

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

April 20, 2020
MEETING CONDUCTED VIA WEBEX
AT:

https://wvwd.webex.com/join/board_room

DIRECTORS PRESENT:

Edwin Hilden
Theodore L. Ebenkamp
Scarlett Kwong
Theresa Lee
Jerry Tang

DIRECTORS ABSENT:

None

STAFF PRESENT:

Erik Hitchman, General Manager/Chief Engineer
Brian Teuber, Assistant General Manager
Sherry Shaw, Director of Engineering
Lily Lopez, Director of External Affairs
Thomas Monk, Director of Operations
Alanna Diaz, Human Resources Manager/ Safety Officer
Gabriela Sanchez, Executive Secretary
Jim Ciampa, Legal Counsel
Josh Byerrum, Finance Manager
Ron Woodruff, IT Specialist (Meeting Host)

The meeting was called to order at 5:11 p.m. with President Lee presiding. All Board meeting participants and guests joined the meeting via the Webex link:
https://wvwd.webex.com/join/board_room

Guests and others in attendance: Three Valleys Municipal Water District (TVMWD) Director Denise Jackman, Director David De Jesus, and General Manager Matt Litchfield

Item 3: Public Comment

- ◆ There were no requests. (Item 3)

Item 4: Additions to the Agenda

- ◆ There were no requests for additions to the agenda. (Item 4)

Item 5: Reorder of the Agenda

- ◆ There were no requests for reorder of the agenda. (Item 5)

Item 6: Consider Approval of Consent Calendar

- ◆ The Board was asked to approve the Consent Calendar consisting of the minutes of the Regular Board meeting held March 16, 2020, the Check Register, the Employee Expense Reimbursement Report, and the Community Outreach Report. (Item 6-1, 2, 3, 4)

Motion No. 20-04-1508: Upon consideration thereof, it was moved by Director Ebenkamp, seconded by Director Hilden, and unanimously carried (5-0) by the roll call vote noted below, to approve the Consent Calendar, consisting of the minutes of the Regular Board meeting held March 16, 2020, the Check Register, the Employee Expense Reimbursement Report, and the Community Outreach Report. (Items 6-1, 2, 3, 4)

Ayes: Ebenkamp, Hilden, Kwong, Lee, Tang

Noes: None

Absent: None

Abstain: None

President Lee indicated Motion No. 20-04-1508 was approved by a (5-0) roll call 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 individual reports of additional expenses incurred by the District on behalf of each Director for events occurring during the month of March 2020. (Item 7)

Motion No. 20-04-1509: Upon consideration thereof, it was moved by Director Hilden, seconded by Director Kwong and unanimously carried (5-0) by the roll call vote noted below, to receive, approve, and file the Board member expense reports for meeting attendance and additional expenses incurred by the District on behalf of each Director for events occurring during the month of March 2020. (Item 7)

Ayes: Ebenkamp, Hilden, Kwong, Lee, Tang

Noes: None

Absent: None

Abstain: None

President Lee indicated Motion No. 20-04-1509 was approved by a (5-0) roll call vote

Item 8: Treasurer's Report

- ◆ Mr. Byerrum presented the Financial Dashboard as of February 29, 2020, the District Statement of Revenue, Expenses, and Change in Net Assets as of February 29, 2020, the District Statement of Net Assets as of February 29, 2020, and Summary of Cash and Investments as of February 29, 2020. (Items 8-A, B, C, D)

Motion No. 20-04-1510: Upon consideration thereof, it was moved by Director Kwong, seconded by Director Hilden and unanimously carried (5-0) by the roll call vote noted below, to receive, approve, and file the Financial Dashboard as of February 29, 2020, the District Statement of Revenue, Expenses, and Change in Net Assets as of February 29, 2020, the District Statement of Net Assets as of February 29, 2020, and Summary of Cash and Investments as of February 29, 2020. (Items 8-A, B, C, D)

Ayes: Ebenkamp, Hilden, Kwong, Lee, Tang
Noes: None
Absent: None
Abstain: None

President Lee indicated Motion No. 20-04-1510 was approved by a (5-0) roll call vote

Committee Chair Reports**Item 9: Engineering Committee – Director Lee**

- ◆ The Board was asked to authorize the General Manager to execute a sole source contract with Advanced Industrial Systems (AIS) in the amount of \$56,900 to do recommended coating repairs to Ridgecrest Reservoir, to find the project P.N. 20-3636 is exempt pursuant to Categorical Exemption Section 15301 (b) and (d), 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 9-A)

