investment Program	1,412,123	795,501	2,525,000			2,525,000	670,000	450,000	2,120,000	2,870,000
Professional Services	625,176	635,520	744,126		744,126		773,425	803,878	835,530	868,428
Directors Compensation	273,680	274,289	285,389		285,389		286,256	287,131	288,015	288,908
Communication and Conservation Programs	170,700	120,539	170,700		170,700		177,421	184,407	191,668	199,215
Planning and Resources	275,000	86,878	450,000		450,000		300,000	311,812	324,090	336,850
Membership Dues and Fees	93,022	104,463	114,150		114,150		118,645	123,316	128,172	133,218
Hydroelectric Facilities	30,000	71,015	30,000		30,000		31,181	32,409	33,685	35,011
Pumpback O&M	10,000	2,718	10,000	10,000			10,000	10,000	10,000	10,000
Board Elections	-	-	-		-		-	-	-	-
Reserve Replenishment	90,000	90,000	390,000		390,000		390,000	390,000	390,000	390,000
Encumbrances from prior year			-				-	-	-	-
TOTAL EXPENSES	79,439,355	72,512,521	80,482,602	6,977,322	70,383,064	3,122,216	84,398,520	87,596,032	91,604,850	97,828,605
NET INCOME (LOSS) BEFORE TRANSFERS	(800,768)	326,806	(489,285)	-	(276,278)	(213,007)	84,551	1,150,299	787,696	(122,180)
TRANSFER FROM BOARD ELECTION RESERVES	-	-								
TRANSFER FROM/(TO) CAPITAL RESERVES	(1,029,043)	(1,029,043)	213,007			213,007	10,791	(959,209)	(689,209)	60,791
TRANSFER FROM/(TO) OPPORTUNITY RESERVES										
TRANSFER FROM/TO ENCUMBERED RESERVES	1,673,757	1,673,757	-		-	-				
NET INCOME (LOSS) AFTER TRANSFERS	(156,054)	971,520	(276,278)	-	(276,278)	-	95,342	191,090	98,487	(61,389)
	CY 2023		CY 2024				CY 2025	CY 2026	CY 2027	CY 2028
MWD RATE	\$ 1,209		\$ 1,256				1,353	1,447	1,537	1,621
TVMWD SURCHARGE	\$ -		\$ 24				24	24	24	24
TVMWD RATE	\$ 1,209		\$ 1,280				\$ 1,377	\$ 1,471	\$ 1,561	\$ 1,645
ANNUAL FIXED CHARGE	\$ 871,956		\$ 966,823				\$ 966,823	\$ 1,001,610	\$ 1,037,605	\$ 1,077,234

MWD CAPACITY CHARGE SUMMARY EFFECTIVE JANUARY 2024

DRAFT

AGENCY	CFS BASIS	ANNUAL CHARGE	MONTHLY CHARGE	%
Boy Scouts	0.4	\$ 4,154.94	\$ 346.24	0.27%
Cal Poly	0.7	\$ 7,478.88	\$ 623.24	0.49%
Covina	3.7	\$ 41,549.36	\$ 3,462.45	2.70%
Covina Irrigating Company	15.6	\$ 174,507.30	\$ 14,542.27	11.35%
Glendora	13.0	\$ 145,422.75	\$ 12,118.56	9.45%
Joint Water Line (JWL)	26.1	\$ 292,507.47	\$ 24,375.62	19.02%
La Verne	12.8	\$ 143,299.57	\$ 11,941.63	9.32%
Mt. Sac	1.0	\$ 10,802.83	\$ 900.24	0.70%
Pomona	0.0	\$ -	\$ -	0.00%
Rowland Water District	6.0	\$ 67,309.96	\$ 5,609.16	4.38%
GSWC (Claremont)	15.3	\$ 171,644.55	\$ 14,303.71	11.16%
GSWC (San Dimas)	12.6	\$ 141,267.81	\$ 11,772.32	9.18%
Suburban	0.0	\$ -	\$ -	0.00%
Valencia Heights	0.0	\$ -	\$ -	0.00%
Walnut Valley Water District	30.2	\$ 338,211.76	\$ 28,184.31	21.99%
TOTAL	137.3	1,538,157	\$ 128,180	100.00%

Notes:

1. *The MWD Capacity Charge is paid by each member agency based on TVMWD's allocation of the specific non-coincidental peak calculation over a three year period 2020, 2021, and 2022.*
2. *The MWD Capacity Charge basis of 137.3 cfs at \$11200 per cfs is assigned to TVMWD by MWD and is passed-through directly to the member agencies.*

DRAFT

TVMWD FIXED CHARGES SUMMARY

EFFECTIVE JANUARY 2024

Item 8.B - Exhibit C

AGENCY	IMPORTED WATER USE			CONNECTED CAPACITY			EQUIVALENT SMALL METER			TOTAL \$
	(3yr Avg) (AF)	ANNUAL \$	%	(cfs)	ANNUAL \$	%	METERS	ANNUAL \$	%	
Boy Scouts	20.2	\$ 99.29	0.03%	1.5	\$ 1,158.10	0.37%	255.6	\$ 314.62	0.10%	\$ 1,572.01
Cal Poly	101.1	\$ 495.95	0.16%	2.0	\$ 1,544.13	0.49%	2,556.2	\$ 3,146.17	1.00%	\$ 5,186.26
Covina	58.2	\$ 285.44	0.09%	20.0	\$ 15,441.35	4.91%	5,199.9	\$ 6,400.14	2.03%	\$ 22,126.93
Covina Irrigating Company	8,218.0	\$ 40,327.32	12.82%	20.0	\$ 15,441.35	4.91%	0.0	\$ -	0.00%	\$ 55,768.67
Glendora	779.3	\$ 3,824.18	1.22%	40.0	\$ 30,882.70	9.82%	28,153.0	\$ 34,651.03	11.01%	\$ 69,357.90
Joint Water Line (JWL)	18,703.5	\$ 91,781.88	29.17%	121.0	\$ 93,420.16	29.69%	0.0	\$ -	0.00%	\$ 185,202.03
La Verne	5,957.9	\$ 29,236.60	9.29%	15.0	\$ 11,581.01	3.68%	20,932.0	\$ 25,763.39	8.19%	\$ 66,581.00
Mt. Sac	419.7	\$ 2,059.39	0.65%	5.0	\$ 3,860.34	1.23%	2,556.2	\$ 3,146.17	1.00%	\$ 9,065.90
Pomona	0.1	\$ 0.70	0.00%	20.0	\$ 15,441.35	4.91%	45,054.5	\$ 55,453.69	17.63%	\$ 70,895.74
Rowland Water District	3,595.0	\$ 17,641.36	5.61%	30.0	\$ 23,162.02	7.36%	23,929.5	\$ 29,452.75	9.36%	\$ 70,256.13
GSWC (Claremont)	5,033.7	\$ 24,701.11	7.85%	15.0	\$ 11,581.01	3.68%	27,950.5	\$ 34,401.85	10.93%	\$ 70,683.97
GSWC (San Dimas)	8,402.6	\$ 41,233.27	13.11%	35.0	\$ 27,022.36	8.59%	32,980.0	\$ 40,592.23	12.90%	\$ 108,847.85
Suburban	0.0	\$ -	0.00%	0.0	\$ -	0.00%	16,978.0	\$ 20,896.75	6.64%	\$ 20,896.75
Valencia Heights	0.0	\$ -	0.00%	4.0	\$ 3,088.27	0.98%	1,605.7	\$ 1,976.26	0.63%	\$ 5,064.53
Walnut Valley Water District	12,824.2	\$ 62,931.00	20.00%	79.0	\$ 60,993.33	19.39%	47,466.5	\$ 58,422.41	18.57%	\$ 182,346.73
TOTAL	64,113.5	\$ 314,617	100%	407.5	\$ 314,617	100%	255,618	\$ 314,617	100%	\$ 943,852

Notes:

1. The Imported Water Use Charge is based on average import water deliveries in the 2019/20, 2020/21 & 2021/22 fiscal years.
2. Connected Capacity for the Badillo-Grand Pipeline is according to WVWD's maintenance allocation: WVWD 60 cfs and Valencia Heights. 4 cfs.
3. Boy Scouts ESM Charge is calculated based on 0.1% of total ESMs; Cal Poly & Mt. SAC ESM Charges are calculated based on 1.0% of total ESMs
4. Covina, Glendora, and Valencia Heights ESM Charges are calculated based on 27%, 98%, and 67%, respectively, of their corresponding total ESMs.
Percentages are based on agencies' service area within TVMWD.
5. Fire Service Meters are not included in the ESM calculations

CAPITAL Improvement Plan

2023

Three Valleys
Municipal Water District



Table of Contents

	Introduction				
		Year in Review			
			Projects in Planning		
				Five Year CIP	
					Long Term CIP Outlook
page no.	01.	02.	03.	05.	13.

