



# THREE VALLEYS MUNICIPAL WATER DISTRICT REGULAR BOARD MEETING MINUTES

Wednesday, October 18, 2023 – 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  
Mike Ti, Vice President  
Carlos Goytia, Secretary  
Bob Kuhn, Treasurer  
David De Jesus, Director  
Jeff Hanlon, Director  
Danielle Soto, Director

### STAFF PRESENT

Matthew Litchfield, General Manager  
Steve Kennedy, Legal Counsel  
Dominique Aguiar, Operations Supervisor  
Brittany Aguilar, Finance Manager  
Nadia Aguirre, Executive Assistant  
Liz Cohn, Finance Manager  
Freeman Ensign, Operations Supervisor  
Karen Harberson, Compliance Specialist  
Rafael Hernandez, Shift Operator  
Kirk Howie, Chief Administrative Officer  
Steve Lang, Chief Operations Officer  
Leo Larios, Shift Operator  
Jon Larson, Shift Operator  
Rich Quintero, Instrument/Electrical Sys. Operator  
Sylvie Lee, Chief Water Resource Officer  
Kevin Panzer, Engineer  
Brian Pen, Water Resources Analyst  
Robert Peng, I.T. Manager  
Viviana Robles, Human Resources & Risk Manager  
Jose Velasquez, Chief Finance Officer

Virtual Attendees: Josh Byerrum, Walnut Valley Water District; Alanna Diaz, Walnut Valley Water District; Kelly Gardner, Main San Gabriel Basin Watermaster; Ed Hilden, Walnut Valley Water District; Ben Lewis, Golden State Water Company; Myra Malner, Rowland Water District; John Monsen; Stephanie Moreno, Water Quality Authority; Gabby Palomares, Rowland Water District; Sherry Shaw, Walnut Valley Water District; Henry Woo, Walnut Valley Water District; Richard

In person attendees: John Bellah, Rowland Water District; Tom Coleman, Rowland Water District; Chris Diggs, City of Pomona; Erik Hitchman, Walnut Valley Water District; Tony Lima, Rowland Water District; Jared Macias, Walnut Valley Water District; Dusty Moisio, Rowland Water District

**3. FLAG SALUTE**

President Roberto led the flag salute.

**4. DIRECTOR REMOTE PARTICIPATION PURSUANT TO AB 2449**

**A. NOTIFICATION DUE TO JUST CAUSE**

**B. REQUEST DUE TO EMERGENCY CIRCUMSTANCES**

Director Soto submitted a request to attend the board meeting remotely due to emergency circumstances.

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

Moved: Director Kuhn                      Second: Director Ti  
Ayes: De Jesus, Goytia, Hanlon, Kuhn, Roberto, Soto, Ti  
Noes:  
Absent:  
Motion No. 23-10-5460 Approval of Remote Participation Request due to  
Emergency Circumstances  
Motion passed 7-0-0

**5. AGENDA REORDER/ADDITIONS**

No reorder or additions to the agenda were requested.

**6. PUBLIC COMMENT**

President Roberto opened public comment and there was none.

**7. PRESENTATIONS**

**A. YEAR END LEGISLATIVE UPDATE**

Mike Arnold and Kristi Foy from Arnold and Associates provided a year-end legislative update. Legislative year 2023 is the first year of the 2023-24 session. Bills that did not make it to the Governor's desk in 2023 will be live as two-year bills. The Governor had until October 14, 2023 to sign or veto bills. President Roberto, Director Kuhn, General Manager Litchfield, Chief Administrative Officer Howie, and Lobbyist Foy met with 7 legislative offices on May 24, 2023. The visit was during the legislative session and they provided key information on active bills. Over 60 bills are being tracked with 5 bills supported and of those 3 bills passed; three bills were opposed. Bills tracked were AB 460, AB 1337, AB 279, AB 557, AB 1572, SB 366, and SB 389. The upcoming 2024 election primary is in March and the general election in November. Representative Holden and Rodriguez will term out of the TVMWD service area next year, along with Senator Portantino. New members commencing in November 2024 will have a term limit to 2036. The Legislature returns January 3, 2024 to the second year of the two-year session.

**B. WATER EDUCATION FOR LATINO LEADERS (WELL)**

Paul Hernandez provided an update on WELL programs and partnership opportunities. WELL is a statewide non-profit that helps educate and train local elected leaders on California water policy. The four main areas covered are the history of water, governance, infrastructure, and finance. The Untapped Fellowship program is a 6-month course that takes elected leaders to different watersheds across the state and helps them better understand a variety of issues and complex water challenges. A total of 68 local elected leaders from California have graduated and another class will start in January 2024.

