



SCV
WATER



SCV WATER AGENCY TELECONFERENCE SPECIAL BOARD MEETING

TUESDAY, MARCH 29, 2022
START TIME: 6:30 PM (PST)

Join the Board meeting from your
computer, tablet or smartphone:
<https://scvwa.zoomgov.com/j/1612296221>

Listen in Toll Free by Phone
-OR- +1-(833)-568-8864
Webinar ID: 161 229 6221

To participate in public comment from your computer, tablet, or smartphone:

When the Board President announces the agenda item you wish to speak on, click the **“raise hand” feature in Zoom***. You will be notified when it is your turn to speak.

To participate in public comment via phone:

When the Board President announces the agenda item you wish to speak on, **dial *9 to raise your hand**. Phone participants will be called on by the **LAST TWO digits** of their phone number. **When it is your turn to speak, dial *6 to unmute**. When you are finished with your public comment dial ***6 to mute**.

Can't attend? If you wish to still have your comments/concerns addressed by the Board of Directors, all written public comments can be submitted by 4:30 PM the day of the meeting by either e-mail or mail.** Please send all written comments to the Board Secretary. Refer to the Board Agenda for more information.

*For more information on how to use Zoom go to support.zoom.us or for “raise hand” feature instructions, visit <https://support.zoom.us/hc/en-us/articles/205566129-Raise-Hand-In-Webinar>

**All written comments received after 4:30 PM the day of the meeting will be posted to yourscvwater.com the next day. Public comments can also be heard the night of the meeting.

Please Note: Pursuant to the provisions of AB 361 this meeting is being held remotely. The SCV Water Board will continue to hold remote Board and Committee meetings due to the continuing State of Emergency for COVID-19 and state and local official's continuance to impose or recommend measures to promote social distancing. The public may not attend meetings in person. The public may use the above methods to attend and participate in the public Board meetings.

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NOTICE AND CALL OF A SPECIAL MEETING

Notice is hereby given that I, the President of the Board of Directors of the Santa Clarita Valley Water Agency, hereby call a SPECIAL MEETING of the Agency's Board of Directors.

Said SPECIAL MEETING of the Board to be held on:

TUESDAY, MARCH 29, 2022 AT 6:30 PM

**Santa Clarita Valley Water Agency
Teleconference
No Physical Location**

Join the meeting from your computer, tablet or smartphone by clicking the link below.


<https://scvwa.zoomgov.com/j/1612296221>

Or

Call-in using your phone

**1-(833)-568-8864
Webinar ID: 161 229 6221**

Enclosed with and as part of this Notice and Call is an Agenda for the meeting.

Signed: 
President

Date: 3/22/22

Posted on March 23, 2022.

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**SANTA CLARITA VALLEY WATER AGENCY
SPECIAL BOARD MEETING AGENDA**

**SANTA CLARITA VALLEY WATER AGENCY
RIO VISTA WATER TREATMENT PLANT
BOARD AND TRAINING ROOM
27234 BOUQUET CANYON ROAD
SANTA CLARITA, CA 91350**

**TELECONFERENCE ONLY
NO PHYSICAL LOCATION FOR MEETING**

TUESDAY, MARCH 29, 2022 AT 6:30 PM

TELECONFERENCING NOTICE

Pursuant to the provisions of AB 361 this meeting is being held remotely. The SCV Water Board will continue to hold remote Board and Committee meetings due to the continuing State of Emergency for COVID-19 and state and local official's continuance to impose or recommend measures to promote social distancing. Any Director may call into the Agency Board meeting using the **Agency's Call-In Number 1-(833)-568-8864, Webinar ID: 161 229 6221 or Zoom Webinar by clicking on the link <https://scvwa.zoomgov.com/j/1612296221>** without otherwise complying with the Brown Act's teleconferencing requirements.

The public may not attend the meeting in person. Any member of the public may listen to the meeting or make comments to the Board using the call-in number or Zoom Webinar link above. Please see the notice below if you have a disability and require an accommodation in order to participate in the meeting.

If the State of Emergency for COVID-19 expires prior to this meeting and after the posting of this Agenda, this meeting will be held in person at the above listed address.

We request that the public submit any comments in writing if practicable, which can be sent to ajacobs@scvwa.org or mailed to April Jacobs, Board Secretary, Santa Clarita Valley Water Agency, 27234 Bouquet Canyon Road, Santa Clarita, CA 91350. All written comments received before 4:30 PM the day of the meeting will be distributed to the Board members and posted on the Santa Clarita Valley Water Agency website prior to the start of the meeting. Anything received after 4:30 PM the day of the meeting will be made available at the meeting and will be posted on the SCV Water website the following day.

