



**Cabazon Water District**  
14618 Broadway Street • P.O. Box 297  
Cabazon, California 92230

**REGULAR BOARD MEETING**

**MINUTES**

**Meeting Location:**  
Cabazon Water District Office  
14618 Broadway Street  
Cabazon, California 92230

**Meeting Date:**  
August 15, 2017 – 6:00 PM

**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**REMEMBRANCE OF OUR SERVICE MEN AND WOMEN**

**ROLL CALL**

Director Teresa Bui - Present  
Director Maxine Israel - Present  
Director Sarah Wargo - Present  
Director Alan Davis - Present  
Director Robert Lynk - Present

Calvin Louie, General Manager - Present  
Elizabeth Lemus, Board Secretary - Present  
Cindy Byerrum, Financial Consultant - Absent  
Steve Anderson, Best Best & Krieger Law Firm - Present  
Joseph Ortiz, Best Best & Krieger Law Firm - Present

Note: This meeting was recorded by the District -

**CONSENT CALENDAR**

All matters in this category are considered to be consistent with the Board/District goals, District Policies and Regulations adopted and/or approved by the Board of Directors, and will be enacted in one motion. There will be no

separate discussion of these items. If discussion is required, items may be removed from the consent calendar and will be considered separately.

**1. Approval of:**

- a. Finance and Audit Committee Meeting Minutes and warrants approved by the committee of July 18, 2017
- b. Regular Board Meeting Minutes and warrants of July 18, 2017
- c. Special Board Meeting Minutes and warrants of August 9, 2017

**Motion to approve consent calendar items (a) Finance and Audit Committee Meeting Minutes and warrants approved by the committee of July 18, 2017, (b.) Regular Board Meeting Minutes and warrants of July 18, 2017, and (c.) Special Board Meeting Minutes and warrants of August 9, 2017, made by Director Israel and 2<sup>nd</sup> by Director Bui.**

Director Bui - Aye  
Director Israel - Aye  
Director Wargo - Aye  
Director Davis - Aye  
Director Lynk - Aye

- 2. Warrants – None
- 3. Awards of Contracts – None

**UPDATES**

- 1. Update: San Gorgonio Pass Regional Water Alliance Update  
(by Director Israel)
- 2. Update: Manager's Operations Report  
(by General Manager Louie)

**OLD BUSINESS**

- 1. Discussion: Sustainable Ground Water Update  
(by General Manager Louie & Steve Anderson)

**NEW BUSINESS**

- 1. Discussion/Action: Customer Complaint: collectively filed by Teresa Bui, Ernie Saldana, Robert Stephenson, and Virginia Stephenson

Mr. Saldana explained that he, his wife Teresa Bui, and his mother and father in-law (Virginia and Robert Stephenson) have suffered physical and emotional distress/ailments due to comments made by Calvin Louie, and are seeking damages.

Motion to further discuss the Customer Complaint made collectively by Teresa Bui, Ernie Saldana, Robert Stephenson, and Virginia Stephenson during closed session made by Director Wargo and 2<sup>nd</sup> by Director Israel.

Director Bui - Abstain  
Director Israel - Aye  
Director Wargo - Aye  
Director Davis - Aye  
Director Lynk - Aye

2. Discussion/Action: Approval of Resolution 03-2017: District Debt Management Policy

Motion to approve Resolution 03-2017: District Debt Management Policy made by Director Israel and 2<sup>nd</sup> by Director Davis.

Director Bui - Nay  
Director Israel - Aye  
Director Wargo - Aye  
Director Davis - Aye  
Director Lynk - Aye

Entered into Closed Session at 18:32 hr.

CLOSED SESSION

- (1) COFERENCE WITH LEGAL COUNSEL – Potential Litigation vs. Cabazon Water District and General Manager
- (2) CONFERENCE WITH LEGAL COUNSEL – General Manager's Annual Performance Review

OPEN SESSION (at 19:42 hr.)

Report to the public of action taken by the Board, if any.

