

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

**September 17, 2018  
At the Offices of the District**

**DIRECTORS PRESENT:**

Theodore L. Ebenkamp  
Edwin Hilden  
Scarlett Kwong  
Theresa Lee  
Allen Wu

**DIRECTORS ABSENT:**

All present

**STAFF PRESENT:**

Erik Hitchman, General Manager/Chief Engineer  
Brian Teuber, Assistant General Manager  
Sandy Olson, Director of Administrative Services  
Sherry Shaw, Director of Engineering  
Joshua Byerrum, Accounting Manager  
Donna DiLaura, Executive Secretary  
Jodi Johnson, Utility Service Lead  
Jim Ciampa, Legal Counsel

The meeting was called to order at 5:01 p.m. with President Ebenkamp presiding.

Guests and others in attendance: Three Valleys Municipal Water District (TVMWD) Directors David DeJesus and Joe Ruzicka, and TVMWD Chief Financial Officer James Linthicum.

**Item 3: Public Comment**

- ◆ There were no requests. (Item 3)

**Item 4: Additions to the Agenda**

- ◆ There were no requests. (Item 4)

**Item 5: Reorder of Agenda**

- ◆ There were no requests. (Item 5)

**Item 6: Special Recognition**

- ◆ Ms. Olson introduced Ms. Jodi Johnson, Utility Services Lead, and announced that Ms. Johnson has completed the JPIA Professional Development Program, in both Operations and Supervisor Basics. (Items 6)

**Item 7: Consider Approval of Consent Calendar**

- ◆ The Board was asked to approve the Consent Calendar, including: the minutes of the regular Board meeting held August 20, 2018, the minutes of the special Board meeting held August 23, 2018, the check register, and the Community Outreach Update. (Items 7-1, 2, 3 and 4)

***Motion No. 18-09-1273: Upon consideration thereof, it was moved by Director Wu, seconded by Director Hilden and unanimously carried (5-0), to approve the Consent Calendar, including the minutes of the regular Board meeting held August 20, 2018, the minutes of the special Board meeting held August 23, 2018, the check register, and the Community Outreach Update. (Items 7-1, 2, 3 and 4)***

**President Ebenkamp indicated Motion No. 18-09-1273 was approved by a (5-0) vote**

**Item 8: 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 August 2018. (Item 8)

***Motion No. 18-09-1274: Upon consideration thereof, it was moved by Director Wu, seconded by Director Hilden and unanimously carried (5-0), 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 August 2018. (Item 8)***

**President Ebenkamp indicated Motion No. 18-09-1274 was approved by a (5-0) vote**

**Item 9: Treasurer's Report**

- ◆ Mr. Teuber presented the District's Statement of Revenues, Expenses, and Change in Net Assets as of August 31, 2018; the District's Statement of Net Assets as of August 31, 2018; and the Summary of Cash and Investments as of August 31, 2018. (Items 9 A-C)

***Motion No. 18-09-1275: Upon consideration thereof, it was moved by Director Wu, seconded by Director Hilden and unanimously carried (5-0), to receive, approve, and file the District's Statement of Revenues, Expenses, and Change in Net Assets as of August***

**31, 2018, the District's Statement of Net Assets as of August 31, 2018, and the Summary of Cash and Investments as of August 31, 2018. (Item 9 A-C)**

**President Ebenkamp indicated Motion No. 18-09-1275 was approved by a (5-0) vote**

**Committee Chair Reports**

**Item 10: Engineering Committee – Director Lee**

- ◆ The Board was asked to authorize staff to forward a letter to the Puente Basin Watermaster indicating the District's preference that "Option 1" be used to calculate the collective import return flow credit. (Item 10-A)

***Motion No. 18-09-1276: Upon consideration thereof, it was moved by Director Wu, seconded by Director Hilden and unanimously carried (5-0), to authorize staff to forward a letter to the Puente Basin Watermaster indicating the District's preference that "Option 1" be used to calculate the collective import return flow credit. (Item 10-A)***

