



**SPECIAL NOTICE REGARDING
CORONAVIRUS DISEASE 2019 (COVID-19)
AND PARTICIPATION IN PUBLIC MEETINGS**

On March 4, 2020, Governor Newsom declared a State of Emergency resulting from the threat of COVID-19. Governor Newsom issued Executive Order N-25-20 (3-12-20) and Executive Order N-29-20 (3-17-20) which temporarily suspend portions of the Brown Act relative to conducting public meetings. Subsequent thereto, Governor Newsom issued Executive Order N-33-20 (3-19-20) ordering all individuals to stay at home or at their place of residence. Accordingly, it has been determined that all Board and Workshop meetings of the San Bernardino Valley Municipal Water District will be held pursuant to the Brown Act and will be conducted via teleconference. There will be no public access to the meeting venue.

**BOARD OF DIRECTORS WORKSHOP - POLICY
THURSDAY, APRIL 9, 2020 – 2:00 P.M.**

PUBLIC PARTICIPATION

Public participation is welcome and encouraged. You may participate in the April 9, 2020, meeting of the San Bernardino Valley Municipal Water District online and by telephone as follows:

**Dial-in Info: 877 853 5247 US Toll-free
Meeting ID: 684 456 030**

<https://us04web.zoom.us/j/684456030>

If you are unable to participate online or by telephone, you may also submit your comments and questions in writing for the District's consideration by sending them to comments@sbumwd.com with the subject line "Public Comment Item #" (insert the agenda item number relevant to your comment) or "Public Comment Non-Agenda Item". Submit your written comments by 6:00 p.m. on Wednesday, April 8, 2020. All public comments will be provided to the Chair and may be read into the record or compiled as part of the record.

IMPORTANT PRIVACY NOTE: Participation in the meeting via the Zoom app is strongly encouraged. Please keep in mind: (1) This is a public meeting; as such, the virtual meeting information is published on the World Wide Web and available to everyone. (2) Should you participate remotely via telephone, your telephone number will be your "identifier" during the meeting and available to all meeting participants. Participation in the meeting via the Zoom app is strongly encouraged; there is no way to protect your privacy if you elect to call in to the meeting. The Zoom app is a free download.



SAN BERNARDINO VALLEY MUNICIPAL WATER DISTRICT
380 E. Vanderbilt Way, San Bernardino, CA 92408

BOARD OF DIRECTORS WORKSHOP - POLICY

AGENDA

2:00 PM Thursday, April 9, 2020

CALL TO ORDER -

Chairperson: Director Longville

Vice-Chair: Director Kielhold

1. INTRODUCTIONS

2. PUBLIC COMMENT - *Any person may address the Board on matters within its jurisdiction.*

3. SUMMARY OF PREVIOUS MEETING

3.1. March 12, 2020, Meeting (Page 3)
[Summary Notes BOD Workshop - Policy 031220](#)

4. DISCUSSION ITEMS

- 4.1. Discuss State and Federal Legislative Update (Page 7)
[Staff Memo - Discuss State and Federal Legislative Update](#)
[Septic to Sewer Bond Letter](#)
[Presentation on State and Federal Legislative Update](#)
- 4.2. Consider Contract Agreement with The Gualco Group, Inc. (Page 20)
[Staff Memo - Consider Contract Agreement with The Gualco Group, Inc.](#)
[Proposal to Continue Government Relations Services](#)
- 4.3. Consider Developing Standardized Process for the Board of Directors to Consider and Direct Staff Regarding Individual Board Member Requests (Page 25)
[Staff Memo - Consider Developing Standardized Process for the Board of Directors to Consider and Direct Staff Regarding Individual Board Member Requests](#)
[Draft Directors' Request for Consideration Form](#)
[EXAMPLE - Completed Director Request for Consideration Form](#)

- 4.4. Discussion of Best Practices Related to Board Members Speaking at Outside Meetings as an Individual or on Behalf of the District (Page 29)
[Staff Memo - Discussion of Best Practices Related to Board Members Speaking at Outside Meetings as an Individual or on Behalf of the District](#)
[SBVMWD Board of Directors Handbook](#)
- 4.5. Discussion of District Policy Related to the Rights, Roles, and Responsibilities of Assigned Primary Representatives (Page 100)
[Staff Memo-Discussion of District Policy Related to the Rights Roles and Responsibilities of Assigned Primary Representatives](#)

5. **ADJOURNMENT**

PLEASE NOTE:

Materials related to an item on this Agenda submitted to the Board after distribution of the agenda packet are available for public inspection in the District's office located at 380 E. Vanderbilt Way, San Bernardino, during normal business hours. Also, such documents are available on the District's website at www.sbvmd.com subject to staff's ability to post the documents before the meeting. The District recognizes its obligation to provide equal access to those individuals with disabilities. Please contact Lillian Hernandez at (909) 387-9214 two working days prior to the meeting with any special requests for reasonable accommodation.



DATE: April 9, 2020

TO: Board of Directors' Workshop - Policy

FROM: Staff

SUBJECT: Summary of March 12, 2020 Board of Directors Workshop - Policy

The Policy Workshop convened on March 12, 2020. Director Longville chaired the meeting; Directors Harrison and Navarro participated in the Workshop. Cindy Saks, Wen Huang, Bob Tincher, Brent Adair and Matt Howard, of staff, participated in the workshop.

3. Summary of Previous Meeting

The meeting notes from the February 6, 2020, Board of Directors' Workshop – Policy were reviewed. With no additional comments.

4.1 Quarterly Investment Portfolio Update from PFM Asset Management

Staff introduced the District's financial advisor Richard Babbe from PFM Asset Management who reviewed the quarterly investment portfolio activity. Richard reported on current interest rates, earnings and trends, current diversity of the District's portfolio and trades made during the quarter. The report was informational only.

Action Item(s): As the situation around the coronavirus (COVID-19) continues to evolve, staff was directed to keep in close contact with the District's financial advisor regarding the market fluctuation and the District's investments. Director Navarro requested Richard Babbe provide a market update at next month's workshop or earlier if warranted.

4.2 Consider Contract Amendment to Create a Data Management System for the Yucaipa Groundwater Sustainability Agency

Staff presented the Board of Directors with a contract amendment proposal to create a Data Management System for the Yucaipa Sustainable Groundwater Management Agency (Yucaipa SGMA). The Yucaipa SGMA is tasked with the submission of the Groundwater Sustainability Plan (GSP). One of the requirements under SGMA is to develop and implement a Data Management System (DMS) specially designed for data storage, utilization and reporting for the Yucaipa SGMA. The Yucaipa SGMA requested and received a proposal from Dudek to create the DMS as only the design portion of the DMS was included in original Dudek Yucaipa SGMA scope of work. The sub-total cost of the Dudek DMS proposal is \$68,820 with the remainder of the DMS design budget of \$23,760 applied to the proposal cost resulting in the total cost of \$45,060. The Yucaipa SGMA Memorandum of Agreement outlines the allocation of costs between water retailers of 75% and regional water agencies of 25%. The fiscal impact to Valley District is \$2,816, however approval would require a contract amendment with Dudek for the entire cost of \$45,060. Staff provided a recommendation to move this item to a future Regular Board of Directors meeting for consideration.

Action Item (s): Place this item on a future Board of Directors Regular Meeting for consideration.

4.3 Update on Citrus Reservoir and Pump Station Floating Cover System Project

Staff provided an update on the Citrus Reservoir and Pump Station Project (Project). On November 6, 2018, the Board of Directors authorized procurement of the Rhombo Hexoshield floating cover system to comply with mitigation requirements for the Citrus Reservoir provided in the Wildlife Hazard Management Plan (WHMP). Since then, over 3.7 million balls out of a total of 7.5 million balls have been deployed in the reservoir. Based on the recent biological monitoring events, the floating cover, even at less than half completed, has been very effective deterring migratory birds from using the reservoir. In November 2019, there was evidence that some of the rhomboidal shaped balls have developed holes, sunk and subsequently been pulled into the reservoir pumps. Since then, the Citrus Pump Station has been shut down for investigations. Through the collaboration with DWR staff, corrective measures have since been identified. On December 17, 2019, the Board approved a budget of \$280,000 related to the Project.

In cooperation with DWR, Valley District staff began to drain the reservoir using the Citrus Pump Station, followed by rental dewatering equipment. DWR staff has also begun

deployment of a floating debris boom and net system designed to keep the rhomboidal balls from entering the Citrus Pump Station intake gallery. District staff has also worked with DWR staff to complete the design of pump screens at each pump intake column to protect against any future intake of debris or balls that may plug up the pumps. The fabrication of the pump screens is expected to be completed in April 2020. Upon receipt of the pump screens District and DWR staff will begin installation. The total estimated Project cost is approximately \$175,968 including rental dewatering equipment, pump screen fabrication and installation, pump inspection and repair, and miscellaneous materials and rentals, which will be shared with SGPWA (22.6%), and is expected to be completed in the 2nd quarter 2020.

Action Item (s): Staff will provide an update and final Project costs upon completion of the Project at a future workshop or regular Board meeting.

4.4 Update on Groundwater Sustainability Councils

Staff provided a status update report and PowerPoint presentation on the Yucaipa Sustainable Groundwater Management Agency (Yucaipa SGMA), San Bernardino Basin (SBB) Groundwater Council, and the Rialto Basin Groundwater Council. The Yucaipa SGMA is currently developing the Groundwater Sustainable Plan (GSP) which is a groundwater management plan that is an evaluation of supplies and demands into the future and a sustainable plan for meeting future demands. Staff also presented on the recent activity and progress of the USGS Yucaipa Groundwater Model, proposed DWR stream gage, and the preliminary water budget for the Yucaipa Basin.

Staff presented a brief overview of the SBB Groundwater Council and the recent activity including the draft 2020 budget that includes \$2,797,116 to purchase 23,624 acre-feet of State Project Water and also includes 5,277 acre-feet of local water to meet the annual Basin Sustainability objective of 28,823 acre-feet. The SBB Groundwater Council also received and reviewed a draft of its first Annual Report which summarizes the goals, status and accomplishments from 2019 and outlines the goals for 2020.

Staff also presented on the Rialto Basin Groundwater Council which is currently developing a framework agreement to create the Groundwater Council that consists of City of Rialto, City of Colton, Fontana Union Water Company and West Valley Water District. The draft framework generally outlines the governance structure and groundwater sustainability management activities that would be undertaken by the groundwater council.

Action Item(s): No action item as this was an update only.

5. Adjournment

Staff Recommendation

Receive and file.



DATE: April 9, 2020
TO: Board of Directors Workshop – Policy
FROM: Kristeen Farlow, Manager of Water Use Efficiency/External Affairs
SUBJECT: Discuss State and Federal Legislative Update

Staff is providing the Board of Directors with an update on current significant legislation from both the state and federal legislatures.

Background

Each month, staff provides the Board of Directors with a summary of State and Federal Legislative highlights. This information is provided by the District's lobbying firms and supplemented by District Staff. The Gualco Group, Inc., (TGGI) is the District's State lobbyist in Sacramento; and Innovative Federal Strategies (IFS) is the District's Federal lobbyist in Washington D.C.

State Legislative Highlights

The COVID-19 outbreak has had a significant impact on California and the entire country. The California Legislature voted to suspend its 2020 session from March 20 until April 13, subject to change. Immediately prior to the suspension of the 2020 session, the Senate and Assembly passed a \$1.1 billion relief package in support to hospitals, facilities, local governments, and schools to mitigate the spread of COVID-19. Even amidst the legislative break, the Legislature's work to combat homelessness, address income inequality, and reduce the impacts of climate change remain high priorities.

The week of March 9, Director Hayes and staff met with representatives from several legislator's offices as well as key staff from the California Natural Resources Agency and the Senate Natural Resources and Water Committee. These meetings were incredibly productive, with dialogue revolving around the District's positions on the Draft Governor's Water Resilience Portfolio, potential bond projects, and connections to tribal interests with regards to the Upper Santa Ana River Habitat Conservation Plan and the Louis Robidoux Nature Center. Staff will continue these conversations in order to strengthen our relationships and promote our extensive planning efforts for potential bond funding and legislative support from the legislators.

Together with East Valley Water District, Eastern Municipal Water District, and Western Municipal Water District, staff finalized a letter of recommended language for inclusion in the current three bond proposals for a mechanism to facilitate septic-to-sewer funding. The agencies and their lobbyists have been meeting with the legislator's offices via phone call. Phone calls with staffers from Assembly member Eduardo Garcia's office, Senator Allen's office, and the Assembly Water Parks and Wildlife Committee staff were productive, receiving positive feedback and recommendations during phone calls.

AB 3256, introduced by Assembly member Eduardo Garcia, is called the Wildfire Prevention, Safe Drinking Water, Climate Resilience, Drought Preparation, and Flood Protection Bond Act of 2020. AB 3256 is similar to AB 352. AB 352 could still move forward upon the return of the Legislature. Currently, AB 3256 is still pending referral to its first policy committee.

Assembly member Bloom introduced AB 2693 Watershed Restoration Administration: Oroville, Shasta, and Trinity Reservoirs. This bill would establish the Watershed Restoration Administration to coordinate and facilitate the restoration and conservation of the watersheds supplying the Oroville, Shasta, and Trinity Reservoirs. It would provide grant funding from the Headwaters Restoration Account for these purposes.

Senator Hertzberg introduced SB 1052 Water quality: municipal wastewater agencies, in February 2020. SB 1052 would authorize municipal wastewater agencies to work with entities responsible for stormwater management in order to manage stormwater and dry weather runoff to expand facilities for these purposes. This bill was set for hearing on April 1, 2020 but has been postponed at this time.

Proposition 68 appropriations - \$541 million – is scheduled in the annual budget process for legislative votes and the Governor’s signature in June. The Legislative Analyst’s Office (LAO) is recommending approval of the Prop. 68 allocations, which will then total nearly \$3 billion of the \$4.1 billion bond. This will include \$18 million for the Department of Water Resources urban streams waterway improvements that would include stormwater capture; \$137 million for habitat projects; \$443 million for climate preparedness and habitat resiliency; and \$250 million for clean drinking water and drought preparedness, among other areas as well.

Federal Legislative Highlights

Similar to the focus of the State, Federal Legislators have spent their time determining appropriate steps in response to the COVID-19 outbreak. Congress has passed three coronavirus bills, including the Coronavirus Aid, Relief, and Economic Security Act (CARES) to provide more than \$1 trillion in spending checks to many Americans to help stimulate the economy. Within these three bills, there are also several protections for employers with less than 500 employees, expanding Family and Medical Leave Act (FMLA) protections for time off due to Coronavirus-related health issues.

Now that the three legislative packages have been completed, both the House and Senate are expected to be in recess through at least April 20, 2020, and to hold pro forma sessions (or brief meeting sessions) with no legislative activity in the interim. Many legislators have returned to their districts and the Washington, D.C., legislative staff are at a minimum at the Capitol.

IFS submitted all appropriations requests (forms) on the District’s behalf ahead of the member office deadlines. The deadline for the legislators to submit their appropriations requests is April 3, 2020. Supplemental appropriations bills for the current fiscal year are also moving, which is where the Coronavirus bills were located.

One bill of note was the introduction of S. 3422 the Great American Outdoors Act, on March 9, 2020. This legislation addressed the deferred maintenance backlog of the federal land management agencies and to provide mandatory and permanent funding for the Land and Water Conservation Fund. The Great American Outdoors Act includes the Restore Our Parks Act which will provide funding to address the \$12 billion deferred maintenance backlog at national park sites throughout the country.

In early March, the Senate proposed a large energy package to promote emerging technologies to help keep energy affordable even as it becomes cleaner. Among the proposed programs within the measure, it would make water and wastewater treatment operations eligible for an existing research and development grant for energy-intensive industries. The measure would also authorize \$15 million for a smart energy and water efficiency pilot program that would provide grants to utilities, municipalities, water districts, tribes, and other entities to demonstrate technology-based solutions to improve the net energy balance of water and wastewater systems. While the legislation did not move in early March, Legislators hope it can be brought to the floor for reconsideration later this year.

