



Cabazon Water District
14-618 Broadway Street • P.O. Box 297
Cabazon, California 92230

REGULAR BOARD MEETING

Minutes

Meeting Location:
Cabazon Water District Office
14-618 Broadway Street
Cabazon, California 92230

Meeting Date:
March 16, 2015 – 6:00 PM

CALL TO ORDER

PLEDGE OF ALLEGIANCE

REMEMBRANCE OF OUR SERVICE MEN AND WOMEN

ROLL CALL

Director Joseph Tobias - Present
Director Teresa Bui - Present
Director Martin Sanderson - Present
Board Vice Chair Janet Mejia - Present
Board Chair Kerri Mariner - Present

Calvin Louie, General Manager - Present
Elizabeth C. Lemus, Board Secretary - Present
Linda S. Halley, Financial Consultant - Absent
Joseph Ortiz, Best Best & Krieger Law Firm - Absent
Steve Anderson, Best Best & Krieger Law Firm - Present

Note: This meeting was recorded by the District -

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))

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 February 23, 2015, regarding January 2015 Financials
- b. AB1234 Ethics Training Minutes of February 23, 2015
- c. Regular Board Meeting Minutes of February 23, 2015

2. Warrants – None

3. Awards of Contracts – None

Motion to approve consent calendar item (a.) Finance and Audit Committee Meeting Minutes of February 23, 2015, regarding January 2015 Financials made by Director Sanderson and 2nd by Director Mejia

Director Tobias - Aye

Director Bui - Aye

Director Sanderson - Aye

Director Mejia - Aye

Director Mariner - Aye

Motion to approve consent calendar item (b.) AB1234 Ethics Training Minutes of February 23, 2015 made by Director Bui and 2nd by Director Sanderson

Director Tobias - Aye

Director Bui - Aye

Director Sanderson - Aye

Director Mejia - Aye

Director Mariner - Aye

Motion to approve consent calendar item (c.)* Regular Board Meeting Minutes of February 23, 2015, unchanged, made by Director Bui and 2nd by Director Sanderson

Director Tobias - Nay
Director Bui - Nay
Director Sanderson - Aye
Director Mejia - Aye
Director Mariner – Aye

***NOTES:**

- Director Mariner stated: the Chair had the authority to add Maxine Israel's request onto the agenda when Director Bui claimed it was improper. (Referencing pg. 2 of 2/23/15 regular minutes)
- Director Bui: wanted it noted that she is formally making a harassment case against the Board Secretary for harassment in the minutes.

UPDATES

Update: San Gorgonio Pass Water Taskforce Update
(by Director Mariner)

Update: Manager's Operations Report
(by General Manager Louie)

OLD BUSINESS

1. Discussion/Action: Customer Concern: Nicholas Christiansen, Mission St.
Acct. No. 3-3067NC

Motion to table Nicholas Christiansen (Acct. No. 3-3067NC) agenda item for the April Regular Board Meeting made by Director Bui and 2nd by Director Mejia.

Director Tobias - Aye
Director Bui - Aye
Director Sanderson - Aye
Director Mejia - Aye
Director Mariner – Aye

2. Discussion/Action: Approval of revisions to Director Policies
(by Board & General Counsel)
 - a. Approval of CIVILITY POLICY
 - b. Approval of policy for adding Future Items onto the Agenda by Board members.
 - c. Discussion on public request to the Board to add items onto the Agenda.
 - d. Public Comment Cards for Items on the Agenda (by Director Sanderson)

NOTE: Director Mariner suggested that on page 2, section D of the Civility Policy: "...District Secretary or her designee" and all other consequently similar language to be changed to "...his or her designee"; no objections were voiced by the Board regarding this change.

On page 2, section E, second bullet of the Civility Policy, Motion to approve Board Packets being ready for distribution on the Tuesday before the Regular Scheduled Board Meeting Monday, made by Director Mejia, and 2nd by Director Sanderson.

**Director Tobias - Nay
Director Bui - Nay
Director Sanderson - Aye
Director Mejia - Aye
Director Mariner – Aye**

On page 2, section E, second paragraph of the Civility Policy, Motion to eliminate the time limit (hour[s] when the packets will be ready by: "1:30 pm and 4:30 pm"), made by Director Mejia, and 2nd by Director Sanderson.

**Director Tobias - Nay
Director Bui - Nay
Director Sanderson - Aye
Director Mejia - Aye
Director Mariner – Aye**

On page 3, section F of the Civility Policy, Motion to approve section F with no changes made by Director Mejia, and 2nd by Director Sanderson.

**Director Tobias - Nay
Director Bui – Nay *
Director Sanderson - Aye
Director Mejia - Aye
Director Mariner – Aye**

***NOTE: Director Bui stated: Mr. Tobias voted no because he sees favoritism on the board, which she (Bui) concurred with Director Tobias.**

Motion to take a 5-minute break at 19:20 hr. made by Director Bui, 2nd by Director Sanderson. No objections were made, and the Board reconvened at 19:25 hr.

