

MINUTES
REGULAR BOARD OF DIRECTORS MEETING
THREE VALLEYS MUNICIPAL WATER DISTRICT

Wednesday, May 16, 2018
8:00 a.m.

1. Call to Order

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 Board present. Directors Brian Bowcock, John Mendoza and Dan Horan were excused from today's meeting.

Directors Present

Bob Kuhn, President
David De Jesus, Vice President
Joe Ruzicka, Treasurer
Carlos Goytia, Director

Directors Absent

Brian Bowcock, Director (excused)
Dan Horan, Director (excused)
John Mendoza, Director (excused)

Staff Present

Rick Hansen, General Manager
Steve Kennedy, Legal Counsel
Dominique Aguiar, Operations Supervisor
Liz Cohn, Senior Financial Analyst
Ray Evangelista, Engineer
Mario Garcia, Chief Engineer/Operations Officer
Vicki Hahn, District Clerk/Executive Assistant
Kirk Howie, Chief Administrative Officer
Steve Lang, Water Operations Manager
James Linthicum, Chief Finance Officer
Matt Litchfield, Assistant General Manager
Ben Peralta, Project Engineer

Guests and others present: Director Ted Ebenkamp, Walnut Valley Water District; Director Ed Hilden, Walnut Valley Water District; Denise Jackman, Rowland Heights Community Coordination Council; David Lamfrom, National Parks Conservation Association; Dean McHenry, League of Women Voters; Victor Preciado, Pomona resident; Dave Warren, Rowland Water District; Amos Young Jr., Pomona resident; Amos Young Sr., Pomona resident

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. Two external public comments, and one internal public comment were received as follows:

Mr. David Lamfrom, Director of National Parks Conservation Association was present to share with the Board about concerns their agency has regarding the ongoing Cadiz project. A copy of several peer reviewed articles was provided to the District Clerk for distribution post meeting. President Kuhn invited Mr. Lamfrom to schedule time to present to the Board, along with representatives from Cadiz at a future meeting date to be determined.

Messrs. Amos Young Jr. and Victor Preciado were present to share with the Board on behalf of *We Run Pomona*. This group meets weekly with close to 100 individuals to discuss health and wellness and tour all corners of the City of Pomona. Mr. Young commended both directors Goytia and Mendoza for their work in the city. The gentlemen were encouraged to continue their efforts to build knowledge about water awareness, and water use efficiency. Director De Jesus invited Messrs. Young and Preciado to direct individuals within their group to contact TVMWD staff to participate in future MWD Water Inspection Tours.

General Manager Rick Hansen introduced TVMWD's newest employee, Assistant General Manager, Matt Litchfield. Matt started at TVMWD on April 23, 2018 and has jumped right into the activities of the District. He is a registered civil engineer and has earned his D5 and T3 certifications issued by the State of California. His early assignments will be to reach out to each member agency for a meet and greet and to determine the priorities moving forward. Matt provided the Board with a summary of meetings and activities he has been working on.

7. Consent Calendar

The Board was asked to consider the consent calendar items (7A-7G) for the May 16, 2018 Board meeting that included: (7A) receive, approve and file, April 2018 minutes for April 4, 2018 and April 18, 2018; (7B) receive, approve and file financial reports and investment update April 2018; (7C) receive and file FY 17-18 3rd quarter reserve schedule update; (7D) receive and file calendar year imported water sales and peak flow reports for April 2018; (7E) receive and file Miramar Operations Report, April 2018; (7F) approve Resolution No. 18-05-826 tax sharing exchange with County Sanitation District, Annexation No. 22-430; (7G) receive, approve and file FY 17-18 budget amendment – acquisition of property: 675 E. Miramar Avenue, Claremont, CA.

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

**Moved: Ruzicka; Second: Goytia
Motion No. 18-05-5179 – Approving Consent Calendar Items
7.A – 7.G for May 16, 2018. The motion passed by a 4-0 vote,
with Directors Bowcock, Mendoza and Horan absent.**

8. General Manager’s Report

8.A Legislative Update, May 2018

The Board was provided an update on current legislative activity. By June 1, 2018 all current bills must pass from their house of origin and move forward to be considered during this legislative cycle.

Staff provided a review of the current open seats serving TVMWD in Congress, State Senate and Assembly as follows:

Congress: Judy Chu, District 27 (2 challengers); Grace Napolitano, District 32 (0 challengers); Norma Torres, District 35 (2 challengers) and Ed Royce, District 39 (17 challengers). Representative Royce is retiring and will not seek reelection.

Senate: Connie Leyva, District 20 (2 challengers); Ed Hernandez, District 22 (4 challengers); Vacant, District 32 (10 challengers). Senator Josh Newman is on the June 5, 2018 ballot for recall. To expedite matters, potential legislators to replace Senator Newman will also be included on the June 5 ballot in the event the recall is successful. Senator Ed Hernandez is terming out and will be running for Lieutenant Governor.

Assembly: Chris Holden, District 41 (2 challengers); Blanca Rubio, District 48 (0 challengers); Freddie Rodriguez, District 52 (3 challengers) and Phillip Chen, District 55 (4 challengers).

This is also an election year for TVMWD with seats up in Districts 1, 3 and 5. Notice of election will be published on July 9, 2018 and nominations will be open beginning July 16 and close August 10, 2018.

President Kuhn requested staff prepare a report on legislation being considered on single payer health plans for the next meeting.