OPEN SESSION BEGINS AT 6:30 PM

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**

3. **PUBLIC COMMENTS** – Members of the public may comment as to items within the subject matter jurisdiction of the Agency that are not on the Agenda at this time. Members of the public wishing to comment on items covered in this Agenda may do so at the time each item is considered. (Comments may, at the discretion of the Board’s presiding officer, be limited to three minutes for each speaker.)

4. **APPROVAL OF THE AGENDA**

5. * **DISCUSSION AND POSSIBLE ACTION REGARDING VACANT DIVISION 3 BOARD SEAT**

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6. **ADJOURNMENT**

- * Indicates Attachment
- ◆ Indicates Handout

Note: The Board reserves the right to discuss or take action or both on all of the above Agenda items.

NOTICES

Any person may make a request for a disability-related modification or accommodation needed for that person to be able to participate in the public meeting by telephoning April Jacobs, Secretary to the Board of Directors, at (661) 297-1600, or in writing to Santa Clarita Valley Water Agency at 27234 Bouquet Canyon Road, Santa Clarita, CA 91350. Requests must specify the nature of the disability and the type of accommodation requested. A telephone number or other contact information should be included so that Agency staff may discuss appropriate arrangements. Persons requesting a disability-related accommodation should make the request with adequate time before the meeting for the Agency to provide the requested accommodation.

Pursuant to Government Code Section 54957.5, non-exempt public records that relate to open session agenda items and are distributed to a majority of the Board less than seventy-two (72) hours prior to the meeting will be available for public inspection at the Santa Clarita Valley Water Agency, located at 27234 Bouquet Canyon Road, Santa Clarita, CA 91350, during regular business hours. When practical, these public records will also be made available on the Agency’s Internet Website, accessible at <http://www.yourscvwater.com>.

Posted on March 23, 2022.

M65



BOARD MEMORANDUM

DATE: March 22, 2022
TO: Board of Directors
FROM: Joseph Byrne and Thomas Bunn III
General Counsel
SUBJECT: Discussion and Possible Action Regarding Vacant Division 3 Board Seat

SUMMARY

Effective on March 15, 2022, former Santa Clarita Valley Water Agency (SCV Water) Director Daniel Mortensen resigned from his seat as an elected member of the SCV Water Board of Directors. As a result, the seat is currently vacant. The Board of Directors has two primary options in deciding how to proceed. The Board may: (1) appoint a replacement to fill the vacant seat; or (2) pursuant to SCV Water's Act, eliminate the Board position and consequently reduce the number of Board of Directors from twelve (12) to eleven (11). This item is being presented to the Board so it can decide which option to select and proceed accordingly.

DISCUSSION

Former Director Mortensen was an "elected initial member" of the Board of Directors of SCV Water when it was created by SB 634 on January 1, 2018. As indicated above, he resigned effective March 15, 2022.

Pursuant to Section 9(e) of the SCV Water Act and Government Code section 1780, in the case of a vacancy, the Board of Directors has 60 days from the effective date to appoint a replacement. If the Board of Directors decides to appoint a successor to fill the vacant Division 3 Board seat, staff will commence the process of soliciting names from the public and the Board would interview those interested and make the appointment prior to May 15, 2022. In such an instance, the appointed director would serve the remainder of former Director Mortensen's term, which expires on December 31, 2022.

In addition, the Board has the option of eliminating the vacant seat entirely instead of appointing a replacement (see SCV Water Act Section 8(3)(A)). The Board may choose this option provided that the vacancy was created by an "elected initial director" and that the division in which former Director Mortensen represented still has at least three directors that remain in that division. In this case, these two conditions are satisfied. Former Director Mortensen was an elected initial director of SCV Water, and after his resignation, Division 3 still has three remaining directors that represent it. As a result, the Board may take action to eliminate the Division 3 seat vacated by former Director Mortensen.

If the Board of Directors neither appoints a successor nor eliminates the seat by May 15, 2022, the Los Angeles County Board of Supervisors may appoint a successor by June 15, 2022. As additional background, the SCV Water Act outlines the process by which the Board of Directors reduces its members from the initial fifteen (15) to nine (9) by January 1, 2023. The provision described above that allows the Board of Directors to eliminate a seat vacated by an

elected initial director was intended to allow the Board to reduce its numbers through natural attrition. There is however no requirement to do so. Since the creation of SCV Water on January 1, 2018, the Board has voted to eliminate three board member seats pursuant to the SVC Water Act following vacancies that were created. If the Board of Directors were to decide to eliminate the vacant seat, that would reduce the number of Board seats from twelve (12) to eleven (11). As of January 1, 2023, that number will be further reduced to nine (9) members.

FINANCIAL CONSIDERATIONS

If the Board were to take action to eliminate the seat, there would be a cost savings in the form of nine months of avoided meeting stipends and avoided cost of benefits. If the Board were to decide to make an appointment, there would be some costs associated with the appointment process.

RECOMMENDATION

That the Board of Directors consider the options described above and either take action to eliminate the seat or direct staff to start the process of appointment.