

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

**November 15, 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
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
Melanie Trevino, Executive Assistant
James Ciampa, Legal Counsel
Ron Woodruff, Information Systems 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 Mike Ti, Jody Roberto, David De Jesus, and General Manager Matt Litchfield. Also, in attendance was Mr. Jayson Schmitt of Chandler Asset Management; WVWD employees, Tai Diep, Teofilo Pasillas, Dillon Carrillo, and Sean Evans; and Ms. Linda Kuo, a local resident.

Item 3: Public Comment

- ◆ The Board was addressed with a comment from Ms. Linda Kuo, a resident of Rowland Heights, concerning the issuance of a will-serve letter for the proposed housing development at the Royal Vista Golf Course. She expressed her concern with adding more demands for water at a time when people are being asked to conserve in light of the current drought. She urged the Board to be opposed to the development of the new homes. (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: Introduction of New District Employees

- ◆ Mr. Pasillas introduced Mr. Dillon Carrillo, Utility Service Worker I – DOT, on the occasion of his completion of the probationary period for new employees. (Item 6-A)
- ◆ Mr. Pasillas introduced Mr. Sean Evans, Utility Service Worker I, on the occasion of his completion of the probationary period for new employees. (Item 6-B)

Item 7: Consider Approval of Consent Calendar

- ◆ The Board was asked to approve the Consent Calendar, consisting of the minutes of the Regular Board meeting held October 18, 2021, minutes of the Special Board meeting held October 19, 2021, the Check Register, the Employee Expense Reimbursement Report, and the Community Outreach Report. (Items 7-1, 2, 3, 4, 5)

Motion No. 21-11-1713: 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 October 18, 2021, minutes of the Special Board meeting held October 19, 2021, the Check Register, the Employee Expense Reimbursement Report, and the Community Outreach Report. (Items 7-1, 2, 3, 4, 5)

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

President Kwong indicated Motion No. 21-11-1713, approving the consent calendar was approved by a (5-0) roll call 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 individual reports of additional expenses incurred by the District on behalf of each Director for events occurring during the month of October 2021. (Item 8)

Motion No. 21-11-1714: Upon consideration thereof, it was moved by Director Hilden, seconded by Director Hayakawa 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 October 2021. (Item 8)

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

President Kwong indicated Motion No. 21-11-1714 was approved by a (5-0) roll call vote

Item 9: Treasurer's Report

- ◆ Mr. Byerrum presented the Financial Dashboard as of September 30, 2021, the District Statement of Revenue, Expenses, and Change in Net Positions as of September 30, 2021, the District Statement of Net Positions as of September 30, 2021, and Summary of Cash and Investments as of September 30, 2021. (Items 9-A, B, C, D)

Motion No. 21-11-1715: 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 receive, approve, and file the Financial Dashboard as of September 30, 2021, the District Statement of Revenue, Expenses, and Change in Net Positions as of September 30, 2021, the District Statement of Net Positions as of September 30, 2021, and Summary of Cash and Investments as of September 30, 2021. (Items 9-A, B, C, D)

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

President Kwong indicated Motion No. 21-11-1715 was approved by a (5-0) roll call vote

Committee Chair Reports**Item 10: Engineering Committee – Director Kwong**

- ◆ The Board was asked to adopt Resolution No. 11-21-687 adopting policies and procedures for water service for affordable housing. (Item 10-A)

Motion No. 21-11-1716: Upon consideration thereof, it was moved by Director Hayakawa, seconded by Director Lee and unanimously carried (5-0) by the roll call vote noted below, to adopt Resolution No. 11-21-687 adopting policies and procedures for water service for affordable housing. (Item 10-A)

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

President Kwong indicated Motion No. 21-11-1716 was approved by a (5-0) roll call vote

- ◆ The Board was asked to authorize the General Manager to execute a contract in the amount of \$1,930,700.00 to Pascal & Ludwig Constructors, Inc. for Diamond Bar (P-1) Pump Station; find that the project is exempt from the California Environmental Quality Act (CEQA) pursuant to Categorical Exemption Section 15301; Authorize staff to file a Notice of CEQA Exemption for the subject project with the Office of Los Angeles County Registrar-Recorder/County Clerk; and to authorize the appropriation of an additional \$1,075,000 from the Reserve for Replacement Fund for that project. (Item 10-B)

