



# THREE VALLEYS MUNICIPAL WATER DISTRICT REGULAR BOARD MEETING MINUTES

October 5, 2022 – 8:00 a.m.

## I. CALL TO ORDER

The Board meeting was called to order at 8:00 a.m. at the District office located at 1021 East Miramar Ave., Claremont, CA, and via teleconference. The presiding officer was President Jody Roberto.

## 2. ROLL CALL

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

### DIRECTORS PRESENT

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

### DIRECTORS ABSENT

Danielle Soto, Director

### STAFF PRESENT

Matthew Litchfield, General Manager  
Steve Kennedy, Legal Counsel  
Nadia Aguirre, Executive Assistant  
Dominique Aguiar, Operations Supervisor  
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 Resources Officer  
James Linthicum, Chief Finance Officer  
Kevin Panzer, Assistant Engineer  
Robert Peng, I.T. Manager  
Viviana Robles, Human Resources/Risk Manager  
Esther Romero, Accounting Technician  
Marissa Turner, Admin./Communications Assistant

Virtual Attendees: Andy Bullington, City of Covina; Josh Byerrum, Walnut Valley Water District; Chris Clarke, NPCA; Courtney Degener, Cadiz, Inc.; Neal Desai, NPCA; Kelly Gardner, Main San Gabriel Basin Watermaster; Rick Hansen, Cal Poly Pomona; Kevin Hayakawa, Walnut Valley Water District; Ed Hilden, Walnut Valley Water District; Erik Hitchman, Walnut Valley Water District; Richard Lambros, Engineering Contractors' Association; Ben Lewis, Golden State Water Company; Szu Lu, Rowland Water District; Myra Malner, Rowland Water District; Richard Martinez, City of La Verne; John Mendoza; Dave Michalko, Valencia Heights Water Company; Carolee Monroe, League of Women Voters; John Monsen, Sierra Club; Randy Schoellerman, San Gabriel Basin Water Quality Authority

In Person Attendee: Hugh Coxe, resident; Richard Haskell, resident; Tony Lima, Rowland Water District; Dusty Moasio, Rowland Water District; Pamela Nagler, citizen; Steven Nagler, citizen; Jennifer Stark, City of Claremont

## 3. FLAG SALUTE

The flag salute was led by President Roberto.

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**4. AGENDA REORDER/ADDITIONS**

No reorder or additions to the agenda were requested.

**5. PUBLIC COMMENT**

Pamela Nagler provided public comment.

Luke Basulto submitted public comment to be read on his behalf.

Richard Haskell provided public comment.

Sorrel Stielstra submitted public comment to be read on her behalf.

Jennifer Stark provided public comment.

Chris Clarke provided public comment.

Hugh Coxe provided public comment.

Neal Desai provided public comment.

John Monsen provided public comment.

Director De Jesus asked Legal Counsel Kennedy how the Board of Directors can correct public misinformation and share what is true. Legal Counsel Kennedy stated there is always the tension of doing what is best to protect the interest of the district and constituents it legally serves, and what can and can not be discussed publicly. The Board has unanimously decided to terminate the districts involvement in the study, in a manner that protects the districts interests and the interest of the constituents, with respect to liability. The exit will take time and there are contractual concerns that will be addressed.

Richard Lambros provided public comment.

**6. ACTION AGENDA**

**A. ADOPT RESOLUTION NO. 22-10-942 RE-AUTHORIZING REMOTE TELCONFERENCE MEETINGS PURSUANT TO THE PROVISIONS OF ASSEMBLY BILL 361**

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

Moved: Director De Jesus	Second: Director Ti
Ayes: Bowcock, De Jesus, Goytia, Kuhn, Roberto, Ti	
Noes:	
Absent: Soto	
Motion No. 22-10-5396 Adoption of Resolution No. 22-10-942	
Motion passed 6-0-1	

## **7. GENERAL MANAGER'S REPORT**

### **A. RESERVE SCHEDULE FOR FISCAL YEAR ENDED JUNE 30, 2022**

Chief Finance Officer Linthicum reviewed the reserve schedule for FY ending June 30, 2022. In April 2022, the Board was preliminary approved the estimated balances, with the final reconciliation included in today's board packet. Three categories reviewed were Reserved for Encumbrance, Board Designated, and Unassigned Reserves.

Director Kuhn requested to agendaize a rate stabilization workshop at the October 19, 2022 board meeting.

