

**MINUTES**  
**REGULAR BOARD OF DIRECTORS MEETING**  
**THREE VALLEYS MUNICIPAL WATER DISTRICT**

**Wednesday, December 5, 2018**  
**8:00 a.m.**

**1. Call to Order / Pledge of Allegiance**

The Board of Directors meeting of Three Valleys Municipal Water District (TVMWD) was called to order at 8:00 a.m. at the TVMWD office located at 1021 East Miramar Avenue, Claremont, California. The presiding officer was President Bob Kuhn.

**2. Pledge of Allegiance**

The flag salute was led by President Bob Kuhn.

**3. Roll Call**

Roll call was taken with a quorum of the Board present. Director Dan Horan was marked as absent.

**Directors Present**

Bob Kuhn, President  
David De Jesus, Vice President  
Brian Bowcock, Secretary  
Joe Ruzicka, Treasurer  
Carlos Goytia, Director  
John Mendoza, Director

**Directors Absent**

Dan Horan, Director

**Staff Present**

Rick Hansen, General Manager  
Matt Litchfield, Assistant General Manager  
Steve Kennedy, Legal Counsel  
Dominique Aguiar, Operations Supervisor  
Liz Cohn, Sr. Financial Analyst  
Ray Evangelista, Engineer  
Vicki Hahn, District Clerk/Executive Assistant  
Kirk Howie, Chief Administrative Officer  
Steve Lang, Water Operations Manager  
James Linthicum, Chief Finance Officer  
Esther Romero, Accounting Technician

Guests and others present: Paola Avendano, Assembly Member Freddie Rodriguez, District #52; Renee Barbee, La Neuva Voz; Henry Castillo, Best, Best and Kreiger; Tom Coleman, Rowland Water District; Director Ted Ebenkamp, Walnut Valley Water District; Catalina Goytia, Spouse of Director Goytia; Director Ed Hilden, Walnut Valley Water District; Erik Hitchman, Walnut Valley Water District; Tom Hseih, Pomona resident; Denise Jackman, Rowland Heights Resident; Maria Elena Kennedy, Kennedy Communications; Ben Lewis, Golden State Water Company; Director Tony Lima, Rowland Water District; Darron Poulsen, City of Pomona; Victor Preciado, City of Pomona; Jeff Sanchez, City of Pomona; Tim Sandoval, City of Pomona; Jeff Schenkel, La Nueva Voz; Brian Teuber, Walnut Valley Water District; Deven Upadhyay, MWD; other friends and family of Director Goytia

#### **4. Additions to Agenda**

President Kuhn inquired if there was a need to add items to the agenda. Staff did not have a need to add items to the published agenda.

#### **5. Reorder Agenda**

President Kuhn inquired if there was a need to reorder the agenda. Staff did not have a need to reorder the published agenda.

#### **6. Public Comment**

President Kuhn called for any public comment.

Mr. Deven Upadhyay, Assistant General Manager at Metropolitan Water District approached the lectern to award a certificate of recognition to Rick Hansen upon his retirement from Three Valleys MWD at the end of 2018. Mr. Upadhyay expressed that it was the desire of MWD to recognize Mr. Hansen for the decades of service he has provided, and the contributions he has made to MWD related to regional policy setting.

Tom Coleman, General Manager at Rowland Water District approached the lectern to express his congratulations to the three returning directors, and to convey his appreciation for the many years of service by Rick Hansen.

#### **7. Administer Oath of Office, Directors in Divisions 1, 3 and 5**

Mr. Hansen administered the oath of office to returning directors Brian Bowcock and Joe Ruzicka. Mr. Tim Sandoval, City of Pomona Mayor was called forward to administer the oath of office to returning director Carlos Goytia. Ms. Paolo Avendano from Assembly District #52 – Freddie Rodriguez, presented each of the returning directors a certificate of recognition.

Following the administration of the oath of office, President Kuhn called for a short recess at 8:20 a.m. The Board reconvened to regular session at 8:35 a.m.

