

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

**January 18, 2022
MEETING CONDUCTED VIA WEBEX
AT:**

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

DIRECTORS PRESENT:

Kevin Hayakawa
Edwin Hilden
Scarlett Kwong
Jerry Tang

DIRECTORS ABSENT:

Theresa Lee

STAFF PRESENT:

Erik Hitchman, General Manager/Chief Engineer
Josh Byerrum, Director of Finance
Alanna Diaz, Director of Administrative Services
Lily Lopez, Director of External Affairs
Sherry Shaw, Director of Engineering & Planning
Tom Monk, Director of Operations
Carmen Fleming, Executive Assistant
Andy Turner, Legal Counsel

The meeting was called to order at 5:02 p.m. with President Tang 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) Director David DeJesus, Director Jody Roberto, General Manager, Matt Litchfield. Also, in attendance was Andrew Westall, Bear Demographics and Research, and WVWD employee, Tai Diep.

Item 3: Public Comment

- ◆ There was no 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: Public Hearing: Receive Public Input and Feedback Regarding Possible Adjustment of District Divisional Boundaries

- ◆ President Tang opened the public hearing to receive comments regarding the possible adjustment of District Divisional Boundaries. (Item 6-A)
- ◆ Staff introduced Mr. Andrew Westall of Bear Demographic and Research. (Items 6-B, C)
- ◆ Mr. Westall was present to respond to public comments; however, none were received.
- ◆ President Tang then closed the public hearing. (Items 6- D)

Motion No. 22-01-1742: Upon consideration thereof, it was moved by Director Hayakawa, seconded by Director Kwong, and unanimously carried (4-0) by the roll call vote noted below, to open the Public Hearing to receive public input and feedback regarding possible adjustment of District Divisional Boundaries. (Item 6-A)

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

President Tang indicated Motion No. 22-01-1742 was approved by a (4-0) roll call vote

The public hearing was conducted and no public comments were received.

Motion No. 22-01-1743: Upon consideration thereof, it was moved by Director Hilden, seconded by Director Kwong, and unanimously carried (4-0) by the roll call vote noted below, to close the Public Hearing to receive public input and feedback regarding possible adjustment of District Divisional Boundaries. (Item 6-D)

Ayes: Hayakawa, Hilden, Kwong, Tang

Noes: None
 Absent: Lee
 Abstain: None

President Tang indicated Motion No. 22-01-1743 was approved by a (4-0) roll call vote

Item 7: Public Hearing: Consideration of Adoption of Ordinance No. 01-18-22 to Amend and Restate Ordinance No. 07-16-09 to Establish Water Use Efficiency Requirements and Water Supply Shortages Stages

- ◆ President Tang opened the public hearing to receive comments regarding adoption of Ordinance No. 01-18-22 to amend and restate Ordinance No. 07-16-09 to establish Water Use Efficiency Requirements and Water Supply Shortages Stages. (Item 7-A)
- ◆ The Board was asked to approve staff's recommendation to adopt Ordinance No. 01-18-22 to amend and restate Ordinance No. 07-16-09, "An Ordinance of Walnut Valley Water District to Establish Water Use Efficiency Requirements and Water Supply Shortage Stages" to incorporate the state's permanent water restrictions to better respond to the experiences of the past year, and to create greater flexibility for future water shortages. (Item 7-B, C)
- ◆ The Board was also asked to consider adoption of Resolution No. 01-22-690 approving the implementation of Stage 2 Water Supply Shortage. (Item 7-B, C)
- ◆ Staff was present to respond to public comments; however, none were received. (Items 7-B, C)
- ◆ President Tang then closed the public hearing. (Item 7-D)

Motion No. 22-01-1744: Upon consideration thereof, it was moved by Director Hilden, seconded by Director Kwong, and unanimously carried (4-0) by the roll call vote noted below, to open the Public Hearing to receive public input and feedback regarding Adoption of Ordinance No. 01-18-22 to Amend and Restate Ordinance No. 07-16-09 to Establish Water Use Efficiency Requirements and Water Supply Shortages Stages. (Item 7-A)

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

President Tang indicated Motion No. 22-01-1744 was approved by a (4-0) roll call vote

The public hearing was conducted and no public comments were received.