Recommended Action

Receive and file.

Attachments

Septic to Sewer Bond Letter

Presentation on State and Federal Legislative Update

March 18, 2020

The Honorable Gavin Newsom
Governor of California
State Capitol Office
Sacramento, CA 95814

The Honorable Ben Allen
California State Senate
State Capitol, Room 4076
Sacramento, CA 95814

The Honorable Eduardo Garcia
California State Assembly
State Capitol, Room 4140
Sacramento, CA 95814

RE: Climate Resiliency Bond Proposals-Request for Septic to Sewer Conversion Funding

Dear Bond Proposal Authors,

Jointly on behalf of San Bernardino Valley Municipal Water District (SBVMWD) a wholesaler serving nearly 800,000 people throughout eastern San Bernardino County; Eastern Municipal Water District (EMWD) a retail and wholesale water, sewer, and recycled water provider that serves a population of 839,000; Western Municipal Water District (Western) provides water and sewer service to a region stretching 527-square miles in western Riverside County and benefitting a population of almost 1,000,000 people; and East Valley Water District (EVWD) a water and wastewater service provider to 103,000 residents within the City of Highland and portions of both the City and County of San Bernardino, we thank you for your critically important efforts to provide funding to address a variety of public safety, ecosystem restoration, water supply, water quality and other issues to ensure that California is better prepared to meet the growing challenges associated with climate change.

We generally support the proposed bonds relating to climate resiliency and the protection of California's water resources, and we collectively would like to respectfully request consideration of including a \$200 million competitive program in the bond focused on preventing further contamination of water supplies by converting homes and businesses with aging, faulty septic systems to sewer service. While this level of funding would not likely address all of the conversion needs in the state, with an estimated per-connection conversion cost of approximately \$15,000, we believe that substantial progress could be made in addressing this water quality threat.

This funding would be used to assist with costs to both the disadvantaged homeowners and water purveyors related to safely transitioning from septic to sewer as a preventative measure to

protect the quality of drinking water for water agencies of all sizes. Groundwater in many low-income urban and/or rural communities may be threatened by failing domestic septic systems which can contribute Total Coliform Bacteria, Fecal Coliform and E. Coli contaminants, thereby degrading water quality. This effect may be exacerbated by climate change during times of low water supply. Low-income homeowners and water purveyors are often limited by insufficient resources, making them unable to transition their decades old and marginal or failing septic system to sewer.

Many customers in our region who have septic systems live in disadvantaged communities and meet the requirement to connect to a sewer system if the property line is within 200 feet of an available sewer line. Preventing the potential contamination of drinking water by funding the consolidation of septic systems would support the regional commitment to groundwater health that would benefit customers in our region's disadvantage communities and contribute to long-term resilience and water supply reliability by protecting our valuable groundwater supplies.

An additional benefit of such a program would be to enhance water supplies in areas where recycled water treatment is in place, as the flows would be diverted from individual septic tanks to proper sewage systems.

Thank you for the opportunity to provide comments and for your consideration to make these recommended changes that would improve the quality of life of many of the customers throughout our region.

Sincerely,



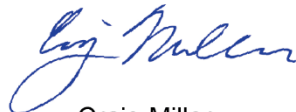
John Mura
General Manager/CEO
East Valley Water District



Paul D. Jones II, P.E.
General Manager
Eastern Municipal Water District



Heather Dyer, M.S., M.B.A.
General Manager
San Bernardino Vallley
Municipal Water District



Craig Miller
General Manager
Western Municipal
Water District





April 2020 Legislative Update

State Legislative Highlights

COVID-19

Senate and Assembly passed a \$1.1 billion relief package

California Legislative session has been suspended, effective March 20 until April 13



State Legislative Highlights (cont.)

OTHER LEGISLATION

AB 352 – Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2020

AB 3256 – Wildfire Prevention, Safe Drinking Water, Climate Resilience, Drought Preparation, and Flood Protection Bond Act of 2020

AB 2693 – Watershed Restoration Administration: Oroville, Shasta, and Trinity Reservoirs

SB 1052 – Water quality: municipal wastewater agencies

Proposition 68

State Legislative Highlights (cont.)

OTHER

Sacramento Visits
during the ACWA
Legislative Days



Joint letter related to septic-
to-sewer considerations
within bond funding



Federal Legislative Highlights

COVID-19

Three bills passed
including the Coronavirus
Aid, Relief, and Economic
Security (CARES) Act

Committees impacted

Legislators working within
their District's



Federal Legislative Highlights

OTHER

All District appropriations requests submitted to legislative offices;
Legislators must submit them by April 3

Great American Outdoors Act



Next Steps

This item is before you to Receive and File.



DATE: April 9, 2020

TO: Board of Directors Workshop – Policy

FROM: Kristeen Farlow, Manager of Water Use Efficiency/External Affairs

SUBJECT: Consider Contract Agreement with the Gualco Group, Inc., for State Government Relations Services

Staff is requesting the Board of Directors consider a contract with the Gualco Group, Inc. (TGGI), for State Government Relations Services for 2020 – 2022.

Background

Valley District has contracted with TGGI since 1993 to support the District’s state legislative priorities and goals. TGGI provides Valley District with regular updates and reports on relevant legislation and policy efforts in Sacramento, advocates for programs and policy positions that support the District’s priorities, implements outreach specific to bills and key issues, and coordinates engagement with state legislators and key staff.

Over the years of working with TGGI, they have provided the District with significant value and insights specific to legislation that would impact the District. Around 2015, TGGI worked diligently on the legislative language regarding Redevelopment Agency (RDA) dissolution and the Pass Through Agreements. Having the recommended language included in legislation has been instrumental to the State Water Project property taxes being returned to the District. More recently, TGGI has guided the District on consideration of formal positions on legislation that may impact the District and our retailers as well as provided insights and perspectives on bond and grant funding. TGGI has facilitated productive meetings between staff and legislators as well as participated in meetings themselves, in particular supporting the District’s legislative

efforts as a State Water Contractor. Additionally, TGGI is in the midst of helping facilitate discussions with legislators related to a potential long-term solution between Valley District and the City of San Bernardino regarding Hanes Park.

The Board is asked to consider a contract with TGGI for state government relations services for January 1, 2020 – December 31, 2022, at a rate of \$8,000 per month, plus reimbursable costs to be billed at actual cost. (Reimbursable expenses include, for example, travel costs when TGGI flies down to the District to make presentations to the Board of Directors, incidentals when Staff and the Directors make visits with TGGI in Sacramento to legislator's offices, and have averages \$200/month for the last two years.) In the past, the agreement with TGGI has operated on a month-to-month basis; this is the first time the District will be entering into a longer-term agreement with them.

During the term of the agreement between Valley District and TGGI, TGGI will:

- Engage in water supply and water quality legislative and regulatory matters in the California State government, with particular emphasis on the operations and financing of the State Water Project and Valley District's investment and obligations;
- Monitor, track, gather intelligence, and advocate, as necessary and appropriate, issues and bills identified as key to the interests of Valley District;
- Provide issue and legislative tracking updates on key developments, including periodic appearances before the board of directors;
- Prepare correspondence, draft position letters, written summaries, and legislative tracking reports;
- Coordinate meetings in Sacramento as well as within the District with legislators and key staff members as requested by Valley District;
- Provide Valley District's voice to stakeholder groups such, as the Association of California Water Agencies, the California Municipal Utilities Association, the California Special Districts Association, the Santa Ana Watershed Project Authority, and the State Water Contractors.

Fiscal Impact

The fiscal impact of the proposed contract is \$8,000/month for a three-year agreement. This rate has been in place since July 2016. The District currently has \$30,000 available in the

Consultants budget category (6360) for this line item, which will cover the cost of this agreement through the end of this fiscal year.

Staff Recommendation

Staff recommends the Board of Directors discuss this item and forward to a future Board Meeting for consideration.

Attachments

Proposal to Continue State Government Relations Services



MEMO

DATE: January 13, 2020
TO: Ms. Heather Dyer
FROM: Jackson R. Gualco, Kendra Daijogo, Robert J. Gore & Tomas Garza
RE: Proposal to Continue State Government Relations Services

Scope of Work

- Engage in water supply and water quality legislative and regulatory matters in the Executive and Legislative branches of California State government with particular emphasis on those matters that relate directly to the operations and financing of the State Water Project and Valley District's investment and obligations to same
- Monitor, track, gather intelligence, and advocate, as necessary and appropriate, issues and bills identified as key to the interests of Valley District
- Provide timely issue and legislative tracking reports on key developments, including periodic appearances before the board of directors
- Coordinate all efforts with you and your colleagues
- Prepare correspondence, draft position letters, written summaries, and legislative tracking reports in a timely manner
- Continue to provide exclusively curated Water Whirled and Capital News & Notes
- Provide Valley District's voice to stakeholder groups such as ACWA, CMUA, State Water Contractors, SAWPA, and CSDA

Dedicated Professionals

- Jackson R. Gualco
- Kendra Daijogo
- Robert J. Gore
- Tomas Garza

Term

Effective upon execution of a new purchase order through December 31, 2022 with the ability to extend upon mutual agreement.

Fee and Cost Reimbursement

Continue existing monthly retainer of \$8,000 plus reimbursable costs to be billed at actual cost. Payments to be made within thirty days.

cc: Ms. Kristeen Farlow



DATE: April 9, 2020
TO: Board of Directors Workshop – Policy
FROM: Heather Dyer, General Manager
SUBJECT: Proposed Process for Board Consideration of Director Requests

At a recent Board of Directors Workshop, several Directors requested that staff develop a standardized process that would facilitate full Board consideration of requests initiated by an individual Director. Developing a policy on this issue would ensure that staff is acting in accord with the desires of the Valley District Board of Directors as a whole rather than responding to directives of individual Board members. It would also promote discussion and consensus by the Board regarding activities that are appropriate uses of staff time and other District resources.

In response to this request, staff developed the attached form in order to provide an easy platform for Board members to request activities, request further investigation into a specific issue, present on a topic of interest, etc.... Activities that require either dedicated staff time or District resources in order to carry out would require consideration by the Board in order to move forward. In order to better inform the Board's consideration of the request, once the form is filled out and submitted by the Board member, staff would determine the estimated staff time and other costs that might be required.

Completed requests would be presented at an upcoming workshop as part of a standing agenda item titled “**Director Requests for Consideration**” which will allow the Board to fully discuss the request in compliance with the Brown Act.

Fiscal Impact

There is no immediate fiscal impact related to this item.

Staff Recommendation

Discuss this item and provide any necessary direction to staff.

Attachment

Draft Directors' Request for Consideration Form



DATE:

TO: Board of Directors

FROM:

SUBJECT: Director's Request for Consideration by Board

I. **Director's Requested Activity to be Considered by the Board:**

II. **Justification of Activity's Value to Valley District and/or the Board:**

III. **Estimated Staff Time Required (To Be Completed by Staff):**

IV. **Estimated Cost and/or Staff Time (To Be Completed by Staff):**



DATE:

TO: Board of Directors

FROM:

SUBJECT: Director's Request for Consideration by Board

I. **Director's Requested Activity to be Considered by the Board:**

II. **Justification of Activity's Value to Valley District and/or the Board:**

III. **Estimated Staff Time Required (To Be Completed by Staff):**

IV. **Estimated Cost and/or Staff Time (To Be Completed by Staff):**



DATE: April 9, 2020

TO: Board of Directors' Workshop – Policy

FROM: Heather Dyer, General Manager

SUBJECT: Discussion of Best Practices Related to Board Members Speaking at Outside Meetings as an Individual or on Behalf of the District

Several members of the Board requested an item be added to an upcoming workshop to discuss best practices related to Board Members speaking at outside meetings as an individual or on behalf of the District.

Background

In 2017, the Board of Directors worked with a consultant to develop a Board of Directors' Handbook which serves as an impartial, foundational document that guides the work and conduct of the Valley District Board. The Handbook provides guidance to the Board as a whole and to each Board Member as an individual. The Handbook memorializes the agreed upon Board Values and Principles; clarifies the Board's interaction with Valley District staff and the public; and defines the Board of Director's Code of Conduct.

The Handbook defines the role and responsibility of the Board and provides guidance to the Directors on how to properly engage with other agencies and the public, whether interacting as an individual Board member or as an engaged citizen, independent of the Board. Chapter 6 of the Handbook is titled "Public Interaction" and defines how Board Members shall interact with the public. This chapter provides guidelines for the Board Members and should serve as best practices for interacting with the public. They include:

- Board Members may use their title only when conducting official District business, for informational purposes, or as an indication of background and expertise;
- Board Members may attend meetings of an outside agency or organization and report on activities or decisions made by Valley District;
- No Board Member is permitted to attend a meeting of any outside agency or organization as an official representative of the District without prior Board authorization (with the exception of representing the District as the assigned Primary Representative);
- If a Board Member speaks at a governmental agency meeting to give a statement on an issue affecting the District, the Board Member will indicate the majority position and opinion of the Valley District Board of Directors;
- Personal opinions and comments that may be contrary to Valley District's adopted policy may be expressed only if the Board Member clarifies these statements do not reflect the official position of the Valley District Board or the District; (To be clear, any Director may speak on any matter as an individual at any time);
- Board Members should exercise caution when using the news media, social media or other forms of communication to express views which are in opposition to an adopted Board policy. The Board Member must clarify that these statements do not reflect the official position of the Board of Directors or Valley District.

Fiscal Impact

There is no fiscal impact related to this item.

Staff Recommendation

Staff recommends the Board of Directors discuss this policy item in order to provide clarity for all Directors going forward.

Attachment

Board of Directors' Handbook



San Bernardino Valley Municipal Water District

Board of Director's Handbook

Adopted August 15, 2017

Revised January 16, 2018

President Susan Longville - Aye

Vice President Gil Navarro - Aye

Director June Hayes - Aye

Director Mark Bulot - Aye

Director Steve Copelan - Aye



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San Bernardino Valley Municipal Water District Board of Director's Handbook

In support of San Bernardino Valley Municipal Water District's (District) mission, the Governing Board is committed to developing, adopting, and maintaining a Board of Director's Handbook. The intent is to educate and continually guide the Board to a high level of strategic success and achievement in accord with best practices. Contained in the Handbook is pertinent District information, controlling legislation, rules and regulations having authority as it relates to the Board, as well as local policies enacted by the Board. The Handbook will serve as a resource for directors, staff and members of the public in determining the manner in which Directors conduct matters related to District business. Updates to this Handbook are anticipated and will occur as additional needs, issues and circumstances may dictate.

The District is an independent government agency which functions pursuant to the Municipal Water District Act of 1911 as codified in the State of California Water Code Sections 71000 et. seq. Those provisions of Division 20 of the Water Code (Municipal Water Districts) which are most applicable to the District's authority, power and operation have been included in Appendix 1 of this Handbook.

In addition, the Board has adopted a series of organizational policies over the years that have not been incorporated into any formal resolutions or ordinances. These policies have been included as references in Appendix 2 of this Handbook. It is the intent of the Board that policies be incorporated into resolutions and ordinances that can be modified as may be necessary.

Preamble

The customers served by the District are entitled to elected Board members who are transparent, fair, ethical, and accountable. Such Board members constantly should seek to reflect the following behaviors and qualities:

- Complying with both the letter and the spirit of the laws and policies affecting operations of the District;
- Exercising independent, impartial, and fair judgment and actions;
- Using the public office to which they were elected for the public good, not for personal gain; and
- Conducting public deliberations and processes openly, unless legally confidential, in an atmosphere of mutual respect, civility and transparency.

To this end, the District Board of Directors has adopted this Director's Handbook along with the Code of Conduct, to build public confidence, integrity and transparency into the culture of District governance to foster effective operation of the agency as a whole.