8.B Approve Director Expense Reports, April 2018

The Board was asked to consider approval of the April 2018 director expense reports, and the March 2018 report for Director Kuhn

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

**Moved: Ruzicka; Second: De Jesus
Motion No. 18-05-5180 – Approve Director Expense Reports,
April 2018. The motion passed by a 4-0 vote, with Directors
Bowcock, Mendoza and Horan absent.**

8.C Programmatic Environmental Impact Report (PEIR) for Implementation of the Strategic Plan for Six Basins

During its September 20, 2017 meeting, the Board acted to have TVMWD serve as the CEQA Lead Agency/Administrative Facilitator for the Six Basins

Strategic Plan. During March 2018 TVMWD sent out RFP's to agencies to perform the work. Two bids were received, from Jericho Systems and LSA. TVMWD is recommending Jericho Systems due to its past working relationship and their scope of experience for this type of work. All work performed by the consultant will be billed to Six Basins Watermaster.

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

Moved: Ruzicka; Second: Goytia
Motion No. 18-05-5181 – Approve PEIR for implementation of the Strategic Plan for Six Basins Watermaster. The motion passed by a 4-0 vote, with Directors Bowcock, Mendoza and Horan absent.

8.D Approval of Resolution No. 18-05-824 Participate in the CSDA Commercial Card Program with Umpqua Bank

The Board was provided an update on the CSDA commercial card program. CSDA has made changes to their existing program and entered a relationship with a new vendor, Umpqua Bank. The benefits to this new card include the following:

- Visa vs. Mastercard, with the former being more widely accepted. It is anticipated that because of this more TVMWD vendors will accept this as a method of payment.
- Rebate percentage of 1-1.2% of purchases.

Staff is requesting Board approval to enter into this program with CSDA, and to permit the General Manager to sign the related agreements.

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

Moved: Ruzicka; Second: Goytia
Motion No. 18-05-5182 – Approve Resolution No. 18-05-824 to participate in the CSDA Commercial Card Program with Umpqua Bank. The motion passed by a 4-0 vote, with Directors Bowcock, Mendoza and Horan absent.

9. Directors' / General Manager Oral Reports

The Directors reported on activities at various meetings they attend on behalf of TVMWD.

9.A Local Agency Formation Commission – Director Ruzicka reported on the May 9, 2018 LAFCO Commissioner meeting. Work continues regarding issues related to the management of Sativa Water District. LAFCO Executive Director Paul Novak is the scheduled speaker for the upcoming Leadership Breakfast on May 31.

9.B Main San Gabriel Basin Watermaster – No report provided for the May 2, 2018 meeting.

9.C Six Basins Watermaster – No report provided for the April 25, 2018 meeting.

9.D San Gabriel Valley Water Quality Authority – Director Kuhn reported that today’s meeting will consider approval of the General Manager’s annual contract. Messrs. Hansen and Litchfield will attend today’s meeting. President Kuhn requested that discussion occur between TVMWD and the WQA Executive Director regarding contingency opportunities for bond funding. The current bond under consideration requires matching funds for eligibility.

9.E Chino Basin Watermaster – Director Kuhn reported that there hasn’t been any movement on the current operating safe yield appeal. It is hopeful that a settlement is reached following the lifting of the stay issued by the court in fall 2018.

9.F Pomona City Council – No report was provided on the May 7, 2018 meeting.

9.G San Gabriel Valley Council of Governments – Director Goytia reported on the April 19, 2018 meeting. Homelessness is one of many priority issues being discussed. A groundbreaking ceremony was held on May 15, 2018 in Pomona to celebrate the wraparound services being built in the southeast part of the city. The COG also continues to evaluate options for stormwater capture. The final item being deliberated is the salary logistics for the new Executive Director, Marissa Creter.

9.H Metropolitan Water District – Director De Jesus reported on information from the most recent board and committee meetings on May 7-8, 2018.

- The MWD Board is evaluating formation of entities to move forward with the recently approved California Water Fix options that were voted and approved during the April 10, 2018 meeting. An agreement of support has been received from Governor Brown.
- MWD has been served with a Brown Act violation public records request related to the California Water Fix vote. Legal counsel will review the request and will provide a recommendation for response.

9.I Additional Board Member or Staff Reports / Comments

- President Kuhn reported that he will be interviewed today by the City of Glendora to serve on an advisory committee of citizens to meet on pension obligation issues.
- Director Ruzicka requested the meeting be adjourned in recognition of Dr. David K. Hall, Mt. San Antonio trustee that passed away on April 22, 2018.

10. Closed Session

The Board convened to closed session at 9:17 a.m. to discuss two items as shown below.

10.A Conference with Legal Counsel – Existing Litigation (pursuant to Government Code Section 54956.9(d)(1) – San Diego County Water

Authority v. Metropolitan Water District of Southern California, et.al, San Francisco County Superior Court – Case No. CPF-10-510830.

10.B Conference with Legal Counsel – Existing Litigation (pursuant to Government Code Section 54956.9(d)(1) – San Diego County Water Authority v. Metropolitan Water District of Southern California, et.al, San Francisco County Superior Court – Case No. CPF-12-512466

11. Report Out of Closed Session

The Board reconvened to regular session at 9:57 a.m. President Kuhn informed the Board was briefed on the two referenced cases, and there were not any reportable requirements pursuant to the Brown Act.

12. Future Agenda Items

There were no requests for future agenda items.

13. Adjournment

The Board adjourned at 9:58 am to its next regular meeting scheduled for Wednesday, June 6, 2018 at 8:00 am.

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

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