Motion No. 22-01-1745: Upon consideration thereof, it was moved by Director Hilden, seconded by Director Hayakawa, and unanimously carried (4-0) by the roll call vote noted below, to close the Public Hearing to receive public input and feedback regarding Adoption of Ordinance No. 01-18-22 to Amend and Restate Ordinance No. 07-16-09 to Establish Water Use Efficiency Requirements and Water Supply Shortages Stages. (Item 7-D)

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

President Tang indicated Motion No. 22-01-1745 was approved by a (4-0) roll call vote

Motion No. 22-01-1746: Upon consideration thereof, it was moved by Director Hilden, seconded by Director Hayakawa, and unanimously carried (4-0) by the roll call vote noted below, to adopt Walnut Valley Water District Ordinance No. 01-18-22, amending and restating Ordinance No. 07-16-09 to establish Water Use Efficiency Requirements and Water Supply Shortage Stages. (Item 7-E)

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

President Tang indicated Motion No. 22-01-1746 was approved by a (4-0) roll call vote

Motion No. 22-01-1747: Upon consideration thereof, it was moved by Director Kwong, seconded by Director Hilden, and unanimously carried (4-0) by the roll call vote noted

below, to adopt Resolution No. 01-22-690, declaring a Stage 2 Water Supply Shortage pursuant to the District Ordinance No. 01-18-22. (Item 7-F)

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

President Tang indicated Motion No. 22-01-1747 was approved by a (4-0) roll call vote

Item 8: Consider Approval of Consent Calendar

- ◆ The Board was asked to approve the Consent Calendar, consisting of the minutes of the Regular Board meeting held December 13, 2021, the Check Register, the Employee Expense Reimbursement Report, and the Community Outreach Report. (Items 8-1, 2, 3, 4)

Motion No. 22-01-1748: Upon consideration thereof, it was moved by Director Hilden, seconded by Director Hayakawa, and unanimously carried (4-0) by the roll call vote noted below, to approve the Consent Calendar, consisting of the minutes of the Regular Board meeting held December 13, 2021, the Check Register, the Employee Expense Reimbursement Report, and the Community Outreach Report. (Items 8-1, 2, 3, 4)

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

President Tang indicated Motion No. 22-01-1748, approving the consent calendar was approved by a (4-0) roll call vote

Item 9: 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 December 2021. (Item 9)

Motion No. 22-01-1749: Upon consideration thereof, it was moved by Director Kwong, seconded by Director Hilden and unanimously carried (4-0) 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 December 2021. (Item 9)

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

President Tang indicated Motion No. 22-01-1749 was approved by a (4-0) roll call vote

Item 10: Treasurer's Report

- ◆ Mr. Byerrum presented the Financial Dashboard as of November 30, 2021, the District Statement of Revenue, Expenses, and Change in Net Positions as of November 30, 2021, the District Statement of Net Positions as of November 30, 2021, and Summary of Cash and Investments as of November 30, 2021. (Items 10-A, B, C, D)

Motion No. 22-01-1750: Upon consideration thereof, it was moved by Director Kwong, seconded by Director Hilden and unanimously carried (4-0) by the roll call vote noted below, to receive, approve, and file the Financial Dashboard as of November 30, 2021, the District Statement of Revenue, Expenses, and Change in Net Positions as of November 30, 2021, the District Statement of Net Positions as of November 30, 2021, and Summary of Cash and Investments as of November 30, 2021. (Items 10-A, B, C, D)

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

President Tang indicated Motion No. 22-01-1750 was approved by a (4-0) roll call vote

Committee Chair Reports

Item 11: Engineering Committee – Director Hayakawa

- ◆ The Board was asked to authorize the General Manager to execute a 3-year contract with ESRI for GIS Mapping Software. (Item 11-A)

Motion No. 22-01-1751: Upon consideration thereof, it was moved by Director Tang, seconded by Director Hayakawa and unanimously carried (4-0) by the roll call vote noted below, to authorize the General Manager to execute a 3-year contract with ESRI for GIS Mapping Software. (Item 11-A)

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

President Tang indicated Motion No. 22-01-1751 was approved by a (4-0) roll call vote

- ◆ Mr. Monk reviewed the Operations Report included in the Board Packet. No action was taken by the Board. (Item 11-B)

Item 12: Personnel Committee – Director Kwong

- ◆ The Board was asked to accept the District's employee disability and life insurance coverage renewal proposal from Reliance Standard for the District's life insurance coverage, and short and long-term disability coverages, effective March 1, 2022 through February 28, 2023. (Item 12-A)

