

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

Wednesday, December 15, 2021  
8:00 a.m.

**I. 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

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  
Sylvie Lee, Chief Water Resource 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; Courtney Degener, Cadiz Inc; Neal Desai, National Parks Conservation Association; Chris Diggs, City of Pomona; Cameron Griffin, Office of CA State Assemblywoman Blanca Rubio; 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; Chris Lancaster, Civic Publications, Inc.; Todd Leishman, BBK; Tony Lima, Rowland Water District; Lily Lopez; Szu Lu, Rowland Water District; Myra Malner, Rowland Water District; Richard Martinez; Dave Michalko, Valencia Heights Water Company; Dusty Moisio, Rowland Water District; Carolee Monroe; John Monsen, Sierra Club; Stephanie

9735

Moreno, Water Quality Authority; Laer Pearce, Cadiz Inc; Jennifer Stark, City of Claremont; Dave Warren, Rowland Water District; Janet Zimmerman, CV Strategies.

General Manager Litchfield introduced Chief Water Resources Officer Sylvie Lee.

President Kuhn announced he has COVID-19 and asked Vice President De Jesus to fill in as needed.

#### 4. AGENDA REORDER/ADDITIONS

No reorder or additions to the agenda were requested.

#### 5. PRESENTATION

Mr. Chris Lancaster of Civic Publications, Inc., presented on public outreach opportunities for TVMWD. Message strategy should include who you are, what you do and why you do it. Publications are distributed in the newspaper and digitally through email blasts and social media. The Fair Political Practices Commission states that public funds can not be used to promote elected officials unless it is an unsolicited request with a paid subscription. The content of the article should be an educational opportunity for the public. TVMWD participates annually in the following publications: California Water, Sustainable Living, Community Profiles, Civic Leadership. Directors expressed their appreciation of Mr. Lancaster's long history of work with TVMWD.

#### 6. PUBLIC HEARING – 2022 THREE VALLEYS MUNICIPAL WATER DISTRICT REDISTRICTING

President Kuhn opened the public hearing at 8:25 a.m. Mr. Todd Leishman from Best, Best & Krieger, LLP (BBK) provided an update and next steps in the redistricting process. BBK received input from the Board regarding the district maps. The final approved map will be adopted via resolution at a future meeting. The goal is to rebalance the divisions, so the total deviation is under the acceptable range of 10%. Total deviation for each map option is below the 10% acceptable range as follows: Map A – 3.79%; Map B – 7.56%; Map C – 3.75%; and Map D – 5.85%. An interactive map was utilized to zoom into division areas and address Director questions and concerns.

Vice President De Jesus recommended the formation of an ad hoc committee to further discuss division boundaries. It was decided that Vice President De Jesus, Director Goytia and Director Bowcock would participate in the ad hoc committee and meet to discuss map option C with changes.

Mr. Tom Coleman provided boundary information in response to a question from Director Ti. TVMWD entered a Memorandum of Understanding (MOU) in 1989 with the intent that Pomona, Walnut and Rowland would have representation on the TVMWD board. This is the first time since entering into the MOU that the director of division 7 is not a customer of Rowland Water District. Mr. Coleman would like to keep with the intent of the MOU and can work with TVMWD on this concern.

President Kuhn departed the meeting at 10:07 a.m. and Vice President De Jesus presided over the remainder of the meeting.

Mr. Henry Fung submitted a public comment that was read into the record regarding the redistricting process as it pertains to Cal Poly Pomona.

The public hearing closed at 10:09 a.m.

**7. CONSIDER ADOPTION OF DISTRICT DIVISION MAP AS PART OF THE REDISTRICTING PROCESS**

A third public hearing will be held at a future board meeting to finalize the map selection based on the recommendation of the ad hoc committee. No action was taken on adopting a district map.

**8. PUBLIC COMMENT**

Chris Clarke commented on the Bonanza Springs study.

Neal Desai commented on the professional services agreement with Aquilogic.

**9. CONSENT CALENDAR**

The Board was asked to consider consent calendar items 9.A – 9.G for the December 15, 2021 Board meeting that included: (9.A) Receive, Approve and File Minutes, November 3, 2021 and November 17, 2021; (9.B) Receive, Approve and File Financial Reports and Investment Update, November 2021; (9.C) Imported Water Sales, November 2021; (9.D) Miramar Operations Report, November 2021; (9.E) Approve Director Expense Reports, November 2021; (9.F) Resolution No. 21-12-910 Continuing Remote Teleconference Meetings Pursuant to the Provisions of Assembly Bill 361; (9.G) Adopt Resolution No. 21-12-911 to include volunteers under workers' compensation benefits.

Legal Counsel Kennedy provided corrections to the dates listed on Resolution No. 21-12-910 - Item 9.F. The resolution was adopted with the corrections.