Introduction

The **Capital Improvement Plan (CIP)** is a working blueprint for building and sustaining Three Valleys Municipal Water District's physical infrastructure. The purpose of a CIP is to identify capital improvement projects, identify and forecast funding sources, prioritize improvements based on funding available, and estimate a timeline for completion of individual improvements. **Capital Improvement Projects** are projects which involve the purchase, improvement or construction of major fixed assets and equipment, which are typically large in size, expensive, and permanent. Examples of capital projects include the expansion of treatment plants and the construction/rehabilitation of pipeline and pump stations.

This CIP identifies projects for the Fiscal Year 2023/24 through FY 2027/28 that are needed for the rehabilitation, replacement, or expansion of the facilities owned or operated by TVMWD. Projects were identified based on physical conditions of assets, forecasted regional projections of water demands and outlook of water resource availability. The timing of the projects identified in the CIP are further refined during the fiscal year based on the availability of financial resources.

This CIP provides a holistic picture including recently completed projects, projects in the planning phase, the five year plan, as well as projects that are envisioned to occur beyond the five year planning horizon.

The CIP is consistent with and is instrumental in achieving Three Valleys' Strategic Plan objectives.

Year In Review

Three Valleys was successful in its **CIP implementation rate at 80%** or \$2.8 million of the Fiscal Year 2022-23 budget of \$3.6 million. Highlights of projects that were completed in last FY are provided below.

The construction and startup of **MiraGrand Well** in the Six Basins Groundwater Basin was completed in February 2023. The total project cost is \$6 million.

Three Valleys received **\$200,000 of grant funding** from the United States Bureau of Reclamation's WaterSMART program to develop a **Regional Drought Contingency Plan**.

Several Miramar Treatment Plant upgrades such as the ammonia and chlorine storage tanks upgrades and turbidity meter relocation projects were completed **on schedule and within budget**.

*Three Valleys' fourth well, **MiraGrand**, was placed in operation with a local supply augmentation capacity of **800 acre-feet per year***

Projects in Planning

Support Three Valleys mission to supplement and enhance local water supplies

The Projects that are in the planning phase provides the context to develop an implementation working collaboratively with Three Valleys' member agencies to meet short and long term needs cost effectively. Summary of the planning efforts in progress and that will continue into the future years are provided below. The project costs are summarized in the Planning & Resources category in the Five Year Plan.

01. Water Resources Master Plan

Holistic plan that creates a road map of strategies, projects and schedule to develop local sustainable supplies that is resilient to unforeseen change in conditions. This plan will be developed along with the Drought Contingency Plan, which received \$200,000 in grant funding.

02. Funding Opportunities

Critical component of long term strategy to resilient reliable water supplies is to seek opportunities for funding partners and grant opportunities to create a cost effective portfolio. Three Valleys has set up a protocol in place to seek for funding opportunities for itself and its member agencies.

03. Groundwater Reliability Partnership

Partnership with City of Glendora and Puente Basin Water Agency [PBWA] to develop feasibility study to implement a regional distribution network and local supplies by utilizing **6,000 acre-feet per year** of stranded City assets. Three Valleys has a preliminary award of \$300,000 funding from Main San Gabriel Basin Water Quality Authority for the project.

04. Storage & Recovery Programs

As a region which relies 50 - 60% on imported water supplies, it is imperative to invest in local supplies and supply diversification. Three Valleys has been advocating amongst regional partnering agencies to increase investments in the three groundwater basins that Three Valleys overlies on, the Chino, Main San Gabriel and Six Basins groundwater basins.

Planning and Resources

Planning & Resources	FYE 2024	FYE 2025	FYE 2026	FYE 2027	FYE 2028
Water Resources Master Plan + Drought Contingency Plan	\$350,000	\$0	\$0	\$0	\$0
Grants Assistance	\$150,000	\$150,000	\$150,000	\$150,000	\$150,000
EIR Review + Partnerships	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000
Misc. Studies	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000
Total	\$650,000	\$300,000	\$300,000	\$300,000	\$300,000
Grants	\$200,000	\$0	\$0	\$0	\$0
Net Three Valleys Project Cost	\$450,000	\$300,000	\$300,000	\$300,000	\$300,000

*The Planning Studies
for the fiscal years
2023-2028 is
\$1.65 million*

Five Year CIP

The capital projects are categorized into three categories: **Miramar Treatment Plant and Distribution System Improvements, Miramar Facility Improvements, and Water Supply & Reliability Projects.** The projects include a combination of capital improvement projects and repair and rehabilitation projects. Description of major projects included in the various categories are also provided. The total project costs for the next five years is \$13 million.

As described in further detail in subsequent sections, certain projects will not move forward until funding sources are secured and project specific approvals are obtained; if those are secured, the five year CIP is estimated at \$87 million.

Project Type	FYE 2024	FYE 2025	FYE 2026	FYE 2027	FYE 2028
Miramar System Improvements	\$1,997,216	\$800,000	\$100,000	\$300,000	\$100,000
Miramar Facility Improvements	\$625,000	\$2,120,000	\$900,000	\$120,000	\$120,000
Water Supply & Reliability	\$5,150,000	\$3,450,000	\$21,450,000	\$32,500,000	\$17,750,000
Subtotal	\$7,772,216	\$6,370,000	\$22,450,000	\$32,920,000	\$17,970,000
Other Funding*	\$4,650,000	\$3,450,000	\$21,200,000	\$30,000,000	\$15,000,000
Net Project Cost	\$3,122,216	\$2,920,000	\$1,950,000	\$2,220,000	\$2,970,000
FIVE YEAR 2023-2028 CIP \$13 MILLION					

*External funding from Project Partners and grants as identified later in the detail sections

Miramar Treatment Plant & System Improvements

This category includes capital improvement projects, with the majority of the projects needed for routine replacement and rehabilitation of systems as needed to address end of life equipment needs and system modification. Highlights of major projects are provided below.



Miramar System Leak Detection

This project was initiated to identify system water losses, the trend increasing to 10%, potentially resulting in revenue loss of \$2 million per year. The project includes main distribution line inspection that will provide structural integrity analysis and also the remaining life span of the system.

Total Project Cost: \$380,000

Metropolitan Water District Funding: \$20,000



PM-21 [Miramar] Bypass Magmeter

Miramar Treatment Plant's design capacity is 40 cubic feet per second [cfs]. Lower demands due to factors of water use efficiency and water shortage conditions requires the plant to operate at minimal flows of 8 cfs. This effort initiates a project with Metropolitan Water District to install a meter suitable for lower flow conditions, increasing meter accuracy and reduce potential for apparent water losses.

