



THREE VALLEYS MUNICIPAL WATER DISTRICT REGULAR BOARD MEETING AGENDA

1021 E. Miramar Avenue, Claremont, CA 91711
February 2, 2022 – 8:00 AM

The mission of Three Valleys Municipal Water District is to supplement and enhance local water supplies to meet our region’s needs in a reliable and cost-effective manner.

SPECIAL NOTICE OF TELECONFERENCE ACCESSIBILITY

Pursuant to the provisions of Assembly Bill 361, and in response to the COVID-19 outbreak and as a precaution to our Board of Directors, staff and the public, Three Valleys MWD will hold its Board meeting via teleconference. The public’s physical attendance at the District is not allowed. The public may participate in the teleconference by clicking on the link below:

https://tvmwd.zoom.us/webinar/register/WN_4f9iqCcUTmqAv7G-thXgRQ

(Dial-in instructions are provided after registering at the link above)

Any member of the public wishing to participate in public comment may do so in any of the following manners: (1) when prompted by the President during the public comment period, (2) by filling out the electronic speaker’s card at the following link <https://arcg.is/0z5GqO> prior to the close of public comment, or (3) by sending an email to naguirre@tvmwd.com prior to the close of public comment.

- | | |
|------------------|---------|
| 1. CALL TO ORDER | ROBERTO |
| 2. FLAG SALUTE | ROBERTO |
| 3. ROLL CALL | AGUIRRE |
- Jody Roberto, President
 Brian Bowcock, Vice President
 Carlos Goytia, Secretary
 Mike Ti, Treasurer
 David De Jesus, Director
 Bob Kuhn, Director
 Danielle Soto, Director

- | | |
|--|---------|
| 4. AGENDA REORDER/ADDITIONS [<i>Government Code Section 54954.2(b)(2)</i>] | ROBERTO |
|--|---------|
- Additions to the agenda may be considered when two-thirds of the board members present determine a need for immediate action, and the need to act came to the attention of TVMWD after the agenda was posted; this exception required a degree of urgency. If fewer than two-thirds of the board members are present, all must affirm the action to add an item to the agenda. The Board shall call for public comment prior to voting to add any item to the agenda after posting.

5. PUBLIC COMMENT (*Government Code Section 54954.3*) ROBERTO
Opportunity for members of the public to directly address the Board on items of public interest that is within the subject matter jurisdiction of TVMWD. The public may also address the Board on items being considered on this agenda.
We request that remarks be limited to three minutes or less. Pursuant to Government Code Section 54954.3, if speaker is utilizing a translator, the total allotted time will be doubled.
6. GENERAL MANAGER'S REPORT LITCHFIELD
The Executive Leadership Team will provide brief updates on existing matters under their purview and will be available to respond to any questions thereof.
- A. SOCIAL MEDIA POLICY – ELECTED OFFICIALS ROBLES
The Board will discuss the proposed Social Media Policy.
- B. FY 2022-23 BUDGET REVIEW SCHEDULE LINTHICUM
The Board will be provided with the budget review schedule for FY 2022-23.
- C. STRATEGIC PLAN FISCAL YEAR 2022-23 LINTHICUM
The Board will discuss the Strategic Plan for FY 2022-23.
- D. BIG DALTON SPREADING GROUNDS IMPROVEMENTS LETTER OF INTENT LITCHFIELD
The Board will discuss a letter of intent for the Big Dalton spreading grounds between TVMWD, L.A. County Flood Control District and the City of Glendora.
- E. SAN GABRIEL VALLEY COUNCIL OF GOVERNMENTS – WATER DISTRICTS REPRESENTATIVE LITCHFIELD
The Board will discuss the District's Governing Board Representative seat on the San Gabriel Valley Council of Governments.
7. FUTURE AGENDA ITEMS ROBERTO
8. ADJOURNMENT AND NEXT MEETING ROBERTO
The Board will adjourn to a regular Board Meeting on February 16, 2022 at 8:00 AM.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Executive Assistant at (909) 621-5568 at least 24 hours prior to the meeting.

Pursuant to Government Code Section 54957.5, materials related to an item on this agenda submitted after distribution of the agenda packet will be posted on the TVMWD website at www.threevalleys.com.

Three Valleys MWD Board meeting packets and agendas are available for review at www.threevalleys.com.



Board of Directors Staff Report

To: TVMWD Board of Directors
From: Matthew H. Litchfield, General Manager 
Date: February 2, 2022
Subject: **Social Media Policy- Elected Officials**

<input type="checkbox"/> For Action	<input type="checkbox"/> Fiscal Impact	\$
<input checked="" type="checkbox"/> Information Only	<input type="checkbox"/> Funds Budgeted:	

Staff Recommendation:

No Action Necessary – Informational Item Only

Background:

With recent Board input, staff has developed a Social Media Policy for elected officials. This policy will assist elected officials in making responsible decisions about their use of social media and other online engagement platforms.

Discussion:

The intent of this policy is to further the transparency and pertinent activities that TVMWD is becoming more involved with. Staff will provide an update on the Social Media Policy this morning and bring back to the Board on February 16th for additional review and consideration of approval. The draft policy has been reviewed by our legal counsel.

Strategic Plan Objective(s):

3.3 – Be accountable and transparent with major decisions

Attachment(s):

Exhibit A – Social Media Policy - Elected Officials

Meeting History:

None

NA/VR



POLICY TITLE
Social Media Policy- Elected Officials

APPROVAL DATE
TBD

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SECTION 1: Purpose of policy

Three Valleys Municipal Water District understands that its elected officials, officers, and employees use social media sites and other online engagement platforms to share events in their lives, to communicate, and to discuss their opinions with others, including family, friends, and co-workers. However, the use of social media and other online engagement platforms may present certain risks and carries with it certain responsibilities.

To assist elected officials in particular in making responsible decisions about their use of social media and other online engagement platforms, the District provides these guidelines and recommendations for appropriate use.

SECTION 2: Background

In the rapidly expanding world of electronic communication, social media can mean many things. In general, social media encompasses the various activities that integrate technology, social interaction, and content creation. Through social media, individuals can create online content, can organize, edit, or comment on content, as well as combine and share content on their own website or on someone else's. Social media uses many technologies and forms, including web feeds, blogs, wikis, photography and video sharing, web logs, journals, diaries, chat rooms, bulletin boards, affinity web sites, podcasts, social networking, fansites, mashups, and virtual worlds.

SECTION 3: Application of policy

Understand Your Rights and Responsibilities in Using Social Media Technology

Use good and ethical judgment. To the extent your social media use impacts District employees, you should follow District policies and regulations as applicable, including but not limited to those that protect individual privacy rights, anti-discrimination and harassment policies, and the anti-workplace violence policy.

Board Members shall not post complaints or criticism of District employees or personnel (or anyone), you should avoid using statements, photographs, video, or audio that reasonably could be viewed as unlawful harassment or discrimination or other violation of the law such as unlawful threatening conduct. Examples of such conduct might include offensive posts that could contribute to a hostile work environment on the basis of race, religious creed, color, national origin, ancestry, physical or mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, or any other status protected by law. Examples of unlawful threatening conduct include posting material that would make a reasonable person afraid for one's safety or the safety of one's family.



POLICY TITLE
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 Officials**

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Strive for accuracy in any blog or post. Include a link to your sources of information. If you make a mistake, correct the information, or retract it promptly. Never post any information or rumors that you know to be false about employees, other officials, or anyone.

Do not disclose information that may violate the rights of others. For example, do not disclose another individual's social security number, medical information, financial information, or other protected information in a manner that violates that person's rights.

If you publish a blog or post online related to your work as an elected official, make it clear that you are not speaking on behalf of the District itself. It is best to include a disclaimer such as "The postings on this site are my own and do not necessarily reflect the views of the District."

If you want to keep your personal life separate from your professional or work life, use privacy settings to restrict personal information on public sites. Consider who you invite or accept to join your social network as those individuals will have access to your profile, photographs, etc.

Understand that even if you have a private setting, those you invite into your network can easily, print, save, cut, paste, modify, or publish anything you post. Material can be archived on the Internet even after you remove it.

Using Social Media at Work

You should not use District email addresses to register on social networks, blogs, or other online tools utilized for personal use.

Hosting Comments on Your Blog, Website, Facebook Page, or Other Social Media Platform

One potential pitfall elected officials face in using social media is by hosting a site or social media platform in your capacity as a government officer in which the public can post comments. Although the law in this area is murky and currently under development, some authority suggests that an elected official who hosts comments in their capacity as a government officer and deletes, hides, or otherwise obscures any comment by a member of the public has thereby engaged in censorship in violation of the First Amendment. This is under the theory that the page hosting the comments constitutes a forum opened up by a



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government actor, so that those who participate have constitutional rights to provide expression. Violation of the First Amendment can create liability, including liability for the plaintiff's attorneys' fees. Accordingly, if you host comments, you should make a clear distinction to those who visit your page or platform whether the page is yours in a strictly personal or other capacity or instead in your capacity as an elected official or member of the government. If the latter, you should consult legal counsel about creating a policy that allows you to limit comments in a manner consistent with applicable law. You should consult with the District's legal counsel before deleting or hiding comments.

