



THREE VALLEYS MUNICIPAL WATER DISTRICT REGULAR BOARD MEETING MINUTES

April 5, 2022 – 8:00 a.m.

1. CALL TO ORDER

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

2. ROLL CALL

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

DIRECTORS PRESENT

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

STAFF PRESENT

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

Virtual Attendees: Mike Arnold, Arnold and Associates; Brian Bowcock, resident; Josh Byerrum, Walnut Valley Water District; Ed Chavez, Water Quality Authority; Ryan Domino, LSL CPA's; Kristi Foy, Arnold and Associates; Ed Hilden, Walnut Valley Water District; Myra Malner, Rowland Water District; Richard Martinez; Mike Melinte, City of Covina Water; Dave Michalko, Valencia Heights Water District; Wendy Saavedra, ASM. Blanca Rubio's Office; Sherry Shaw, Walnut Valley Water District; Stephanie

In Person Attendees: John Bellah, Rowland Water District; Tom Coleman, Rowland Water District; Chris Diggs, City of Pomona; Meg McWade, City of La Verne; Erik Hitchman, Walnut Valley Water District; Ben Lewis, Golden State Water Company; Tony Lima, Rowland Water District; Jared Macias, Walnut Valley Water District

3. FLAG SALUTE

The flag salute was led by President Roberto.

4. DIRECTOR REMOTE PARTICIPATION PURSUANT TO AB 2449

A. NOTIFICATION DUE TO JUST CAUSE

B. REQUEST DUE TO EMERGENCY CIRCUMSTANCES

There were no requests submitted by any Directors for remote participation due to Emergency Circumstances, and therefore no motion was needed for this item.

5. AGENDA REORDER/ADDITIONS

No reorder or additions to the agenda were requested.

6. PUBLIC COMMENT

President Roberto called for public comment and there were none.

7. PRESENTATION

A. LEGISLATIVE UPDATE BY ARNOLD AND ASSOCIATES

Mike Arnold and Kristi Foy attended the meeting virtually and provided a legislative update. This is the 1st year of a two-year session that will end in September. There are 10 new Senators and 25 new Assemblymembers. The state budget deficit is currently at \$23 billion, with the potential to increase by the May budget revision. More than 45 key bills are being tracked, three in support and 3 in opposition. Several key water rights bills are being tracked, including AB 460 (Bauer-Kahan), AB 1337 (Wicks), SB 389 (Allen), SB 867 (Allen), SB 638 (Eggman), AB 305 (Villapudua), AB 1567 (Garcia). President Roberto requested Chief Administrative Officer Howie keep the board apprised of updates to key water rights bills.

8. ACTION AGENDA

A. RESCIND RESOLUTION NO. 22-04-928 IMPLEMENTING WATER SHORTAGE CONTINGENCY LEVEL 5 IN THE TVMWD SERVICE AREA

Chief Water Resources Officer Lee reported drought restrictions have eased, allowing MWD at their Board of Directors meeting on March 14, 2023, to remove the Water Shortage Emergency Condition and the Emergency Water Conservation Program for the State Water Project Dependent areas. TVMWD's Resolution No. 21-11-909 will still remain in effect with Water Shortage Contingency Level 2. The Board was asked to consider rescinding Resolution No. 22-04-928 removing the emergency condition establishing level 5 for the City of Claremont-GSWC and the City of La Verne.

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

Moved: Director De Jesus Second: Director Ti
Ayes: De Jesus, Goytia, Hanlon, Kuhn, Roberto, Soto, Ti
Noes:
Absent:
Motion No. 23-04-5429 Rescinding Resolution No. 22-04-928
Motion passed 7-0-0

B. MIRAGRAND WELL SITE LANDSCAPE PROJECT AWARD

Engineer Panzer reported eight bids were received for the Miragrand Well Landscape project. The low bid was from Southern California Landscape, Inc. (SCL) at \$199,141. The project includes a dry rock swell to prevent erosion, native landscaping conforming to City of Claremont standards, decomposed granite pathways, privacy screening, dry mulch, and weed mitigation. Future maintenance will be handled by an on-call service. After thorough review, staff recommends awarding the project to SCL.

Brian Bowcock commented on SCL's bid amount and he believes they will do a great job.

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

Moved: Director Roberto Second: Director Kuhn
Ayes: De Jesus, Goytia, Hanlon, Kuhn, Roberto, Soto, Ti
Noes:
Absent:
Motion No. 23-04-5430 Award Project to Southern California Landscape
Motion passed 7-0-0

9. GENERAL MANAGER'S REPORT

A. FY 2022/23 AUDIT OVERVIEW

Mr. Ryan Domino from LSL CPA's reported the interim audit will be conducted the week of April 24th and the final audit the week of August 14th. The goal of the audit is to render an "opinion" on whether the amounts reported in the financial statements are reliable in all material respects. Once the audit concludes in October, the independent auditor's report, report on internal control and compliance, and the final auditor communication letter will be issued.

B. FY 2023/24 BUDGET VERSION 3 DRAFT

There have been no additional changes to the third version of the budget since the March 15, 2023, Board of Directors meeting, with the exception of including the FY 22/23 capital encumbrances that will carry over to the next fiscal year; water rates are not impacted. With no further discussion, this item will be brought back to the April 19, 2023 Board of Directors meeting for consideration of approval.

C. RESOLUTION NO. 23-04-DRAFT ADOPTING WATER RATES AND CHARGES FOR CY 2024

The Board reviewed the draft resolution for the adoption of water rates and charges for CY 2024. No discussion was held on this item, and it will be brought to the April 19, 2023 Board of Directors meeting for consideration of approval.

