



Minutes of the Special Meeting
of the Board of Directors of the Rowland Water District
April 14, 2020 – 4:00 p.m.
Location: District Office

PLEDGE OF ALLEGIANCE

ROLL CALL OF DIRECTORS

President Robert W. Lewis
Vice President Teresa P. Rios
Director Anthony J. Lima
Director Szu Pei Lu-Yang
Director John Bellah

ABSENT:

None.

OTHERS PRESENT:

Joseph P. Byrne, Legal Counsel, Best Best & Krieger
Erin Gilhuly, CV Strategies
Denise Jackman, Director, Three Valleys Municipal Water District
Matt Litchfield, Three Valleys Municipal Water District
Jody Roberto, Director, Three Valleys Municipal Water District
Robert Callanan, White Nelson Diehl Evans LLP

ROWLAND WATER DISTRICT STAFF

Tom Coleman, General Manager
Dave Warren, Assistant General Manager
Rose Perea, Director of Administrative Services
Dusty Moisiso, Director of Operations
Roy Frausto, Engineering and Compliance Manager

ADDITION(S) TO THE AGENDA

None.

PUBLIC COMMENT ON NON-AGENDA ITEM

None.

TAB 1 – CONSENT CALENDAR

Upon motion by Director Lu-Yang, seconded by Director Rios, the Consent Calendar was approved as follows:

Ayes: Directors Lewis, Rios, Lima, Lu-Yang and Bellah
Noes: None
Abstain: None
Absent: None

The approval of the Consent Calendar included:

- 1.1 Approval of the Minutes of Regular Board Meeting Held on March 10, 2020**
- 1.2 Demands on General Fund Account for February 2020**
- 1.3 Investment Report for February 2020**
- 1.4 Water Purchases for February 2020**

Next Special Board Meeting	April 28, 2020, 6:00 p.m.
Next Regular Board Meeting	May 12, 2020, 6:00 p.m.

Tab 2 – ACTION ITEMS

- 2.1 Review and Approve Directors’ Meeting Reimbursements for March 2020**

Upon Motion by Director Lima, seconded by Director Rios, the Directors’ Meeting Reimbursement Report was approved as follows:

Ayes: Directors Lewis, Rios, Lima, Lu-Yang and Bellah
Noes: None
Abstain: None
Absent: None

- 2.2 Review and Approve “Draft” RWD Financial Audit Report for Fiscal Year 2018-2019 Prepared by White Nelson Diehl Evans LLP**

Robert Callanan, representing the firm of White Nelson Diehl Evans LLP reviewed the documents contained in the “Draft” Financial Audit Report and answered questions posed by the Directors. He noted that no difficulties were encountered in completing the audit and an unmodified opinion was provided. Management will provide a representative letter to the auditors. No significant transactions unusual in nature were observed.

Upon motion by Director Lu-Yang, seconded by Director Lima, the “Draft” RWD Financial Audit Report for Fiscal Year 2018-2019 was approved as follows:

Ayes: Directors Lewis, Rios, Lima, Lu-Yang and Bellah
Noes: None
Abstain: None
Absent: None

2.3

Review and Approve Resolution No. 4-2020 Adopting A Methodology for Imposing Capacity Fees on Certain Qualifying Accessory Dwelling Units, Adopting A Policy for Providing Water to Accessory Dwelling Units, and Taking Certain Other Actions Relating Thereto

After discussion a motion was made by Director Lu-Yang, seconded by Director Lima, to approve Resolution No. 4-2020. The motion was approved by the following roll-call vote:

Ayes: Directors Lewis, Rios, Lima, Lu-Yang and Bellah
Noes: None
Abstain: None
Absent: None

Motion passed by a vote of 5-0.

2.4

Review and Approve Policy Regarding Water Service to be Provided to Accessory Dwelling Units

After discussion a motion was made by Director Lima, seconded by Director Rios, to approve the Policy as presented. The motion was unanimously approved as follows:

Ayes: Directors Lewis, Rios, Lima, Lu-Yang and Bellah
Noes: None
Abstain: None
Absent: None

2.5

Review and Approve Resolution No. 4.1-2020 Authorizing the General Manager to Take All Actions Necessary in Response to the COVID-19 Pandemic

After discussion a motion was made by Director Lima, seconded by Director Rios, to approve Resolution No. 4.1-2020. The motion was approved by the following roll-call vote:

Ayes: Directors Lewis, Rios, Lima, Lu-Yang and Bellah
Noes: None
Abstain: None
Absent: None

Motion passed by a vote of 5-0.

