

**MINUTES OF REGULAR MEETING  
OF THE BOARD OF DIRECTORS OF  
WALNUT VALLEY WATER DISTRICT**

**July 25, 2016  
At the Offices of the District**

**DIRECTORS PRESENT:**

Scarlett Kwong, President  
Theodore L. Ebenkamp  
Edwin Hilden  
Allen Wu

**DIRECTORS ABSENT:**

Theresa Lee

**STAFF PRESENT:**

Michael Holmes, General Manager  
Erik Hitchman, Assistant General Manager/Chief Engineer  
Brian Teuber, Director of Finance  
Gabriela Sanchez, Administrative Services Manager  
Donna DiLaura, Executive Secretary  
Ana Wang, District Intern  
Jim Ciampa, Legal Counsel

The meeting was called to order at 5:00 p.m. with President Kwong presiding. The General Manager introduced Student Intern, Miss Anna Wang, to the Board.

Guests and others in attendance: Three Valleys Municipal Water District Director Joe Ruzicka and Chief Financial Officer James Linthicum.

**Item 3: Public Comment –President Kwong**

- ◆ There were no requests.

**Item 4: Additions to the Agenda –President Kwong**

- ◆ There were no requests.

**Item 5: Reorder of Agenda –President Kwong**

- ◆ There were no requests.

**Item 6: Public Hearing to Receive and Respond to Comments Regarding District’s 2013-2015 Public Health Goals Report**

- ◆ President Kwong opened the public hearing to receive comments regarding the 2013-2015 Public Health Goals Report. Mr. Hitchman reviewed the report. There were no requests to make public comment. President Kwong then closed the public hearing. (Items 6 A-E)
- ◆ The Board was then asked to receive and file the 2013-2015 Public Health Goals Report. (Item 6-E)

***Motion No. 16-07-946: Upon consideration thereof, it was moved by Director Ebenkamp, seconded by Director Wu and unanimously carried (4-0), to receive and file the District’s 2013-2015 Public Health Goals Report. (Items 6-E)***

**President Kwong indicated Motion No. 16-07-946 was approved by a (4-0) vote**

**Item 7: Public Hearing: Adopt Ordinance No. 07-16-09 to Amend and Restate Ordinance No. 06-09-07, “An Ordinance of Walnut Valley Water District to Establish Water Use Efficiency Requirements and Water Supply Shortages Stages”**

- ◆ President Kwong opened the public hearing to receive comments regarding Ordinance No. 06-09-07. Mr. Holmes reviewed the key proposed revisions to the ordinance. There were no requests to make public comment. President Kwong requested a revision to one item (Section 5A (11) be clarified that the irrigation of public street medians is prohibited only as to the use of potable water for such irrigation), and then closed the public hearing. (Items 7-E)

***Motion No. 16-07-947: Upon consideration thereof, it was moved by Director Ebenkamp, seconded by Director Wu and unanimously carried (4-0), by the roll call vote noted below, to Restate Ordinance No. 06-09-07, “An Ordinance of Walnut Valley Water District to Establish Water Use Efficiency Requirements and Water Supply Shortages Stages”, with the requested revision to Section 5A(11) to clarify that the irrigation of public street medians is prohibited only as to the use of potable water for such irrigation. (Item 7-E)***

***Aye: Ebenkamp, Hilden, Kwong, Wu  
No: None  
Absent: Lee***

**President Kwong indicated Motion No. 16-07-947 was approved by a 4-0 vote**

**Item 8: Water Supply Shortage Stage**

- ◆ The Board was asked to consider adoption of Resolution No. 07-16-629, authorizing implementation of a Stage 1 Water Supply Shortage. (Items 8-A)
- ◆ The Board was also informed of staff’s intent under the terms of that Resolution to set a maximum number of three days per week for irrigation.

**Motion No. 16-07-948:** *Upon consideration thereof, it was moved by Director Wu, seconded by Director Ebenkamp and unanimously carried (4-0), by the roll call vote noted below, to adopt Resolution No. 07-16-629 approving to implement a Stage 1 Water Supply Shortage. (Items 8 A-B)*

**Aye:** Ebenkamp, Hilden, Kwong, Wu  
**No:** None  
**Absent:** Lee

**President Kwong indicated Motion No. 16-07-948 was approved by a 4-0 vote**

**Item 9: Consider Approval of Consent Calendar**

- ◆ The Board was asked to approve the Consent Calendar, including the minutes of the regular Board meeting held June 14, 2016, minutes of the Special Board meeting held June 16, 2016, and minutes of the Special Board meeting held July 6, 2016, the check register, and the WVWD Employee Expense Reimbursements Report indicating monthly WVWD employee expense reimbursements exceeding the amount of \$100. (Items 9-1, 2, 3, 4, 5)

