

Minutes of the Regular Meeting of the Board of Directors of the Santa Clarita Valley Water Agency – February 2, 2021

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A regular meeting of the Board of Directors of the Santa Clarita Valley Water Agency was held via teleconference at 6:30 PM on Tuesday, February 2, 2021. A copy of the Agenda is inserted in the Minute Book of the Agency preceding these minutes.

DIRECTORS PRESENT: Kathye Armitage, B. J. Atkins, Beth Braunstein, Ed Colley, William Cooper, Jeff Ford, Jerry Gladbach, R. J. Kelly, Gary Martin, Dan Mortensen, Piotr Orzechowski and Lynne Plambeck via teleconference.

DIRECTORS ABSENT: None.

Also present via teleconference: General Manager Matthew Stone, General Counsel Tom Bunn and Joe Byrne, Board Secretary April Jacobs, Assistant General Manager Steve Cole, Chief Engineer Courtney Mael, Chief Financial and Administrative Officer Eric Campbell, Chief Operating Officer Keith Abercrombie, Director of Finance and Administration Rochelle Patterson, Director of Tech Services Cris Perez, Controller Amy Aguer, Communications Manager Kathie Martin, GIS Manager Jose Huerta, Human Resources Manager Ari Mantis, Sustainability Manager Matt Dickens, Principal Engineers Brent Payne and Jason Yim, Senior Engineer Shadi Bader, Engineer Orlando Moreno, Associate Engineer Elizabeth Sobczak, Senior Management Analyst Kim Grass, Financial Analyst Darine Conner, Water Resources Planner Rick Vasilopoulos, Engineering Tech II Jimmy Moreno, Executive Assistant's Eunie Kang and Leticia Quintero, Senior Office Assistant Terri Bell, Accounting Tech II Kyle Arnold, Best Best & Krieger Attorney Glen Price, Meyers Fozi & Dwork LLP Attorney Golnar Fozi and members of the public.

President Martin called the meeting to order at 6:30 PM. A quorum was present.

Upon motion of Director Plambeck, seconded by Director Cooper and carried, by over a two-thirds vote, the Board approved adding the review and discussion of the final appraised value of the SCV Water Solar Photovoltaic Systems and the impact on the anticipated cost savings to SCV Water from the buyout of the systems. With a recommended action to approve an adjustment in the buyout price payable to Goldman Sachs Renewable Energy consistent with the final value determination and authorize staff to give notice to proceed with the buyout no later than February 8, 2021.

This item came up after the posting of the Agenda and needed action before the next regular Board meeting, with a motion, a second and by the following roll call votes this item was added as Item 5.8 (Item 4):

Director Armitage	Yes	Director Atkins	Yes
Director Braunstein	Yes	Director Colley	Yes
Director Cooper	Yes	Director Ford	Yes
Vice President Gladbach	Yes	Director Kelly	Yes
President Martin	Yes	Vice President Mortensen	Yes
Director Orzechowski	Yes	Director Plambeck	Yes

Upon motion of Director Plambeck, seconded by Director Ford and carried, the Board approved the Amended Agenda, showing the addition of Item 12.3, Closed Session, case of Halushka vs

Santa Clarita Valley Water Agency and including Item 5.8, which was added tonight, by the following roll call votes (Item 4):

Director Armitage	Yes	Director Atkins	Yes
Director Braunstein	Yes	Director Colley	Yes
Director Cooper	Yes	Director Ford	Yes
Vice President Gladbach	Yes	Director Kelly	Yes
President Martin	Yes	Vice President Mortensen	Yes
Director Orzechowski	Yes	Director Plambeck	Yes

Upon motion of Director Cooper, seconded by Vice President Mortensen and carried, the Board Approved the Consent Calendar excluding Items 5.5 and 5.8 by the following roll call votes (Item 5):

Director Armitage	Yes	Director Atkins	Yes
Director Braunstein	Yes	Director Colley	Yes
Director Cooper	Yes	Director Ford	Yes
Vice President Gladbach	Yes	Director Kelly	Yes
President Martin	Yes	Vice President Mortensen	Yes
Director Orzechowski	Yes	Director Plambeck	Yes

