



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:
May 18, 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 Kerri Mariner - Present
Board Vice Chair Martin Sanderson - Present
Board Chair Janet Mejia - Present

Calvin Louie, General Manager - Present
Elizabeth C. Lemus, Board Secretary - Present
Steve Anderson, 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 April 13, 2015, regarding February 2015 Financials
- b. Regular Board Meeting Minutes of April 13, 2015
- c. Special Board Meeting Minutes of April 14, 2015

2. Warrants – None

3. Awards of Contracts – None

Motion to approve consent calendar items (a.) Finance and Audit Committee Meeting Minutes and warrants approved by the committee of April 13, 2015, regarding February 2015 Financials b.) Regular Board Meeting Minutes of April 13, 2015, and (c) Special Board Meeting Minutes of April 14, 2015 made by Director Sanderson and 2nd by Director Mariner.

Director Tobias - Aye

Director Bui - Nay

Director Sanderson - Aye

Director Mariner - Aye

Director Mejia - Aye

UPDATES

Update: San Gorgonio Pass Water Taskforce Update
(by General Manager Louie)

- Updates

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

- DHPO Update Production Well #5
- Almond Vault and Reservoir (Tank) #3 Update
- FY 2015-2016 Budget Update
- Calls for Service
- Collection Activities

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))

Closed session was entered into at 19:09 hr. Director Bui asked legal if it was proper for her to attend the Closed Session meeting, and it was advised that Director Bui should refrain from attending this Closed Session since it related to her. Director Bui excluded herself from attending this closed session discussion (refer to meeting audio for full discussion relating to this matter).

CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION
(Significant Exposure to litigation pursuant to Government Code section 54956.9(d)(2) (1 case))

OPEN SESSION

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

No reportable action taken. It was agreed by the Board during closed session that this matter should be handled administratively as if it were any other customer situation.

A 10-minute break was called at 19:35 hr., and the meeting resumed at 19:41 hr.

NEW BUSINESS

1. Discussion/Action: Selection of Emergency Response & Water Pipeline Maintenance Contractor – Award of Contract (by the Board); Authorization for General Manager to Negotiate Agreement

Motion to table this item for the June 15th Board Meeting made by Director Tobias 2nd by Director Bui.

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

Motion Failed.

Motion to table this item to be discussed later during this meeting (to be discussed after New Business Agenda Item #8) made by Director Sanderson, 2nd by Director Mariner.

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

2. Discussion/Action: Billboard or large sign to notify the public of Board meetings. (by Director Bui and Director Sanderson)

Motion to authorize General Manager Louie to obtain pricing information for a solid metal billboard (to post in front of the District office) vs. pricing for an electronic window sign, for the intention of notifying customers of upcoming Board Meetings, and to report back findings during the next meeting, made by Director Mejia 2nd by Director Tobias.

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

3. Discussion/Action: Revise line-up of Board comments to Management, then Board with final comments from the Chairperson (by Director Tobias)

Motion to approve the revised line-up of meeting-end comments to be as follows: 1) Management Comments, 2) Board Comments, to take effect during the June board meeting, made by Director Mariner 2nd by Director Tobias.

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

4. Discussion/Action: Adoption of regulations regarding payment of the cost of Registrar of Voters County of Riverside Director election candidate statement(s)

Directors to determine whether the District or each individual candidate will pay for Director Election candidate statements through the County Registrar of Voters Office.

Estimated cost: \$325 per candidate statement

Motion to have each candidate pay for their own Director election candidate statement(s) through the County Registrar of Voters Office (The District is Not to pay for candidate statements) made by Director Mariner 2nd by Director Sanderson.

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

5. Discussion/Action: Establish Ad hoc Committee – General Manager Annual Performance Review (PE) (by General Manager and Board)

- Date to meet and review proposed PE for Board comments and approval.

Motion to appoint Director Tobias and Director Mejia to for the General Manager Annual Performance Review Ad Hoc Committee made by Director Mariner 2nd by Director Tobias.