#### **8. CY 2019 Board Reorganization and Board Appointments**

The Board was asked to consider the same slate of officers for CY 2019, and only minor modifications were made to the Board Appointments. The Board Officers will be:

- Bob Kuhn, President
- David De Jesus, Vice President
- Brian Bowcock, Secretary
- Joe Ruzicka, Treasurer

The following adjustments to the Board Appointments were made.

- **Main San Gabriel Basin Watermaster** – Brian Bowcock will become the representative; Carlos Goytia will become the alternate
- **Six Basins Watermaster** – John Mendoza will remain the representative; Brian Bowcock will become the alternate

**Moved: Ruzicka; Second: Bowcock  
Motion No. 18-12-5199 – Approval CY 2019 Board Reorganization and Board Appointments. The motion passed by a 6-0 vote; Director Horan was absent from the meeting.**

## 9. Consent Calendar

The Board considered consent calendar items 9.A – 9.H that included: A) receive, approve and file minutes, November 2018 for November 7, 2018; B) receive, approve and file financial reports and investment update, October 2018; C) Resolution No. 18-12-839, authorizing an update to the signatories for LAIF; D) Resolution No. 18-12-840, authorizing and update to the signatories for Citizens Business Bank; E) Resolution No. 18-12-841, authorizing an update to the signatories for U.S. Bank; F) receive and file imported water sales, October 2018; G) Resolution No. 18-12-842, approve tax sharing exchange with County Sanitation District, Annexation, 21-759; H) receive and file Miramar Operations Report, October 2018.

Upon motion and second, President Kuhn called for any discussion. There being no discussion the vote was called.

**Moved: Ruzicka; Second: De Jesus  
Motion No. 18-12-5200 – Approval of Consent Calendar items 9.A – 9.H. The motion passed by a 6-0 vote; Director Horan was absent from the meeting.**

## 10. General Manager's Report

### 10.A Retiree Medical Benefit Policy Modification

The Board was asked to approve the proposed retiree medical benefit policy modification to include an option to seek reimbursement for dental and vision coverage up to the approved limits, currently \$600/monthly, based upon length of service at time of retirement. Retiree will be responsible for procuring the dental and/or vision coverage independent from TVMWD. The inclusion of dental and vision coverage reimbursement applies to retirees on a go forward basis; existing retirees are not eligible.

All retirees will now utilize a Health Reimbursement Account (HRA) for reimbursement of premiums. This will eliminate the need for retirees to submit backup paperwork to staff and eliminate the need for staff to administer the benefit, thereby improving organizational efficiency.

HRA accounts are funded by the District. For existing retirees, any funds remaining in the HRA at the end of the year will be returned to the District, and each new calendar year will start at zero. For new retirees, any funds remaining in the HRA at the end of each calendar year will rollover to cover any premium increases. In all cases, once the retiree is no longer alive, any remaining funds in the HRA will be returned to the District.

Upon motion and second, President Kuhn called for any discussion. There being no discussion the vote was called.

**Moved: Ruzicka; Second: Goytia  
Motion No. 18-12-5201 – Approval of modifications to retiree medical benefit policy. The motion passed by a 6-0 vote; Director Horan was absent from the meeting.**

### **10.B Ratify Director Expense Reports, October 2018**

The Board was asked to ratify expense report submittals on previously paid director expenses for October 2018. Upon motion and second, President Kuhn called for any discussion. There being no discussion the vote was called.

**Moved: Ruzicka; Second: De Jesus  
Motion No. 18-12-5202 – Ratify payment of October 2018 Director Expenses. The motion passed by a 6-0 vote; Director Horan was absent from the meeting.**

### **10.C TVMWD Manuals – Biennial Update**

The Board was provided with a redline and clean version of the proposed updates to the TVMWD Policy Manual and TVMWD Personnel Manual. Mr. Howie informed that most of the changes were proforma-based for ministerial clean-up. The only major changes to the Policy Manual were to integrate previously approved policies for iPad Use, Receipt of Gifts and Ticket Distribution in whole as Appendix C. The most significant change to the TVMWD Personnel Manual was related to Section 10 where two new policies were incorporated to accommodate an upcoming change in 2019 to the Operations staff schedule, e.g., *On Call Operations* and *Fatigue Pay*. The manuals were reviewed by Mr. Kennedy for legal soundness.