Complying with the Ralph M. Brown Act

Another potential pitfall elected officials face in using social media is in ensuring compliance with the Ralph M. Brown Act (the "Act"). Elected members of a Board must be careful, through their use of social media, not to engage in "serial meetings" with other members of the Board. A serial meeting is covered by the Act. It involves communications by individual members of less-than-a-quorum group, which ultimately involves a majority of the body's members. Outside a meeting, a majority of members of a legislative body may not use a series of communications of any kind, directly or through intermediaries, to discuss, deliberate or take action on any item of business that is within the subject matter jurisdiction of the legislative body, whether or not the members of the body reach a collective concurrence. This communication may involve several separate conversations between different members, or several separate conversations between members and a single person (e.g., attorney, agency staff member) for the purpose of discussing, deliberating, or taking any action on any item of business.

Conceivably, a prohibited serial meeting could take place through private messaging or even public messaging on social media.

The Brown Act does not prevent you from engaging in separate conversations or communications on an internet-based social media platform to answer questions, to provide information to the public, or to solicit information from the public regarding a matter that is within the subject matter jurisdiction of the Board, but this is provided that a majority of the members of the Board do not use the internet-based social media platform to discuss among themselves business of a specific nature that is within the Board's subject matter jurisdiction. "Discuss among themselves" here means communications made, posted, or shared on an internet-based social media platform between members of a legislative body, including comments or use of digital icons that express reactions to communications made by other members of the legislative body. This means that even a single "emoji" or "like" could constitute part of a discussion that falls within the scope of



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APPROVAL DATE
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the Act.

As an elected member of the Board, there is one other item of important to consider. Under recent law, you should **not respond directly** to any communication on an internet-based social media platform regarding a matter that is within the subject matter jurisdiction of the legislative body that is made, posted, or shared by **any other member** of the Board. Doing so alone could result in a Brown Act violation.

If there are questions about whether communications could potentially violate the Act, you should consult with the District's management and/or legal counsel.

For more information

If you have questions or need further guidance, please contact the General Manager.



Board of Directors Staff Report

To: TVMWD Board of Directors

From: Matthew H. Litchfield, General Manager 

Date: February 2, 2022

Subject: **FY 22-23 Budget Review Schedule**

<input type="checkbox"/> For Action	<input type="checkbox"/> Fiscal Impact	<input type="checkbox"/> Funds Budgeted
<input checked="" type="checkbox"/> Information Only	<input type="checkbox"/> Cost Estimate:	\$

Requested Action:

No Action Necessary – Informational Item Only

Discussion:

Included below is the tentative schedule for review of the FY 2022-23 budget. Meeting dates listed are tentative and subject to change by the General Manager and the Board.

2/2/22	Board Workshop	Budget Review Schedule
2/8/22	Manager’s Meeting	Budget Review Schedule
3/2/22	Board Workshop	Budget Workshop Water Sales Forecast Overall Budget and Rates (1 st draft)
3/8/22	Manager’s Meeting	Budget Workshop Water Sales Forecast Overall Budget and Rates (1 st draft)
4/6/22	Board Workshop	Overall Budget and Rates (2 nd draft)
4/12/22	Manager’s Meeting	Overall Budget and Rates (2 nd draft)
4/12/22	MWD Board Meeting	Adoption of MWD FY 2022-23 and FY 2023-24 Budgets and CY 2023 and 2024 Rates
4/20/22	Board Meeting	Adoption of TVMWD FY 2022-23 Budget and CY 2023 Rates

Fiscal Impact:

None

Strategic Plan Objective(s):

3.1 – Utilize and comply with a set of financial policies to maintain TVMWD’s financial health

3.3 – Be accountable and transparent with major decisions

Attachment(s):

None

Meeting History:

None

NA/JL



Board of Directors Staff Report

To: TVMWD Board of Directors
From: Matthew H. Litchfield, General Manager 
Date: February 2, 2022
Subject: **FY 2022-23 Strategic Plan**

<input type="checkbox"/> For Action	<input type="checkbox"/> Fiscal Impact	\$
<input checked="" type="checkbox"/> Information Only	<input type="checkbox"/> Funds Budgeted:	

Staff Recommendation:

No Action Necessary – Informational Item Only

Background:

The Strategic Plan is derived from TVMWD’s mission and vision statements, as they provide a big picture perspective regarding TVMWD. The Strategic Plan outlines the challenges that need to be addressed and sets a roadmap for achieving TVMWD’s mission and vision. The Strategic Plan also establishes the priorities for the upcoming fiscal year.

Discussion:

Attached for review is a draft of the FY 2022-23 Strategic Plan. Changes of note:

- Updated Industry Outlook to reflect current water conditions
- Added Objectives:
 - 2.6 – Safety
 - 2.7 – Energy Efficiency
 - 4.6 – Employee Retention
- Updated action items associated with each objective
- Updated reserve goal amounts based on changing needs
- Updated Capital Improvement Plan that includes more project detail for each category
- Updated priorities for FY 2022-23

TVMWD’s four main goals remain:

1. Provide an adequate, reliable, high-quality water supply
2. Provide water supplies in the most cost-effective manner
3. Be financially responsible and maintain public trust
4. Continuously implement organizational enhancements

Strategic Plan Objective(s):

3.3 – Be accountable and transparent with major decisions

Attachment(s):

Exhibit A – FY 2022-23 Strategic Plan (Draft)

Meeting History:

None

NA/JL



STRATEGIC PLAN

FY 2022-2023



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PURPOSE OF STRATEGIC PLAN

The strategic plan sets the short-term and long-term path for achieving TVMWD's mission and vision. The plan provides the opportunity to reflect on challenges at TVMWD and in the water industry to ensure we are setting goals, objectives and actions that best serve the regional needs of TVMWD.

MISSION

The mission of Three Valleys Municipal Water District is to supplement and enhance local water supplies to meet our region's needs in a reliable and cost-effective manner.

VISION

TVMWD meets its regional water supply needs through:

- 1. Collaboration with its member agencies to understand their short-term and long-term needs**
- 2. Development and implementation of a plan to address these needs in a cost-effective manner based on current water conditions**
- 3. Periodic update of the plan as needs or as major changes in water conditions occur**
- 4. Adaptive management strategies that seek a combination of operational and cost efficiency**

CORE VALUES

To achieve success, TVMWD must have a set of core values from which it bases its policies and actions. To meet current and future challenges, the single most important factor to our success is faithful and consistent adherence to these values.



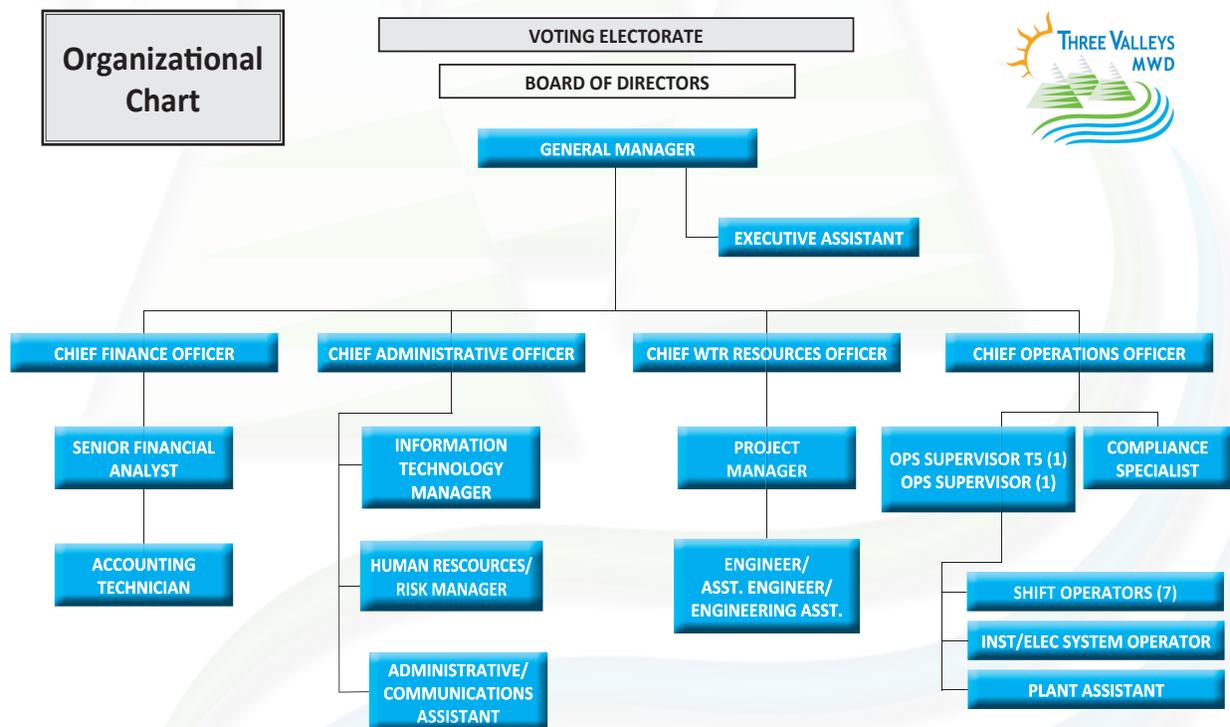
- Teamwork – the coordination, collaboration, participation and understanding of everyone’s role in fulfilling the mission and vision
- Communication – the exchanging of information and sharing of ideas
- Customer Service – the process of ensuring customer satisfaction
- Personal Responsibility – being accountable for something within one’s control
- Employee Development – the steps taken to encourage each employee’s professional and personal growth
- Professional Integrity – the manner in which people behave and act in the workplace
- Innovation – the process of inventing or introducing something new
- Recognition – appreciating the value of an achievement

PROFILE

TVMWD is a special district formed by public election in 1950 and is the area's primary source of supplemental water covering the Pomona, Walnut and East San Gabriel Valleys. TVMWD is one of 26 member agencies of the Metropolitan Water District of Southern California (MWD) that is authorized to deliver wholesale water supplies from the Colorado River and Northern California. The region served by TVMWD spans over 133 square miles and serves 13 retail member agencies that in turn serve a population of over 515,000.

