

Minutes of the Regular Meeting of the Board of Directors of the Santa Clarita Valley Water Agency – December 7, 2021

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, December 7, 2021. A copy of the Agenda is inserted in the Minute Book of the Agency preceding these minutes.

DIRECTORS PRESENT: Kathy 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: Accounting Tech II Kyle Arnold, Administrative Technicians Terri Bell and Bonnie Lytle, Assistant Engineer Dolores Campos, Assistant General Manager Steve Cole, Board Secretary April Jacobs, Chief Engineer Courtney Mael, Communications Manager Kathie Martin, Controller Amy Aguer, Customer Service Manager Kathleen Willson, Director of Finance and Administration Rochelle Patterson, Director of Technology Services Cris Perez, Director of Water Resources Dirk Marks, Executive Assistants Eunie Kang and Leticia Quintero, General Counsel Joe Byrne, General Manager Matthew Stone, GIS Manager Jose Huerta, Management Analyst II Cheryl Fowler, Principal Engineers Brent Payne and Jason Yim, Senior Engineers Shadi Bader and Jim Leserman, Senior Management Analyst Kim Grass, Water Resources Planners Sarah Fleury and Rick Vasilopulos, Best Best and Krieger Attorney Lutfi Kharuf, Nossaman LLP Attorneys Fred Fudacz and Byron Gee, and members of the public.

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

There were no changes to the December 7, 2021 Board Agenda and was accepted as shown (Item 4).

Upon motion of Director Cooper, seconded by Director Atkins and carried, the Board approved the Consent Calendar which included Resolution No. SCV-244 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

RESOLUTION NO. SCV-244

**RESOLUTION OF THE BOARD OF DIRECTORS
OF THE SANTA CLARITA VALLEY WATER AGENCY
AUTHORIZING A PURCHASE ORDER TO LEE & RO, INC. FOR FINAL DESIGN SERVICES
FOR THE RIO VISTA WATER TREATMENT PLANT UNDERGROUND STORAGE TANK
REPLACEMENT PROJECT**

<https://yourscvwater.com/wp-content/uploads/2021/12/SCV-Water-Approved-Resolution-120721-Resolution-SCV-244.pdf>

Upon motion of Vice President Mortensen, seconded by Director Atkins and carried, the Board approved Resolution No. SCV-245 authorizing SCV Water to execute the Financing Agreement with the State Water Resources Control Board for the Los Angeles Residential Community (LARC) Pipeline Project and the master meter consolidation of the LARC and Royce Lily of the Valley Mobile Village LLC, dba Lily of the Valley Mobile Village water systems into SCV Water, and to designate the authorized representative by title to execute the Agreement and to carry out SCV Water's responsibility under the Agreement by the following roll call votes (Item 6.1):

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. SCV-245

**RESOLUTION OF THE BOARD OF DIRECTORS
OF THE SANTA CLARITA VALLEY WATER AGENCY
AUTHORIZING SANTA CLARITA VALLEY WATER AGENCY TO
EXECUTE A FINANCING AGREEMENT
WITH THE STATE WATER RESOURCES CONTROL BOARD DESIGNATING AUTHORIZED
REPRESENTATIVE**

<https://yourscvwater.com/wp-content/uploads/2021/12/SCV-Water-Approved-Resolution-120721-Resolution-SCV-245.pdf>

Upon motion of Director Ford, seconded by Director Atkins and carried, the Board approved the second amendment to the Deposit and Funding Agreement between Santa Clarita Valley Water Agency and DACA-Castaic, LLC for Tapia Ranch through 2023 and require a \$1 million paydown of past Buena Vista Rosedale Rio-Bravo acquisition and carrying costs due December 31, 2022 (Option 3 of the PowerPoint) by the following roll call votes (Item 6.2):

Director Armitage	No	Director Atkins	Yes
Director Braunstein	No	Director Colley	No
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	No

Upon motion of Director Colley, seconded by Vice President Mortensen and carried, the Board voted to rescind the CFD Policy, but to continue consideration of the two developments that have to date submitted deposits pursuant to the terms of the rescinded policy, consistent with Option 1 of the staff report, by the following roll call votes (Item 6.3):

Director Armitage	Yes	Director Atkins	Yes
Director Braunstein	No	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	No

Upon motion of Director Kelly, seconded by Director Atkins and carried, the Board authorized the General Manager to enter into a 5-year Agricultural Lease Agreement with Rolling Hills Farms at the Devil's Den Property by the following roll call votes (Item 6.4):

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 Kelly, seconded by Director Braunstein and carried, the Board voted to continue virtual meetings pursuant to AB 361 for an additional 30 days based on the findings that (1) found that a state of emergency related to COVID-19 is currently in effect and (2) Los Angeles County officials continue to impose or recommend measures to promote social distancing by the following roll call votes (Item 6.5):

Director Armitage	Yes	Director Atkins	Yes
Director Braunstein	Yes	Director Colley	Yes
Director Cooper	No	Director Ford	Yes
Vice President Gladbach	Yes	Director Kelly	Yes
President Martin	No	Vice President Mortensen	No
Director Orzechowski	No	Director Plambeck	Yes

Director of Finance and Administration Rochelle Patterson gave a presentation on the California Water and Wastewater Arrearage Payment Program (Item 7).

GIS Manager Jose Huerta gave a Technology Update on Geospatial Information Science (Item 8).

General Manager's Report on Activities, Projects and Programs (Item 9).

The General Manager reported on the following:

He thanked the Sustainability Manager Matt Dickens, the water conservation staff, and the implementing partners for the EPA Water Sense program's award last month, as well as the Apartment Retrofit program's accomplishment. He then updated the Board on a few COVID items.

