

Approved August 11, 2021

**EAST VALLEY WATER DISTRICT
REGULAR BOARD MEETING
VIA TELECONFERENCE**

July 14, 2021

MINUTES

The Chairman of the Board called the meeting to order at 5:31 p.m. Vice Chairman Goodrich led the flag salute.

PRESENT: Directors: Carrillo, Coats, Goodrich, Morales, Smith

ABSENT: None

STAFF: John Mura, General Manager/CEO; Brian Tompkins, Chief Financial Officer; Jeff Noelte, Director of Engineering and Operations; Kelly Malloy, Director of Strategic Services; Kerrie Bryan, Director of Administrative Services; Justine Hendricksen, District Clerk; Shayla Antrim, Sr. Administrative Assistant

LEGAL COUNSEL: Jean Cihigoyenetché

GUEST(s): Members of the public

PUBLIC COMMENTS

Chairman Smith declared the public participation section of the meeting open at 5:32 p.m.

There being no written or verbal comments, the public participation section was closed.

General Counsel requested that a closed session item be added to the agenda and cited Government Code section 54954.2. He stated that the District is currently in escrow with San Bernardino Valley Municipal Water District to acquire certain real property, that a new issue regarding the transaction has arisen since the posting of tonight's agenda and requires immediate Board attention due to the given time constraints of the escrow itself. He described the matter be placed on the agenda as:

Conference with real property negotiators
Government Code Section 54956.8
Property APN: 1210-211-25 and 1210-211-18
District Negotiators: John Mura, General Manager/CEO
Negotiating parties: San Bernardino Valley Municipal Water District
Under Negotiations: Price and terms of payment and identify real property involved

M/S/C (Coats-Goodrich) by unanimous roll call vote that the Board add a closed session item to the agenda as item 11.a, conference with real property negotiators as described by General Counsel.

AYE: Directors: Carrillo, Coats, Goodrich, Morales, Smith

NOES: None

ABSENT: None

APPROVAL OF AGENDA

M/S/C (Morales-Goodrich) by unanimous roll call vote that the July 14, 2021 agenda be approved as amended, adding item 11.a to the agenda.

APPROVE THE MAY 26, 2021 REGULAR BOARD MEETING MINUTES

M/S/C (Coats-Goodrich) by unanimous roll call vote that the Board approve the May 26, 2021 regular board meeting minutes as submitted.

APPROVE THE JUNE 9, 2021 REGULAR BOARD MEETING MINUTES

M/S/C (Coats-Goodrich) by unanimous roll call vote that the Board approve the June 9, 2021 regular board meeting minutes as submitted.

DIRECTORS' FEES AND EXPENSES FOR JUNE 2021

M/S/C (Coats-Goodrich) by unanimous roll call vote that the Board approve the Directors' fees and expenses for June 2021 as submitted.

SANTA ANA RIVER WATER EXCHANGE

The Operations Manager provided information regarding a request from San Bernardino Valley Municipal Water District (Valley District) to exchange Santa Ana River Water for distribution to regional partners in lieu of a gallon-per-gallon credit. He stated that California is experiencing a historically dry water year, with many parts of the state in a declared drought emergency and that these water conditions have resulted in the delivery of State water being lowered to only a 5% allocation. Valley District is working to ensure all local agencies have access to enough water to meet their needs and requests the District forgo groundwater recharge of its Santa Ana River water for the remainder of 2021 and instead make it available for distribution to regional partners for potable and agricultural use. He stated that staff supports this decision and will receive a gallon-for gallon credit.

Information only.

SUCCESSION PLANNING AND GENERAL MANAGER RECRUITMENT

The Director of Administrative Services stated that recent succession planning efforts and open communication have allowed for the identification of five key staff retirements planned over the next two years. She stated that the Board of Directors has recognized the importance of preparing for the departure of these employees and have included goals and objectives related to succession planning efforts this fiscal year. She also stated that one of the critical employees planning for retirement is the General Manager/CEO.

