

TRIUNFO WATER & SANITATION DISTRICT

Minutes of the December 16, 2019 Board of Directors Special Meeting

Oak Park Library (Film & Lecture Room 102)

899 N. Kanan Road, Oak Park, California

Prior to roll call, Chair Orkney made clear for the record that the Triunfo Water & Sanitation District Special meeting was being conducted pursuant to California Government Code Section 54953(b), in that Director Susan Pan was at the City of Santa Clara City Hall, Water Utility Conference Room, 1500 Warburton Avenue, Santa Clara, CA 95050, and was participating by cell phone. In accordance with the Brown Act, the teleconference location had been identified in the notice and agenda for this meeting.

1. Call to Order and Roll Call: Chair Janna Orkney called the meeting to order at 5:17 p.m. Directors Leon Shapiro, Raymond Tjulander, James Wall, Vice Chair Susan Pan (via teleconference), and Chair Orkney were present.

Staff present: General Manager Mark Norris; Legal Counsel John Mathews; Director of Finance Tina Rivera; Management Analyst Sandy Warren; Clerk of the Board Juliet Rodriguez; Operations Manager Richard Jones; and Consultants Tim Doyle, The PRD Group; Chi Hermann; and Vickie Dragan.

Chair Orkney asked Vice Chair Pan if she could hear everyone well; if she had a copy of the agenda; was the agenda posted at the location where Vice Chair Pan was present; and if there was any member of the public present that wished to comment or address any item on the agenda. Vice Chair Pan responded affirmatively to all questions, except public presence, which there was none.

Chair Orkney informed the Board and public that all votes taken during the meeting would be taken by roll call vote.

2. Pledge of Allegiance: The Pledge was led by Chair Orkney.

3. Agenda Review:

Mark Norris, General Manager, asked the Board to consider moving Agenda Item 12, TSD FY2019 Comprehensive Annual Financial Report as the first Action Item on the Agenda, since the Auditor was present.

Director Tjulander moved to accept the agenda as amended. Motion seconded by Director Wall. Motion carried by the following roll call vote:

AYES: Orkney, Pan, Shapiro, Tjulander, Wall

NOES: None

ABSTAIN: None

ABSENT: None

4. Public Comments:

No comments.

PRESENTATION: (Item 5 only)

5. Recognition of Vice Chair Susan Pan for over Three Years of Service to Triunfo Water & Sanitation District

Chair Orkney presented a plaque of appreciation to Vice Chair Susan Pan and in her physical absence, gathered the Board for a photo to send to Vice Chair Pan.

The Board gave individual comments of well wishes. Vice Chair Pan expressed appreciation for the acknowledgment of her time served.

CONSENT ITEMS (Items 6 and 7) – Matters listed under Consent Items are considered to be routine, non-controversial, and are normally approved by one motion. If discussion is requested by a member of the Board on any Consent Item, or if a member of the public wishes to comment on an item, that item may be removed from Consent Agenda for separate action.

6. Approved Minutes: November 25, 2019 Regular Meeting

7. TWSD Core Management Service Contract No. T19-008 – Doyle Consulting Services

Director Tjulander moved to approve all Consent Items as presented. Motion seconded by Director Shapiro. Motion carried by the following roll call vote:

AYES: Orkney, Pan, Shapiro, Tjulander, Wall

NOES: None

ABSTAIN: None

ABSENT: None

ACTION ITEMS (Items 8 through 15)

Agenda Item 12 was heard before Agenda Item 8, per Agenda Review.

12. TSD FY2019 Comprehensive Annual Financial Report (CAFR)

Tina Rivera, Director of Finance, introduced Craig Hartzheim, Moss, Levy & Hartzheim, LLP., who answered questions from the Board.

Director Shapiro moved to receive and file the Fiscal Year 2019 Comprehensive Annual Financial Report. Motion seconded by Director Tjulander. Motion carried by the following roll call vote:

AYES: Orkney, Pan, Shapiro, Tjulander, Wall

NOES: None

ABSTAIN: None

ABSENT: None

8. Public Hearing Revisions to Ordinance No. TWSD-101 – Regarding Policy on Board Member Teleconferencing

Mr. Norris, General Manager, gave the report.

Director Wall moved to A) Conduct a public hearing regarding proposed TSD Ordinance No. TWSD-101 for prescribing the policies and provisions for Board member compensation and reimbursement procedures; and B) Conduct the second reading, by title only, of Ordinance No. TWSD-101, Concerning Board Member Compensation and Expense Reimbursement, and adopt Ordinance No. TWSD-101 to take effect on December 16, 2019.