Total Project Cost: \$2,000,000



Miramar Treatment Plant Unplanned Repairs & Rehabilitation

This category of projects is set aside as an annual budget from which unplanned repairs and rehabilitation projects are funded from that were not foreseen as a need.

Total Project Cost: \$100,000 per year

Miramar Treatment Plant & System Improvements

Miramar Treatment Plant & System Improvements	FYE 2024	FYE 2025	FYE 2026	FYE 2027	FYE 2028
Ammonia System Upgrade	\$0	\$0	\$200,000	\$0	
Miramar System Leak Detection	\$160,000		\$0	\$0	
Wheeler Cabinet Upgrade	\$0	\$200,000	\$0	\$0	
TTHM Fan	\$80,000	\$0	\$0	\$0	
PM-21 Bypass Meter	\$1,500,000	\$500,000	\$0	\$0	
Electrical Switchgear Upgrade	\$157,216				
Miramar Treatment Plant Unplanned R&R	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000
TOTAL	\$1,997,216	\$800,000	\$300,000	\$100,000	\$100,000



Miramar Treatment Plant and System Improvements is **\$3.3 million** or 25% of the overall five year CIP

Miramar Facility Improvements

This category of projects include combination of capital improvement projects and routine replacement and rehabilitation of systems as needed to address end of life of equipment, security and operating systems. Highlights of major projects are provided below.



Miramar Efficiency Upgrades

The Miramar administration building was constructed nearly 40 years ago and requires updates to replace the roofing, improve the Heating, Ventilation and Air Conditioning [HVAC] system, and lighting upgrades to improve habitability and increase energy efficiency. The project also includes office space efficiency improvements as well as treatment plant roofing and shading upgrades.

Total Project Cost: \$2,450,000



SCADA & Communication Systems

This category of projects include site to site communication, business network communication, Programmable Logic Controllers [PLC], software and programming to maintain to industry standards and best practice.

Total Project Cost: \$230,000 over the five year period



Security Systems

This category of projects include onsite and offsite security enhancements with improved surveillance and communication that are needed on a routine basis.

Total Project Cost:

FYE 2024 \$300,000 and thereafter \$100,000 per year

Miramar Facility Improvements

Miramar Facility Improvements	FYE 2024	FYE 2025	FYE 2026	FYE 2027	FYE 2028
Miramar Efficiency Upgrades	\$100,000	\$1,950,000	\$700,000	\$0	
Vehicle	\$50,000	\$0	\$80,000	\$0	
Security System	\$300,000	\$100,000	\$100,000	\$100,000	\$100,000
IT AV Project	\$75,000				
SCADA & Communication Systems	\$100,000	\$70,000	\$20,000	\$20,000	\$20,000
TOTAL	\$625,000	\$2,120,000	\$900,000	\$120,000	\$120,000



Miramar Treatment Plant and System Improvements is **\$3.9 million** or 29% of the overall five year CIP

Water Supply & Reliability

This category includes primarily capital improvement projects addressing water supply, diversification of supplies, operational flexibility and overall improve reliability and resilience to climate change. Highlights of major projects are provided below.



Miramar Pumpback Upgrades

This project was initiated to increase system flexibility by moving water from Colorado River [MWD's Weymouth Treatment Plant] into the Miramar Distribution normally served by the State Water Project from Three Valleys' Miramar Treatment Plant. The project addresses Metropolitan's supply constraints with the State Water Project while also providing benefit to SWP dependent agencies.

The project is envisioned to be fully funded by Metropolitan.

Total Project Cost: \$7,400,000

Metropolitan Water District Funding/Grants: \$7,400,000



Padua Pump Station

Three Valleys is in the process of acquiring the property from California Department of Transportation. The property will be used as a future pump station location to incorporate the Pure Water into Miramar system.

Total Project Cost: \$5,000,000



Groundwater Reliability Project

The Project will rehabilitate City of Glendora's existing stranded wells, provide well head treatment and develop a regional distribution system to create water supply and system flexibility within the Three Valleys service area. The Project is in the feasibility stage and will only proceed if funding agreements are developed with either the GW Reliability Partnership or rates to support the construction and operation of the facilities.

Assumption for the funding in the CIP includes 100% funding from grants and/or the Partnership [City of Glendora and PBWA] without any current rate impact for Three Valleys customers.

Total Project Cost: \$66,900,000

Water Supply & Reliability

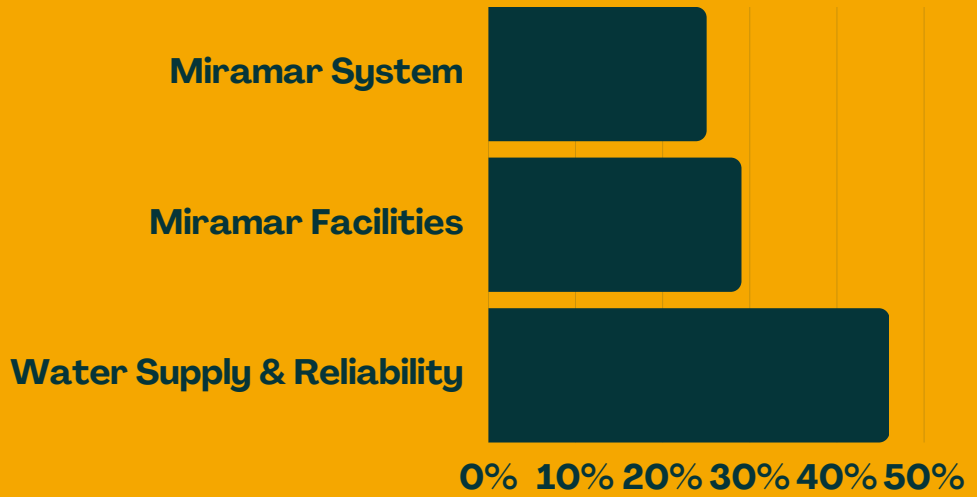
Water Supply & Reliability	FYE 2024	FYE 2025	FYE 2026	FYE 2027	FYE 2028
Padua Pump Station	\$500,000		\$250,000	\$2,000,000	\$2,750,000
Grand Avenue Well Improvement			\$500,000		
Miramar Pumpback*	\$4,200,000	\$2,000,000	\$1,200,000		
GW Reliability Project*	\$300,000	\$1,450,000	\$20,000,000	\$30,000,000	\$15,000,000
Six Basins GW Project*	\$150,000				
Total	\$5,150,000	\$3,450,000	\$21,450,000	\$32,500,000	\$17,750,000
Other Funding	\$4,650,000	\$3,450,000	\$21,200,000	\$30,000,000	\$15,000,000
Net Project Cost	\$500,000	\$0	\$750,000	\$2,000,000	\$2,750,000

*Miramar Pumpback Project is assumed to move forward only with 100% funding from Metropolitan Water District | GW Reliability Project is assumed to proceed at this stage only with 100% external funding from grants or project partners | Six Basins GW Project is 100% reimbursed by the Puente Basin Water Agency



FY 2023-28 CIP

The proposed five year CIP for FY 2023-28 is the same as the previous five year CIP at \$13 million.



\$13M

Net Three Valley expenses for the 2023-28 CIP

23

major projects in the five year 2023-28 CIP

Three Valleys is in the process of developing several studies which will provide a holistic approach and a roadmap for water resource initiatives **in collaboration with its member agencies**. Based on the results and recommendations of the studies, additional projects may be added in the future CIPs to **continue providing cost effective local supplemental supplies**.

