

**MINUTES OF THE REGULAR MEETING
OF THE BOARD OF DIRECTORS
OF THE MONTE VISTA WATER DISTRICT**

March 8, 2023

DIRECTORS PRESENT

Sandra Rose, President
G. Michael Milhiser, Vice President
Tony Lopez, Board Auditor
Philip Erwin, Director
Manny Martinez, Director

DIRECTORS ABSENT

None.

STAFF PRESENT

Justin Scott-Coe, General Manager
Andrew Gagen, Legal Counsel
Kari Vozenilek, Legal Counsel
Stephanie Reimer, Assistant General Manager/Chief Financial Officer
Betty Conti, Human Resources and Risk Manager
Juan Ventura, Customer Service and Information Technology Manager
Leah Nazaroff, Accounting Manager

OTHERS IN ATTENDANCE

None.

ITEM 1: CALL TO ORDER/FLAG SALUTE

President Rose called the meeting to order at 6:30 p.m.
Andrew Gagen led those assembled in the Flag Salute.

ITEM 2: ROLL CALL

Ms. Brandi Goodman-Decoud called roll and noted all members as present.

ITEM 3: PUBLIC COMMENT/OPEN FORUM

There were no public comments.

ITEM 4: AGENDA CHANGES/ADDITIONS

There were no agenda changes or additions.

ITEM 5: CONSENT CALENDAR

Upon motion by Vice President Milhiser, seconded by Board Auditor Lopez, and unanimously carried:

M23-03-01

MOVED: Approve the Consent Calendar, as by roll call vote:

A. Meeting Minutes of February 22, 2023: Approve as amended.

B. Monthly Financial Reports – January 2023: 1) Accept the Register of Demands for the month ending January 31, 2023; and 2) approve the Financial Summaries for the month ending January 31, 2023.

C. Review of Information Technology Costs: Receive and file an update on the District’s information technology costs.

President Rose	aye
Vice President Milhiser	aye
Board Auditor Lopez	aye
Director Erwin	aye
Director Martinez	aye

ITEM 6: DISCUSSION AND/OR ACTION ITEMS

A. Resolution 842-23: Adopting Policies to Replace Monte Vista Water District Bylaws

Mr. Justin Scott-Coe provided a presentation in support of staff’s recommendation and referenced the handout of the amended “Exhibit C” to the resolution.

Director Martinez inquired if the included Board policies reflect current law as opposed to some outdated language found in the Bylaws. Mr. Scott-Coe confirmed that the policies refer to current state law to keep up with changes as they occur.

Director Martinez requested examples of appropriate ways to endorse candidates or political positions as an individual versus as a member of the Board. Mr. Gagen stated that he would review case law and provide relevant examples of best practice.

President Rose stated that the Management Assessment Committee reviewed the items and noted various items which are included in the recommendation to the Board.

Vice President Milhiser questioned if there is a current process for Directors who would like to place an item on the agenda. Mr. Scott-Coe confirmed that current procedure allows a Director to request an item to be placed on the agenda during a public meeting with a consensus of the Board. Vice President Milhiser next inquired if there are any plans to review the Monte Vista Irrigation Company Bylaws as well. Mr. Scott-Coe stated that there is a future plan to do so.

Director Martinez asked if any of the updates reflect changes in Board responsibilities. Mr. Scott-Coe stated no.

Upon motion by Vice President Milhiser, seconded by Martinez, and unanimously carried:

M23-03-02

MOVED: Adopt Resolution 842-23 adopting Purpose of Organization, Election of Directors, Board Officers and Committees, Board Duties and Powers, Board Rules and Procedures, Board Meetings, Board Appointments, and Ethical Standards policies to replace Monte Vista Water District Bylaws and “Exhibit C” as amended, as by roll call vote.

President Rose	aye
Vice President Milhiser	aye
Board Auditor Lopez	aye
Director Erwin	aye
Director Martinez	aye

B. Resolution 843-23: Intention to Issue Tax-Exempt Obligations

Ms. Stephanie Reimer provided a brief presentation in support of staff’s recommendation.

Director Martinez inquired if the Board will see future projects and expenses before in the event that any debt is to be incurred. Ms. Reimer stated that staff will bring an item back to the Board with the consultant to provide information on specific projects and study which option has the least impact on customers.

Director Martinez questioned if this is the largest bond issuance the District has considered. Ms. Reimer confirmed yes and stated that the last bond issuance was for \$24 million.

Upon motion by Vice President Milhiser, seconded by Director Erwin, and unanimously carried:

M23-03-03	
MOVED: Adopt Resolution 843-23 regarding its intention to issue tax-exempt obligations, as by roll call vote.	
President Rose	aye
Vice President Milhiser	aye
Board Auditor Lopez	aye
Director Erwin	aye
Director Martinez	aye

ITEM 7: GENERAL MANAGER’S REPORT

In addition to the written report, Mr. Justin Scott-Coe briefed the Board on issues and activities of the past two weeks. Topics covered include the significant water supply shortage declaration; the District was awarded the California Society of Municipal Finance Officer’s Operating Budget Excellence Award for outstanding budgeting practices upon first submission; Plant 30 Ribbon Cutting Ceremony; County of San Bernardino providing the District with over \$500,000 in Federal American Rescue Plan Act funding to help replace two lengths of pipeline prevalent to high-profile leaks; Assemblymember Freddie Rodriguez’s Community Swearing-in event on March 11; potential special Board meeting on April 19; Chino Basin Water Conservation District half-day tour of their network of infiltration basins on June 1; newly formed staff grants committee monitoring and coordinating strategy to obtain external funding for District projects; and congratulations to Director Martinez for his appointment to the Montclair Chamber of Commerce Board.

ITEM 8: INFORMATION ITEMS

Information items were included in the agenda packet.

ITEM 9: BOARD COMMENTS (including reports on conferences/meetings attended at District expense)

Vice President Milhiser thanked Director Martinez for accepting a seat on the Montclair Chamber of Commerce Board. He also stated his upcoming attendance at the Water Facilities Authority Finance and Budget Committee meeting on March 9 and the Board Meeting on March 16.

Director Erwin thanked staff for their hard work planning the Plant 30 Ribbon Cutting Ceremony. Board Auditor Lopez and Director Martinez also commended staff on a great event.

ITEM 10: CLOSED SESSION

President Rose recessed the meeting to closed session at 7:48 p.m. to discuss:

- A. **Conference with Legal Counsel – Existing Litigation (Gov. Code §54956.9[d][1])**
CBMWD v. City of Chino et al. (Superior Court of California, County of San Bernardino, Case Number RCV 51010)

- B. Conference with Legal Counsel – Initiation of Litigation (Gov. Code §54956.9[d][4])**
Number of Potential Cases: One
- C. Conference with Legal Counsel – Anticipated Litigation (Gov. Code §54956.9[d][2])**
Number of Potential Cases: Two

President Rose reconvened the meeting into open session at 8:19 p.m. Mr. Gagen stated that there was no reportable action.

ITEM 11: ADJOURNMENT

Upon motion by Director Erwin, seconded by President Rose, and unanimously carried:

M23-03-04

MOVED: Approve to adjourn the meeting, as by roll call vote:

President Rose	aye
Vice President Milhiser	aye
Board Auditor Lopez	aye
Director Erwin	aye
Director Martinez	aye

There being no further business, President Rose adjourned the meeting at 8:20 p.m.

Respectfully submitted,



Justin M. Scott-Coe
General Manager/Secretary