Motion seconded by Director Tjulander. Motion carried by the following roll call vote:

AYES: Orkney, Pan, Shapiro, Tjulander, Wall

NOES: None

ABSTAIN: None

ABSENT: None

Chair Orkney opened the public hearing at 5:37 p.m., and with no one wishing to speak, closed the hearing.

Juliet Rodriguez, Clerk of the Board, conducted the second reading, by title only:

ORDINANCE NO. TWSD-101 (Adopted 12/16/19) ESTABLISHING POLICIES AND PROCEDURES FOR BOARD MEMBER COMPENSATION AND EXPENSE REIMBURSEMENT

9. Public Hearing for District Ordinances (TWSD-200, TWSD-202, TWSD-250) – Revisions for Policies and Procedures and Rules and Regulations for the District's Sewer System

Mr. Norris, General Manager, gave the report.

Director Tjulander moved to A) Conduct a public hearing regarding proposed TWSD Ordinance Nos. TWSD-200, TWSD-202, and TWSD-250 for prescribing the policies, fees, and provisions for sewer service and the pretreatment program for the sewer system; and B) Conduct the second reading, by title only, of Ordinance Nos. TWSD-200, TWSD-202, and TWSD-250, establishing policies,

procedures, fees and charges for sewer service and a pretreatment program for the sewer system, and adopt Ordinance Nos. TWSD-200, TWSD-202, and TWSD-250 which shall take effect on January 1, 2020; and C) Direct staff to include these changes in the pamphlet/newsletter being sent to all impacted commercial customers. Motion seconded by Director Wall. Motion carried by the following roll call vote:

AYES: Orkney, Pan, Shapiro, Tjulander, Wall

NOES: None

ABSTAIN: None

ABSENT: Wall

Chair Orkney opened the public hearing at 5:40 p.m., and with no one wishing to speak, closed the hearing.

Juliet Rodriguez, Clerk of the Board, conducted the second reading, by title only:

ORDINANCE NO. TWSD-200 (Adopted 12/16/19) ESTABLISHING POLICIES AND PROCEDURES FOR SEWER SERVICE OWNED AND OPERATED BY TRIUNFO WATER & SANITATION DISTRICT

ORDINANCE NO. TWSD-202 (Adopted 12/16/19) PRETREATMENT PROGRAM FOR THE SEWER SYSTEM OWNED AND OPERATED BY TRIUNFO WATER & SANITATION DISTRICT

ORDINANCE NO. TWSD-250 (Adopted 12/16/19) PRESCRIBING FEES AND CHARGES FOR SEWER SERVICE OWNED AND OPERATED BY TRIUNFO WATER & SANITATION DISTRICT

10. Election of Calendar Year 2020 Chair and Vice Chair

Chair Orkney opened nominations for Chair.

Chair Orkney nominated Director James Wall as Chair.

Director Tjulander moved to close the nominations. Motion seconded by Chair Orkney. Motion carried by the following roll call vote:

AYES: Orkney, Pan, Shapiro, Tjulander, Wall

NOES: None

ABSTAIN: None

ABSENT: None

Director James Wall was elected as Chair by acclamation.

Chair Wall opened nominations for Vice Chair.

Director Shapiro nominated Ray Tjulander as Vice Chair.

Director Orkney moved to close the nominations for Vice Chair. Motion seconded by Chair Wall. Motion carried by the following roll call vote:

AYES: Orkney, Pan, Shapiro, Tjulander, Wall

NOES: None

ABSTAIN: None

ABSENT: None

Director Tjulander was elected Vice Chair by acclamation.

11. Calendar Year 2020 Standing Committees, Ad Hoc Committees and Other Board Appointments

Director Orkney moved to A) Continue the Finance Committee; Personnel Committee; eliminate the Recycled Water Committee, and continue the Public Outreach and Communications Committee; and B) Appoint Director Shapiro and Director Tjulander to serve on the Finance Committee; and C) Appoint Chair Wall and Director Orkney to serve on the Personnel Committee; and D) Appoint Chair Wall and Director Orkney to serve on the Public Outreach and Communications Committee; and E). Appoint Director Shapiro to perform financial oversight and bimonthly review of TWSD invoices. Motion seconded by Vice Chair Tjulander. Motion carried by the following roll call vote:

AYES: Orkney, Pan, Shapiro, Tjulander, Wall

NOES: None

ABSTAIN: None

ABSENT: None

13. Discussion: Director Vacancy Process for Future Appointment

Mr. Norris gave the report.

The Board concurred with the application process and provided staff with direction on the application questionnaire.

14. TWSD Wastewater Audit Program Update for Commercial Customers

Mr. Norris gave the report.

