

As a matter of proper business decorum, the Board of Directors respectfully request that all cell phones be turned off or placed on vibrate. To prevent any potential distraction of the proceeding, we request that side conversations be taken outside the meeting room.

AGENDA
SPECIAL BOARD MEETING
THREE VALLEYS MUNICIPAL WATER DISTRICT
1021 E. MIRAMAR AVENUE, CLAREMONT, CA 91711

Wednesday, July 17, 2019
8:00 a.m.

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.

Item 1 – Call to Order

Kuhn

Item 2 – Pledge of Allegiance

Kuhn

Item 3 – Roll Call

**Executive
Assistant**

Item 4 – Public Comment (Government Code Section 54954.3)

Kuhn

Opportunity for members of the public to directly address the Board on items of public interest within its jurisdiction. The public may also address the Board on items being considered on this agenda. TVMWD requests that all public speakers complete a speaker's card and provide it to the Executive Assistant.

We request that remarks be limited to five minutes or less. Pursuant to Government Code Section 54954.3, if speaker is utilizing a translator, the total allotted time will be doubled.

Item 5 – Real Property Negotiations – [enc]

Kuhn

Discussion and Possible Action Regarding Termination and Release of 1984 Grant of Easement and Acceptance of New Grant of Easement from Foremost Corporate.

Item 6 – Closed Session

Conference with Real Property Negotiators (Government Code Section 54956.8)

- Property: 901 Corporate Center Drive, Pomona, California
- District Negotiator: Matthew Litchfield, General Manager
- Negotiating Parties: Foremost Corporate, LLC
- Under Negotiation: Price and Terms of Payment for Revised Easement

Item 7 – Future Agenda Items

Kuhn

Item 8 – Adjournment and Next Meeting

The board will adjourn to a regular board meeting on Wednesday, September 4, 2019 at 8:00 a.m.

Kuhn

American Disabilities Act Compliance Statement

Government Code Section 54954.2(a)



Any request for disability-related modifications or accommodations (including auxiliary aids or services) sought to participate in the above public meeting should be directed to the TVMWD's Executive Assistant at (909) 621-5568 at least 24 hours prior to meeting.

Agenda items received after posting

Government Code Section 54957.5


Materials related to an item on this agenda submitted after distribution of the agenda packet are available for public review at the TVMWD office located at, 1021 East Miramar Avenue, Claremont, CA, 91711. The materials will also be posted on the TVMWD website at www.threevalleys.com.

Three Valleys MWD Board Meeting packets and agendas are available for review on its website at www.threevalleys.com.



Board of Directors Staff Report

To: TVMWD Board of Directors

From: Matthew H. Litchfield, General Manager 

Date: July 17, 2019

Subject: **Possible Action Regarding Termination and Release of 1984 Grant of Easement. Acceptance of New Grant of Easement from Foremost Corporate, LLC. (APN 8707-001-027 & 040)**

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

Staff Recommendation:

That the Board of Directors permit the General Manager to negotiate and approve the termination and release of the 1984 Grant of Easement and replace with an acceptable Grant of Easement that embodies all of the agreed-upon terms and conditions from Foremost Corporate, LLC (901 Corporate Center Drive, Pomona, APN 8707-001-027 & 040)

Background:

Foremost Corporate, LLC (“Foremost”) desires to eliminate a 100 ft x 100 ft easement and relocate another similar sized easement to a different location with reduced dimensions of 75 ft x 75 ft at the parcel located at 901 Corporate Center Drive in Pomona. The justification for the request by Foremost is to accommodate a proposed student housing project on the northerly portion of the site. A location map is attached as **Exhibit A** for reference.

Discussion:

Exhibit B contains a figure of a plat map showing the existing 100 ft x 100 ft easements that were granted in 1984. The purpose of the easements at the time was for the construction of future Aquifer Storage and Recovery (“ASR”) wells in the Spadra Basin. The easements grant the TVMWD the right to install, repair, construct, inspect, maintain, replace and operate wells for groundwater storage and recovery. Foremost proposes to eliminate one of the easements and relocate a second easement as shown on **Exhibit C**.