Motion No. 22-01-1752: Upon consideration thereof, it was moved by Director Kwong, seconded by Director Hilden and unanimously carried (4-0) by the roll call vote noted below, to approve the proposal from Reliance Standard for renewal of the District's employee life insurance coverage, and employee short and long term disability coverages (effective March 1, 2022 through February 28, 2023. (Item 10-A)

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

President Tang indicated Motion No. 22-01-1752 was approved by a (4-0) roll call vote

Item 13: Finance Committee – Director Tang

- ◆ Mr. Byerrum reviewed the District's investment activities for the period ending December 31, 2021. The Board was then asked to receive and file the investment report. (Item 13-A)

Motion No. 22-01-1753: Upon consideration thereof, it was moved by Director Kwong, seconded by Director Hayakawa and unanimously carried (4-0) by the roll call vote noted below, to receive and file the District's investment report for the period ending December 31, 2021. (Item 13-A)

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

President Tang indicated Motion No. 22-01-1753 was approved by a (4-0) roll call vote

- ◆ The Board was asked to receive and file the Pomona-Walnut-Rowland Joint Water Line Commission Audit Report for the Year-ended June 30, 2021 and the Puente Basin Water Agency Audit Report for the Year-ended June 30, 2021. (Item 13-B)

Motion No. 22-01-1754: Upon consideration thereof, it was moved by Director Hayakawa seconded by Director Kwong and unanimously carried (4-0) by the roll call vote noted below, to receive, approve, and file the Pomona-Walnut-Rowland Joint Water Line Commission Audit Report for the Year-ended June 30, 2021 and the Puente Basin Water Agency Audit Report for the Year-ended June 30, 2021. (Item 13-B)

Ayes: Hayakawa, Hilden, Kwong, Tang
Noes: None

Absent: Lee
Abstain: None

President Tang indicated Motion No. 22-01-1754 was approved by a (4-0) roll call vote

- ◆ The Board received the Preliminary 2022-23 Budget Meeting Schedule. As this was an informational item only, Board action was not taken. (Item 13-C)
- ◆ As a matter of information only, the Board received a Revenue Bond Funds Held in Trust report. (Item 13-D)

Item 14: Public Information/Community Relations/Legislative Action Committee – Director Tang

- ◆ There were no Public Information/Community Relations/Legislative Action Committee matters to come before the Board at this time. (Item 15)

Item 15: TVMWD/MWD

- ◆ Updates on TVMWD and MWD business matters were provided by General Manager Matt Litchfield and Director David De Jesus, respectively. (Item 15)

Item 16: The P-W-R Joint Water Line Commission

- ◆ Mr. Monk reported on the P-W-R Joint Water Line Commission water use report for the month of November and December 2021 included in the Board packet. (Item 16)

Item 17: Puente Basin Water Agency (PBWA)

- ◆ Director Tang reported on the January 6, 2022 Special PBWA Commission meeting. The next PBWA meeting is scheduled for February 3, 2022. (Item 17)

Item 18: Spadra Basin Groundwater Sustainability Agency

- ◆ Director Tang reported on the January 3, 2021 Spadra Basin GSA Advisory Committee meeting. (Item 18)

Item 19: General Manager's Report

- ◆ The Board received the District's activities calendars for February, March and April 2022. (Item 19-A)
- ◆ The Board received the Presidents Special Recognition Award certificates from the ACWA/JPIA for achieving a low ratio of "Paid Claims and Case Reserves" to "Deposit Premiums" in the Liability Program for the period 10/01/2017 – 09/30/2020, in the Property Program for the period 04/01/2017-03/31/2020. (Item 19-B)

Item 20: 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 and 2020 baseline years. The report noted that the District's water usage for December 2021 was 25% lower than usage in December 2020 and 26% lower than usage in December 2013. (Item 20-A)
- ◆ The Board viewed reports on California's water supply and reservoir conditions as of January 12, 2022. (Item 20-B)

Item 21: 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 21)

- ◆ Director Hayakawa reported that during the month of December he attended MWD's "Water is Life" poster recognition event, the District's regular and Special Board meetings, all District committee meetings, and TVMWD Board meeting.
- ◆ Director Hilden reported his participation in the District's Regular and Special Board meetings in addition to the committee meetings previously reported on, and a telephonic interview with Water Now Alliance.
- ◆ Director Tang reported on his participation in District Board and committee meetings, the PBWA Special meeting, he also participated in the MWD's "Water is Life" poster recognition event, and the Heart of Hope 10th Annual Anniversary Christmas celebration.
- ◆ Director Kwong advised that she attended MWD's "Water is Life" poster recognition event, District Board and committee meetings in addition to participating in the Governor appointment workshop, the District's Succulent workshop, Presidential document signing, the

Diamond Bar Evergreen Quarterly celebration, and the Chinese-American Elected Official Association holiday event.