Motion No. 21-11-1717: 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 authorize the General Manager to execute a contract in the amount of \$1,930,700.00 to Pascal & Ludwig Constructors, Inc. for Diamond Bar (P1) Pump Station; find that the project is exempt from CEQA pursuant to Categorical Exemption Section 15301; Authorize staff to file a Notice of CEQA Exemption for the subject project with the Office of Los Angeles County Registrar-Recorder/County Clerk; and to authorize the appropriation of an additional \$1,075,000 from the Reserve for Replacement Fund for that project. (Item 10-B)

Ayes: Hayakawa, Hilden, Kwong, Lee, Tang

Noes: None
Absent: None
Abstain: None

President Kwong indicated Motion No. 21-11-1717 was approved by a (5-0) roll call vote

- ◆ The Board was asked to authorize the General Manager to execute a change order no. 3 for IBC Recycled Reservoir in the amount of \$558,449.06 for the subject project. (Item 10-C)

Motion No. 21-11-1718: 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 authorize the General Manager to execute a change order no. 3 for IBC Recycled Reservoir in the amount of \$558,449.06 for the subject project. (Item 10-C)

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

President Kwong indicated Motion No. 21-11-1718 was approved by a (5-0) roll call vote

- ◆ The Board was asked to authorize the award of contract to GM Sager Construction Co., Inc. for Armitos Reservoir Paving, in the amount of \$109,500; and Prestige Paving Company for Ambushers Reservoir Paving, in the amount of \$62,427. (Item 10-D)

Motion No. 21-11-1719: Upon consideration thereof, it was moved by Director Hayakawa, seconded by Director Lee and unanimously carried (5-0) by the roll call vote noted below, to authorize the award of contract to GM Sager Construction Co., Inc. for Armitos Reservoir Paving, in the amount of \$109,500; and Prestige Paving Company for Ambushers Reservoir Paving, in the amount of \$62,427. (Item 10-D)

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

President Kwong indicated Motion No. 21-11-1719 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 10-E)

Item 11: Personnel Committee – Director Tang

- ◆ There were no Personnel Committee matters to come before the Board at this time. (Item 11)

Item 12: 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 was then asked to receive and file the investment report. (Item 12-A)

Motion No. 21-11-1720: 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 and file the District's investment report for the period ending October 31, 2021. (Item 12-A)

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

President Kwong indicated Motion No. 21-11-1720 was approved by a (5-0) roll call vote

- ◆ The Board was asked to receive, approve, and file the District's Consolidated Investment Transactions Report for the month ending October 31, 2021. (Item 12-B)

Motion No. 21-11-1721: 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 receive, approve, and file the District's Consolidated Investment Transactions Report for the month ending October 31, 2021. (Item 12-B)

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

President Kwong indicated Motion No. 21-11-1721 was approved by a (5-0) roll call vote

- ◆ The Board was asked to review the District's Cash Reserve Policy and then to receive, approve, and file that policy. (Item 12-C)

Motion No. 21-11-1722: 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 review the District's Cash Reserve Policy and then to receive, approve, and file that policy. (Item 12-C)

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

President Kwong indicated Motion No. 21-11-1722 was approved by a (5-0) roll call vote

- ◆ The Board was asked to approve staff's recommendation for the FY 2020-21 Source and Application of Funds, to transfer the following from the District's general account: \$121,949 to the operating reserve; \$375,000 to the employees liabilities reserve related to the employer OPEB liability and authorize the transfer of these funds to the OPEB Trust; \$375,000 to the other employee liabilities; \$441,400 to the stored water reserve; \$1,100,000 to the capital improvement reserve; and \$3,652,368 to the reserve for replacement. (Item 12-D)

Motion No. 21-11-1723: 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 approve staff's recommendation for the FY 2020-21 Source and Application of Funds, to transfer the following from the District's general account: \$121,949 to the operating reserve; \$375,000 to the employees liabilities reserve related to the employer OPEB liability and authorize the transfer of these funds to the OPEB Trust; \$375,000 to the other employee liabilities; \$441,400 to the stored water reserve; \$1,100,000 to the capital improvement reserve; and \$3,652,368 to the reserve for replacement. (Item 12-D)

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

President Kwong indicated Motion No. 21-11-1723 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 12-E)

Item 13: Public Information/Community Relations/Legislative Action Committee – Director Hilden

- ◆ As a matter of information only, the Board received a report of the District's Strategic Communications Plan. (Item 13-A)

Item 14: TVMWD/MWD

- ◆ Updates on TVMWD and MWD business matters were provided by TVMWD General Manager, Matt Litchfield and TVMWD and MWD Director David De Jesus, respectively. (Item 14)

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

- ◆ Mr. Hitchman indicated that the report for October 2021 will be presented at the December Board meeting. (Item 15)