Chapter 1 – Role and Authority

Role of the Board

The primary role of the Board is to establish policies that guide the District to meet its mission. The policy decisions and actions of the Board constitute the "action" of the Board of Directors.

The Board has three (3) major responsibilities:

1. Promote the best interests of the District's customers by establishing policies that support the vision and mission of the District and by ensuring the implementation of those policies. Policies include the governing principles, plans, and a course of action for the organization. Policy-making is the process of visionary planning and should reflect the broadest possible principles and provide parameters within which staff can operate. Policy-making sets the overall direction for the District.
2. The Board shall establish policies that ensure fiscal stability and the effective use of funds that will be revised as the mission of the district evolves over time. In order to achieve this, each fiscal year the Board adopts a budget covering the anticipated revenues and expenditures of the District and reviews monthly and quarterly budget reports throughout the year. Additionally, from time to time, the Board reviews and/or adopts amendments to the District's cash reserve, investment, and other policies as necessary.
3. Hire a General Manager to manage the day-to-day operations of the District. The Board holds the General Manager accountable for the effective operational management of the District. An additional responsibility of the Board is to properly evaluate the General Manager on an annual basis.

In order to fulfill these responsibilities, the Board shall adhere to the following basic policy guidelines:

1. That the Board of Directors provides policy direction and leadership for the District.
2. That Board members are responsible for setting organizational policy and providing direction to the staff that are entirely responsible for day-to-day implementation of district programs and activities.
3. That it is the responsibility of the Board, through the policies it adopts, to ensure that the District is a progressive, transparent, innovative, and well-managed agency.
4. That the Board exercises authority only collectively as a Board, and individual Board members shall not act on their own volition. For the purpose of this guideline, a "Board" is made up of five (5) members that make decisions (issues are decided by a majority of these five Board members)
5. That the Board seeks to provide leadership in local, regional, state, and national issues that have relevance on the operations of the District and the communities of interest that it serves.

6. That the Board respects the role of the ratepayers and the retail agencies that it serves in the governance of the District, and encourages their participation.
7. That key stakeholders should be included and consulted when and where appropriate.
8. That Board members represent the District in business related matters at meetings and events other than regular meetings of the Board.
9. That the Board maintains a high level of communication with the General Manager. When a Board member is going to be out of town or unavailable, the General Manager or his/her Executive Assistant/Board Secretary is notified in a timely manner.
10. That all Board members are provided with the same information that any other Board member may request, where practical, including staff reports, committee agendas, customer inquiries and background information.
11. That Board members are encouraged to inform the General Manager of any specific information they want to receive from outside agencies or organizations, in addition to information they may acquire individually to share with the General Manager and other members of the Board. Staff is responsible for providing same in a timely manner.
12. That the Board is aware that all written and electronic documentation and communication is legally considered in the public domain. This excludes information protected by attorney-client privilege.

Authority

The San Bernardino Valley Municipal Water District is a California Special District, an independent government agency which was organized in 1954 pursuant to the Municipal Water District Act of 1911 as codified in the State of California Water Code Sections 71000 et. seq. It is responsible for long-range water supply management, including importing supplemental water, and is responsible for most of the groundwater basins within its boundaries and for groundwater extraction over the amount specified in the judgments. It has specific responsibilities for monitoring groundwater supplies in the San Bernardino and Colton-Rialto basins and maintaining flows at the Riverside Narrows on the Santa Ana River. It fulfills its responsibilities in a variety of ways, including importing water through the State Water Project for direct delivery and groundwater recharge and by coordinating water deliveries to retail agencies throughout its service area. Besides water supply management, the enabling act that established the District also provides for a broad range of other powers such as wastewater and storm water disposal, recreation, fire protection services, and electrical production/ transmission. The District does not deliver water directly to retail water customers.

The District is governed by an elected Board of Directors who has authority to manage and conduct the business and affairs of the District, including the authority to fix terms and conditions of employment (including compensation) of District employees. The Board is authorized to delegate those powers. The Board has retained authority to employ and set terms and conditions for employment of the General Manager of the District, but the General Manager has management authority over subordinate employees.

In order for a Board of Directors to function in an effective manner, it is important that each member understand his/her respective role and the relationship they have to other members of the Board and to the General Manager. This also requires an understanding of the level of performance required to carry

out the duties of a Board Member. The officers of the Board of Directors include the President, Vice-President, Treasurer and Secretary. Officers of the District are selected every two years corresponding with the general election for the Board or as otherwise determined by the Board of Directors.

Chapter 2 – Board Values and Principles

Adherence to established organizational values and principles are intended to promote a collaborative work environment that encourages sharing, creativity, openness to new ideas, and an emphasis on customer satisfaction towards the District's ratepayers and retail agencies.

Putting Board Values into Play

Service Delivery

- Strive to exceed customers' expectations and proactively explore opportunities to provide better service
- Emphasize thoroughness and completeness
- Treat every person with kindness and dignity
- Be courteous, responsive, and professional
- Actively listen to understand others

Leadership

- Take ownership of, and responsibility for, actions, risks, and results
- Use outcomes, whether positive or negative, as learning opportunities
- Make sound decisions from experience, good judgment and collaboration
- Give and seek clear expectations
- Look for solutions that contribute to desired results
- Act in all endeavors with an ethical, transparent, honest and professional manner
- Honor commitments in order to build trust
- Be truthful in word and deed

Openness

- Approach every situation with good intentions
- Encourage new and diverse ideas
- Listen, cooperate, and share across the organization
- Value and recognize individual contributions

Balance

- Recognize the need for personal and professional balance
- Do not forsake long-term goals in order to satisfy short-term needs. The Board should recognize that all decisions produce both positive and negative long and short term consequences, and as

such should seek to balance all decisions to produce the best possible result for ratepayers and our retail customers.

- Support an environment that is optimistic and enjoyable in which relationships can prosper across the organization

Guiding Principles

1. Insuring a safe and efficient water delivery system.
2. Designing and administering the highest quality, secure and innovative programs.
3. Delivering services in an equitable, accurate, courteous, professional and prompt manner.
4. Providing meaningful information and education to all customers in a timely manner.
5. Attracting, developing, and retaining a competent, creative and highly motivated workforce.
6. Maintaining public trust by being transparent, ethical, sensitive, effective, and cost efficient in service to ratepayers, retail agencies and employees alike.
7. Behaving in a manner that demonstrates members of the Board are respected leaders in the community.

Chapter 3 – Board Member Interaction

When the members of the San Bernardino Valley Municipal Water District Board are elected to office, there is an expectation that they will bring a body of personal experience, knowledge and judgment to the development of good public policies. However, there is also an expectation that each individual will strive to work with fellow Board members and District staff as part of a team to address the various challenges and opportunities that are presented to them. The following represents Board member “best practices” for interacting with each other.

1. Board members are representatives for the ratepayers and retail agencies of this District. Their allegiance and primary responsibility is to District constituents.
2. The Board is responsible for creating and maintaining a District culture that demonstrates respect for the needs of ratepayers and retail agencies at all times.
3. Relationships between Board members should always be professional. When Board members fail in this regard, Directors may need to report this to the Board President (if the Board President is the member failing in this regard, Directors should then report it to the Vice President). Directors that engage in unprofessional behavior shall first meet with the Board President, and where appropriate, be offered professional counseling. As a second step, the Board President may offer group counseling to the entire Board. It should be noted that the Board President has no power to dictate any member of the Board participate in counseling.
4. Board members are knowledgeable about Robert’s Rules of Order related to the governance of a meeting and the Brown Act related to communication among members of the Board. Board members acknowledge that they understand communication includes electronic, written and verbal methods.
5. Board members lead by example in their interaction and communication style and practice.
6. Personal attacks against fellow Board members or staff are not representative of a constructive culture. Board members are encouraged to disagree using appropriate language and treat peers with whom they disagree with respect and dignity.

Chapter 4 – Staff Interaction

The efficient and effective delivery of services to the customers of the San Bernardino Valley Municipal Water District is a collaborative effort between the elected members of the Board of Directors and those individuals employed to execute the District's day-to-day operations.

The Board's Relationship with the General Manager

One of the most vital relationships the District Board has is between itself and its General Manager. The General Manager is the Chief Executive Officer for the Board and is the one to whom the Board delegates its authority to manage and administer the District's daily operations in accordance with approved policies. This position is important because to be successful, the District requires a General Manager that has the skills to implement the vision of the Board and manage the other members of the staff.

The Board shall select a General Manager that supports the vision of the Board and has the leadership skills necessary to successfully undertake and implement the Board's vision. In this capacity, the General Manager has two roles: Chief Executive Officer and serving as the chief advisor to the Board.

In addition to members of the Board, the General Manager is the most visible employee of the District and is often responsible for representing the District in a variety of circumstances to our constituencies.

Much of the District's success will depend upon a positive relationship between the Board and its General Manager. Paradoxically, the leadership nature of both parties means that this relationship will likely create some inherent tensions; a Board and a General Manager will not always agree on every action taken by the General Manager in the implementation of District projects. However, both must consciously focus on maintaining a shared sense of purpose, open communication, transparency, honesty, trust and mutual support. While the General Manager is hired to carry out Board policy directives, the Board also looks to him/her for guidance and leadership.

One of the most important decisions a Board will make is the selection of a General Manager in whom they have confidence. The Board must be able to support the implementation decisions of the General Manager and grant him/her the authority to manage and lead the District in the day to day implementation of programs and policies approved by the Board. This is critical for building the General Manager's credibility with the staff and the community.

It is the General Manager's responsibility to ensure that the Board members have all the information they need to make Board-level decisions and that all Board members are provided the same information. Board members expect the General Manager to make a recommendation on every issue before the Board, except those that are strictly reserved to the Board.

The following are guidelines are intended to help define the relationship between the Board and the General Manager:

1. The Board will provide the General Manager with an annual list of goals and/or projects that will be the basis for an annual performance review.
2. The Board of Directors will provide the General Manager with a written evaluation annually.
3. Board members are encouraged to contact the General Manger about any subject related to the operations of the District. Similarly, the General Manger may discuss any District related issue with any member of the Board of Directors.
4. Concerns regarding overall District operations or specific department issues or department heads are addressed with the General Manager.
5. Critical information will be provided to all members of the Board by the General Manager, which feedback may be verbal, written, or electronic in nature.
6. The General Manager has complete authority over staff and interdepartmental issues that may arise.
7. The General Manager shall advise the Board of Directors when he/she is out of the office for an extended period of time and shall designate the individual who shall be acting General Manager during that time.

Interactions with Staff

District staff serves the entire Board of Directors as a whole. Consequently, the Board should adhere to the following guidelines in its interaction with the staff:

1. To promote a healthy working relationship between Board members and staff, the General Manager should identify opportunities, on a regular basis, for both parties to interact professionally and socially.
2. A Board member shall not direct staff to initiate any action, change a course of action, or prepare any report without the approval of the General Manager and, if necessary, a majority of the Board. This does not imply that individual members of the Board are prohibited from asking a question to an individual member of the District staff, such as requesting a copy of a document or report.
3. Board members shall not attempt to pressure or influence discussions, recommendations, workloads, schedules, or priorities.
4. When preparing for Board meetings, Board members should first seek to direct their questions to the General Manager so that staff can provide the desired information in advance or at the Board meeting. Questions asked on the dais are not discouraged as open dialogue may help peers in their understanding and decision making. Nothing in the aforementioned statements discourage open and transparent discussion by the members of the Board in open session.
5. Any concerns by a member of the Board regarding the behavior or work of a District employee should be directed to the General Manager privately to ensure that the concern is addressed. Board members shall not reprimand employees directly nor should they communicate their concerns to anyone other than the General Manager.

Soliciting political support from staff (e.g., financial contributions, display of posters or lawn signs, name on support list, etc.) is prohibited. District staff may, as private citizens with constitutional rights, support political candidates, but all such activities must be done away from the workplace and may not be conducted while on the job.

Chapter 5 – Governance

The orderly conduct of District business is guided by certain rules, regulations and procedures that are intended to afford equal opportunity for input on policy-making decisions to both Board members and the public. While many governance guidelines are embodied in State law, others are subject to Board discretion.

Election of Officers

Pursuant to Section 71273 of the Water Code, at its first meeting in the month of January of each odd-numbered year, the Board shall elect one of its members President. The Board may at any meeting elect one of its members Vice President.

The Board shall also designate the General Manager, Board Secretary and Treasurer.

Roles of the President and Vice President of the Board of Directors

1. The President of the Board of Directors is selected following the normal board election cycle for a 2-year term, unless otherwise modified by the Board.
2. The President of the Board is selected by the Board of Directors. In addition to the duties of the President described below, the President presides at all Board of Directors meetings, makes rulings on procedural points of order, and should keep meetings on track and productive. The President should encourage open discussion and allow all members the opportunity to express their views. The President should lead and guide the Board of Directors and provide a stabilizing influence and bring out the best in all members.
3. The President appoints all committees, standing and Ad Hoc. The President may create a new committee or abolish an existing committee with the approval of a majority of the Board.
4. Any member of the Board may propose the establishment of a new committee at a Board Workshop to ascertain whether a majority of the Board wishes to establish a new Committee
5. Any member of the Board may propose the abolition of a standing or ad hoc committee that he/she feels is no longer needed by the District at a Board Workshop to ascertain whether a majority of the Board wishes to abolish the committee.
6. The President coordinates the efforts of committees; integrates committee work with that of the Board of Directors, and defines committee relationships. The President makes declarations, extends official recognition of groups or events, and regularly communicates with the General Manager. The President and other Board members can request an item to be placed on the Board agenda.
7. The Board shall govern the succession of the President and Vice-President.

8. The Vice-President remains as one member of the Board and has no rights or authority different from any other member of the Board. However, in the event of a temporary absence of the President, or an early vacancy in the position of Board President, the Vice-President shall become the Board President and shall continue as such until the Board President's temporary absence is complete or for the remaining portion of the outgoing Board President's term as Board President.
9. In the event the position of President is vacated prior to the expiration of his/her term, the Vice-President shall become the President for the remaining portion of the outgoing President's term, unless otherwise directed by the Board.
10. In the event of an early vacancy in the position of Vice-President, the Board shall determine, by vote, a replacement to fulfill the remaining portion of the outgoing Vice-President's term.
11. The President acts as the ceremonial head or representative of the District at various civic functions, and in his/her absence, the Vice-President serves in this capacity.
12. The President is the designated spokesperson for the Board of Directors when requests are made from external sources. The President may elect to appoint one of the other Board members to serve in this capacity.
13. The President acts as the signatory on all documents requiring the Board's execution. The Vice-President may do so in the President's absence.
14. The President may make representative assignments annually, or as may be warranted anytime throughout the year, with the concurrence of Board members invited to serve in such capacities.

Time and Place for Regular Meetings

The regular monthly meeting of the Board of Directors will be held on the first and third Tuesday of each month commencing at 2:30 pm at a site determined by the Board.

Quorum Requirements

Three members of the Board will constitute a quorum for the transaction of business.

Board Meeting Protocol

1. All noticed meetings of the Board of Directors shall be conducted using Robert's Rules of Order. Robert's Rules provide for constructive and democratic meetings and are intended to help, not hinder, the business of the Board. Under no circumstances should "undue strictness" be allowed to intimidate or limit full participation.
2. Public comment shall be received pursuant to the Ralph M. Brown Act. Board members should establish time limits for public comment and it is suggested that five minutes provides a member of the public with adequate time to fully express their concerns. Through a motion to the President, any Director may move to extend the time limit for individual speakers on matters not constitutionally otherwise dictated. The Board shall treat members of the public with courtesy and respect.