Item 22: Legal Reports

- ◆ Mr. Turner did not have a legal report. (Item 22)

Item 23: Items for Future Discussion

- ◆ There were no requests for future discussion items. (Item 23)

Item 24: Board of Directors Business

- ◆ Board members advised President Tang of their interest in serving as District representatives to various agencies and commissions for CY 2022. With no request specified, President Tang stated the current seats will remain as noted. (Item 24-A)

Motion No. 22-01-1755: Upon consideration thereof, it was moved by Director Tang seconded by Director Hayakawa and unanimously carried (4-0) by the roll call vote noted below, to approve the annual Board Commission and Agency Assignment Selections for Calendar Year 2022. (Item 24-A)

Ayes: Hayakawa, Hilden, Kwong, Tang

Noes: None

Absent: Lee

Abstain: None

President Tang indicated Motion No. 22-01-1755 was approved by a (4-0) roll call vote

- ◆ The Board was asked to adopt WWWD resolutions appointing representatives to the Pomona-Walnut-Rowland Joint Water Line Commission, the Puente Basin Water Agency, and the Spadra Basin Ground Water Sustainability Agency Executive Committee. (Item 24-B)

Motion No. 22-01-1756: Upon consideration thereof, it was moved by Director Kwong, seconded by Director Tang and unanimously carried (4-0) by the roll call vote noted below, to adopt WWWD Resolution No. 01-22-691, Appointing Scarlett Kwong as Representative to serve on the Pomona-Walnut-Rowland Joint Water Line Commission, and Edwin Hilden as an Alternate Representative; to adopt WWWD Resolution No. 01-22-692, Appointing Theresa Lee and Jerry Tang as Representatives to serve on the Puente Basin Water Agency, and Scarlett Kwong as an Alternate Representative; and to adopt WWWD Resolution No. 01-22-693, Appointing Jerry Tang as Representative to serve on the Executive Committee of the Spadra Basin Groundwater Sustainability Agency, and Theresa Lee as an Alternate Representative.

Ayes: Hayakawa, Hilden, Kwong, Tang

Noes: None

Absent: Lee

Abstain: None

President Tang indicated Motion No. 22-01-1756, adopting Resolution No. 01-22-691, Resolution No. 01-22-692, Resolution No. 01-22-693, was approved by a (4-0) roll call vote (Item 22-B)

- ◆ The Board was asked to advise staff regarding interest in being nominated as a candidate to fill the Special District Local Agency Formation Commission, Special District Voting Member and Special District Alternate Member positions. No official Board action was taken on this matter. (Item 22-C)

- ◆ The Board was asked to adopt WWWD Resolution No. 01-22-694, authorizing remote teleconference meetings for the period January 18, 2022 to February 17, 2022. (Item 22-D)

Motion No. 22-01-1757: Upon consideration thereof, it was moved by Director Kwong, seconded by Director Hayakawa and unanimously carried (4-0) by the roll call vote noted below, to adopt WWWD Resolution No. 01-22-694, authorizing remote teleconference meetings for the period January 18, 2022 to February 17, 2022. (Item 22-B)

Ayes: Hayakawa, Hilden, Kwong, Tang

Noes: None

Absent: Lee

Abstain: None

President Tang indicated Motion No. 22-01-1757, adopting Resolution No. 01-22-694, was approved by a (4-0) roll call vote

Item 25: Public Comment on Closed Session

- ◆ There were no requests to comment on closed session items. (Item 25)

Item 26: Adjourn to Closed Session – 6:34 p.m.

Item 27: Closed Session – 6:35 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 27-A)

Item 28: Reconvene in Open Session/Report of Action Taken in Closed Session – 6:36 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.

Adjournment at 6:37p.m.