

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

Wednesday, November 17, 2021  
8:00 a.m.

**1. CALL TO ORDER**

The Board meeting was called to order at 8:01 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**

Matt Litchfield, General Manager  
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; Jordan Brandman, BIASC; Josh Byerrum, Walnut Valley Water District; Sara Catalan, Catalan Consulting; Chris Clarke, National Parks Conservation Association; Tom Coleman, Rowland Water District; Mo Ehsani, QuakeWrap; Kevin Hayakawa, Walnut Valley Water District; Edwin Hilden, Walnut Valley Water District; Erik Hitchman, Walnut Valley Water District; Shawn Igoe, City of La Verne; Richard Lambros, Engineering Contractors' Association; Ben Lewis, Golden State Water Company; Tony Lima, Rowland Water District; Szu Lu, Rowland Water District; Myra Malner, Rowland Water District; John Mendoza, resident; Toby Moore, Golden State Water Company; Stephanie Moreno, Water Quality Authority; Chisom Obegolu, City of Glendora; Laer Pearce; Robert Przeklasa, Native American Land; Sherry Shaw, Walnut Valley Water District; Bob Smith; Jennifer Stark, City of Claremont; Lisa Tarpin, Southern California Group; Dave Warren, Rowland Water District.

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**4. AGENDA REORDER/ADDITIONS**

No reorder or additions to the agenda were requested.

**5. PUBLIC COMMENT**

Robert Przeklasa commented on the Bonanza Springs study.

Chris Clarke commented on the Bonanza Springs study.

Ray Baca commented on item 8.C, the water shortage contingency plan.

John Monsen submitted a public comment to be read on his behalf.

**6. CONSENT CALENDAR**

The Board was asked to consider consent calendar items 6.A – 6.I for the November 17, 2021 Board meeting that included: (6.A) Receive, Approve and File Minutes, October 6, 2021 and October 20, 2021; (6.B) Receive, Approve and File Financial Reports and Investment Update, October 2021; (6.C) Imported Water Sales, October 2021; (6.D) Miramar Operations Report, October 2021; (6.E) Approve Director Expense Reports, October 2021; (6.F) CY 2022 Meeting Schedule; (6.G) Pension Trust – Consideration of Additional Contribution; (6.H) FY 2021/22 First Quarter Reserve Update; (6.I) Resolution No. 21-11-908 Continuing Remote Teleconference Meetings Pursuant to the Provisions of Assembly Bill 361.

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

Moved: Director Soto	Second: Director Bowcock
Ayes: Bowcock, De Jesus, Goytia, Kuhn, Roberto, Soto, Ti	
Noes:	
Absent:	
Motion No. 21-11-5339 Approval of Consent Calendar Items 6.A – 6.I	
Motion passed 7-0	

**7. REPORTS**

**A. METROPOLITAN WATER DISTRICT UPDATE**

Vice President De Jesus provided a brief update on current MWD activities. The Governor issued a Proclamation of a State of Emergency to expand the pre-existing drought declaration covering the remaining eight counties in the state that were not previously declared in the drought. On November 9, 2021, MWD approved a resolution implementing water conservation measures throughout the service area. MWD is offering various customer rebates to assist in conservation efforts, including enhancements to the turf rebate program. Mr. Kirk Howie provided additional information on MWD rebate programs.

President Kuhn requested staff work with Chris Lancaster on drafting a conservation message for the newspaper or email blast.

## **B. LEGISLATIVE UPDATE, NOVEMBER 2021**

Mr. Howie provided a legislative update through to November 2021. The legislature is on recess until January 3, 2022 when they will resume the second year of the current two year legislative session. TVMWD will continue to pursue amendments to the Ralph M. Brown Act with AB 703. The legislature approved AB 361, which could create a challenge for pushing through AB 703. Co-authors have been pursued with no likely candidates at this time. Directors Roberto and Soto offered their efforts in advocating for AB 703 with local agencies and representatives. BBK will attend the December 15, 2021 public hearing regarding the redistricting process.

