

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

**July 27, 2015
At the Offices of the District**

DIRECTORS PRESENT:

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

STAFF PRESENT:

Michael Holmes, General Manager
Erik Hitchman, Assistant General Manager/Chief Engineer
Sandra Olson, Director of Administrative Services
Brian Teuber, Director of Finance
Carmen Fleming, Executive Assistant
Jim Ciampa, Legal Counsel

DIRECTORS ABSENT:

None

The meeting was called to order at 5:00 p.m. with President Ebenkamp presiding.

Guests and others in attendance: WVWD Student Intern Miss Annika Tan and Three Valleys Municipal Water District Director Joe Ruzicka.

Item 3: Public Comment –President Ebenkamp

- ◆ There were no requests.

Item 4: Additions to the Agenda –President Ebenkamp

- ◆ There were no requests.

Item 5: Reorder of Agenda –President Ebenkamp

- ◆ There were no requests.

Item 6: Consent Calendar

- ◆ The Board was asked to approve the Consent Calendar, including the minutes of the regular Board meeting held June 15, 2015, the Check Register, and a WVWD Employee Expense Reimbursements Report indicating monthly WVWD employee expense reimbursements exceeding the amount of \$100.

Motion No. 15-07-798: Upon consideration thereof, it was moved by Director Kwong, seconded by Director Wu and unanimously carried (5-0), to receive, approve, and file the Consent Calendar, including minutes of the regular Board meeting held June 15, 2015, the Check Register, and a WVWD Employee Expense Reimbursements Report indicating monthly WVWD employee expense reimbursements exceeding the amount of \$100. (Items 6-1, 2, 3)

President Ebenkamp indicated Motion No. 15-07-798 was approved by a (5-0) vote

Item 7: 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 2015. (Item 7)

Motion No. 15-07-799: Upon consideration thereof, it was moved by Director Hilden, seconded by Director Carrera, and unanimously carried (5-0), to receive, approve, and file the Board member expense reports for meeting attendance during the month of June 2015. (Item 7)

President Ebenkamp indicated Motion No. 15-07-799 was approved by a (5-0) vote

Item 8: Treasurer's Report

- ◆ Due to the fiscal year-end, the District Statement of Revenues, Expenses, and Change in Net Assets, the District Statement of Net Assets and the Summary of Cash Investments will be presented at the August Board meeting. (Item 8)

Committee Chair Reports

Item 9: Engineering & Special Projects Committee – Director Kwong

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

Item 10: Personnel Committee – Director Hilden

- ◆ There were no Personnel Committee matters to come before the Board.

Item 11: Finance Committee – Director Wu

- ◆ There were no Finance Committee matters to come before the Board.

Item 12: Public Information/Community Relations/Legislative Action Committee–Director Ebenkamp

- ◆ There were no Public Information/Community Relations/Legislative Action Committee matters to come before the Board.

Other Items**Item 13: TVMWD/MWD – Director Hilden**

- ◆ Director Hilden took a moment to review TVMWD “Action Line” report of meeting activities from the Board meetings held on June 17 and July 1, 2015. (Item 13)

Item 14: The P-W-R Joint Water Line Commission – Scarlett Kwong

- ◆ Director Kwong reviewed the June 2015 P-W-R Joint Water Line Commission water use report included in the Board packet. (Item 14)

Item 15: Puente Basin Water Agency –Director Ebenkamp

- ◆ The Board received an update on matters discussed at the July 9, 2015 PBWA Commission meeting. (Item 15)

Item 16: General Manager’s Report

- ◆ The Board received a follow-up report on prior Board actions. (Item 16-A)
- ◆ The General Manager reviewed the District’s activities calendars for the remainder of July, August and September. (Item 16-B)
- ◆ The Board received a report on state and local water supply conditions, including an update on District water usage for June 2015 that was 29% lower than usage in June 2013. (Item 16-C)
- ◆ The Board received a memorandum from the California Office of Emergency Services providing an update on the current drought conditions. (Item 16-D)
- ◆ Mr. Holmes presented an overview of the District’s drought outreach messaging to our customers. (Item 16-E)
- ◆ Mrs. Olson introduced Student Intern, Miss Annika Tan, to the Board. (Item 16-E)

Item 17: 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.)

- ◆ Director Hilden reported on his attendance at District Board and committee meetings, a TVMWD Leadership breakfast, and TVMWD Board meeting previously reported, as well as the DBCAA Gala, SCWUA Luncheon, and an event hosted by Senator Huff.
- ◆ Director Wu advised that he attended District committee and Board meetings previously reported, in addition to the SGV Regional Chamber’s Annual Installation dinner, the AWWA conference and the DBCAA Gala.
- ◆ In addition to District Board meetings, committee meetings, and P-W-R JWL Commission meetings previously reported, Director Kwong also reported attending the TVMWD Leadership breakfast, the AWWA Conference, the Chinese Elected Officials Installation Dinner, and the SGV Regional Chamber’s Annual Installation dinner. In addition, Director Kwong made a presentation at the World Journal Home & Garden Expo.
- ◆ Director Carrera indicated she attended District committee meetings, Board meetings, and the PBWA Commission meeting previously reported.
- ◆ In addition to District committee and Board meetings, the PBWA Commission meeting and TVMWD Board meeting previously reported, Director Ebenkamp reported on his participation in the SGV Regional Chamber Government Affairs Committee meeting, the Chinese Elected Officials Installation Dinner, the DBCAA Gala, the SGV Regional Chamber’s Installation dinner, the TVMWD Inspection Trip to Edmonston Pumping Plant, as well as the TVMWD Leadership breakfast.