Motion to accept the Civility Policy with the few minor notations (as explained above) made by Director Mejia and 2nd by Director Sanderson.

**Director Tobias - Abstain
Director Bui – Aye
Director Sanderson - Aye
Director Mejia - Aye
Director Mariner – Aye**

NOTE: (Regarding the implementation of Public Comment Cards), Director Bui wished it noted that she believed comment cards should be addressed in alphabetical order; (i.e., someone with the last name beginning with "A" would be granted to speak before someone who's last name ended in "D", regardless of who submitted a comment card first.)

- 3. Discussion/Action: Request for reorganization of the Board (Chair and Vice Chair positions) by Director Sanderson.**

Motion to appoint Director Mejia as Board Chair made by Director Sanderson and 2nd by Director Mariner.

Director Tobias - Nay
Director Bui - Nay
Director Sanderson - Aye
Director Mejia - Aye
Director Mariner – Aye

Amended motion to have Director Mejia act as Board Chair at the close of the March 16, 2015 Regular Board Meeting made by Director Mejia and 2nd by Director Sanderson.

Director Tobias - Aye
Director Bui - Nay
Director Sanderson - Aye
Director Mejia - Aye
Director Mariner – Aye

Motion to determine a time limit and end the March 16, 2015 Regular Board Meeting at 21:00 hr. made by Director Tobias and 2nd by Director Bui.

Director Tobias - Aye
Director Bui – Aye*
Director Sanderson - Nay
Director Mejia - Nay
Director Mariner – Nay

***NOTE: Director Bui wanted it noted: she voted "aye" due to Director Tobias's health.**

Motion to nominate Director Sanderson as the Board Vice Chair, to act as Vice Chair at the close of the March 16, 2015 Regular Board Meeting made by Director Sanderson and 2nd by Director Tobias.

Director Tobias - Aye
Director Bui - Nay
Director Sanderson - Aye
Director Mejia - Aye
Director Mariner – Aye

4. Discussion/Action: Website Developer & Webmaster – Approval of proposed RFP (by General Manager)

Motion to approve the Website Request for Proposal (RFP) and to authorize the General Manager to obtain estimates for services made by Director Mariner and 2nd by Director Sanderson.

Director Tobias - Aye
Director Bui - Aye
Director Sanderson - Aye
Director Mejia - Aye
Director Mariner – Aye

5. Discussion/Action: California Sustainable Groundwater Management Act Workshop – Board to select a date and time. (by General Manager & Legal Counsel)

It was the consensus of the Board to select Tuesday, April 14, 2015, at 11:00 am to hold a California Sustainable Groundwater Management Act Workshop, to be given by Atty. Steve Anderson. No objections to this were heard by the Board or public.

6. Discussion/Action: Selection of “ad hoc” committee to work with two Board members from other water retailers and San Geronio Pass Water Agency to discuss and review SGPWA plans on long-term water supply planning. (by General Manager & Board)
- a. Selection of two (2) Board members

NOTE: The General Manager informed the Board that this item was to be placed on hold for the time being.

7. Discussion/Action: Approval of the Request for Proposal (RFP) and Contract for Emergency Response, Repair, and Pipeline Maintenance Crew RFP (by General Manager)

- New Policy for Line Maintenance and Repair Contracts (by Director Tobias and Director Bui)

Motion to accept the proposed Request for Proposal (RFP) and Contract for Emergency Response, Repair, and Pipeline Maintenance Crew RFP made by Director Bui and 2nd by Director Mejia.

Director Tobias - Aye
Director Bui - Aye
Director Sanderson - Aye
Director Mejia - Aye
Director Mariner – Aye

A request to take a 5-minute break at 21:00 hr. was made by Director Bui. No objections were made, and the Board reconvened at 21:05 hr.

NEW BUSINESS

1. Discussion/Action: April Board meeting reschedule to April 13, 2015 due to scheduling conflicts. (by General Manager)

Motion to reschedule the April Regular Board Meeting to be held on Monday, April 13, 2015, made by Director Sanderson and 2nd by Director Mejia.

Director Tobias - Aye
Director Bui - Aye
Director Sanderson - Aye
Director Mejia - Aye
Director Mariner – Aye

2. Discussion /Action: Complaint against Director Teresa Bui
Improper Conduct – filed by Cabazon Resident
Dishonesty – filed by Calvin Louie, General Manager

Some discussion was held between Directors, the General Manager, and Mr. Saldana. Please refer to the General Manager's March 10, 2015 "Subj: Director Teresa Bui – Dishonesty" Memorandum, which explains the three (3) remedies that the General Manager recommended, and refer to the 3-16-15 Regular Board Meeting Audio for the full discussion content.