- There had been four cases in early November 2021, three of which were in one work area at our Rio Vista Water Treatment Plant facility within less than 14 days, which is considered a potential workplace outbreak by the LA County Department of Public Health (LACDPH). He advised the Board that we contacted LACDPH to make them aware of the situation and the contact tracing and testing that had been completed. LACDPH staff visited the site and made a number of recommendations, which our safety and building and grounds staff implemented. He noted that a return from LACDPH resulted in a satisfactory report and they may have some suggestions on how to make a safe return to live meetings.
- He also noted that since then we have had one additional case at our Pine Street location, however, it was isolated due to the recent Thanksgiving holiday, and had not impacted others.
- He mentioned we are nearing the end of the Board's extension of the remaining Emergency Administrative Leave, which runs through 12/31/21. He informed the Board that the Human Resources and Administration staff are evaluating the need to request a further extension into 2022.
- In addition, he stated that the Federal OSHA Emergency Temporary Standard (ETS) for employers with more than 100 employees was released in early November 2021, however, there are court challenges, and we are awaiting the outcome of that process.

Next, he addressed the earlier public comment about the disc golf course relocation and explained that the SCV Water staff are working with City staff on a number of park/lease related issues including a proposal related to this item. It is anticipated that some of the issues will result in proposed adjustments or amendments to our lease agreement with the City, and staff will bring an item to the Board once it is ready for review.

He then acknowledged Director of Finance and Administration Rochelle Patterson, for her report on the Arrearage Payment Program, which she presented at tonight's meeting, and thanked the staff for their hard work in documenting the necessary information that will allow us to receive funds to assist our customers.

Finally, he reported that the case of SCVWA vs. Whittaker in US District Court in Los Angeles, which involves perchlorate at Well V-205, and VOC's at Wells V-201, V-205, S1 and S2, has completed one very important phase, which was a series of common law claims considered by a jury over a three week period. A verdict was delivered by the jury late Friday afternoon (December 3, 2021), which he felt was favorable to the Agency. Because the judge will have to decide on other legal issues, he will not yet announce a final outcome for the case. He did however want to thank staff, expert witnesses, and SCV Water's Attorneys from Nossaman for their efforts and hard work. He ended by stating that there would be further discussion on outstanding issues related to this case in tonight's Closed Session.

Committee Meeting Recap Reports for Informational Purposes Only (Item 10).

There were no comments on the recap reports.

Written Reports for Informational Purposes Only (Item 11).

Director Armitage made several comments and/or had questions on the Finance, Administration and Information Technology Section Report, Treatment, Distribution, Operations and Maintenances Section Report and on the Water Resources and Outreach Section Report.

There were no other comments on the written reports.

President's Report (Item 12).

The President updated the Board on upcoming meetings, events and Board reminders.

AB 1234 Written and Verbal Reports (Item 13).

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

Director Cooper reported that he attended the ACWA Board of Directors meeting held virtually on November 19, 2021 and attended a virtual meeting with the General Manager, Consultant Mitch Rosenberg and the Board Officers to discuss the General Managers review on December 6, 2021.

Director's Armitage and Braunstein reported that they attended the ACWA 2021 Fall Conference virtually on November 30 through December 2, 2021, but due to technical issues with the virtual setting they will give a more thorough report once they are able to attend the recorded sessions.

Director Atkins reported that he attended the AWA of Ventura County Waterwise Breakfast Series – During Drought Emergency held virtually on November 18, 2021, attended the SCV-GSA special Board meeting held virtually on December 23, 2021 and attended the ACWA 2021 Fall Conference held virtually in Pasadena on November 30 through December 2, 2021.

Vice President Mortensen reported that he attended a virtual meeting with the General Manager, Consultant Mitch Rosenberg and the Board Officers to discuss the General Managers review on December 6, 2021.

President Martin reported that he attended a virtual meeting with the General Manager, Consultant Mitch Rosenberg and the Board Officers to discuss the General Managers review on December 6, 2021.

There were no other AB 1234 Reports.

Director Reports (Item 14).

Upon motion of Vice President Gladbach, seconded by Director Orzechowski and carried, the Board approved the appointment of Director Cooper to the ACWA Finance Committee for 2021 and 2022 by the following roll call votes (Item 14.1):

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 Colley, seconded by Director Kelly and carried, the Board voted to postpone the item on potential revisions to the Board's policy on Director Remote Attendance at Board and Committee meetings Section 3 (A) of the Board's Policy for a future meeting by the following roll call votes (Item 14.2):

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

There were no other Director reports.

The Board went into Closed Session at 10:48 PM (Item 15).

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 11:36 PM.

Joe Byrne, Esq., reported that there were no actions taken in Closed Session that were reportable under the Ralph M. Brown Act (Item 16).

Director Requests for Approval for Event Attendance (Item 17).

There were no Director requests for event attendance.

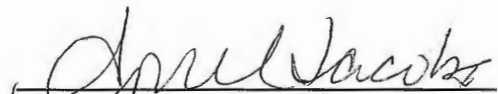
Director Requests for Future Agenda Items (Item 18).

Director Colley requested that we consider adding an additional monthly Board meeting to help avoid the late nights.


Director Atkins requested that he again would like an update brought to the Board on Bouquet Creek and what is happening on the restoration project and grant funding, etc.

There were no other requests for future Agenda items.

The meeting was adjourned at 11:39 PM (Item 19).


April Jacobs, Board Secretary

ATTEST:


President of the Board

