

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

**January 21, 2020
At the Offices of the District**

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, HR/Risk/Safety Manager
Josh Byerrum, Finance Manager
Gabriela Sanchez, Executive Secretary
Jim Ciampa, Legal Counsel

The meeting was called to order at 5:00 p.m. with President Lee presiding.

Guests and others in attendance: Three Valleys Municipal Water District (TVMWD) Director Denise Jackman and General Manager/Chief Engineer Matthew Litchfield, P.E.; Wendy Billings; Victoria Hahn; Sara Rodriguez of the Walnut Valley Water District.

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 Agenda

- ◆ There were no requests. (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 December 16, 2019, the Check Register, the Employee Expense Reimbursement Report, and the Community Outreach Update. (Item 6-1, 2, 3, and 4)

Motion No. 20-01-1474: Upon consideration thereof, it was moved by Director Ebenkamp, seconded by Director Hilden, and unanimously carried (5-0), to approve the Consent Calendar, consisting of the minutes of the Regular Board meeting held December 16, 2019, the Check Register, the Employee Expense Reimbursement Report, and the Community Outreach Update. (Items 6-1, 2, 3, and 4)

President Lee indicated Motion No. 20-01-1474 was approved by a (5-0) 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 December 2019. (Item 7)

Motion No. 20-01-1475: Upon consideration thereof, it was moved by Director Ebenkamp, 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 December 2019. (Item 7)

President Lee indicated Motion No. 20-01-1475 was approved by a (5-0) vote

Item 8: Treasurer's Report

- ◆ Mr. Byerrum presented the Financial Dashboard as of November 30, 2019, the District Statement of Revenue, Expenses, and Change in Net Assets as of November 30, 2019, the District Statement of Net Assets as of November 30, 2019, and Summary of Cash and Investments as of November 30, 2019. (Items 8-A, B, C, D)

Motion No. 20-01-1476: Upon consideration thereof, it was moved by Director Kwong, seconded by Director Ebenkamp and unanimously carried (5-0), receive, approve, and file the Financial Dashboard as of November 30, 2019. (Item 8-A)

President Lee indicated Motion No. 20-01-1476 was approved by a (5-0) vote

Motion No. 20-01-1477: Upon consideration thereof, it was moved by Director Ebenkamp, seconded by Director Kwong and unanimously carried (5-0), receive, approve, and file the District Statement of Revenue, Expenses, and Change in Net Assets as of November 30, 2019. (Item 8-B)

President Lee indicated Motion No. 20-01-1477 was approved by a (5-0) vote

Motion No. 20-01-1478: Upon consideration thereof, it was moved by Director Ebenkamp, seconded by Director Kwong and unanimously carried (5-0), receive, approve, and file the District Statement of Net Assets as of November 30, 2019. (Item 8-C)

President Lee indicated Motion No. 20-01-1478 was approved by a (5-0) vote

Motion No. 20-01-1479: Upon consideration thereof, it was moved by Director Ebenkamp, seconded by Director Kwong and unanimously carried (5-0), receive, approve, and file the Summary of Cash and Investments as of November 30, 2019. (Item 8-D)

President Lee indicated Motion No. 20-01-1479 was approved by a (5-0) vote

Committee Chair Reports

Item 9: Engineering Committee – Director Lee

- ◆ The Board was asked to approve the Policy on Discontinuation of Residential Water Service for Non-Payment. Mr. Teuber explained that if approved, this policy would be applicable to all residential water customers and would result in expanded notification procedures prior to service shut-off for non-payment. (Item 9-A)

Motion No. 20-01-1480: Upon consideration thereof, it was moved by Director Hilden, seconded by Director Ebenkamp and unanimously carried (5-0), to adopt the newly proposed Policy on Discontinuation of Residential Water Service for Non-Payment. (Item 9-A)