TVMWD's operations consist of a conventional surface water treatment plant, a state certified laboratory, three groundwater production wells, five hydroelectric generators, residual solids removal, groundwater recharge pipelines, pump stations, and transmission pipelines. Water is treated at the Miramar Treatment Plant and wholesaled to local agencies through several miles of pipeline. Approximately 30% of TVMWD's total treated sales are from the Miramar Treatment Plant, while the remaining 70% is from MWD's Weymouth Treatment Plant. TVMWD receives a Tier 1 water supply allotment from MWD of 80,688 AFY. TVMWD has water storage accounts in Six Basins (stored: approx. 1,800 AF; capacity: 3,500 AF) and Main San Gabriel Basin (stored: approx. 6,000 AF; capacity: 50,000 AF).

TVMWD is governed by a seven-member Board of Directors elected by the registered voters residing within TVMWD's boundaries. The Board has a combined 84 years of experience with TVMWD. TVMWD employs a team of 24 staff members who are responsible for administering the day-to-day operations of the facility and implementing strategic objectives and policies set forth by the Board. The average tenure of TVMWD employees is 9 years. This stability provides a tremendous benefit to TVMWD.



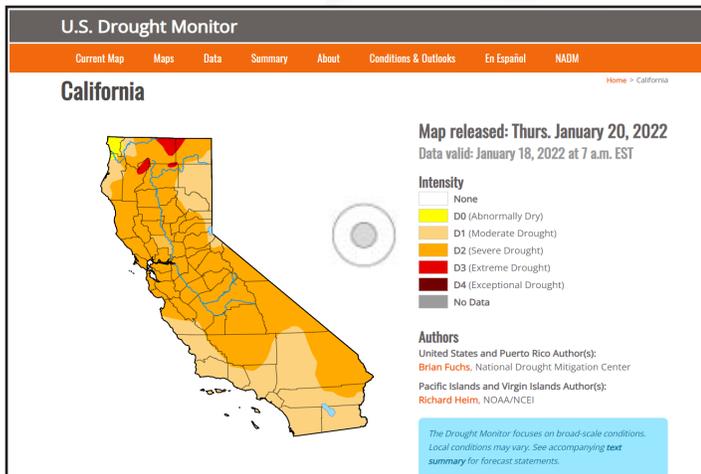
Matthew Litchfield, P.E.
General Manager

July 1, 2021
Date

FTE-25

INDUSTRY OUTLOOK

MWD imports water supplies to Southern California from two main sources: the Sacramento and San Joaquin Rivers through the State Water Project (SWP) and the Colorado River via the Colorado River Aqueduct (CRA). The SWP is operated and maintained by the California Department of Water Resources (DWR), who allocates water annually to each of the twenty-nine SWP contractors throughout the state. MWD is the largest contractor of the SWP, receiving about 50% of the supplies. The CRA is owned, operated and maintained by MWD. Operation of the CRA is dictated by The Law of the Colorado River, which provides for the benefit of the seven western states that rely on the Colorado River or its tributaries.



The state of California is entering a third year of drought. The past two water years (WY) have been characterized by record breaking temperatures and extremely dry soils, which has led to large and unexpected reductions in runoff from the State's snowpack. On the Colorado River Basin, similar prolonged drought conditions have pushed water levels in Lake Mead to historic lows.

The National Weather Service's Three-Month Outlook released on December 16, 2021 shows that the Southern portion of California will likely continue to experience average temperatures and below average precipitation. DWR's State Water Project allocation

for 2022 is currently at 15%, thanks to several December storms. Statewide precipitation and snowpack conditions are currently well above normal, however dry conditions have already returned in January. DWR will continue to work with its water supply contractors to address any unmet health and safety needs for 2022. DWR projects that precipitation for WY 2021-2022 would have to equal or exceed 140% of average to see an average Table A allocation.

Governor Newsom issued a Proclamation of a State of Emergency that included direction to local water suppliers to execute their Water Shortage Contingency Plans at a level appropriate to local conditions and a voluntary reduction of 15%. Both MWD and TVMWD have moved to Condition 2 - Water Supply Alerts – calling for reductions of up to 20%.

CHALLENGES

The Executive Team has identified the following items as current or ongoing challenges.

CURRENT CHALLENGES

Financial/
HR software
inefficient
and support
declining

Imported
water supply
reliability

Efficiently &
effectively
incorporating
groundwater

ONGOING CHALLENGES

Maximizing
Miramar
Treatment
Plant
efficiencies

Maximizing
water
resources

Aging
infrastructure

Readiness
for an
emergency
event

Regional approach
while meeting
individual member
agency's needs

Staying up-
to-date with
technology and
cybersecurity

Continue MWD
and member
agency
engagement

Impact of
regulatory
or legislative
changes

Reliability of water
supplies; current
and future water
quality issues

Preparing next
generation of
water professionals

GOALS

The following goals have been identified to assist TVMWD in executing its mission:

1. Provide an adequate, reliable, high-quality water supply
2. Provide water supplies in the most cost-effective manner
3. Be financially responsible and maintain public trust
4. Continuously implement organizational enhancements

Each goal has several specific objectives and actions to support the goals and address the challenges above.

GOALS

Goal #1 - Provide an Adequate, Reliable, High-Quality Water Supply

Objective	Action
1.1 Secure water supplies that exceed the estimated annual demands	<ul style="list-style-type: none"> § Obtain short-term and long-term needs annually from member agencies; obtain additional supplies if necessary § Maintain one-year supply of storage in local groundwater basins of what is annually extracted and/or sold
1.2 Maintain 100% compliance with water quality standards	<ul style="list-style-type: none"> § Comply with all EPA and State Water Board standards for safe drinking water § Update treatment methods as needed
1.3 Maintain diverse sources of water supplies and storage	<ul style="list-style-type: none"> § Comply with MWD 10-year Purchase Order agreement § Pursue projects and programs to increase spreading capabilities in local groundwater basins § Participate in regional collaborative efforts to bolster local water supplies § Communicate importance of Delta Conveyance Project and Regional Recycled Water Program § Assist our member agency project funding endeavors § Continue to promote water-saving conservation projects and programs utilizing MWD funding § Pursue partnerships to capture and store storm flows into groundwater basins
1.4 Maintain water infrastructure to assure 100% reliability	<ul style="list-style-type: none"> § Utilize asset management/GIS to identify infrastructure needing repair/replacement § Budget for replacement based on estimated remaining useful life
1.5 Prepare for long-term MWD shutdown or catastrophic event that affects operations	<ul style="list-style-type: none"> § Continue working with MWD, IEUA, WFA and other agencies on potential solutions to minimize impact of planned Rialto Feeder shutdown for PCCP Rehabilitation and developing other sources of supply for the Rialto Feeder § Coordinate plans and resource sharing with member agencies and PWAG § Conduct emergency operations exercises at least three times per year § Address business recovery and continuity

Goal #2 – Provide Water Supplies in the Most Cost-Effective Manner

Objective	Action
2.1 Increase Miramar Treatment Plant deliveries	<ul style="list-style-type: none"> § Shift more demand from the Weymouth plant to the Miramar Treatment Plant, subject to SWP availability and drought action plans of MWD § Operate Miramar at 60% or more of available treatment plant capacity § Consider additional connections to Miramar Treatment Plant § Operate Puente Basin Water Agency Six Basins Groundwater Project
2.2 Reduce residual solids disposal costs	<ul style="list-style-type: none"> § Increase efficiency of belt filter press § Ongoing evaluation of hauling/disposal cost options
2.3 Maintain well efficiency at industry standards	<ul style="list-style-type: none"> § Continue data collection for future maintenance plans
2.4 Increase involvement and awareness of all aspects of MWD	<ul style="list-style-type: none"> § Continue participation and staff presence at all MWD meetings § Continue communication of this information to all TVMWD member agencies
2.5 Increase ability to store water for future use	<ul style="list-style-type: none"> § Review options within local basins for purchasing and storing more groundwater/imported water § Pursue partnerships to capture and store storm flows in groundwater basins
2.6 Safety	<ul style="list-style-type: none"> § Continue to provide hands on training and proper equipment for the safe operation of TVMWD facilities § Continue operation of the TVMWD facilities that meets industry standards § Continue to provide a safe and healthy working environment where staff feel physically and mentally safe
2.7 Energy Efficiency	<ul style="list-style-type: none"> § Continue to monitor and implement programs to ensure that all TVMWD facilities are operating efficiently § Proactively seek out technological advancements that have a return on investment both financially and environmentally