Upon motion of Vice President Mortensen, seconded by Director Atkins and carried, the Board Approved Resolution No. SCV-196 adopting a Revised Investment Policy by the following roll call votes (Item 5.5):

Director Armitage	Yes	Director Atkins	Yes
Director Braunstein	Yes	Director Colley	Yes
Director Cooper	Yes	Director Ford	Yes
Vice President Gladbach	Yes	Director Kelly	Yes
President Martin	Yes	Vice President Mortensen	Yes
Director Orzechowski	Yes	Director Plambeck	Yes

#### **RESOLUTION NO. 196**

#### **RESOLUTION OF THE BOARD OF DIRECTORS OF THE SANTA CLARITA VALLEY WATER AGENCY ADOPTING A REVISED INVESTMENT POLICY**

**<https://yourscvwater.com/wp-content/uploads/2021/02/SCV-Water-Approved-Resolution-020221-Resolution-SCV-196.pdf>**

Upon motion of Director Atkins, seconded by Director Cooper and carried, the Board approved an adjustment in the buyout price payable to Goldman Sachs Renewable Energy consistent with the final value determination, authorized staff to give notice to proceed with the buyout no later than February 8, 2021, and to close the buyout within thirty (30) days thereafter by the following roll call votes (Item 5.8):

Director Armitage	Yes	Director Atkins	Yes
Director Braunstein	Yes	Director Colley	Yes
Director Cooper	Yes	Director Ford	Yes

Vice President Gladbach	Yes	Director Kelly	Yes
President Martin	Yes	Vice President Mortensen	Yes
Director Orzechowski	Yes	Director Plambeck	Yes

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**General Manager's Report on Activities, Projects and Programs (Item 6).**

The General Manager gave a brief update on COVID-19 and how it is affecting the Agency. He stated that the Agency continued to operate under COVID-19 conditions and mentioned that we've had a total of fifteen cases among our various staff. These have been home based for the most part or other environment based cases. We are continuing to try to emphasize the measures that we take at the workplace to minimize transmission here at work. With each instance where a staff member becomes aware of exposure or possible exposure we assess possible contacts and do have a protocol in place to deal with such issues. We continue to try and discuss with our upper management team at least twice a week any adjustments that we can make to continue to roll with the changing conditions here.

He updated the Board on how he has been watching the discussions in Washington DC regarding an additional COVID-19 package. It seems the amounts change daily but we will need to wait and see what happens. One element that BB&K HR attorney did bring to our attention is that at least one version of the bill includes bringing back some of the leave benefits that were in the 2020 package, which we had implemented. We will need to wait and see what happens there as well. There are obviously other things in the bill that don't necessarily pertain to the Agency directly such as assistance to individuals through unemployment and other direct means as well as potential extensions of eviction moratoriums and things such as that. When and if a package comes through and we get it, we will certainly look at whatever HR and other Agency related impacts might be to the Agency. We are also mindful of whether or not that would include ratepayers assistance for utilities. As mentioned in the previous update we have gotten ourselves on the map with the City and the County, the city did apply for some funds through this in the late 2020 stimulus bill and we are waiting to see how that pans out to check if that will translate only to rent or if there will be any utility assistance bundled in that.

Lastly, he stated that everyone is still working away, he mentioned that it is amazing how much is going on and how busy we are, as the Board has seen with the various items going through the Committees and coming to the Board as well as through our GSA process. Items such as the UWMP workshops, Drought Contingency Planning workshops, Water Quality Related workshops and the DCA process that was talked about previously.

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**Committee Meeting Recap Reports for Informational Purposes Only (Item 7).**

There were no comments on the recap reports.

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**Written Reports for Informational Purposes Only (Item 8).**

Director Orzechowski had questions on the Treatment, Distribution, Operations and Maintenance Section report which were answered and addressed.

There were no other comments on the written reports.

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**President's Report (Item 9).**

The President updated the Board on upcoming events.

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**AB 1234 Written and Verbal Reports (Item 10).**

Written reports were submitted by Director Armitage and were included in the Board packet. Additional written reports were submitted by President Martin, Vice President Gladbach and Directors Braunstein and Plambeck which were posted on the SCV Water website, OnBoard and are part of the record.

Director Plambeck reported that she attended the DWR UWMP Water Shortage Contingency Planning Workshop held on January 27, 2021.