D. FY 2022/23 ENCUMBRANCE CARRYFORWARD

Included in the staff report is a list of projects likely to be incomplete as of June 30, 2023. Staff is requesting the funds for these projects to be carried forward to FY 23-24 to allow for completion. Encumbrances will be brought back after the completion of the audit in October for consideration of approval. No discussion was held on this item, and it will be brought to the April 19, 2023 Board of Directors meeting for consideration of approval.

E. REVIEW OF FY 2023/24 WATER STANDBY CHARGE

Senior Financial Analyst Cohn briefed the Board on the FY 23/24 water standby charge. The water standby charge process begins with the resolution of intent being brought to the April 19, 2023 Board of Directors meeting for consideration of adoption. For FY 2023/24 the proposed standby charge will increase from \$24.18 to \$28.44 per equivalent dwelling unit. A public meeting will be held on June 7, 2023, and a public hearing and adoption of the standby resolution will be held on June 21, 2023. The Draft Engineer's Report will be presented at the April 19, 2023 board meeting.

F. SPHERES OF SUSTAINABILITY SUMMIT SPONSORSHIP

Director Goytia requested consideration of a sponsorship for the Spheres of Sustainability Summit (Summit). Director Goytia is a panelist at the Summit that will be held on April 27, 2023, at the DoubleTree in Pomona. Director Goytia provided information on the purpose of the Summit and a discussion was held among the Directors. Director Goytia will invite Hispanic Coalition of Small Businesses Chairperson Frank Montes, to the next Board of Directors meeting to provide an overview of the organization. This item will be brought back for consideration of approval at the April 19, 2023 Board of Directors meeting.

G. CALIFORNIA MUNICIPAL UTILITIES ASSOCIATION – SENATE BILL 366 PUBLIC RELATIONS FUNDING

General Manager Litchfield provided an update on the public relations program funding in support of SB 366. Puente Basin Water Agency approached TVMWD for a split for each agency to contribute \$10,000, rather than \$20,000 by a single agency. Rowland Water District General Manager Tom Coleman encouraged the Board to stay focused on the goal and purpose of SB 366. This item will be brought back to the April 19, 2023 Board of Directors meeting for consideration of approval.

H. ACWA 2023 BOARD OFFICERS' ELECTION – TERM 2024-25

ACWA is running two separate but concurrent elections, the Board Officers Election for President and Vice President, and the region Board Elections. Agency resolutions and

candidate statements must be submitted to ACWA by June 16, 2023. Election results will be announced on September 27, 2023 at the ACWA conference. If a director wishes to move forward in the process, this item will be brought back to the April 19, 2023 Board of Directors meeting for consideration of approval.

I. REVIEW OF RESOLUTION TO OPPOSE INITIATIVE 21-0042AI

The Taxpayer Protection and Government Accountability Act limits an agency's ability to enact, modify, or expand taxes, assessments, fees, and property-related charges. The passing of this bill would result in the loss of funding for essential services and infrastructure needs. After some discussion by the Board, this item will be brought back to the April 19, 2023 Board of Directors meeting for consideration of approval as an action item.

10. DIRECTORS'/GENERAL MANAGER'S ORAL REPORTS

A. METROPOLITAN WATER DISTRICT

Director De Jesus reported there is anticipation that Lake Mead will rise about 20 ft by Summer due to snow runoff. MWD is considering a shift to focus on state water rather than from the Colorado River system.

B. CHINO BASIN WATERMASTER

Director Kuhn had nothing to report on Chino Basin Watermaster.

C. MAIN SAN GABRIEL BASIN WATERMASTER

Director Ti reported key well levels rose about 17 ft in March.

D. SIX BASINS WATERMASTER

President Roberto stated Six Basins Watermaster approved the CY 2022 report due to the state.

E. SAN GABRIEL BASIN WATER QUALITY AUTHORITY

Director Kuhn reported that WQA has set their rates at \$12 per acre-foot for the next year and anticipate they will not need to raise rates for the next 3 years.

F. ADDITIONAL BOARD MEMBER REPORTS/COMMENTS

Director Goytia invited City of La Verne Public Works Director Meg McWade to the podium to introduce herself. Ms. McWade stated she is excited to be back in the TVMWD service area and looks forward to future discussions.

G. GENERAL MANAGER'S COMMENTS

General Manager Litchfield had no additional comments.

11. CLOSED SESSION

The Board convened into closed session at 9:50 am to discuss the following items:

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

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

B. PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code Section 54957)

Title: Matthew H. Litchfield, P.E., General Manager

C. CONFERENCE WITH LABOR NEGOTIATORS (Government Code Section 54957.6)

- District Designated Representative: Steven M. Kennedy, General Counsel
- Unrepresented Employee: Matthew H. Litchfield, P.E., General Manager

The board convened back into regular session at 11:24 a.m. Legal Counsel Kennedy stated there was no reportable action on any of the items discussed in closed session.

12. FUTURE AGENDA ITEMS

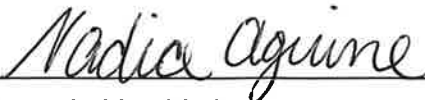
No future agenda items were requested.

13. ADJOURNMENT AND NEXT MEETING

The regular board meeting adjourned at 11:24 a.m. to the Special Board meeting immediately following this meeting. President Roberto adjourned the meeting in honor of her mother-in-law, Olga Roberto, who passed away recently, after leading a long, beautiful life.



Jody Roberto
President, Board of Directors



Recorded by: Nadia Aguirre
Executive Assistant