



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:
September 21, 2015 – 6:00 PM

CALL TO ORDER

By Chairperson Janet Mejia at 1803 hr.

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 - Absent
Steve Anderson, Best Best & Krieger Law Firm - Present

Note: This meeting was recorded by the District – 1803 hr.

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 20, 2015, regarding June 2015 Financials
- b. Regular Board Meeting Minutes and warrants of July 20, 2015

Director Bui motioned to approve the FAC and regular meeting minutes separately and it was **second by Director Tobias**. Director Bui stated she wanted it to be added in the Minutes of the August 17, 2015 regular Board meeting that Ernie Saldana provide handouts to the Board and public.

Motion to approve the minutes of the FAC meeting of August 17, 2015 made by Director Bui and 2nd by Director Mariner.

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

Motion to approve the minutes of the regular Board meeting of August 17, 2015 made by Director Bui and 2nd by Director Tobias.

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

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

UPDATES

**Update: San Gorgonio Pass Water Tack Force Update
(by Director Kerri Mariner)**

Director Mariner briefed the Board and public of the San Gorgonio Pass Regional Water Alliance activities. During the discussion Director Tobias motioned for the Board to develop a water conservation program for the Community. It was second by Director Sanderson.

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

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

- **Member of Public Governing Board Participating in Nonprofit and other Community Organizations**

GM Louie referred to a copy of the opinion written by the legal department. Mr. Anderson of BB&K also provided his input and Board members was given the opportunity to ask questions. In answering Director Tobias's question, Mr. Anderson noted New Business, Item 2 Funding & Volunteering for Cabazon Christmas and stated there are one or more candidates running for seat on the water board. If they are elected, they will need to adhere to Conflict of Interest rules and regulations.

- **Calls for Service**

GM Louie reported there were numerous SCADA alerts and two leaks, one on Bonita and Lois. Director Bui asked the GM Louie about 49317 Dale Court. GM Louie replied when he reports about Calls for Services, they are emergencies and calls during non-business hours.

NEW BUSINESS

**1. Discussion/Action: Board Approval to Adopt Fiscal Year Budget
 July 1, 2015 – June 30, 2016**

Director Tobias stated he was unable to read his Board packet because of his impaired vision.

Director Bui claims the current contractor still owes the District money.

GM Louie noted on page 3 of 5 pages, in the Preliminary Proposed Budget FYE 06/30/2016, Account 53350 Alarms shows a projected annual budget \$550.00 and Account 54120 Gas, shows a projected annual budget \$900.00. During the FAC meeting, Ms. Halley, the District's Financial Advisor stated there was a mistake in those line items. She will adjust the difference of \$500.00 from Account 54120 to 53350.

Motion to approve proposed Fiscal Year Budget July 1, 2015 through June 30, 2016 made by Director Sanderson and 2nd by Director Mariner.

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

2. Discussion/Action: Funding & Volunteering for Cabazon Christmas (by Cabazon Neighborhood Association)

TABLED

3. Discussion/Action: Water Rights in Jensen Canyon (by Director Sanderson and Director Mariner)

Motion to instruct the General Manager to research & develop a proposal to deliver non-potable water from Jensen Canyon made by Director Sanderson and 2nd by Director Mariner.

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

4. Discussion/Action: Government Codes and/or Rules on how a Board is to be run and Conduct of members of the Board, management, and staff. (By Director Tobias and Director Bui)

Director Tobias provided a hand out title "Governance rules outlining board/staff relationships. After brief discussion it was the consensus of the Board to have the Legal Department incorporate Director Tobias's outline to the Board's Civility Code.

5. Discussion/Action: Water District "By-laws" Review or Establish (by Director Bui and Director Tobias)

Director Bui stated the above covered her topic.

OLD BUSINESS

1. Discussion/Action: Work Order Procedures (by General Manager Louie)

Motion to continue with the current procedure using the FAC to approve all repairs and maintenance \$1,500.00 or more, exceptions are Emergencies and estimates under \$1,500.00, and must be agenized within twenty-four (24) hours prior to the meeting date made by Director Sanderson and 2nd by Director Mariner.

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

Director Mejia - Aye

**2. Discussion/Action: Outsourcing or In-house for Landscaping and Weed Abatement
(By General Manager Louie)**

GM Louie stated the District is unable to afford landscaping and weed abatement. He will utilize the monthly budget of \$12,500.00 and in-house personnel.

