

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

**March 16, 2020  
At the Offices of the District**

**DIRECTORS PRESENT:**

Edwin Hilden (joined via teleconference)  
Theodore L. Ebenkamp (joined via teleconference)  
Scarlett Kwong (joined via teleconference)  
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 (joined via teleconference)  
Thomas Monk, Director of Operations  
Gabriela Sanchez, Executive Secretary  
Jim Ciampa, Legal Counsel

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

Guests and others in attendance: Three Valleys Municipal Water District (TVMWD) Director Denise Jackman.

**Item 3: Public Comment**

- ◆ There were no requests (Item 3)

**Item 4: Additions to the Agenda**

- ◆ The General Manager requested the Board consider adding an emergency item to Board Business (Item 22) pertaining to the adoption of WVWD Resolution No. 03-20-665, Authorizing the General Manager to Take All Actions Necessary in Response to the COVID-19 Pandemic. (Item 4)

***Motion No. 20-03-1496: Upon consideration thereof, it was moved by Director Ebenkamp, seconded by Director Kwong and unanimously carried (5-0), the Board of Directors determine that an emergency exists with respect to the COVID-19 pandemic that justifies the addition of the consideration of adoption of WVWD Resolution No. 03-20-665, Authorizing the General Manager to Take All Actions Necessary in Response to the COVID-19 Pandemic, to the agenda for this meeting, and to add that item under Board Business. (Item 4)***

**President Lee indicated Motion No. 20-03-1496 was approved by a (5-0) vote**

**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 February 18, 2020, the Check Register, the Employee Expense Reimbursement Report, and the Community Outreach Report. (Item 6-1, 2, 3, 4)

***Motion No. 20-03-1497: Upon consideration thereof, it was moved by Director Ebenkamp, seconded by Director Tang, and unanimously carried (5-0), to approve the Consent Calendar, consisting of the minutes of the Regular Board meeting held February 18, 2020, the Check Register, the Employee Expense Reimbursement Report, and the Community Outreach Report. (Items 6-1, 2, 3, 4)***

**President Lee indicated Motion No. 20-03-1497 was approved by a (5-0) vote**

- ◆ The Board was asked to adopt by roll call vote the Negotiated Tax Exchange Resolutions for the Annexation of Petition No. 79-718 to County Lighting Maintenance District 1687. (Item 8-7)

***Motion No. 20-03-1498: Upon consideration thereof, it was unanimously carried (5-0) by the roll call vote noted below, to adopt Negotiated Tax Exchange Resolutions Approving and Accepting the Negotiated Exchange of Property Tax Revenues Annexation of Petition No. 79-718 to County Lighting Maintenance District 1687. (Item 6-5)***

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

**President Lee indicated Motion No. 20-03-1498 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 2020. (Item 7)

**Motion No. 20-03-1499: Upon consideration thereof, it was moved by Director Ebenkamp, seconded by Director Tang 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 February 2020. (Item 7)**

President Lee indicated Motion No. 20-03-1499 was approved by a (5-0) vote

**Item 8: Treasurer's Report**

- ◆ Mr. Teuber presented the Financial Dashboard as of January 31, 2020, the District Statement of Revenue, Expenses, and Change in Net Assets as of January 31, 2020, the District Statement of Net Assets as of January 31, 2020, and Summary of Cash and Investments as of January 31, 2020. (Items 8-A, B, C, D)

**Motion No. 20-03-1500: Upon consideration thereof, it was moved by Director Ebenkamp, seconded by Director Tang and unanimously carried (5-0), to receive, approve, and file the Financial Dashboard as of January 31, 2020, the District Statement of Revenue, Expenses, and Change in Net Assets as of January 31, 2020, the District Statement of Net Assets as of January 31, 2020, and Summary of Cash and Investments as of January 31, 2020. (Items 8-A, B, C, D)**

President Lee indicated Motion No. 20-03-1500 was approved by a (5-0) vote

**Committee Chair Reports****Item 9: Engineering Committee – Director Lee**

- ◆ The Board was asked to authorize the award of a contract to Linkture Corp. (Linkture) for the preparation of the preliminary design report (PDR), the final design, and to provide partial construction oversight services for the Diamond Bar (P1) Pump Station Electrical Refurbishment Project (P.N. 20-3628) at a cost of \$212,767. (Item 9-A)