Long Term CIP

The table is in the process of being developed and will be published in the final CIP


Capital Improvement Plan 2023-28




Contact

Three Valleys
Municipal Water District

11021 E Miramar Avenue
Claremont, CA 91711


 www.threevalleys.com

 909.621.5568





BOARD OF DIRECTORS STAFF REPORT

To: TVMWD Board of Directors
From: Matthew H. Litchfield, General Manager 
Date: March 1, 2023
Subject: **FY 2023/24 Annual Purchase Orders**

Funds Budgeted: \$ Fiscal Impact: \$

Staff Recommendation

No Action Necessary – Informational Item Only

Background:

In compliance with TVMWD's purchasing policy, general purchases exceeding \$75,000 and public projects exceeding \$200,000 are to be approved by the Board.

Discussion

Staff has listed below vendors/contractors used for an ongoing basis. Staff felt it appropriate to bring these before the Board for consideration for next fiscal year.

- ACWA Joint Powers Insurance Authority (JPIA) - \$630,000 for medical, dental, vision, employee assistance program, liability, property, cyber and workers' compensation insurance. This activity is categorized as section E professional services of the purchasing policy. Staff feels JPIA qualifies as a single source vendor.
- Brunick, McElhaney & Kennedy Professional Law Corporation - \$212,000 for legal services. This activity is categorized as section E professional services of the purchasing policy. Brunick, McElhaney & Kennedy has been with TVMWD for decades. Staff feels Mr. Kennedy's qualifications and history with TVMWD at a very reasonable fee justifies qualification as a single source vendor.
- Michael J. Arnold and Associates - \$75,000 to serve as state legislative lobbyist. This activity is categorized as section E professional services of the purchasing policy. Mr. Arnold has served as TVMWD's state lobbyist for over 19 years. Staff feels Mr. Arnold's qualifications and history with TVMWD justifies qualification as a single source vendor.

- Chemicals - Chemicals are categorized as section B general supplies of the purchasing policy, normally requiring competitive bids. However, chemicals meet the exception to competitive offer requirements as a good with significant market fluctuation. Requiring a guaranteed price for a year would cost more than simply paying the ebbs and flows of the current market price. Senior staff frequently compares pricing to obtain the lowest cost for each order.
 - JCI Jones Chemicals - \$165,000 for chlorine
 - Kemira Water Solutions - \$230,000 for aluminum chlorohydrate
 - Univar USA and Brenntag Pacific - \$150,000 for sodium hydroxide
 - Advanced Water Science - \$85,000 for algaecide

- Denali Water Solutions - \$110,000 for sludge removal services. This activity is categorized as section E professional services of the purchasing policy. Denali removes, transports and disposes the sludge generated during the residual management process. Denali has provided service to TVMWD since 2014. In recent years the cost for this service has increased due to an increased distance required for disposal. Staff has and continues to evaluate disposal options to minimize the costs.

- Prime Systems - \$120,000 for SCADA hardware. This activity is categorized as section E professional services of the purchasing policy. Prime System is TVMWD's exclusive system integrator for the Miramar SCADA system, performing all programming, maintenance, troubleshooting and installing system expansions. This type of work is very product-client specific. Staff feels the pricing offered by Prime Systems is competitive, based on their hourly rates and preferred-vendor pricing they receive from hardware manufacturers and software firms. Prime Systems' level of service over the years has been excellent. Staff feels that Prime Systems qualifies as a single source vendor.

This item will be brought back to the board on March 15, 2023, for approval consideration.

Strategic Plan Objective(s)

2.2 – Maintain efficient and safe operations

3.3 – Be accountable and transparent with major decisions

Attachment(s)

None


Meeting History

None

NA/JL



BOARD OF DIRECTORS STAFF REPORT

To: TVMWD Board of Directors
From: Matthew H. Litchfield, General Manager 
Date: March 1, 2023
Subject: **CSDA Commercial Card Program Rebate**

Funds Budgeted: \$

Fiscal Impact: \$

Staff Recommendation

No Action Necessary – Informational Item Only

Discussion

TVMWD has participated in the CSDA (California Special Districts Association) Commercial Card Program since July 2015. The Program allows TVMWD to earn cash rebates by using a credit card for purchases typically paid with an AP check.

The Program is coordinated by CSDA, administered by Umpqua Bank, and backed by Visa®. Some key features of the Program are:

- Earns a 1% cash back rebate on all spending. Rebates are paid annually.
- Visa® is a widely accepted form of payment by most vendors.
- Fraud protection at no cost.
- TVMWD is covered up to \$100,000 protection against employee misuse.

TVMWD continues to increase our annual spending with Umpqua. For the calendar year 2022, TVMWD received a rebate in the amount of \$8,733. This rebate was a 13.8% increase from last calendar year. The Accounting staff made diligent efforts in working with our vendors to accept more payments via credit card. Staff will continue their efforts to increase TVMWD's vendor payments by credit card and generate greater rebate revenue.

Strategic Plan Objective(s)

3.3 – Be accountable and transparent with major decisions

Attachment(s)

None


Meeting History

None

NA/JL



BOARD OF DIRECTORS STAFF REPORT

To: TVMWD Board of Directors
From: Matthew H. Litchfield, General Manager 
Date: March 1, 2023
Subject: **CSDA Board of Directors Call for Nominations – Seat C**

Funds Budgeted: \$

Fiscal Impact: \$

Staff Recommendation

No Action Necessary – Informational Item Only

Discussion

CSDA has called for nominations to their Board of Directors – Seat C, for the 2024-2026 term. CSDA's Commitment and Expectations of a Director are attached as **Exhibit A**. Nominated Directors must submit a TVMWD adopted resolution, candidate statement sheet, and nomination form, attached as **Exhibit B**, to CSDA by April 6, 2023. Once received, nominees will receive a candidate's letter in the mail. The letter will serve as confirmation that CSDA has received the nomination and will also include campaign guidelines. CSDA will begin electronic voting on June 5, 2023, and selected Board Members will be introduced at the annual conference in Monterey in August 2023.

A resolution will be brought back to the March 15, 2023 board meeting for consideration of adoption, if a Director is nominated and selected to continue in the process.

Strategic Plan Objective(s)

3.3 – Be accountable and transparent with major decisions

Attachment(s)

Exhibit A – Letter from CSDA

Exhibit B – Candidate Statement Sheet and Nomination Form

Meeting History

None

NA/ML

RECEIVED

FEB 06 2023



**California Special
Districts Association**
Districts Stronger Together

THREE VALLEYS MWD

DATE: January 30, 2023

TO: CSDA Voting Member Presidents and General Managers

FROM: CSDA Elections and Bylaws Committee

SUBJECT: **CSDA BOARD OF DIRECTORS CALL FOR NOMINATIONS
SEAT C**

The Elections and Bylaws Committee is looking for Independent Special District Board Members or their General Managers who are interested in leading the direction of the California Special Districts Association for the 2024 - 2026 term.

The leadership of CSDA is elected from its six geographical networks. Each of the six networks has three seats on the Board with staggered 3-year terms. Candidates must be affiliated with an independent special district that is a CSDA Regular Member in good standing and located within the geographic network that they seek to represent.
(See attached CSDA Network Map)

The CSDA Board of Directors is the governing body responsible for all policy decisions related to CSDA's member services, legislative advocacy, education and resources. The Board of Directors is crucial to the operation of the Association and to the representation of the common interests of all California's special districts before the Legislature and the State Administration. Serving on the Board requires one's interest in the issues confronting special districts statewide.