President Lee indicated Motion No. 20-01-1480 was approved by a (5-0) vote

- ◆ The Board was asked to accept the work as installed for major contract Industry Business Center West (P.N. 14-3373) and to authorize the filing of a Notice of Completion for the subject project. (Item 9-B)

Motion No. 20-01-1481: Upon consideration thereof, it was moved by Director Ebenkamp, seconded by Director Hilden and unanimously carried (5-0), to accept the work as installed for major contract Industry Business Center West (P.N. 14-3373) and to authorize the filing of a Notice of Completion for the subject project. (Item 9-B)

President Lee indicated Motion No. 20-01-1481 was approved by a (5-0) vote

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

Item 10: Personnel Committee

- ◆ The Board was asked to accept the District's employee disability and life insurance coverage renewal proposal from Reliance Standard, which includes a one-year rate guarantee for the District's life insurance coverage, and short and long-term disability coverages, effective March 1, 2020 through February 28, 2021. (Item 10-A)

Motion No. 20-01-1482: Upon consideration thereof, it was moved by Director Hilden, seconded by Director Ebenkamp and unanimously carried (5-0), 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, 2020 through February 28, 2021, with a one-year rate guarantee. (Item 10-A)

President Lee indicated Motion No. 20-01-1482 was approved by a (5-0) vote

Item 11: Finance Committee

- ◆ The Board was asked to receive, approve, and file the District's Consolidated Investment Transactions Report for December 2019 included in the Board packet. (Item 11-A)

Motion No. 20-01-1483: Upon consideration thereof, it was moved by Director Hilden, seconded by Director Ebenkamp and unanimously carried (5-0), to receive, approve, and file the District's Consolidated Investment Transaction Report for the period of December 1, 2019 through December 31, 2019. (Item 11-A)

President Lee indicated Motion No. 20-01-1483 was approved by a (5-0) vote

- ◆ The Board received the Preliminary 2020-21 Budget Meeting Schedule. As this was an informational item only, Board action was not taken. (Item 11-B)

- ◆ Mr. Teuber reviewed the Revenue Bond Funds Held in Trust and detailed disbursement of bond proceeds report through December 31, 2019. As this was an informational item only, Board action was not taken. (Item 11-C)

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/Chief Engineer Matthew Litchfield, P.E. reported on MWD and TVMWD business matters and advised of the recent appointment of Ms. Jody Roberto to the TVMWD Board of Directors. (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 month of December 2019. (Item 14)

Item 15: Puente Basin Water Agency (PBWA)

- ◆ The next Commission meeting will be held on February 6, 2020. (Item 15)

Item 16: Spadra Basin Groundwater Sustainability Agency

- ◆ The next Agency meeting will be held on March 2, 2020. (Item 16)

Item 17: General Manager's Report

- ◆ The Board received the District's activities calendars for February, March and April 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, Calendar Year 2019 purchase water projections, conservation goal summary, climate summary, and 2019 monthly water consumption versus the 2013 baseline year. Mr. Hitchman made note that the District's water usage for December 2019 was 33.95% lower than usage in December 2013. (Item 18-A)
- ◆ The Board viewed reports on California's water supply and reservoir conditions as of January 12, 2020. (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 Tang noted his attendance at the ACWA Fall Conference in San Diego, the Heart of Hope Annual Christmas Banquet, and MWD's 'Water is Life' poster recognition ceremony. Additionally, he advised that he served as an essay judge for the Future City Presentations competition.
- ◆ Director Ebenkamp reported on his attendance at WVWD committee and Board meetings, a PBWA Commission meeting, a TVMWD meeting, and the ACWA Fall Conference in San Diego.
- ◆ In addition to District committee and Board meetings, and a PBWA Commission meeting, President Lee noted that she attended MWD's 'Water is Life' poster recognition ceremony and participated in an ACWA/JPIA webinar training on Sexual Harassment Prevention.
- ◆ In addition to District committee and Board meetings, Director Kwong attended MWD's 'Water is Life' poster recognition ceremony.
- ◆ Director Hilden advised that he attended District committee and Board meetings, a TVMWD Board meeting, a memorial service for TVMWD Director Joseph Ruzicka, in addition to a meeting with WVWD staff to sign the General Manager's employment contract amendment.