Upon motion and second, President Kuhn called for any discussion. Discussion ensued on the gift policy and ticket distribution policy to seek better understanding and clarity as to when it applies. Mr. Kennedy provided more detailed analysis that should be considered whenever a gift is proffered.

There being no further discussion the vote was called.

**Moved: Ruzicka; Second: Bowcock  
Motion No. 18-12-5203 – Approval of amendments to the TVMWD Policy and TVMWD Personnel manuals. The motion passed by a 6-0 vote; Director Horan was absent from the meeting.**

## 11. Directors' / GM / AGM Oral Reports

- Director Goytia reported that he and Director Mendoza attended the Pomona City Council meeting on Monday, December 3, 2018. Three new council members were sworn in as follows, Victor Preciado, District 2; Nora Garcia, District 3; and Steve Lustro, District 5. Following a closed session, the newly seated Pomona City Council acted to terminate the 29-year relationship with their City Attorney.
- Director Mendoza informed that he has learned more about the monitoring wells throughout the Six Basins.
- Director Bowcock reminded all to make their reservation for the SCWUA Christmas party on December 13<sup>th</sup> if they plan to attend. Current total is at 175 and will be cut-off soon.
- Director Bowcock attended the December 3, 2018 La Verne City Council meeting. The La Verne City Council passed a water / sewer rate increase.
- Director Bowcock reported on the San Gabriel Basin Watermaster. The most current read at the Key Well is 169' and is a new historic low.
- Director De Jesus extended a happy and safe holiday season to all. He welcomed back the newly sworn-in Directors from Divisions 1, 3, and 5. He wished Rick well in his retirement and acknowledged that this will be the last time he will be looking left at the dais for insight from Mr. Hansen.
- Director Kuhn inquired about any updates available from MWD regarding another Commission considering not passing the California Water Fix. Director De Jesus informed that MWD General Manager Jeff Kightlinger will be in Sacramento next week for a special meeting in an effort to shore up the need to establish a more reliable source of water for southern California. An updated report will be available next month. Thank you again to Mr. Hansen for all you have done for the district. You will be missed – no question. Happy holidays to all.
- Director Mendoza expressed his thanks for all that Mr. Hansen has done throughout his years of service.
- Mr. Hansen asked to take a moment to make some comments and extend gratitude on what is his last meeting at the dais as General Manager.
  - Thank you to the member agencies. Your support in embracing a regional approach and continuing to work together collaboratively has been and will continue to be appreciated. Great progress has been made and the future is bright.
  - Thank you to the TVMWD Board of Directors. You have been a great team to work with and I have appreciated your discussion/debate surrounding many issues over the years.
  - Thank you to Steve Kennedy for all the years of counsel, ready with answers to questions or providing research on same. He continues to deliver great value and is an extraordinary resource to the District.

- Thank you to staff. You have all been a blessing. You know what needs to be done and you move forward to fulfill the District goals and make me look good and make the Board look good.

## **12. Future agenda items**

There were no requests for any future agenda items.

## **13. Closed session**

The Board convened to closed session at 9:18 a.m. to discuss one item as follows:

Conference with Legal Counsel – Existing Litigation (pursuant to Government Code Section 54956.9(d)(1) – Chino Basin Municipal Water District v. City of Chino et al., San Bernardino County Superior Court Case No. RCV51010.

## **14. Announcement of Closed Session Actions**

The Board reconvened to regular session at 9:55 a.m. President Kuhn announced there was no reportable action pursuant to the Brown Act from the closed-session discussion.

## **15. Adjournment**

The Board adjourned at 9:56 a.m. to its next regular meeting scheduled for Wednesday, January 16, 2019 at 8:00 a.m.

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/s/ Bob Kuhn  
*President, Board of Directors*  
Three Valleys Municipal Water District

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Recorded by: Victoria A. Hahn  
District Clerk/Executive Assistant