## **8. ACTION AGENDA**

### **A. EMPLOYEE'S DEFERRED COMPENSATION**

General Manager Litchfield advised the 2022 benefit renewal generated a \$17,000 calendar year savings. President Kuhn advocated to pass the savings on to the employee's deferred compensation program by increasing the match from \$400 to \$500 per month. President Kuhn stated this benefit will help preserve and retain TVMWD employees.

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

Moved: Director Kuhn	Second: Director Soto
Ayes: Bowcock, De Jesus, Goytia, Kuhn, Roberto, Soto, Ti	
Noes:	
Absent:	
Motion No. 21-11-5340 Approval of Changes to Employee's Deferred Compensation Program	
Motion passed 7-0	

### **B. NEW DISTRICT POLICIES**

Human Resources/Risk Manager Viviana Robles reviewed the Diversity, Equity and Inclusion (DEI) Policy and Outreach Program Policy. Legal Counsel Kennedy's comments from the November 3, 2021 board meeting were integrated into the Outreach Program policy.

Upon motion and second, President Kuhn called for discussion. After Directors comments, President Kuhn called for a roll call vote.

President Kuhn apologized for a question he asked at the November 3, 2021 board meeting.

Moved: Director Roberto	Second: Director Goytia
Ayes: Bowcock, De Jesus, Goytia, Kuhn, Roberto, Soto, Ti	
Noes:	
Absent:	
Motion No. 21-11-5341 Approval of District Policies: (1) Diversity, Equity and Inclusion and (2) Outreach Program Policy	
Motion passed 7-0	

**C. ADOPT RESOLUTION NO. 21-11-909 IMPLEMENTING THE WATER SHORTAGE CONTINGENCY PLAN PURSUANT TO GOVERNOR NEWSOM'S DROUGHT PROCLAMATION**

General Manager Litchfield provided an update on drought conditions throughout California. October provided plenty of rain to fill reservoirs, however reservoir levels are still critically low. The Governor has expanded the state of emergency drought conditions to all southern California counties. Water suppliers are to implement their water shortage contingency plans and voluntarily reduce water use by 15% from 2020 levels. MWD is anticipating receiving a 0% initial allocation of State Water Project. MWD passed a resolution last week focusing on water preservation and asking member agencies to implement water shortage contingency plans. Staff is recommending passing Resolution No. 21-11-909 activating TVMWD's water shortage contingency plan at a Level 2 and directing staff to take appropriate actions as outlined in the adopted plan. Board members discussed consistent messaging with member agencies and customers. Jennifer Stark and Tony Lima provided comment regarding the water shortage contingency plan and water reduction.

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

Moved: Director Bowcock	Second: Director Soto
Ayes: Bowcock, De Jesus, Goytia, Kuhn, Roberto, Soto, Ti	
Noes:	
Absent:	
Motion No. 21-11-5342 Approval of Resolution No. 21-11-909	
Motion passed 7-0	

**9. DIRECTORS' / GENERAL MANAGER'S ORAL REPORTS**

Director Roberto stated she would like to work with Director Goytia on water stations for Pomona Unified School District.

Director Goytia stated the SGV Council of Governments had a special meeting regarding the redistricting process. He encouraged directors to review their district boundaries.

Director Kuhn stated he is at home recuperating from surgery and thanked everyone that has reached out in support.

## 10. CLOSED SESSION

The Board convened into closed session at 10:00 a.m. to discuss the following item:

### A. 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)

The Board reconvened to regular session at 10:34 a.m. and no reportable action was taken.

## 11. FUTURE AGENDA ITEMS

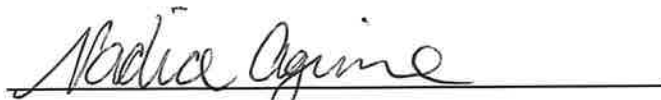
No future agenda items were requested.

## 12. ADJOURNMENT

The meeting adjourned at 10:35 a.m. to the next regular meeting scheduled for Wednesday, December 15, 2021.



Bob Kuhn  
President, Board of Directors



Recorded by: Nadia Aguirre  
Executive Assistant