

Minutes of the Regular Meeting of the Board of Directors of the Santa Clarita Valley Water Agency – December 18, 2018

A regular meeting of the Board of Directors of the Santa Clarita Valley Water Agency was held at the Santa Clarita Valley Water Agency, 27234 Bouquet Canyon Road, Santa Clarita, CA 91350, at 6:30 PM on Tuesday, December 18, 2018. A copy of the Agenda is inserted in the Minute Book of the Agency preceding these minutes.

DIRECTORS PRESENT: B. J. Atkins, Tom Campbell, Ed Colley, Kathy Colley, William Cooper, Robert DiPrimio, Dean Efstathiou, Maria Gutzeit, R. J. Kelly (Via Teleconference Site), Gary Martin, Dan Mortensen and Lynne Plambeck were in attendance.

DIRECTORS ABSENT: Jerry Gladbach and Jacque McMillan.

Also present: Matthew Stone, General Manager; Tom Bunn, General Counsel; April Jacobs, Board Secretary; Steve Cole, Assistant General Manager; Eric Campbell, Chief Financial and Administrative Officer; Keith Abercrombie Chief Operating Officer; Rochelle Patterson, Director of Finance and Administration; Brian Folsom, Chief Engineer; Jason Yim, Principal Engineer; Dirk Marks, Director of Water Resources; Jeff Herbert, Senior IT Technician; Kathie Martin, Public Information Officer; Terri Bell, Administrative Assistant; several members of the SCV Water staff; Stephanie English, Santa Clarita Valley Senior Deputy and Fire Deputy for Supervisor Kathryn Barger; Hunt Braly, Poole and Shaffery, LLP; and members of the public.

President Cooper called the meeting to order at 6:34 PM. A quorum was present.

Upon motion of Director Martin, seconded by Director Campbell and carried, the Agenda was approved by the following roll call votes (Item 4):

Director Atkins	Yes	Director Campbell	Yes
Director E. Colley	Yes	Director K. Colley	Yes
President Cooper	Yes	Director DiPrimio	Yes
Director Efstathiou	Yes	Director Gladbach	Absent
Vice President Gutzeit	Yes	Vice President Kelly	Yes
Director Martin	Yes	Director McMillan	Absent
Director Mortensen	Yes	Director Plambeck	Yes

On December 17, 2018, the SCV Water Agency received the Los Angeles County Board of Supervisors nomination appointing Dante Acosta to the SCV Water Agency Board of Directors. The nomination and resolution were posted and emailed on December 17, 2018 and handed out at the December 18, 2018 SCV Water regular Board meeting.

Public comments were received regarding the nomination of Dante Acosta. The Board discussed the nomination and by motion of Vice President Gutzeit, seconded by Director Plambeck and carried, the Board tabled item 5.1., the consideration of the Los Angeles County Waterworks District 36 Board appointment of Dante Acosta, to allow for a meeting/discussion with Supervisor Barger regarding (1) a potential merger with Los Angeles County Waterworks District 36 and/or (2) eliminating the appointed position, by the following roll call votes (Item 5.1).

Director Atkins	Yes	Director Campbell	Yes
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Director E. Colley	Yes	Director K. Colley	Yes
President Cooper	Yes	Director DiPrimio	Yes
Director Efstathiou	Yes	Director Gladbach	Absent
Vice President Gutzeit	Yes	Vice President Kelly	Yes
Director Martin	Yes	Director McMillan	Absent
Director Mortensen	Yes	Director Plambeck	Yes

By motion of President Cooper, seconded by Vice President Kelly, the Board voted to move the January 1, 2019 regular Board meeting to January 7, 2019 by the following roll call votes (Item 5.1.):

Director Atkins	Yes	Director Campbell	Yes
Director E. Colley	Yes	Director K. Colley	Yes
President Cooper	Yes	Director DiPrimio	Yes
Director Efstathiou	Yes	Director Gladbach	Absent
Vice President Gutzeit	Yes	Vice President Kelly	Yes
Director Martin	Yes	Director McMillan	Absent
Director Mortensen	Yes	Director Plambeck	Yes

President Cooper called for a recess at 8:44 PM. The meeting was reconvened at 8:52 PM.