3. When possible, corrections to official minutes of the Board of Directors public meetings should be provided to the Board Secretary or General Manager in advance for approval at the next regular Board meeting. This does not prohibit a Board Member that finds an error in minutes to be approved at a meeting from taking action at that time as needed.
4. The General Manager shall inform the Board of items of significance that will be placed on future agendas.
5. The General Manager meets with the Board President prior to the Board meetings to review and prepare for the upcoming meeting.
6. At the direction of the General Manager, department heads or appropriate departmental managers will be present at every meeting if they have an item on the agenda.
7. The time during the Board Announcements portion of the Agenda shall be utilized for public education purposes regarding District programs and services.
8. Board members acknowledge that Director Reports at regular Board Meetings are not the ideal time to ask staff for studies and reports or to express complaints. Board Workshops or individual conversations with the General Manager are preferable. At the same time, Board members are never prohibited from taking any action that a Director deems necessary.

Voting

A majority of all members of the Board present at a meeting will be required to approve any ordinance, resolution or motion, unless a different voting requirement to approve a particular action is specified under State law.

1. Each member may speak on an item prior to the making of a motion.
2. Roll call votes are required on all ordinances and resolutions considered by the Board. On other items, a roll call vote may be requested by any member of the Board.
3. Once an agenda item has been voted on, the disposition is considered as the "action" of the Board of Directors. Individual members of the Board that did not support the action should not seek to undermine the success of that decision. This not does imply that individual Board members may state publicly that they did not support the action taken by the Board or the reasons why.

Closed Session

1. All closed session discussions and materials are considered legal and confidential information, and as such, are not shared outside the closed session meeting unless specific action is taken, and then must be reported out of closed session.
2. Closed session staff reports are to be returned to the General Manager and/or District counsel immediately following the meeting: provided, however, that members may retain staff reports for their personal consideration until the item is revised or resolved, subject to the confidentiality requirements of the preceding paragraph. Electronic copies of the reports will not be provided to the Board.

3. Closed session meetings may be held at times other than the regular meetings of the Board of Directors so long as the meeting is posted pursuant to the prevailing open meeting (Brown Act) rules.
4. Closed sessions agendas should be retained by the Board Secretary until an item is revised or resolved so Directors have access to the prior meeting materials as well as reduce waste by the District.

A Board Member should refer a request for information regarding a closed session item to the General Manager who in concert with the District's legal counsel, will prepare an appropriate response.

Chapter 6 – Public Interaction

As a public body, it is important for the San Bernardino Valley Municipal Water District Board of Directors to establish a working environment that encourages public participation and trust. During their time as elected officials, Board members will have a wide range of interactions with the public including written communication (i.e., letters, email, etc.), social media, phone calls, face-to-face, social functions, regular and special Board meetings, etc. The following guidelines represent Board member “best practices” for interacting with the public.

Customer Concerns and Complaints

1. All customer and ratepayer concerns and inquiries received by the District shall be referred to the General Manager.
2. Staff will provide the Board with a written or verbal report of customer concern or inquiry that cannot be handled as a routine manner. Staff will also provide the Board with a response to the concern or inquiry.
3. The Board will be informed of significant, politically sensitive, urgent and/ or repetitive telephone or electronic communication inquiries. Staff will research the request as soon as possible, and provide the General Manager with the appropriate follow-up and response. The General Manager will review the communication prior to dissemination to the Board.
4. Copies of any written or electronic responses to customer concerns provided by a member of the Board shall be provided to the other members of the Board of Directors as well.
5. Information that may expose the District to liability will be shared with the Board at a noticed, closed session meeting of the Board of Directors.

Public Input on the Agenda

1. Input from the public on any agenda item shall take place after the report from staff unless members of the Board have clarifying questions. This allows Board members to hear public concerns and ask additional questions that may emerge and be warranted. Directors should be cognizant that a majority of the Board may not state agreement about a non-agendized issues to avoid a violation of the Brown Act.
2. Agenda items noticed on the agenda for public hearing will follow procedures as outlined by the District's legal counsel.
3. Any Board member elect to defer action on an item brought forward by the public until such time as staff can prepare an appropriate response.
4. The President is responsible for maintaining an orderly progression of the business before the Board,

Representing an Official District Position

In order to ensure that they are properly representing their positions as elected officials of the San Bernardino Valley Municipal Water District, Board members should adhere to the following guidelines:

1. Board members may use their title only when conducting official District business, for information purposes, or as an indication of background and expertise.
2. Once the Board of Directors has taken a position on an issue, all official District correspondence regarding that issue will reflect the Board's adopted position.
3. In most instances, the Board will authorize the President of the Board to send letters stating the District's official position to appropriate legislators.
4. No Board member is permitted to attend a meeting of any outside agency or organization as an official representative of the District without prior Board authorization. Meetings of outside agencies and organizations that are included on the District's list of Representative Assignments are to be attended by the designated Board member and/or alternate. Other Directors are not prohibited from attending, but may not participate or request compensation.
5. If a member of the Board appears before the meeting of another governmental agency organization to give a statement on an issue affecting the District (including Representative Assignments), the Board member shall indicate the majority position and opinion of the Board. (NOTE: Board members shall report on any actions taken at the next Board meeting).
6. Personal opinions and comments that may be contrary to adopted policy may be expressed only if the Board member clarifies that these statements do not reflect the official position of the Board or the District. To be clear, any Director may speak on any matter as an individual at any time.
7. Board members should exercise caution when utilizing the news media, social media or other forms of communications to specifically express views which are in opposition to adopted Board policy. Again, the Board member must clarify that these statements do not reflect the official position of the Board or the District.
8. When two Board members are authorized/assigned by the Board to attend a meeting as the District's official representative, other Board members may not participate at the meeting in order to avoid violations of the Ralph M. Brown Act.
9. Attendance at a water retail meeting, council meeting, or other meeting of an outside agency or organization and reporting on activities or decisions made by the District will not be considered as violating the provisions of the Handbook provided that any reports or discussions either reflect the decisions made by the Board as a whole or are identified as being presented by the Board member "speaking as an individual" and not as the official position of the Board. Qualification for per diem will depend on the specific meeting and whether it is approved categorically or by Board action and will be determined under the District's current adopted Resolution titled Establishing Rules and Procedures for Compensation of Directors and for Reimbursement of Directors and Staff, a current copy of which is included in Appendix 2 of this Handbook.

Chapter 7 – Director's Code of Conduct

In order to promote the public's trust in Board policies and to ensure the most effective and efficient delivery of District services, members of the Board shall abide by a Director's Code of Conduct which includes provisions relating to conflict of interest, the handling of legal matters, ethics training, and enforcement:

Conflict of Interest

Exercising independence and impartiality on behalf of the public good is a fundamental goal of any elected body. State law prohibits Board members from using their official positions to influence government decisions in which they have a financial interest or where they have an organizational responsibility or a personal relationship that would present a conflict of interest. Accordingly, the Political Reform Act requires every state and local agency to adopt a conflict of interest code that identifies all officials and employees within the agency who make governmental decisions based on the positions they hold. The individuals in the designed positions must disclose their financial interests as specified in the agency's conflict of interest code (Form 700). The District's current adopted Resolution regarding the Conflict of Interest Code is included in Appendix 2 of this Handbook.

In accordance with applicable State laws, the following provisions shall apply to all Board member actions:

1. A Board member will not have a financial interest in a contract with the District, or be a purchaser at a sale by the District or a vendor at a purchase made by the District, unless the Board member's participation was authorized under Government Code sections 1091 or 1091.5, or other provisions of law.
2. A Board member will not participate in the discussion, deliberation or vote on a matter before the Board of Directors, or in any way attempt to use his or her official position to influence a decision of the Board, if he or she has a prohibited interest with respect to the matter, as defined in the Political Reform Act, Government Code sections 81000, and following, relating to conflicts of interest. Generally, a Board member has a financial interest in a matter if it is reasonably foreseeable that the Board decision would have a material financial effect (as defined by the Fair Political Practices Commission's ["FPPC"] regulations) that is distinguishable from the effect on the public generally on:
 - a. A business entity in which the Board member is a director, officer, partner, trustee, employee, or manager and has a direct or indirect investment in the amount specified in the then-effective FPPC regulations;
 - b. Real property in which the Board member has a direct or indirect investment interest, with a worth in the amount specified in the then-effective FPPC regulations;
 - c. A source of income of the Board member in the amount specified in the then-effective FPPC regulations, within twelve months before the Board decision;
 - d. A source of gifts to the Board member in an amount specified in the then-effective FPPC regulations within twelve months before the Board decision;

- e. The Board member's personal expense, income, assets or liabilities, and those of his or her immediate family, are likely to go up or down in a 12-month period as a result if the decision by the amount specified in the then-effective FPPC regulations.
3. If a Board member believes that he or she may be disqualified from participation in the discussion, deliberations or vote on a particular matter due to a conflict of interest, the following procedure will be followed:
 - a. If the Board member becomes aware of the potential conflict of interest before the Board meeting at which the matter will be discussed or acted on, the Board member will notify the District's General Manager and the District's legal counsel of the potential conflict of interest, so that a determination can be made whether it is a disqualifying conflict of interest;
 - b. If it is not possible for the Board member to discuss the potential conflict with the General Manager and the District's legal counsel before the meeting, or if the Board member does not become aware of the potential conflict until during the meeting, the Board member will immediately disclose the potential conflict during the Board meeting, so that there can be a determination whether it is a disqualifying conflict of interest;
 - c. Upon a determination that there is a disqualifying conflict of interest, the Board member: (1) will not participate in the discussion, deliberation or vote on the matter for which a conflict of interest exists, which will be so noted in the Board minutes; and (2) leave the room until after the discussion, vote and any other disposition of the matter is concluded, unless the matter has been placed on the portion of the agenda reserved for uncontested matters (i.e., the consent calendar), in which case the Board member will identify the nature of the conflict and not vote on the specified item on the consent calendar. If the item is agendaized for discussion and possible action, the Board member may speak on his or her personal interests in the matter during the time that the general public speaks on the issue but must leave the room during Board discussion and action on that item.
4. A Board member will not recommend the employment of a relative by the District. A Board member will not recommend the employment of a relative to any person known by the Board member to be bidding for or negotiating a contract with the District.

Handling of Legal Matters

The Board appoints the District's legal counsel to provide a wide range of professional legal services, assistance, and legal advice to the Board of Directors, General Manager and all District departments and offices.

1. The following guidelines shall be employed by Board members when dealing with legal and/or other confidential matters:
 - a. All written materials and verbal information provided to Board members on matters that are confidential and/or privileged under State law shall be kept in complete confidence to ensure that the District's position is not compromised. No disclosure or mention of any information in these materials may be made to anyone other than Board members, the General Manager or the District's legal counsel.

- b. Confidential materials provided to Board members outside of closed sessions must be destroyed, deleted, or returned to staff within thirty (30) days of their receipt.
 - c. Board members may not request confidential written information from staff that has not been provided to all Board members.
2. All Board members who are desirous of contact with the District's legal counsel, his or her staff, and/or attorney(s) contracted to work on behalf of the District shall first consult with the General Manager or in the event that the Director's concern relates to the General Manager, consult with the Board President. Board members cannot enjoy or establish an attorney-client relationship with said attorney(s) by consulting with or speaking to same. Any attorney-client relationship established belongs to the District, acting through the Board of Directors, and as may be allowed in State law for purposes of defending the District and/or the Board in the course of litigation and/or administrative procedures, etc.

Ethics Training

AB 1234 requires elected or appointed officials who are compensated for their service or reimbursed for their expenses to take two hours of training in ethics principles and laws every two years. Those who enter office after January 1, 2006 must receive the training within a year of starting their service. They must then receive the training every two years after that.

The training must cover general ethics principles relating to public service and ethic laws including:

1. Laws relating to personal financial gain by public officials (including bribery and conflict of interest laws);
2. Laws relating to office-holder perks, including gifts and travel restrictions, personal and political use of public resources, and prohibitions against gifts of public funds;
3. Governmental transparency laws, including financial disclosure requirements and open government laws (the Brown Act and Public Records Act);
4. Laws relating to fair processes, including fair contracting requirements, common law bias requirements, and due process.

Enforcement

Any actual or perceived violation of District policies, including the Code of Conduct, by a Board member should be referred to the President of the Board or the full Board of Directors for investigation, and consideration of any appropriate action warranted. A violation of this policy may be addressed by the use of such remedies as are available by law to the District, including but not limited to:

1. Adoption of a resolution expressing disapproval of the conduct of the Board member who has violated this policy (i.e., censure);
2. Injunctive relief;
3. Referral of the violation to the District Attorney.

APPENDIX 1

Selected Provisions of the California Water Code
(Division 20, Parts 3 – 7)

Appendix 1
California State Water Code
DIVISION 20. MUNICIPAL WATER DISTRICTS
(Selected References)

The San Bernardino Valley Municipal Water District is an independent government agency which functions pursuant to the Municipal Water District Act of 1911 as codified in the State of California Water Code Sections 71000 et. seq. Those provisions of Division 20 of the Water Code (Municipal Water Districts) which are most applicable to the District’s authority, power and operation have been included as references below.

PART 3. INTERNAL ORGANIZATION

CHAPTER 1. DIRECTORS	71250-71256
CHAPTER 2. THE BOARD	
Article 1. In General	71270-71282
Article 2. Powers and Duties	71300-71314
CHAPTER 3. OFFICERS AND EMPLOYEES	
Article 1. In General	71340-71342
Article 2. Duties	71360-71365

PART 4. ELECTIONS

CHAPTER 1. ELECTIONS GENERALLY	71450-71454
CHAPTER 2. PREPARATION OF BALLOTS	71461-71463
CHAPTER 3. PRECINCTS AND POLLING PLACES	71473
CHAPTER 4. ELECTION OF DIRECTORS	
Article 1. In General	71500-71505
Article 2. Appointment in Lieu of Election	71512
CHAPTER 5. INITIATIVE, REFERENDUM, AND RECALL	71530-71531
CHAPTER 6. RELOCATION OF DIVISION BOUNDARIES.....	71540

PART 5. POWERS AND PURPOSES

CHAPTER 1. POWERS GENERALLY	71590-71601
CHAPTER 2. WATER	
Article 1. Development and Sale.....	71610-71618
Article 2. Standby Charges	71630-71637
Article 2.5. Alternative Provisions for Standby Charges	71638-71638.4

Article 2.7. Standby Assessments	71639
Article 3. Water Shortages	71640-71644
CHAPTER 3. OTHER FUNCTIONS	
Article 1. Recreation and Electrical Power	71660-71664
Article 2. Sewage, Waste, and Storm Water Disposal	71670-71674
Article 3. Fire Protection	71680
Article 4. Water Replenishment Assessment.....	71682-71689.9
Article 5. Sanitation Service	71689.20-71689.27
CHAPTER 4. PROPERTY	71690-71700
CHAPTER 5. CONTRACTS	
Article 1. Contracts With Other Agencies	71720-71726
CHAPTER 6. CONTROVERSIES	71750-71760
 PART 6. FINANCIAL PROVISIONS	
CHAPTER 1. WARRANTS	71800-71801
CHAPTER 2. PROMISSORY NOTES.....	71810-71814
CHAPTER 3. ADOPTION OF IMPROVEMENT ACTS.....	71820-71823
 PART 7. BONDS	
CHAPTER 1. IN GENERAL.....	71852-71854
CHAPTER 2. INITIATION OF PROCEEDINGS FOR ISSUANCE OF BONDS	
FOR ENTIRE DISTRICT.....	71860-71861
CHAPTER 3. FORMATION OF IMPROVEMENT DISTRICTS FOR ISSUANCE	
OF BONDS	
Article 1. Initiation of Proceedings.....	71870-71875
Article 2. Hearing and Changes.....	71880-71883
Article 3. Formation	71890-71892
Article 4. Calling on Bond Election.....	71900-71901
Article 5. Advance of Funds	71910-71911
CHAPTER 4. FORMATION OF UNINHABITED IMPROVEMENT DISTRICTS	
FOR ISSUANCE OF BONDS	
Article 1. Initiation of Proceedings.....	71920-71924
Article 2. Bond Election	71930-71934
Article 3. Advance of Funds	71936-71937

CHAPTER 5. BOND ELECTION..... [71940-71947](#)

CHAPTER 6. ISSUANCE AND SALE OF BONDS

 Article 1. Issuance and Terms [71950-71960](#)

 Article 2. Sale of Bonds and Use of Proceeds [71970-71975](#)

CHAPTER 7. FORMATION OF IMPROVEMENT DISTRICTS FOR ISSUANCE

 OF REVENUE BONDS

 Article 1. Initiation of Proceedings..... [71980-71985](#)

 Article 2. Hearing and Changes..... [71986](#)

 Article 3. Formation of Revenue Improvement District [71987-71990](#)

 Article 4. Calling of Revenue Bond Election [71991-71994](#)

 Article 5. Advance of Funds [71995-71996](#)

APPENDIX 2

District Policies Adopted by the Board



San Bernardino Valley Municipal Water District
Appendix 2
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•	District Policies Adopted by the Board
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•	2017-18 Board Committees and JPA Appointments
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•	Board Resolution 1051 – Establishing Rules and Procedures for Compensation of Directors and for Reimbursement of Directors and Staff
•	Board Resolution 1053 – Recognizing Veterans on Veterans Day
•	Resolution Resolution 968 – District’s Conflict of Interest Code
•	Resolution 1058 – Setting the State Water Contract Tax Levy for Fiscal Year 2017-2018
•	Resolution 93 – Accepting Contract as signed with Department of Water Resources of State of California for a Supply of Feather River Water

Appendix 2

San Bernardino Valley Municipal Water District

Board-Approved Policies

The Board of the San Bernardino Valley Municipal Water District has adopted a series of organizational policies over the years that have not been incorporated into any formal resolutions or ordinances. These policies have been included as references below.