### **B. LAFCO BALLOT SPECIAL DISTRICT REPRESENTATIVE**

The Board discussed the nomination of Robert W. Lewis, Rowland Water District, for the LAFCO Special District Voting Member. This item will be brought back to the October 19, 2022 board meeting for consideration of action in support of Mr. Lewis.

### **C. PUBLIC WATER AGENCY GROUP EMERGENCY PREPAREDNESS AND RESPONSE UPDATE**

Chief Administrative Officer Howie provided an update of current PWAG activities. An extension of PWAG is the Conservation Education Team, which allows TVMWD to partner with other agencies for funding opportunities, potential grants, and education outreach. Another PWAG program is the Emergency Preparedness and Response program. This program allows TVMWD to partner for training at little or no cost. Director Kuhn suggested a joint-agency low-cost funds agreement for repairs. Mr. Howie will mention it at a future PWAG meeting.

### **D. CONSUMER PRICE INDEX DATA REPORT**

The Board requested a Consumer Price Index (CPI) update due to the rise of inflation. A 4.29% Cost of Living Adjustment was approved in July 2022. The CPI continues to increase in an upward trend through the end of 2022 and has the potential to be higher than 7% by the end of the year. Director Kuhn stated this is something to look further into in the future.

### **E. MIRAMAR ELECTRICAL SWITCHBOARD UPGRADE**

Engineer Panzer reported on necessary repairs to the main electrical switchboard. Originally, a Professional Services Agreement Amendment with Mullen & Associates was approved to address the breaker and safety concerns. However, Eaton, the original manufacturer of the switchboard/breaker, provides a specialized team to modify existing equipment for repairs, rather than a complete replacement. Staff will rescind original task order no. 2 with Mullen & Associates in the amount of \$25,000 and reallocate the funds to the proposed rehabilitation of the existing switchboard. Staff recommends the sole source contract with Eaton in the amount of \$182,216 for the higher value it provides. This item will be brought back to the October 19, 2022 board meeting for consideration of approval.

## **F. MIRAMAR TRANSMISSION LINE LEAK DETECTION**

TVMWD's potential water loss is five to ten percent per year, a \$750,000 potential loss in revenues. SmartBall Technology provides internal inspection through the pipeline that will also provide pipeline condition data and confirm the location of underground pipelines and their alignment with other critical assets. SmartBall Technology is provided by Xylem and their expertise in the scope of work will provide a successful project. This item will be brought back to the October 19, 2022 board meeting for consideration of approval of a \$190,000 project budget through an amendment of the fiscal year budget and for award of contract to Xylem.

## **G. STATE OF CALIFORNIA DELTA CONVEYANCE PROJECT LETTER OF SUPPORT**

The public comment period for the Delta Conveyance Project has been extended to December 2022. A support letter will be brought to the Board for consideration at the October 19, 2022 board meeting. The environmental review consultant will complete the analysis prior to the next board meeting.

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

General Manager Litchfield reported that a list of on-call consultants for services will be brought to the October 19, 2022 board meeting for consideration of approval. A mandatory employee emergency response drill was performed at the district last week. L.A. County Fire Department was on-site, and the Emergency Operations Center was activated. General Manager Litchfield emphasized that Engineer Panzer and Chief Water Resources Officer Lee's work is a significant cost savings to TVMWD.

Director Kuhn inquired about cyber security threats to TVMWD. Information Technology Manager Peng provided a brief overview. Further discussion will be held during Closed Session at a future board meeting.

Director De Jesus will report on the new MWD Chairperson at the next board meeting.

President Roberto thanked General Manager Litchfield for his presentation at the Diamond Bar City Council.

## **9. CLOSED SESSION**

The Board convened into closed session at 9:29 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

**C. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**

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

The Board convened out of closed session and into open session at 10:49 a.m. Legal Counsel Kennedy stated no reportable action was taken.

**10. FUTURE AGENDA ITEMS**

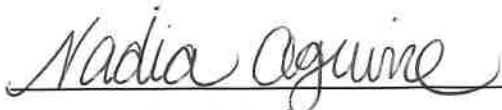
The rate stabilization workshop and a cyber security update will be agendized at a future board meeting.

**11. ADJOURNMENT AND NEXT MEETING**

The board meeting adjourned at 10:50 a.m. to the next regular board meeting scheduled for Wednesday, October 19, 2022.



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Jody Roberto  
President, Board of Directors



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Recorded by: Nadia Aguirre  
Executive Assistant