



Approved: May 2, 2022

Executive Committee Meeting

ACWA JPIA
2100 Professional Drive
Roseville, CA 95661
(800) 231-5742

March 30, 2022

This meeting consisted of a simultaneous Zoom teleconference call at the ACWA JPIA, 2100 Professional Drive, Roseville, CA 95661 and the following remote sites:

- Bockmiller – 1965 Placentia Avenue, Costa Mesa
- Drake – 325 Rock Ridge Place, Escondido
- Gladbach - 27491 Hillcrest Place, Valencia
- Green – 6151 Kimberly Drive, Huntington Beach
- Hastey – 3000 Plumas Arboga Road, Plumas Lake
- Reed - 6171 Columbus Court, Alta Loma
- Rupp - 828 7th Street, Eureka

MEMBERS PRESENT

Chairman: E.G. “Jerry” Gladbach, Santa Clarita Valley Water Agency

Vice-chair: Melody A. McDonald, San Bernardino Valley Water Conservation District
Fred R. Bockmiller, Mesa Water District

David Drake, Rincon del Diablo Municipal Water District

Cathy Green, ACWA VP, Orange County Water District

Brent Hastey, Yuba Water Agency

Randall Reed, Cucamonga Valley Water District

J. Bruce Rupp, Humboldt Bay Municipal Water District

MEMBERS ABSENT

None.

STAFF PRESENT

Chief Executive Officer/Secretary: Walter “Andy” Sells

Laura Baryak, Administrative Assistant II

Adrienne Beatty, Assistant Executive Officer

Chimene Camacho, Executive Assistant to the CEO (*Recording Secretary*)

Sarah Crawford, Training Manager

Cassie Crittenden, Human Resource Specialist

Robin Flint, Risk Control Manager

Robert Greenfield, General Counsel

Pete Korfhage, IT Solutions Developer

Debbie Kyburz, Lead Member Service Representative

Jennifer Nogosek, Liability and Property Claims Manager

Jackie Rech, Employee Benefits Specialist
Jillian Sciancalepore, Administrative Assistant II
Monica Sisco, Sr. Work Compensation Examiner
Patricia Slaven, Director of Human Resources and Administration
Sandra Smith, Employee Benefits Manager
Dan Steele, Finance Manager
Shelley Tippit, Accountant II
Tandra Vaughan, Lead Sr. Workers' Compensation Examiner
Chuck Wagenseller, Cost Estimator/Risk Control Advisor
Nidia Watkins, Member Services Representative II

OTHERS IN ATTENDANCE

Dave Eggerton, ACWA Executive Director
Ed Horton, Placer County Water Agency

WELCOME

Chairman Gladbach welcomed everyone in attendance.

CALL TO ORDER AND ANNOUNCEMENT OF QUORUM

Chairman Gladbach called the meeting to order at 1:01 p.m. He announced there was a quorum.

PLEDGE OF ALLEGIANCE

Chairman Gladbach led the Pledge of Allegiance.

ANNOUNCEMENT RECORDING OF MEETING

Chairman Gladbach announced that the meeting would be recorded to assist in preparation of minutes. Recordings are kept 30 days following the meeting, as mandated by the California Brown Act.

PUBLIC COMMENT

Chairman Gladbach noted that, as the agenda stated, members of the public would be allowed to address the Executive Committee on any agenda item prior to the Committee's decision on that item. Comments on any issues on the agenda, or not on the agenda, were also welcomed. No comments were brought forward.

INTRODUCTIONS

Chairman Gladbach introduced the Executive Committee members. Mr. Sells introduced staff members and guests.

ADDITIONS TO OR DELETIONS FROM THE AGENDA

Chairman Gladbach asked for any additions to, or deletions from, the agenda. Mr. Sells requested that Closed Session Item #1 Abraham, et al. v. Rancho California Water District be deleted from the agenda.

CONSENT AGENDA

Chairman Gladbach called for approval of the Consent Agenda:

M/S/C (Drake/Hastey) (Bockmiller-Yes; Drake-Yes; Green-Yes; Hastey-Yes; McDonald-Yes; Reed-Yes; Rupp-Yes; Gladbach-Yes): That the Executive Committee approve the minutes of the January 31, 2022 meeting; and approve the JPIA disbursements of: Vendor Payments, Employee Benefits Claim Payments, Payroll, and summary of confidential claims payments for the Liability, Property, & Workers' Compensation Programs: January 16-31, 2022; February 1-15, 2022; February 16-28, 2022; and March 1-15, 2022.

