

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

May 12, 2021

DIRECTORS PRESENT

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

DIRECTORS ABSENT

None.

STAFF PRESENT

Justin Scott-Coe, General Manager
Andrew Gagen, Legal Counsel
Stephanie Reimer, Assistant General Manager/Chief Financial Officer
A. William Schwartz, Director of Engineering, Operations, & Maintenance
Betty Conti, Human Resources & Risk Administrator
Kelley Donaldson, Community Affairs Manager
Gabby Garcia, Executive Assistant

OTHERS IN ATTENDANCE

None.

ITEM 1: CALL TO ORDER/FLAG SALUTE

President Rose called the meeting to order at 6:32 p.m.
President Rose led those assembled in the Flag Salute.

ROLL CALL

Legal Counsel Andrew Gagen stated that the Board of Directors (Board) meeting of the Monte Vista Water District (District) will be conducted pursuant to Executive Order N-29-20 and sections of the Brown Act unaffected by that Order. Each director confirmed their attendance and ability to hear the proceedings. Other attendees confirmed they could hear each director. The directors and staff were reminded that any votes taken during the teleconference portion of the meeting must be taken by roll call vote. President Rose provided brief instructions on appropriate conduct during the meeting.

ITEM 2: PUBLIC COMMENT/OPEN FORUM

None.

ITEM 3: AGENDA CHANGES/ADDITIONS

None.

ITEM 4: CONSENT CALENDAR

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

M21-05-01

MOVED: Approval of Consent Calendar as by roll call vote:

- A. Meeting minutes of April 28, 2021
- B. Monthly Financial Reports – March 2021
- C. Plant 1 Fencing Improvements Project

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

ITEM 5: DISCUSSION AND/OR ACTION ITEMS

A. Legislative Update

Community Affairs Manager Kelley Donaldson provided a graphical presentation to the Board on the updates from the 2021 legislative session. Ms. Donaldson provided an overview of the Governor's drought declaration in northern California, which includes 41 counties. Ms. Donaldson also provided an overview of key legislation introduced in the 2021 California legislative session, which included correspondence on behalf of the District. She provided an update on current and potential future legislation as well as District legislative activities and communications. Discussion ensued and the update was received and filed.

B. Main Office Site Renovation Project Update

Director of Engineering, Operations & Maintenance Bill Schwartz provided a graphical presentation to the Board on the Main Office Site Renovation Project (MORSP). Mr. Schwartz said the MORSP was established to construct new office, warehouse, and workshop facilities at the District's main office site. He said the MORSP will address the District's long-term needs as identified in its 2006 Main Office Site Renovation Needs Assessment Report to create more efficient facilities to carry out the day-to-day activities and functions of the District. Mr. Schwartz said the initial design in 2019 was estimated to cost about \$17 million; however, the Board directed staff to develop a plan with a more modest approach to the MORSP. He provided an updated design rendering of the project site. He said staff is recommending to proceed with the campus layout concept presented to develop a 30% design with SVA architects which will allow District staff to review preliminary building layouts and proposed personnel locations. Mr. Schwartz said once staff input is received, staff will move to a 60% design level and request input from selected, pre-approved contractors regarding constructability and update construction estimates. He said construction will take between 18 and 24 months once construction permits are received. Discussion ensued. The Main Office Site Renovation Project Update report was received and filed.

C. General Manager/Assistant General Manager/Chief Financial Officer Annual Performance Evaluation Process

General Manager Justin Scott-Coe and Assistant General Manager/Chief Financial Officer Stephanie Reimer provided a graphical presentation to the Board on the annual performance evaluation process. Mr. Scott-Coe said the District has two contract employees, the general manager and assistant general manager/chief financial officer, who work at the pleasure of the Board. Mr. Scott-Coe said the employment agreements for both positions include an annual performance review that may result in compensation adjustments. He said the annual performance review for each position is scheduled for June 2021. Mr. Scott-Coe presented an overview of the performance evaluation process for each of these

positions that was developed with the Management Assessment Committee and Legal Counsel.

He said hard copies of performance evaluation materials will be delivered to the Board. Discussion ensued.

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

M21-05-02

MOVED: Approved the following:

1. Receive and file the performance evaluation process for the general manager and assistant general manager/chief financial officer;
2. Receive and file the general manager and assistant general manager/chief financial officer's Fiscal Year Ending 2021 Annual Performance Evaluation Report; and
3. Designate the Management Assessment 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, as by roll call vote:

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

ITEM 6: GENERAL MANAGER'S REPORT

In addition to his written report, General Manager Justin Scott-Coe briefed the Board on COVID-19 public health crisis as well as issues and activities of the past two weeks. Mr. Scott-Coe commented on transition strategy for full re-opening under the District's Communicable Disease Emergency Response Plan's Risk Level 2 by June 14, 2021. Mr. Scott-Coe commented on returning to in-person meetings provisionally scheduled for June 23, 2021, including maintaining remote access, as needed, for Board, staff, and the public.

Mr. Scott-Coe commented on the Association of California Water Agencies (ACWA) Region 9 (District is part Region 9) Call for Candidates for the 2022-23 term announced on May 3, 2021.

Mr. Scott-Coe shared information on the Governor's expanded drought declaration and the proposed \$5.1 billion investment in water infrastructure, drought response, and \$1 billion for water debt assistance.

Mr. Scott-Coe stated the Board was emailed an electronic copy of the District's 2020 Annual Water Quality Report. He said customers will receive a direct link to this report in the May/June bills.

ITEM 7: INFORMATION ITEMS

Informational items were provided in the Board's agenda packet for review. No discussion ensued.

ITEM 8: BOARD COMMITTEE REPORTS

None.

ITEM 9: BOARD COMMENTS (Reports on Conferences/Meetings Attended at District Expense)

Vice President Milhiser commented on his and Human Resources/Risk Administrator Betty Conti's attendance at the semi-annual Association of California Water Agencies Joint Powers Insurance Authority (ACWA JPIA) Board Meeting. He thanked Ms. Conti for the District's submission of the cyber-security insurance questionnaire.

Director Erwin commented on his attendance at the 2021 ACWA Spring Virtual Conference & Exhibition.

President Rose commented on her attendance at the 2021 ACWA Spring Virtual Conference & Exhibition. She complimented Legal Counsel Andrew Gagen as one of the speakers at the conference.

President Rose complimented District team member Rolando Gonzalez for his work on updating the District's Board Room.

President Rose complimented General Manager Justin Scott-Coe's collaborative activities with other partner water agencies.

ITEM 10: CLOSED SESSION

President Rose recessed the meeting to closed session at 7:51 p.m. to discuss:

A. Conference with Legal Counsel – Existing Litigation (GC §54956.9[d][1])

Case Number RCV 51010: CBMWD v. City of Chino et al.

B. Conference with Legal Counsel – Existing Litigation (GC §54956.9[a])

Case Number CIVDS 1800720, Monte Vista Water District & City of Chino v. The Dow Chemical Company; DOW Agrosociences, LLC; Shell Oil Company

C. Conference with Legal Counsel – Anticipated Litigation (GC §54956.9[d][4])

Number of Potential Cases: One

President Rose reconvened the meeting into open session at 8:15 p.m. and stated that no reportable action was taken on Items 10A, B, or C.

ITEM 11: ADJOURNMENT

Upon motion by Director Erwin, seconded by Director Lopez, and unanimously carried:

M21-05-03

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

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

There being no further business, President Rose adjourned the meeting at 8:16 p.m.

Respectfully submitted,



Justin M. Scott-Coe
General Manager/Secretary