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

Moved: Director Roberto	Second: Director Ti
Ayes: Bowcock, De Jesus, Goytia, Roberto, Soto, Ti	
Noes:	
Absent: Kuhn	
Motion No. 21-12-5343 Approval of Consent Calendar Items 9.A – 9.G, with corrections to item 9.F	
Motion passed 6-0-1	

## **10. ACTION AGENDA**

### **A. CONSIDER APPOINTMENTS TO CY 2022 BOARD OFFICER POSITION NOMINATING AD HOC COMMITTEE**

Vice President De Jesus motioned for Director Bowcock and Director Roberto to form the nominating ad hoc committee. Vice President De Jesus' motion was not seconded. Director Roberto stated she would prefer for Director Soto to take her place on the ad hoc committee and Director Soto accepted. Director Ti stated he would like to join the ad hoc committee. Legal Counsel Kennedy did not have any objections to this. Director Roberto motioned for Directors Bowcock, Soto and Ti to form the nominating ad hoc committee, and Director Goytia seconded the motion.

Upon motion and second, Vice President De Jesus called for a roll call vote.

Moved: Director Roberto    Second: Director Goytia  
Ayes: Bowcock, De Jesus, Goytia, Roberto, Soto, Ti  
Noes:  
Absent: Kuhn  
Motion No . 21-12-5344 appointing Directors Bowcock, Soto, and Ti to the nominating ad hoc committee  
Motion passed 6-0-1

## **11. REPORTS**

### **A. LEGISLATIVE/CONSERVATION/OUTREACH UPDATE**

Chief Administrative Officer Howie provided an update on legislative, conservation and outreach efforts that TVMWD is currently participating in. TVMWD will continue to pursue teleconferencing legislation to enhance meeting access and modernization of the Brown Act. Staff will continue to work with the lobbyist and Assembly Member Rubio's office on bill language. TVMWD continues to promote conservation programming with the member agencies. The \$374,000 funding allocated to TVMWD for the current two-year cycle has been committed to projects submitted by member agencies. MVD will soon notify agencies of the funding allocation for the next cycle. A brief update was provided on a sponsorship opportunity with Assembly Member Chris Holden's Young Legislators Program in the amount of \$2,500.

Vice President De Jesus departed the meeting at 10:49 a.m. and Director Goytia presided over the remainder of the meeting.

### **B. CONTRACT COMPLIANCE REVIEW**

The CCR policy was adopted in April 2021 to review all contracts with terms exceeding five years. Staff has reviewed and identified a total of forty-three active agreements meeting the parameters of the CCR. This policy will be brought back in five years unless otherwise instructed by the Board.

### **C. KEY PERFORMANCE METRICS**

General Manager Litchfield requested to move this item to the January 5, 2022 board meeting.

### **D. PROJECT SUMMARY UPDATE**

Mr. Ben Peralta provided a summary of current district projects. Discharge piping has been installed and electrical work performed at the Miragrand Well Equipping project. Three quotes were received for the Emerald Service Meter Upgrade project in La Verne. The low quote was from E.J. Meyer with a total project cost of \$125,150. Work will commence in January 2022 with an estimated completion of Spring 2022.

### **E. TVMWD TEAM ACHIEVEMENTS & MILESTONES**

General Manager Litchfield presented service pins as follows: Director Goytia for 10 years of service, Director Roberto for 1 year of service, Director Soto for 1 year of service, Director Ti for 1 year of service, President Kuhn for 25 years of service, and Vice President De Jesus for 25 years of service.

Chief Operations Officer Steve Lang was recognized as a recipient of SCWUA's 2021 Doctor of Water Award.

## **12. DIRECTORS' / GENERAL MANAGER'S ORAL REPORTS**

Director Soto reported she attended the ACWA conference and learned about different facets of the water industry to help her with her role as a director of TVMWD.

Director Bowcock reported that the Water Buffalos group will meet in January 2022.

General Manager Litchfield reported on current water levels rising various reservoirs in the Northern Sierra's due to rain and snow.

## **13. CLOSED SESSION**

The Board convened into closed session at 11:35 a.m. to discuss the following items:

### **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)

### **B. 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

The Board reconvened to regular session at 11:45 a.m. Legal Counsel Kennedy stated no reportable action was taken.

Director Bowcock departed the meeting at 11:45 a.m.

#### 14. FUTURE AGENDA ITEMS

Director Soto requested a Bonanza Springs study update at the January 5, 2022 board meeting.

#### 15. ADJOURNMENT

Director Roberto requested to adjourn the meeting in memory of late Director Joe Ruzicka as the two-year anniversary of his passing was on December 13. Director Goytia also requested to adjourn the meeting in memory of Director Robert Noonan of Orchard Dale Water District. Legal Counsel Kennedy gave a heartfelt statement in memory of Mr. Noonan. The meeting adjourned at 11:47 a.m. to the next regular meeting scheduled for Wednesday, January 5, 2022.



Bob Kuhn  
President, Board of Directors



Recorded by: Nadia Aguirre  
Executive Assistant