The Walnut Valley Water District and the City of Pomona have formed the Spadra Basin Groundwater Sustainability Agency (“GSA”) pursuant to a Memorandum of Agreement in accordance with SGMA to manage the Spadra Basin’s groundwater resources. The GSA

is in the beginning stages of developing a Groundwater Sustainability Plan (“GSP”) for the Spadra Basin. There is concern from these agencies that there is value in preserving these easements as an integral part of future implementation of the GSP as it relates to recycled water development potential. Due to timing constraints, future detailed hydrogeologic studies to support the GSP are not yet available. To provide the Board with as much information as possible, staff engaged the services of Wildermuth Environmental, Inc. (“WEI”) to provide a preliminary planning-level assessment of the feasibility of the current ASR well easements in their current locations. WEI prepared a graphic which depicts the preliminary findings on the current ASR sites as it relates to known geology in the area and is shown on **Exhibit D**.

Based on the results prepared by WEI as well as ongoing negotiations, District staff and Foremost have discussed a resolution whereby the northerly easement would be eliminated and the southern easement would be relocated; however, the dimensions of the relocated easement would remain the same at 100 ft x 100 ft, not 75 ft x 75 ft. In addition, District staff and Foremost have negotiated an amount of compensation due to TVMWD for the termination and release of the grant of easement in the proposed sum of \$72,000.00. The compensation could be set aside by TVMWD and earmarked for future use by Pomona and Walnut Valley to pursue a third ASR site based on the results of the future detailed hydrogeological studies to be conducted by WEI.

Based on the foregoing discussion, staff recommends that the Board of Directors authorize the General Manager to negotiate, approve, and execute the termination and release of the 1984 Grant of Easement and replace with an acceptable Grant of Easement that embodies all of the above terms and conditions.

Strategic Plan Objective(s):

- 3.3 – Be accountable and transparent with major decisions
- 3.4 – Communicate TVMWD’s role in the delivery of water

Attachment(s):

- Exhibit A – Location Map
- Exhibit B – 1984 Easements
- Exhibit C – Proposed Modified Easements
- Exhibit D – WEI Spadra Basemap

Meeting History:

- Board of Directors Meeting – June 5, 2019 (Closed Session)
- Board of Directors Special Meeting – June 18, 2019 (Open & Closed Session)
- NA/ML

