



THREE VALLEYS MUNICIPAL WATER DISTRICT REGULAR BOARD MEETING MINUTES

Wednesday, November 15, 2023 – 8:00 a.m.

1. CALL TO ORDER

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

2. ROLL CALL

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

DIRECTORS PRESENT

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

DIRECTORS ABSENT

Danielle Soto, Director

STAFF PRESENT

Matthew Litchfield, General Manager
Steve Kennedy, Legal Counsel
Dominique Aguiar, Operations Supervisor
Brittany Aguiar, Finance Manager
Nadia Aguirre, Executive Assistant
Karen Harberson, Compliance Specialist
Kirk Howie, Chief Administrative Officer
Steve Lang, Chief Operations Officer
Sylvie Lee, Chief Water Resource Officer
Kevin Panzer, Engineer
Brian Pen, Water Resources Analyst
Robert Peng, I.T. Manager
Viviana Robles, Human Resources & Risk Manager
Jose Velasquez, Chief Finance Officer

Virtual Attendees: Josh Byerrum, Walnut Valley Water District; Ed Chavez, Upper San Gabriel Valley Municipal Water District; Rob Garcia; Ed Hilden, Walnut Valley Water District; Ben Lewis, Golden State Water Company; Tony Lima, Rowland Water District; Myra Malner, Rowland Water District; Meg McWade, City of La Verne; Stephanie Moreno, Water Quality Authority; Henry Woo, Walnut Valley Water District; Richard

In person attendees: John Bellah, Rowland Water District; Tom Coleman, Rowland Water District; Chris Diggs, City of Pomona; Erik Hitchman, Walnut Valley Water District; Kelly Gardner, Main San Gabriel Basin Watermaster; Jared Macias, Walnut Valley Water District; Dusty Moisio, Rowland Water District; Jennifer Stark, City of Claremont

3. FLAG SALUTE

President Roberto led the flag salute.

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 opened public comment and there was none.

7. PRESENTATION

A. POMONA UNIFIED SCHOOL DISTRICT

Superintendent Darren Knowles provided an overview of the Pomona Unified School District (PUSD). They are currently revising PUSD's strategic plan and facilities masterplan. PUSD has had several achievements in the last year. The robotics team was one of several Southern California teams selected to compete in a national tournament in Houston. Eight students from Garey High School competed in the MIT Lemelson InvenTeams program and developed a sock for people who have type II diabetes that measures blood flow thus preventing amputations. The Director of the U.S. Patent Office and MIT presented the students and teachers with a patent for the invention. PUSD is focusing on career technical education to provide opportunities for students who choose a different pathway from college. PUSD is looking for partnerships in the water industry. Superintendent Knowles will work with General Manager Litchfield and staff to schedule facilities tours.

8. CONSENT CALENDAR

The Board considered consent calendar items 8.A – 8.G for the November 15, 2023 Board meeting that included: (8.A) Receive, Approve and File Minutes, October 4, 18, and 20,

2023; (8.B) Receive, Approve, and File Financial Reports and Investment Update, October 2023; (8.C) Imported Water Sales, October 2023; (8.D) Miramar Operations Report, October 2023; (8.E) Approve Director Expense Reports, October 2023; (8.F) Groundwater Reliability Principles of Agreement Amendment 1, (8.G) Adopt Resolution No. 23-11-982 Authorizing the United States Bureau of Reclamation WaterSMART Grant Applications.

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

Moved: Director Goytia Second: Director De Jesus
Ayes: De Jesus, Goytia, Hanlon, Kuhn, Roberto, Ti
Noes:
Absent: Soto
Motion No. 23-11-5464 Approval of Consent Calendar Items 8.A – 8.G
Motion passed 6-0-1

9. ACTION AGENDA

A. ADOPT CALPERS RESOLUTION NO. 23-11-981 FOR 180-DAY WAIT PERIOD EXCEPTION

Chief Finance Officer Velasquez reported that the purpose of Resolution No. 23-11-981 is to waive CalPERS 180-day retirement period for retiree Elizabeth Cohn. The District desires to retain Ms. Cohn as a retired annuitant to consult for TVMWD and assist the Finance department during transition.