**Motion No. 16-07-949:** *Upon consideration thereof, it was moved by Director Wu, seconded by Director Ebenkamp and unanimously carried (4-0), to receive, approve, and file the Consent Calendar including the minutes of the regular Board meeting held June 14, 2016, and Special Board meeting held June 16, 2016, and Special Board meeting held July 6, 2016, the check register, and the WVWD Employee Expense Reimbursements Report indicating monthly WVWD employee expense reimbursements exceeding the amount of \$100. (Items 9-1, 2, 3, 4, 5)*

**President Kwong indicated Motion No. 16-07-949 was approved by a (4-0) vote**

**Item 10: Director Expense Reports**

- ◆ The Board was asked to receive, approve, and file the Board member expense reports indicating per diem requests for meeting attendance and the individual reports of additional expenses incurred by the District on behalf of each Director for events occurring during June 2016.

**Motion No. 16-07-950:** *Upon consideration thereof, it was moved by Director Ebenkamp, seconded by Director Wu and unanimously carried (4-0), to receive, approve, and file the Board member expense reports for meeting attendance during the month of June 2016. (Item 10)*

**President Kwong indicated Motion No. 16-07-950 was approved by a (4-0) vote**

**Item 11: Treasurer's Report**

- ◆ Mr. Teuber reported that, due to the fiscal year-end, the District Statement of Revenues, Expenses, and Change in Assets, the District Statement of Net Assets, and the Summary of Cash Investments, will be presented at the August or September Board meeting.

**Committee Chair Reports**

**Item 12: Engineering & Special Projects Committee – Director Wu**

- ◆ There were no Engineering & Special Projects Committee matters to come before the Board at this time.

**Item 13: Personnel Committee – Director Kwong**

- ◆ There were no Personnel Committee items to bring before the Board at this time.

**Item 14: Finance Committee – Director Wu**

- ◆ There were no Finance Committee items to bring before the Board at this time.

**Item 15: Public Information/Community Relations/Legislative Action Committee–Director Kwong**

- ◆ There were no Public Information/Community Relations/Legislative Action Committee items to bring before the Board at this time.

**Other Items**

**Item 16: TVMWD/MWD – Director Hilden**

It was noted that the next TVMWD Board meeting will be held on September 7, 2016. (Item 16)

**Item 17: The P-W-R Joint Water Line Commission – Director Kwong**

- ◆ Director Kwong reviewed the P-W-R Joint Water Line Commission water use reports included in the Board packet. (Item 17)
- ◆ The Board received an update on matters discussed at the June 16, 2016, P-W-R Joint Water Line Commission meeting. (Item 17-B)

**Item 18: Puente Basin Water Agency –Director Wu**

- ◆ The Board received a brief update on matters discussed at the July 7, 2016, PBWA Commission meeting. Additional discussion was deferred to closed session. (Item 18)

**Item 19: General Manager's Report**

- ◆ The Board received a follow-up report on prior Board actions. (Item 19-A)
- ◆ The Board received the District's activities calendars for August – October 2016. (Item 19-B)

**Item 20: Water Supply and Drought**

- ◆ The Board received reports and graphs of the following items: District potable and recycled water use, FY 2015-16 purchase water projections, conservation goal summary, 2015-16 climate summary, and 2016 monthly water consumption versus the 2013 baseline year. Staff made note that the District's water usage for June 2016 was 22.69% lower than usage in June 2013. (Item 20-A)
- ◆ The Board viewed reports on California's water supply and reservoir conditions as of July 20, 2016. (Item 20-B)

**Item 21: Directors' Oral Reports**

(NOTE: Board meeting Minutes provide written reports of Board meeting activities and committee meeting reports are given during the course of regular Board meeting activities. Directors include reports of their participation in non-expense/per diem paid community events as a matter of information.)