The Director of Administrative Services stated that one of the Board of Directors' Fiscal Year 2021-22 goals and objectives is to establish an Ad-Hoc Committee to participate in the District's Succession Planning process. The Ad-Hoc committee will focus on several General Manager/CEO recruitment responsibilities and will work closely with the selected firm to ensure recruitment begins in early 2022. This timeline will allow for candidate submissions and the Governing Board's review and selection by early May 2022. Once the recruitment process begins, the Governing Board as a whole will be part of the selection process.

Information only.

CONSIDER APPROVAL OF PLANT 134 GRANULAR ACTIVATED CARBON IMPROVEMENTS CEQA CATEGORICAL EXEMPTION

The Director of Engineering and Operations provided background information regarding a Total Trihalomethanes exceedance in 2017 and how it relates to Plant 134 Granular Activated Carbon improvements. He stated that as part of a Compliance Order issued by the State Water Resources Control Board, the District submitting a Corrective Action Plan and part of the plan includes the District initiating a progressive design-build project to install a Granular Activated Carbon treatment system at Plant 134.

The Director of Engineering and Operations stated that analysis determined that the project is exempt from the California Environmental Quality Act (CEQA). He noted that in anticipation of obtaining State Revolving Funds, staff consulted with the State Water Resources Control Board to obtain guidance from the State Revolving Fund Environmental Review Unit and confirmed that a Categorical Exemption was appropriate. If authorized by the Board, staff will file the Notice of Exemption paperwork with the County Clerk and State Clearinghouse, which will start a 35-day statute of limitations period on legal challenges to the District's decision that the project is exempt from California Environmental Quality Act (CEQA).

M/S/C (Carrillo-Goodrich) by unanimous roll call vote that the Board authorize the General Manager/CEO to execute and file the Notice of Exemption for the Plant 134 Granular Activated Carbon Improvement Project as submitted.

CONSIDER APPROVAL OF PLANT 134 GRANULAR ACTIVATED CARBON DESIGN-BUILD AGREEMENT CHANGE ORDER FOR PHASE 2 AWARD

The Director of Engineering and Operations stated that the Board approved the award of Phase 1 of the Plant 134 GAC Improvements to Pacific Hydrotech in January 2021. Phase 1 of the progressive design-build process included design of the project to 60%, coordination of regulatory compliance activities, and development of a Guaranteed Maximum Price (GMP) to complete the project. He stated that staff has reviewed the submitted GMP of \$3,474,600 and determined it to be reasonable and appropriate.

The Director of Engineering and Operations stated that Pacific Hydrotech performed well during Phase 1, and staff is recommending continuing the partnership into Phase 2 by executing a change order to the progressive design-build agreement. Phase 2 project activities will include the completion of design to 100%, continuing coordination with regulatory agencies, construction improvements, startup activities and updating the Facility permit.

M/S/C (Morales-Goodrich) by unanimous roll call vote that the Board authorize the General Manager/CEO to execute a Change Order to the Progressive Design-Build Agreement for the Plant 134 Granular Activated Carbon Improvements Phase 2 with Pacific Hydrotech Corporation for a not-to-exceed amount of \$3,474,600.

CONSIDER CANDIDATE FOR CALIFORNIA SPECIAL DISTRICT ASSOCIATION BOARD OF DIRECTORS OFFICIAL ELECTION

The General Manager/CEO provided a brief overview of the California Special Districts Association (CSDA). He provided the names of the 2021 candidates and ballot information. The Board discussed their knowledge of each candidate and recommended that they support the incumbent, Jo Mackenzie.

M/S/C (Coats-Goodrich) that the Board cast their vote to support incumbent Jo Mackenzie for Seat A on the Board of Directors, Southern Network, California Special Districts Association ballot.

BOARD OF DIRECTORS' REPORTS

Director Carrillo reported on the following: June 24 and July 13 he met with the General Manager/CEO to discuss District business.

Director Morales reported on the following: July 7 he participated in the City of San Bernardino Rapid Infiltration and Extraction (RIX) meeting; July 8 he participated in the Association of California Water Agencies Region 9 Legislative meeting; July 8 he participated in the East Valley Association of Realtors Legislative Committee special meeting; July 9 he participated in the East Valley Association of Realtors regular meeting where he provided a drought update; July 12 he met with the General Manager/CEO for an operational update; and July 13 he participated in the San Bernardino Board of Water Commissioners meeting.