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

Moved: Director De Jesus Second: Director Kuhn
Ayes: De Jesus, Goytia, Hanlon, Kuhn, Roberto, Ti
Noes:
Absent: Soto
Motion No. 23-11-5465 Adopt Resolution No. 23-11-981
Motion passed 6-0-1

B. APPROVAL OF SPONSORSHIP AND OUTREACH PROGRAM POLICY

The Board discussed and asked questions about the proposed Sponsorship and Outreach Program Policy. Director De Jesus requested to maintain guardrails for the policy. Requests should be brought to the Board for discussion if there are any questions on a request. The policy will be reviewed every two years or prior if need be. Director De Jesus was willing to amend the motion to reevaluate the policy by December 2025.

Legal Counsel Kennedy clarified that the motion is to approve the policy with the addition of a review by December 2025. He reminded the Board that under the prior policy, requests over \$1,000 require Board approval and that is not required with the updated policy. Legal Counsel Kennedy emphasized the importance of Section 3.2 of the policy that sponsorships shall provide a direct nexus to the water industry.

President Roberto pulled the item for further discussion at the next special board workshop and asked that all directors participate in the discussion.

10. REPORTS

A. LEGISLATIVE UPDATE

Chief Administrative Officer Howie reported the legislature's second year of the two-year legislative session continues in January. Pending bills will have the opportunity to come back in 2024. SB 366 was held up in the committee and will come back in 2024. Next week Assemblymember Calderon will visit the District for a tour and briefing. General Manager Litchfield and Chief Administrative Officer Howie will visit Congresswoman Sanchez's office next week and provide a TVMWD briefing. Our Assembly representatives will be briefed on SB 366 in hopes of their support for the bill. TVMWD has been recognized as the ACWA Region 8 Legislative winner for 2023 and selected as the most active small agency statewide. The awards will be presented at the ACWA conference luncheon on November 30, 2023. TVMWD is also being considered for the Overall Outreach award.

B. WATER SUPPLY UPDATE

Chief Water Resources Officer Lee provided a summary of the status of MWD's water supplies. Supplies are currently at 3.4 million acre feet (MAF) with plenty of surplus supplies. The projected ending balance of 3.4 MAF is the highest it has been in the last 23 years. MWD's regional storage programs could reach capacity with additional rain forecasted for a wetter season. Other programs will be needed to capture the rain during a wet season. In planning for 2024, MWD believes the Department of Water Resources will announce on December 1, 2023 a 10-15% table A allocation supply and will finalize anytime from March to May 2024. The Colorado River has improved to a Level 1 shortage condition. Locally, water has been stored in the Six Basins – ~1,000 AF, Main San Gabriel Basin – 200 AF, and Chino Basin 33,000 AF. Lastly, Metropolitan has announced that it is not planning to renew its Purchase Orders for Tier 1 allocation. It is also not planning to include Tier 2 rates in the upcoming budget and rates.

11. DIRECTORS' / GENERAL MANAGER'S ORAL REPORTS

General Manager Litchfield reported the ACWA conference will be held the week of November 27. Directors wishing to attend an informational luncheon on SB 366 that will

9964

be held on November 29 at the conference should confirm with the Executive Assistant. The General Manager advised that the next Leadership Breakfast will be held at a new venue, Cal Poly Pomona Kellogg West. More information will be provided once the guest speaker is confirmed.

Director De Jesus reported Karla Nemeth spoke at yesterday's MWD Board meeting. General Manager Litchfield attended as the guest General Manager at MWD's Board meeting and Director De Jesus received many compliments about him.

12. CLOSED SESSION

The Board convened into closed session at 9:19 a.m. to discuss the following items:

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

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

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

Name of Case: San Diego County Water Authority v. Metropolitan Water District of Southern California, et al., San Francisco County Superior Court Case No. CPF-14-514004 (Consolidated with Case Nos. CPF-16-515282 and CPF-18-516389)

C. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

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

The Board convened out of closed session and back into open session at 10:46 a.m. Legal Counsel Kennedy stated that with respect to items 12.A and 12.B no reportable action was taken.

With respect to item 12.C, the Board by a 6-0 vote, Director Soto absent, considered an amended claim that was filed, and rejected the claim and gave direction to general counsel to send out a notice of rejection. No other reportable action was taken.

13. FUTURE AGENDA ITEMS

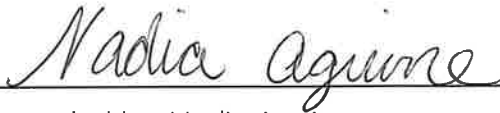
No future agenda items were requested.

14. ADJOURNMENT

President Roberto adjourned the meeting at 10:47 a.m. to the next regular meeting scheduled for Wednesday, December 6, 2023.



Jody Roberto
President, Board of Directors



Recorded by: Nadia Aguirre
Executive Assistant