

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

**October 19, 2020
MEETING CONDUCTED VIA WEBEX
AT:**

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

DIRECTORS PRESENT:

Edwin Hilden
Scarlett Kwong
Theresa Lee
Alfred Sinclair
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
Gabriela Sanchez, Executive Secretary
Jim Ciampa, Legal Counsel
Josh Byerrum, Finance Manager
Alanna Diaz, Human Resources/Safety/Risk Manager
Donna DiLaura, Conservation Manager
Ron Woodruff, IT Specialist (Meeting Host)

The meeting was called to order at 5:00 p.m. with President Lee 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 Denise Jackman, David De Jesus and Jody Roberto, and General Manager Matt Litchfield, P.E; Kevin Hayakawa; Michelle Maddaus

Item 3: Public Comment

- ◆ There were no requests for 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: Consider Approval of Consent Calendar

- ◆ The Board was asked to approve the Consent Calendar consisting of the minutes of the Regular Board meeting held September 21, 2020, the minutes of the Special Board meeting held September 24, 2020, the Check Register, the Employee Expense Reimbursement Report, and the Community Outreach Report. (Item 6-1, 2, 3, 4, 5)

Motion No. 20-10-1582: 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 September 21, 2020, the minutes of the Special Board meeting held September 24, 2020, the Check Register, the Employee Expense Reimbursement Report, and the Community Outreach Report. (Items 6-1, 2, 3, 4, 5)

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

President Lee indicated Motion No. 20-10-1582 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 September 2020. (Item 7)

Motion No. 20-10-1583: Upon consideration thereof, it was moved by Director Hilden, seconded by Director Kwong 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 September 2020. (Item 7)

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

President Lee indicated Motion No. 20-10-1583 was approved by a (5-0) roll call vote

Item 8: Treasurer's Report

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

Motion No. 20-10-1584: Upon consideration thereof, it was moved by Director Hilden, seconded by Director Kwong and unanimously carried (5-0) by the roll call vote noted below, to receive, approve, and file the Financial Dashboard as of August 31, 2020, the District Statement of Revenue, Expenses, and Change in Net Assets as of August 31, 2020, the District Statement of Net Assets as of August 31, 2020, and Summary of Cash and Investments as of August 31, 2020. (Items 8-A, B, C, D)

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

President Lee indicated Motion No. 20-10-1584 was approved by a (5-0) roll call vote

Committee Chair Reports

Item 9: Engineering Committee – Director Lee

- ◆ Mr. Monk reviewed the Operations report included in the Board packet. No Action was taken by the Board. (Item 9)

Item 10: Personnel Committee

- ◆ The Board was asked to approve changes to the Board Policies for Ethical Conduct Regarding Board of Directors Compensation and Expenses and its respective exhibits. Ms. Diaz noted the changes included defining a meeting or conference to include video conference or webinar, in addition to a relabeling of exhibits D-F. (Item 10-A)

Motion No. 20-10-1585: Upon consideration thereof, it was moved by Director Kwong, seconded by Director Hilden and unanimously carried (5-0) by the roll call vote noted below, to approve the revisions to the Board Policies for Ethical Conduct Regarding Board of Directors Compensation and Expenses and its respective Exhibits A, B, C, D, E, and F. (Item 10-A)

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

President Lee indicated Motion No. 20-10-1585 was approved by a (5-0) roll call vote

- ◆ The Board reviewed District's Standing Committee Selection Process policy and recommended no changes to the current process. (Item 10-B)

Motion No. 20-10-1586: 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 continue with the District's current District's Standing Committee Selection Process. (Item 10-B)

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

President Lee indicated Motion No. 20-10-1586 was approved by a (5-0) roll call vote

Item 11: Finance Committee

- ◆ The Board was asked to receive, approve, and file the District's Consolidated Investment Transactions Report for September 2020 included in the Board packet. (Item 11-A)

Motion No. 20-10-1587: Upon consideration thereof, it was moved by Director Kwong seconded by Director Tang and unanimously carried (5-0) by the roll call vote noted below, to receive, approve, and file the District's Consolidated Investment Transaction Report for the period of September 1, 2020 through September 30, 2020. (Item 11-A)