Upon motion of Director Mortensen, seconded by Director K. Colley and carried, the Board approved the Consent Calendar excluding Item 6.2, which was pulled and voted on separately, by the following roll call votes (Item 6):

Director Atkins	Yes	Director Campbell	Yes
Director E. Colley	Yes	Director K. Colley	Yes
President Cooper	Yes	Director DiPrimio	Yes
Director Efstathiou	Yes	Director Gladbach	Absent
Vice President Gutzeit	Yes	Vice President Kelly	Yes
Director Martin	Yes	Director McMillan	Absent
Director Mortensen	Yes	Director Plambeck	Yes

Upon motion of Director Campbell, seconded by Director Martin and carried, the Board approved Resolution No. SCV-79 approving the amended Santa Clarita Valley Water Agency Conflict of Interest Code, with a review of and reporting back to the Board pertaining to the Board Secretary assigned Disclosure Categories, by the following roll call votes (Item 6.2):

Director Atkins	Yes	Director Campbell	Yes
Director E. Colley	Yes	Director K. Colley	Yes
President Cooper	Yes	Director DiPrimio	Yes
Director Efstathiou	Yes	Director Gladbach	Absent
Vice President Gutzeit	Yes	Vice President Kelly	Yes
Director Martin	Yes	Director McMillan	Absent
Director Mortensen	Yes	Director Plambeck	No

RESOLUTION NO. SCV-79

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE
SANTA CLARITA VALLEY WATER AGENCY ADOPTING AN
AMENDED CONFLICT OF INTEREST CODE PURSUANT TO
THE POLITICAL REFORM ACT OF 1974**

WHEREAS, the State of California enacted the Political Reform Act of 1974, Government Code Section 81000 et seq. (the "Act"), which contains provisions relating to conflicts of interest which potentially affect all officers, employees and consultants of the Santa Clarita Valley Water Agency ("SCVWA") and requires all public agencies to adopt and promulgate a Conflict of Interest Code; and

WHEREAS, the Board of Directors adopted a Conflict of Interest Code (the "Code") for SCVWA in compliance with the Act which was amended December 13, 2017; and

WHEREAS, subject to changed circumstances within SCVWA have made it advisable and necessary pursuant to Sections 87306 and 87307 of the Act to amend and update SCVWA's Code; and

WHEREAS, the potential penalties for violation of the provisions of the Act are substantial and may include criminal and civil liability, as well as equitable relief which could result in SCVWA being restrained or prevented from acting in cases where the provisions of the Act may have been violated; and

WHEREAS, notice of the time and place of a public meeting on, of consideration by the Board of Directors of, the proposed amended Code was provided each affected designated employee and publicly posted for review at the SCVWA Administration Building at 27234 Bouquet Canyon Road, Santa Clarita, California, establishing a 45-day comment period in compliance with Title 2, California Code of Regulations, Section 18750; and

WHEREAS, a public meeting was held upon the proposed amended Code at a regular meeting of the Board of Directors of SCVWA on December 18, 2018, at which all present were given an opportunity to be heard on the proposed amended Code.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Santa Clarita Valley Water Agency as follows:

- Section 1.** The Board of Directors does hereby adopt the proposed amended Conflict of Interest Code, a copy of which is attached hereto and shall be on file with the Board Secretary and available to the public for inspection and copying during regular business hours.
- Section 2.** The said amended Code shall be submitted to the Fair Political Practices Commission for approval.
- Section 3.** The said amended Code shall become effective immediately after the Fair Political Practices Commission approves the proposed amended Code as submitted.

