

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

Wednesday, October 6, 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. FLAG SALUTE

The flag salute was led by President Kuhn.

3. 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

Steve Kennedy, Legal Counsel
Nadia Aguirre, Executive Assistant
Liz Cohn, Senior Financial Analyst
Freeman Ensign, Operations Supervisor
Karen Harberson, Compliance Specialist
Kirk Howie, Chief Administrative Officer
Steve Lang, Chief Operations Officer
James Linthicum, Chief Financial Officer
Kevin Panzer, Assistant Engineer
Robert Peng, I.T. Manager
Ben Peralta, Project Manager
Viviana Robles, Human Resources/Risk Manager
Esther Romero, Accounting Technician
Marissa Turner, Admin./Communications Assistant

Virtual Attendees: Ray Baca, Engineering Contractors' Association; Sara Catalan, Catalan Consulting; Ed Chavez, Water Quality Authority; Chris Clarke, National Parks Conservation Association; Tom Coleman, Rowland Water District; Neal Desai, National Parks Conservation Association; Kelly Gardner, Main San Gabriel Basin Watermaster; Kevin Hayakawa, Walnut Valley Water District; Edwin Hilden, Walnut Valley Water District; Erik Hitchman, Walnut Valley Water District; Shawn Igoe, City of La Verne; IUOE Local 12, Todd Leishman, Best Best & Krieger LLP; Ben Lewis, Golden State Water Company; Joan Licari, Sierra Club Task Force Chair; Tony Lima, Rowland Water District; Szu Lu, Rowland Water District; Joseph Lyons, Myra Malner, Rowland Water District; Dave Michalko, Valencia Heights Water Company; Tom Monk, Walnut Valley Water District; John Monsen, Sierra Club; Fabian Naranjo Gonzalez, San Gabriel Valley Economic Partnership; Laer Pearce, Cadiz Inc.; Joe Rangel, IUOE Local 12; Carlos Rodriguez, BIA Baldy View Chapter; Sherry Shaw,

Walnut Valley Water District; Jennifer Stark, City of Claremont; Jon Switalski, Rebuild SoCal Partnership; De'Andre Valencia, BizFed; Dave Warren, Rowland Water District.

4. AGENDA REORDER/ADDITIONS

No reorder or additions to the agenda were requested.

5. PUBLIC COMMENT

President Kuhn opened public comment and requested John Monsen speak last during public comment. In addition, a letter the Building Industry Association submitted a letter for the record.

Deandre Valencia commented on the current drought situation.

The TVMWD office experienced technical difficulties at this time and the meeting was paused until the issue was resolved. No business was conducted during this time.

Jon Switalski commented on the Bonanza Springs study.

Carlos Rodriguez commented on the Bonanza Springs study.

Ray Baca commented on the Bonanza Springs study.

Joan Holtz submitted a public comment to be read on her behalf.

Fabian Gonzalez commented on the Bonanza Springs study.

Joan Taylor submitted a public comment to be read on her behalf.

Joan Licari submitted a public comment to be read on her behalf.

Joe Rangel commented on the Bonanza Springs study.

Chris Clarke commented on the Bonanza Springs study.

Joseph Lyons commented on the Bonanza Springs study.

Neal Desai commented on Cadiz, Inc.

John Monsen commented on the Bonanza Springs study.

President Kuhn and Legal Counsel Kennedy discussed the public addressing public comment concerns with staff. Legal Counsel Kennedy stated any allegation towards staff related to the sequencing of public comment is misplaced and can be considered potential defamation, libel and slander. The manner in which public comment is taken is equitable. Directors can briefly address public comment during their oral reports or during an agendized item.

Vice President De Jesus requested to add this as a discussion item to closed session at the October 20, 2021 board meeting.