HARASSMENT POLICY

Summary: The District will not tolerate verbal or physical conduct by any employee who harasses, disrupts, or interferes with another's work performance or who creates an intimidating, offensive or hostile environment.

TECHNOLOGY POLICY

Summary: The District's information systems and technology resources, including all computer, data and telecommunications hardware and software, are critical to its business and success. These systems are owned by the District. All messages and other information communicated through these systems are also the property of the District. These systems are to be used only to further the business purposes of the District and should never be used in violation of any applicable laws. The District has the right to terminate any employee's access to and use of any of these systems at any time with or without cause and with or without notice. The District may also take disciplinary action at its sole discretion, including termination, for any use of these systems that is not in accord with this Policy or any other policies of the District.

DEBT MANAGEMENT POLICY

Summary: This policy documents the District's goals for the use of debt instruments and provides guidelines for the use of debt for financing the District's infrastructure needs. While capital programs are primarily funded by reserves in accordance with the District's existing practice, and while the District intends to limit long-term borrowing to capital improvements or projects that cannot be financed with current revenues or that represent regional partnership projects, the District will evaluate on a case by case basis the merits of debt financing as part of the successful implementation of its goals and objectives.

INVESTMENT POLICY

Summary: The Statement of Investment Policy is intended to provide guidelines for the prudent investment of the District's temporary idle cash, and outline the policies for maximizing the effectiveness and efficiency of the District's cash management system. The goal is twofold: one is to preserve the District's capital resources while maximizing investment earnings pursuant to the "Prudent Investor Standard", the second is to provide guidelines for authorized investment.

RESERVE POLICY

Summary: A key element of prudent financial planning is to ensure that sufficient funding is available for current operating, capital and debt service needs. Additionally, fiscal responsibility requires anticipating the likelihood of, and preparing for, unforeseen events. The District desires to identify and provide a calculation methodology and/or maintained level of all existing and future needs where reserve funds are required and/or necessary. The Board of Directors realize the importance of reserves in providing reliable service to its customers, financing long-term capital projects, and the funding of emergencies should they arise. In this context, the District will at all times strive to have sufficient funding available to meet its operating, capital, and debt service obligations. Funds will be accumulated and maintained to allow the District to fund expenditures in a manner consistent with the District's Capital Improvement Plan, and avoid significant rate fluctuations due to changes in cash flow requirements.



San Bernardino Valley Municipal Water District
General Manager 2017-18 Goals
 May 2017

	Goal
1.	RETAIN KEY STAFF – Continue to promote a work environment that encourages existing and new Staff to remain employed at the District. Where possible, provide functional redundancy in responsibilities at the District to minimize the effects of retirements or other staffing changes.
2.	SARCCUP (Santa Ana River Conservation and Conjunctive Use Project) – Maintain leadership role for development of project.
3.	PROJECTS RELATIONSHIPS - Develop document that explains the relationship and timing of current and planned projects to help explain the District’s activities to Directors. Include additional concepts for long-range projects.
4.	DIRECTOR’S HANDBOOK – Update inserts to include project relationships, identification of existing facilities, and customers.
5.	BOARD/STAFF INTERACTION EVENTS – Coordinate and host 2 events where Boardmembers and staff can interact. These events may revolve around a tour, site visit, or grand opening of a facility.
6.	RECYCLED WATER ORDINANCE – Provide leadership in the development of an Ordinance that identifies targets and provides policy direction on implementation strategies for recycled water projects within Valley District service area.
7.	WRITTEN MONTHLY REPORTS - Provide a comprehensive monthly report of all activities appropriate for public disclosure in the Board Packet on the first Tuesday of each month.
8.	ANNUAL REPORT - Provide the leadership necessary for the District to publish an Annual Report for the public at the conclusion of each calendar year.
9.	EMPLOYEE AWARD – Develop and implement an employee award/recognition for special effort or outcome.
10.	WATER USE EFFICIENCY DIVISION – Implement a new division to manage the District’s Water Use Efficiency programs.
11.	GROUNDWATER SUSTAINABILITY COUNCIL – Continue to lead the development of a sustainability structure for the San Bernardino Basin Area and Rialto Colton Basin. Support the GSA formation in Yucaipa as a facilitator.
12.	FONTANA WATER COMPANY LITIGATION – Lead the completion of a settlement agreement to resolve long-standing litigation associated with unauthorized groundwater extractions by Fontana Water Company et. al.
13.	HYDRO-ELECTRIC PLANTS – Complete construction of two and continue development of a third hydro-electric plant along the District’s SWP pipelines.
14.	CYANOTOXIN/MUSSELS IN SWP – Develop and implement a program to treat our facilities for infestations of algae and invasive mussels.
15.	EMPLOYEE HANDBOOK – Complete development of Employee Handbook and update to employment rules and procedures.
16.	STRATEGIC PLAN – Lead the District through a thorough review of past planning efforts and develop an updated strategic plan for the District.
17.	SURPLUS WATER AND WATER SALES AGREEMENTS – Complete process of declaring a surplus and negotiate water sales agreements.



San Bernardino Valley Municipal Water District Short-Term and Multi-Year District Goals

SHORT-TERM DISTRICT GOALS	
1.	WATER USE EFFICIENCY – Continue to develop programs that encourage and incentivize water use efficiency progress throughout our service area. With leadership from the new Water Use Efficiency Division, Valley District will maintain and enhance its role in this important area by evaluating and implementing new, innovative programs. Working with our retail agencies, Valley District will establish metrics to ensure compliance with State water use efficiency regulations on a regional basis.
2.	STRATEGIC PLAN - Develop a Scope of Work for the Board's consideration before the approval of the Fiscal Year 2017-2018 Budget for an outside party to objectively examine the expected outcomes of all the District's currently operating and planned facilities and programs and identify additional investments for the District to consider that would provide cost-effective beneficial outcomes to the communities we serve. This analysis will include an evaluation of the District's current water rate structure and suggestions for modifications.
3.	EXTERNAL AFFAIRS - Building upon the Work Plans being developed by the External Affairs and Water Use Efficiency Committees as well as the needs of District staff, develop a job description for an experienced full-time External Affairs Manager for the Board's consideration before the approval of the fiscal year 2018-2019 budget.
4.	WATER REUSE - Building upon the Regional Recycled Water Concept Study, identify the resources that are needed now and will be over coming years to reach the goal of 40,000 AFY of recycled water by 2040 for the Board's consideration before the approval of the Fiscal Year 2018-2019 budget.

MULTI-YEAR DISTRICT GOALS	
1.	WATER USE EFFICIENCY - Establish a multi-year program to make water conservation a way of life within the District.
2.	STRATEGIC PLAN - Building upon the short term goal examining investments the District needs, develop a 25-year Strategic Plan for the District to meet the challenges we face.
3.	RENEWABLE ENERGY - Building upon the District's currently operating and planned renewable energy projects, collaborate with local parties that participate in the District's Integrated Regional Water Management Plan (IRWMP) to provide the leadership necessary to undertake a Regional Renewable Energy Concept Study to meet the challenges we face.
4.	CLIMATE ADAPTATION - Building upon the District's collaboration with local parties that participate in the District's Integrated Regional Water Management Plan (IRWMP), provide the leadership necessary to undertake a Regional Climate Adaptation Concept Study to meet the challenges we face.

2017-18 Board Committees and JPA Appointments

2017-2018 Committees and Appointments	Appointed Directors	Description of Committees and Appointments
	Chair listed first	Appointed Directors are responsible for reporting back to the Board to keep all Directors informed of Committee activities and scheduling meetings of the entire board as needed. Appointees are responsible for reporting back to the Board to keep Directors informed.
Regular Committees		
Baseline Feeder Committee	Hayes, Navarro	Track Baseline Feeder water delivery system by meeting periodically with stakeholders.
Monthly Committees		
Park Management & Property Committee	Navarro, Longville	Oversee the maintenance and administration of Hanes Park (until the City of San Bernardino accepts responsibility) and District owned property including the disposition of surplus parcels
External Affairs Committee	Longville, Navarro	Develop public information and education related programs for Board consideration because the District benefits from educating the community about our projects and activities in the form of tours or special programs that build the public's capacity to better understand water issues. Appointed Directors to this new committee must develop a Work Plan and a Budget for consideration by the Board.
Water Use Efficiency Committee	Navarro, Hayes	Develop water use efficiency programs for Board consideration because Directors have a responsibility to be engaged in the development of all aspects of water use efficiency within our District from a policy perspective. That said, this Committee would not interfere with the activities of the BTAC Water Conservation Committee. Water use efficiency (WUE) includes not just water conservation but also other activities that help reduce future demand, particularly in critically dry year. Appointed Directors to this new

2017-18 Board Committees and JPA Appointments

2017-2018 Committees and Appointments	Appointed Directors	Description of Committees and Appointments
		committee must develop a Work Plan and a Budget for consideration by the Board.
Legislation and Policy Committee	Longville, Hayes	Monitor legislation that affects Valley District because elected officials have an obligation to advocate for and against legislation and policies that affect the communities we serve. In addition, elected officials have an obligation to develop new policies as needed. Appointed Directors to this new committee must develop a Work Plan and a Budget for consideration by the Board.
Strategic Analysis/Plan Committee	Longville, Bulot	Prepare a recommendation and budget for the development of Strategic Plan for the Board to consider that incorporates existing projects and plans but also examines other opportunities and determines additional projects and plans would be beneficial to Valley District and cost effective to our ratepayers. This committee will seek input from other water agencies in California that have done this type of analysis.
Annual Committees		
Wages/Benefits & Insurance Committee	All Board Members	Annually review current status and forward recommendations to all Directors for consideration at a Committee Meeting
Budget Committee	All Board Members	Annually review the draft annual General Fund Budget and forward to all Directors for consideration at a Committee Meeting
Water Pricing Committee	All Board Members	Annually prepare draft water rate related policies and forward to all Directors for consideration in a Committee Meeting.
Ad Hoc Committees		
Regional Recycled Water Committee	Longville, Bulot	Meet with other elected officials of partnering agencies on joint recycled water projects including SNRC

2017-18 Board Committees and JPA Appointments

2017-2018 Committees and Appointments	Appointed Directors	Description of Committees and Appointments
General Manager Employment Agreement Committee	Longville, Navarro	With District Counsel, negotiate terms of draft employment agreement with General Manager and forward to Board for consideration
San Gorgonio Pass Water Agency Facilitation Committee	Bulot, Copelan	Monitor joint programs and issues in the San Gorgonio Pass Water Agency area
Engineering Committee	Copelan, Bulot	Review engineering recommendations from staff and forward to Board for consideration
SBVWCD-SBVMWD Enhanced Recharge Project Committee	Copelan, Longville	Monitor joint projects with the SBVWCD including the Enhanced Recharge Project and Wash Plan HCP
Legal Committee	Longville, Navarro	The President and Vice President review ongoing litigation with legal counsel
Central Feeder/Bunker Hill Conjunctive Use Project (BHCUP) Committee	Bulot, Longville	Monitor development of projects associated with the Central Feeder including Bunker Hill CUP and SARCCUP
San Bernardino Valley Water Conservation Demonstration Garden Committee	Navarro, Longville	The Garden while located and managed by CSUSB is a Valley District investment demonstrating the methods and beauty of water efficient landscapes. The committee develops annual educational recommendations for the entire board to consider and meets with representatives of CSUSB on issues associated with the Garden
Santa Ana River Watermaster Action Team Committee	Bulot, Longville	Meet with other officials from the Santa Ana River Watermaster agencies to discuss joint issues associated with the administration of the Orange County Judgments
Rialto Coordination Committee	Hayes, Longville	Meet with Rialto officials to discuss joint programs and projects associated with water

Appointments	Primary listed 1st	
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2017-18 Board Committees and JPA Appointments

2017-2018 Committees and Appointments	Appointed Directors	Description of Committees and Appointments
SAWPA Commission JPA Primary and Alternate	Longville, Navarro	JPA appointment
Disadvantaged Community Involvement (DACI) Pillar for SAWPA's OWOW Update	Navarro	JPA appointment
San Bernardino Regional Water Resources Authority, 2 Primary and 1 Alternate	Longville, Navarro, Bulot as Alternate	JPA appointment
ACWA JPIA, Primary and Alternate	Copelan, Bulot	Organizational member appointment
Association of San Bernardino County Special Districts (ASBCSD)	Copelan	Organizational member appointment
ACWA Energy Committee	Longville	Organization member appointment
Maven's Notebook Advisory Committee	Longville	Not representing Valley District on Committee
Southwest Megaregion Alliance/California Forward Infrastructure Action Team	Longville	Not representing Valley District on Alliance/ Team



Director Appointments to Retail Water Agencies

At the Board Meeting on November 7, 2017, the Board Members approved a list of guidelines for appointments to serve as the primary representative of the Valley District Board at retail water agency meetings. The adopted guidelines to govern the appointment process are as follows.

- The Director representing the greatest percentage of population within each water retailer service area would have the "first right" to be appointed followed by the Directors representing smaller percentages within their Division.
- Director appointments are voluntary.
- Primary representatives would be responsible for reporting at Valley District Board Meetings on actions taken by or being considered by water retailers that are of interest to all Valley District Directors. Reports would be given under the Director Reports agenda item.
- Primary representatives have no authority to speak for the Valley District Board of Directors at water retailer meetings unless specifically authorized to do so by the Board. Primary representatives may only speak as an individual Director
- All other Directors continue to be authorized (per Resolution 1051) to attend any Board Meetings of a water retailer in the District's service area.