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

President Lee indicated Motion No. 20-10-1587 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 11-B)

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

- ◆ Ms. Michelle Maddaus of Maddaus Water Management presented the Water Use Efficiency Plan developed for the District to support current and expected state regulations and conservation mandates to ensure the District remains in compliance with established guidelines for efficient water use.
- ◆ Following the presentation, the Board was asked to adopt the Water Use Efficiency Strategic Plan (WUE Plan) including implementation of the conservation measures specified in Program B. (Item 12-A)

Motion No. 20-10-1588: *Upon consideration thereof, it was moved by Director Hilden seconded by Director Sinclare and unanimously carried (5-0) by the roll call vote noted below, to adopt the Water Use Efficiency Strategic Plan in the form presented to the Board, including implementation of the conservation measures specified in Program B. (Item 12-A)*

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

President Lee indicated Motion No. 20-10-1588 was approved by a (5-0) roll call vote

Item 13: TVMWD/MWD

- ◆ The Board received an update on TVMWD and MWD business matters. (Item 13)

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

- ◆ Included in the Board packet were the P-W-R Joint Water Line Commission water use reports for the months of September 2020. Mr. Teuber then provided a recap of matters discussed during the October 8, 2020 Commission meeting. (Item 14)

Item 15: Puente Basin Water Agency (PBWA)

- ◆ The Board received updates from the October 1, 2020 Puente Basin Water Agency meeting. (Item 15)

Item 16: Spadra Basin Groundwater Sustainability Agency

- ◆ Director Tang reported on business matters from the October 5, 2020 Spadra GSA Advisory Committee meeting. (Item 16)

Item 17: General Manager's Report

- ◆ The Board received the District's activities calendars November and December 2020, and January 2021. (Item 17-A)
- ◆ The Board recognized the District for its recent receipt of the ACWA Region 8 Outreach Award. (Item 17-B)

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. The report noted that the District's water usage for September 2020 was 13.42% lower than usage in September 2013. (Item 18-A)
- ◆ The Board viewed reports on California's water supply and reservoir conditions as of October 13, 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 Hilden advised that he participated in District Board and committee meetings, and TVMWD Board meetings.
- ◆ In addition to the District Board and committee meetings previously reported on, Director Kwong noted her participation in the San Gabriel Valley Regional Chamber Government Affairs Committee and a Chinese-American Elected Officials Installation Meeting.

- ◆ Director Lee reported on her participation in the District Board and committee meetings, and CSDA SDLA Module 2 Virtual Workshops on Setting Direction and Community Leadership.
- ◆ In addition to WVWD Board and committee meetings previously reported on, Director Sinclair noted his participation in a Spadra Basin GSA Advisory Committee meeting, a TVMWD Board meeting, and ACWA's CLE virtual workshops.
- ◆ In addition to WVWD Board and committee meetings previously reported on, Director Tang noted his participation in a Spadra Basin GSA Advisory Committee meeting, a TVMWD Board meeting, and ACWA's CLE virtual workshops.

Item 20: Legal Reports

- ◆ Mr. Ciampa provided a synopsis on AB 992: Open Meetings: Local Agencies: Social Media. (Item 20)

Item 21: Items for Future Discussion

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

Item 22: Board of Directors Business

- ◆ There were no Board of Director Business matters to come before the Board at this time. (Item 22)

Item 23: Public Comment on Closed Session

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

Item 24: Adjourn to Closed Session – 6:10 p.m.

Item 25: Closed Session – 6:11 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 25-A)
- B. The Board met in closed session in accordance with Government Code [§54956.9(d)(2)] to discuss initiation of litigation with Legal Counsel – One Potential Case. (Item 25-B)

Item 26: Reconvene in Open Session/Report of Action Taken in Closed Session – 6:14 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.

The Board also met in closed session in accordance with Government Code [§54956.9(d)(2)] 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)

Adjournment at 6:15 p.m.