

Approved May 13, 2020

**EAST VALLEY WATER DISTRICT  
REGULAR BOARD MEETING  
VIA TELECONFERENCE**

**April 22, 2020**

**MINUTES**

The Chairman of the Board called the meeting to order at 4:30 p.m.

**PRESENT:** Directors: Carrillo, Coats, Goodrich, Morales, Smith

**ABSENT:** None

**STAFF:** John Mura, General Manager/CEO; Brian Tompkins, Chief Financial Officer; Jeff Noelte, Director of Engineering and Operations; Kelly Malloy, Director of Strategic Services; Justine Hendricksen, District Clerk; Shayla Antrim, Senior Administrative Assistant

**LEGAL COUNSEL:** Jean Cihigoyenetché

**GUEST(s):** Members of the public

**PUBLIC COMMENTS**

Chairman Smith declared the public participation section of the meeting open at 4:31 p.m.

There being no written or verbal comments, the public participation section was closed.

**APPROVAL OF AGENDA**

M/S/C (Coats-Goodrich) by unanimous roll call vote that the April 22, 2020 agenda be approved as submitted.

**CLOSED SESSION**

The Board entered into Closed Session at 4:32 p.m. as provided in the Ralph M. Brown Act Government Code Sections 54956.9(d)(4) to discuss the item(s) listed on the agenda.

**THE BOARD RECONVENED THE MEETING AT 5:30 P.M.**

Vice Chairman Goodrich led the flag salute.

## **ROLL CALL**

**PRESENT:** Directors: Carrillo, Coats, Goodrich, Morales, Smith

**ABSENT:** None

## **ANNOUNCEMENT OF CLOSED SESSION ACTIONS**

With respect to Item #2: Legal Counsel stated that in closed session this item was discussed pursuant to government code section 54956.9(d)(4); that a motion was received by Director Coats, seconded by Director Goodrich, and by unanimous vote (5-0), the Board directed staff to issue eminent domain proceedings against 44 shares of North Fork Water Company stocks, condemning the remaining shares, not owned by East Valley Water District.

## **PUBLIC COMMENTS**

Chairman Smith declared the public participation section of the meeting open at 5:32 p.m.

There being no written or verbal comments, the public participation section was closed.

## **APPROVE THE MARCH 11, 2020 REGULAR BOARD MEETING MINUTES**

M/S/C (Carrillo-Goodrich) by unanimous roll call vote that the Board approve the March 11, 2020 regular board meeting minutes as submitted.

## **APPROVE THE FINANCIAL STATEMENTS FOR MARCH 2020**

M/S/C (Carrillo-Goodrich) by unanimous roll call vote that the Board approve the financial statements for March 2020 as submitted.

## **DISBURSEMENTS**

M/S/C (Carrillo-Goodrich) by unanimous roll call vote that the General Fund Disbursements #255835 through #255998 which were distributed during the period of March 1, 2020 through March 31, 2020, bank drafts, and ACH Payments in the amount of \$6,988,698.91 and \$382,746.67 for payroll and benefit contributions, totaling \$7,371,445.58 be approved.

## **APPROVE INVESTMENT REPORT FOR QUARTER ENDED MARCH 31, 2020**

M/S/C (Carrillo-Goodrich) by unanimous roll call vote that the Board accept and file the investment report for the quarter ended March 31, 2020.

## **DEVELOPMENT ACTIVITY UPDATE**

The Director of Engineering and Operations provided an update on development activity within the District's service area.

Information only.

### **RESOLUTION 2020.08, 2020.09, AND 2020.10 TO FACILITATE ESTABLISHMENT OF COMMUNITY FACILITIES DISTRICT (CFD) NO. 2020-01 FOR HIGHLAND HILLS**

The Chief Financial Officer stated that at the January 8, 2020 Board meeting, the Board heard a presentation on, and then adopted, Goals and Policies for Community Facilities Districts. The Board also accepted a petition from First American Title Insurance Company, the Owner of the property known as the Highland Hills project, to form a Community Facilities District (CFD) for that project, and authorized the General Manager/CEO to require a deposit from the Owner to pay District costs to establish a CFD. These were the first two actions recommended by Cyrus Torabi from Stradling, Yocca, Carlson, & Rauth in his presentation on 'Introduction to Community Facilities Districts'.

He stated that since the January 8th meeting, staff, District consultants, and the owner and their consultants have been working together to prepare documents that require Board action:

Resolution 2020.08 - A Resolution of EVWD approving execution of a Reimbursement Agreement Related to the Highland Hills CFD which specifies a \$75,000 deposit the owner must give to the District to pay for costs associated with establishment of a CFD, and how the owner may be reimbursed for those and other CFD costs if and when CFD Bonds are issued.