Director Orkney moved to delay the biennial commercial account audit process for another 2 years. Motion seconded by Director Shapiro. Motion carried by the following roll call vote:

AYES: Orkney, Pan, Shapiro, Tjulander, Wall

NOES: None

ABSTAIN: None

ABSENT: None

15. Request from Oak Park Unified School District for Bill Insert and TWSD Participation in February 22, 2020 Super Saturday Event

Mr. Norris gave the report.

Director Orkney moved to approve the request from OPUSD for a TWSD bill insert and display booth in support of the February 22, 2020 Super Saturday event. Motion seconded by Director Shapiro. Motion carried by the following vote:

AYES: Orkney, Pan, Shapiro, Tjulander, Wall

NOES: None

ABSTAIN: None

ABSENT: None

INFORMATION AGENDA (Items 16 through 29)

16. Update on New TWSD website

17. Update on Woolsey Fire FEMA Financial Assistance Application

18. TWSD Educational Outreach – Program Update

19. Update on Legal Expenses for Lake Sherwood VGGSS Project and Litigation Case

20. Disbursements: November 2019

21. Investment Report: November 2019

22. TSD Website – Google Analytics Report

23. Water Conservation Customer Rebate Program

24. Water Service Update: November 2019

25. Water Conservation Report: November 2019

26. Statewide Water Supply Conditions Report: December 8, 2019

27. Revenue & Expense Report: November 2019

28. Future Meetings, Seminars and Conferences:

- Jan. 6, 5:00 p.m. – JPA Meeting, (at LVMWD)
- Jan. 21-23 CASA Winter Conference, Indian Wells
- Jan. 27, 5:15 p.m. – TWSD Board Meeting, Oak Park Library
- Feb. 3, 5:00 p.m. – JPA Meeting, (at LVMWD)
- Feb. 24, 5:15 p.m. – TWSD Board Meeting, Oak Park Library

Vice Chair Tjulander moved to receive and file the information item reports. Motion seconded by Director Shapiro. Motion carried by the following roll call vote:

AYES: Orkney, Pan, Shapiro, Tjulander, Wall
NOES: None
ABSTAIN: None
ABSENT: None

ORAL REPORTS – (Items 28 through 32)

29. Standing Committee Reports:

- A. Finance Committee – No report.
- B. Recycled Water Committee – No report.
- C. Personnel Committee
Director Orkney reported on the meeting she and Chair Wall attended on December 10, 2019.
- D. Public Outreach/Communications Committee – No report.

30. Board Member Comments

Director Shapiro requested that staff include of red-line versions of ordinance revisions in future staff reports.

31. Reports on Outside Meetings/Conferences

Director Shapiro and Vice Chair Tjulander reported on attending a tour of the Pure Water San Diego Demonstration Facility and the Padre Dam Municipal Water District Advanced Purification Facility / Ray Stoyer Water Recycling Facility coordinated by Las Virgenes Municipal Water District on December 2, 2019.

Directors Shapiro, Pan, and Orkney reported on attending the Association of California Water Agencies (ACWA) Conference, December 3-6, 2019, in San Diego.

Vice Chair Tjulander reported on attending the Ventura County Special Districts Association (VCSDA) meeting on December 10, 2019.

32. General Manager, Legal Counsel Comments

None.

NEW BUSINESS – (Item 33 only)

33. Future Agenda Items

None were presented.

Chair Wall called for a recess at 6:54 p.m. and reconvened the meeting at 7:01 p.m.

CLOSED SESSION – (Items 35 and 36)

At 7:01 p.m., Legal Counsel John Mathews announced that there would be a Closed Session on the following items:

34. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION – Government Code § 54956.9(d)(2)

The Board will meet with Legal Counsel to discuss the possible initiation of litigation pursuant subdivision (d) paragraph (2) of Section 54956.9. One case

35. CONFERENCE WITH LEGAL COUNSEL – POSSIBLE INITIATION OF LITIGATION – Government Code § 54956.9(d)(4)

The Board will meet with Legal Counsel to discuss the possible initiation of litigation pursuant subdivision (d) paragraph (4) of Section 54956.9. One case.

At 7:19 p.m., the meeting reconvened into Open Session. Legal Counsel Mathews reported that on Agenda Item No. 34, no reported action was taken. He also reported that on Agenda Item No. 35, the Board voted by a 5/0 vote to authorize the District staff and/or Legal Counsel to take action on making any claims related to fire damage that may have been caused by Southern California Edison or others.

ADJOURNMENT: There being no further business, and without objection, Chair Wall adjourned the meeting at 7:21 p.m. to a Regular Meeting to be held Monday, January 27, 2020, at 5:15 p.m. at the Oak Park Library

Prepared by:

Approved:

Juliet Rodriguez
Clerk of the Board

James Wall, Chair
Triunfo Water & Sanitation District