Item 16: Puente Basin Water Agency (PBWA)

- ◆ The next PBWA meeting is scheduled for December 2, 2021. (Item 16)

Item 17: Spadra Basin Groundwater Sustainability Agency

- ◆ Director Tang reported on the November 10, 2021, Spadra Basin GSA Advisory Committee meeting. (Item 17)

Item 18: General Manager's Report

- ◆ The Board received the District's activities calendars for December 2021, and January and February 2022. (Item 18-A)

Item 19: 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 October 2021 was 22% lower than usage in October 2020 and 36% lower than usage in October 2013. (Item 19-A)
- ◆ The Board viewed reports on California's water supply and reservoir conditions as of November 8, 2021. (Item 19-B)

Item 20: 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 20)

- ◆ Director Hayakawa reported that during the month of September he attended the District's regular and Special Board meetings, all District committee meetings, a TVMWD Board meeting, and Diamond Bar's State of the City Address.
- ◆ Director Hilden reported his participation in the District's Regular and Special Board meetings in addition to the committee meetings previously reported on, a District Firescaping webinar, both TVMWD Board meetings, a P-W-R JWL meeting, and Diamond Bar's State of the City Address.
- ◆ In addition to the District Board and committee meetings previously reported on, Director Lee reported her participation in a PBWA Commission meeting and the Walnut Family Festival.
- ◆ Director Tang reported on his participation in District Board and committee meetings, the PBWA meeting and signing documents, and participated in the District's Firescaping webinar, the Walnut Family Festival, and Diamond Bar's State of the City Address.
- ◆ Director Kwong advised that she attended District Board and committee meetings in addition to participating in the Walnut Family Festival and presenting a certificate to the City, the P-W-R JWL Commission meeting, Diamond Bar's State of the City Address, and the Regional Chambers Government Affairs committee meeting.

Item 21: Legal Reports

- ◆ Mr. Ciampa did not have a report. (Item 21)

Item 22: Items for Future Discussion

- ◆ There were no requests for future discussion items. (Item 22)

Item 23: Board of Directors Business

- ◆ The Board was asked to authorize the General Manager to execute a professional services contract with La Canada Design Group for the Architectural Design of the District Headquarters Facility in the amount of \$699,630. (Item 23-A)

Motion No. 21-11-1724: 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 authorize the General Manager to execute a professional services contract with La Canada Design Group for the Architectural Design of the District Headquarters Facility in the amount of \$699,630. (Item 23-A)

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

President Kwong indicated Motion No. 21-11-1724 was approved by a (5-0) roll call vote

- ◆ The Board was asked to adopt WVWD Resolution No. 11-21-688, authorizing remote teleconference meetings for the period November 17, 2021 to December 17, 2021. (Item 23-B)

Motion No. 21-11-1725: 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 adopt WVWD Resolution No. 10-21-686, authorizing remote teleconference meetings for the period October 18, 2021 to November 17, 2021. (Item 23-B)

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

President Kwong indicated Motion No. 21-11-1725, adopting Resolution No. 11-21-686, was approved by a (5-0) roll call vote

Adjourn to Closed Session – 6:31 p.m.**Item 24: Closed Session – 6:31 p.m.**

- A. The Board met in closed session in accordance with Government Code (§54957) to conduct the annual performance evaluation for the General Manager. (Item 24)

Item 26: 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 [§54957] to conduct a performance evaluation for the General Manager. That evaluation occurred, and no reportable action under the Brown Act was taken on this item. (Item 26-A)
- B. Following discussion of the General Manager's overall performance, the Board was asked to consider at its discretion a salary or compensation adjustment to be effective January 1, 2022. Ms. Diaz noted that the General Manager's contract allows him to join the other District employees with the Cost of

Living Adjustments (COLA) previously approved, and any further salary adjustment in the Board's discretion. (Item 26-B)

Motion No. 21-11-1726: Upon consideration thereof, it was moved by Director Kwong, seconded by Director Lee and unanimously carried (5-0) by the roll call vote noted below, to approve a 3% merit increase for the General Manager, along with the Cost-of-Living Adjustment given to all other District employees stipulated in the Terms and Conditions of Employment effective January 1, 2021. (Item 26-B)

President Kwong indicated Motion No. 21-11-1726 was approved by a (5-0) roll call vote

Adjournment at 6:58 p.m.