Director Bui said she was desirous of volunteering her and her family one time to trim trees and weed abatement for the center median on Main Street. Mr. Anderson informed Director Bui there may be a conflict of a Director volunteering and the District having volunteers (juveniles or adult). Mr. Anderson will check with his law firm's labor attorney, Mr. Ortiz.

**3. Discussion/Action: Billboard or large sign to notify the public of Board meetings. (by
General Manager Louie)**

GM Louie reported he had found the same make and model at a lower price. He's awaiting an answer from the vendor to confirm this.

**4. Discussion/Action: Tour of Water Facilities for Water Board Candidates and the Public
(By Director Mariner)**

It was consensus of the Board, including the following Water Board Candidates that was present; Alan Davis, Maxine Israel, Robert Lynk, Diana Morris, and Sarah Wargo all agreed to Wednesday, September 30, 2015, at 1:30 PM. The Board instructed GM Louie to contact the other two candidates (Irma Jorquera and Julie Rossiter) who were not present at the meeting.

**5. Discussion/Action: A verbal complaint alleging spending public
funds for employee morale. (by General Manager Louie & Steve
Anderson, BB&K)**

Mr. Anderson explained to the Board that making purchasing meals to boost staff morale with public funds within reasons is acceptable. Unless the Board want to set policy to not allow public funds to be pay for occasion meals or other items to boost Staff morale, it's at the discretion of Management.

No motion was made by the Board.

**6. Discussion/Action: Allegations of Janet Mejia's water service serves an unpermitted
Building or structure. (by General Manager Louie & Steve
Anderson, BB&K)**

Director Mejia recused herself from the dais and sat in the audience. Mr. Anderson stated he reviewed the complaint and the ordinances of the Cabazon Water District (the District). He was unable to find any District ordinance(s) prohibiting the District from serving water to a parcel with or without unpermitted structure(s). Mr. Anderson suggested to Mr. Saldana he should call the County of Riverside Code Enforcement.

7. Discussion: On-call Emergency Repair and Water Pipeline Crew proposed Renewal contract. (By General Manager Louie & Steve Anderson, BB&K)
- Board shall select two (2) Directors for an Ad hoc committee to review the draft and make a recommendation to the Board during the October 19, 2015 Board meeting.

Motion to appointed Director Mariner and Director Tobias to participate in the Ad hoc Committee to meet with the General Manager Louie and Steve Anderson from BB&K on September 30, 2015, at 8:30 AM, District's administration facility located at 14618 Broadway Street, Cabazon, California. Made by Director Sanderson and 2nd by Director Mariner.

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

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

1. Public Employee Performance Evaluation Pursuant to Government Code Section 54957
Title: General Manager

OPEN SESSION

Report to Public of Action Taken, if any

TABLED

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.

Director Tobias supported Mr. Saldana's allegation of the District paying mileage to Director Mariner for transporting staff to Redlands Toyota to service the two (2) Tundra. It was supported by Director Mariner.

- Suggested agenda items from Management.
- Suggested agenda items from Board Members.

Director Bui suggested the GM's visit to 49317 Dale Court, Cabazon, California be added to the October 19, 2015 regular meeting. It was supported by Director Tobias.

Director Mariner suggested the GM should call a different Director each week for a brief summary of water district activities. Mr. Anderson warned this could be construed as networking by the GM if he is not careful in discussing the same topics with three (3) or more Directors.

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)

General Manager Louie took this opportunity to respond to Mr. Saldana's allegations, including of never receiving answers to Director Bui's concerns regarding the Doolittle contract. The GM passing out again, to the Board and public a memorandum dated August 13, 2015 addressing the old Doolittle contract.

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 – October 19, 2015, 3:45 pm
- b. Regular Board Meeting – October 19, 2015, 6:00 pm
- c. Personnel Committee – None
- d. San Gorgonio Pass Regional Water Alliance – Technical Committee – Banning City Hall
September 23, 2015 – 4:30 PM
- e. San Gorgonio Pass Regional Water Alliance – General Meeting – Banning City Hall –
September 23, 2015 – 6:00 PM

ADJOURNMENT



**Janet Mejia, Board Chair
Board of Directors
Cabazon Water District**



**Calvin Louie, Interim 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.