There was no motion/passing of GM suggested Remedy #1.

GM suggested Remedy #2 was voted to pass with Director Sanderson and Director Mariner voting "yes/pass" votes, with Director Mejia voting a "nay" vote, but Director Tobias and Director Bui did not express a vote.

It was recommended that the Board move into Closed Session to further discuss this item, but Director Sanderson and Director Tobias began to vacate the premises (dismiss themselves from the remainder of the Board meeting).

Due to Director Sanderson and Director Tobias wanting to leave, Closed session was not entered into, and a motion to close the Board Meeting was abruptly made:

Motion to adjourn at 22:05 hr. made by Director Mariner and 2nd by Director Tobias.

No roll-call votes were made, but neither were there any objections voiced to closing the meeting.

PUBLIC COMMENTS REGARDING CLOSED SESSION

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 listed on the agenda for Closed Session; 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))

NOTE: Item not discussed. Due to Director Sanderson and Director Tobias wanting to leave, Closed session was not entered into, and a motion to close the Board Meeting was abruptly made:

Motion to adjourn at 22:05 hr. made by Director Mariner and 2nd by Director Tobias.

No roll-call votes were made, but neither were there any objections voiced to closing the meeting.

CLOSED SESSION

1. Conference with Legal Counsel – Anticipated Litigation

Significant Exposure to litigation pursuant to Government Code section 54956.9(d)(2) (1 case)

NOTE: Item not discussed. Due to Director Sanderson and Director Tobias wanting to leave, Closed session was not entered into, and a motion to close the Board Meeting was abruptly made:

Motion to adjourn at 22:05 hr. made by Director Mariner and 2nd by Director Tobias.

No roll-call votes were made, but neither were there any objections voiced to closing the meeting.

OPEN SESSION

Report to Public of Action Taken in Closed Session (if any)

NOTE: Item not discussed. Due to Director Sanderson and Director Tobias wanting to leave, Closed session was not entered into, and a motion to close the Board Meeting was abruptly made:

Motion to adjourn at 22:05 hr. made by Director Mariner and 2nd by Director Tobias.

No roll-call votes were made, but neither were there any objections voiced to closing the meeting.

BOARD/GENERAL MANAGER 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.
- Suggested agenda items from Board Members.
- Suggested agenda items from Management.

NOTE: Item not discussed. Due to Director Sanderson and Director Tobias wanting to leave, Closed session was not entered into, and a motion to close the Board Meeting was abruptly made:

Motion to adjourn at 22:05 hr. made by Director Mariner and 2nd by Director Tobias.

No roll-call votes were made, but neither were there any objections voiced to closing the meeting.

2. Board Member Comments

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

NOTE: Item not discussed. Due to Director Sanderson and Director Tobias wanting to leave, Closed session was not entered into, and a motion to close the Board Meeting was abruptly made:

Motion to adjourn at 22:05 hr. made by Director Mariner and 2nd by Director Tobias.

No roll-call votes were made, but neither were there any objections voiced to closing the meeting.

3. 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)

NOTE: Item not discussed. Due to Director Sanderson and Director Tobias wanting to leave, Closed session was not entered into, and a motion to close the Board Meeting was abruptly made:

Motion to adjourn at 22:05 hr. made by Director Mariner and 2nd by Director Tobias.

No roll-call votes were made, but neither were there any objections voiced to closing the meeting.

MISCELLANEOUS

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

- a. Finance & Audit Workshop – April 13, 2015, 3:45 pm
- b. Regular Board Meeting – April 13, 2015, 6:00 pm
- c. Personnel Committee – None
- d. San Gorgonio Water Task Force – Technical Committee – Banning City Hall
March 25, 2015 – 4:30 PM
- e. San Gorgonio Water Task Force – General Meeting – Banning City Hall – March 25, 2015
– 6:00 PM

NOTE: Item not discussed. Due to Director Sanderson and Director Tobias wanting to leave, Closed session was not entered into, and a motion to close the Board Meeting was abruptly made:

Motion to adjourn at 22:05 hr. made by Director Mariner and 2nd by Director Tobias.

No roll-call votes were made, but neither were there any objections voiced to closing the meeting.

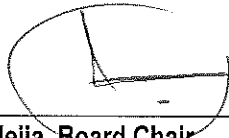
ADJOURNMENT

NOTE: Due to Director Sanderson and Director Tobias wanting to leave, Closed session was not entered into, and a motion to close the Board Meeting was abruptly made:

Motion to adjourn at 22:05 hr. made by Director Mariner and 2nd by Director Tobias.

No roll-call votes were made, but neither were there any objections voiced to closing the meeting.

Meeting adjourned at 22:05 hr. on Monday, March 16, 2015



Janet Mejia, 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.