Director Coats reported on the following: July 6 he participated in the San Bernardino Valley Municipal Water District Board meeting; July 8 he discussed District business with the General Manager/CEO; July 8 he participated in the San Bernardino Valley Municipal Water District Policy Workshop where discussed possibly disbanding the Advisory Commission on Water Policy; July 12 he participated in the Association of San Bernardino County Special Districts meeting where they decided to hold the July 19 meeting in person; July 13 he met with the General Manager/CEO to discuss District business and was provided a tour of the Sterling Natural Resource Center to view construction progress; July 14 he participated in the San Bernardino Valley Water Conservation District Board meeting where they discussed the future of the Advisory Commission on Water Policy.

Vice Chairman Goodrich reported on the following: June 30 he toured the Sterling Natural Resource Center to view construction progress; July 4 he represented the District in the City of Highland's 4th of July parade; and July 8 he met with the General Manager/CEO to review the agenda.

Chairman Smith reported on the following: June 30 he toured the Sterling Natural Resource Center to view construction progress; July 4 he represented the District in the City of Highland's 4th of July parade; July 8 he met with the General Manager/CEO to review the agenda; and July 14 he participated in the San Bernardino Valley Water Conservation District Board meeting.

Chairman Smith stated that based on the information provided earlier and recognizing the importance of preparing for the departure of the General Manager/CEO, and the unique complexities in recruiting for this position, he is establishing an Ad-Hoc Succession Planning Committee. He stated that the Committee will include the Chairman, Vice Chairman and designated staff with the first meeting scheduled in month of July. The Committee will be reporting back to the entire board as we make progress on this important endeavor.

Information only.

GENERAL MANAGER/CEO REPORT

The General Manager/CEO thanked Chairman Smith and Vice Chairman Goodrich for their District representation in the City of Highland's 4th of July Parade.

The General Manager/CEO reported on the following:

- The District hosted two tours of the Sterling Natural Resource Center this week.
- Met with the Highland Sheriff's Department on Tuesday to discuss local partnerships and provide information on the Sterling Natural Resource Center.
- The District continues to celebrate Smart Irrigation Month by sharing tips and information on social media on how residents can be more efficient outdoors.

The content has been well received by residents who have posted questions and engaged with the District regarding landscaping.

- East Valley Water District mailed all customers a copy of the Consumer Confidence Report (CCR) to provide a summary of the quality of the water supplied in 2020. This report is part of the District's efforts to keep customers informed and empowered with information. Community members can visit the District's website for a digital copy of the report.
- The District will be holding a virtual Engineering & Operations Committee meeting on July 26 at 2:30 p.m.

The General Manager/CEO thanked the public for participating in the District's meetings via teleconference and announced that the District will return to in-person Board meetings beginning August 25.

Information only.

LEGAL COUNSEL REPORT

No report at this time.

BOARD OF DIRECTORS' COMMENTS

No comments from the Board at this time.

CLOSED SESSION

The Board entered into Closed Session at 6:18 p.m. as provided in the Ralph M. Brown Act Government Code Section 54956.8 to discuss the item on the agenda.

THE BOARD RECONVENED THE MEETING AT 6:28 P.M.

ANNOUNCEMENT OF CLOSED SESSION ACTIONS

With respect to Item #11.a: Legal Counsel stated that the Board discussed real property negotiations under Government Code 54956.8 and took action to approve a third amendment to add .72 acres to the purchase and sale agreement for the real property described as APN: 1210-211-25 and 1210-211-18 with the current owner of the property being San Bernardino Valley Municipal Water District for the final purchase price of \$344,371.00.

M/S/C (Morales-Coats) by unanimous roll call vote that the Board approve the third amendment to the purchase and sale agreement with San Bernardino Valley Municipal Water District for real property described as APN: 1210-211-25 and 1210-211-18 adding to .72 acres for the amount of \$344,371.00.

ADJOURN

Chairman Smith adjourned the meeting at 6:29 p.m.



John Mura, Secretary



David E. Smith, Board President