2.6

Review and Approve Resolution No. 4.2-2020 of the Board of Directors To Tax Defer Member Paid Contributions—IRC 414(h)(2) Employer Pick-up

After discussion a motion was made by Director Lu-Yang, seconded by Director Rios, to approve Resolution No. 4.2-2020. The motion was approved by the following roll-call vote:

Ayes: Directors Lewis, Rios, Lima, Lu-Yang and Bellah
Noes: None
Abstain: None
Absent: None

Motion passed by a vote of 5-0.

2.7

Review and Approve Resolution No. 4.3-2020 For The Affirmation and Implementation of the Provisions of Section 414(h)(2) of the Internal Revenue Code to Tax Defer Employee Retirement Contributions to CalPERS

After discussion a motion was made by Director Lu-Yang, seconded by Director Rios, to approve Resolution No. 4.3-2020. The motion was approved by the following roll-call vote:

Ayes: Directors Lewis, Rios, Lima, Lu-Yang and Bellah

Noes: None

Abstain: None

Absent: None

Motion passed by a vote of 5-0.

2.8

Review and Approve FMLA Leave Expansion and Emergency Paid Sick Leave Policy (Coronavirus)

After discussion a motion was made by Director Lima, seconded by Director Rios, to approve the Policy as presented. The motion was unanimously approved as follows:

Ayes: Directors Lewis, Rios, Lima, Lu-Yang and Bellah

Noes: None

Abstain: None

Absent: None

2.9

Review and Approve Changing Regular Board Meeting Time to 4:00 PM During COVID-19 Safer-At-Home Stay Order.

After discussion a motion was made by Director Lu-Yang, seconded by Director Lima, to approve the changing of the meeting time for the Regular Board meetings to 4:00 p.m. during the “COVID-19 Safer-At-Home Stay Order”. The motion was unanimously approved as follows:

Ayes: Directors Lewis, Rios, Lima, Lu-Yang and Bellah

Noes: None

Abstain: None

Absent: None

2.10

Public Relations (Rose Perea)

Mrs. Perea advised that Brittne has scheduled several zoom meetings with the teachers and classrooms to present the Mini-Solar Cup Challenge awards. Several of the teachers had submitted posters for the MWD Poster Contest prior to the COVID-19 office closure. Staff will judge the posters submitted and send the winning posters to MWD for consideration to be included in next year’s calendar.

Communications Outreach (CV Strategies)

Erin Gilhuly advised that CV Strategies is continuing to provide updates in connection with COVID-19 for posting to social media and is working on a COVID-19 social media video and website sliders. Collateral in connection with the conservation campaign is continuing. Designing the CCR and compiling the content is progressing with anticipated completion in June.

Education Update

Provided for information purposes only.

2.12

Discussion of Upcoming Conferences, Workshops, or Events (including items that may have arisen after the posting of the Agenda)

- Special Districts Legislative Days, May 19-20, 2020, Sheraton Grand Sacramento Hotel, 1230 J Street, Sacramento, CA
Staff was asked to make reservations for Director Lewis' attendance by teleconference.
A motion was made by Director Lima, seconded by Director Rios, and unanimously carried, to approve the payment of *per diem* compensation to Director Lewis for his virtual attendance at the conference.

TAB 3 LEGISLATIVE INFORMATION

3.1

Updates on Legislative Issues

General Manager, Tom Coleman, advised the Board that the Budget will be the legislators' focus once they are able to meet again.

TAB 4 REVIEW OF CORRESPONDENCE

None.

TAB 5 COMMITTEE REPORTS

5.1

Joint Powers Insurance Authority

Nothing to report.

5.2

Three Valleys Municipal Water District

Director Lima reported on his attendance at the April 1, 2020 Board meeting and advised that a presentation on the new website which will go live in May was made. Updates on the American Water Infrastructure Act (AWIA) were provided. Work on Emergency Response and Risk Assessment is ongoing. Updates on the second draft of the FY 2020-21 Budget were discussed. The next meeting will be held on April 15, 2020.