GOALS

Goal #3 – Be Financially Responsible and Maintain Public Trust

Objective	Action
3.1 Utilize and comply with a set of financial policies to maintain TVMWD's financial health	<ul style="list-style-type: none"> § Maintain financial policies: <ul style="list-style-type: none"> • Annual budget and rate making process • Debt management • Reserves • Cash management & investments § Maintain accreditation of SDLF's "District of Distinction"
3.2 Maintain website with useful information	<ul style="list-style-type: none"> § Maintain three-year history: board agendas, packets, minutes, and recordings § Maintain three-year history: financial and water quality reports § Maintain SDLF's "District Transparency Certificate of Excellence" § Maintain board meeting audio/video recordings on website for public viewing § Maintain a Virtual Tour and Historical Video of TVMWD activities § Maintain updated information related to the ongoing water supply conditions
3.3 Be accountable and transparent with major decisions	<ul style="list-style-type: none"> § Board staff reports will specify the strategic plan objective achieved with the requested action § Obtain board approval as needed for policy changes
3.4 Communicate what TVMWD's role is in the delivery of water	<ul style="list-style-type: none"> § Promote achievement of TVMWD goals and objectives § Communicate the importance of TVMWD so the value provided is recognized and supported § Coordinate communication efforts with member agencies so they reiterate the benefit provided § Provide tours of TVMWD facilities § Facilitate tours of MWD facilities
3.5 Maintain awareness of legislation that may affect TVMWD	<ul style="list-style-type: none"> § Track and support/oppose all proposed legislation affecting TVMWD and keep apprised of bills potentially impacting TVMWD

Goal #4 – Continuously Implement Organizational Enhancements

Objective	Action
4.1 Implement new accounting and human resource software by FY 22/23 that provides for efficient use for all departments	<ul style="list-style-type: none"> § Finalize associated needs for all departments § Issue RFP, select a vendor and plan timeline for effective implementation
4.2 Prepare for transition to the next generation of water professionals	<ul style="list-style-type: none"> § Invest in qualified personnel and provide proper training § Provide opportunities for staff interaction and feedback § Maintain a succession plan that fosters qualified internal candidates for vacancies and retains institutional knowledge
4.3 Increase use of technology to secure information and keep current with industry standards	<ul style="list-style-type: none"> § Create a technology master plan § Implement full enterprise GIS § Upgrade Miramar and offsite facility access security controls
4.4 Align agreements to current business practices	<ul style="list-style-type: none"> § Meet with all parties to agreements, discuss terms and draft new agreements § Consider whether additional agreements are necessary
4.5 Build upon efficiencies gained while working remotely	<ul style="list-style-type: none"> § Improve public engagement by pushing for legislation that continues remote public meetings § Require scheduled remote work by staff to continue readiness for emergency events
4.6 Employee Retention	<ul style="list-style-type: none"> § Adhere to a compensation philosophy that retains staff § Maintain a health and wellness program to minimize absences and improve employee's overall well-being § Continue to provide a collaborative work environment that values teamwork, communication, innovation and work-life balance

RESERVE POLICIES

- a. Consistent with sound and prudent fiscal practices as well as legal requirements, TVMWD will maintain reserve funds that comply with adopted policy and legal bond documents.
- b. Objectives of reserve funds:
 - i. To balance short-term fluctuations in revenues/expenses without adopting unplanned rate increases.
 - ii. To provide a safety net in the event of emergency.
 - iii. To minimize external borrowing and interest expense.
 - iv. To determine the most opportune time to issue debt when necessary.
- c. In setting reserve goals TVMWD will consider that reserve levels affect bond ratings and ultimately the ability to access debt markets at favorable interest rates.
- d. The Board shall annually reevaluate what is reasonable for each reserve fund.

Reserve	Goal	Description	Source
Board Election	\$375,000 - \$500,000	To cover biennial election and associated costs.	Water rate over the 2 subsequent years.
Water Rate Stabilization	\$1,400,000 - \$2,100,000	To help fund operations when water sales are less than projected. Reserve shall be set at an amount to supplant lost income in the event of 10% water sales shortages over a 2-3 year period.	Unassigned Reserves. Additional shortfalls replenished from water rate over the next 3 years unless rate stabilization utilized to balance upcoming budget.
Capital Investment Program	\$3,500,000 - \$9,700,000	To cover expected and actual capital project/repair/ replacement costs over the next 2-4 year period.	Unassigned Reserves. Additional shortfalls replenished from water rate over the next 3 years.
Opportunity	\$2,000,000 - \$3,000,000	For unbudgeted, unplanned or opportunistic projects that can increase supply reliability or decrease rates.	Unassigned Reserves. Additional shortfalls replenished from water rate over the next 3 years.
Employee Benefit	\$3,400,000	To accumulate funds to offset net OPEB and pension liabilities. Funds to be deposited at the close of each fiscal year to the Post Employment Benefit Trust until the balance of the trust and CalPERS assets reaches approximately 90% of the total liability. This reserve will maintain the remaining 10% to offset the unfunded liability and to ensure the trust is not overfunded.	Unassigned Reserves. The board will approve a rate funding strategy during the annual budget process.
Emergency	Total available reserve balances of at least \$10,000,000	To cover unexpected costs from litigation, catastrophic events, business interruptions, or other events deemed as emergencies by the Board.	Unassigned Reserves. Additional shortfalls replenished from water rate over the next 3 years.
Unassigned	Remaining balance of unrestricted net assets	To replenish all other reserves and then accumulate excess reserves above goal amounts.	Excess retained earnings.

DEBT MANAGEMENT ANALYSIS

TVMWD DEBT SUMMARY

TVMWD is debt free.

ANALYSIS

Based on budget/rate forecasts and the five-year capital improvement plan, TVMWD should not need to issue debt in the foreseeable future. However, TVMWD is well positioned to obtain debt at favorable rates should the need arise.



CAPITAL IMPROVEMENT PLAN Item 6.C - Exhibit A

CAPITAL IMPROVEMENT PLAN

The capital improvement plan (CIP) is a working blueprint for building and sustaining TVMWD's physical infrastructure. The purpose of a CIP is to identify capital improvement projects, identify and forecast funding sources, prioritize improvements based on funding available, and estimate a timeline for completion of individual improvements. Capital Improvement Projects are projects which involve the purchase, improvement or construction of major fixed assets and equipment, which are typically large in size, expensive, and permanent. Examples of capital projects include the expansion of treatment plants and the construction/rehabilitation of pipeline and pump stations.

This CIP identifies projects for the Fiscal Years (FY) 22/23 through FY 26/27 that are needed for the rehabilitation, replacement, or expansion of the facilities owned or operated by TVMWD. Projects were identified based on physical conditions of assets, forecasted regional projections of water demands and outlook of water resource availability. The timing of the projects identified in the CIP are further refined during the fiscal year based on the availability of financial resources.

Table 1 provides the summary of the five-year CIP [FY 22/23 – 26/27], with projects grouped in five categories. Detailed of the projects in each of the categories are provided in Tables 2 - 6.



Padua Well Site



Wheeler Connection



Little Dalton Spreading Ground



Admin Building Roof



Pumpback Station

TABLE 1: FIVE YEAR CAPITAL IMPROVEMENT PLAN

Project Type (Category)	22/23	23/24	24/25	25/26	26/27
Enhanced Groundwater Production	510,000	250,000	1,000,000	2,500,000	-
Miramar Treatment and System Improvements	375,000	200,000	460,000	-	200,000
Service Connections Enhancements	-	1,400,000	-	-	-
Miramar Building and Site Improvements	740,000	50,000	50,000	-	-
Water Supply and Reliability	-	-	-	2,200,000	3,000,000
Total	1,625,000	1,900,000	1,510,000	4,700,000	3,200,000

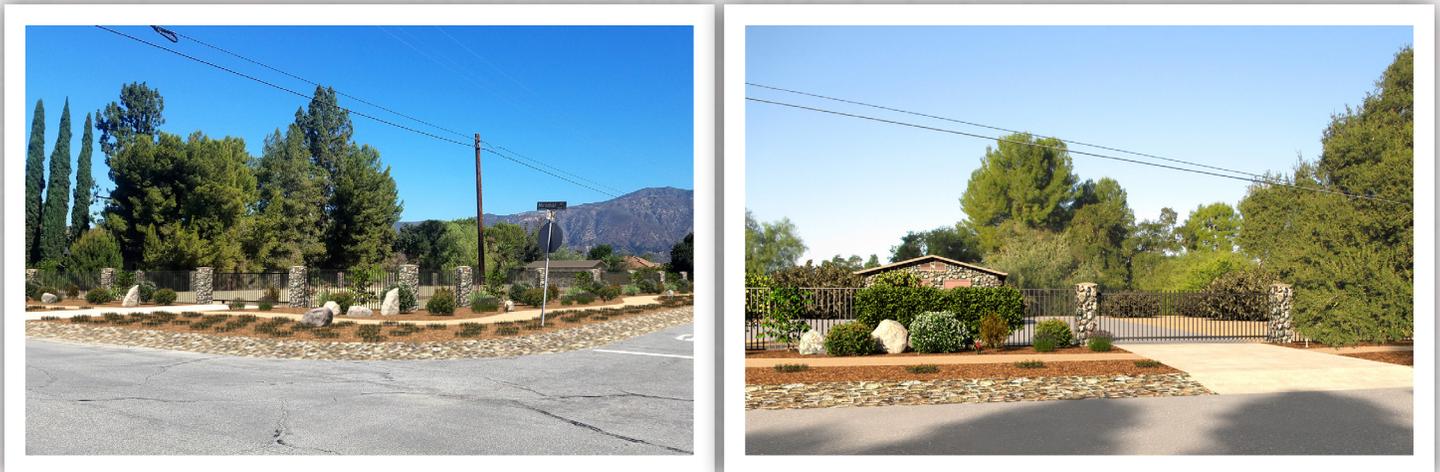
ENHANCED GROUNDWATER PRODUCTION

- Purpose:**
- Serves as a cost-efficient source of water.
 - Provides options during emergency situations or drought conditions.