6. RESOLUTION NO. 21-10-903 ADOPTING REMOTE TELECONFERENCE MEETINGS PURSUANT TO THE PROVISIONS OF ASSEMBLY BILL 361

Assembly Bill (AB) 361 was signed into law on September 16, 2021, and allows the Board to continue remote board meetings as long as a state of emergency is declared by the Governor, and either social distancing restrictions are in place or meeting in person would create the potential for imminent harm. Upon approval of Resolution No. 21-10-903, a resolution must be recertified every 30 days to continue remote teleconference board meetings. Otherwise, board meetings must be held according to the Ralph M. Brown Act (Brown Act). According to AB 361, if there are any technical difficulties during a board meeting, the Board must stop the meeting until all issues are resolved so that the public may participate through the entirety of the meeting. The agenda has been updated to reflect that the Board must take public comment until the public comment period is closed by the President. The Brown Act does not state anything about the last speaker having any sort of an advantage. The recertification resolution will be placed on the consent calendar for future meetings.

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

Moved: Director Bowcock	Second: Director Roberto
Ayes: Bowcock, De Jesus, Goytia, Kuhn, Roberto, Soto, Ti	
Noes:	
Absent:	
Motion No. 21-10-5333 Adopting Resolution No. 21-10-903	
Motion passed 7-0	

7. PUBLIC HEARING – 2022 THREE VALLEYS MUNICIPAL WATER DISTRICT REDISTRICTING

Mr. Todd Leishman from Best, Best & Krieger, LLP (BBK) provided an overview of the redistricting process. Today's public hearing is a pre-draft hearing prior to the release of draft maps. Draft maps will be posted to the project website and a second public hearing will be held on December 15, 2021 to discuss and revise or adopt the draft maps. Final maps must be adopted via ordinance or resolution and posted at least seven days prior to adoption. Mr. Leishman reviewed existing division boundaries with 2020 Census data. Approved maps must be submitted to the Los Angeles County Registrar of Voters no later than April 17, 2022.

President Kuhn opened the Public Hearing at 9:46 a.m. Director Roberto requested to consider extending her division boundary to encompass all of Diamond Bar. A discussion ensued among the Board regarding division boundary lines.

Mr. Joseph Lyons inquired (1) if there are any restrictions on number of public meetings the district can schedule and (2) are the purveyors of water services in an area given more or less priority than any of the others.

Ms. Jennifer Stark stated it is important for citizens to know who their elected officials are so they can be held accountable.

Director Goytia requested Directors be provided division maps to mark with suggested changes and return to BBK for consideration.

President Kuhn closed the Public Hearing at 10:20 a.m.

Mr. Kirk Howie stated the final two Chief Water Resources Officer interviews were held yesterday and an offer has been extended to a candidate. Mr. Howie congratulated all water professionals as this week is Water Professional's Appreciation week.

8. GENERAL MANAGER'S REPORT

A. SPADRA BASIN GROUNDWATER SUSTAINABILITY AGENCY MONITORING WELL FUNDING REQUEST

TVMWD has been approached by Walnut Valley Water District to provide funding for the construction of the Spadra Basin monitoring well project in the amount of \$232,000 from the reserve fund. Director Soto is pleased that TVMWD is being active and lending resources for the regions needs. This item will be brought back to the October 20, 2021 board meeting for consideration of approval.

B. Project Summary Update

The project summary update was moved to the October 20, 2021 board meeting.

9. FUTURE AGENDA ITEMS

Lobbyists Mike Arnold and Kristy Foy will provide a legislative update at the October 20, 2021 board meeting.

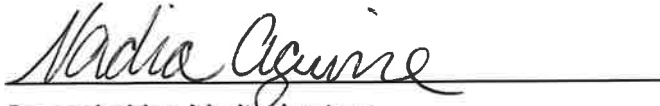
Director Roberto responded to statements made during public comment. Director Roberto is not beholden to anybody, makes up her own mind, does her own research and does not appreciate the comments made.

10. ADJOURNMENT AND NEXT MEETING

The Board adjourned at 10:28 a.m. to the next regular meeting scheduled for Wednesday, October 20, 2021.



Bob Kuhn
President, Board of Directors



Recorded by: Nadia Aguirre
Executive Assistant