

**MINUTES OF THE REGULAR MEETING  
OF THE BOARD OF DIRECTORS  
OF THE MONTE VISTA WATER DISTRICT**

January 9, 2019

**DIRECTORS PRESENT:**

Sandra Rose, President  
Philip Erwin, Vice President  
Tony Lopez, Director/Auditor  
G. Michael Milhiser, Director  
Manny Martinez, Director

**DIRECTORS ABSENT:**

None

**STAFF PRESENT:**

Mark N. Kinsey, General Manager  
Andrew Gagen, Legal Counsel  
Ray Harton, Director of Finance & Administrative Services  
Van Jew, Director of Engineering, Operations & Maintenance  
Betty Conti, Human Resources & Risk Administrator  
Kelley Donaldson, Community Affairs Manager  
Gabby Garcia, Executive Assistant

**OTHERS IN ATTENDANCE:**

None

**CALL TO ORDER**

President Rose called the meeting to order at 6:35 p.m.

**FLAG SALUTE**

President Rose led those assembled in the Flag Salute

**PUBLIC COMMENT/OPEN FORUM**

None

**AGENDA CHANGES/ADDITIONS**

## ITEM 1: CONSENT CALENDAR

A. Upon motion by Director Milhiser seconded by Vice President Erwin and unanimously carried:

### M19-01-01

**MOVED:** Approval of Consent Calendar:

- A. Meeting minutes of December 12, 2018
- B. Quarterly Financial Reporting for the First Quarter of FYE 2019
- C. Approve an amendment to the FYE 2019 Amended Budget by authorizing a transfer of \$23,205 from reserves into the Benson Avenue and Arrow Highway Transmission Main Repair Project (EN2019-06).

## ITEM 2: FINANCIAL REPORTS

### A. Register of Demands

Director of Finance & Administrative Services Ray Harton presented the Register of Demands for November 2018.

Upon motion by Director Milhiser seconded by President Rose and unanimously carried:

### M19-01-02

**MOVED:** Approved the Register of Demands for November 2018

### B. Financial Summaries

Director of Finance & Administrative Services Ray Harton presented the Financial Summaries for November 2018.

Upon motion by Director Milhiser seconded by Director Martinez and unanimously carried:

### M19-01-03

**MOVED:** Approved the Financial Summaries for November 2018

## ITEM 3: DISCUSSION AND/OR ACTION ITEMS

### A. Caltrans Reimbursement Agreement on the Public Avenue Bridge Project

Director of Engineering, Operations & Maintenance provided a graphical presentation of the project performed by the California Department of Transportation (Caltrans) which is the bridge replacement work along the California State Route 60 freeway and this bridge is within the District's service area. Mr. Jew said the District has an 8-inch waterline inside the bridge and will need to disconnect this water line to accommodate for the bridge work and reconstruct the pipeline after the new bridge is complete. Mr. Jew continued to say that Caltrans offered their contractor to complete a portion of the District-related work on the bridge, allowing Caltrans to retain control over the quality of work and schedule, resulting in less time the freeway will be shut down for construction related activities. Mr. Jew also stated this approach would be cost-effective for the District when compared to the District retaining a separate contractor to complete the work. Mr. Jew stated the Caltrans Utility Agreement identifies that Caltrans' contractor will construct pipe hangers and casing for the District and the District will reimburse Caltrans an estimated \$75,900 for completion of the work.. Discussion ensued during the presentation.

Upon motion by Director Milhiser seconded by Vice President Erwin and unanimously carried:

**M19-01-04**

**MOVED:** Authorize the General Manager to enter into a Utility Agreement with Caltrans subject to acceptable "Buy America" language.

**B. Election of Officers**

General Manager Kinsey explained that the District's Bylaws call for the election of officers every two years following an election. He requested that the Board hold elections for the positions of President, Vice President, and Board Auditor. Board discussion ensued.

Upon motion by Director Milhiser seconded by Vice President Erwin and unanimously carried:

**M19-01-05**

**MOVED:** Director Sandra Rose will serve as President

Upon motion by Vice President Erwin seconded by Director Lopez and unanimously carried:

**M19-01-06**

**MOVED:** Director Michael Milhiser will serve as Vice-President

Upon motion by President Rose seconded by Director Milhiser and unanimously carried:

**M19-01-07**

**MOVED:** Director Manny Martinez will serve as Director/Board Auditor

**ITEM 8: GENERAL MANAGER COMMENTS**

General Manager Kinsey briefed the Board on issues and activities of the past two weeks.

**ITEM 9: BOARD COMMITTEE REPORTS**

None.

**ITEM 10: BOARD COMMENTS (*Reports on Conferences/Meetings Attended at District Expense*)**

Director Milhiser commented on his nephew John Milhiser, Attorney who was appointed and confirmed by the U.S. Senate to serve as County State's Attorney for the Central District of Illinois.

Director Martinez commented on his attendance at the Watermaster 40<sup>th</sup> Anniversary event.

**ITEM 11: CLOSED SESSION**

President Rose recessed the meeting to closed session at 7:00 p.m. to discuss:

**A. Conference with Legal Counsel – Existing Litigation (GC §54956.9[a])**

Case Number RCV 51010: CBMWD v. City of Chino et al.

**B. Conference with Legal Counsel – Existing Litigation (GC §54956.9[a])**

Case Number CIVDS 1800720, Monte Vista Water District & City of Chino v. The Dow Chemical Company; DOW Agrosiences, LLC; Shell Oil Company.

**C. Conference with Real Property Negotiations (GC§54956.8)**

**Real Property:** Northwest corner of Monte Vista Avenue and Palo Verde Street  
Parcel No. 1009-142-01

**MVWD Negotiators:** Mark Kinsey

**Negotiating Parties:** San Bernardino County Transportation Authority

**Under Negotiation:** Terms and Conditions

President Rose reconvened the meeting into open session at 7:35 p.m. and stated that no reportable action was taken on items A, B, or C.

There being no further business, President Rose adjourned tonight's meeting at 7:35 p.m.

Respectfully submitted,



Mark N. Kinsey  
General Manager/Secretary