5.3

Association of California Water Agencies

Nothing to report.

5.4

Puente Basin Water Agency

Director Lewis reported on the teleconference meeting held on April 2, 2020. The FY Budget 2020-21 was approved and the 3-year Contract with Fedak & Brown, LLP, for auditing services was approved. Director Lima advised that updates in connection with the Pathfinder Road 20-inch water main installation and the Cal Domestic project were provided. A Prop 84 - 2014 Drought Round Amendment #2 check in the amount of \$1,265,106.39 was received.

5.5

Project Ad-Hoc Committee

Nothing to report.

5.6

Regional Chamber of Commerce

Director Lewis reported on his virtual attendance at the Government Affairs Committee teleconference meeting held on April 3, 2020 and advised that updates on the handling of COVID-19 and its impact on the business community were provided.

5.7

PWR Joint Waterline Commission

Nothing to report. The next meeting will be held in June.

5.8

Sheriff's Community Advisory Council

Nothing to report.

5.9

Rowland Heights Community Coordinating Council (RHCCC)

Nothing to report. The RHCCC will be dark until the Governor lifts the COVID-19 Safer-At-Home Stay Order.

5.10

Hacienda Heights Improvement Association

Nothing to report.

TAB 6 OTHER REPORTS, INFORMATION ITEMS AND COMMENTS

6.1

Finance Report

General Manager, Tom Coleman, presented a year-to-date Revenue and Expense Report by Category and Consumption by Class through February 2020.

6.2

Operations Report

Director of Operations, Dusty Moisio, advised that most projects have been suspended due to COVID-19; staff has been focused on essential functions. The Rowland Heights Plaza Future 3 project bid opening was on April 2, 2020. The apparent low bidder was J. DeSigio Construction. As this is a developer funded project, District staff has sent the bid results to the developer and are awaiting the developer's approval of costs in connection with the project. General Manager, Tom Coleman, provided information on the project to the Board and advised that the developer has 15 days to accept or reject the J. Desigio bid.

6.3

Personnel Report

General Manager, Tom Coleman, provided an update on the recruitment for the Director of Finance position and advised that there are six prospective candidates that the District is considering. He advised that recruitment for interns is proving to be a challenge since the background checks are processed through the court system and the courts are currently closed. He also advised the Board that former employee, Dave Miller, had passed away due to a heart attack.

TAB 7 ATTORNEY'S REPORT

Nothing to report.

TAB 8 CLOSED SESSION

Legal Counsel, Joseph Byrne, adjourned the meeting to closed session at 5:58 p.m. and announced that the purpose of the closed session, and the provisions of the Brown Act authorizing the closed session were listed in the agenda.

- a. **CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION**
Pursuant to paragraph (1) of subdivision (d) of Government Code Section 54956.9.
Name of Case: Rowland Water District vs. La Habra Heights County Water District, Case No. KC070088

- b. **Conference with Real Property Negotiator Pursuant to Government Code Section 54956.8**
Property: 18938 Granby Place, Rowland Heights, CA 91748
District Negotiator: Tom Coleman, General Manager
Negotiating Parties: Mark I. Chen Revocable Living Trust dated 9-8-17
Under Negotiation: Price and Terms

- c. **Conference with Real Property Negotiator Pursuant to Government Code Section 54956.8**
Property: Portion of Property Located at
804 S. Azusa Ave., City of Industry, CA
District Negotiator: Tom Coleman, General Manager
Negotiating Parties: City of Industry
Under Negotiation: Price and Terms

The closed session was adjourned, and the Board resumed the meeting in open session at 6:07 p.m.

Upon returning to open session, legal counsel reported that the Board took no reportable action in connection with these matters.

General Manager’s and Directors’ Comments

General Manager, Tom Coleman, advised the Board that staff is working hard during COVID-19 and thanked the Board for their continued support of staff. He noted that customers are finding the alternative ways that the District has developed over the last several years to pay their water bills with the office being closed to the public.

Future Agenda Items

None.

Late Business

None.

A motion was made by Director Lima, seconded by Director Rios, and unanimously carried to adjourn the meeting. The meeting was adjourned at 6:14 p.m.

ROBERT W. LEWIS
Board President

Attest: _____
TOM COLEMAN
Board Secretary