At the December 19, 2017 Board meeting, the following representative assignments were made:

Water Agency Name	Director Representing Largest Percentage of Agency Population	Director Requesting Appointment as Primary Representative
1. City of Colton	Director Navarro	Director Navarro
2. East Valley Water District	Director Copelan	Director Copelan
3. City of Loma Linda	Director Bulot	
4. Margold Mutual Water Company	Director Hayes	
5. Muscoy Mutual Company	Director Longville	Director Longville
6. City of Redlands	Director Bulot	
7. City of Rialto	Director Hayes	Director Hayes
8. Riverside Highland Water Company	Director Bulot	
9. City of San Bernardino Water Dep.	Director Longville	Director Longville
10. South Mesa Water Company	Director Copelan	
11. Terrace Water Company	Director Navarro	Director Navarro
12. Western Heights Water Company	Director Copelan	
13. West Valley Water District	Director Hayes	Director Hayes
14. Yucaipa Valley Water District	Director Copelan	Director Copelan

RESOLUTION NO. 1051**RESOLUTION OF THE BOARD OF DIRECTORS OF THE SAN BERNARDINO VALLEY MUNICIPAL WATER DISTRICT ESTABLISHING RULES AND PROCEDURES FOR COMPENSATION OF DIRECTORS AND FOR REIMBURSEMENT OF DIRECTORS AND STAFF**

WHEREAS, it is recognized that each member of the Board of Directors (Board) of the San Bernardino Valley Municipal Water District (District) expends a considerable amount of time and effort attending meetings, including meetings of the Board, serving on committees, and rendering other services as a member of the Board; and

WHEREAS, in consideration of these expenditures of time and effort, it is appropriate to provide reasonable compensation and to authorize reimbursement of expenses for directors; and

WHEREAS, Sections 71255 and 20200 *et seq.* of the California Water Code provide for compensation to water district board members for each day's attendance at meetings of the board, or for each day's service rendered as a member of the board by request or approval of the board; and

WHEREAS, Section 53232 *et seq.* of the California Government Code provides the means of determining whether a director's activities on any specific day are compensable; and

WHEREAS, the Board previously adopted Resolution No. 1028 on June 2, 2015, establishing rules and procedures for compensating directors and for reimbursing directors and staff for expenses; and

WHEREAS, the Board desires to clarify and update the types of occasions that constitute the performance of official duties for which directors may receive payment and the rules and procedures for compensating directors and for reimbursing directors and staff for reasonable expenses incurred in carrying out the business of the District;

NOW, THEREFORE, BE IT RESOLVED by the Board that the following Rules and Procedures for Compensation of Directors and for Reimbursement of Directors and Staff are hereby adopted.

SECTION 1:

1. Compensation of directors for each day's attendance at meetings of the Board, or for each day's service rendered as a member of the Board as approved by the Board ("*Per Diem*"), shall be established from time to time by ordinance adopted by the Board in accordance with applicable sections of the California Water Code; provided, however, that Per Diem will not be paid for more than the maximum number of days per month permitted under the California Water Code. Per Diem will be paid in addition to reimbursement for any reasonable and necessary meal, lodging, and travel expenses incurred in attending any such meetings, or rendering any such service.
2. No director shall receive Per Diem for more than ten (10) days in any calendar month.

3. Directors may receive Per Diem only once for any calendar day, regardless of the number of meetings attended in the same day.
4. Attendance shall mean that the director was present at not less than seventy-five percent (75%) of the total duration of the meeting or conference proceedings.
5. Directors shall file with the District's accounting office a signed "District Directors Meeting Reimbursement Request" form at or prior to the first regularly noticed meeting of the Board each month requesting Per Diem for not to exceed ten (10) days for the previous month.
6. Directors may receive Per Diem for attendance at regular, special, emergency, and adjourned District Board meetings.
7. Directors may receive Per Diem for attendance at meetings other than regular, special, emergency, and adjourned District Board meetings, only for those meetings specifically listed in Exhibit A attached hereto and incorporated herein by reference.
8. Directors may receive Per Diem for attendance at up to three discretionary meetings described in Exhibit B.
9. Directors may not receive Per Diem for attendance at the following meetings:
 - a. American Water Works Association.
 - b. Southern California Association of Governments.
 - c. League of California Cities.
 - d. Emergency Response Network of the Inland Empire.
 - e. Meetings with District consultants and attorneys.
 - f. Meetings with District staff, except as specifically authorized in Exhibit A.
10. Per Diem for attendance at any out-of-state meetings shall require prior Board approval.
11. A director's Per Diem for attendance at another agency's meeting shall be reduced by any amount such agency pays to the director for attendance at such meeting.
12. Directors shall be provided with a monthly report showing the amount of Per Diem or reimbursement received by each director.

SECTION 2:

1. Reimbursement Forms.

Directors and staff shall file with the District's accounting office a signed "District Request for Reimbursement of Expenses" form listing all expenses of the previous month. The form shall list, as separate non-reimbursable expenses, items charged on credit cards which may be provided by District to certain individuals.

2. Receipts.

Original receipts for all expenses and charge slips must be attached to the "District Request for Reimbursement of Expenses" form.

3. Staff or Director Travel Authorization.

Staff travel for more than one (1) day in or outside the state must have prior written approval of the General Manager. Staff travel for less than one (1) day may have the verbal approval of the General Manager. Directors requesting to travel one (1) day in advance of an approved meeting must show good cause for such travel and is subject to prior approval of the Board.

4. Travel Reimbursement.

Payment for travel by directors within the Southern California region will be made only on the basis of either mass transit tickets purchased, or private vehicle miles driven at the reimbursement rate per mile specified by the Internal Revenue Service. To be eligible for reimbursement for vehicle mileage Directors and staff must submit Proof of Insurance for any vehicle for which mileage reimbursement is requested along with a valid California Driver's License. Vehicle mileage for travel by Directors within the District service area is not reimbursable.

Payment for air transportation (economy or tourist class only) will be made to major destinations within California or approved destinations out of state. Should directors or staff choose a private vehicle in lieu of air travel, the lesser rate of the two will be applied. No payment will be made for additional food or lodging required due to a Director's or staff member's choice to use a private vehicle for travel. No salaries or director Per Diem shall be paid for additional time required for private vehicle travel.

Airline reservations or tickets may be procured through the District staff member designated by the General Manager, or procured by Directors for later reimbursement if so desired, provided the cost does not exceed the cost of what the staff member would have purchased. District shall purchase no tickets for persons other than District Directors or staff. Tickets for guests of Directors or staff shall be purchased by such persons in a separate transaction without use of any District funds and are not subject to reimbursement.

Airport parking, in short-term lots for travel less than 48 hours, or long-term lots for travel exceeding 48 hours, is an allowable expense for authorized travel.

Public transportation (taxi/bus/limo/online carrier) should be utilized for local travel during out-of-town business, unless the cost of a rental car provides a demonstrable cost savings or public transportation is not available to the desired destination at the time needed.

5. Lodging.

Lodging expenses will be reimbursed or paid when travel on official District business reasonably requires an overnight stay. Directors are encouraged to consult with the General Manager in advance of an overnight stay to ensure that the location reasonably requires an overnight stay. If lodging is in connection with a conference, lodging expenses must not exceed the group rate published by the conference sponsor for the meeting in question if such rates are available at the time of booking. If the group rate is not available for a conference, Directors and staff shall request government rates, when available. Government rate lodging is preferable, but alternative lodging at equal to or less than government rate is permissible.

6. Food and Beverage.

Expenditures for food will be moderate and reasonable for the location where consumed. Food and beverage receipts for breakfast, lunch, or dinner consumed by directors or staff are required for reimbursement. The District shall not pay for any alcoholic beverage of any type consumed by Directors or staff.

Employees working overtime and requiring work through a normal eating period may be provided meals paid by the District at the discretion of the General Manager.

7. Spouses, Friends, and Guests.

The District shall not pay any expenses covering spouses, friends, or guests who may accompany Directors or staff in any travel activity unless otherwise specifically authorized by the Board.

8. Travel Advance.

Travel advances may not be requested by Directors or staff for approved District travel. The Director or staff member shall complete a special "District Request for Reimbursement of Expenses" form covering cash and credit card expenditures incurred. A District credit card may not be used to pay for incidentals during travel.

9. Business Related Expenses.

District-related expenses incurred in the business center of a hotel or convention center are reimbursable if submitted on the approved "District Request for Reimbursement of Expenses" form.

10. Approval of Expenses.

Directors' and General Manager's expenses must be approved by the Treasurer or director designated by the Board. Other staff expenses must be approved by the General Manager. Any rejected or unapproved expenses shall be charged back against any present or future reimbursement requests or Directors' Per Diems payable.

11. Public File.

An individual public file shall be maintained by the accounting office. The file shall contain all cash, credit card, or direct charges to the District for expenses incurred by each Director and staff member.

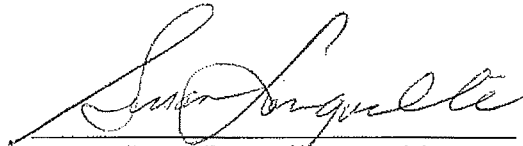
12. Use of District Resources.

The use of District resources and/or employee personnel time by a director shall be for District business only.

SECTION 3:

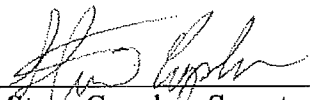
This Resolution shall supersede and otherwise control over the provisions of Resolution No. 1028. As of the effective date of this Resolution, Resolution No. 1028 shall be of no further force or effect.

ADOPTED this 7th day of March, 2017.



Susan Longville, President

ATTEST:



Steve Copelan, Secretary

EXHIBIT A: APPROVED MEETINGS

1. Regularly noticed District Board Workshops.
2. Regularly noticed meetings of District Board committees, whether standing or ad hoc, to which the Director has been duly appointed.
3. Regularly noticed meetings of agencies or organizations by Directors who have been specifically appointed by the Board to serve as its primary or alternate representative.
4. Meetings between the Board President and District staff to discuss issues affecting agenda matters, not to exceed two (2) meetings per month.
5. Meetings between a Director and District staff to discuss issues affecting agenda matters, not to exceed one (1) meeting per month.
6. Regularly noticed meetings of the Basin Technical Advisory Committee.
7. Regularly noticed meetings of the San Bernardino Regional Water Resources Authority.
8. Regularly noticed meetings of the District Advisory Commission on Water Policy.
9. Regularly noticed meetings of the San Bernardino County Association of Special Districts.
10. Association of California Water Agencies (ACWA) – Special circumstances necessary for more than two (2) directors to attend.
11. California Special Districts Association (CSDA) – Special circumstances necessary for more than two (2) directors to attend.
12. Regularly noticed meetings of local agencies, including but not limited to the San Bernardino County Board of Supervisors, a city council within the District service area, or the San Bernardino County Local Agency Formation Commission, when the agenda indicates a matter related to the District will be discussed.
13. Meetings of local organizations not related to any political organization or body in the District service area, including without limitations meetings of Chambers of Commerce and philanthropic groups, when a Director is attending at the request of the organization to provide a public presentation about the District or to participate in an activity directly related to the District.
14. Meetings with other elected officials and their staff on matters relevant to the District, not to exceed one (1) meeting per month.
15. Tours directly related to the work of the District.
16. Anniversaries, groundbreaking events, staff/director retirements, or other similar celebratory events.
17. Court hearings or legal proceedings related to District business.
18. AB 1234 ethics and AB 1825 sexual harassment prevention training programs, in person or by webinar, if the Director earns a Certificate of Completion as required by the California Government Code.

19. Additional meetings designated by the Board, from time to time, which are not of a standing nature and at which the Board desires representation by District Directors.

EXHIBIT B: DISCRETIONARY MEETINGSLimited to three per month.

1. Regularly noticed board meetings of retail water agencies within the District service area and other water agencies in the region with whom the District works, such as the San Geronio Water Pass Agency.
2. Meetings that clearly provide additional information or insights to a Director in the performance of their duties. Directors are encouraged to consult with the General Manager in advance that discretionary meetings clearly provide additional information or insights to a Director in the performance of their duties.
3. Conferences, related to sustainable water management, which clearly provide an educational benefit to a Director in the performance of their duties. Directors are encouraged to consult with the General Manager in advance that discretionary conferences clearly provide additional information or insights to a Director in the performance of their duties.
4. Meetings and conferences described in 2 and 3 of Exhibit B above, beyond a 100-mile radius of the District's service area, must be requested and approved at a regular, special, emergency, or adjourned District Board meeting or Board Workshop by a majority of the Directors present.
5. In the event that a discretionary meeting or conference submitted to the District's accounting office via a signed "District Directors Meeting Reimbursement Request" does not appear to clearly provide additional information or insights to a Director in the performance of their duties, Directors may request reconsideration at a regular, special, emergency, or adjourned District Board meeting or Workshop.

RESOLUTION NO. 1053

**RESOLUTION OF THE BOARD OF DIRECTORS OF
THE SAN BERNARDINO VALLEY MUNICIPAL
WATER DISTRICT RECOGNIZING THE NATION'S
VETERANS ON VETERANS DAY**

WHEREAS, San Bernardino Valley Municipal Water District would like to recognize and thank all veterans both locally and nationally for their service; and

WHEREAS, the armistice ending World War I was signed on November 11, 1918. The end of the first global conflict was initially commemorated as Armistice Day. In 1954, the congress renamed the day as Veterans Day to recognize all those who have served in our Armed Forces; and

WHEREAS, our nations veterans have served and protected the United States making sacrifices big and small to ensure the freedom of our great nation; and

WHEREAS, on this Veterans Day we celebrate and honor the patriots who have fought to protect the democratic ideals that are the foundation of our county; and

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of the San Bernardino Valley Municipal Water District that the Board does hereby recognize and remember the Nation's Veterans on November 11 of each year.

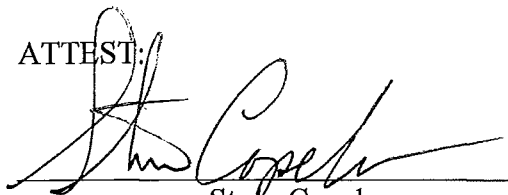
ADOPTED this 16th of May, 2017.

San Bernardino Valley
Municipal Water District

By: 

Susan Longville
President

ATTEST:



Steve Copelan
Secretary

RESOLUTION NO. 968

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE
SAN BERNARDINO VALLEY MUNICIPAL WATER
DISTRICT AMENDING THE DISTRICT'S CONFLICT OF
INTEREST CODE**

WHEREAS, The Board of Directors of the San Bernardino Valley Municipal Water District is required to make a biennial review of its Conflict of Interest Code, and following such review the Board has determined that only certain changes classified by the Fair Political Practices Commission as non-substantive are required;

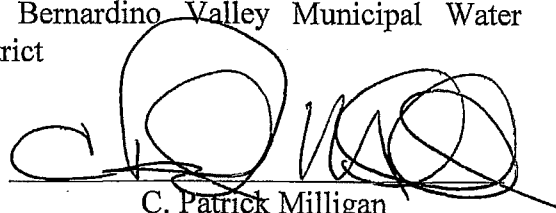
NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the San Bernardino Valley Municipal Water District as follows:

1. That the Conflict of Interest Code of the San Bernardino Valley Municipal Water District appendix is amended to read as set forth on Exhibit "A" attached hereto.
2. This Resolution shall be effective upon its approval by the Fair Political Practices Commission as provided by law.

ADOPTED this 2nd day of November, 2010.

San Bernardino Valley Municipal Water
District

By:



C. Patrick Milligan
President

ATTEST:



Steve Copelan
Secretary

(SEAL)

CONFLICT OF INTEREST CODE FOR THE
SAN BERNARDINO VALLEY MUNICIPAL WATER DISTRICT

The Political Reform Act (Government Code Section 81,000, et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation (2 Cal. Code of Regs. Sec. 18730) which contains the terms of a standard conflict of interest code, which can be incorporated by reference in an agency's code. After public notice and hearing it may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This regulation and the attached Appendix designating officials and employees and establishing disclosure categories, shall constitute the conflict of interest code of the San Bernardino Valley Municipal Water District.

Designated employees shall file their statements with the San Bernardino Valley Municipal Water District which will make the statements available for public inspection and reproduction at 380 E. Vanderbilt Way, San Bernardino, California. (Gov. Code Section 81008). Statements for all designated employees will be retained by the San Bernardino Valley Municipal Water District.

