

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

April 12, 2023

DIRECTORS PRESENT

Sandra Rose, President
G. Michael Milhiser, Vice President
Philip Erwin, Director
Manny Martinez, Director

DIRECTORS ABSENT

Tony Lopez, Board Auditor

STAFF PRESENT

Justin Scott-Coe, General Manager
Art Kidman, Legal Counsel
Stephanie Reimer, Assistant General Manager/Chief Financial Officer
Bill Schwartz, Director of Engineering, Operations, and Maintenance
Betty Conti, Human Resources and Risk Manager
Juan Ventura, Customer Service and Information Technology Manager
Kelley Donaldson, Community Affairs Manager

OTHERS IN ATTENDANCE

None.

ITEM 1: CALL TO ORDER/FLAG SALUTE

President Rose called the meeting to order at 6:33 p.m.

Mr. Art Kidman led those assembled in the Flag Salute.

ITEM 2: ROLL CALL

Mr. Justin Scott-Coe 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 Director Erwin, and unanimously carried:

M23-04-01

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

- A. **Meeting Minutes of March 22, 2023:** Approve as presented.
- B. **Monthly Financial Reports – February 2023:** 1) Accept the Register of Demands for the month ending February 28, 2023; and 2) Approve the Financial Summaries for the month ending February 28, 2023.
- C. **Designate the Executive Committee as Executive Compensation Negotiators:** Designate the Executive Committee as its representative to negotiate separately with the General Manager and Assistant General Manager/Chief Financial Officer on executive compensation and employment agreement amendments.
- D. **Discretionary Bonus for Excessive Standby:** Approve a one-time bonus for excessive Standby.

President Rose	aye
Vice President Milhiser	aye
Director Erwin	aye
Director Martinez	aye

ITEM 6: DISCUSSION AND/OR ACTION ITEMS

- A. **Resolution 844-23: Rescission of the Significant Water Supply Shortage Declaration and Activation of its Water Shortage Contingency Plan at Stage 2 Water Supply Shortage; and Retraction of Demand Reduction Rates**

Mr. Justin Scott-Coe provided a presentation in support of staff’s recommendations.

President Rose inquired if homeowner association developments and industrial buildings should not water their industrial turf; however, if they have trees in their industrial turf they are allowed to water. Mr. Scott-Coe confirmed yes and stated that it will be communicated with all commercial customers.

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

M23-04-02

MOVED: 1) Adopt Resolution 844-23 Rescinding the Significant Water Supply Shortage Declaration and Activation of its Water Shortage Contingency Plan at Stage 2 Water Supply Shortage; and 2) Retract Stage 2 Demand Reduction Rates effective May 1, 2023, as by roll call vote.

President Rose	aye
Vice President Milhiser	aye
Director Erwin	aye
Director Martinez	aye

- B. **Cybersecurity: Prevention and Mitigation**

Mr. Juan Ventura provided a brief report on the District’s cybersecurity prevention and mitigation efforts.

This item was received and filed.

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 District being selected for two California Public Information Officials Association Epic Awards for our recent Drought Response communications partnership with the City of Montclair, Montclair Chamber of Commerce, and Chino Basin Water Conservation District; Congresswoman Norma Torres to submit \$3.4 million request for federal appropriations to fund 80% of the cost of our State Street Pipeline Replacement Project; State Senator Marie Alvarado-Gil (D-04) introduced Senate Concurrent Resolution 52, proclaiming the week of May 14-20, 2023 to be Special Districts Week; Chamber of Commerce Breakfast on May 11; Association of San Bernardino County Special Districts monthly meeting on April 17 hosted by Chino Basin Water Conservation District; City of Chino Eastside Water Treatment Expansion Ribbon Cutting on April 18; Monte Vista Gives Back Volunteer Opportunity on April 27; Foothill Family Shelter's Spring Gala at the Padua Hills Theater on May 18; Chino Basin Water Conservation Groundwater Basin Tour on June 1; and a reminder of a special Board meeting on May 31 for the budget workshop.

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 stated his hope for future years that the District is fortunate enough to not adopt another significant water shortage resolution.

Director Erwin stated that the Finance and Technology Committee met on March 20 and discussed the cybersecurity prevention and mitigation efforts and recommended that the item be forwarded to the Board.

Director Martinez congratulated staff on a great Waterwise Expo event.

President Rose reminded members of the Board that their comments regarding the General Manager's Performance Evaluation are due on April 19.

ITEM 10: CLOSED SESSION

President Rose recessed the meeting to closed session at 7:32 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 – Existing Litigation (Gov. Code §54956.9[d][1])**
City of Montclair v. Monte Vista Water District (Superior Court of California, County of San Bernardino, Case Number CIV SB 2128653)
- C. Conference with Legal Counsel – Existing Litigation (Gov. Code §54956.9[d][1])**
Monte Vista Water District and the City of Ontario v. Inland Empire Utilities Agency (Superior Court of California, County of San Bernardino, Case Number CIV SB 2300970)
- D. Conference with Legal Counsel – Anticipated Litigation (Gov. Code §54956.9[d][2])**
Number of Potential Cases: One

President Rose reconvened the meeting into open session at 8:18 p.m. Mr. Kidman stated there was no reportable action during closed session.

ITEM 11: ADJOURNMENT

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

M23-04-03

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

President Rose	aye
Vice President Milhiser	aye
Director Erwin	aye
Director Martinez	aye

There being no further business, President Rose adjourned the meeting at 8:18 p.m.

Respectfully submitted,



Justin M. Scott-Coe
General Manager/Secretary