**President Ebenkamp indicated Motion No. 18-09-1276 was approved by a (5-0) vote**

- ◆ Director Lee referenced the Operations Report included in the Board packet. As this was an informational item only, Board action was not needed. (Item 10-B)

**Item 11: Personnel Committee – Director Hilden**

- ◆ The Board was asked to review the Association of California Water Agencies/Joint Powers Insurance Authority (ACWA/JPIA) medical, dental, and vision plan premium increases that are effective January 1, 2019, in conjunction with the employee health benefit allotment established in the Terms and Conditions of Employment for 2017-2020 and with funding approved in the FY 2018-2019 budget. As this was an informational item only, Board action was not needed. (Item 11-A)
- ◆ The Board was advised that the premium for the ACWA/JPIA offered Employee Assistance Plan will not change for calendar year 2019. The cost per employee per month remains at \$2.35. As this was an informational item only, Board action was not needed. (Item 11-B)

**Item 12: Finance Committee – Director Ebenkamp reported on behalf of Director Wu**

- ◆ The Board was asked to receive the annual review of the Identity Theft Prevention Program. Staff and legal counsel have reviewed the program and no modifications are recommended at this time. Additionally, the Board received information on one reportable incident of Identity Theft involving a District customer. Staff investigated the occurrence and took appropriate action in accordance with the Identity Theft Program. As these were informational items only, Board action was not needed. (12-A)
- ◆ The Board was asked to receive, approve, and file the September 2018 Consolidated Investment Transactions Report included in the Board packet. (Item 12-B)

***Motion No. 18-09-1277: Upon consideration thereof, it was moved by Director Ebenkamp, seconded by Director Hilden and unanimously carried (5-0), to receive, approve, and file the District's Consolidated Investment Transactions Report for the period of August 1, 2018 through August 31, 2018. (Item 12-B)***

**President Ebenkamp indicated Motion No. 18-09-1277 was approved by a (5-0) vote**

- ◆ Mr. Teuber reviewed the Revenue Bond Funds Held in Trust and detailed disbursement of bond proceeds report through August 31, 2018. As this was an informational item only, Board action was not needed. (Item 12-C)

**Item 13: Public Information/Community Relations/Legislative Action Committee**

- ◆ The Board received an update on state legislative matters that may be of interest to or have an impact on the District. As this was an informational item only, Board action was not needed (Item 13)

**Other Items**

**Item 14: TVMWD/MWD – Director Hilden**

- ◆ Director Hilden reported that TVMWD addressed routine items at its meeting on September 5, 2018. (Item 14)

**Item 15: The P-W-R Joint Water Line Commission**

- ◆ Mr. Hitchman reviewed the P-W-R Joint Water Line Commission water use report for the month of August included in the Board packet. (Item 15)

**Item 16: Puente Basin Water Agency (PBWA) – Director Lee**

- ◆ No report. The next PBWA meeting is scheduled for October 4, 2018. (Item 16)

**Item 17: General Manager’s Report**

- ◆ The Board received a follow-up report on prior Board actions. (Item 17-A)
- ◆ The Board received the District’s activities calendars for October, November and December 2018. (Item 17-B)
- ◆ The General Manager reported that the results of the Director’s re-rankings of the Core Values will be presented at the September 20 Board workshop. (Item 17-C)

**Item 18: Water Supply and Drought**

- ◆ The Board received reports and graphs of the following items: District potable and recycled water use, Calendar Year 2018 purchase water projections, conservation goal summary, climate summary, and 2018 monthly water consumption versus the 2013 baseline year. Staff made note that the District’s water usage for August 2018 was 15.94% lower than usage in August 2013. (Item 18-A)
- ◆ The Board viewed reports on California’s water supply and reservoir conditions as of September 5, 2018. (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)