- ◆ In addition to District committee and Board meetings previously reported, Director Ebenkamp noted his attendance at a PBWA Commission meeting, a TVMWD Leadership Breakfast, a Regional Chamber Governmental Affairs Committee meeting, a TVMWD Board meeting, a meeting with La Habra Heights County Water District and Orchard Dale Water District board members and staff, and the ACE Nogales Street Grade Separation Dedication Ceremony event.
- ◆ In addition to District committee and Board meetings previously reported, Director Hilden stated that he attended two TVMWD Board meetings, a Sexual Harassment Webinar, a Diamond Bar Chinese American Association Dinner, a TVMWD Leadership Breakfast, an Industry Manufacturing Council Luncheon meeting, and a San Gabriel Valley Chamber of Commerce Installation Dinner.
- ◆ In addition to the District committee and Board meetings, Director Wu attended the DBCAA Annual Event, and the AWWA Annual Conference and Exposition (Chicago).
- ◆ In addition to attending District committee and Board meetings, Director Kwong indicated that she attended a TVMWD Leadership Breakfast, a CEO Installation Dinner, a meeting with the WVWD General Manager to review the Budget Workshop, the ACE Nogales Street Grade Separation Dedication Ceremony, and a San Gabriel Valley Chamber of Commerce Installation Dinner.

**Item 22: Legal Reports**

- ◆ Mr. Ciampa noted a closed session will follow the regular business meeting.

**Item 23: Items for Future Discussion**

- ◆ There were no matters noted for future discussion.

**Item 24: Board of Directors Business**

- ◆ The Board was asked to consider approval of Resolution No. 07-16-630, "Establishing Water Standby Charges to Holders of Title to Land" for submittal to the Los Angeles County Auditor Controller. Staff noted a public hearing was previously held on June 14, 2016 to receive public comments regarding the Water Standby Charge Report prepared by Willdan Financial Services. No comments were received. (Item 24-A)

***Motion No. 16-07-951: Upon consideration thereof, it was moved by Director Ebenkamp, seconded by Director Wu, and carried (4-0), by the roll call vote noted below, to adopt Resolution No. 07-16-630 "Establishing Water Standby Charges to Holders of Title to Land" for submittal to the Los Angeles County Auditor Controller. (Item 24-A)***

***Yes: Ebenkamp, Hilden, Kwong, Wu***

***No: None***

***Absent: Lee***

**President Kwong indicated Motion No. 16-07-951 was approved by a (4-0) roll call vote**

- ◆ The Board received an update on Proposed State Drinking Water Fees. (Item 24-B)

(Director Wu stepped out at 5:56 p.m.)

- ◆ The Board was asked to accept the work as installed for ACE-Nogales (S) Grade Separation (W.O. 03-2820), and Ambushers Reservoir Coating (P.N. 15-3389), and to authorize the filing of a Notice of Completion with the Office of the Los Angeles County Registrar-Recorder/County Clerk. (Item 24-C)

***Motion No. 16-07-952: Upon consideration thereof, it was moved by Director Ebenkamp, seconded by Director Hilden and unanimously carried (3-0), to accept the work as installed for the ACE-Nogales (S) Grade Separation (W.O. 03-2820), and Ambushers Reservoir Coating (P.N. 15-3389), and to authorize the filing of a Notice of Completion with the Office of the Los Angeles County Registrar-Recorder/County Clerk. (Item 24-C)***

**President Kwong indicated Motion No. 16-07-952 was approved by a (3-0) vote**

(Director Wu rejoined the meeting at 6:01 p.m.)

- ◆ The Board was asked to authorize the General Manager to execute contracts for labor and materials per the bid results listed below for The Peak at Three Oaks for Tract 72017 (P.N. 16-3423); to find the project is exempt pursuant to CEQA Guidelines Categorical Exemption Section 15282; and to authorize staff to file a Notice of Exemption for the subject project with the Office of the Los Angeles County Registrar-Recorder/County Clerk. (Item 24-D)

<u>Bid</u>	<u>Supplier</u>	<u>Price</u>	<u>Delivery</u>
Labor	Doty Bros. Equipment Co.	\$ 115,115.00	N/A
Ductile Iron Pipe	HD Supply Waterworks	19,496.44	3-5 Days
Resilient Wedge Gate Valves	Ferguson Waterworks	9,214.62	1-3 Days
Saddles, Setters & Jumpers	Ferguson Waterworks	7,322.47	3-28 Days
Service Materials	D'Angelo Co., Inc.	7,173.07	45 Days
Ductile Iron Fittings & Misc. Mtls.	Western Waterworks	13,280.23	15-30 Days

**Motion No. 16-07-953:** *Upon consideration thereof, it was moved by Director Ebenkamp, seconded by Director Hilden and unanimously carried (4-0), to authorize the General Manager to execute contracts for labor and materials per the bid results listed below for The Peak at Three Oaks for Tract 72017 (P.N. 16-3423); to find the project is exempt pursuant to CEQA Guidelines Categorical Exemption Section 15282; and to authorize staff to file a Notice of Exemption for the subject project with the Office of the Los Angeles County Registrar-Recorder/County Clerk. (Item 24-D)*