ADMINISTRATION

Meetings Attended on Behalf of the JPIA

Committee members reported on attending Board meetings on behalf of the JPIA to present the RSF (Rate Stabilization Fund) refund checks. Mr. Reed attended Palmdale Water District's Board meeting and Ms. Green, along with Mr. Sells and Ms. Beatty, attended El Toro Water District's Board meeting. Ms. McDonald attended virtual Board meetings at Sweetwater Authority and South Coast Water District. She also reported attending the ACWA Board dinner and meeting last week.

Review of Strategic Planning Session to be held June 15-17, 2022

Mr. Sells stated that the Strategic Planning Session has been re-scheduled to June 15-17, 2022 to be held in Costa Mesa. He noted that the agenda would be created in collaboration with Chairman Gladbach and Vice-chair McDonald and stated that the final agenda will be shared via email.

Report on Qualified Candidates for the Upcoming Executive Committee Special Election

Mr. Sells stated that the Executive Committee Special Election during the Board of Directors' meeting scheduled for May 2, 2022 will fill a vacant position on the Executive Committee for the remainder of the term until May 2025. The deadline to qualify to be on the ballot is April 4, 2022. To date, the JPIA has received qualifying resolutions for one candidate, Pamela Tobin, San Juan Water District.

Report on Qualified Candidates for the Upcoming California Water Insurance Fund Election

Mr. Sells stated that the CWIF election to be held during the JPIA's Board of Directors' meeting on May 2, 2022 will fill two CWIF Board member positions for their complete terms of two years each. The two incumbents are the only candidates running for this election: Andrew Morris, Santa Rosa Regional Resources Authority, and Scott H. Quady, Calleguas Municipal Water District.

Update on Refund Check Presentations

Ms. Camacho reported that all the Board refund check presentations have been confirmed. The Committee members have all received confirmation emails. Presentation checks will be mailed directly to the districts.

PROGRAMS

Significant Claims Report

Ms. Nogosek reported on claims settlements that had been previously presented for authority. The following cases have been settled since this Committee's last meeting.

- **Conger, et al vs Montecito Water District (8/3/2020)**
This claim involved a broken 10-inch cast-iron pipe break where water bubbled under the roadway and found its way to the sanitary district which resulted in sewage overflowing into three multi-million dollar homes. The claims for emergency services, repairs, additional living expenses, moving, storage and contents have been resolved for a total of \$1,733,103.51.
- **City of Chula Vista vs Otay Water District (10/6/2020)**
This claim involved a broken 20-inch PVC line which caused damage to 17,640 square feet of asphalt, gutters, curbs and sidewalks. This claim was resolved for a total of \$204,941.94.
- **City of Chula Vista vs Otay Water District (1/3/2021)**
This claim involved a broken 16-inch PVC line which caused extensive damage to 27,550 square feet of roadway. This claim was resolved for a total of \$502,048.83.
- **City of Chula Vista vs Otay Water District (4/5/2021)**
This claim involved a broken 20-inch PVC line which caused damage to 3,495 square feet of asphalt, gutters, curbs and sidewalks. This claim was resolved for a total of \$142,649.28.

Review And Take Action on the San Bernardino Valley Municipal Water District's Hydroelectric Operation

Ms. Kyburz presented that the San Bernardino Valley Municipal Water District has completed construction on a new 1.03 MW hydroelectric facility: Waterman Hydroelectric Project with operations scheduled to commence in April 2022. District staff will operate the facility and power will be sold to Southern California Edison Company. Staff visited the facility and reported that all safety protocols are in place. The facility will be added to the District's property schedule, for a total insurable value of \$2,875,000. As per the JPIA's Policy requiring Executive Committee approval of new operations engaged in after the inception of the coverage period that represent an increased exposure to the Liability Program, the addition of the Waterman Hydroelectric Project to the Liability Program is being presented to the Executive Committee for coverage consideration.

M/S/C (Reed/McDonald) (Bockmiller-Yes; Drake-Yes; Green-Yes; Haste-Yes; McDonald-Yes; Reed-Yes; Rupp-Yes; Gladbach-Yes): That the Executive Committee approve liability coverage for the hydroelectric power operations of San Bernardino Valley Municipal Water District.

FINANCE AND AUDIT COMMITTEE

Chairman McDonald presented the recommendations of the Finance and Audit Committee from its meeting on March 30, 2022.

M/S/C (McDonald/Rupp) (Bockmiller-Yes; Drake-Yes; Green-Yes; Haste-Yes; McDonald-Yes; Reed-Yes; Rupp-Yes; Gladbach-Yes): That the Executive Committee accept the recommendation of the Finance and Audit Committee to approve the Annual Comprehensive Financial Report for year ended September 30, 2021, as presented.

M/S/C (McDonald/Haste) (Bockmiller-Yes; Drake-Yes; Green-Yes; Haste-Yes; McDonald-Yes; Reed-Yes; Rupp-Yes; Gladbach-Yes): That the Executive Committee accept the recommendation of the Finance and Audit Committee to approve the proposed Operating Budget for Fiscal Year 2022-23, as presented, and to round up numbers for presentation at the JPIA Board of Directors meetings.

