

**MINUTES
REGULAR BOARD OF DIRECTORS MEETING
THREE VALLEYS MUNICIPAL WATER DISTRICT
VIA TELECONFERENCE**

**Wednesday, March 3, 2021
8:00 a.m.**

1. Call to Order

The Board meeting was called to order at 8:00 a.m. via teleconference. The presiding officer was President Bob Kuhn.

2. Roll Call

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

Directors Present

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

Staff Present

Matt Litchfield, General Manager
Steve Kennedy, Legal Counsel
Nadia Aguirre, Executive Assistant
Liz Cohn, Senior Financial Analyst
Maria Contreras, Admin./Communications Assistant
Ray Evangelista, Engineering Assistant
Karen Harberson, Compliance Specialist
Kirk Howie, Chief Administrative Officer
Tim Kellett, Chief Water Resources Officer
Steve Lang, Chief Operations Officer
Jon Larson, Shift Operator
James Linthicum, Chief Finance Officer
Lucy Peña, HR/Risk Manager
Robert Peng, I.T. Manager
Ben Peralta, Project Manager
Esther Romero, Accounting Technician

Virtual Attendees: Jordan Brandman, Building Industry Association of Southern California; Sara Catalan, Catalan Consulting; Chris Clarke, National Parks Conservation Association; Tom Coleman, Rowland Water District; Courtney Degener, Cadiz, Inc., Neal Desai, National Parks Conservation Association; Demi Espinoza, National Parks Conservation Association; Gregory Foster, Southern California Group; Greg Galindo, Suburban Water Systems; Cat Goytia; Victoria Hahn, Pomona resident; Rick Hansen, Cal Poly Pomona; Kevin Hayakawa, Walnut Valley Water District; Ed Hilden, Walnut Valley Water District; Erik Hitchman, Walnut Valley Water District; Denise Jackman, resident; Joseph Joswiak, Chino Basin Watermaster; Richard Lambros, Engineering Contractors' Association; Ben Lewis, Golden State Water Company; Tony Lima, Rowland Water District; Szu Lu, Rowland Water District; Joseph Lyons, Claremont resident; Myra Malner, Rowland Water District; John Mendoza; Dave Michalko, Valencia Heights Water Company; John Monsen, The Sierra Club; Stephanie Moreno, Water Quality Authority;

9661

Columba Quintero, Native American Land Conservancy; Jennifer Stark, City of Claremont; Brian Teuber, Walnut Valley Water District; Dave Warren, Rowland Water District; Janet Zimmerman, CV Strategies.

3. Additions to Agenda

No additions to the agenda were requested.

4. Reorder Agenda

No reorder to the agenda was requested.

5. Public Comment

Demi Espinoza commented on the Cadiz project.

Chris Clarke commented on the District's Board meeting closed session items.

John Monsen commented on the Cadiz project.

Joseph Lyons commented on the Cadiz project.

Courtney Degener commented on the Cadiz project.

Neal Desai commented on the Cadiz project.

Columba Quintero commented on the Cadiz project.

Richard Lambros commented on the Cadiz project.

6. General Manager's Report

6.A – CSDA Commercial Card Program Rebate

The CSDA Commercial Card Program allows the District to earn cash rebates by using a credit card for purchases typically paid by check. The District earns a 1% cash back rebate on purchases. The District spent \$442,384 in CY 2020 resulting in a rebate of \$4,424. Director Bowcock thanked Mr. James Linthicum for putting this program together.

6.B – FY 2021/2022 Budget Workshop

Mr. Linthicum conducted the FY 2021/22 budget workshop. The MWD RTS Charge is increasing \$390,000 for the fiscal year and \$775,000 for CY 2022. The standby charge collected for the fiscal year is estimated to increase from \$19.90 to \$21.99 per EDU. The five-year capital plan was reviewed. The annual PARS contribution is proposed to increase from \$200,000 to \$350,000 with a goal of eliminating the unfunded obligation by the beginning of 2027. Based on the first draft of the budget,

TVMWD would be able to further reduce the current discount of \$6 per acre foot to \$16 for 2022 and the foreseeable future.