Description: Develop additional groundwater production capability within the groundwater basins that underlie TVMWD. Enhancing the capability to use local resources lessens the overall cost of water from Miramar and improves the reliability of imported supplies during emergencies. These supplies will augment imported water in the Miramar system for water delivery to the member agencies.

Projects include construction of TVMWD’s fourth well, Miragrand [in progress], and acquisition of a parcel on Caltrans property near Padua Ave and Baseline Road north of I-210 for a future well site. In addition, projects for routine well rehabilitation and addition of treatment technologies in the future may be needed.

- Objective:**
- 1.3 - Maintain diverse sources of water supplies and storage
 - 1.5 - Prepare for long-term MWD shutdown or catastrophic event that affects operations
 - 2.5 - Maintain well efficiency at industry standards



— MiraGrand Well Renderings —

TABLE 2: FIVE YEAR CAPITAL IMPROVEMENT PLAN: Enhanced Groundwater Production

Enhanced Groundwater Production	22/23	23/24	24/25	25/26	26/27
Padua Well	10,000	200,000	1,000,000	2,500,000	-
Well #2 Rehab	-	50,000	-	-	-
Grand Ave Well Improvement	500,000	-	-	-	-
Total	\$510,000	\$250,000	\$1,000,000	\$2,500,000	-

MIRAMAR TREATMENT & SYSTEM IMPROVEMENTS

- Purpose:**
- Maintains pipeline integrity.
 - Ensure water deliveries during emergency situations.
 - Lengthens the useful life of the facilities.
 - Improve water quality.

Description: Miramar transmission pipeline inspections are scheduled for FY 2023-2024. Repair phases will then follow based on those inspection outcomes. Other improvements will also be undertaken to address pipeline reliability and/or water quality issues.

Projects in this category include an electrical system upgrade, currently in progress; this will allow the Miramar Treatment Plant and onsite Wells No.1 or No.2 to be operated during a power outage with an added ability to connect to a portable generator. In addition, TVMWD is planning to perform necessary maintenance on the existing chlorine delivery system and possibly upgrading the capacity. This effort will be focused on maintaining system reliability and continuing to meet all water quality goals and objectives.

- Objective:**
- 1.2 - Maintain 100% compliance with water quality standards
 - 1.4 - Maintain water infrastructure to assure 100% reliability
 - 2.1 - Increase Miramar Treatment Plant deliveries



Pipeline Inspection

TABLE 3: FIVE YEAR CAPITAL IMPROVEMENT PLAN: Miramar Treatment & System Improvements

Miramar Treatment & System Improvements	22/23	23/24	24/25	25/26	26/27
Ammonia system upgrades	-	-	-	-	200,000
Miramar pipeline repairs	-	200,000	200,000	-	-
Reservoir cover	100,000	-	-	-	-
Wheeler cabinet upgrades	-	-	200,000	-	-
TTHM Fan	-	-	60,000	-	-
JWL Meter Replacement	150,000	-	-	-	-
TOC Analyzer	75,000	-	-	-	-
PM-21 Bypass Magmeter	50,000	-	-	-	-
Total	\$375,000	\$200,000	\$460,000	-	\$200,000

SERVICE CONNECTION ENHANCEMENTS

Purpose: • Increases spreading capabilities.

Description: The Metropolitan PM-26 connection currently delivers untreated import water to the Little Dalton Spreading Grounds, for which delivery rates are limited. The proposed project will plan, design and construct a new pipeline using the existing PM-26 spreading connection to deliver imported water from the Rialto Pipeline into the Big Dalton Spreading Grounds. This added capacity would allow TVMWD to utilize more spreading water over shorter periods of time in the Main San Gabriel Basin maximizing windows of imported water availability to be captured in the groundwater basin. This is a joint effort among TVMWD, City of Glendora, and LA County Public Works.

- Objective:**
- 1.3 - Maintain diverse sources of water supplies and storage
 - 1.5 - Prepare for long-term MWD shutdown or catastrophic event that affects operations
 - 2.5 - Increase ability to store water for future use



— Big and Little Dalton Spreading Grounds —

TABLE 4: FIVE YEAR CAPITAL IMPROVEMENT PLAN: Service Connections Enhancements

Service Connections Enhancements	22/23	23/24	24/25	25/26	26/27
PM-26 Expansion	-	1,400,000	-	-	-
Total	-	\$ 1,400,000	-	-	-

CAPITAL IMPROVEMENT PLAN Item 6.C - Exhibit A

MIRAMAR BUILDING AND SITE IMPROVEMENTS

- Purpose:**
- Maintain facilities at current industry standards meeting all safety requirements.
 - Improve security at TVMWD facilities.
 - Make efficient use of available space.

Description: Design and construction of various upgrades and improvements for the Miramar buildings and site as well as at other TVMWD-owned facilities. Some of the projects envisioned over the next several years include installing additional security, office lighting efficiency upgrade, installing additional roof structure over various areas to extend the life of the equipment.

- Objective:**
- 1.4 - Maintain water infrastructure to assure 100% reliability
 - 2.6 - Safety
 - 2.7 - Energy Efficiency
 - 4.1 - Implement new accounting and human resource software by FY 22-23 that provides for efficient use for all departments
 - 4.3 - Increase use of technology to secure information and keep current with industry standards



— Admin Building Roof —

TABLE 5: FIVE YEAR CAPITAL IMPROVEMENT PLAN: Miramar Building & Site Improvements

Miramar Building and Site Improvements	22/23	23/24	24/25	25/26	26/27
Office Lighting Efficiency Upgrades	50,000	-	-	-	-
Roof/shade Upgrades	500,000	-	-	-	-
Operations Control Room Flooring	30,000	-	-	-	-
Vehicle	-	50,000	-	-	-
Accounting Software	100,000	-	-	-	-
Wireless Radio Replacement	-	-	50,000	-	-
Server Replacements	60,000	-	-	-	-
Total	\$740,000	\$50,000	\$50,000	-	-

CAPITAL IMPROVEMENT PLAN ^{Item 6.C - Exhibit A}

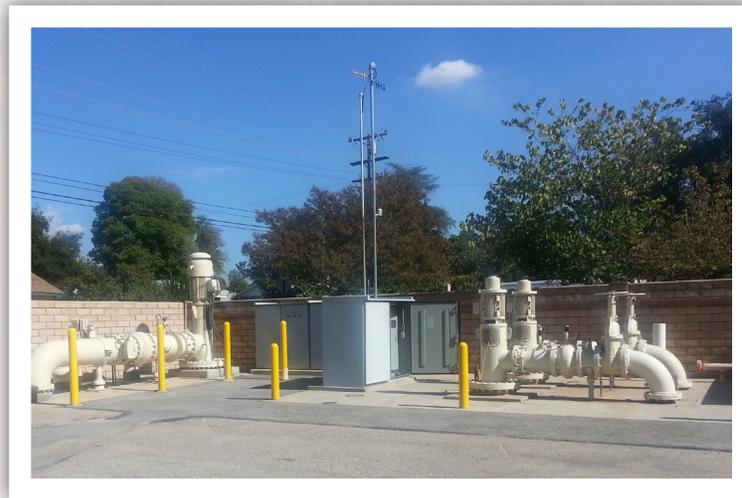
WATER SUPPLY AND RELIABILITY

Purpose: • Build new and modify existing TVMWD facilities to increase efficiency and reliability in providing water to TVMWD member agencies.

Description: Planning, design, and construction of various upgrades and improvements to provide long term alternate water source connections to ensure adequate water to both the Miramar Treatment Plant and TVMWD member agencies. Identified projects will provide supplemental source of water to augment the Miramar system during shortages.