Director Cooper reported that he attended the Sites Reservoir Town Hall meeting on January 27, 2021 and the Water Shortage Contingency Plan Public Workshop held by the Agency on January 28, 2021.

Director Kelly reported that he attended the SCV Chamber of Commerce 98<sup>th</sup> Annual Awards and Installation Virtual Reception on January 28, 2021.

Director Atkins reported that he attended the SCV Chamber of Commerce 98<sup>th</sup> Annual Awards and Installation Virtual Reception on January 28, 2021.

There were no further AB 1234 Reports and all meetings were virtual.

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**Director Reports (Item 11).**

Vice President Gladbach updated the Board on the recent ACWA Board of Directors meeting held on January 29, 2021. He mentioned that they had a special guest, Laurel Firestone, who is the newest member of the California State Water Resources Control Board and she is an amazing speaker with refreshing views. She co-founded the Community Water Center, in San Joaquin Valley which takes care of a lot of underprivileged areas in the water systems throughout the area. She feels the State Water Board needs to move faster and needs people other than attorneys and engineers.

Director Armitage thanked the administration and staff for the time they have given her to learn about the Agency, historical as well as institutional knowledge, that was shared with her over the last month to allow her to get up to speed and to be a better decision maker for the Agency.

There were no other Director reports.

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The Board went into Closed Session at 8:23 PM (Item 12).

The Board was instructed to disconnect from the current call and redial in on a separate teleconference line that was provided to them. President Martin instructed the public members and staff who wanted to stay on the call, to stay on the current teleconference line and once Closed Session has ended, the Board will reconvene for Closed Session announcements and the conclusion of the meeting.

President Martin reconvened the Open Session at 9:23 PM.

Tom Bunn, Esq., reported that pertaining to Item No. 12.1 Conference with Legal Counsel – Anticipated Litigation – Significant Exposure to Litigation Pursuant to Paragraph (2) of Subdivision (d) of Section 54956.9, Claim of Claimants Marlon & Andrea Magana against Santa Clarita Valley Water Agency, Claim for Liability, Date of Claim January 11, 2021, the Board voted to reject the claim and send it to the ACWA/JPIA by motion of Director Cooper, seconded by Director Atkins and carried, by the following roll call votes:

Director Armitage	Yes	Director Atkins	Yes
Director Braunstein	Yes	Director Colley	Yes
Director Cooper	Yes	Director Ford	Yes
Vice President Gladbach	Yes	Director Kelly	Yes
President Martin	Yes	Vice President Mortensen	Yes
Director Orzechowski	Yes	Director Plambeck	Yes

Pertaining to Item 12.3 Conference with Legal Counsel – Existing Litigation – Paragraph (1) of Subdivision (d) of Section 54956.9, Name of Case: Halushka vs. Santa Clarita Valley Water Agency et al., Los Angeles Superior Court Case No. 19STCV27352, the Board voted to approve the Settlement Agreement in the amount of \$40,000 by motion of Director Kelly, seconded by Director Cooper and carried, by the following roll call votes:

Director Armitage	Yes	Director Atkins	Yes
Director Braunstein	Yes	Director Colley	Yes
Director Cooper	Yes	Director Ford	Yes
Vice President Gladbach	Yes	Director Kelly	Yes
President Martin	Yes	Vice President Mortensen	Yes
Director Orzechowski	Yes	Director Plambeck	Yes

Item 12.2 was moved to open session under Item 5.8 and was not discussed in Closed Session.

There were no other actions taken in Closed Session that were reportable under the Ralph M. Brown Act (Item 13).

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**Director Requests for Approval for Event Attendance (Item 14).**

There were no Director requests for event attendance.

**Request for Future Agenda Items (Item 15).**

Director Kelly requested that the Board continue the conversation pertaining to the Central Park lease to discuss and review the lease for future consideration.

Vice President Mortensen also asked, pertaining to the Central Park, if we could have staff address what, if any rights we have to control the Obelisk and other work done by the City on the property they lease from us. And do we have the ability to comply with Mr. Petzold's demands under the terms of our lease.

There were no other requests for future Agenda items.

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The meeting was adjourned at 9:30 PM (Item 16).

  
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April Jacobs, Board Secretary

ATTEST:

  
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President of the Board