Commitment and Expectations:

- Attend all Board meetings, usually 4-5 meetings annually, at the CSDA office in Sacramento.
- Participate on at least one committee, meets 3-5 times a year at the CSDA office in Sacramento.
(CSDA reimburses Directors for their related expenses for Board and committee meetings as outlined in Board policy).
- Attend, at minimum, the following CSDA annual events: Special Districts Legislative Days - held in the spring, and the CSDA Annual Conference - held in the fall.
*(CSDA does **not** reimburse expenses for the two conferences even if a Board or committee meeting is held in conjunction with the event)*
- Complete all four modules of CSDA's Special District Leadership Academy within 2 years of being elected.
*(CSDA does **not** reimburse expenses for the Academy classes even if a Board or committee meeting is held in conjunction with the event).*

Nomination Procedures: Any Regular Member in good standing is eligible to nominate one person, a board member or managerial employee (as defined by that district's Board of Directors), for election to the CSDA Board of Directors. **A copy of the member district's resolution or minute action and Candidate Information Sheet must accompany the nomination. The deadline for receiving nominations for the Northern, Sierra, Coastal and Southern Networks is April 6, 2023. Where there is no incumbent running in the Bay Area and Central Networks the deadline for receiving nominations is April 17, 2023. Nominations and supporting documentation may be mailed or emailed.**

Mail: 1112 I Street, Suite 200, Sacramento, CA 95814
Fax: 916.442.7889
E-mail: amberp@csda.net

Once received, nominees will receive a candidate's letter. The letter will serve as confirmation that CSDA has received the nomination and will also include campaign guidelines.

CSDA will begin electronic voting on June 5, 2023. All votes must be received through the system no later than 5:00 p.m. July 14, 2023. The successful candidates will be notified no later than July 18, 2023. All selected Board Members will be introduced at the Annual Conference in Monterey, CA in August 2023.

Expiring Terms

(See enclosed map for Network breakdown)

Northern Network	Seat C – Fred Ryness, Burney Water District*
Sierra Network	Seat C – Pete Kampa, Groveland Community Services District*
Bay Area Network	Seat C – <i>Vacant</i>
Central Network	Seat C – Steve Perez, GM, Rosamond Community Services District
Coastal Network	Seat C – Vince Ferrante, Moss Landing Harbor District*
Southern Network	Seat C – Arlene Schafer, Costa Mesa Sanitary District*

(* = Incumbent is running for re-election)

CSDA will be using a web-based online voting system allowing your district to cast your vote easily and securely. *Electronic Ballots will be emailed to the main contact in your district June 5, 2023.* All votes must be received through the system no later than 5:00 p.m. July 14, 2023.

*Districts can opt to cast a paper ballot instead; but you must contact Amber Phelen by e-mail amberp@csda.net by **April 6, 2023** in order to ensure that you will receive a paper ballot on time.*

CSDA will mail paper ballots on June 5, 2023 per district request only.

If you have any questions, please contact Amber Phelen at amberp@csda.net.



**California Special
Districts Association**
Districts Stronger Together

2023 CSDA BOARD CANDIDATE INFORMATION SHEET

The following information **MUST** accompany your nomination form and Resolution/minute order:

Name: _____

District/Company: _____

Title: _____

Elected/Appointed/Staff: _____

Length of Service with District: _____

1. Do you have current involvement with CSDA (such as committees, events, workshops, conferences, Governance Academy, etc.):

2. Have you ever been associated with any other state-wide associations (CSAC, ACWA, League, etc.):

3. List local government involvement (such as LAFCo, Association of Governments, etc.):

4. List civic organization involvement:

****Candidate Statement – Although it is not required, each candidate is requested to submit a candidate statement of no more than 300 words in length. Any statements received in the CSDA office after the nomination deadlines will not be included with the ballot.**



**California Special
Districts Association**
Districts Stronger Together

2023 BOARD OF DIRECTORS NOMINATION FORM

Name of Candidate: _____

District: _____

Mailing Address: _____

Network: _____ (see map)

Telephone: _____

(PLEASE BE SURE THE PHONE NUMBER IS ONE WHERE WE CAN REACH THE CANDIDATE)

Fax: _____

E-mail: _____

Nominated by (optional): _____

Return this form, a Board resolution/minute action supporting the candidate, and Candidate Information Sheet by mail or email to:

CSDA
Attn: Amber Phelen
1112 I Street, Suite 200
Sacramento, CA 95814
(877) 924-2732

amberp@csda.net

DEADLINE FOR RECEIVING NOMINATIONS:

Northern, Sierra, Coastal and Southern Networks: **April 6, 2023 at 5:00 p.m.**

Bay Area and Central Networks: **April 17, 2023 at 5:00 p.m.**




California Special Districts Association

DISTRICT NETWORKS





BOARD OF DIRECTORS STAFF REPORT

To: TVMWD Board of Directors
From: Matthew H. Litchfield, General Manager 
Date: March 1, 2023
Subject: **ACWA/JPIA Executive Committee Call for Nominations**

Funds Budgeted: \$

Fiscal Impact: \$

Staff Recommendation

No Action Necessary – Informational Item Only

Discussion

ACWA/JPIA (JPIA) has called an election to fill four Executive Committee member positions, each a four-year term. JPIA's nomination procedures are attached as **Exhibit A**. The JPIA Executive Committee election will take place during JPIA's Board of Director's meeting on May 8, 2023 at the conference in Monterey, CA. All nominations must be received by March 24, 2023. Nominated Directors must submit to JPIA a nominating resolution from TVMWD and three concurring resolutions from outside agencies.

TVMWD has received two letters of support (**Exhibits B** and **C**) for concurring resolutions from the following agencies:

- Director Lenet Pacheco, Valley County Water District
- Director Szu Pei Lu-Yang, Rowland Water District

A resolution will be brought back to the March 15, 2023 board meeting for consideration of adoption, if a Director is nominated and selected to continue in the process. In addition, concurring resolutions may be brought back for consideration if the board desires to support a director from an outside agency.

Strategic Plan Objective(s)

3.3 – Be accountable and transparent with major decisions

Attachment(s)

Exhibit A –ACWA/JPIA nomination procedures

Exhibit B – Letter from Valley County District

Exhibit C – Letter from Rowland Water District

Meeting History

None

NA/ML

ACWA JPIA Nomination Procedures for Executive Committee

Approximately 120 Days before Election (January 9, 2023)

All ACWA JPIA Directors and Member Districts are to be notified of:

- A) Date and place of Election;
- B) Executive Committee positions and terms of office to be filled by Election;
- C) Nomination Procedures.

120 to 45 Days before Election (January 9 – March 24, 2023)

- A) A district (that participates in all four of the JPIA's programs: Liability, Property, Workers' Compensation and Employee Benefits) may place into nomination its member of the Board of Directors of ACWA JPIA with the concurrence of three districts, then members of the ACWA JPIA, in addition to the nominating district.
- B) Sample resolutions are available on the ACWA JPIA website.
- C) The **district is solely responsible** for timely submission of the nominating resolution and the three additional concurring in nomination resolutions of its candidate for office.

45 Days before Election (March 24, 2023)

- A) Deadline and location for receiving the nominating and concurring in nomination resolutions in the ACWA JPIA office:

Friday – March 24, 2023 – 4:30 p.m.

Laura Baryak
Administrative Assistant II
(lbaryak@acwajpia.com)
ACWA JPIA
P. O. Box 619082
Roseville, CA 95661-9082

- B) Candidates' statement of qualifications must be submitted, if desired, with the nominating resolutions. The statement of qualifications must be submitted on one side of an 8½ x 11" sheet of paper suitable for reproduction and distribution to all districts. (MSWord or PDF documents preferred).

14 Days before Election (April 24, 2023)

Final notice of the upcoming Election of Executive Committee members will be included as part of the Board of Directors' meeting packet. Final notice shall include:

- A) Date, Time, and Place of Election;
- B) Name and District of all qualified candidates;
- C) Candidate's statement of qualifications (if received); and
- D) Election Procedures and Rules.



RECEIVED

FEB 16 2023

February 7, 2023

Mr. Matthew Litchfield
Three Valleys Municipal Water District
1021 E Miramar Ave,
Claremont, CA 91711

Dear Mr. Litchfield,

It is my pleasure to inform you that Valley County Water District took action at the January 31, 2023 Board of Directors meeting to nominate Director Lenet Pacheco to the Association of California Water Agencies Joint Powers Insurance Authority ("JPIA") Executive Committee.