**Motion No. 20-03-1501: Upon consideration thereof, it was moved by Director Ebenkamp, seconded by Director Hilden and unanimously carried (5-0), to approve the award of contract to Linkture Corp. (Linkture), in the amount of \$212,767, for the preparation of the preliminary design report (PDR), final design, and to provide partial construction oversight services for the Diamond Bar (P1) Pump Station Electrical Refurbishment Project (P.N. 20-3628). (Item 9-A)**

President Lee indicated Motion No. 20-03-1501 was approved by a (5-0) vote

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

**Item 10: Personnel Committee**

- ◆ The Board was asked to approve the Production Department's proposed reorganization to add an Instrumentation/Electrical System Technician position. In conjunction with this request, the Board was also asked to approve the updated District Official Chart of Positions and District Organizational Chart, and the proposed modifications to the salary ranges, as presented to the Board, all reflective of the proposed reorganization to the Production Department. (Item 10-A)

**Motion No. 20-03-1502: Upon consideration thereof, it was moved by Director Ebenkamp, seconded by Director Tang and unanimously carried (5-0), to approve the proposed reorganization to the Production Department to add an Instrumentation/Electrical System Technician position; to approve the updated District Official Chart of Positions, the District Organizational Chart, and the proposed modifications to the salary ranges, as presented to the Board, all reflective of the reorganization to the Production Department. (Item 10-A)**

President Lee indicated Motion No. 20-03-1502 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 February 2020 included in the Board packet. (Item 11-A)

**Motion No. 20-03-1503: Upon consideration thereof, it was moved by Director Kwong seconded by Director Tang and unanimously carried (5-0), to receive, approve, and file the District's Consolidated Investment Transaction Report for the period of February 1, 2020 through February 29, 2020. (Item 11-A)**

President Lee indicated Motion No. 20-03-1503 was approved by a (5-0) 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, 2019, and the Puente Basin Water Agency Audit Report for the Year-ended June 30, 2019. (Item 11-B)

**Motion No. 20-03-1504: Upon consideration thereof, it was moved by Director Kwong, seconded by Director Tang and unanimously carried (5-0), to receive and file the Pomona-Walnut-Rowland Joint Water Line Commission Audit Report for the Year-ended June 30, 2019, and the Puente Basin Water Agency Audit Report for the Year-ended June 30, 2019. (Item 11-C)**

**President Lee indicated Motion No. 20-03-1504 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 February 29, 2020. As this was an informational item only, Board action was not taken.(Item 11-C)

#### **Item 12: Public Information/Community Relations/Legislative Action Committee**

- ◆ The Board was asked to adopt a proclamation declaring May as “Water Awareness Month.” (Item 12)

**Motion No. 20-03-1505: Upon consideration thereof, it was moved by Director Lee, seconded by Director Tang and unanimously carried (5-0), to adopt a proclamation declaring May as “Water Awareness Month.” (Item 12-A)**

**President Lee indicated Motion No. 20-03-1505 was approved by a (5-0) vote**

#### **Item 13: TVMWD/MWD**

- ◆ TVMWD Board of Director Denise Jackman advised the Board of the upcoming TVMWD board meeting activities. (Item 13)

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

- ◆ Mr. Teuber noted that the February P-W-R Joint Water Line Commission water use report would be presented at the April 20, 2020 Board meeting. (Item 14)

#### **Item 15: Puente Basin Water Agency (PBWA)**

- ◆ President Lee provided a recap on business matters from the February 6, 2020 PBWA meeting. Mr. Hitchman then advised the Board that the Agency received a Proposition 84 Grant reimbursement in the amount of \$1,256,106. (Item 15)

#### **Item 16: Spadra Basin Groundwater Sustainability Agency**

- ◆ Director Tang advised that the Executive Committee approved the Technical Memorandum No. 1: Conceptual Model of the Spadra Basin at the March 2, 2020 meeting. (Item 16)

#### **Item 17: General Manager’s Report**

- ◆ The Board received the District’s activities calendars for April, May and June 2020. Mr. Hitchman further explained staff’s recommendation to cancel upcoming Board workshops as a precautionary measure in response to the COVID-19 pandemic. He also advised that many District outreach activities will be postponed until further notice. (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, Fiscal Year 2019-20 purchased water projections, conservation goal summary, climate summary, and 2020 monthly water consumption versus the 2013 baseline year. Mr. Hitchman made note that the District’s water usage for February 2020 was 5.20% higher than usage in February 2013. (Item 18-A)
- ◆ The Board viewed reports on California’s water supply and reservoir conditions as of March 8, 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)