Motion No. 20-04-1511: Upon consideration thereof, it was moved by Director Ebenkamp, seconded by Director Kwong and unanimously carried (5-0) by the roll call vote noted below, to authorize the General Manager to execute a sole source contract with Advanced Industrial Systems (AIS) in the amount of \$56,900 to perform the recommended coating repairs to Ridgecrest Reservoir, to find the project P.N. 20-3636 is exempt pursuant to Categorical Exemption Section 15301 (b) and (d), 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 9-A)

Ayes: Ebenkamp, Hilden, Kwong, Lee, Tang
Noes: None
Absent: None
Abstain: None

President Lee indicated Motion No. 20-04-1511 was approved by a (5-0) roll call vote

- ◆ The Board was asked to authorize the General Manager to execute a contract with Mission Paving and Sealing, Inc. for Ridge Line Reservoirs and Sylvan Glen Reservoir Paving (P.N. 18-3512), in the amount of \$209,210. (Item 9-B)

Motion No. 20-04-1512: Upon consideration thereof, it was moved by Director Ebenkamp, seconded by Director Hilden and unanimously carried (5-0) by the roll call vote noted below, to authorize the General Manager to execute a contract with Mission Paving and Sealing, Inc. for Ridgeline Reservoirs and Sylvan Glen Reservoir Paving (P.N. 18-3512) in the amount of \$209,210. (Item 9-B)

Ayes: Ebenkamp, Hilden, Kwong, Lee, Tang
Noes: None
Absent: None
Abstain: None

President Lee indicated Motion No. 20-04-1512 was approved by a (5-0) roll call vote

- ◆ The Board was asked to authorize the General Manager to execute a labor contract with Doty Bros. Equipment Company in the amount of \$81,281 for the Ballena Drive 1050 main extension and 1200 main abandonment (P.N. 19-3589), to find the project is exempt pursuant to Statutory Exemption Section 15252(k), 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 9-C)

Motion No. 20-04-1513: Upon consideration thereof, it was moved by Director Ebenkamp, seconded by Director Hilden and unanimously carried (5-0) by the roll call vote noted below, to authorize the General Manager to execute a contract with Doty Bros. Equipment Company in the amount of \$81,281 for the Ballena Drive 1050 main extension and 1200 main abandonment (P.N. 19-3589), to find the project is exempt pursuant to Statutory Exemption Section 15252(k), 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 9-C)

Ayes: Ebenkamp, Hilden, Kwong, Lee, Tang
Noes: None
Absent: None
Abstain: None

President Lee indicated Motion No. 20-04-1513 was approved by a (5-0) roll call vote

- ◆ The Board was asked to authorize the General Manager to execute Change Order No. 1 for \$47,472.41 for Route 10 HOV Widening Project at Grand Avenue (P.N. 14-3335) and to authorize the appropriation of \$49,850 from the General Fund to fund Change Order No. 1. Ms. Shaw noted that \$49,850 entails the \$47,472.41 plus 5% administrative cost. (Item 9-D)

Motion No. 20-04-1514: Upon consideration thereof, it was moved by Director Ebenkamp, seconded by Director Hilden and unanimously carried (5-0) by the roll call vote noted below, to authorize the General Manager to execute Change Order No. 1 for \$47,472.41 for Route 10 HOV Widening Project at Grand Avenue (P.N. 14-3335) and to authorize the appropriation of \$49,850 from the General Fund. (Item 9-D)

Ayes: Ebenkamp, Hilden, Kwong, Lee, Tang
Noes: None
Absent: None
Abstain: None

President Lee indicated Motion No. 20-04-1514 was approved by a (5-0) roll call vote

- ◆ The Board was asked to authorize the General Manager to execute a communication site lease between the District and APC Towers, LLC at the Ridgeline Reservoirs Site. President Lee advised the Board that she would recuse herself from participating in the voting process of this item due to a possible conflict of interest. (Item 9-E)

Motion No. 20-04-1515: Upon consideration thereof, it was moved by Director Ebenkamp, seconded by Director Hilden and unanimously carried (4-0-1) by the roll call vote noted below, to authorize the General Manager to execute a communication site lease between the Walnut Valley Water District and APC Towers, LLC at the Ridgeline Reservoirs Site. (Item 9-E)