Location Map



Foremost Parcel



PWR Pipeline



LOT 4

LOT 3

Corporate Center Dr

S Campus Dr

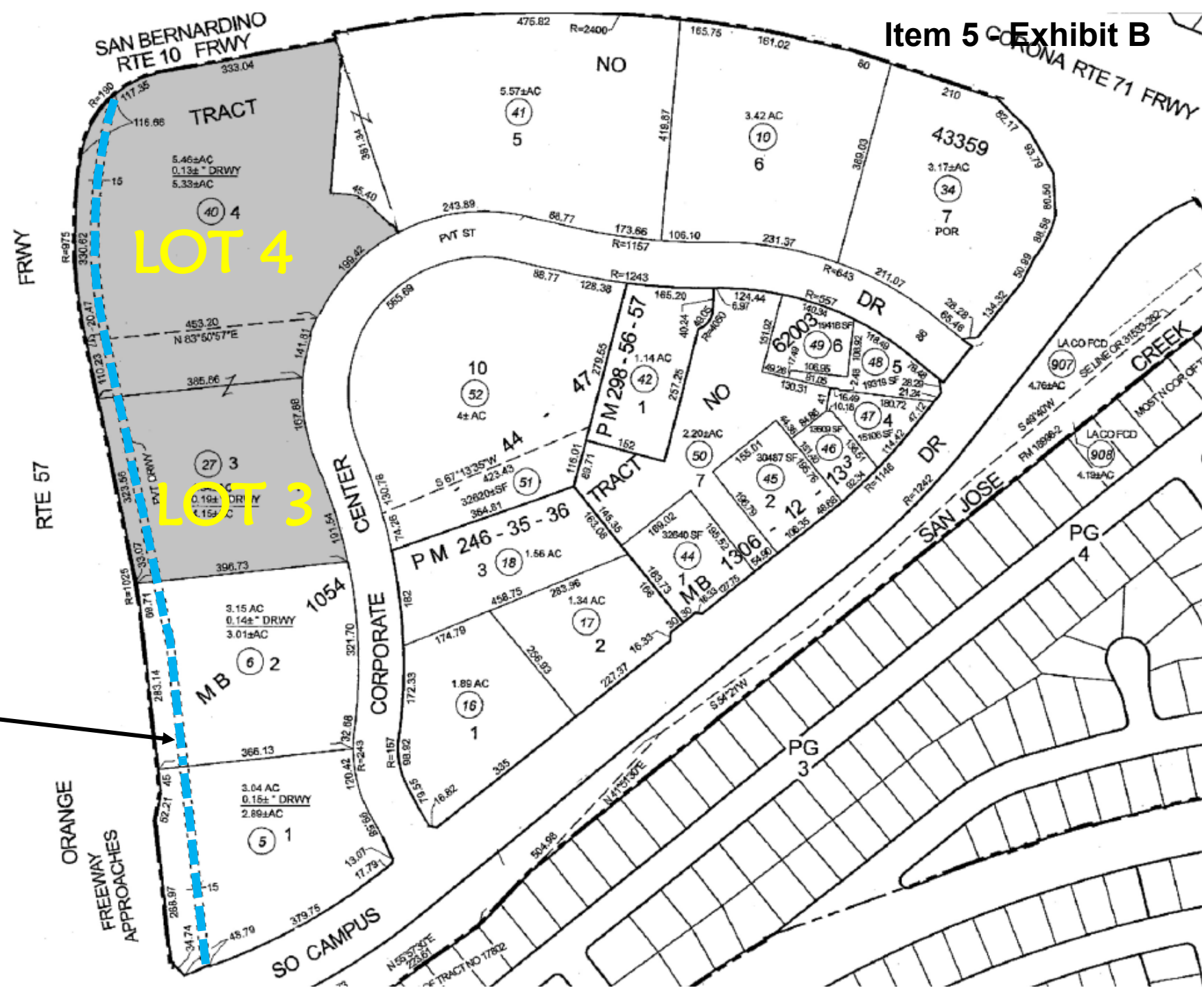
Lyndale Ave

Valley Blvd

Chino Valley Fwy

Original Plat Map 1984

PWR Pipeline