RESOLUTION NO. 11-21-687

**RESOLUTION OF THE BOARD OF DIRECTORS
OF WALNUT VALLEY WATER DISTRICT
ADOPTING POLICIES AND PROCEDURES FOR
WATER SERVICE TO DEVELOPMENTS WITH AFFORDABLE HOUSING**

WHEREAS, Government Code Section 65589.7 requires that public agencies providing water service grant priority for service connections to developments which contain housing units affordable to lower income households and, further, requires that such agencies adopt written policies and procedures with specific objective standards for the provision of water service in accordance with said statute; and

WHEREAS, Walnut Valley Water District ("District") is a district formed under Division 13 of the California Water Code, and subject to the requirements of Government Code Section 65589.7; and

WHEREAS, the Board of Directors of the District previously adopted its Resolution No. 11-16-633 on November 21, 2016 with respect to compliance with the requirements of Government Code Section 65589.7 and now wishes to again adopt such policies and procedures to continue the District's compliance with the requirements of that statute by providing for priority to be given to new developments within its service area that include housing units affordable to lower income households should it become necessary for applications for new service connections to be restricted in the future due to unforeseen and unanticipated water supply interruptions.

NOW THEREFORE BE IT RESOLVED that, should a short or long-term disruption of water supply or water shortages require that the District impose restrictions or limitations on new connections to its water system, or impose a moratorium thereon, the District's actions shall be governed by California Water Code Section 350, et seq., and, in the exercise of such powers, the District shall grant priority to those developments seeking new connections to the system which include housing units affordable to lower income households as identified in the applicable general plan of the planning agency with jurisdiction over the area served by the District, or as defined by applicable provisions of the Health and Safety Code, including Sections 50079.5, 50052.5 and 50053 thereof; and

BE IT FURTHER RESOLVED, that upon receipt of the housing element of the general plan applicable to the area served by the District, and any amendment to such plan, District staff shall verify the water demand for that element and the amount of water supply necessary to meet that demand to the extent the demand arises from housing units affordable to lower income households, and, based upon the information provided to it at a duly-noticed public meeting, the Board of Directors of District shall designate a portion of its water supply to be available to provide water service to developments with housing units affordable to lower income households; and

BE IT FURTHER RESOLVED, that District staff shall require developers to specify in their written application for water service from the District the number of housing units affordable to lower income households in the development, and the number of persons expected to reside in said units, and such other information and data as may be reasonably required for staff to confirm entitlement to priority under Government Code Section 65589.7.

BE IT FURTHER RESOLVED, that the District shall allocate new water service connections to applicants based on the following criteria:

- a) First, applications for service to property owned or leased by public agencies or investor-owned utilities;
- b) Second, applications for service to private property within the District's service area where housing units affordable to lower income households are provided;
- c) Third, other applications for service to private property within the District's service area where no housing units affordable to lower income households are provided; and
- d) Fourth, applications for service where the property is outside the service area of the District, and then only if the water supply is adequate to service pending and potential applications for service within the District's service area.

BE IT FURTHER RESOLVED, that any new development within the area served by the District which includes housing units affordable to lower income households as identified in the housing element of the applicable general plan, shall not be denied service or be made subject to special restrictions or conditions unless the Board of Directors of the District makes written findings at a duly-noticed public meeting that the denial, condition, limitation or reduction in service is necessary due to the existence of one or more of the following circumstances:

- 1) The District does not have a “sufficient water supply,” as defined in Government Code Section 66473.7(a)(2), to meet its demand, is operating under a water shortage emergency declared under and in accordance with California Water Code Section 350, or does not have sufficient water treatment or distribution capacity, to meet or serve the water needs of the proposed development, as supported by reasonable evidence and a written engineering analysis and report provided to the District;
- 2) The District is subject to a compliance order issued by the State Water Resources Control Board Division of Drinking Water which prohibits new water connections;
- 3) The applicant for service has failed to comply with the District’s reasonable rules, regulations, terms and conditions relating to water service to new developments within the District’s service area, including but not limited to the payment of any and all appropriate charges, fees and expenses required by the District under its rules and regulations; and

FURTHER RESOLVED that District staff is hereby authorized and directed to take such further actions and implement such further procedures as may be necessary and appropriate to carry out the purpose and intent of this resolution.

PASSED AND ADOPTED at a regular meeting of the Board of Directors held on November 15, 2021.

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



President
Board of Directors

ATTEST:



Secretary

RESOLUTION NO. 11-21-688 (SUBSEQUENT)

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE WALNUT VALLEY WATER DISTRICT PROCLAIMING A STATE OF EMERGENCY PERSISTS, RE-RATIFYING THE PROCLAMATION OF A STATE OF EMERGENCY BY GOVERNOR GAVIN NEWSOM, AND RE-AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE BOARD OF DIRECTORS OF WALNUT VALLEY WATER DISTRICT FOR THE PERIOD NOVEMBER 17, 2021 TO DECEMBER 17, 2021 PURSUANT TO BROWN ACT PROVISIONS.