- ◆ Director Tang reported on his attendance at District committee and Board meetings in addition to other District-hosted events such as the Employee Recognition Banquet and a landscape class held at the Walnut Senior Center. Additionally he attended the City of Walnut’s Lunar New Year celebration and assisted District staff with the translation of materials pertaining to SB 998 legislation.
- ◆ In addition to the District Board and committee meetings previously reported on, Director Ebenkamp reported on his attendance at TVMWD Board meetings, a Puente Basin Water Agency meeting, and a Regional Chamber Government Affairs Committee meeting.
- ◆ In addition to District committee and Board meetings previously reported, President Lee noted that she attended a Puente Basin Water Agency meeting, the Diamond Bar Evergreen Club Chinese

Lunar New Year and 30<sup>th</sup> Anniversary Celebration, the WVWD Employee Recognition Banquet, the SGV Regional Chamber Salute the Heroes Prayer Breakfast and a WVWD-hosted landscape class held at the City of Walnut's Senior Center.

- ◆ Director Kwong advised that she attended District Board and committee meetings in addition to the Diamond Bar Evergreen Club Chinese Lunar New Year and 30<sup>th</sup> Anniversary Celebration, the WVWD Employee Recognition Banquet and a Pomona-Walnut-Rowland Joint Water Line Commission meeting.
- ◆ In addition to the District Board and committee meetings previously reported on, Director Hilden noted that he attended the WVWD Employee Recognition Banquet, TVMWD Board meetings, and the SGV Regional Chamber Salute the Heroes Prayer Breakfast.

#### **Item 20: Legal Reports**

- ◆ Mr. Ciampa addressed provisions under Governor Newsom's Executive Order N-25-20 pertaining to modifications to Brown Act's teleconferencing requirements. He then reported on the State Water Board's Low-Income Water Rate Assistance Program Report, legislation pertaining to email retention, and advised that PWAG took a support position on SB 1099, which would exempt generator usage from air quality regulations during Public Safety Power Shutoffs. (Item 20)

#### **Item 21: Items for Future Discussion**

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

#### **Item 22: Board of Directors Business [item added as an emergency item]**

- ◆ The Board asked to adopt WVWD Resolution No. 03-20-665, Authorizing the General Manager to Take All Actions Necessary in Response to the COVID-19 Pandemic. It was further suggested and agreed upon to add a provision to the resolution authorizing the General Manager to suspend any late charges or other administrative charges imposed on late or unpaid water service accounts and to suspend the termination of any water service for non-payment. (Item 22)

***Motion No. 20-03-1506: Upon consideration thereof, it was moved by Director Ebenkamp, seconded by Director Kwong and unanimously carried by the roll call vote noted below, to adopt WVWD Resolution No. 03-20-665, Authorizing the General Manager to Take All Actions Necessary in Response to the COVID-19 Pandemic, including the addition to authorize the General Manager to suspend any late charges or other administrative charges imposed on late or unpaid water service accounts, and to suspend the termination of any water service for non-payment. (Item 22)***

**Ayes: Ebenkamp, Hilden, Kwong, Lee, Tang**

**Noes: None**

**Absent: None**

**Abstain: None**

**President Lee indicated Motion No. 20-03-1506 was approved by a (5-0) roll call vote**

#### **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 – 5:58 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)(2)] to discuss initiation of litigation matter with Legal Counsel – One Potential Case, and (Item 25-A)
- B. The Board met in closed session in accordance with Government Code [§54956.9(a)] to discuss existing litigation concerning Bonnie Kessner et al vs. City of Santa Clara et al (Santa Clara County Superior Court Case No. 20CV364054). (Item 25-B)

#### **Item 26: Reconvene in Open Session/Report of Action Taken in Closed Session – 6:04 p.m.**

- A. The Board 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, and
- B. The Board also met in closed session to discuss existing litigation concerning 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 the case; no action reportable under the Brown Act was taken.