Upon motion of Director Efstathiou, seconded by Director Martin and carried, the Board authorized the General Manager to (1) execute Change Order Number 7 to the contract with GSE Construction Company, Inc. to increase the construction contract amount by \$84,909 to \$2,951,759 for the Foothill Feeder Connection Project; (2) execute an amendment to Work Authorization E1617-036 with Vali Cooper & Associates, Inc., with a budget increase of \$95,100 for a total not to exceed a total authorization of \$694,600 for Construction Management Services for the Foothill Feeder Connection Project; and (3) execute a budget adjustment to increase the budget of Work Authorization No. 07-055 by \$165,000 for a total of \$1,280,000 for the Metropolitan Water District of Southern California to provide services for the Foothill Feeder Pipeline Connection Project by the following roll call votes (Item 7.1):

Director Atkins	Yes	Director Campbell	Yes
Director E. Colley	Yes	Director K. Colley	Yes
President Cooper	Yes	Director DiPrimio	Yes
Director Efstathiou	Yes	Director Gladbach	Absent
Vice President Gutzeit	Yes	Vice President Kelly	Yes
Director Martin	Yes	Director McMillan	Absent
Director Mortensen	Yes	Director Plambeck	Yes

Upon motion of Director E. Colley, seconded by Director Efstathiou and carried, the Board (1) approved Resolution No. SCV-80 awarding funding in an amount not to exceed \$3,269,978.85 for construction costs and an amount not to exceed \$244,000 for construction management and miscellaneous costs to The Newhall Land and Farming Company, LLC, as well as, authorized the General Manager to execute construction change orders up to ten percent (10%) of the original construction contract with details of all change orders being reported to the Board of Directors, and execute a work authorization with Kennedy/Jenks Consultants for an amount not to exceed \$287,000 for inspection services during construction of the Magic Mountain Pipeline Phase 5 project by the following roll call votes (Item 7.2):

Director Atkins	Yes	Director Campbell	Yes
Director E. Colley	Yes	Director K. Colley	Yes
President Cooper	Yes	Director DiPrimio	Yes
Director Efstathiou	Yes	Director Gladbach	Absent
Vice President Gutzeit	Yes	Vice President Kelly	Yes
Director Martin	Yes	Director McMillan	Absent
Director Mortensen	Yes	Director Plambeck	No

RESOLUTION NO. SCV-80

RESOLUTION OF THE BOARD OF DIRECTORS OF THE SANTA CLARITA VALLEY WATER AGENCY APPROVING FUNDING FOR CONSTRUCTION CONTRACT AND CONSTRUCTION MANAGEMENT TO THE NEWHALL LAND AND FARMING COMPANY, LLC, FOR THE MAGIC MOUNTAIN PIPELINE PHASE 5 PROJECT

WHEREAS, Santa Clarita Valley Water Agency (SCVWA) desires to take steps to increase the reliability of its existing water system; and

WHEREAS, SCVWA's Capital Improvement Program includes new pipelines to extend the Agency's existing Magic Mountain Pipeline to the future Magic Mountain Reservoir, located in The Newhall Land and Farming Company, LLC, (Newhall Land)'s Mission Village project; and

WHEREAS, Newhall Land is constructing the Mission Village project, and would like to install/construct SCVWA's new pipelines in three phases, Magic Mountain Pipeline Phases 4-6, as part of Newhall Land's road improvements, subject to SCVWA's reimbursement; and

WHEREAS, any agreement with Newhall Land regarding the Mission Village project is independent of SCVWA's pre-existing plans to construct the pipeline as part of SCVWA's Capital Improvement Program to ensure a reliable supply of water; and

WHEREAS, Castaic Lake Water Agency (CLWA), as a CEQA Responsible Agency, filed the Notice of Determination with the Los Angeles County Clerk's Office and the State Clearinghouse on February 24, 2015 and there are no substantial changes to the project, and no further CEQA documentation is necessary for the Board to act with regards to the proposed actions; and

WHEREAS, the General Manager executed the Magic Mountain Water Pipeline Installation Agreement with Newhall Land for the construction of the Magic Mountain Pipeline Phases 4-6 on August 1, 2018; and

WHEREAS, all bid proposals submitted to the Newhall Land, pursuant to the Magic Mountain Water Pipeline Installation Agreement, and the Agency's construction contract documents, as amended by Addenda, were received by Newhall Land on Monday, November 26, 2018 by 4:00 p.m., in full accordance with the law and the Newhall Land and Farming Company's customary procedures; and