Ayes: Ebenkamp, Hilden, Kwong, Tang
Noes: None
Absent: None
Abstain: Lee

President Lee indicated Motion No. 20-04-1515 was approved by a (4-0-1) roll call vote

- ◆ Mr. Monk reviewed the Operations Report included in the Board packet. (Item 9-F)

Item 10: Personnel Committee

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

Item 11: Finance Committee

- ◆ The Board was asked to receive, approve, and file the District's Consolidated Investment Transactions Report for March 2020 included in the Board packet. (Item 11-A)

Motion No. 20-04-1516: Upon consideration thereof, it was moved by Director Kwong seconded by Director Tang and unanimously carried (5-0) by the roll call vote noted below, to receive, approve, and file the District's Consolidated Investment Transaction Report for the period of March 1, 2020 through March 31, 2020. (Item 11-A)

Ayes: Ebenkamp, Hilden, Kwong, Lee, Tang
Noes: None
Absent: None
Abstain: None

President Lee indicated Motion No. 20-04-1516 was approved by a (5-0) vote

- ◆ Mr. Byerrum reviewed the Revenue Bond Funds Held in Trust and detailed disbursement of bond proceeds report through March 31, 2020. As this was an informational item only, Board action was not taken. (Item 11-B)

Item 12: Public Information/Community Relations/Legislative Action Committee

- ◆ There were no Public Information/Community Relations/Legislative Action Committee matters to come before the Board at this time. (Item 12)

Item 13: TVMWD/MWD

- ◆ TVMWD General Manager Matt Litchfield advised the Board that MWD adopted its FY 2020-21 Budget and provided a brief overview of anticipated rate increases for the upcoming calendar years, which had been decreased from amounts previously discussed. (Item 13)

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

- ◆ Mr. Teuber reviewed the P-W-R Joint Water Line Commission water use report for the months of February and March 2020. (Item 14)

Item 15: Puente Basin Water Agency (PBWA)

- ◆ The Board was asked to receive, approve, and file the Puente Basin Water Agency's FY 2020-21 Budget, as approved by the PBWA Commissioners at the April 2, 2020 Commission meeting. (Item 15)

Motion No. 20-04-1517: Upon consideration thereof, it was moved by Director Ebenkamp seconded by Director Hilden and unanimously carried (5-0) by the roll call vote noted below, to receive, approve, and file the Puente Basin Water Agency's FY 2020-21 budget. (Item 15-A)

Ayes: Ebenkamp, Hilden, Kwong, Lee, Tang

Noes: None

Absent: None

Abstain: None

President Lee indicated Motion No. 20-04-1517 was approved by a (5-0) vote

Item 16: Spadra Basin Groundwater Sustainability Agency

- ◆ There were no Spadra Basin Groundwater Sustainability Agency matters to report to the Board at this time. (Item 16)

Item 17: General Manager's Report

- ◆ The Board received the District's activities calendars May, June, and July 2020. (Item 17-A)

Item 18: Water Supply and Conservation

- ◆ The Board received reports and graphs of the following items: District potable and recycled water use, Fiscal Year 2019-20 purchased water projections, conservation goal summary, climate summary, and 2020 monthly water consumption versus the 2013 baseline year. Mr. Hitchman made note that the District's water usage for March 2020 was 29.4% lower than usage in March 2013. (Item 18-A)
- ◆ The Board viewed reports on California's water supply and reservoir conditions as of April 14, 2020. (Item 18-B)
- ◆ As a matter of information only, the Board was presented with a copy of the Puente Basin Watermaster Tentative Operating Budget for 2020-21. Board members did not have any comments in that regard. (18-C)

Item 19: 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.) (Item 19)

- ◆ Director Tang reported on his attendance at District committee and Board meetings in addition to a Spadra Basin GSA Executive Committee meeting and the Miss Diamond Bar Pageant. He also advised that he assisted in reviewing the Mandarin translation of an MWD document pertaining to COVID-19 in addition and he noted his participation in an ACWA webinar: Communicating During a Crisis.
- ◆ In addition to the District Board and committee meetings previously reported on, Director Ebenkamp reported on his attendance at a SGV Regional Chamber Government Affairs Committee meeting and a TVMWD Board meeting.
- ◆ In addition to District committee and Board meetings previously reported, President Lee stated that she participated in an ACWA/JPIA training session: Board Member Boot Camp.
- ◆ Director Kwong reported that she attended District Board and committee meetings and participated in the ACWA webinar: Communicating During a Crisis.
- ◆ In addition to the District Board and committee meetings previously reported on, Director Hilden advised that he attended a TVMWD Board meeting, a dinner reception hosted by President Lee, the Miss Diamond Bar Scholarship Pageant, and lastly made note of his participation in a Brown Act training.