#### **Adjournment at 6:05 p.m.**

***Motion No. 20-03-1507: Upon consideration thereof, it was moved by Director Ebenkamp, seconded by Director Tang and unanimously carried (5-0), to adjourn the meeting.***

**President Lee indicated Motion No. 20-03-1507 was approved by a (5-0) vote**

**JOINT RESOLUTION OF  
THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES,  
THE BOARD OF TRUSTEES OF THE GREATER LOS ANGELES COUNTY  
VECTOR CONTROL DISTRICT, THE BOARD OF DIRECTORS OF THE COUNTY  
SANITATION DISTRICT NO. 21 OF LOS ANGELES COUNTY, THE BOARD OF  
DIRECTORS OF THE THREE VALLEYS MUNICIPAL WATER DISTRICT –  
ORIGINAL AREA, THE BOARD OF DIRECTORS OF THE WALNUT VALLEY  
WATER DISTRICT, AND THE BOARD OF DIRECTORS OF THE WALNUT VALLEY  
WATER IMPROVEMENT DISTRICT NO. 5 APPROVING AND ACCEPTING THE  
NEGOTIATED EXCHANGE OF PROPERTY TAX REVENUES  
ANNEXATION OF PETITION NO. 79-718  
TO COUNTY LIGHTING MAINTENANCE DISTRICT 1687**

WHEREAS, pursuant to Section 99.01 of the California Revenue and Taxation Code, prior to the effective date of any jurisdictional change that will result in a special district providing one or more services to an area where those services have not previously been provided by any local agency, the special district and each local agency that receives an apportionment of property tax revenue from the area must negotiate an exchange of property tax increment generated in the area subject to the jurisdictional change and attributable to those local agencies; and

WHEREAS, the Board of Supervisors of the County of Los Angeles, acting on behalf of the County Lighting Maintenance District 1687, Los Angeles County General Fund, Los Angeles County Public Library, Los Angeles County Road District 4, the Consolidated Fire Protection District of Los Angeles County, Los Angeles County Flood Control Drainage Improvement Maintenance District, and Los Angeles County Flood Control District; the Board of Trustees of the Greater Los Angeles County Vector Control District; the Board of Directors of the County Sanitation District No. 21 of Los Angeles County; the Board of Directors of the Three Valleys Municipal Water District - Original Area; the Board of Directors of the Walnut Valley Water District; and the Board of Directors of the Walnut Valley Water Improvement District No. 5 have determined that the amount of property tax revenue to be exchanged between their respective agencies as a result of the annexation proposal identified as Petition No. 79-718 to County Lighting Maintenance District 1687 are as shown on the attached Property Tax Transfer Resolution Worksheet.

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NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The negotiated exchange of property tax revenues between the County Lighting Maintenance District 1687, Los Angeles County General Fund, Los Angeles County Public Library, Los Angeles County Road District 4, the Consolidated Fire Protection District of Los Angeles County, Los Angeles County Flood Control Drainage Improvement Maintenance District, Los Angeles County Flood Control District, the Greater Los Angeles County Vector Control District, the County Sanitation District No. 21 of Los Angeles County, the Three Valleys Municipal Water District - Original Area, the Walnut Valley Water District, and the Walnut Valley Water Improvement District No. 5 resulting from the annexation of Petition No. 79-718 to County Lighting Maintenance District 1687 is approved and accepted.


2. For fiscal years commencing on or after July 1, 2020, or the July 1 after the effective date of this jurisdictional change, whichever is later, the property tax revenue increment generated from the area Petition No. 79-718, Tax Rate Area 08366, shall be allocated to the affected agencies as indicated on the attached Property Tax Transfer Resolution Worksheet.


3. No transfer of property tax revenues other than those specified in Paragraph 2 shall be made as a result of the annexation of Petition No. 79-718.

4. If at any time after the effective date of this resolution, the calculations used herein to determine initial property tax transfers or the data used to perform those calculations are found to be incorrect, thus producing an improper or inaccurate property tax transfer, the property tax transfer shall be recalculated and the corrected transfer shall be implemented for the next fiscal year.