WHEREAS, the Board of Directors finds, after considering the opinion of staff, that the total bid of Toro Enterprises Inc. in the amount of \$3,269,978.85 is the lowest responsible bid of three bids submitted, and that said bid substantially meets the requirements of said construction contract documents as amended by Addenda; and

WHEREAS, the Agency's Purchasing Policy allows the General Manager to approve change orders up to four percent (4%) of the original contract amount and the Board of Directors may grant a different change authority on a project-specific basis; and

WHEREAS, it is in the Agency's best interest that the Board of Directors change the General Manger's Change Order Authority for this project from four percent (4%) to ten percent (10%).

WHEREAS, under the terms of the Magic Mountain Water Pipeline Installation Agreement, Newhall Land will perform the construction management and miscellaneous construction support services for this project in an amount not to exceed \$244,000.

NOW, THEREFORE, BE IT RESOLVED that the Agency's Board of Directors does authorize its General Manager to accept said low bid and does thereafter authorize the Agency's General Manager or its Chief Engineer to approve the funding to Newhall Land for a reimbursement to Toro Enterprises Inc., hereby found to be the "lowest responsible bidder" for the Magic Mountain Pipeline Phase 5 Project pursuant to said Agency's construction contract documents as amended by Addenda for a total construction budget not to exceed \$3,269,978.85.

RESOLVED FURTHER that the Agency's Board of Directors does authorize its General Manager or its Chief Engineer to approve change orders up to ten percent (10%) of the original construction contract amount for the Magic Mountain Pipeline Phase 5 Project with details of all construction change orders being reported to the Board of Directors.

RESOLVED FURTHER that the Agency's Board of Directors does authorize its General Manager or its Chief Engineer to approve the funding to Newhall Land for construction management and miscellaneous construction support services for the Magic Mountain Pipeline Phase 5 Project pursuant to the Magic Mountain Water Pipeline Installation Agreement in an amount not to exceed \$244,000.

The General Manager gave a brief update on the Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary Voluntary Settlement Agreement which was handed out for Board information, gave an update on his meeting with the Finance Authority on Friday, December 14, 2018 and discussed the December 31, 2018 expiration of Fieldman Rolapp and Associates, Inc.'s contract and a potential for an extension/renewal of the contract. It was agreed that the item would go to the January 7, 2019 special Board meeting for consideration and approval (Item 8).

There were no comments on the Committee meeting recap report (Item 9).

The President thanked the Board for attending the December 6, 2018 Holiday Party (Item 10).

There were no AB 1234 Reports (Item 11).

There were no Director Reports (Item 12).

There were no Director requests for attendance for upcoming conferences/events (Item 13).

Upon motion of President Cooper, seconded by Director DiPrimio and carried, the Board approved the revised Resolution No.SCV-78 honoring Dean Efstathiou for his distinguished service to the Boards of Castaic Lake Water Agency and Santa Clarita Valley Water Agency by the following roll call votes (Item 14.1):

Director Atkins	Yes	Director Campbell	Yes
Director E. Colley	Yes	Director K. Colley	Yes
President Cooper	Yes	Director DiPrimio	Yes
Director Efstathiou	Yes	Director Gladbach	Absent
Vice President Gutzeit	Yes	Vice President Kelly	Yes
Director Martin	Yes	Director McMillan	Absent
Director Mortensen	Yes	Director Plambeck	Yes

RESOLUTION NO. SCV- 78

**RESOLUTION OF THE BOARD OF DIRECTORS OF
THE SANTA CLARITA VALLEY WATER AGENCY
HONORING AND COMMENDING DEAN EFSTATHIOU
FOR HIS SERVICE AND DEDICATION**

WHEREAS, Dean Efstathiou served on the Castaic Lake Water Agency Board of Directors as an appointed Director for the Los Angeles County Waterworks District No. 36 from November 18, 1992 to December 31, 2017; and