**8. CONSENT CALENDAR**

The Board considered consent calendar items 8.A – 8.F for the October 18, 2023 Board meeting that included: (8.A) Receive, Approve and File Minutes, September 6, 20, and 27, 2023; (8.B) Receive, Approve, and File Financial Reports and Investment Update, September 2023; (8.C) Imported Water Sales, September 2023; (8.D) Miramar Operations Report, September 2023; (8.E) Approve Director Expense Reports, September 2023; (8.F) CY 2024 Meeting Schedule.

After motion and second, Director Kuhn requested to pull his expense report from Item 8.E for discussion. Directors De Jesus and Goytia agreed to amend the motion.

Moved: Director De Jesus	Second: Director Goytia
Ayes: De Jesus, Goytia, Hanlon, Kuhn, Roberto, Soto, Ti	
Noes:	
Absent:	
Motion No. 23-10-5461 Approval of Consent Calendar Items 8.A – 8.D, and 8.F	
Motion passed 7-0-0	

Director Kuhn requested to remove the September 21, 2023 meeting from his compensated expense report.

Upon motion and second of Item 8.E as amended, President Roberto called for a roll call vote.

Moved: Director Goytia	Second: Director De Jesus
Ayes: De Jesus, Goytia, Hanlon, Kuhn, Roberto, Soto, Ti	
Noes:	
Absent:	
Motion No. 23-10-5462 Approval of Consent Calendar Item 8.E	
Motion passed 7-0-0	

**9. ACTION AGENDA**

**A. ADOPT RESOLUTION NO. 23-10-980 HONORING LIZ COHN FOR EIGHTEEN YEARS OF SERVICE**

President Roberto read the resolution and the Board congratulated Finance Manager Liz Cohn on her retirement from the district after 18 years of dedicated service.

Ms. Cohn stated that she is thankful for everyone's support in the last few months of transition at the district. She wishes good luck to Jose and Brittany and hope that their journey is as good as hers has been.

Director De Jesus is proud to sign off on the resolution for Ms. Cohn after witnessing her hard work all these years.

Director Soto thanked Ms. Cohn for onboarding her when she first came to the district and she holds a special place in the heart of Three Valleys.

Director Ti thanked Ms. Cohn for her years of service and motioned to approve the resolution.

Director Kuhn thanked Ms. Cohn for always getting his shirt size correct and he appreciates the great relationship they have always had.

Director Goytia stated that Ms. Cohn always has a smile on her face, is approachable, and very much appreciated.

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

Moved: Director Ti	Second: Director Roberto
Ayes: De Jesus, Goytia, Hanlon, Kuhn, Roberto, Soto, Ti	
Noes:	
Absent:	
Motion No. 23-10-5463 Adopt Resolution No. 23-10-980	
Motion passed 7-0-0	

## 10. REPORTS

### A. WATER SUPPLY UPDATE

Chief Water Resources Officer Lee provided an update on groundwater storage. MWD began delivery of conjunctive use water into the Upper Claremont Heights Basin in July 2023. TVWMD's agreement with MWD allows for up to 1,000 acre feet (AF) of water to be put in a calendar or fiscal year. 710 AF of water have been recharged through October 17, 2023. The current storage balance in the Main San Gabriel Basin is 2,348 AF. A request is being made for cyclic storage delivery of 25,000 AF in coordination with Watermaster and Upper San Gabriel MWD.

## 11. DIRECTORS' / GENERAL MANAGER'S ORAL REPORTS

General Manager Litchfield had nothing to report.

Director Kuhn reported the WQA bill was approved, and it allows for a rate increase.

Director De Jesus reported that the MWD Board and staff continue to work on the Long-Range Finance Plan and the Climate Adaptation Master Plan for Water during committee meetings. He will keep the Board informed throughout the process.

## 12. CLOSED SESSION

The Board convened into closed session at 9:26 a.m. to discuss the following item:

### A. 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

### B. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Initiation of litigation pursuant to Government Code Section 54956.9(d)(4): One potential case

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

Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2): Eleven potential cases

The Board convened out of closed session and back into open session at 10:50 a.m. Legal Counsel Kennedy stated that with respect to Items 12.A and 12.B no reportable action was taken.

With respect to Item 12.C of Closed Session, the Board unanimously rejected 11 claims that were presented to the District under the California Tort Claims Act and directed General Counsel to send out notice of rejection and referred the matter to ACWA JPIA for further handling. No other reportable action was taken.

## 13. FUTURE AGENDA ITEMS

No future agenda items were requested.

## 14. ADJOURNMENT

President Roberto adjourned the meeting at 10:51 a.m. to the next regular meeting scheduled for Wednesday, November 1, 2023.



Jody Roberto  
President, Board of Directors



Recorded by: Nadia Aguirre  
Executive Assistant