Item 18: Legal Reports

- ◆ Mr. Ciampa spoke on Senate Bill 88 and the case of Capistrano Taxpayers Association, Inc. v. City of San Juan Capistrano. He then noted a closed session would be held following the regular business meeting.

Item 19: Items for Future Discussion

- ◆ Director request was made to consider the creation of an Ad Hoc committee to monitor water usage and the District’s drought outreach.

Item 20: Board of Directors Business

- ◆ The Board was asked to consider approval of Resolution No. 07-15-618, “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 15, 2015 to receive public comments regarding the Water Standby Charge Report prepared by Willdan Financial Services or comments regarding the adoption of the proposed resolution, and that no comments were received. (Item 20-A)

Motion No. 15-07-800: *Upon consideration thereof, it was moved by Director Ebenkamp, seconded by Director Wu, and carried (5-0), to adopt Resolution No. 07-15-618 “Establishing Water Standby Charges to Holders of Title to Land” for submittal to the Los Angeles County Auditor Controller. (Item 20-A)*

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

No: *None*

Motion Passed (5-0)

President Ebenkamp indicated Motion No. 15-07-800 was approved by a (5-0) roll call vote

- ◆ Mr. Hitchman reviewed the SCADA Virtualization Upgrade P.N. 15-3386 and asked the Board to consider approval of the appropriation of \$65,000 from the Replacement Fund for the completion of the project. (Item 20-B)

Motion No. 15-07-801: Upon consideration thereof, it was moved by Director Hilden, seconded by Director Kwong, and carried (5-0), to approve the funding of \$65,000 for the SCADA Virtualization Upgrade P.N. 15-3386. (Item 20-B)

President Ebenkamp indicated Motion No. 15-07-801 was approved by a 5-0 vote

- ◆ Mr. Teuber reviewed the District's Investment Transactions Report for the month ending June 30, 2015, following which the Board was asked to receive, accept and file the report. (Item 20-C).

Motion No. 15-07-802: Upon consideration thereof, it was moved by Director Wu, seconded by Director Hilden, and carried (5-0), to receive, accept, and file the District's Investment Transactions Report as of June 30, 2015. (Item 20-C)

President Ebenkamp indicated Motion No. 15-07-802 was approved by a 5-0 vote

- ◆ The Board was asked to approve Check No. 8645 for payment to CalPERS for the Annual Employer Unfunded Accrued Liability in the amount of \$429,642.
- ◆ The Board was also asked to remit the payment to CalPERS by July 31, 2015. (Item 20-D).

Motion No. 15-07-803: Upon consideration thereof, it was moved by Director Hilden, seconded by Director Wu, and carried (5-0), to approve the payment to CalPERS for the Annual Employer Unfunded Accrued Liability in the amount of \$429,642; and direct staff to remit the payment to CalPERS by July 31, 2015. (Item 20-D)

President Ebenkamp indicated Motion No. 15-07-803 was approved by a 5-0 vote

- ◆ The Board was asked to consider approval of the San Gabriel Valley Employment Relations Consortium Agreement with Liebert Cassidy Whitmore. (Item 20-E)

Motion No. 15-07-804: Upon consideration thereof, it was moved by Director Hilden, seconded by Director Carrera and unanimously carried (5-0), to approve renewal of the Employment Relations Consortium Agreement with Liebert Cassidy Whitmore, special labor counsel, for the fiscal year ending June 30, 2016. (Item 20-E)

President Ebenkamp indicated Motion No. 15-07-804 was approved by a 5-0 vote

Item 21: Public Comment on Closed Session

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

Item 22: Adjourn to Closed Session – 5:52 p.m.

Item 23: Closed Session – 6:12 p.m.

- A. The Board met in closed session in accordance with Government Code [§54956.8] to discuss real property negotiation matters pertaining to the purchase price and payment terms relating to acquisition and/or lease of water resources in the Main San Gabriel Basin and Central Basin. The negotiating parties are Michael Holmes and Erik Hitchman, and
- B. The Board also met in closed session in accordance with Government Code [§54956.9(d)(4)] to discuss one anticipated litigation matter with Legal Counsel, and
- C. The Board also met in closed session in accordance with Government Code [§54956.9(d)(1)] to discuss anticipated litigation with Dr. Robert Allen Reynolds, Superior Court Case No. 15G04027.

Item 24: Reconvene in Open Session/Report of Action Taken in Closed Session – 6:38 p.m.

- A. The Board met in closed session in accordance with Government Code [§54956.8] to discuss real property negotiation matters pertaining to the purchase price and payment terms relating to acquisition and/or lease of water resources in the Main San Gabriel Basin and Central Basin. The negotiating parties are Michael Holmes and Erik Hitchman. No discussion was held under this item.
- B. The Board also met in closed session in accordance with Government Code [§54956.9(d)(4)] to discuss one anticipated litigation matter with Legal Counsel. The Board was briefed on the facts and circumstances on this matter. No reportable action under the Brown Act was taken on this item.
- C. The Board also met in closed session in accordance with Government Code [§54956.9(d)(1)] to discuss one existing litigation matter with Legal Counsel concerning Dr. Robert Allen Reynolds v. Walnut Valley Water District; Los Angeles Superior Court Case No. 15G04027. No reportable action under the Brown Act was taken on this item.

Adjournment at 6:39 p.m.

Motion No: 15-07-805: *Upon consideration thereof, it was moved by Director Hilden, seconded by Director Carrera and unanimously carried (5-0), to adjourn the meeting.*

President Ebenkamp indicated Motion No. 15-07-805 was approved by a (5-0) vote