In Director Pacheco's 13 years as a member of the Board of Directors for Valley County Water District ("District"), she has been appointed to serve as President of the Board for 5 years and as Vice President for 4 years. She is proactive addressing water issues and has been an excellent leader in providing safe and reliable water to the community she serves. Her commitment to the water industry has helped the District effectively manage our water resources and complete projects that maintain infrastructure and build community relationships.

I am contacting you to request your agency's support for Director Pacheco's nomination by adopting a resolution endorsing the nomination to the JPIA Executive Committee. Attached you will find a sample resolution that your agency may use to concur the nomination. If your board takes action, please forward your resolution of support by Thursday, March 16, 2023, to our office located at the following address:

Valley County Water District
5121 Lante Street
Baldwin Park, CA 91706

Thank you so much for consideration. Should you have any questions, please contact Colleen Malaiba at (626) 338-7301 ext. 203.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Vargas", written over a white background.

Javier E. Vargas
President

Candidate-Bio for ACWA/JPIA Executive Committee

Director Lenet Pacheco



Director Pacheco was first elected to serve on the Board of Directors in 2009. She has been reelected in 2013, 2018, and 2022 through her strong advocacy for reaching out to the public and hearing their concerns. As a VCWD Board Member, Director Pacheco regularly advocates for vital issues impacting the District where she has met with congressional leaders to discuss the critical water concerns impacting the residents and insurance shared risk issues.

Lenet would like to bring her local water perspective to the ACWA/JPIA. She believes in returning any excess funds to the members, providing quality insurance coverage to all the members.

Born in an agriculture region of Mexico, Director Pacheco understands the importance of challenging work and value of water. Her family depended on farming and raising livestock for a living. She learned firsthand the importance of water resources for sustaining a farming community. She understands the importance of water conservation and sustainability in rural communities.

A longtime resident of Baldwin Park, Director Pacheco is proud to call Baldwin Park home. Director Pacheco is a graduate of the Water Elected Latino Leaders (WELL). She lives in the District where she raised her family, she is happily married to her husband and is also the proud mother of two daughters and her son. Lenet and her husband own and operate American Solar Electric an electrical contracting business serving the residential and business clients in our local communities.

Since her tenure on the VCWD Board of Directors, Director Pacheco has advocated for safe, affordable, clean and reliable water resources for the ratepayers. During these unprecedented times of the Covid Pandemic, Director Pacheco supported policies to help those impacted by the pandemic.

RESOLUTION NO. _____

RESOLUTION OF THE BOARD OF DIRECTORS OF THE

(NAME OF MEMBER DISTRICT)

CONCURRING IN NOMINATION TO THE EXECUTIVE COMMITTEE

OF THE ASSOCIATION OF CALIFORNIA WATER AGENCIES
JOINT POWERS INSURANCE AUTHORITY ("JPIA")

WHEREAS, this district is a member district of the JPIA; and

WHEREAS, the Bylaws of the JPIA provide that in order for a nomination to be made to JPIA's **Executive Committee**, three member districts must concur with the nominating district, and

WHEREAS, another JPIA member district, the (NAME OF NOMINATING DISTRICT) has requested that this district concur in its nomination of its member of the JPIA Board of Directors to the **Executive Committee** of the JPIA;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the (NAME OF MEMBER DISTRICT) that this district concur with the nomination of (NAME OF NOMINEE) of (NAME OF NOMINATING DISTRICT) to the **Executive Committee** of the JPIA.

BE IT FURTHER RESOLVED that the District Secretary is hereby directed to transmit a certified copy of this resolution to the JPIA at P.O. Box 619082, Roseville, CA 95661-9082, forthwith.

ADOPTED this (DATE) day of (MONTH), 2023.

(SIGNATURE)
Board President

ATTEST:

(SIGNATURE)
Secretary



Board of Directors

SZU PEI LU-YANG
President

JOHN E. BELLAH
Vice President

VANESSA HSU

ROBERT W. LEWIS

ANTHONY J. LIMA

RECEIVED

February 15, 2023

FEB 21 2023

THREE VALLEYS MWD

Matthew Litchfield, P.E.
General Manager
Three Valleys MWD
1021 E. Miramar Avenue
Claremont, CA 91711

Dear Matt:

On February 14, the Rowland Water District (RWD) Board of Directors adopted Resolution No. 2.1-2023 nominating its President, Szu Pei Lu-Yang, for the ACWA/JPIA Executive Committee. We formally ask for your agency's support of her nomination by the adoption of an agreeable resolution.

President Lu-Yang is highly qualified to provide exceptional leadership in this role at ACWA/JPIA. The attached statement of qualifications demonstrates her knowledge of California water issues and her ongoing dedication to public service. Her water industry experience affords her with a valuable statewide perspective and the ability to fairly represent both retail and wholesale agencies. President Lu-Yang promises to be an outstanding addition and asset to the ACWA/JPIA Executive Committee.

Included with her qualifications statement is a sample of a concurring resolution in support of her nomination. The Executive Committee elections will be held during JPIA's Board of Directors meeting on May 8 at the ACWA/JPIA Spring Conference in Monterey. Should your Board adopt a concurring resolution, I ask that a certified copy be submitted to the ACWA/JPIA and our District office prior to the March 24, 2023, 4:00 p.m., deadline to the following:

ACWA/JPIA
Laura Baryak, Administrative Assistant
P.O. Box 619082
Roseville, CA 95661-9082
or
lbaryak@acwajpia.com

Rowland Water District
Gabriela Sanchez, Executive Assistant
3021 Fullerton Road
Rowland Heights, CA 91748
or
gsanchez@rwd.org

If you have any questions, please contact Gabby Sanchez, our Executive Assistant, at 562-383-2323 or gsanchez@rwd.org.

Thank you for your time and consideration.

TOM COLEMAN
General Manager



Board of Directors

SZU PEI LU-YANG
President

JOHN E. BELLAH
Vice President

VANESSA HSU

ROBERT W. LEWIS

ANTHONY J. LIMA

Statement of Qualifications

February 2023



Szu Pei Lu-Yang
Director, Rowland Water District

I am excited to announce my nomination for the Executive Committee at ACWA JPIA for the 2023-2027 term and humbly request your vote when we meet in May at the upcoming ACWA JPIA Conference. After more than 17 years in this industry, I am equipped and eager to further ACWA JPIA's goal of being "much more than just an insurance provider".

As President of the Rowland Water District Board of Directors, in addition to being a member of Three Valleys Municipal Water District and the Rowland Heights Community Coordinating Council, I am familiar with the demands of leadership and current water-related issues facing our communities. My diverse experience has provided me with a deep knowledge and understanding of pressing challenges from a variety of viewpoints and given me the opportunity to take a unique and productive approach to everything from water quality regulation to effective rate structuring.

I also have the privilege of serving on the Los Angeles County Sheriff's Department Advisory Council, the Los Angeles Assessment Appeals Board, and as president of the Rowland Unified School District For Us Foundation. These appointments have fostered a desire to serve and make an impact.

I came to Rowland Water District as an attorney specializing in general liability litigation in 2006 and have served the District with a commitment to accountability and excellence since that day.

Before beginning my career, I attended the University of California, Los Angeles, and earned a Bachelor of Arts degree in Political Science and Business Administration, and continued my education with a law degree from Loyola Law School, Los Angeles.

In the past 17 years on the Rowland Water District Board of Directors, I have seen triumphs, hardships, and all that falls in between. I have been a part of numerous projects that expanded our local and imported water supplies, brought financial awareness to our community, saved ratepayer dollars, educated the local public and their families, and advanced water conservation through annual poster contests and grant programs for teachers. I have cherished my ability to further these improvements and growth and look forward to sharing that ability with ACWA JPIA.