Objective:

- 1.1 - Secure water supplies that exceed the estimated annual demands
- 1.3 - Maintain diverse sources of water supplies and storage
- 1.4 - Maintain water infrastructure to assure 100% reliability
- 1.5 - Prepare for long- term MWD shutdown or catastrophic event that affects operations



— Pumpback Station —

TABLE 6: FIVE YEAR CAPITAL IMPROVEMENT PLAN: Water Supply and Reliability

Water Supply and Reliability	22/23	23/24	24/25	25/26	26/27
Padua Pump Station	-	-	-	2,000,000	3,000,000
Miramar Pumpback	-	-	-	200,000	-
Total	-	-	-	\$2,200,000	\$3,000,000

PRIORITIES FOR FY 22-23

Based on TVMWD's goals and objectives, the following priorities have been identified:

1. Increase Ability to Store and Extract Water

- a. Enhanced Groundwater Production – Construction of and placing into service the MiraGrand Well. Secure location for a future well. Continue pursuit of DDW Permit Amendment to operate the Six Basins Groundwater Project on behalf of PBWA. Improve operation of Grand Avenue Well.
- b. Chino Basin Storage Agreement – Pursue storage agreement with the Chino Basin Watermaster to allow water to be stored in the Chino Groundwater Basin.
- c. MWD Service Connections Enhancements – Executing a Memorandum of Agreement between L.A. County and Glendora for PM-26A connection for the Big Dalton Spreading.

2. Focus on Regional Collaborative Efforts to Bolster Water Supplies

- a. Rialto Feeder Shutdown tentatively in 2035 – Potential solutions will take a significant amount of time and planning to come together. Continue working with MWD, IEUA, WFA and other agencies on options to minimize the impact of this planned event. Pursue connection to San Gabriel Valley pipeline as alternative source for Miramar Treatment Plant.
- b. MWD's Regional Water Recycling Project – Continue to participate and contribute to the planning environmental phase of the project.
- c. MWD's Delta Conveyance Project – Continue to participate and contribute to the environmental phase of the project.
- d. MWD's Rate Refinement Process – Continue to participate in the committee of Member Agencies working directly with MWD staff on proposals to modify MWD's water rates and charges.

3. Continuous Organizational Improvement

- a. Align Agreements to Current Business Practices – Execute a JWL Pump-Back Agreement and modify other agreements as needed.
- b. Geographic Information System and Technology Master Plan – Implement full-scale enterprise GIS system for asset management and operations workflow enhancements. Develop Technology Master Plan to provide a roadmap for technological advancements to increase workflow efficiencies.

ACRONYMS AND ABBREVIATIONS

• AF	–	Acre-Feet
• AFY	–	Acre-Feet per Year
• CIP	–	Capital Improvement Plan
• CRA	–	Colorado River Aqueduct
• DDW	–	Department of Drinking Water
• DWR	–	Department of Water Resources
• EPA	–	Environmental Protection Agency
• FY	–	Fiscal Year
• GIS	–	Geographic Information System
• IEUA	–	Inland Empire Utilities Agency
• MWD	–	Metropolitan Water District of Southern California
• OPEB	–	Other Post-Employment Benefits
• PBWA	–	Puente Basin Water Agency
• PCCP	–	Prestressed Concrete Cylinder Pipe
• PWAG	–	Public Water Agencies Group
• RFP	–	Request for Proposal
• SDLF	–	Special District Leadership Foundation
• SWP	–	State Water Project
• TVMWD	–	Three Valleys Municipal Water District
• WFA	–	Water Facilities Authority
• WY	–	Water Year





Board of Directors Staff Report

To: TVMWD Board of Directors
From: Matthew H. Litchfield, General Manager 
Date: February 2, 2022
Subject: **Big Dalton Spreading Grounds Improvements Letter of Intent**

<input type="checkbox"/> For Action	<input type="checkbox"/> Fiscal Impact	<input checked="" type="checkbox"/> Funds Budgeted
<input checked="" type="checkbox"/> Information Only	<input type="checkbox"/> Cost Estimate:	

Staff Recommendation:

No Action Necessary - Informational Item Only

Background:

Three Valleys Municipal Water District (TVMWD) staff has been working with the Los Angeles County Flood Control District (LACFD) and the City of Glendora on the Big Dalton Spreading Grounds Improvements and Multi-Use Facility and PM-26 Recharge Pipeline Projects (Project) in the City of Glendora. The proposed Project will increase the stormwater storage capacity and imported water recharge capacity at the Big Dalton Spreading Grounds (BDSG). The Project will increase the water storage capacity of the BDSG from 12 acre-feet to 37 acre-feet and will provide an estimated capacity of delivering approximately 5,000 acre-feet per year of imported water.

The Glendora Basin lies under the City of Glendora and provides its residents with reliable local water resources. The Glendora Basin is replenished by natural processes and several LACSD facilities including Big Dalton Spreading Grounds (BDSG), Little Dalton Spreading Grounds (LDSG) and the Big and Little Dalton debris basins. Additionally, TVMWD currently recharges the basin with imported water purchased from Metropolitan Water District (MWD) through the PM-26 connection. Currently, imported water is conveyed only to the LDSG which has limited storage and infiltration capacity (approximately 2,100 acre-feet per year, maximum).

The LACFD will be the lead and fund the Project costs associated with the spreading grounds improvements. The estimated total cost associated with this component of the Project is \$5,750,000. In 2015, LACFD was awarded \$2.16M for the Project from the Proposition 84 Integrated Regional Water Management Implementation Grant and is applied to this Project component.

TVMWD will be the lead and fund the Project costs associated with the increased imported water recharge capacity. This component of the Project includes 875 linear feet of a 24-inch diameter pipeline to convey the imported water to Big Dalton Spreading Grounds. The estimated

total cost associated with this component of the Project is \$2,800,000. TVMWD staff is working with the Main San Gabriel Basin Watermaster to perform hydraulic modeling to demonstrate the potential benefits of the increased imported and stormwater recharge as a result of the Project. Pending the results of the analysis, it is anticipated that TVMWD and the City of Glendora will jointly fund the total cost for the imported water recharge capacity improvements.

The Project improves groundwater quality in the Glendora Basin, supports sustainable groundwater management and enhances long-term water supply reliability for the region. TVMWD, LACFD and City of Glendora are working together as partners from the planning phase to ensure a successful project that benefits all the partners. A non-binding Letter of Intent (LOI) between TVMWD, LACFD, and Glendora has been developed which summarizes the Project, collaboration, and partnerships required between the three agencies to successfully move forward and complete the Project. The LOI constitutes an expression of intent to design and implement said Project, however it is not a contractual obligation and is not binding on any party.

The Project is estimated to be operational by June 2024 in order to meet the deadlines associated with the grant. As the project planning progresses, a formal agreement will be developed for the governing board's consideration; this is expected in summer 2022.

Discussion:

Exhibit A contains the draft LOI memorializing the roles, responsibilities, project cost estimates, and anticipated joint funding of TVMWD, LACFD, and Glendora.

Based on the foregoing discussion, staff recommends that the Board of Directors authorize the General Manager to have this item placed on a future board agenda for approval.

Strategic Plan Objective(s):

- 1.3 – Maintain diverse and environmentally responsible sources of water supplies and storage
- 2.5 – Increase ability to store water for future use
- 3.3 – Be accountable and transparent with major decisions
- 4.4 – Align agreements to current business practices

Attachment(s):

Exhibit A – Letter of Intent – Draft

Meeting History:

None

SL/ML

Matthew Litchfield
Page 1

February 2, 2022

Matthew Litchfield, General Manager/Chief Engineer
Three Valleys Municipal Water District
1021 Miramar Avenue
Claremont, CA 91711

Dear Mr. Litchfield:

**BIG DALTON SPREADING GROUNDS IMPROVEMENTS AND NEW PM-26A
INTERCONNECTION PROJECT
LETTER OF INTENT**

The Los Angeles County Flood Control District (District) would like to partner with the Three Valleys Municipal Water District (TVMWD) and the City of Glendora on the Big Dalton Spreading Grounds Improvements and Multi-Use Facility and PM-26A Interconnection and Pipeline Projects (Project) in the City of Glendora. The Project will increase the storage and infiltration capacity of the Big Dalton Spreading Grounds and provide a new metered connection (PM-26A) and pipeline to the improved spreading grounds to deliver imported surface water to replenish the underlying Glendora Groundwater Basin (Glendora Basin). All agencies agreed that a partnership and financial investment on this Project are important to increase groundwater supplies in the Glendora Basin and will help bring long-term water supply sustainability to the region.

The Glendora Basin lies under the City of Glendora and provides the residents of the City of Glendora with reliable local water resources. The Glendora Basin is replenished by natural processes and several District facilities including Big Dalton Spreading Grounds (BDSG), Little Dalton Spreading Grounds (LDSG) and the Big and Little Dalton debris basins. Additionally, TVMWD currently recharges the basin with imported water purchased from Metropolitan Water District (MWD) and supplied by the MWD-owned PM-26 interconnection. Currently, the imported water is directed to the LDSG which has limited storage and infiltration capacity.

The proposed Big Dalton Spreading Grounds improvements consist of increasing the water storage capacity from 12 acre-feet (AF) to approximately 37 AF by reorganizing the basin levees and increasing the depth. The Project is expected to increase the surface water conservation capacity on average by 1,370 AF, annually. The increased capacity will be made available to TVMWD and it has been reported to the District that an additional 5,000 AF of imported water can be conserved annually.

