

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

**May 17, 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
Brian Teuber, Assistant General Manager
Josh Byerrum, Finance Manager
Alanna Diaz, Director of Human Resources and Risk Management
Lily Lopez, Director of External Affairs
Gabriela Sanchez, Executive Secretary
Sherry Shaw, Director of Engineering
Thomas Monk, Director of Operations
James Ciampa, Legal Counsel
Ron Woodruff, IT Specialist (Meeting Host)

The meeting was called to order at 5:00 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 Mike Ti, and General Manager Matt Litchfield; Lane Hayakawa; Jayson Schmitt of Chandler Asset Management.

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

- ◆ 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 April 19, 2021, minutes of the Special Board meeting held April 22, 2021, the Check Register, the Employee Expense Reimbursement Report, and the Community Outreach Report. (Item 6-1, 2, 3, 4, 5)

Motion No. 21-05-1657: 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 approve the Consent Calendar, consisting of the minutes of the Regular Board meeting held April 19, 2021, the minutes of the Special Board meeting held April 22, 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. 21-05-1657 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 April 2021. (Item 7)

Motion No. 21-05-1658: 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 April 2021. (Item 7)

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

President Kwong indicated Motion No. 21-05-1658 was approved by a (5-0) roll call vote

Item 8: Treasurer's Report

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

Motion No. 21-05-1659: 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 Financial Dashboard as of March 31, 2021, the District Statement of Revenue, Expenses, and Change in Net Positions as of March 31, 2021, the District Statement of Net Positions as of March 31, 2021, and Summary of Cash and Investments as of March 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. 21-05-1659 was approved by a (5-0) roll call vote

Committee Chair Reports

Item 9: Engineering Committee

- ◆ The Board was asked to authorize the General Manager to execute a sole source contract with SoCal SCADA Solutions in the amount of \$199,988 for P.N. 19-3600 Motor Control Center (MCC) Replacement Program for Rapidview Pump Station. (Item 9-A)

Motion No. 21-05-1660: Upon consideration thereof, it was moved by Director Hayakawa, seconded by Director Hilden and unanimously carried (5-0) by the roll call vote noted below, to authorize the General Manager to execute a sole source contract with SoCal SCADA in the amount of \$199,988 for P.N. 19-3600 Motor Control Center (MCC) Replacement Program for Rapidview Pump Station. (Item 9-A)

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

President Kwong indicated Motion No. 21-05-1660 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 the revisions to the WVWD Injury and Illness Prevention Program (IIPP). Ms. Diaz explained that this addendum is based on the new requirement of the Injury and Illness Prevention Standard, Title 8 of the California Code Regulations, Section 3203(a)(8), in which employers must inform employees of their right to, and means of requesting, a copy of the IIPP. (Item 10-A)

Motion No. 21-05-1661: Upon consideration thereof, it was moved by Director Tang, seconded by Director Lee and unanimously carried (5-0) by the roll call vote noted below, to adopt revisions to the WVWD Injury and Illness Prevention Program (IIPP). (Item 10-A)

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

President Kwong indicated Motion No. 21-05-1661, was approved by a (5-0) roll call vote

Item 11: Finance Committee – Director Lee

- ◆ Mr. Jayson Schmitt of Chandler Asset Management presented an update on the firm's investment activities on behalf of the District. The Board then moved to receive, approve, and file the District's Consolidated Investment Transactions Report for the month ending April 30, 2021 included in the Board packet. (Items 11-A, B)

Motion No. 21-05-1662: *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 Transactions Report for the period of April 1, 2021 through April 30, 2021. (Items 11-A, B)*

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

President Kwong indicated Motion No. 21-05-1662 was approved by a (5-0) roll call vote

- ◆ The Board was asked to schedule a public hearing to be held during the regular June 21, 2021, Board meeting, to receive comments regarding the District's Standby Charge Assessment. (Item 11-C)

Motion No. 21-05-1663: *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 schedule a public hearing to be held during the regular June 21, 2021, Board meeting to receive and respond to comments regarding the District's Standby Charge Assessment. (Item 11-C)*

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

President Kwong indicated Motion No. 21-05-1663 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-D)

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

- ◆ The Board was asked to schedule a public hearing to be held during the regular June 21, 2021, Board meeting to receive and respond to comments regarding the District's Urban Water Management Plan and Water Shortage Contingency Plan. (Item 12-A)

Motion No. 21-05-1664: *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 schedule a public hearing to be held during the regular June 21, 2021, Board meeting to receive and respond to comments regarding the District's Urban Water Management Plan and Water Shortage Contingency Plan. (Item 12-A)*

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

President Kwong indicated Motion No. 21-05-1664 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 April 2021. (Item 14)

Item 15: Puente Basin Water Agency (PBWA)

- ◆ The next PBWA meeting is scheduled for June 3, 2021. (Item 15)

Item 16: Spadra Basin Groundwater Sustainability Agency

- ◆ The Board was asked to receive, approve, and file the Spadra Basin Groundwater Sustainability Agency (Spadra GSA) FY 2021-22 Budget. (Item 16)

Motion No. 21-05-1665: *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 receive, approve, and file the Spadra Basin Groundwater Sustainability Agency (Spadra GSA) FY 2021-22 Budget. (Item 16-A)*

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

President Kwong indicated Motion No. 21-05-1665 was approved by a (5-0) roll call vote

Item 17: General Manager's Report

- ◆ The Board received the District's activities calendars July, August, and September 2021. (Item 17-A)
- ◆ The Board recognized District Ms. Alanna Diaz for her recent completion of ACWA/JPIA Professional Development Human Resources Certification Program (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 April 2021 was 16.13% lower than usage in April 2013. (Item 18-A)
- ◆ The Board viewed reports on California's water supply and reservoir conditions as of May 11, 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)

- ◆ Director Hayakawa reported that during the month of April, he partook in a residential water survey conducted by WaterWise Consulting, Inc. In addition to that, he reported on this participation in District committee and Board meetings, and TVMWD Board meetings.
- ◆ Director Hilden noted that he participated in the District committee and Board meetings, and TVMWD Board meetings previously reported on.
- ◆ In addition to the District committee and Board meetings previously reported on, Director Lee advised of her participation in a PBWA meeting, a Spadra Basin GSA Advisory Committee meeting and a Women in Water conference hosted by the Inland Empire Utility Agency.
- ◆ Director Kwong reported on her participation in District committee and Board meetings and a meeting with Assembly member Philip Chen and the KBH Advocacy.
- ◆ In addition to District committee and Board meetings previously reported on, Director Tang made note of his participation in a PBWA meeting, a Spadra Basin GSA Advisory Committee meeting, a seminar on greywater.

Item 20: Legal Reports

- ◆ There were no legal reports to come before the Board at this time. (Item 20)

Item 21: Items for Future Discussion

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

Item 22: Board of Directors Business

- ◆ There was no Board of Directors Business to come before the Board at this time. (Item 22)

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 – 6:04 p.m.

Item 25: Closed Session – 6:05 p.m.

- A. 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)
- B. 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 – 6:09 p.m.

- A. 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 6:10 p.m.