PASSED, APPROVED, AND ADOPTED this 16th day of MARCH 2020, by the following vote:

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

WALNUT VALLEY WATER DISTRICT  
By   
Chairperson, Board of Directors

ATTEST  
  
Secretary

March 17, 2020  
Date

**JOINT RESOLUTION OF  
THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES,  
THE BOARD OF TRUSTEES OF THE GREATER LOS ANGELES COUNTY  
VECTOR CONTROL DISTRICT, THE BOARD OF DIRECTORS OF THE COUNTY  
SANITATION DISTRICT NO. 21 OF LOS ANGELES COUNTY, THE BOARD OF  
DIRECTORS OF THE THREE VALLEYS MUNICIPAL WATER DISTRICT –  
ORIGINAL AREA, THE BOARD OF DIRECTORS OF THE WALNUT VALLEY  
WATER DISTRICT, AND THE BOARD OF DIRECTORS OF THE WALNUT VALLEY  
WATER IMPROVEMENT DISTRICT NO. 5 APPROVING AND ACCEPTING THE  
NEGOTIATED EXCHANGE OF PROPERTY TAX REVENUES  
ANNEXATION OF PETITION NO. 79-718  
TO COUNTY LIGHTING MAINTENANCE DISTRICT 1687**

WHEREAS, pursuant to Section 99.01 of the California Revenue and Taxation Code, prior to the effective date of any jurisdictional change that will result in a special district providing one or more services to an area where those services have not previously been provided by any local agency, the special district and each local agency that receives an apportionment of property tax revenue from the area must negotiate an exchange of property tax increment generated in the area subject to the jurisdictional change and attributable to those local agencies; and

WHEREAS, the Board of Supervisors of the County of Los Angeles, acting on behalf of the County Lighting Maintenance District 1687, Los Angeles County General Fund, Los Angeles County Public Library, Los Angeles County Road District 4, the Consolidated Fire Protection District of Los Angeles County, Los Angeles County Flood Control Drainage Improvement Maintenance District, and Los Angeles County Flood Control District; the Board of Trustees of the Greater Los Angeles County Vector Control District; the Board of Directors of the County Sanitation District No. 21 of Los Angeles County; the Board of Directors of the Three Valleys Municipal Water District - Original Area; the Board of Directors of the Walnut Valley Water District; and the Board of Directors of the Walnut Valley Water Improvement District No. 5 have determined that the amount of property tax revenue to be exchanged between their respective agencies as a result of the annexation proposal identified as Petition No. 79-718 to County Lighting Maintenance District 1687 are as shown on the attached Property Tax Transfer Resolution Worksheet.

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NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The negotiated exchange of property tax revenues between the County Lighting Maintenance District 1687, Los Angeles County General Fund, Los Angeles County Public Library, Los Angeles County Road District 4, the Consolidated Fire Protection District of Los Angeles County, Los Angeles County Flood Control Drainage Improvement Maintenance District, Los Angeles County Flood Control District, the Greater Los Angeles County Vector Control District, the County Sanitation District No. 21 of Los Angeles County, the Three Valleys Municipal Water District - Original Area, the Walnut Valley Water District, and the Walnut Valley Water Improvement District No. 5 resulting from the annexation of Petition No. 79-718 to County Lighting Maintenance District 1687 is approved and accepted.

2. For fiscal years commencing on or after July 1, 2020, or the July 1 after the effective date of this jurisdictional change, whichever is later, the property tax revenue increment generated from the area Petition No. 79-718, Tax Rate Area 08366, shall be allocated to the affected agencies as indicated on the attached Property Tax Transfer Resolution Worksheet.

3. No transfer of property tax revenues other than those specified in Paragraph 2 shall be made as a result of the annexation of Petition No. 79-718.

4. If at any time after the effective date of this resolution, the calculations used herein to determine initial property tax transfers or the data used to perform those calculations are found to be incorrect, thus producing an improper or inaccurate property tax transfer, the property tax transfer shall be recalculated and the corrected transfer shall be implemented for the next fiscal year.