<u>Bid</u>	<u>Supplier</u>	<u>Price</u>	<u>Delivery</u>
Labor	Doty Bros. Equipment Co.	\$ 115,115.00	N/A
Ductile Iron Pipe	HD Supply Waterworks	19,496.44	3-5 Days
Resilient Wedge Gate Valves	Ferguson Waterworks	9,214.62	1-3 Days
Saddles, Setters & Jumpers	Ferguson Waterworks	7,322.47	3-28 Days
Service Materials	D'Angelo Co., Inc.	7,173.07	45 Days
Ductile Iron Fittings & Misc. Mtls.	Western Waterworks	13,280.23	15-30 Days

(Item 24-D)

**President Kwong indicated Motion No. 16-07-953 was approved by a (4-0) vote**

- ◆ The Board was asked to authorize the General Manager to prepare and send a letter, on behalf of the District, in opposition to SB 1170 (Wieckowski), a bill relating to stormwater pollution. The General Manager stated that this bill is related to NPDES permitting and does not directly impact District operations.

**Motion No. 16-07-954:** *Upon consideration thereof, it was moved by Director Ebenkamp, seconded by Director Hilden and unanimously carried (4-0), to authorize the General Manager to prepare and send a letter, on behalf of the District, in opposition to SB 1170 (Wieckowski), a bill relating to stormwater pollution.*

**President Kwong indicated Motion No. 16-07-954 was approved by a (4-0) vote**

- ◆ The Board was asked to receive, approve, and file the June 2016 Consolidated Investments Transaction Report included in the Board packet. (Item 24-F)

**Motion No. 16-07-955:** *Upon consideration thereof, it was moved by Director Ebenkamp, seconded by Director Hilden and unanimously carried (4-0), to receive, approve, and file the District's Consolidated Investment Transactions Report for the period of June 1, 2016 through June 30, 2016. (Item 24-F)*

**President Kwong indicated Motion No. 16-07-955 was approved by a (4-0) vote**

- ◆ The Board was asked to declare the fully depreciated vehicles and office equipment identified in the list included in the Board packet as surplus property and to authorize disposal of such surplus property in accordance with District policy. (Item 24-G)

**Motion No. 16-07-956:** *Upon consideration thereof, it was moved by Director Ebenkamp, seconded by Director Hilden, and carried (4-0), to declare the fully depreciated vehicles identified below and office equipment identified in the attached list to these minutes as surplus property and to authorize the disposal of such surplus property in accordance with District policy:*

- ◆ *Vehicle 40 – 2008 Ford Ranger*
- ◆ *Vehicle 41 – 2008 Ford Ranger*
- ◆ *Vehicle 42 – 2008 Ford Ranger*
- ◆ *Vehicle 44 – 2008 Ford Ranger* (Item 24-G)

**President Kwong indicated Motion No. 16-07-956 was approved by a (4-0) vote**

- ◆ The Board was asked to authorize staff to fill the position of Utility Service Worker I. The General Manager provided a brief explanation on the recruitment process underway to fill a vacancy in the Operations Department. He also reported on the upcoming retirement in the same department later this year. In light of the upcoming retirement, the General Manager requested that staff be authorized to fill two Utility Service Worker positions at this time.

**Motion No. 16-07-957:** *Upon consideration thereof, it was moved by Director Ebenkamp, seconded by Director Hilden and unanimously carried (4-0), to authorize staff to fill two Utility Service Worker positions. (Item 24-H)*

**President Kwong indicated Motion No. 16-07-957 was approved by a (4-0) vote**

**Item 25: Public Comment on Closed Session**

- ◆ There were no requests to comment on either open or closed session items.

**Item 26: Adjourn to Closed Session – 6:15 p.m.**

**Item 27: Closed Session – 6:39 p.m.**

- A. The Board met in closed session in accordance with Government Code [§54956.9(d)(4)] to discuss one anticipated litigation matter with Legal Counsel – Four Potential Cases.

**Item 28: Reconvene in Open Session/Report of Action Taken in Closed Session – 7:05 p.m.**

- A. The Board met in closed session in accordance with Government Code [§54956.9(d)(4)] to discuss four anticipated litigation matters with Legal Counsel. No reportable action under the Brown Act was taken on these matters.

**Adjournment at 7:05 p.m.**

**Motion No: 16-07-958:** *Upon consideration thereof, it was moved by Director Hilden, seconded by Director Ebenkamp and unanimously carried (4-0), to adjourn the meeting.*

**President Kwong indicated Motion No. 16-07-958 was approved by a (4-0) vote**