

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

**March 15, 2021
MEETING CONDUCTED VIA WEBEX
AT:**

<https://walnutvalley.webex.com/meet/bmeeting>

DIRECTORS PRESENT:

Kevin Hayakawa
Edwin Hilden
Scarlett Kwong
Theresa Lee
Jerry Tang

DIRECTORS ABSENT:

None

STAFF PRESENT:

Erik Hitchman, General Manager/Chief Engineer
Sherry Shaw, Director of Engineering
Lily Lopez, Director of External Affairs
Thomas Monk, Director of Operations
Gabriela Sanchez, Executive Secretary
James Ciampa, Legal Counsel
Josh Byerrum, Finance Manager
Alanna Diaz, Director of HR and Risk Management
Ron Woodruff, IT Specialist (Meeting Host)

The meeting was called to order at 5:08 p.m. with President Kwong presiding. All Board meeting participants and guests joined the meeting via the Webex link:

<https://walnutvalley.webex.com/meet/bmeeting>

Guests and others in attendance: Three Valleys Municipal Water District (TVMWD) Directors David De Jesus, Jody Roberto and Steve Ti, General Manager Matt Litchfield, and Chief Finance Officer James Linthicum; Lane Hayakawa.

Item 3: Public Comment

- ◆ There were no requests for public comment. (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

- ◆ At the General Manager's request, Board Business item 22-A shall be reviewed and considered after Board Business item 22-D, thus changing the item numbering in accordance with the order the items are reviewed. (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 February 16, 2021, minutes of the Special Board meeting held February 18, 2021, the Check Register, the Employee Expense Reimbursement Report, and the Community Outreach Report. (Item 6-1, 2, 3, 4, 5)

Motion No. 21-03-1635: Upon consideration thereof, it was moved by Director Hilden, seconded by Director Lee, 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 February 16, 2021, the minutes of the Special Board meeting held February 18, 2021, the Check Register, the Employee Expense Reimbursement Report, and the Community Outreach Report. (Items 6-1, 2, 3, 4, 5)

Ayes: Hayakawa, Hilden, Kwong, Lee, Tang

Noes: None

Absent: None

Abstain: None

President Kwong indicated Motion No. 21-03-1635 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 February 2021. (Item 7)

Motion No. 21-03-1636: Upon consideration thereof, it was moved by Director Hilden, seconded by Director Lee 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 February 2021. (Item 7)

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

President Kwong indicated Motion No. 21-03-1636 was approved by a (5-0) roll call vote

Item 8: Treasurer's Report

- ◆ Mr. Byerrum presented the Financial Dashboard as of January 31, 2021, the District Statement of Revenue, Expenses, and Change in Net Positions as of January 31, 2021, the District Statement of Net Positions as of January 31, 2021, and Summary of Cash and Investments as of January 31, 2021. (Items 8-A, B, C, D)

Motion No. 21-03-1637: Upon consideration thereof, it was moved by Director Lee, 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 January 31, 2021, the District Statement of Revenue, Expenses, and Change in Net Positions as of January 31, 2021, the District Statement of Net Positions as of January 31, 2021, and Summary of Cash and Investments as of January 31, 2021. (Items 8-A, B, C, D)

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

President Kwong indicated Motion No. 21-03-1637 was approved by a (5-0) roll call vote

Committee Chair Reports

Item 9: Engineering Committee – Director Kwong

- ◆ The Board was asked to consider award of contract to Paso Robles Tank, Inc. for IBC Recycled Water Reservoir (P.N. 14-3373RES); to authorize the General Manager to execute contract in the amount of \$2,791,000; to find that the project is exempt pursuant to Article 11.5 Master Environmental Impact Report (Section 15177(b). Subsequent Projects within the Scope of the MEIR); 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; and to find that there are no significant environmental impacts from this project. (Item 9-A)

Motion No. 21-03-1638: Upon consideration thereof, it was moved by Director Lee, seconded by Director Hilden and unanimously carried (5-0) by the roll call vote noted below, to authorize the award of contract to Paso Robles Tank, Inc. for IBC Recycled Water Reservoir (P.N. 14-3373RES); to authorize the General Manager to execute contract in the amount of \$2,791,000; to find that the project is exempt pursuant to Article 11.5 Master Environmental Impact Report (Section 15177(b). Subsequent Projects within the Scope of the MEIR); 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; and to find that there are no significant environmental impacts from this project. (Item 9-A)

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

President Kwong indicated Motion No. 21-03-1638 was approved by a (5-0) roll call vote

- ◆ Mr. Monk reviewed the Operations report included in the Board packet. No action was taken by the Board. (Item 9-B)