Item 20: Legal Reports

- ◆ There were no Legal Report matters to discuss with 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

- ◆ In accordance with the Puente Basin Water Agency Joint Powers Agreement and the Pomona-Walnut-Rowland Joint Water Line Commission Bylaws, the Board was asked to adopt resolutions appointing District representatives to these agencies. (Item 22)

Motion No. 20-01-1484: 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 adopt Resolution No. 01-20-662 appointing Directors Theodore Ebenkamp and Theresa Lee as representatives, and Director Scarlett Kwong as alternate representative to serve on the Commission of the Puente Basin Water Agency. (Item 22)

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

President Lee indicated Motion No. 20-01-1484, approving Resolution No. 01-20-662 was approved by a (5-0) roll call vote

Motion No. 20-01-1485: 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 adopt Resolution No. 01-20-663, appointing Director Scarlett Kwong as representative and Director Edwin Hilden as alternate representative to serve on the P-W-R Joint Water Line Commission. (Item 22)

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

President Lee indicated Motion No. 20-01-1485, approving Resolution No. 01-20-663 was approved by a (5-0) roll call vote

- ◆ The Board was asked to authorize the General Manager to execute an amendment to the agreement with Raftelis Financial Consultants for additional work related to the Water Rate Study in the amount of \$12,711. (Item 22-B)

Motion No. 20-01-1486: Upon consideration thereof, it was moved by Director Ebenkamp, seconded by Director Hilden and unanimously carried (5-0), to authorize the General Manager to execute an amendment to the agreement with Raftelis Financial Consultants for additional work related to the Water Rate Study in the amount of \$12,711. (Item 22-B)

President Lee indicated Motion No. 20-01-1486 was approved by a (5-0) vote

- ◆ The Board was asked to advise President Lee regarding the District's vote for a candidate to fill the Special District Local Agency Formation Commission Representative position for the term expiring in May 2020. No official Board action was taken on this matter. (Item 22-C)

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 – 5:41 p.m.

Item 25: Closed Session – 6:00 p.m.

- A. The Board met in closed session in accordance with Government Code [§54956.9(d)(4)] to discuss initiation of litigation matter with Legal Counsel – One Potential Case. (Item 25-A)
- B. The Board met in closed session in accordance with Government Code [§54956.9(d)(2)] to discuss initiation of litigation matter 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(d)(4)] 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. (Item 26-A)
- B. The Board also met in closed session in accordance with Government Code [§54956.9(d)(2)] to discuss one item of potential litigation 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. (Item 26-B)

Adjournment at 6:11 p.m.

Motion No. 20-01-1487: Upon consideration thereof, it was moved by Director Lee, seconded by Director Ebenkamp and unanimously carried (5-0), to adjourn the meeting in memory of Mrs. Cynthia Woodruff, wife of Ron Woodruff, Information System Specialist of the Walnut Valley Water District. (Item 22-B)

President Lee indicated Motion No. 20-01-1487 was approved by a (5-0) vote

RESOLUTION NO. 01-20-662

RESOLUTION OF THE WALNUT VALLEY WATER DISTRICT
BOARD OF DIRECTORS
APPOINTING REPRESENTATIVES TO THE PUENTE BASIN WATER AGENCY

WHEREAS, the Walnut Valley Water District entered into an Amended Restated and Renewed Joint Powers Agreement creating the PUENTE BASIN WATER AGENCY, dated October 28, 2009, with Rowland Water District, (the PBWA Agreement); and,

WHEREAS, the PBWA Agreement provides that the PUENTE BASIN WATER AGENCY shall be governed by a Commission consisting of four commissioners, and that the governing body of each of the members shall annually appoint two representatives to the Commission and one alternate to serve in the absence of either of the appointed representatives; and,