No reportable action regarding the Saldana/Bui/Stephenson Customer Complaint

No reportable action regarding the General Manager's Annual Performance Review

Motion to deny the Saldana/Bui/Stephenson investigation against the District's General Manager Calvin Louie and their claim\* made by Director Israel and 2<sup>nd</sup> by Director Davis.

Director Bui - Abstain  
Director Israel - Aye  
Director Wargo - Nay  
Director Davis - Aye  
Director Lynk - Aye

\*MOTION CLARIFICATION NOTE: It was understood that there was a request for an investigation (part of the request), and in clarification during the meeting, it was heard that there was also a request for damages (a second part of the request). A request for damages usually takes the form of money, and when you bring a claim for damages against a public agency in the form of a complaint it is considered a tort claim under the

government code. In this case, the Board has to either approve or deny that claim. The request for the investigation and the request for the claim were both simultaneously denied by Director Israel, 2<sup>nd</sup> by Director Davis, and a majority vote (3 – ayes, 1 nay, 1 abstain) was obtained.

### PUBLIC COMMENTS

Any person may address the Board of Directors at this time on any matter within the subject matter jurisdiction of the Cabazon Water District that is not listed on the agenda; however, any matter that requires action will be referred to staff for investigation and reported at a subsequent Board of Directors meeting. The Board of Directors is prohibited by law from discussing or taking immediate action on items during this public comment period. To comment on specific agenda items, please advise the Board secretary prior to the meeting. Each public comment will be limited to three (3) minutes. Individuals may not give their time away to another spokesperson. After two (2) minutes, the speaker will be notified that he/she has one (1) minute remaining. AB 1234 ORAL REPORTS (Gov. Code Sec. 53232.3(d))

### GENERAL MANAGER/BOARD COMMENTS

#### 1. Future Agenda Items

The Board Chair or the majority of the Board may direct staff to investigate and report back to an individual(s) and the Board on matters suggested or direct the General Manager/Board Secretary to place the matter on a future Board meeting.

- Suggested agenda items from the Public.
  1. Customer Concern: Mr. Juan Perez petitioning water service at his Dolores property (supported by Directors Wargo and Bui)
- Suggested agenda items from Management.
- Suggested agenda items from Board Members.
  1. Discussion/Action Item: 2018 California Rural Water Association (CRWA) Annual Conference (supported by Directors Wargo and Israel)
  2. Discussion/Action Item: San Geronio Pass Water Agency (SGPWA) letter of support regarding SWPWA leasing water from Antelope Valley-East Kern Water Agency, commonly referred to as “Nickel Water” (supported by Directors Lynk and Israel)

#### 2. Management Comments

Staff members may speak on items of information not requiring comment or discussion to the Board and public. Topics which may be included on a future meeting agenda may be presented but cannot be discussed. (3 minutes)

#### 3. Board Member Comments

Board members may speak on items of information not requiring comment or discussion to the Board and public. (3 minutes)

### MISCELLANEOUS

1. Future Board Items/Next Board Meeting Date(s)

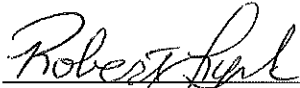
- a. Finance & Audit Workshop – Tuesday – September 19, 2017, 5:00 pm
- b. Regular Board Meeting – Tuesday – September 19, 2017, 6:00 pm
- c. Personnel Committee – None
- d. San Gorgonio Pass Regional Water Alliance – Alliance Meeting - Wednesday – August 30, 2017 - 5:00 PM to 7:00 PM

**ADJOURNMENT**

Motion to adjourn at 20:52 hr. made by Director Davis and 2<sup>nd</sup> by Director Israel.

No opposition was made by Board or public to adjourn the meeting.

Meeting adjourned at 20:52 hr. on Tuesday, August 15, 2017



Robert Lynk, Board Chair  
Board of Directors  
Cabazon Water District



Elizabeth Lemus, Secretary  
Board of Directors  
Cabazon Water District

ADA Compliance Issues

*In compliance with the Americans with Disabilities Act & Government Code Section 54954.2, if special assistance is needed to participate in a Board meeting, please contact the Clerk of the Board at (951) 849-4442. Notification of at least 48 hours prior to meeting time will assist staff in assuring that reasonable arrangements can be made to provide access.*