Item 10: Personnel Committee – Director Tang

- ◆ The Board was asked to adopt CalPERS Resolution of Intention (WVWD No. 03-21-675) to amend the District's contract with the California Public Employees Retirement System (CalPERS) to share the cost of employer contributions.
- ◆ Ms. Diaz noted that per the amendments to the contract, effective July 1, 2021, July 1, 2022, and July 1, 2023, unrepresented General Employees Unit (GEU), Mid-Management employees, and Executive Staff employees, classified as Classic Members under the Public Employees Retirement Law ("PERL"), shall pay an additional one percent (1%) of their compensation, for a total, with pre-existing contributions, of 3% of their respective compensation, towards Walnut Valley Water District's employer contribution rate pursuant to Government Code Section 20516. In no event shall the total employee member contributions exceed 50% of their plan's normal cost. (Item 10-A)

Motion No. 21-03-1639: *Upon consideration thereof, it was moved by Director Tang, seconded by Director Hilden and unanimously carried (5-0) by the roll call vote noted below, to adopt CalPERS Resolution of Intention (WVWD Resolution No. 03-21-675), Approving an Amendment to Contract between the Board of Administration California Public Employee's Retirement System and the Board of Directors of Walnut Valley Water District, to share the cost of employer contributions. (Items 10-A)*

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

President Kwong indicated Motion No. 21-03-1639, adopting Resolution No. 03-21-675, was approved by a (5-0) roll call vote

Item 11: Finance Committee – Director Lee

- ◆ The Board was asked to receive, approve, and file the District's Consolidated Investment Transactions Report for February 2021 included in the Board packet. (Item 11-A)

Motion No. 21-03-1640: *Upon consideration thereof, it was moved by Director Lee 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 February 1, 2021 through February 28, 2021. (Item 11-A)*

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

President Kwong indicated Motion No. 21-03-1640 was approved by a (5-0) roll call vote

- ◆ As a matter of information only, the Board received a Revenue Bond Funds Held in Trust report. (Item 11-B)

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

- ◆ The Board was asked to adopt a proclamation declaring May as "Water Awareness Month." (Item 13-A)

Motion No. 21-03-1641: *Upon consideration thereof, it was moved by Director Tang seconded by Director Hilden and unanimously carried (5-0) by the roll call vote noted below, to adopt a Proclamation declaring May as "Water Awareness Month." (Item 12-A)*

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

President Kwong indicated Motion No. 21-03-1641 was approved by a (5-0) roll call vote

Item 13: TVMWD/MWD

- ◆ Updates on TVMWD and MWD business matters were provided by General Manager Matt Litchfield and Director David De Jesus, respectively. (Item 13)

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

- ◆ Included in the Board packet was the P-W-R Joint Water Line Commission water use report for the month of February 2021. (Item 14)

Item 15: Puente Basin Water Agency (PBWA)

- ◆ The next PBWA Agency meeting will be held on April 1, 2021. (Item 15)

Item 16: Spadra Basin Groundwater Sustainability Agency

- ◆ The Board received a report on Spadra Basin GSA business matters. (Item 16)

Item 17: General Manager's Report

- ◆ The Board received the District's activities calendars April, May and June 2021. (Item 17-A)
- ◆ Mr. Hitchman provided a COVID-19 vaccination update highlighting that utility service workers, including water and wastewater workers, are now eligible to receive the vaccine. He further noted that the District has reopened the customer service lobby, by appointments only, and will soon reopen the Engineering counter lobby area for appointments only. (Item 17-B)

Item 18: Water Supply and Conservation

- ◆ The Board received reports and graphs of the following items: District potable and recycled water use, Calendar Year 2021 purchased water estimate, conservation goal summary, climate summary, and 2021 monthly water consumption versus the 2013 baseline year. The report noted that the District's water usage for February 2021 was 10.16% lower than usage in February 2013. (Item 18-A)
- ◆ The Board viewed reports on California's water supply and reservoir conditions as of February 23, 2021. (Item 18-B)

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)

- ◆ During the month of February, Director Hayakawa reported on his participation in District committee and Board meetings, an employee recognition virtual event, and a virtual Firescaping workshop. Additionally, he made note of his attendance at a Diamond Bar city council meeting, TVMWD Board meetings, a workshop on social media usage for elected officials, and Walnut's Lunar New Year celebration drive thru event.
- ◆ Director Hilden advised that he participated in TVMWD Board meetings in addition to the District committee and Board meetings, and employee recognition event previously reported on.
- ◆ In addition to the District committee and Board meetings, and employee recognition event previously reported on, Director Lee noted her participation in a PBWA meeting, a virtual webinar on social media usage for elected officials, Walnut's Lunar New Year drive thru event, and a Spadra Basin GSA Advisory Committee meeting.
- ◆ In addition to District committee and Board meetings, and the employee recognition event previously reported on, Director Tang made note of his assistance in translating a District flyer into Mandarin. He also advised that he served as a judge in the Future City Competition and that he attended a PBWA meeting, Walnut's Lunar New Year drive thru event, and a Spadra Basin GSA Advisory Committee meeting.
- ◆ Lastly, Director Kwong noted her participation in District committee and Board meetings, and the WVWD employee recognition event. Additionally, she advised that she attended at a PBWA meeting, a Chinese Elected Officials virtual Lunar New Year celebration, and that she completed the required Sexual Harassment Training for Supervisors and Managers in addition to a webinar hosted by the CDC on COVID-19 vaccine for essential workers.

