



THREE VALLEYS MUNICIPAL WATER DISTRICT REGULAR BOARD MEETING MINUTES

Wednesday, September 4, 2024 | 8:00 a.m.

1. CALL TO ORDER

The Board meeting was called to order at 8:05 a.m. at the District office located at 1021 East Miramar Ave., Claremont, CA. 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
Carlos Goytia, Secretary/Treasurer
David De Jesus, Director
Jeff Hanlon, Director
Bob Kuhn, Director

DIRECTORS ABSENT

Mike Ti, Vice President
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
David Dransfeldt, Water Resources Intern
Freeman Ensign, Operations Supervisor
Karen Harberson, Compliance Specialist
Kirk Howie, Chief Administrative Officer
Steve Lang, Chief Operations Officer
Sylvie Lee, Chief Water Resources Officer
Kevin Panzer, Engineer
Brian Pen, Water Resources Analyst
Robert Peng, I.T. Manager
Viviana Robles, Human Resources & Risk Manager
Marissa Turner, Admin. Communications Assist.
Jose Velasquez, Chief Finance Officer

Virtual Attendees: Kelly Gardner, Main San Gabriel Basin Watermaster; Ed Hilden, Walnut Valley Water District; Ben Lewis, Golden State Water Company; Jared Macias, Walnut Valley Water District; Meg McWade, City of La Verne; Dave Michalko, Valencia Heights Water Company; Thomas Monk, Walnut Valley Water District; Stephanie Moreno, Water Quality Authority; Gabby Palomares, Rowland Water District

In person attendees: John Bellah, Rowland Water District; Tom Coleman, Rowland Water District; Chris Diggs, City of Pomona; Jeanette Flores; Tony Lima, Rowland Water District; Jared Macias, Walnut Valley Water District; Myra Malner, Rowland Water District; Jorge

Marquez, Pomona resident; Dusty Moasio, Rowland Water District; Dinny Rasmussen, League of Women Voters; Sherry Shaw, Walnut Valley 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

There were no requests submitted by any Directors for remote participation due to Emergency Circumstances, and therefore no motion was needed for this item.

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. GENERAL MANAGER'S REPORT

A. REMOTE ATTENDANCE BY DIRECTORS AT BOARD MEETINGS

Legal Counsel Kennedy reported that on July 24, 2024 the Attorney General issued Opinion 23-1002 which concluded that the federal Americans with Disabilities Act (ADA) requires a legislative body to allow a member's remote participation from a non-public location as a reasonable accommodation for a qualifying director whose disability precludes their in-person attendance, subject to the requirements of the ADA. Chief Administrative Officer Howie will work with the legislature on removing AB 2449's sunset date of January 1, 2026. The opinion seems to be an expansion of the disability prong of the "just cause" grounds set in the Brown Act that the numerical limitations may not apply if a director's reason for remote participation at a Board meeting is due to "just cause" grounds that relate to a physical or mental disability which qualifies for reasonable accommodation pursuant to the ADA. Legal Counsel will provide the Board with the standard for disabilities.

B. ORGANIZATIONAL CHART AND SALARY SCHEDULE MODIFICATIONS

Human Resources/Risk Manager Robles reported on the key items listed in the staff report. A new full-time Information Technology Analyst position has been added to the organizational chart. The Human Resources/Risk Manager will report to the General Manager, the Water Resources Intern will report to the Engineer, and the Operations department will be restructured. Two title changes will take place – the Accounting Technician will change to Finance Analyst and the Executive Assistant will change to the Executive Board Secretary.

C. EMPLOYEE HEALTH CARE COSTS CY 2025

ACWA JPIA has finalized the renewal for CY 2025 health care costs. Anthem PPO will increase by 10%, Anthem HMO will increase by 5%, and Kaiser will increase by 5.46%. There are no changes to the Employee Assistance Program, dental, and vision plans. The total increase to healthcare costs for CY 2025 is \$43,150; the amount is budgeted for. JPIA continues to forecast double digit increases for the upcoming years and the projections will be incorporated into the budget. This item will be brought back to the September 18, 2024 board meeting for consideration of approval.

D. ALTERNATIVE EMPLOYEE HEALTH CARE COSTS CY 2025

In September 2023, the Board directed staff to explore options for the district to absorb anticipated health care premium increases for future years. Option one maintains the current structure where participants pay a percentage of the health premiums with the employee contribution being reduced from 10% to 8%. The financial impact to the district for FY 2024/25 would be approximately \$11,000. Option two would maintain the 10% premium contribution by employees and the Anthem CDHP plan at no cost to participants while adding the Kaiser plan at no cost. The financial impact on the district for FY 2024/25 would be approximately \$20,000.

E. CONFLICT OF INTEREST CODE BIENNIAL UPDATE

The Los Angeles County Board of Supervisors initiated the 2024 biennial review process. Changes to the Conflict-of-Interest Code have been submitted for position title changes from *Senior Financial Analyst* to *Finance Manager* and *Executive Assistant* to *Executive Board Secretary*. Once the amended Conflict of Interest Code is approved by the Board of Supervisors, the Three Valleys Board of Directors will adopt it by resolution with an immediate effective date.