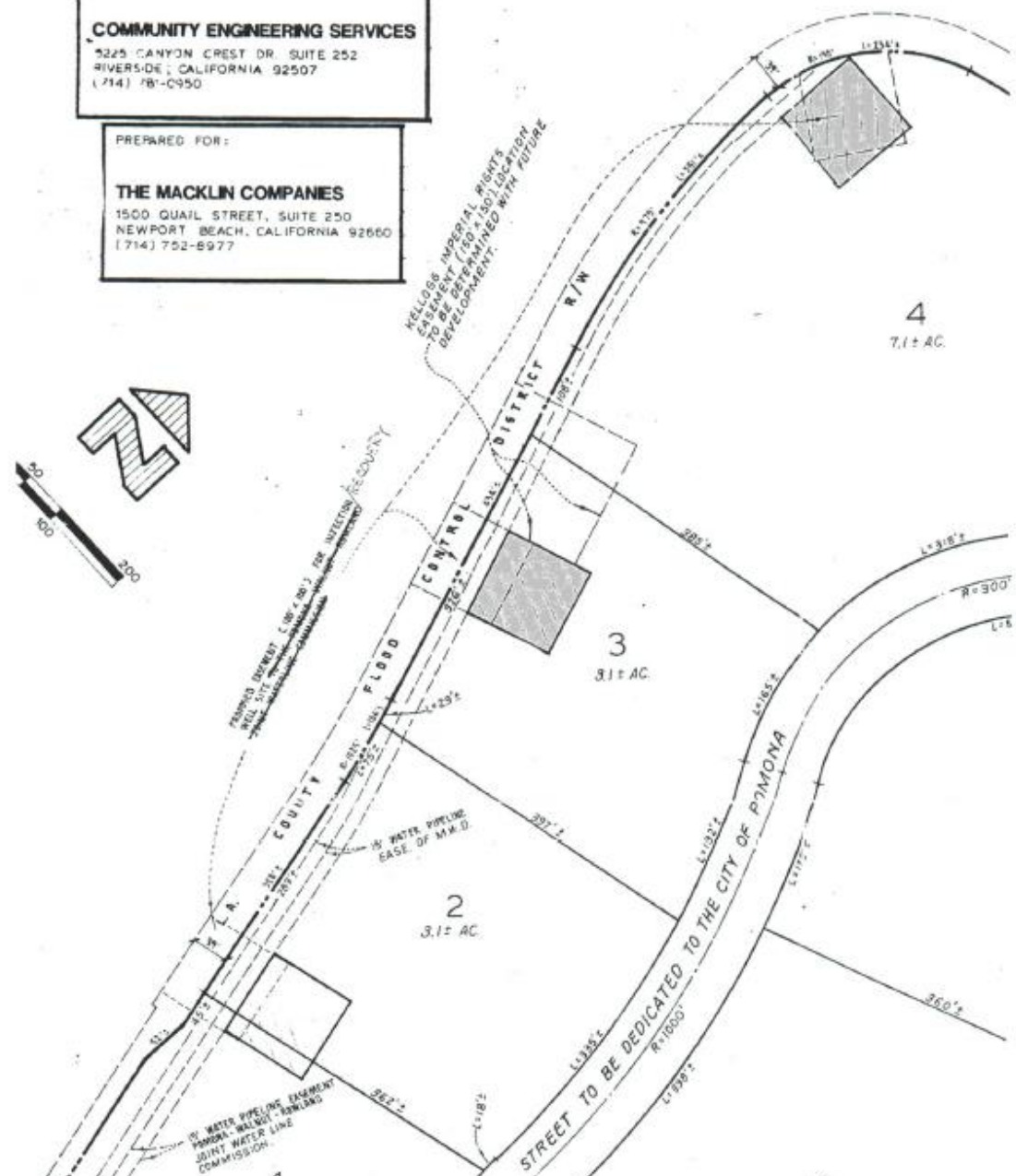


TENTATIVE TRACT MAP NO. 43359

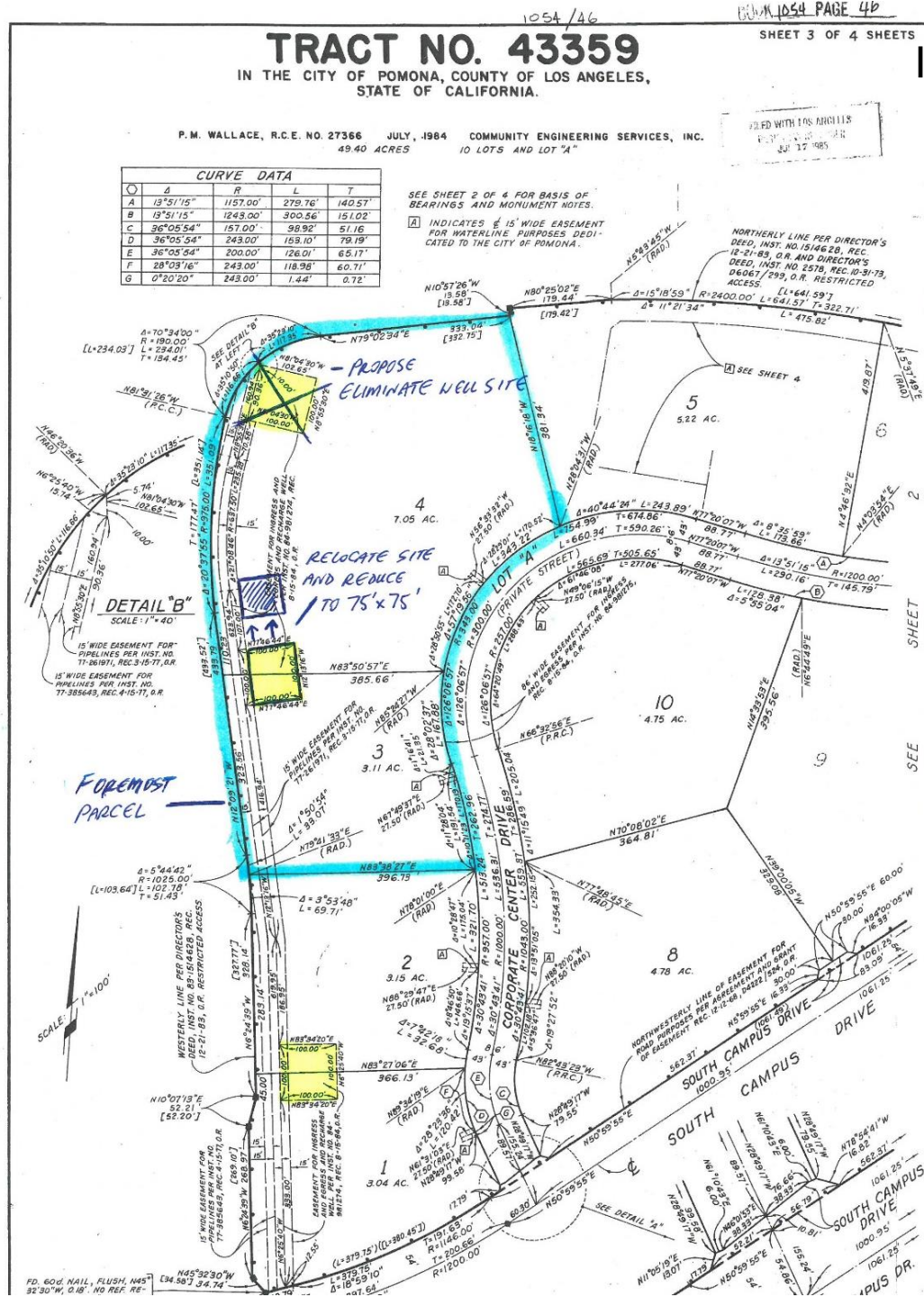
PREPARED BY:
COMMUNITY ENGINEERING SERVICES
 9225 CANYON CREST DR. SUITE 252
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PREPARED FOR:
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 1500 QUAIL STREET, SUITE 250
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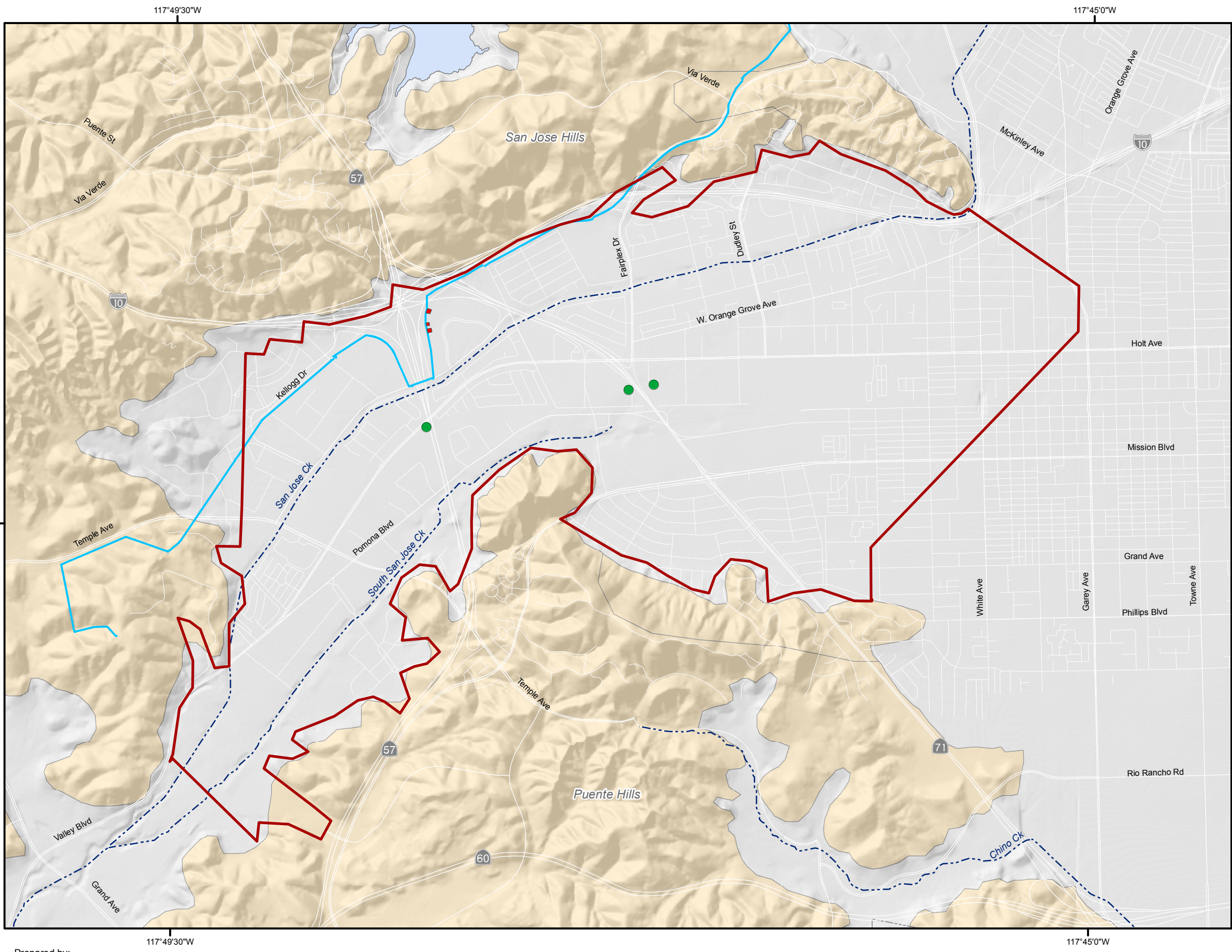
Existing Easement
 Locations (100'x100')