Directors requested to review District memberships, including the SGV Council of Governments and the SGV Economic Partnership.

This item will be brought back for further discussion at the April 7, 2021 Board meeting.

6.C – FY 2021/2022 Annual Purchase Orders

Mr. Linthicum reviewed FY 2021/22 annual purchase orders exceeding \$75,000 and public projects exceeding \$200,000 to be approved by the Board. The staff report includes a list of vendors/contractors used on an ongoing basis. No new vendors are proposed.

This item will be brought back to a future meeting for consideration of approval.

6.D – Salary Schedule Review Effective July 1, 2021

A salary survey was conducted internally on both salary and benefits. The agencies surveyed are listed in the compensation philosophy attached in the Board packet. The survey reflected that the District is below market in total compensation. The General Manager is only proposing changes to the salary schedule that is to be effective July 1, 2021 and reflects range adjustments from 0-12%. These ranges were included in calculating the budget for FY 2021/2022.

This item will be brought back to a future meeting for consideration of approval.

6.E – Resolution No. 21-03-DRAFT Records Retention Schedule and Policy Update

The Board reviewed the records retention schedule and policy. Legal counsel reviewed the resolution and policy and drafted changes. The resolution includes an update to Article 7 and the policy includes additional Government Code Sections. The proposed change to the schedule is to update Board meeting recording, audio/video from six months to two years.

This item will be brought back to a future meeting for consideration of approval.

6.F – Consider Fiscal Year 2021/2022 Strategic Plan

Directors comments from the February 17, 2021 Board meeting were incorporated into the revised FY 2021/22 Strategic Plan. The Strategic Plan outlines the General Managers and Executive Managers workplan for the year and sets goals.

Upon motion and second, President Kuhn called for discussion. A roll call vote was taken as follows:

Moved: Director Bowcock	Second: Director Soto
Ayes: Bowcock, De Jesus, Goytia, Kuhn, Roberto, Soto, Ti	
Noes:	
Absent:	
Motion No. 21-03-5307 – Approval of FY 2021/2022 Strategic Plan	
Motion passed 7-0	

6.G – Agreement for Operation and Maintenance of Miramar Water Treatment, Water Transmission and Hydroelectric Generating Facilities

Golden State Water Company and City of La Verne have agreed to a side agreement letter indicating their willingness to meet periodically on a meet and confer basis. Legal Counsel has reviewed the draft letter and Mr. Litchfield will forward to all parties for signature.

This item will be brought back to a future meeting for consideration of approval.

6.H – Board of Directors Compensation

President Kuhn requested to remove this item from the agenda and form an ad hoc committee. The ad hoc committee will consist of Directors Bowcock, Roberto and Goytia.

7. Closed Session

Legal Counsel Kennedy indicated that the Board received an inquiry as to the application of the Fowler v. Lafayette decision on the public disclosure of existing facts and circumstances supporting the significant exposure to litigation against the District prior to holding a closed session under Government Code Section 54956.9(d)(2). Legal Counsel Kennedy stated that the Fowler case primarily involved the combined construction of Government Code Sections 54956.9(e)(5) and 54957.5 - not an interpretation of Government Code Section 54956.9(e)(1). Under the express language of that provision, the District does not need to publicly disclose facts and circumstances that might result in litigation against the District if the District believes that such facts and circumstances are not yet known to a potential plaintiff or plaintiffs.

The Board convened to closed session at 10:36 a.m. to discuss the following item:

Conference with Legal Counsel – Anticipated Litigation

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


The Board reconvened to regular session at 12:15 p.m. and no reportable action was taken.

8. Future Agenda Items


No future agenda items were requested.

9. Adjournment

Vice President De Jesus adjourned the meeting at 12:16 p.m. to the next regular Board meeting scheduled for Wednesday, March 17, 2021 at 8:00 a.m.



Bob Kuhn
President, Board of Directors
Three Valleys Municipal Water District



Recorded by: Nadia Aguirre
Executive Assistant