F. EMERGENCY EVACUATION PROCEDURES

Chief Administrative Officer Howie reported on emergency evacuation procedures at the district. The evacuation map is part of the district's emergency evacuation plan and required as part of the American Water Infrastructure Act. Evacuation drills are conducted twice a year in May and October as part of The Great Shakeout. The Fire department has partnered with us in prior years and facilitated training opportunities.

G. WATER RESOURCES UPDATE

Chief Water Resources Officer Lee reported that the emergency pipeline leak repairs on Baseline Road are completed. An additional leak was discovered in July and repairs are completed. A final reconciliation of the two emergency leak repairs will be presented to the Board in October.

The administration building seismic evaluation is in progress. This is needed to see what modifications are needed in order to secure the building and fix ongoing issues.

The Groundwater Recharge Improvement Program for the Glendora Wells is in the planning phase for pilot testing in Fall 2024. The feasibility study is scheduled to be completed in Spring 2025. Three Valleys was not selected for the Federal Emergency Management Agency Building Resilient Infrastructure and Communities grant funding; no water projects in the country were selected. Other funding options will be researched.

Project portfolios are being developed with the stakeholders for The Water Resources Masterplan and Drought Contingency Plan. The Board will be updated when the plan is finalized.

Request for proposals for FY 2024-25 projects is under way. Some of the projects included are the on-call technical services, on-call construction services, office furniture, pipeline condition assessment, the Urban Water Management Plan, and the Water Use Efficiency Dashboard. The regional grant application for water use efficiency for the member agencies is due November 2024.

850-acre feet (AF) of water were delivered into the Main San Gabriel Basin and 32,100 AF of water are pending in 2024. 180 AF of water were delivered into the Chino Basin and 1,390 AF of water are pending in 2024. MWD is working with those agencies that submitted a letter of support for the Term Sheet. Three Valleys participated in the 2022 reverse cyclic storage program for 5,400 AF of water including Puente Basin Water Agency at 2,400 AF of water. The proposed modification is to allow the General Manager to offer the program in wet years and allow deferral of deliveries member agencies cannot temporarily accept due to capacity limitations or operational constraints.

In July, MWD requested all twenty-six Member Agencies to take the lead role for the business model refinement. General Manager Litchfield will be the lead for Three Valleys and Chief Water Resources Officer Lee will be the backup. MWD will facilitate two workshops starting this Fall and Winter 2025. The goal is to have two to three model alternatives to be considered by the MWD board.

8. DIRECTORS' / GENERAL MANAGER'S ORAL REPORTS

A. METROPOLITAN WATER DISTRICT

Director De Jesus reported that he will be attending MWD's CAMP4W meeting later today. The One Water committee will meet on Monday and MWD's regular board meeting will be held on Tuesday. Director De Jesus will be a part of the interview process for the Palo Verde Irrigation District elections in September.

B. CHINO BASIN WATERMASTER

Director Kuhn had nothing new to report.

C. SAN GABRIEL BASIN WATER QUALITY AUTHORITY

Director Kuhn had nothing new to report.

D. MAIN SAN GABRIEL BASIN WATERMASTER

President Roberto had nothing new to report.

E. SIX BASINS WATERMASTER

President Roberto had nothing new to report.

F. ADDITIONAL BOARD MEMBER REPORTS

Director Goytia asked to adjourn the board meeting in memory of his father who recently passed. He also requested member agencies to provide updates from their districts.

G. GENERAL MANAGER'S COMMENTS

General Manager Litchfield reported that next week is the CSDA Conference in Indian Wells. The district will be awarded the District of Distinction and District Certificate of Transparency at the conference. The California Water for All bill is on the Governor's desk and awaiting signature.

9. CLOSED SESSION

The Board convened into closed session at 9:40 a.m. to discuss the following items:

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 – 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)

C. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION [Government Code Section 54956.9(d)(1)]

Name of Case: Victor Asemota et al. v. City of Claremont, et al., Los Angeles County Superior Court Case No. 24STCV08598

D. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION [Government Code Section 54956.9(d)(1)]

Name of Case: In re: Aqueous Film-Forming Foams Product Liability Litigation, United States District Court South Carolina Charleston Division, MDL No. 2:18-mm-2873-RMG [In re: City of Camden, et al. v. Tyco Fire Products LP, et al., 2:24-cv-02321-RMG; In re: City of Camden, et al. v. BASF Corporation, Case No. 2:24-cv-03174-RMG]

The Board convened out of closed session and into open session at 10:46 a.m. Special Counsel Jeffrey O'Neill attended closed session for Item 9.C. The Board considered all the items and took no reportable action.

13. FUTURE AGENDA ITEMS

No future agenda items were requested.

14. ADJOURNMENT

President Roberto adjourned the board meeting in memory of Director Goytia's father Carlos Goytia, Sr. at 10:50 a.m. to the next regular board meeting scheduled for Wednesday, September 18, 2024.

Director Goytia thanked the Board and staff for the flowers that were sent. He especially thanked Director Kuhn for attending the services. His father was very much involved in the Pomona community and will be missed.



Jody Roberto
President, Board of Directors



Recorded by: Nadia Aguirre
Executive Assistant