I recognize and appreciate all of the time, energy and effort that must be put into this position for the agency and its members to succeed, and am prepared to do all that it takes to support ACWA JPIA's needs and reflect its values.

RESOLUTION NO. _____

RESOLUTION OF THE BOARD OF DIRECTORS OF THE

(NAME OF MEMBER DISTRICT)

CONCURRING IN NOMINATION TO THE EXECUTIVE COMMITTEE

OF THE ASSOCIATION OF CALIFORNIA WATER AGENCIES
JOINT POWERS INSURANCE AUTHORITY ("JPIA")

WHEREAS, this district is a member district of the JPIA; and

WHEREAS, the Bylaws of the JPIA provide that in order for a nomination to be made to JPIA's **Executive Committee**, three member districts must concur with the nominating district, and

WHEREAS, another JPIA member district, the (NAME OF NOMINATING DISTRICT) has requested that this district concur in its nomination of its member of the JPIA Board of Directors to the **Executive Committee** of the JPIA;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the (NAME OF MEMBER DISTRICT) that this district concur with the nomination of (NAME OF NOMINEE) of (NAME OF NOMINATING DISTRICT) to the **Executive Committee** of the JPIA.

BE IT FURTHER RESOLVED that the District Secretary is hereby directed to transmit a certified copy of this resolution to the JPIA at P.O. Box 619082, Roseville, CA 95661-9082, forthwith.

ADOPTED this (DATE) day of (MONTH), 2023.


(SIGNATURE)
Board President

ATTEST:

(SIGNATURE)
Secretary



BOARD OF DIRECTORS STAFF REPORT

To: TVMWD Board of Directors
From: Matthew H. Litchfield, General Manager 
Date: March 1, 2023
Subject: **California Municipal Utilities Association – SB 366 Public Relations Support Funding**

Funds Budgeted: \$ 20,000

Fiscal Impact: \$ 20,000

Staff Recommendation

No Action Necessary – Informational Item Only

Discussion

TVMWD joined the Solve the Water Crisis Coalition (STWC) in the Spring of 2022 as a result of the long-term drought and consistent lack of investment by the State in developing additional water supplies. In the past year, STWC has been successful in educating the public and policy makers in elevating the urgency for action, led by the STWC of water general managers statewide. The STWC is supported by water districts, cities, counties, housing associations, chambers of commerce, business groups, and agriculture interests from up and down the State.

As a result of this year-long effort, Senate Bill 366 (SB 366) has been introduced by Senator Caballero (CA Senate District No. 14). Aligned with this legislative effort, the STWC has developed a new public relations (PR) program to fully support this legislation led by the California Municipal Utilities Association (CMUA). In brief, the SB 366 legislation, if signed into law, will transform California water management practices from managing for scarcity, to managing toward water supply targets. The CMUA led PR program is titled *Ca Water for All*.

Exhibit A contains a more-detailed description of the *Ca Water for All* PR program description which will run in parallel with the STWC education efforts. The estimated budget for the PR program is included in the attachment. TVMWD will be providing \$20,000 to the CMUA to assist in the PR program. The proposed legislation offers bold, generational planning and investments in California's water supply, is long overdue, and funding this effort promotes the mission of TVMWD and its strategic priorities.

Strategic Plan Objective(s)

- 1.1 – Secure water supplies that exceed the estimated annual demands
- 1.2 – Maintain diverse sources of reliable water supplies and storage
- 1.5 – Be prepared for catastrophic events
- 2.1 – Maximize the most cost-effective water resources
- 3.3 – Be accountable and transparent with major decisions

Attachment(s)

Exhibit A – CMUA/STWC Letter and CA Water for All Legislative PR Support Effort

Meeting History

None

NA/ML



SOLVE THE WATER CRISIS
ACT NOW TO SECURE CALIFORNIA'S FUTURE.

February 1, 2023

Dear Solve the Water Crisis supporters,

Thank you for your participation in Solve the Water Crisis Coalition, which has been a valuable and productive education effort that has significantly elevated the urgency of the water supply crisis with California policymakers. Over a short time, Solve the Water Crisis gained vital support from more than 80 organizations statewide, including water agencies, agriculture interests, statewide business groups, local chambers of commerce, cities and counties, housing associations, and others. This would not have been possible without your continued support and engagement.

With our ongoing success in educating policymakers, the media, and stakeholders about California's water supply crisis, the impacts, consequences of inaction, and potential solutions, we now must move toward the next phase in our results-focused strategy. The water community must reinforce urgency for a legislative solution.

Aligned with a legislative effort this year designed to advance water supply solutions, we have developed a new public relations (PR) program to fully support water management legislation led by the California Municipal Utilities Association (CMUA). It's named: **CA Water for All**.

This PR effort is necessary to pass major water community legislation in California. The goals of this legislation, authored by Senator Caballero, include:

- Transforming California water management by working toward bold water supply targets rather than managing scarcity.
- Modernizing the California Water Plan for a 21st-century climate.
- Ensuring accountability for state agencies regarding water management issues.

CA Water for All is designed to generate broad-based, statewide engagement from water agencies and stakeholder organizations to support water community legislation. This campaign will run parallel with Solve the Water Crisis' continued education strategy but will be a separate effort focused on supporting the legislation.

The **CA Water for All** campaign will build upon the success of Solve the Water Crisis, which provided a basis for gaining widespread support for comprehensive, necessary, and fundamental changes in California's water system.

Getting legislation across the finish line will take all of us working together. To make this happen, we ask for your financial support of CA Water for All. Options include:

- Become a funder for the CA Water for All effort. See the attached document for more information on the program goals, strategy, tactics, and funding.
- Join the effort as a coalition supporter.

Attached is a program overview of CA Water for All. Additionally, in the coming weeks, we will release detailed information on CA Water for All including a website, materials, a weekly newsletter, and much more.

Thank you again for your ongoing support, and we look forward to working with you on CA Water for All.

If you are interested in funding CA Water for All, please reach out to Danielle Blacet-Hyden, Deputy Executive Director at CMUA: dblacet@cmua.org.

If you have general questions about the CA Water for All legislative PR support campaign, please reach out to Jenny Dudikoff at jdudikoff@ka-pow.com.

Sincerely,

Craig Miller

General Manager and Solve the Water Crisis Board Member
Western Municipal Water District

Barry Moline

Executive Director
California Municipal Utilities Association (CMUA)





To ensure a successful path to a legislative win for the water community in 2023, it is critical to have a public relations (PR) program designed to support the legislation and to run parallel with the advocacy strategy. A sustained, well organized, and established effort that can hit the ground running in the beginning of 2023 alongside a legislative proposal is key to an effective and comprehensive effort in 2023.

The drought and water supply shortage have received overwhelming coverage over the last 18 months, and the education efforts have provided a basis for gaining widespread support for comprehensive, necessary, and fundamental changes in California’s water system through a legislative solution.

Goals of PR Campaign

KP will work with CMUA and Steering Committee members to ensure the goals of the legislative support PR effort align with the public policy objectives of water community legislation. Initial identified goals include:

- Near term:
 - Educate State decisionmakers about the impacts of the water supply shortage, its consequences, and necessary solutions.
 - Establish broad, statewide support for a solution by bringing together diverse stakeholders and influencers.
- Throughout the legislative session:
 - Build support for a comprehensive legislative solution that will transform the water system for the next generation of Californians.
 - Encourage the Governor and the legislative leadership to address long-term water supply needs of the state, in collaboration with water agencies and the water community.

Goals of Legislation

The legislation will be designed to transform California water management so that instead of managing for scarcity, the State will work toward water supply targets to ensure water for all.

Main goals:

- Establish bold water supply targets,
- modernize the California Water Plan for a 21st century climate, and
- ensure accountability for state agencies on water management issues.