Matthew Litchfield
Page 2

In addition, multi-use improvements at the spreading grounds will also be included and consist of new decorative access gate(s), localized landscaping, interpretive and educational signage, walking path throughout the spreading grounds, and new fencing as needed. The District will be the lead and fund the Big Dalton Spreading Grounds Improvement and Multi-Use Facility Project and the efforts associated with project management, design, environmental documentation, permits, construction, construction inspection, construction management, and change orders associated with the spreading grounds improvements. The environmental documentation will also include the new PM-26A Interconnection and pipeline. The estimated total cost is approximately \$5,750,000.

The Project will also include a new metered Interconnection (PM-26A) and approximately 900 linear feet of pipeline to convey the imported water to Big Dalton Spreading Grounds. TVMWD will be the lead for the new PM-26A connection and pipeline and the efforts associated with project management, design plans, permits, construction, construction inspection and change orders associated with the PM-26A and pipeline and construction. The estimated total cost for design and construction of the new connection and pipeline is approximately \$2,800,000. It is the District's understanding that the City of Glendora and TVMWD will each jointly fund the total cost for the new PM-26A Interconnection and Pipeline Project.

The District has been awarded \$2.16M for this project from the 2015 Proposition 84 Integrated Regional Water Management Implementation Grant, which has been extended through June 30, 2024. This will necessitate accelerated collaboration among the partners to leverage the additional grant money toward a timely and successful completion of the project.

A Memorandum of Understanding (MOA) between the District and TVMWD will be required for operation and maintenance purposes. The MOA will be prepared by the District with input from TVMWD to be approved by the District's Board of Supervisors and TVMWD's Board.

The District is aware that this letter constitutes an expression of intent to design and implement said Project, and it is not a contractual obligation and is not binding on any party. It is understood that the District, TVMWD, and the City of Glendora will commit to work together as partners from the planning phase through construction completion to ensure a successful project for all the partners. If it is determined that additional time or funding is necessary, the District will work with TVMWD and the City of Glendora to determine the appropriate course of action.

If you have any questions, please contact Mr. Daniel J. Lafferty at (626) 458-4300 or dlaff@dpw.lacounty.gov, or your staff may contact Ms. Carolina Hernandez at (626) 458-4309 or chernandez@dpw.lacounty.gov.

Matthew Litchfield
Page 3

Very truly yours,

MARK PESTRELLA
Director of Public Works

JL:yg

cc: Three Valleys Municipal Water District (Sylvie Lee, Ben Peralta)
City of Glendora (Alison Sweet, Chisom Obegolu)

Three Valleys Municipal Water District

Matthew H. Litchfield, P.E.
General Manager/Chief Engineer

Date:

City of Glendora

Alison Sweet
Public Works Director

Date:



**Board of Directors
Staff Report**

To: TVMWD Board of Directors
From: Matthew H. Litchfield, General Manager 
Date: February 2, 2022
Subject: **San Gabriel Valley Council of Governments – Water Districts Representative**

<input type="checkbox"/>	For Action	<input type="checkbox"/>	Fiscal Impact	\$
<input checked="" type="checkbox"/>	Information Only	<input type="checkbox"/>	Funds Budgeted:	

Staff Recommendation:

No Action Necessary – Informational Item Only

Background:

At the January 19, 2022, Board of Directors meeting, Director Goytia requested an informational item to potentially pursue a full-time seat on the joint powers agency known as San Gabriel Valley Council of Governments (Council).

Currently, the three municipal water districts in the San Gabriel Valley, comprised of Three Valleys Municipal Water District (TVMWD), Upper San Gabriel Valley Municipal Water District (USGVMWD) and the San Gabriel Valley Municipal Water District (SGVMWD) share a full seat on the board. As a result, the annual cost to participate on the Council board is split equally among the three water districts at \$12,164 each.

Discussion:

The Council was originally formed as a joint powers agency to conduct studies and projects designed to improve and coordinate the common governmental responsibilities and services on an area-wide and subregional basis in the San Gabriel Valley. Board members of the Council are primarily comprised of City municipalities located in the San Gabriel Valley; however, water interests are also represented by the single board seat occupied by the three water districts. The public interest required that the water district agencies create their own joint powers authority titled *San Gabriel Water District Joint Powers Authority* (SGWDJPA) to participate on the Council and to explore areas of inter-governmental programs and provide recommendations and solutions to problems of common interest and concern to members. A copy of the SGWDJPA is attached as **Exhibit A**.

The SGWDJPA established an annual rotation of the representation on the Council between the three water districts as outlined in Section 4(b) and (c) of Exhibit A. The current approved rotation for water district representation on the Council board is as follows:

CY	Representative	Alternate	Off Year
2019	TVMWD	SGVMWD	USGVMWD
2020	SGVMWD	USGVMWD	TVMWD
2021	USGVMWD	TVMWD	SGVMWD
2022	TVMWD	SGVMWD	USGVMWD
2023	SGVMWD	USGVMWD	TVMWD
2024	USGVMWD	TVMWD	SGVMWD

TVMWD is the current active representative for the water district board seat on the Council for 2022. Director Goytia is the appointed TVMWD representative for TVMWD on the Council board in 2022.

The SGWDJPA created a Governing Board consisting of one voting member from each water agency. Any issue or business that requires a vote of the Governing Board shall be heard and voted upon by the three water agency members and the current SGWDJPA Representative (or alternate) shall cast his or her vote on the Council consistent with the will of the majority of the Governing Board.

Strategic Plan Objective(s):

3.3 – Be accountable and transparent with major decisions

Attachment(s):

Exhibit A – Joint Exercise of Powers Agreement of the San Gabriel Water District Joint Powers Authority

Meeting History:

None

ML

SAN GABRIEL WATER DISTRICT JOINT POWERS AUTHORITY

JOINT EXERCISE OF POWERS AGREEMENT

EFFECTIVE: JUNE 9, 2008

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**JOINT EXERCISE OF POWERS AGREEMENT OF THE
SAN GABRIEL WATER DISTRICT JOINT POWERS AUTHORITY**

This Joint Exercise of Powers Agreement (“Agreement”) is made by and between the SAN GABRIEL VALLEY MUNICIPAL WATER DISTRICT (“SGVMWD”), the UPPER SAN GABRIEL VALLEY MUNICIPAL WATER DISTRICT (“USGVMWD”), and the THREE VALLEYS MUNICIPAL WATER DISTRICT (“TVMWD”), all of whom are public entities organized and operating as Municipal Water Districts pursuant to California Water Code Section 71000 et seq. (collectively, “Members”). This Agreement is entered into by the Members pursuant to Section 6500 et seq. of the Government Code and other applicable law:

WITNESSETH:

The parties hereto do agree as follows:

Section 1. Recitals. This Agreement is made and entered into with respect to the following facts:

a. Historically, the San Gabriel Valley Association of Cities, an unincorporated association, played a valuable role in serving as a forum for the exchange of ideas and information among its Member cities; however, the growing need for the cities in the San Gabriel Valley to develop and implement their own subregional policies and plans and voluntarily and cooperatively resolve differences among themselves required a more representative and formal structure;

b. There is further a growing need for the cities in the San Gabriel Valley to involve the unincorporated areas of Los Angeles County (the “County”) and public agencies located in the San Gabriel Valley in the development and implementation of subregional policies and plans and in the voluntary and cooperative resolution of differences between the cities, the unincorporated areas and public agencies;

c. A joint powers agency known as the San Gabriel Valley Council of Governments (the “Council”) has been created to conduct studies and projects designed to improve and coordinate the common governmental responsibilities and services on an area-wide and subregional basis;

d. The public interest requires that the Members create their own joint powers authority known as the San Gabriel Water District Joint Powers Authority (“SGWDJPA”) to participate on the Council and to explore areas of inter-governmental cooperation and coordination of government programs and provide recommendations and solutions to problems of common and general concern to its Members;

e. The public interest requires that an agency with the aforementioned goals not possess the authority to compel any of its Members to conduct any activities or implement any plans or strategies that they do not wish to undertake (except for the payment of dues);

f. Each Member is a public agency as defined by Section 6500 of the Government Code;

g. Each Member, by and through its legislative body, has determined that the establishment of a cooperative organization to participate on the Council in order to assist in planning and voluntary coordination among the cities, the unincorporated areas and other governmental entities in the San Gabriel Valley is required in furtherance of the public interest, necessity and convenience; and

h. Each Member, by and through its legislative body, has independently determined that the public interest, convenience and necessity requires the execution of this Agreement by and on behalf of each such Member.

Section 2. No Creation of Separate Legal Entity. It is not the intention of the Members to create, by means of this Agreement, a separate legal entity within the meaning of Section 6503.5 of the Government Code.

Section 3. Purpose and Powers of the SGWDJPA.

a. Purpose of SGWDJPA. The purpose of the creation of the SGWDJPA is to provide a vehicle for the Members to participate on the Council and to voluntarily engage in regional and cooperative planning and coordination of government services and responsibilities to assist the Members in the conduct of their affairs. It is the clear intent among Members that the SGWDJPA shall not possess the authority to compel any of its Members to conduct any activities or implement any plans or strategies that they do not wish to undertake (except for the payment of dues). The goal and intent of the SBWDJPA is one of voluntary cooperation among Members for the collective benefit of cities, other governmental entities and unincorporated areas in the San Gabriel Valley.

b. Common Powers. The SGWDJPA shall have, and may exercise, the power to represent the collective interests of the Members on the Council.

c. Exercise of Powers. The SGWDJPA shall, in addition, have all implied powers necessary to perform its functions. It shall exercise its powers only in a manner consistent with the provisions of the Agreement and applicable laws. For the purposes of determining the restrictions to be imposed on the SGWDJPA in its manner of exercising its powers pursuant to Government Code Section 6509, reference shall be made to, and the SGWDJPA shall observe, the restrictions imposed upon the members in their respective capacities.