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

6. Discussion/Action: Approval to remove Casino Morongo water account (2000 – 2005) from the books. (by General Manager)

Motion to remove Casino Morongo water account (2000-2005) from the books per auditor and General Manager recommendation made by Director Mariner 2nd by Director Sanderson.

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

7. Discussion/Action: Approval of Charles Z. Fedak & Co. Engagement Letter for Auditing Services for the Year Ended June 30, 2015. (by General Manager)

Motion to approve the Charles Z. Fedak & Co. Engagement Letter for Auditing Services for the Year Ended June 30, 2015 made by Director Sanderson 2nd by Director Mariner.

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

8. Discussion/Action: Board to determine whether to seek \$100 payment from a former Director that was inadvertently compensated for one day. (by General Manager & Administrative Assistant)

- This item was discovered by the auditors. They did not have a preference one way or the other if the Board decided to pursue the \$100 refund or forgive it, but they wanted the Board to be aware of the situation and determine what should be done.

Motion to pursue the \$100 refund from former Director RD Cash made by Director Tobias 2nd by Director Mariner.

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

OLD BUSINESS

None

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))

*NOTE: Public comment was moved ahead so that the public could state their comments without having to wait through the remainder of the Board Meeting.

A 10-minute break was made before the start of Public Comments Regarding Closed Session and Closed Session.

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

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CLOSED SESSION

1. Conference with Legal Counsel – Anticipated Litigation

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

OPEN SESSION

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

No reportable action taken during closed session.

NEW BUSINESS*

*NOTE: Closer to the beginning of this meeting, the Board motioned to table this item until after going through the other items (refer to above minutes and/or audio). The Board now came back to this item for a decision.

1. Discussion/Action: Selection of Emergency Response & Water Pipeline Maintenance Contractor – Award of Contract (by the Board); Authorization for General Manager to Negotiate Agreement

Motion to award Merlin Construction the Emergency Response and Water Pipeline Maintenance Contractor Award of Contract and authorize the GM to negotiate agreement made by Director Bui, 2nd by _____ (no one).

Motion died.

Motion to award Doolittle Construction the Emergency Response and Water Pipeline Maintenance Contractor Award of Contract and authorize the GM to negotiate agreement made by Director Sanderson, 2nd by _____ (no one).

Motion died.

Motion to nominate Director Mariner and Director Bui to be on an ad hoc committee together to meet and discuss matters regarding the selection of an emergency response and water pipeline maintenance contractor, to report back to the Board during the June regular meeting in an effort to assist the Board with selecting a contractor made by Director Mejia and 2nd by Director Sanderson.

Director Bui and Director Mariner were to meet at the District office on Thursday, May 21, 2015 at 4:00 pm.

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

Motion to table the Selection of Emergency Response & Water Pipeline Maintenance Contractor – Award of Contract (by the Board); Authorization for General Manager to Negotiate Agreement until the June regular Board meeting made by Director Sanderson, 2nd by Director Bui.

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

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.

2. Board Member Comments

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

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)

MISCELLANEOUS

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

- a. Finance & Audit Workshop – June 15, 2015, 3:45 pm
- b. Regular Board Meeting – June 15, 2015, 6:00 pm
- c. Personnel Committee – None

- d. San Gorgonio Water Task Force – Technical Committee – Banning City Hall
May 27, 2015 – 4:30 PM
- e. San Gorgonio Water Task Force – General Meeting – Banning City Hall – May 27, 2015 –
6:00 PM

ADJOURNMENT

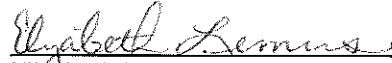
Motion to adjourn at 22:04 hr. made by Director Mejia 2nd by _____ *

*NOTE: No second was made, nor was a roll call vote made, but there were no objections voiced by either the Board or public to adjourning the Board meeting. Everyone began dispersing from the Board room after Director Mejia's announcement.

Meeting adjourned at 22:04 hr. on Monday, May 18, 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.