MEMBERSHIP

Ms. Watkins presented the Tri-District Water Authority's application for admission into the Liability, Workers' Compensation, and Employee Benefits Programs. Tri-District Water Authority (Authority) was formed on February 1, 2022, under a Joint Powers Agreement between Exeter Irrigation District (EID), Ivanhoe Irrigation District (IID), and Stone Corral Irrigation District (SCID). IID has been a member of the JPIA since 2003, participating in the Liability, Property, and Employee Benefits Programs. Both EID and SCID currently participate in the Employee Benefits Program. The three Districts are under contract for a water supply with the U.S. Bureau of Reclamation as part of the Friant Division of the Central Valley Project (CVP). The three Boards share similar values and have a history of working cooperatively. The Authority has vicarious liability risk while acting on behalf of the Districts, therefore, the three Districts have agreed to amend the JPA Agreement adding indemnification in favor of the Authority and providing certificates and endorsements adding the Authority as Additional Insured on their respective general liability policies. The JPIA coverage provided to the Authority will have a sublimit, no higher than the total existing amount of coverage each District's insurance carrier provides for claims that involve the Authority and the respective District. A Risk Assessment conducted by the JPIA's Risk Management Department concluded with a favorable opinion about staff and operations, and a Service Plan, to be completed within 30-90 days, was established. See packet for details.

M/S/C (Haste/Rupp) (Bockmiller-Yes; Drake-Yes; Green-Yes; Haste-Yes; McDonald-Yes; Reed-Yes; Rupp-Yes; Gladbach-Yes): That the Executive Committee approve Tri-District Water Authority's application for admission into the Liability, Workers' Compensation, and Employee Benefits Programs, subject to the satisfactory completion of the Risk Management Service Plan.

MISCELLANEOUS

Future agenda items

None.

CEO and Managers Update

Mr. Sells reported on the challenges encountered obtaining blanket coverage for the Cyber Program. Due to the hard market, the Property Program renewal has also predictably presented many challenges. At this time, options are being explored for both programs.

Ms. Beatty reported on the new Pooling Academy (Academy) created jointly by AGRIP, CAJPA and the National League of Cities. The Academy is an online training resource for public entity pooling professionals, which will be a valuable training program not just for staff, but also for the Executive Committee. Since the JPIA is a member of AGRIP and CAJPA, group discounts are available and will depend on how many individuals are enrolled. The plan is to have a monthly roundtable for each session making this a yearlong training process for participants.

Mr. Eggerton, ACWA Executive Director, provided an update on ACWA's current events and initiatives including the creation of a foundation of inclusion and diversity in the water industry.

JPIA's Managers reported on relevant current events in each of their departments.

General Counsel Update

Mr. Greenfield reported on proposed new legislation including changes to the Brown Act.

Availability for next meeting: The Executive Committee is scheduled to meet next at Spring Conference in Sacramento on May 2, 2022.

CLOSED SESSION

Before proceeding into closed session, General Counsel announced the items to be discussed.

M/S/C (McDonald/Drake) (Bockmiller-Yes; Drake-Yes; Gladbach-Yes; Green-Yes; Hastey-Yes; McDonald-Yes; Reed-Yes; Rupp-Yes): That the Executive Committee adjourn to closed session.

At approximately 2:28 p.m., the Executive Committee, upon advice of General Counsel, adjourned to closed session:

- A. Conference with Legal Counsel (tort liability losses, public liability losses/claims, or workers' compensation liability claims) – Pursuant to Government Code Sec. 54956.95.

1. Lojacono v. Moulton Niguel WD (DOL 11/15/2017)
2. City of Chula Vista v. Otay WD (DOL 7/25/2021)
3. William Enos v. Palmdale WD (DOL 3/23/2015)
4. Soria v. Tulare ID (DOL 10/19/2011; 3/14/2018; & CT 3/14/2017-3/14/2018)

M/S/C (Rupp/McDonald) (Bockmiller-Yes; Drake-Yes; Gladbach-Yes; Green-Yes; Hastey-Yes; McDonald-Yes; Reed-Yes; Rupp-Yes): That the Executive Committee reconvene to open session.

The Committee returned to open session at approximately 2:47 p.m.

- Closed session item 1: No action was taken; direction given to staff
- Closed session item 2: No action was taken; direction given to staff.
- Closed session item 3: No action was taken; direction given to staff.
- Closed session item 4: No action was taken; direction given to staff.

The Executive Committee meeting adjourned at 2:48 p.m.

Attest:

X

E.G. "Jerry" Gladbach
Chairman

X

Walter A. Sells
Secretary