WHEREAS, the Walnut Valley Water District (the "District") is committed to preserving and nurturing public access and participation in meetings of its Board of Directors; and

WHEREAS, all meetings of the District's Board of Directors and its standing committees are open and public, as required by the Ralph M. Brown Act (California Government Code Sections 54950 – 54963), so that any member of the public may attend, participate, and watch those bodies conduct their business; and

WHEREAS, the Brown Act, in Government Code Section 54953(e), makes provision for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code Section 54953(b)(3), subject to the existence of certain conditions; and

WHEREAS, a required condition for application of Section 54953(e) is that a state of emergency is declared by the Governor pursuant to Government Code Section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code Section 8558; and

WHEREAS, a proclamation is made when there is an actual incident, threat of disaster, or extreme peril to the safety of persons and property within the jurisdictions that are within the District's boundaries, caused by natural, technological or human-caused disasters; and

WHEREAS, it is further required that state or local officials have imposed or recommended measures to promote social distancing, or, the legislative body meeting in person would present imminent risks to the health and safety of attendees; and

WHEREAS, the Board of Directors previously adopted a Resolution, Resolution No. 10-21-686 on October 18, 2021 finding that the requisite conditions exist for the District's Board of Directors and standing committees to conduct remote teleconference meetings without compliance with paragraph (3) of subdivision (b) of Section 54953; and

WHEREAS, as a condition of extending the use of the provisions found in Section 54953(e), the Board of Directors must reconsider the circumstances of the state of emergency that exists in the District, and the Board of Directors has done so; and

WHEREAS, emergency conditions persist in the District, specifically, COVID-19, and its Delta variant, remain highly contagious and, therefore, a threat to the health, safety and well-being of the District's employees, directors, vendors, contractors, customers and residents; and

WHEREAS, orders from the Los Angeles County Department of Public Health and regulations from the State of California impose limitations on gatherings and provide guidance on best practices with respect to actions to reduce the spread of COVID-19; and

WHEREAS, the District's Board of Directors does hereby find that a state of emergency continues to exist within the District's service area as a result of the continuing presence of COVID-19 and resulting local, state and federal orders and guidance, which has caused, and will continue to cause, conditions of peril to the safety of persons within the District that are likely to be beyond the control of services, personnel, equipment, and facilities of the District, and the Board of Directors desires to affirm a local emergency exists and re-ratify the proclamation of state of emergency by the Governor of the State of California; and

WHEREAS, as a consequence of the local emergency persisting, the Board of Directors does hereby find that the District's Board of Directors and all standing committees shall continue to conduct their meetings without compliance with paragraph (3) of subdivision (b) of Government Code Section 54953, as authorized by subdivision (e) of Section 54953, and that such legislative bodies shall continue to comply with the requirements to provide the public with access to the meetings as prescribed in paragraph (2) of subdivision (e) of Section 54953; and

WHEREAS, the District will continue to provide proper notice to the public regarding all District of Board of Directors' and standing committee meetings, in accordance with Government Code Section 54953(e)(2)(A) and shall provide notice to the public of how they may access any such meeting via call-in number and/or internet link.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF WALNUT VALLEY WATER DISTRICT DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. Affirmation that Local Emergency Persists. The Board of Directors hereby considers the conditions of the state of emergency in the District and proclaims that a local emergency persists throughout the District, and that conducting District Board of Directors and standing committee meetings virtually will minimize the possible spread COVID-19 and any variant thereof.

Section 3. Re-ratification of Governor's Proclamation of a State of Emergency. The Board hereby ratifies the Governor of the State of California's Proclamation of State of Emergency regarding COVID-19, dated March 4, 2020.

Section 4. Remote Teleconference Meetings. The District's General Manager, or his or her delegee, and the Board of Directors and standing committees of the District are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including, continuing to conduct open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.

Section 5. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of (i) the expiration of thirty (30) days from the date this Resolution was adopted, as set forth below, or (ii) such time as the Board of Directors adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the Board of Directors and standing committees of the District may continue to teleconference without compliance with paragraph (3) of subdivision (b) of section 54953.

PASSED AND ADOPTED by the Board of Directors of Walnut Valley Water District this 15th day of November 2021, by the following vote:

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



Scarlett Kwong
President Board of Directors

ATTEST:



Erik Hitchman
Secretary, Board of Directors