WHEREAS, Mr. Efstathiou served on many of the Castaic Lake Water Agency Committees over his 25 years of service as a Director; and

WHEREAS, Mr. Efstathiou voted and was in support of combining the Castaic Lake Water Agency and the Newhall County Water District to form the Santa Clarita Valley Water Agency; and

WHEREAS, Mr. Efstathiou has served on the Santa Clarita Valley Water Agency Board of Directors as an appointed Director for the Los Angeles County Waterworks District No. 36 from January 1, 2018 through December 31, 2018; and

WHEREAS, Mr. Efstathiou has served as Chair of the Engineering and Operations Committee (formerly Engineering Committee) and as a Committee member for the Finance and Administration Committee (formerly Finance and Operations Committee) for the 2018 calendar year; and

WHEREAS, Mr. Efstathiou has sat on the Southern California Water Coalition (Committee) and Urban Water Institute Board representing the interests of both the Southern California Rate Payers and the Agency; and

WHEREAS, Mr. Efstathiou has enthusiastically supported the Agency's efforts to provide responsible water stewardship to ensure the Santa Clarita Valley has reliable supplies of high quality water at a reasonable cost and passionately represented the customers of the Santa Clarita Valley; and

WHEREAS, Mr. Efstathiou has provided valuable water industry insights to the Agency's Board of Directors; and

WHEREAS, the Board of Directors deem it most fitting that Mr. Efstathiou's outstanding service to the Agency and the people it serves be publicly and appropriately recognized.

NOW THEREFORE BE IT RESOLVED, that the Santa Clarita Valley Water Agency Board of Directors congratulates Dean Efstathiou for his 26 years of public service to both the Castaic Lake Water Agency Board of Directors and the Santa Clarita Valley Water Agency Board of Directors and thanks him for his support of the Board, employees of the Agency and the residents of the Santa Clarita Valley through his many significant contributions and leadership during his time as a Board member.

The Board recognized Dean Efstathiou for his service and contributions to the SCV Water Agency Board, the employees of the Agency and the customers of the Santa Clarita Valley for the past 26 years (Item 14.2).

Upon motion of Director E. Colley, seconded by Director Mortensen and carried, the Board went into Closed Session at 10:06 PM to discuss the items listed on the Agenda by the following roll call votes (Item 15):

Director Atkins	Yes	Director Campbell	Yes
Director E. Colley	Yes	Director K. Colley	Yes
President Cooper	Yes	Director DiPrimio	Yes
Director Efstathiou	Yes	Director Gladbach	Absent
Vice President Gutzeit	Not Present	Vice President Kelly	Yes
Director Martin	Yes	Director McMillan	Absent
Director Mortensen	Yes	Director Plambeck	Yes

Upon motion of Director Campbell, seconded by Director DiPrimio and carried, the Board voted to come out of Closed Session at 10:49 PM by the following roll call votes:

Director Atkins	Yes	Director Campbell	Yes
Director E. Colley	Yes	Director K. Colley	Yes
President Cooper	Yes	Director DiPrimio	Yes
Director Efstathiou	Yes	Director Gladbach	Absent
Vice President Gutzeit	Yes	Vice President Kelly	Yes
Director Martin	Yes	Director McMillan	Absent
Director Mortensen	Yes	Director Plambeck	Yes

President Cooper reconvened the Open Session at 10:49 PM.

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

There were no requests for future agenda items (Item 17).

Upon motion of Director Mortensen, seconded by Director Atkins and carried, the meeting was adjourned at 10:50 PM by the following roll call votes (Item 18):

Director Atkins	Yes	Director Campbell	Yes
Director E. Colley	Yes	Director K. Colley	Yes
President Cooper	Yes	Director DiPrimio	Yes
Director Efstathiou	Yes	Director Gladbach	Absent
Vice President Gutzeit	Yes	Vice President Kelly	Yes
Director Martin	Yes	Director McMillan	Absent
Director Mortensen	Yes	Director Plambeck	Yes


April Jacobs, Board Secretary

ATTEST:


President of the Board