Item 20: Legal Reports

- ◆ Mr. Ciampa made note of a report developed by Raftelis Financial Consultants, Inc., in collaboration with AWWA and AMWA, on the financial impacts the COVID-19 pandemic may have on water utilities across the United States. He also reported that Mr. Donald Dear has been selected to fill the LAFCO Independent Special District's Representative seat. (Item 20)

Item 21: Items for Future Discussion

- ◆ Director Ebenkamp made a request to examine CY 2021 WVWD water rate scenarios at a future workshop meeting. (Item 21)

Item 22: Board of Directors Business

- ◆ In considering the completion of the election questionnaire as requested by the Los Angeles County Registrar-Recorder/County Clerk, the Board determined to maintain the same process as the last election year, with candidates paying for statement printing, handling, and mailing costs at the time of filing with a maximum word limitation of 400, to approve the District pay its pro rata share of the election, and to direct staff to complete and submit the questionnaire received from the Los Angeles County Registrar-Recorder/County Clerk's Election Coordination Unit. (Item 22-A)

Motion No. 20-04-1518: Upon consideration thereof, it was moved by Director Ebenkamp, seconded by Director Kwong and unanimously carried (5-0) by the roll call vote noted below, to continue to have candidates pay statement printing, handling, and mailing costs at the time of filing and to set the maximum word limitation at 400, to approve the District pay its pro rata share of the election, and to direct staff to complete and submit the election questionnaire received from the Los Angeles County Registrar-Recorder/County Clerk's Election Coordination Unit. (Item 22-A)

Ayes: Ebenkamp, Hilden, Kwong, Lee, Tang

Noes: None

Absent: None

Abstain: None

President Lee indicated Motion No. 20-04-1518 was approved by a (5-0) roll call vote

- ◆ The Board was then asked to consider adopting WVWD Resolution No. 04-20-666 requesting the Los Angeles County Board of Supervisors permit the Registrar-Recorder/County Clerk to render election services for the November 3, 2020 District election. (Item 22-A)

Motion 20-04-1519: Upon consideration thereof, it was moved by Director Ebenkamp, seconded by Director Kwong and unanimously carried (5-0) by roll call vote noted below, to adopt WVWD Resolution No. 04-20-66, Requesting the Board of Supervisors of the County of Los Angeles Permit the Registrar-Recorder/County Clerk to Render Election Services for an Election of the Walnut Valley Water District to be Held on November 3, 2020:

Ayes: Ebenkamp, Hilden, Kwong, Lee, Tang

Noes: None

Absent: None

Abstain: None

President Lee indicated Motion No. 20-04-1519 was approved by a (5-0) roll call vote

Item 23: Public Comment on Closed Session

- ◆ There were no requests to comment on either open or closed session items. At this point President Lee indicated that all members of the public would be disconnected from the Webex meeting so that the Board may adjourn to Closed Session. (Item 23)

Item 24: Adjourn to Closed Session – 6:09 p.m.**Item 25: Closed Session – 6:10 p.m.**

- The Board met in closed session in accordance with Government Code [§54956.9(a)] to discuss existing litigation concerning Bonnie Kessner et al vs. City of Santa Clara et al (Santa Clara County Superior Court Case No. 20CV364054). (Item 25-A)

Item 26: Reconvene in Open Session/Report of Action Taken in Closed Session – 6:04 p.m.

- The Board was briefed on the status of the case referenced above; no action reportable under the Brown Act was taken. (Item 26-A)

Adjournment at 6:16 p.m.

Motion No. 20-04-1520: Upon consideration thereof, it was moved by Director Ebenkamp, seconded by Director Hilden and unanimously carried (5-0), to adjourn the meeting.

President Lee indicated Motion No. 20-04-1520 was approved by a (5-0) vote