PASSED, APPROVED, AND ADOPTED this 16th day of MARCH 2020, by the following vote:

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

WALNUT VALLEY WATER IMPROVEMENT  
DISTRICT NO. 5

By [Signature]  
Chairperson, Board of Directors

ATTEST: [Signature]  
Secretary

March 17, 2020  
Date



**RESOLUTION NO. 03-20-665**

**A RESOLUTION OF THE WALNUT VALLEY WATER DISTRICT  
BOARD OF DIRECTORS  
AUTHORIZING THE GENERAL MANAGER TO TAKE ALL ACTIONS  
NECESSARY IN RESPONSE TO THE COVID-19 PANDEMIC**

**WHEREAS**, on March 4, 2020, the Governor of California declared a State of Emergency due to the outbreak and spread of the SARS-CoV-2 virus which causes the disease named "coronavirus disease 2019" (abbreviated "COVID-19"); and,

**WHEREAS**, on March 11, 2020, the World Health Organization (WHO) characterized COVID-19 as a pandemic; and,

**WHEREAS**, on March 11, 2020, the California Department of Public Health (CDPH) issued an updated policy relating to the postpone or cancellation of large and small gatherings across the state of California to protect public health and slow the rate of transmission of COVID-19; and,

**WHEREAS**, on March 12, 2020, the Governor of California issued Executive Order N-25-20 enhancing state and local government's ability to respond to the COVID-19 pandemic; and,

**WHEREAS**, it is imperative that the District prepare for and implement measures to respond to the potential spread of COVID-19; and,

**WHEREAS**, it is imperative that the General Manager have the tools to ensure the health and safety of staff, families, and the public at District facilities and to ensure operations continue if business and meetings need to be conducted from alternate locations or within virtual meeting environments; and,

**WHEREAS**, it is imperative that District employees be allowed to take a leave of absence due to being quarantined or staying home after recently returning from Level 3 countries or sick from COVID-19 or illnesses with similar symptoms (e.g., cough, fever, shortness of breath) without suffering pay loss; and,

**WHEREAS**, the protection of the health and safety and preservation of the lives and property of the peoples of the State from the effects of natural emergencies such as COVID-19 which may result in conditions of disaster or in extreme peril to life, property, and resources is of paramount State importance requiring the responsible efforts of public and private agencies and individual citizens, and all public employees required to serve as disaster service workers subject to such disaster service activities as may be assigned to them by their superiors or by law under Government Code Section 3100; and,

**WHEREAS**, Section 1102 of the Public Contract Code and Section 21060.3 of the Public Resources Code defines "emergency" as a "sudden, unexpected occurrence that poses a clear and imminent danger, requiring immediate action to prevent or mitigate the loss of impairment of life, health, property, or essential public services," and California Environmental Quality Act (CEQA) Guidelines 14 CCR Section 15269(c) sets forth emergency projects exempt from the requirements of CEQA,

**NOW, THEREFORE**, the District's Board of Directors hereby resolves as follows:

1. The General Manager is authorized to take any and all actions necessary to ensure the health and safety of staff, families, and the public at District facilities and to ensure operations continue if business and meetings need to be conducted from alternate locations or within virtual meeting environments, including but not limited to the following as it relates to COVID-19: implementing policies and procedures in compliance with directives and Executive Orders issued by the United States President, the Governor of California, the California Department of Public Health (CDPH), the California Division of Occupational Safety and Health (CalOSHA), and the Centers for Disease Control and Prevention (CDC); implementing provisions of leaves of absence to employees with pay due to quarantine or recently returning from Level 3 countries or sick from COVID-19 or illnesses with similar symptoms (cough, fever, shortness of breath) or co-habitants of any individuals without any impact to their benefit time; directing staff to serve as disaster service workers pursuant to Government Code Section 3100; and, make alterations, repairs or improvements to District property and/or facilities.

2. The General Manager is authorized to establish an COVID-19 Emergency Response Plan.

3. The General Manager is authorized to establish a temporary work from home program for certain staff

4. The General Manager is authorized to develop protocols to conduct teleconference or videoconference meetings

5. The General Manager is authorized to take all actions necessary to maintain the District's water service activities.

6. The General Manager is authorized to suspend any late charges or other administrative charges imposed on late or unpaid water service accounts and to suspend the termination of any water service for non-payment.

7. The General Manager shall provide periodic status updates to the District's Board of Directors.

**PASSED AND ADOPTED** by the Board of Directors of the Walnut Valley Water District, at a public meeting thereof duly called and held this 16 day of March, 2020.

AYES: Ebenkamp, Hilden, Kwong, Lee, Tang  
NOES: None  
ABSENT: None  
ABSTAIN: None

/s/Theresa Lee  
\_\_\_\_\_  
President  
Board of Directors

ATTEST:

/s/Erik Hitchman  
\_\_\_\_\_  
Secretary