EXHIBIT A

CONFLICT OF INTEREST CODE FOR THE
SAN BERNARDINO VALLEY MUNICIPAL WATER DISTRICT

APPENDIX

Designated Positions	Reportable Items
General Manager Chief Engineer General Counsel Consultants*	Water wells, water stock, or private water companies Interest in real property Office equipment and supplies Banks and savings and loan institutions Public utilities Financial audit services Insurance services Printing, reproduction or photographic equipment, services and supplies Chemicals used in treatment of water (wastewater and domestic) Motor vehicles and specialty vehicles, (parts and supplies) Petroleum products Safety equipment and supplies used in water system operation Communications services Water quality testing equipment, supplies and services Business entities owning real property Cathodic protection equipment, supplies and services Grading and construction contractors Pipeline manufactures Engineering services Employment and temporary help services General and specialty equipment rentals Real estate sales or investment firms Consulting services: legal, energy and power, engineering, soils testing, water treatment, data processing, computers, labor relations, employee training, advertising, communications, design, art work, audio visual, planning, water pricing and demand, economist, desalting, environmental, appraisers

EXHIBIT A

Members and alternate Members of the Advisory Commission on Water Policy	Water wells, water stock, or private water companies Interest in real property Banks and savings and loan institutions Public utilities Chemicals used in treatment of water (wastewater and domestic) Safety equipment and supplies used in water system operation Communications services Water quality testing equipment, supplies and services Business entities owning real property Cathodic protection equipment, supplies and services Engineering services General and specialty equipment rentals Real estate sales or investment firms Consulting services: legal, energy and power, engineering, soils testing, water treatment, data processing, computers, labor relations, communications, design, art work, audio visual, planning, water pricing and demand, economist, desalting, environmental, appraisers Title insurance and escrow services
Officials Who Manage Public Investments	It has been determined that the positions listed below manage public investments and will file a statement of economic interests pursuant to Government Code Section 87200: Members of the Board of Directors Finance Manager

* Consultants shall be included in this list of designated employees and shall disclose pursuant to the broadest disclosure category in the Code subject to the following limitation:

The General Manager however, may determine in writing that a particular consultant, although a "designated person", is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements described in this section. Such determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The General Manager's determination is a public record and shall be retained for public inspection in the same manner and location as this conflict of interest code.

GENERAL PROVISIONS

1. Investments and business positions in any business entity or sources of income listed under "Reportable Items" of this Appendix are disclosable if:

EXHIBIT A

- a) The business entity in which the investment or business position is held is of the type which has contracted with the District within the previous two years; or
 - b) The business entity in which the investment or business position is held is of the type which has contracted within the previous two years to furnish supplies or services as subcontractors in any contract with the District; or
 - c) The sources of income are of the type which resulted from a contract with the District within the previous calendar year; or
 - d) The sources of income are of the type which resulted from a contract or subcontract with the District, within the previous calendar year, to furnish supplies or services.
2. Investments or business positions in any business entity or sources of income which are (1) private water companies, or (2) entities or persons engaged in farming, real estate development, or owners of real estate; and interests in real property are disclosable if held, regardless of any contractual relationship with the District at any time.

EXHIBIT A

RESOLUTION NO. 1058

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE
SAN BERNARDINO VALLEY MUNICIPAL WATER
DISTRICT DETERMINING THE AMOUNT OF MONEY
NEEDED TO MAKE ANNUAL PAYMENTS FOR
INDEBTEDNESS APPROVED BY THE VOTERS PRIOR
TO JULY 1, 1978, AND/OR FOR WHICH A TAX LEVY IS
REQUIRED UNDER ARTICLE I, SECTION 10 OF THE
UNITED STATES CONSTITUTION AND MAKING A TAX
LEVY THEREFOR**

WHEREAS, Section 72093 of the Water Code requires the Board of Directors of the San Bernardino Valley Municipal Water District to determine the amounts necessary to be raised by taxation during the fiscal year and to fix the rate or rates of tax to be levied therefore; and

WHEREAS, Section 11652 of the Water Code requires the Board to levy a tax sufficient to assure payment of sums due under the Contract Between the State of California Department of Water Resources and the San Bernardino Valley Municipal Water District for a Water Supply dated December 30, 1960, and the Devil Canyon/Castaic Contract dated June 23, 1972; and

WHEREAS, Section 1(b) of Article XIII A of the California Constitution and Section 93 of the Revenue and Taxation Code exempt ad valorem property tax levies to make payments upon indebtedness approved by the voters prior to July 1, 1978, from the limitations set forth in Section 1(a) of Article XIII A and said Section 93, the District's Water Supply Contract, having been approved by vote of the people on November 8, 1960, and March 9, 1971, fall within such exemption; and

WHEREAS, the District's aforementioned contracts and the provisions of Section 11652 of the Water Code with respect thereto are protected against impairment under the provisions of Article I, Section 10 of the Constitution of the United States and Article I, Section 9 of the California Constitution prohibiting the impairment of the obligation of contracts; and

WHEREAS, the Board, after reviewing and considering all the facts and information available, has determined that it is necessary to raise the amounts hereinafter specified by taxation and that it is not practicable to raise said sums from water rates or other sources;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the San Bernardino Valley Municipal Water District as follows:

1. That said Board of Directors has determined that the amounts necessary to be raised by taxation during the fiscal year beginning July 1, 2017, and ending June 30, 2018, to pay indebtedness approved by the voters prior to July 1, 1978, and/or for which a tax levy is required under Article I, Section 10 of the United States Constitution and Article I, Section 9 of the California Constitution is \$51,408,000 for payments on the Contract Between the State of California Department of Water Resources and San Bernardino Valley Municipal Water District for a Water

Supply dated December 30, 1960 and \$2,101,000 for payments on the Devil Canyon/Castaic Contract dated June 23, 1972 and hereby fixes the rates of tax for such purposes as follows:

State Water Contract \$ 0.1465
 Devil Canyon/Castaic Contract \$ 0.0060

Total Rate \$ 0.1525

2. That the Board of Directors does hereby certify the rate so fixed, and as hereinbefore set forth, to the Boards of Supervisors of the Counties of San Bernardino and Riverside, State of California, and to the County Auditor Controller of said Counties, and does further certify that all legal requirements for the establishment of the said tax rates have been met and that the imposition of such levies complies with the provisions of Article XIII A, Section 1(b) of the California Constitution and/or the requirements of Article I, Section 10 of the Constitution of the United States and Article I, Section 9 of the California constitution.
3. That pursuant to California Water Code Section 72093, the determination of the amounts necessary to be raised by taxation for such purposes during the fiscal year and the order fixing the rates of tax made herein shall constitute a valid assessment of the property within the District and a valid levy of the taxes so fixed.
4. That certified copies of this Resolution be transmitted to the County Auditor Controller Offices of the Counties of San Bernardino and Riverside, and that when so transmitted, said certified copies shall constitute the certification required in section 72094 of the California Water Code.
5. That funds received by the San Bernardino Valley Municipal Water District pursuant to the aforesaid tax levy shall be placed in separate funds identified for each of the indebtednesses set forth above.


ADOPTED this 18th day of July 2017.

San Bernardino Valley Municipal Water District

By: 

Susan Longville
 President

ATTEST:


 June Hayes
 Treasurer

RESOLUTION NO. 93*See by 4/11/61
Minute Book*

RESOLUTION OF THE BOARD OF DIRECTORS OF THE
SAN BERNARDINO VALLEY MUNICIPAL WATER DISTRICT
RATIFYING ACTION OF DISTRICT OFFICERS AND
ACCEPTING CONTRACT AS SIGNED WITH DEPARTMENT
OF WATER RESOURCES OF STATE OF CALIFORNIA FOR
A SUPPLY OF FEATHER RIVER WATER

WHEREAS, at the regular meeting of the Board of Directors of the San Bernardino Valley Municipal Water District, held December 21, 1960, said Board of Directors authorized its president, A. M. Herman, its secretary, Horace P. Hinckley, and its general manager, Hugo W. Wilde, to sign, on behalf of said district, the Feather River Contract with the State of California, Department of Water Resources, for a supply of water for said district; and

WHEREAS, on the 30th day of December, 1960, said contract was duly signed and executed by the above named officers of said district, and by the proper officers of the State of California, to-wit: The Governor, Edmund G. Pat Brown, and the director of said Department of Water Resources, Harvey O. Banks; and

WHEREAS, prior to said signing and execution said contract was duly approved as to legal form and sufficiency for said state officers by the chief counsel for said Department of Water Resources, P. A. Towner; and as to form and execution for said district officers by district counsel, Robert J. Webb; and

WHEREAS, the said board of directors has examined

said contract including all signatures, seals and exhibits attached thereto; and

WHEREAS, said contract and its execution appears regular;

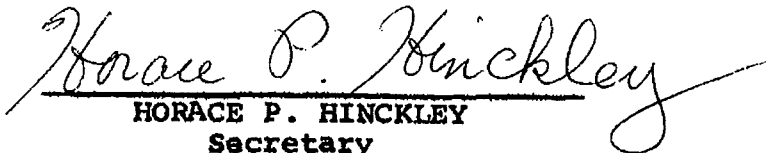
NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the San Bernardino Valley Municipal Water District as follows:

That all acts of said district officers preliminary to and including the signing and execution of said contract be, and they are, hereby ratified, and that said contract be, and it is, hereby accepted, approved, adopted, and confirmed as signed and executed by said San Bernardino Valley Municipal Water District.



A. M. HERMAN

President of the San Bernardino Valley Municipal Water District and of the Board of Directors thereof.



HORACE P. HINCKLEY
Secretary

(SEAL)

APPENDIX 3

Summary of the FPPC and Political Reform Act

Appendix 3

Summary of the FPPC and Political Reform Act

In June 1974, the passage of Proposition 9 by California voters created the Political Reform Act which sought to reign in the potential corruptive influence of special interests by imposing the most rigorous restrictions on fundraising and lobbying in the country. The Act regulates campaign financing, conflicts of interest, lobbying, and governmental ethics and is administered by the five-member Fair Political Practices Commission (FPPC) whose mission is to ensure that public officials act in a fair and unbiased manner in the governmental decision-making process, to promote transparency in government, and to foster public trust in the political system. The specific goals of the FPPC are:

1. To diligently prosecute serious violations of the law, ensuring that officials operate in a way that does not betray the public's confidence.
2. To increase transparency by utilizing technology to provide "smart disclosure," giving more people easy access to vital information about their public officials and campaign financing.
3. To concentrate on adopting meaningful reforms while maintaining the highest ethical standards.

The FPPC enacts regulations that implement the law, issues advice letters, and adopts advisory opinions that apply the Act as well as the regulations to particular circumstances.

Overview of Political Reform Act

The Political Reform Act is found in Title 9 of the Government Code, Sections 81000 to 91014. Its mission is to serve as the legal bedrock of governmental ethics in California. It regulates:

- **Financial Conflicts of Interest by Public Officials:** An elected official has a conflict of interest with regard to a particular government decision if it is sufficiently likely that the outcome of the decision will have an important impact on your economic interests, and a significant portion of your jurisdiction does not also feel the important impact on their economic interests. This law applies only to financial conflicts of interest; that is, conflicts of interest arising from economic interests. Whether an elected official has a conflict of interest that disqualifies him/her depends heavily on the facts of each governmental decision. The most important proactive step an elected official can take to avoid conflict of interest problems is learning to recognize the economic interests from which conflicts of interest can arise.
- **Campaign Finance:** The law requires detailed disclosure of the role of money in California politics. This includes the disclosure of contributions and expenditures in connection with campaigns supporting or opposing state and local candidates and ballot measures as well as the disclosure of expenditures made in connection with lobbying the State Legislature and attempting to influence administrative decisions of state government.
- **Lobbyist Registration and Reporting:** The purpose of lobbyist regulation as stated in the Act is: "The activities of lobbyists should be regulated and their finances disclosed in order that improper influences will not be directed at public officials". The main provisions of the PRA related to lobbying govern the definition of who is a lobbyist, a lobbying firm and a lobbyist employer. These sections also provide for the registration of lobbyists, lobbying firms and their

clients, called “lobbyist employers”, and for quarterly reporting of specified activities and expenditures, including detailed information about what lobbyists are paid, by whom, and which bills or regulations they lobbied for or against. No other California professionals are required to provide such detailed information concerning their activities and finances.

- **Post-Governmental Employment:** The Act places several restrictions on the activities of public officials who are leaving governmental employment. After leaving a government job, state officials are restricted by both a "one-year" ban against certain types of activity, and a "permanent" ban against very specific types of activity. For certain local officials and air pollution control/air quality management district members, officers, or employees, post-employment activities are also restricted by a similar "one-year" ban. Additionally, all public officials who are anticipating leaving governmental service are restricted from attempting to influence their prospective employment opportunities while working for a government agency.
- **Political Mass Mailings:** A mailing is prohibited under the Act if each of the following criteria is met (subject to one or more exceptions as provided for in the law):
 - A tangible item, such as a newsletter or brochure, is delivered, by any means, including by transmission of a fax, to a person’s residence, place of employment or business, or post office box. Note: Emails, website postings, text messages, and recorded telephone messages/robocalls are not considered tangible items and therefore, not subject to the Act’s mass mailing at public expense restrictions.
 - The item sent either features an elected officer affiliated with the agency (by including the officer’s photo or signature, or singling out the officer by the manner his or her name or office is displayed), or the item includes a reference to an elected officer affiliated with the agency and the item is prepared or sent in cooperation with the elected officer.
 - Any of the costs of distribution are paid for with public moneys, or if public funds are not used for the actual distribution, in excess of \$50 in public moneys is used to design, produce, or print the item and the design, production, or printing is done with the intent of sending the item other than as permitted by Regulation 18901.
 - More than 200 substantially similar items are sent in a calendar month, excluding any item sent in response to an unsolicited request.
- **Gifts and Honoraria given to Public Officials and Candidates:** The Act imposes limits on gifts, prohibits honoraria payments, and imposes limits and other restrictions on the receipt of travel payments received by:
 - Local elected officers and other local officials specified in the Government Code, excluding judges.
 - Designated employees of local government agencies (i.e., individuals required to file statements of economic interests under a local agency’s conflict of interest code).
 - Candidates for any of these offices or positions and judicial candidates.

The Act also imposes limits and other restrictions on personal loans received by certain local officials.

APPENDIX 4

Summary of the Ralph M. Brown Act

Appendix 4

Summary of the Ralph M. Brown Act

The Ralph M. Brown Act (Brown Act) or “Open Meeting Law” is found in the California Government Code § 54950 et seq. It was enacted in 1953 to guarantee the public’s right to attend and participate in meetings of local legislative bodies, and as a response to growing concerns about local government officials’ practice of holding secret meetings that were not in compliance with advance public notice requirements. The Brown Act’s primary purpose is to insure public official accountability for their actions and to allow full public participation in the decision making process.

Scope of the Brown Act

The Brown Act governs local agencies, legislative bodies of local government agencies such as city councils, county boards of supervisors, special districts, school boards, standing committees, and even some types of Home Owners Associations (if they were created by a public entity as a public district.)

Meetings

The Brown Act defines a meeting as “*any congregation of a majority of the members of a legislative body at the same time and place to hear, discuss or deliberate upon any item that is within the subject matter jurisdiction of the legislative body*”. In other words, when there is a quorum of the legislative body constituting a majority, the Brown Act considers that a meeting. This also applies to situations where a majority of the members of the legislative body are attending a social gathering (for which no meeting notice was given) and they start discussing business under their jurisdiction.

The key elements for a meeting are quorum and discussion, hearing or deliberation of issues; the meeting needs not to be formally convened in order to be subject to the Act. This would then include gathering which may be defined as informal, study, discussion, informational, fact-finding, or pre-council.