Section 4. Creation of Governing Board and Designation of Representatives. There is hereby created a Governing Board for the SGWDJPA ("Governing Board") to conduct the affairs of the SGWDJPA. The Governing Board shall be constituted as follows:

a. Designation of Governing Board Representatives. One person, who is a resident of the San Gabriel Valley, shall be designated as a representative to the Governing Board by the legislative body of each of the Members (“Governing Board Representative”). No Member shall be entitled to “ex officio” non-voting representation on the Governing Board.

b. Designation of SGWDJPA Representative on the Council. For the first year of this Agreement, and every third year thereafter, the Governing Board Representative from **Upper San Gabriel Valley MWD** shall serve as the SGWDJPA representative on the Council. For the second year of this Agreement, and every third year thereafter, the Governing Board Representative from **Three Valleys MWD** shall serve as the SGWDJPA representative on the Council. For the third year of this Agreement, and every third year thereafter, the Governing Board Representative from **San Gabriel Valley MWD** shall serve as the SGWDJPA representative on the Council.

c. Designation of SGWDJPA Alternate on the Council. For the first year of this Agreement, and every third year thereafter, the Governing Board Representative from **Three Valleys MWD** shall serve as the SGWDJPA alternate on the Council. For the second year of this Agreement, and every third year thereafter, the Governing Board Representative from **San Gabriel Valley MWD** shall serve as the SGWDJPA alternate on the Council. For the third year of this Agreement, and every third year thereafter, the Governing Board Representative from **Upper San Gabriel Valley MWD** shall serve as the SGWDJPA alternate on the Council. The Governing Board Representative serving as the SDWDJPA alternative on the Council may participate or vote in the proceedings of the Council only in the absence of the Governing Board Representative that was appointed to serve as the SGWDJPA representative on the Council.

d. Eligibility. No person shall be eligible to serve as a Governing Board Representative unless that person is, at all times during the tenure of that person as a Governing Board Representative, a member of the legislative body of the Member he or she represents. Should any person serving on the Governing Board fail to maintain the status as required by this Section 4, that person’s position on the Governing Board shall be deemed vacated as of the date such person ceases to qualify pursuant to the provisions of this Section 4 and the Member shall be entitled to appoint a qualified replacement.

Section 5. Functioning of Governing Board.

a. Voting and Participation. Each Member may cast only one vote for each issue before the Governing Board through its respective Governing Board Representative. Subject to the provisions of this Agreement, the Governing Board Representatives serving as the SGWDJPA representative or the SGWDJPA alternate on the Council shall cast his or her vote on the Council in a manner consistent with the will of the majority of the Governing Board Representatives. Governing Board Representatives seated as the SGWDJPA representative or SGWDJPA alternate on the Council shall be entitled to participate in and vote on matters pending before the Council only if such person is physically present at the meeting of the Council and if the Member which appointed that Governing Board Representative has timely and fully paid dues as required by this Agreement.

b. Limitations. Neither the Governing Board nor the Governing Board Representatives shall take any action that constitutes an interference with the exercise of lawful powers by a Member. Notwithstanding anything in this Agreement to the contrary, the Governing Board Members shall have no authority whatsoever to bind any of the Members to any type of financial, contractual, or other legally-binding commitment or position. No Member shall be responsible, directly or indirectly, for any obligation, debt, or liability of the Council or any other Member, whatsoever.

c. Status. All of the privileges and immunities from liability, exemptions from laws, ordinances, resolutions, and rules, all compensation and other benefits which apply to directors and officers when performing functions for their respective Members shall apply to such persons to the same degree and extent while they are engaged in the performance of any of the functions or duties under this Agreement. None of the Governing Board Representatives appointed to the Governing Board by their respective Members shall be deemed to be employees of the SGWDJPA or otherwise subject to any of the rights, entitlements, or obligations of the other Members.

Section 6. Term. This Agreement shall be effective as of June 9, 2008, and may not be terminated except by an affirmative vote of a majority of the then total voting membership of the Governing Board.

Section 7. Members.

a. Withdrawal. A Member may withdraw from the SGWDJPA by filing its written notice of withdrawal with each of the other Members sixty (60) days before the actual withdrawal. Such a withdrawal shall be effective at 12:00 o'clock a.m. on the last day of that 60-day period. The withdrawal of a Member shall not in any way discharge, impair or modify the voluntarily-assumed obligations for the withdrawn Member in existence as of the effective date of its withdrawal. Withdrawal of a Member shall not affect the remaining Members. The annual dues of a withdrawn Member shall be adjusted, on a pro rata basis, using the effective date of the withdrawal and a withdrawn Member shall be entitled to the balance of the annual dues paid for the fiscal year by that Member which were intended for the remaining part of that fiscal year.

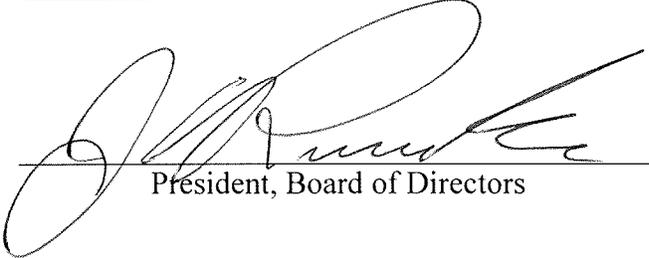
b. Non-Payment of Dues. If a Member fails to pay dues within three months of its annual dues assessment as required under Section 8 of this Agreement, and after a 30-day written notice is provided to that Member, the Member shall be deemed to be suspended from this Agreement and the SGWDJPA. When a Member is suspended, no representative of that Member shall participate or vote on the Governing Board or on the Council. Such a Member shall be readmitted only upon the payment of all dues then owed by the Member, including dues incurred prior to the suspension and during the suspension.

Section 8. Dues of Members. The Members shall be responsible for the timely payment to the Council, annually, of dues for each fiscal year in a sum equal to one-third of the amount of the total dues assessed to the SGWDJPA by the Council. In the event that one or more Members have withdrawn from the SGWDJPA, the dues assessed by the Council to the SGWDJPA shall be timely paid in equal proportion by the remaining Member(s).

Section 9. Amendment. This Agreement may be amended at any time with the written consent of all Members.

That the members of this Joint Powers Agreement have caused this Agreement to be executed on their behalf, respectively, as follows:

SAN GABRIEL VALLEY MUNICIPAL
WATER DISTRICT



President, Board of Directors

ATTEST

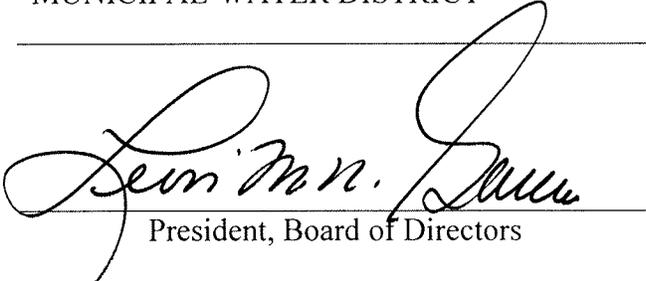


Secretary, Board of Directors

DATE

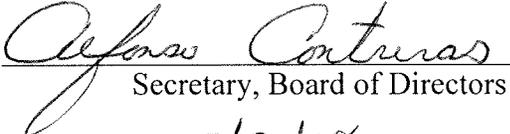
8/11/08

UPPER SAN GABRIEL VALLEY
MUNICIPAL WATER DISTRICT



President, Board of Directors

ATTEST

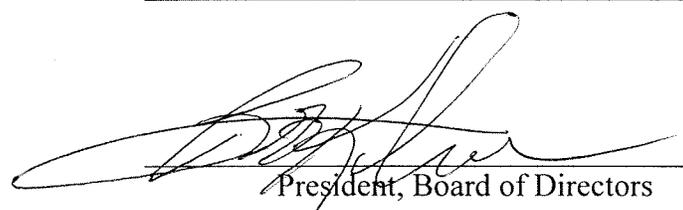


Secretary, Board of Directors

DATE

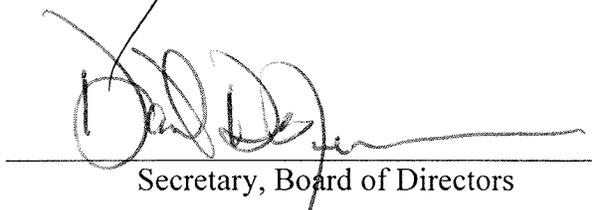
7/30/08

THREE VALLEYS MUNICIPAL WATER
DISTRICT



President, Board of Directors

ATTEST



Secretary, Board of Directors

DATE

7/15/08