Resolution 2020.09 - A Resolution of EVWD declaring its intention to establish CFD 2020-1 and Improvement Areas 1, 2, and 3 therein, to authorize a special tax levy to pay for Facilities, Incidental Expenses, and Principal and Interest on Bonds.

Resolution 2020.10 - A Resolution of EVWD to incur Bonded Indebtedness within CFD No. 2020-1, and Improvement Areas 1, 2, and 3 therein. This Resolution establishes the not to exceed amount for a CFD bond issue at \$24 million and establishes the purpose for which bonds may be issued, and the term for which they may be issued.

He stated that staff anticipates that the next request for Board action will be to consider adoption of a Resolution of Formation for CFD 2020-1.

M/S/C (Morales-Goodrich) by unanimous roll call vote that the Board adopt Resolutions 2020.08, 2020.09 and 2020.10 to facilitate the establishment of Community Facilities District No. 2020-01 for Highland Hills as submitted.

## **BOARD OF DIRECTORS' REPORTS**

Director Carrillo reported on the following: April 17 he met with the General Manager/CEO and the Director of Strategic Services to discuss the District's emergency response to COVID-19; and April 21 he attended the Inland Action meeting where Felipe Fuentes was the speaker and discussed the impacts of COVID-19 on the legislation process.

Director Morales reported on the following: April 9 he participated in the Association of California Water Agencies Region 9 teleconference for a briefing on agency operations during COVID-19; April 10 he attended the East Valley Association of Realtors meeting where he provided an update on the District's operations; April 14 he participated in the San Bernardino Board of Water Commissioners meeting where they approved the transfer of the East Trunk Sewer line from East Valley Water District; April 15 he participated in the Association of California Water Agencies Region 9 teleconference; and April 16 he participated in a teleconference with the General Manager/CEO and staff where he received an update on the District's emergency response to COVID-19.

Director Coats reported on the following: April 14 he participated in a teleconference with the General Manager/CEO for an update on District business; April 17 he participated in a teleconference with the General Manager/CEO and staff for an update on the District's emergency response to COVID-19; April 19 he attended a site tour of the SNRC to view construction progress; and April 21 he participated in the San Bernardino Valley Municipal Water District Board meeting.

Vice Chairman Goodrich reported on the following: April 15 he attended the District's Special Board meeting where they presented the fiscal year 2020-21 goals and objectives; April 16 he met with the General Manager/CEO to review the agenda; and April 17 he participated in a teleconference with the General Manager/CEO and staff for an update on the District's emergency response to COVID-19.

Chairman Smith reported on the following: April 10 he met with the General Manager/CEO to review the agenda; April 15 he attended the District's Budget Workshop Special Board meeting; April 16 met with the General Manager/CEO to review the agenda; April 17 he participated in a teleconference with the General Manager/CEO and staff for an update on the District's emergency response to COVID-19; and April 22 he participated in the San Bernardino Valley Water Conservation District Board meeting.

Information only.

## **GENERAL MANAGER/CEO REPORT**

The General Manager/CEO responded to a comment from Director Morales regarding the Settlement Agreement between the City of San Bernardino, San Bernardino Valley Municipal Water District and East Valley Water District. He stated that the District recently completed the transfer of the East Trunk Sewer Line and as part of the agreement, the District will provide the City of San Bernardino notification that the treatment plant is up and running six months prior to going online.

He thanked staff for their continued dedication and hard work while we adjust to the changing situation; he stated that staff continues to provide essential services including answering customer calls, providing options for bill payments, fixing leaks etc., 24 hours a day, seven days a week.

As part of the Districts commitment to public service, staff continues to hand out lunches and groceries to senior citizens in coordination with the Highland Senior Center and San Manual Band of Mission Indians.

He thanked the public for their continued support during these try times.

Information only.

### **LEGAL COUNSEL REPORT**

No report at this time.

### **BOARD OF DIRECTORS' COMMENTS**

Director Morales stated that he appreciates the professionalism of District staff and for their commitment to the reliability of water, as it remains unaffected during these trying times.

Vice Chairman Goodrich commented that growth within the District is going in a positive direction.


Chairman Smith stated that he's received positive comments from his neighbors on the District's response to the crisis.

Information only.

### **ADJOURN**

The meeting adjourned at 6:15 p.m.

  
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John Mura, Secretary

  
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David E. Smith, Board President