- ◆ In addition to District committee and Board meetings previously reported, Director Wu attended a Spadra Basin GSA Executive Committee meeting, the City of Walnut “National Night Out” event, a meeting with the General Manager, a webinar titled “Wildfire Impact on Water Quality and Treatment.”
- ◆ Director Hilden stated that, in addition to District committee and Board meetings previously reported, he attended a San Gabriel Valley Economic Partnership Joint Board of Directors and Members meeting, the 12<sup>th</sup> Annual San Bernardino Water Conference, a San Gabriel Public Affairs Network “Sacramento Update” luncheon, Senator Ling Ling Chang’s community swearing in ceremony, an open house in support of Young Kim for Congress, and the District’s Mid-Management BBQ.
- ◆ Director Kwong reported that she attended a City of Diamond Bar Concert in the Park, a Coa Can Cup International Poem Competition, and the District Mid-Management BBQ.
- ◆ In addition to District committee and Board meetings previously reported, Director Lee indicated that she attended a Puente Basin Water Agency (PBWA) Commission meeting.
- ◆ Director Ebenkamp stated that, in addition to attending District committee and Board meetings, he attended a San Gabriel Valley Economic Partnership Joint Board of Directors and Members meeting, a PBWA meeting, the 12<sup>th</sup> Annual San Bernardino Water Conference, Senator Ling Ling Chang’s community swearing in ceremony, a Regional Chamber of Commerce Government Affairs Committee meeting, and District sponsored Harassment Prevention Training.

**Item 20: Legal Reports**

- ◆ Mr. Ciampa further updated the Board on matters relating to the proposed FCC Rulemaking regarding cell phone towers. Mr. Ciampa noted that the Smart Communities Coalition, of which the District is a member, has submitted a petition for reconsideration of the FCC’s new rule that adopted a moratorium prohibiting local or state actions that would ban cell phone facilities. That petition will be considered at the FCC’s September 26 meeting. In addition, at that meeting, the FCC will consider further rules that will limit the amounts local agencies can charge for rent for small cell (i.e., 5G) facilities, at \$270 per site and will shorten the amount of time in which a local agency can consider approval of such facilities. (Item 20)

**Item 21: Items for Future Discussion**

- ◆ No requests were made. (Item 21)

**Item 22: Board of Directors Business**

- A. At the request of Dr. Wu, the Board was asked to consider changing the December Committee and Board meeting dates. Following a brief discussion, the meeting dates were changed as follows: (Item 22)

<b>December Meetings</b>	<b>Date/Time</b>	<b>Committee Members Chair/Member/Alternate</b>
Personnel	<b>Wednesday, December 5, 4:00 p.m.</b>	Dirs. Hilden/Kwong/Ebenkamp
Public Information/ Legislative Action	<b>Wednesday, December 5, 4:45 p.m.</b>	Dirs. Wu/Hilden/Lee
Engineering	<b>Thursday, December 6, 4:00 p.m.</b>	Dirs. Lee/Ebenkamp/Kwong

Finance	Thursday, December 6, 4:30 p.m.	Dir. Wu/Ebenkamp/Lee
Board Meeting	Monday, December 17, 5:00 p.m.	
Board Workshop	TBD	

**Item 23: Public Comment on Closed Session**

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

**Item 24: Adjourn to Closed Session – 5:55 p.m.**

**Item 25: Closed Session**

- A. The Board met in closed session in accordance with Government Code [§54956.9(d)(4)] to discuss anticipated litigation matters with Legal Counsel – Three Potential Cases. (Item 25)

**Item 26: Reconvene in Open Session/Report of Action Taken in Closed Session – 6:53 p.m.**

- A. The Board met in closed session in accordance with Government Code [§54956.9(d)(4)] to discuss three anticipated litigation matters with Legal Counsel. The Board was briefed on the facts and circumstances of those three matters and no reportable action under the Brown Act was taken on these matters. (Item 26)

**Adjournment at 6:53 p.m.**

**Motion No: 18-09-1278: *Upon consideration thereof, it was moved by Director Hilden, seconded by Director Lee and unanimously carried (5-0), to adjourn the meeting.***

**President Ebenkamp indicated Motion No. 18-09-1278 was approved by a (5-0) vote**