Item 20: Legal Reports

- ◆ Mr. Ciampa provided a brief update on the Coronavirus Relief Package and then advised that a closed session would be held following the regular business meeting. (Item 20)

Item 21: Items for Future Discussion

- ◆ There were no requests for future discussion items. (Item 21)

Item 22: Board of Directors Business

- ◆ The Board was asked to adopt WVWD Resolution No. 03-21-676, a resolution honoring Theodore L. Ebenkamp for his dedicated service as Director of the Walnut Valley Water District. (Item 22-A)

Motion No. 21-03-1642: Upon consideration thereof, it was moved by Director Lee seconded by Director Hilden and unanimously carried (5-0) by the roll call vote noted below, to adopt WVWD Resolution No. 03-21-676, "A Resolution Honoring Theodore L. Ebenkamp for His Dedicated Service as Director of the Walnut Valley Water District." (Item 22-A)

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

President Kwong indicated Motion No. 21-03-1642, adopting Resolution No. 03-21-676, was approved by a (5-0) roll call vote

- ◆ The Board was asked to adopt WVWD Resolution No. 03-21-677, a resolution honoring Alfred Sinclair for his dedicated service as Director of the Walnut Valley Water District. (Item 22-B)

Motion No. 21-03-1643: Upon consideration thereof, it was moved by Director Lee seconded by Director Hayakawa and unanimously carried (5-0) by the roll call vote noted below, to adopt WVWD Resolution No. 03-21-677, "A Resolution Honoring Alfred Sinclair for His Dedicated Service as Director of the Walnut Valley Water District." (Item 22-B)

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

President Kwong indicated Motion No. 21-03-1643, adopting Resolution No. 03-21-677, was approved by a (5-0) roll call vote

- ◆ The Board was asked to adopt WVWD Resolution No. 03-21-678, a resolution to apply for, receive, and enter into a cooperative agreement, and administer a grant for the 2021 Bureau of Reclamation Small-Scale Water Efficiency Grant. (Item 22-C)

Motion No. 21-03-1644: Upon consideration thereof, it was moved by Director Hilden seconded by Director Tang and unanimously carried (5-0) by the roll call vote noted below, to adopt WVWD Resolution No. 03-21-678, "A Resolution to Apply For, Receive, and Enter Into a Cooperative Agreement, and Administer a Grant for the 2021 Bureau of Reclamation Small-Scale Water Efficiency Grant." (Item 22-C)

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

President Kwong indicated Motion No. 21-03-1644, adopting Resolution No. 03-21-678, was approved by a (5-0) roll call vote

- ◆ The Board acknowledged receipt of requests from South Sutter Water District for concurrence for nomination of Thomas A. Cuquet for the ACWA/JPIA's Board of Directors Executive Committee, and another from San Bernardino Valley Water Conservation District for the nomination of Melody McDonald. No Board action was taken on this matter. (Item 22-D)

Item 23: Public Comment on Closed Session

- ◆ There were no requests to comment on closed session items. (Item 23)

Item 24: Adjourn to Closed Session – 6:06 p.m.

Item 25: Closed Session – 6:07 p.m.

- The Board met in closed session in accordance with Government Code [§54956.9(a)] to discuss existing litigation in the case titled Bonnie Kessner, et al. vs. City of Santa Clara, et al. (Santa Clara County Superior Court Case No. 20CV364054). (Item 25-A)
- The Board met in closed session in accordance with Government Code [§54956.9(d)(2)] to discuss initiation of litigation with Legal Counsel – One Potential Case. (Item 25-B)

Item 26: Reconvene in Open Session/Report of Action Taken in Closed Session – 6:11 p.m.

- The Board met in closed session in accordance with Government Code [§54956.9(a)] to discuss existing litigation in the case titled Bonnie Kessner, et al. vs. City of Santa Clara, et al. (Santa Clara County Superior Court Case No. 20CV364054). The Board was briefed on the status of that case and no reportable action under the Brown Act was taken.

The Board also met in closed session in accordance with Government Code [§54956.9(d)(2)] to discuss one initiation of litigation matter with Legal Counsel. The Board was briefed on the facts and circumstances of the matter and no reportable action under the Brown Act was taken.

Adjournment at 6:12 p.m.

Motion No. 21-03-1645: Upon consideration thereof, it was moved by Director Lee, seconded by Director Hilden and unanimously carried (5-0) by the roll call vote noted below, to adjourn the meeting. (Item 26)

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

President Kwong indicated Motion No. 21-03-1645 was approved by a (5-0) roll call vote