Organization and Structure

Under the leadership of CMUA, create a coalition of water agencies, wastewater service providers and other stakeholders to support legislative efforts that make comprehensive changes to California's water policy intended to establish specific goals for the State over the next decade and beyond.

Role of the Steering Committee

- Create a Steering Committee of seven members who will advise CMUA on the PR effort.
- The Steering Committee will have input on legislative strategy, but final decisions will be made by CMUA.
- The Steering Committee will meet on a bi-weekly basis.

Role of Coalition Membership

The Coalition will be kept informed about legislative and PR developments by CMUA and will meet on a monthly basis to discuss progress and coordination of lobbying and PR efforts.

Role of KP

- KP will serve as the lead consultant for the legislative PR support program.
- KP will work with CMUA and the Steering Committee to ensure day-to-day execution of the program.

Funding

- CMUA members will provide funding for the effort through the organization's funding process.
- CMUA may also receive contributions from non-members supporting the PR effort.
- Organizations (water agencies and others) who would like to participate at the funding level will be asked to make a one-time \$20,000 contribution to CMUA.

Strategy

The PR effort will focus on implementing key strategies to achieve the most effective and efficient legislative support in 2023, including:

- Overall Strategy
 - Continue to define the current water supply problem and communicate the future water needs of the state, demonstrate the inability of the state to meet those needs because of climate change and system limitations, and clearly articulate the water supply goals the state must accept to achieve the supply levels that will serve residential, business, agricultural, and environmental uses.

- Specific Strategies
 - Engage stakeholders and Sacramento influencers to demand that action be taken – demonstrate the existing problem in legislative districts, making the case for a legislative solution, emphasizing that all parties need to work together to transform the existing water supply system.
 - Leverage the environmental and water expert studies, reports, etc. that detail the long-term impact of climate change on CA water resources.
 - Elevate the narrative and legislative proposal around a comprehensive, long-term policy solution that can benefit the entire state including residents, businesses, agriculture, environment, all industries and sectors, communities, CA’s economy, and future generations.
 - Through historical and current evidence, demonstrate to policymakers the need for new and bold policy solutions to address the current problem, ultimately generating enough support to get a proposal passed.
 - Make the issue relevant to specific regions of the state, focusing on targeted legislative districts.

Target Audience

This effort will not be focused directly on the public, but will instead prioritize influential audiences that will have the greatest impact on California policymakers, including:

- Policymakers
 - Select members on key committees including water and budget
 - Legislative leadership
 - Water champions
- Governor Newsom and relevant state agencies.
- Local community stakeholders working with participating water agencies to push educational information through their platforms.

Preliminary Message Themes

It is important that the tone of messaging strikes a balance between painting a clear picture of a severe problem in need of a bold legislative solution, including an assertive, but not aggressive tone. Messaging may need to be refined once we have final language from the legislative proposal.

Initial messaging themes may include (we will work with CMUA and PR program leadership to fine tune messaging):

- *Legislative solution*: Benefits of long-term, comprehensive water community legislation to the entire state.
- *Impacts*: Water supply impacts include ag, environment, economic, local communities, housing, business, energy, increased costs, cuts, and conservation, etc.
- *Investments in infrastructure*: Water supply infrastructure is overdue for significant investments and updates to ensure a reliable water supply to 40 million Californians.
- *Climate change*: The Governor and the Administration are leading the effort to adapt to a hotter, dryer climate that the current system was not designed to accommodate. This effort will

support the Governor's climate adaptation program and engage the public in support of a comprehensive solution.

- *Time to act is now:* Continuing without a legislative solution will negatively impact jobs, industries, businesses, quality of life, health, California's economy, and future generations.
- *Governor's water strategy:* What we need, what we have, and how a legislative solution can provide additional needed elements to supplement the Governor's plan.

Program Elements and Tactics

In all program elements and tactics, it will be critical that we **explain the legislative solution**, reinforcing why it's important to the state, residents, businesses, environment, local communities, and the economic health of California today and into the future.

Program elements will include:

- *Policymaker Engagement:* Target key legislators in districts based on committee makeup.
- *Coalition Building:* Build broad, statewide support for legislation including all sectors including but not limited to water, ag, business, housing, labor, manufacturing, local chambers of commerce, builders, recreation, social justice, tourism, municipalities, and environmental.
- *Partner with water and other associations:* Connect the water supply problems with the benefit the association members will receive from a comprehensive legislative solution.
- *Media Engagement:* Use media as a channel to get to our primary audience, continue elevating the issue, impacts, consequences of inaction, and benefits of legislative solution.
- *Digital:* Use digital and social as supplemental and reinforcing elements to the rest of the program.
- *Research:* Use a fiscal expert to dig into costs to get to where the State needs to be.
- *Collateral:* We can repurpose some collateral prepared by other coalition efforts where appropriate, describing impacts from the education effort but will need to be more focused on the benefits of the proposed solution and the tangible deliverables/outcomes of what the proposal will do for the state.
- *Video:* Use short soundbites to create compelling video content that further articulates impacts and need for a legislative solution; will be disseminated to policymakers, media, and third-party allies.
- *Events:* Hold kickoff event once legislation is introduced; in-district events of targeted members leveraging local conditions and impacts as hooks.

Key Considerations

- *Coordination with water agencies/board members:* It will be imperative that we work with water agencies/board members to ensure they have the needed resources, tools, and content to conduct local stakeholder engagement, securing support for legislation.
- *Opposition:* We must proactively plan for and strategically combat anticipated opposition.
- *Timing:* Use the legislative and budget process to build momentum, aligning activities with the legislative calendar.
- *Opportunistic events:* Take advantage of water shortage announcements, news stories, and other organic opportunities to further articulate the impacts and need for a legislative solution.

Tracking and Measurement

- Monthly Activity Reports
- Membership in coalition and support for the legislation
- Media coverage/op-eds
- Digital ad campaign metrics

Tentative Timeline

This program is built around the legislative process, including the months of February through September. A tentative timeline will include the following (we will work with CMUA to ensure timeline aligns with legislative milestones):

- **Confirm support for PR legislative support effort** – January 15
- **Establish leadership of legislative support effort** – January 15
- **Begin formal PR legislative support effort fundraising efforts from water agencies** – February 1
- **Hold press conference/policymaker briefing around bill introduction** – mid-March
- **Implement targeted efforts in key policy committee legislative districts** – March 30 – April 10 (Apr. 10 Legislature reconvenes from Spring recess)
- **Engage media, coalition, and grassroots efforts focused on policy committee vote** – Apr. 28 Last Day for policy committees to hear and report to fiscal committees fiscal bills introduced in their house
- **Publicize the cost of doing nothing for communities, business, state programs, and CA economy to demonstrate that the fiscal impact will be more detrimental under the status quo** – May 19 Last Day for fiscal committees to hear and report to the Floor bills introduced in their house
- **Focus on floor vote** – June 2 Last Day for each house to pass bills introduced in that house
- **Support lobbying effort to gain support of policy committee in second house** – July 14 Last Day for policy committees to meet and report bills
- **Use legislative recess to build momentum** – Aug. 14 Legislature reconvenes from Summer Recess
- **Concentrate public affairs efforts on targeted legislators necessary to secure votes** – Sept. 14 Last Day for each house to pass bills. Interim Study Recess begins at the end of this day’s session

Budget

Budget Item	Cost
KP management fees (\$27,000 @ 8 months)	\$216,000
CMUA administrative fee (\$5,000 @ 8 months)	\$40,000
Digital (\$10,000 @ 8 months)	\$80,000
Fiscal expert (study)	\$30,000
Academic (study)	\$30,000
Partnerships	\$15,000
Collateral	\$6,000
Video	\$7,000
Travel, production, administrative	\$7,000
TOTAL	\$431,000