Some meetings are not covered by the Brown Act. Gatherings such as conferences and retreats, other public meetings, meetings of other legislative bodies, social or ceremonial events are exempt from the Brown Act provided that legislative members follow certain rules such as limiting the discussion to the agenda in the conference; or that legislative members do not discuss amongst themselves business of their legislative body. Also excluded from the application of the Brown Act are individual contacts or conversations between a member of a legislative body and any other person (i.e., non-staff or non-board member).

Serial Meetings

The Brown Act explicitly prohibits the use of “*...direct communication, personal intermediaries, or technological devices that is employed by a majority of the members of the legislative body to develop a collective concurrence as to action to be taken on an item by the members of the legislative body*”. Serial meetings involve communication between members of a legislative body that are less than a quorum, but when all participants are considered, it constitutes a majority. For example, a chain of communication involving contact from member A to member B who then communicates with member C

would constitute a "serial meeting" ... Similarly, when a person acts as the hub of a wheel (member A) and communicates individually with the various spokes (members B and C), a serial meeting has occurred.

In addition, a serial meeting occurs when intermediaries for board members have a meeting to discuss issues. For example, when a representative of member A meets with representatives of members B and C to discuss an agenda item, the members have conducted a serial meeting.

It should also be noted that legal precedence has established that the use of email to create consensus among the legislative members might be in violation of the Brown Act.

Teleconference Meetings

The Brown Act allows teleconference meetings if they comply with the following specifications:

- The teleconference location is accessible to the public and it is noted in the agendas.
- The meeting is useful to the public and the legislative body.
- All votes are taken by roll call.
- At least a quorum of the members of the legislative body are located within the boundaries of the territory over which it exercises jurisdiction.

Closed Session Meetings

The Brown Act allows closed sessions under the scope of a regular meeting. It stipulates that they shall comply with agenda posting and be held within the jurisdiction of the legislative body, which shall include a description of the items to be discussed. In addition, prior to holding any closed session, the legislative body shall disclose, in an open meeting, the item or items to be discussed in the closed session. The Act provides an extensive description of specific items that can be discussed by the legislative body in closed session.

The legislative body should publicly report actions, along with the vote and abstention count, taken as result of a closed session. Documentation relative to the reports should be available to any person on the next business day following the meeting.

Special Meetings

Either the presiding officer or the majority of members of the legislative body may call special meetings at any time by delivering each of its members a written notice and by notifying the media (which has previously requested notification of special meetings): the notice shall be received at least 24 hours in advance before the meeting. Special meetings notice shall be also posted at least 24 hours prior to the meeting and it should be held in a location that is freely accessible to members of the public. The discussions at the special meeting are limited to the issues posted in the agenda. No other business shall be considered.

Compliance

In order to comply with the Brown Act, local agencies must adhere to the following rules:

- Hold open and public meetings. No legislative body shall conduct any meeting in a facility that prohibits the admittance of any person(s) on the basis of: race, religion, color, national origin, ancestry, sex; or that is inaccessible to disabled persons, or where the public, in order to gain access to the facility, needs to pay or purchase something.
- Vote publicly - no secret ballots are allowed.
- Comply with the protections and prohibitions of Section 202 of the Americans with Disabilities Act of 1990.
- Do not require public registration, as a condition for attendance; the public is not required to register, provide any other information, or fulfill any condition precedent to its attendance. If an attendance list is circulated, it shall clearly state that the signing, registering, or completion of the document is voluntary.
- Allow recording of the proceeding (video tape, audio tape) provided that recording is done in an undistruptive way.
- Do not prohibit or restrict broadcasting unless there is a finding that this would be disruptive to the proceedings.
- Post notice of meetings, information shall include specified time and location, except for advisory or standing committees.
- Post agendas at least 72 hours in advance of the meeting. Such notice shall contain a brief general description of each item of business.
- Do not take action or discuss any item not appearing on the posted agenda except under certain conditions as provided by the Act.
- Hold meetings in the jurisdiction of the legislative body.
- Allow and honor any person's request to provide and mail a copy of the agenda at the time the agenda is posted (at least 72 hours in advance) or of all the documents of the agenda packet of any meeting.
- Provide an opportunity for comment from members of the public to directly address the legislative body on any item of interest to the public on every agenda for regular meetings.
- Allow public criticism of the legislative body.
- Hold at least one public meeting, allowing for public comment, before adopting any new or increased general tax or increased assessment. The legislative body shall provide at least 45 days public notice of such meeting.
- Do not charge fees for the attendance to a meeting or for carrying out any provision in the Brown Act. The only exception is when legislative bodies are allowed to charge a fee that covers the cost of mailing an agenda or agenda packet. The Act also prohibits meetings in a place where the public needs to pay or purchase something.
- Disclose to the public agendas of public meetings and any other writings, when distributed to all, or a majority of all, of the members of a legislative body of a local agency. In addition, under

the California Public Records Act these documents shall be made available upon request and without delay.

- Preserve the order in meetings. Moreover, if a group willfully interrupts a meeting and the order can only be restored by the removal of disruptive individuals, then the legislative body may order the meeting room to be cleared. The session might be reinitiated and representatives of the media shall be allowed to stay and attend the session. The legislative body may also establish a procedure for readmitting individual(s) not responsible for the disruptive conduct that caused the meeting room to be cleared.

Violations of the Brown Act

Each member of a legislative body who has taken action in violation of any provision of the Brown Act, and where there was willful deprivation of information to the public, is guilty of a misdemeanor. Civil remedies (injunction, mandamus, declaratory relief and voiding past actions of the body) are provided in case of violation of the Brown Act (that is, for violations to requirements for: general open meeting, agenda posting, closed sessions, tax and assessment, special meetings and, emergency meetings). A court may award court costs and reasonable attorney fees to the plaintiff in an action brought pursuant.

In order to correct a violation to the Brown Act, a complaint to cure and correct has to be filed by the interested party within 30 days of the date the action was taken during an open meeting and in violation of agenda requirements, or within 90 days of the date the action was taken for all other cases. Once the legislative body has received the complaint, it has 30 days to cure or correct the challenged action, if it fails to do so, a person then may file suit to void the action.

APPENDIX 5

Form 700 – Statement of Economic Interests

Appendix 5

Form 700 – Statement of Economic Interests

The Political Reform Act (the Act) provides that public officials of local agencies such as city councils, county boards of supervisors, special districts, and school boards must disclose their "economic interests" periodically on forms provided by the Fair Political Practices Commission (FPPC). In addition, an agency is required to determine which of its other officials, commission members, and employees perform duties that involve potential conflicts of interest. The legislative body adopts a resolution outlining those positions, called "designated employees." These employees are required to disclose their economic interests.

Conflict of interest is a complex issue. Board members should carefully consider and monitor "gifts" from any person or organization whether the gifts are financial support, loans, event tickets, meals, etc. Many of these gifts may need to be reported and may present a conflict of interest when considering and/or voting on projects or issues related to the person presenting the gift. Questions relating to conflict of interest should be directed to the District's legal counsel or the FPPC.

The Form 700 Statement of Economic Interests (SEI) annual filings, due in April, cover the previous calendar year or from the last filing period, as required.

There are five components to the Form 700 SEI:

- **Assuming Office Statement** - If you are a newly appointed official or are newly employed in a position designated, or that will be designated, in a state or local agency's conflict of interest code, your assuming office date is the date you were sworn in or otherwise authorized to serve in the position. If you are a newly elected official, your assuming office date is the date you were sworn in.

Investments, interests in real property, and business positions held on the date you assumed the office or position must be reported. In addition, income (including loans, gifts, and travel payments) received during the 12 months prior to the date you assumed the office or position is reportable.

- **Annual Statement:** Generally, the period covered is January 1, through December 31. If the period covered by the statement is different than January 1 through December 31, (for example, you assumed office between October 1 and December 31, or you are combining statements), you must specify the period covered.

Investments, interests in real property, business positions held, and income (including loans, gifts, and travel payments) received during the period covered by the statement must be reported. Do not change the preprinted dates on Schedules A-1, A-2, and B unless you are required to report the acquisition or disposition of an interest that did not occur during the year.

- **Leaving Office Statement:** Generally, the period covered is January 1 through the date you stopped performing the duties of your position. If the period covered differs from January 1, through the date you stopped performing the duties of your position (for example, you assumed office between October 1 and December 31 or you are combining statements), the period covered must be specified. The reporting period can cover parts of two calendar years.

Investments, interests in real property, business positions held, and income (including loans, gifts, and travel payments) received during the period covered by the statement must be reported. Do not change the preprinted dates on Schedules A-1, A-2, and B unless you are required to report the acquisition or disposition of an interest that did not occur during the year.

- **Candidate Statement:** If you are filing a statement in connection with your candidacy for state or local office, investments, interests in real property, and business positions held on the date of filing your declaration of candidacy must be reported. In addition, income (including loans, gifts, and travel payments) received during the 12 months prior to the date of filing your declaration of candidacy is reportable. Do not change the preprinted dates on Schedules A-1, A-2, and B.

Candidates running for local elective offices (e.g., county sheriffs, city clerks, school board trustees, or water district board members) must file candidate statements, as required by the conflict of interest code for the elected position. The code may be obtained from the agency of the elected position.

- **Amendments:** If you discover errors or omissions on any statement, file an amendment as soon as possible. You are only required to amend the schedule that needs to be revised; it is not necessary to refile the entire form. Obtain amendment schedules from the FPPC website at www.fppc.ca.gov.

APPENDIX 6

Summary of Robert's Rules of Order

Appendix 6

Summary of Robert's Rules of Order

Robert's Rules of Order provides a set of common rules and procedures for deliberation and debate that places all persons involved on an equal footing and insures consistency in the manner and language used during the conduct of a meeting. The comportment of any business activity is controlled by the general will of those involved, based on a shared acceptance that decisions will be made by a deliberate majority. Fairness dictates that a minority has the right to require the assembly to act according to its considered judgment after a full and fair "working through" of the issues involved. Robert's Rules facilitates constructive and democratic meetings and are intended to help, not hinder, the business of the assembly. Under no circumstances should undue strictness be allowed to intimidate members or limit full participation.¹

Guidelines²

The following are the essential guidelines of Robert's Rules that should be employed during a meeting:

- **Motion:** To introduce a new piece of business or propose a decision or action, a motion must be made by a group member ("I move that....."). A second motion must then also be made (raise your hand and say, "I second it."). After limited discussion the group then votes on the motion. A majority vote is required for the motion to pass (or quorum as specified in your bylaws.)
- **Postpone Indefinitely:** This tactic is used to kill a motion. When passed, the motion cannot be reintroduced at that meeting. It may be brought up again at a later date. This is made as a motion ("I move to postpone indefinitely..."). A second is required. A majority vote is required to postpone the motion under consideration.
- **Amend:** This is the process used to change a motion under consideration. Perhaps you like the idea proposed but not exactly as offered. Raise your hand and make the following motion: "I move to amend the motion on the floor." This also requires a second. After the motion to amend is seconded, a majority vote is needed to decide whether the amendment is accepted. Then a vote is taken on the amended motion. In some organizations, a "friendly amendment" is made. If the person who made the original motion agrees with the suggested changes, the amended motion may be voted on without a separate vote to approve the amendment.
- **Commit:** This is used to place a motion in committee. It requires a second. A majority vote must rule to carry it. At the next meeting the committee is required to prepare a report on the motion committed. If an appropriate committee exists, the motion goes to that committee. If not, a new committee is established.
- **Question:** To end a debate immediately, the question is called (say "I call the question") and needs a second. A vote is held immediately (no further discussion is allowed). A two-thirds vote is required for passage. If it is passed, the motion on the floor is voted on immediately.

¹ Adapted from "Robert's Rules of Order - Summary Version", accessed online March 6, 2017, <http://www.robertsrules.org/>

² Adapted from "Parliamentary Procedure for Meetings", accessed online March 6, 2017, <http://www.ulm.edu/staffsenate/documents/roberts-rules-of-order.pdf>

- **Table:** To table a discussion is to lay aside the business at hand in such a manner that it will be considered later in the meeting or at another time ("I make a motion to table this discussion until the next meeting. In the meantime, we will get more information so we can better discuss the issue.") A second is needed and a majority vote required to table the item being discussed.
- **Adjourn:** A motion is made to end the meeting. A second motion is required. A majority vote is then required for the meeting to be adjourned (ended).

Parliamentary Application³

The following provides examples of how members of an assembly utilize Robert's Rules of Order during a meeting:

- **Main Motion:** A main motion must be moved, seconded, and stated by the chair before it can be discussed.
- **Second the Motion:** If you want to move, second, or speak to a motion, address the chair.
- **Vote to Approve:** If you approve the motion as is, vote for it
- **Vote to Disapprove:** If you disapprove the motion, vote against it
- **Changing the Motion:** If you approve the idea of the motion but want to change it, amend it or submit a substitute for it
- **Need More Information:** If you want advice or information to help you make your decision, move to refer the motion to an appropriate quorum or committee with instructions to report back.
- **Refer to Committee:** If you feel they can handle it better than the assembly, move to refer the motion to a quorum or committee with power to act.
- **Tabling the Motion:** If you feel that there the pending question(s) should be delayed so more urgent business can be considered, move to lay the motion on the table.
- **Defer Action:** If you want time to think the motion over, move that consideration be deferred to a certain time.
- **Move the Question:** If you think that further discussion is unnecessary, move the previous question.
- **Recalling a Motion:** If you think that the assembly should give further consideration to a motion referred to a quorum or committee, move the motion be recalled.
- **Reconsidering an Action:** If you think that the assembly should give further consideration to a matter already voted upon, move that it be reconsidered.
- **Appealing a Decision:** If you do not agree with a decision rendered by the chair, appeal the decision to the assembly.
- **Point of Order:** If you think that a matter introduced is not germane to the matter at hand, a point of order maybe raised.
- **Time Limit on Discussion:** If you think that too much time is being consumed by speakers, you can move a time limit on such speeches.

³ Ibid.

- **Divide the Motion:** If a motion has several parts, and you wish to vote differently on these parts, move to divide the motion.



DATE: April 9, 2020

TO: Board of Directors' Workshop – Policy

FROM: Heather Dyer, General Manager

SUBJECT: Discussion of District Policy Related to the Rights, Roles, and Responsibilities of Board of Directors Assigned Primary Representatives

Several Board members requested an item be added to an upcoming workshop to discuss the District policy related to the rights, roles, and responsibilities of assigned Primary Representatives.

Background

In an effort to better support the District's retail water providers, and in order for the District to stay well-informed of the activities and actions of the retail water providers, the Board of Directors developed what is called the Primary Representatives. The Primary Representatives are assigned to the Director representing the greatest percentage of population within each water retailer service area. This Director has the "first right" to be appointed, followed by the Directors representing smaller percentages within their Division. Director appointments are voluntary.

The role and responsibility of the Primary Representatives was discussed at the November 7, 2017, Board Meeting. Following that Board Meeting, adopted Guidelines were developed to govern the appointment process, and presented to the Board of Directors on December 19, 2017.

The role of the Primary Representatives is defined in the Board Handbook, Chapter 6 – Public Interaction, within the section titled “Representing an Official District Position.”

The agreed upon policy guidelines for assigned Primary Representatives are as follows:

- The role of a Primary Representative of a retail water provider is to report at the Valley District Board Meetings on actions taken by or being considered by water retailers that are of interest to all Valley District Directors;
- Reports are given under the Director Reports agenda item;
- Primary representatives have no authority to speak for the Valley District Board of Directors at water retailer meetings unless specifically authorized to do so by the Valley District Board of Directors;
- Primary representatives may only speak as an individual Director.

Fiscal Impact

There is no fiscal impact related to this item.

Staff Recommendation

Staff recommends the Board of Directors discuss this policy item in order to provide clarity for all Directors going forward.