Proposed Easement Revisions

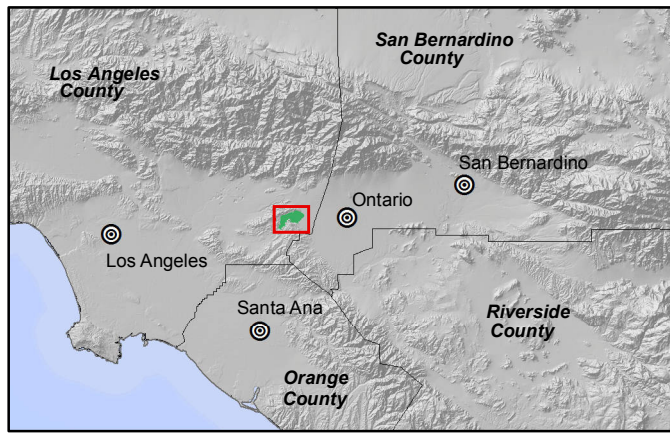


Item 5 - Exhibit D



- Well Easement Sites
- City of Pomona Production Well
- Pomona-Walnut-Roland Joint Water Line
- - - Streams & Flood Control Channels
- ⬭ Spadra Basin Boundary (DWR Bulletin 118)

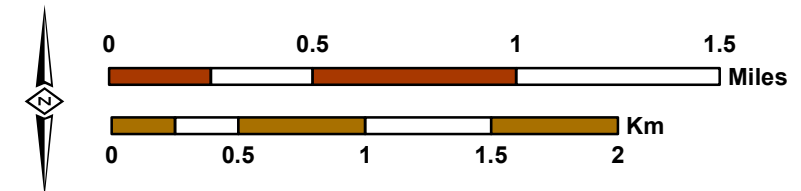
- Geology**
- Water-Bearing Sediments*
- Quaternary Alluvium
- Consolidated Bedrock*
- Undifferentiated Pre-Tertiary to Early Pleistocene Igneous, Metamorphic, and Sedimentary Rocks



Prepared by:

 WILDERMUTH ENVIRONMENTAL, INC.

Author: LH
 Date: 7/8/2019
 File: Spadra_Basemap.mxd



Prepared for:
Spadra Basin Groundwater Sustainability Agency
 Groundwater Sustainability Plan

Basemap
 Spadra Basin

Figure X