WHEREAS, the PBWA Agreement further provides that at least one of the appointed representatives of each member shall be a director on the governing board of the appointing member; and,

WHEREAS, each Commissioner must file with the PUENTE BASIN WATER AGENCY a certified copy of the resolution of the member appointing him or her,

NOW THEREFORE, BE IT RESOLVED by the Board of Directors of the Walnut Valley Water District:

1. That Theodore Ebenkamp, who is a member of the Board of Directors of the Walnut Valley Water District, shall be appointed as a representative of the Walnut Valley Water District to serve on the Commission of the PUENTE BASIN WATER AGENCY.
2. That Theresa Lee, who is a member of the Board of Directors of the Walnut Valley Water District, shall be appointed as a representative of the Walnut Valley Water District to serve on the Commission of the PUENTE BASIN WATER AGENCY.
3. That Scarlett Kwong, who is a member of the Board of Directors of the Walnut Valley Water District, shall be appointed as an alternate representative of the Walnut Valley Water District to serve on the Commission of the PUENTE BASIN WATER AGENCY in the absence of either of the appointed representatives.
4. That each of the representatives and alternate appointed herein shall serve for a term of one year unless removed and replaced at the pleasure of the Board of Directors, or unless such representative or alternate resigns or becomes incapacitated.
5. That a certified copy of this Resolution be provided to the PUENTE BASIN WATER AGENCY.


**ADOPTED AT A REGULAR MEETING OF THE WALNUT VALLEY WATER DISTRICT HELD
JANUARY 21, 2020**

AYES: EBENKAMP, HILDEN, LEE, KWONG, TANG
NOES: None
ABSENT: None
ABSTAIN: None



President
Board of Directors

ATTEST:



Secretary

RESOLUTION NO. 01-20-663

RESOLUTION OF THE WALNUT VALLEY WATER DISTRICT
BOARD OF DIRECTORS
APPOINTING REPRESENTATIVES TO THE P-W-R JOINT WATER LINE COMMISSION

WHEREAS, the Walnut Valley Water District is a contracting public agency with a vested interest in the POMONA-WALNUT-ROWLAND (P-W-R) JOINT WATER LINE; and

WHEREAS, the P-W-R Joint Waterline Commission Bylaws provide that the P-W-R JOINT WATER LINE shall be governed by a Commission consisting of three commissioners, and that the governing body of each of the contracting agencies shall annually appoint one representatives to the Commission and one alternate to serve in the absence of the appointed representative; and,

WHEREAS, each contracting public agency must file with the P-W-R JOINT WATER LINE COMMISSION a certified copy of the resolution appointing the Commissioner and Alternate(s);

NOW THEREFORE, BE IT RESOLVED by the Board of Directors of the Walnut Valley Water District:

1. That Scarlett Kwong, who is a member of the Board of Directors of the Walnut Valley Water District, shall be appointed as representative of the Walnut Valley Water District to serve on the P-W-R JOINT WATER LINE COMMISSION.

2. That Edwin Hilden, who is a member of the Board of Directors of the Walnut Valley Water District, shall be appointed as an alternate representative of the Walnut Valley Water District to serve on the P-W-R JOINT WATER LINE COMMISSION in the absence of the appointed representative.

4. That the representative and the alternate appointed herein shall serve for a term of one year unless removed and replaced at the pleasure of the Board of Directors, or unless such representative or alternate resigns or becomes incapacitated.

5. That a certified copy of this Resolution be provided to the P-W-R JOINT WATER LINE COMMISSION.

**ADOPTED AT A REGULAR MEETING OF THE WALNUT VALLEY WATER DISTRICT HELD
JANUARY 21, 2020**

AYES: EBENKAMP, HILDEN, LEE, KWONG, TANG

NOES: None

ABSENT: None

ABSTAIN: None



President
Board of Directors

ATTEST:



Secretary

