

**AGENDA
SPECIAL COMMISSION MEETING OF THE
CHINO BASIN REGIONAL FINANCING AUTHORITY**

**WEDNESDAY, JANUARY 5, 2022
9:50 A.M.**

**VIEW THE MEETING LIVE ONLINE AT IEUA.ORG
TELEPHONE ACCESS: (415) 856-9169 / Conf Code: 811 003 35#**

PURSUANT TO AB361 AND RESOLUTION NO. 2021-12-1, ADOPTED BY THE CBRFA COMMISSIONERS ON DECEMBER 8, 2021, CBRFA MEETINGS WILL CONTINUE TO BE CONDUCTED THROUGH TELECONFERENCE IN AN EFFORT TO PROTECT PUBLIC HEALTH AND PREVENT THE SPREAD OF COVID-19. THERE WILL BE NO PUBLIC LOCATION AVAILABLE FOR ATTENDING THE MEETING IN PERSON.

The public may participate and provide public comment during the meeting by dialing into the number provided above. Comments may also be submitted by email to the Board Secretary/Office Manager Denise Garzaro at dgarzaro@ieua.org prior to the completion of the Public Comment section of the meeting. Comments will be distributed to the Commissioners.

CALL TO ORDER OF THE CHINO BASIN REGIONAL FINANCING AUTHORITY

FLAG SALUTE

PUBLIC COMMENT

Members of the public may address the Commission on any item that is within the jurisdiction of the Commission; however, no action may be taken on any item not appearing on the agenda unless the action is otherwise authorized by Subdivision (b) of Section 54954.2 of the Government Code. Those persons wishing to address the Commission on any matter, whether or not it appears on the agenda, are requested to email the Board Secretary/Office Manager prior to the public comment section or request to address the Commission during the public comments section of the meeting. Comments will be limited to three minutes per speaker. Thank you.

ADDITIONS TO THE AGENDA

In accordance with Section 54954.2 of the Government Code (Brown Act), additions to the agenda require two-thirds vote of the legislative body, or, if less than two-thirds of the members are present, a unanimous vote of those members present, that there is a need to take immediate action and that the need for action came to the attention of the local agency subsequent to the agenda being posted.

1. **ACTION ITEMS**

A. **ADOPTION OF RESOLUTION NO. 2022-1-1, MAKING CERTAIN FINDINGS AND DETERMINATIONS REGARDING SPECIAL RULES FOR CONDUCTING MEETINGS THROUGH TELECONFERENCE**

It is recommended that the Commissioners Adopt Resolution No. 2022-1-1, making certain findings and determinations regarding special rules for conducting meetings through teleconference for a period of 30 days.

B. **MINUTES**

Approve minutes of December 8, 2021 Chino Basin Regional Financing Authority Commission meeting.

C. **ELECTION OF OFFICERS**

It is recommended that the Commissioners elect a President, Vice President, and Secretary to the Chino Basin Regional Financing Authority.

D. **APPOINTMENT OF THE CHINO BASIN REGIONAL FINANCING AUTHORITY TREASURER, ALTERNATE TREASURER AND GENERAL MANAGER**

It is recommended that the Commissioners approve the appointment of Acting Executive Manager of Finance and Administration/AGM Javier Chagoyen-Lazaro to serve as Treasurer, appoint Manager of Finance and Accounting Deborah Berry to serve as the alternate Treasurer, and General Manager Shivaji Deshmukh to serve as CBRFA General Manager for 2022.

ADJOURN

Declaration of Posting

I, Denise Garzaro, CMC, Board Secretary/Office Manager of the Inland Empire Utilities Agency*, a Municipal Water District, hereby certify that, per Government Code Section 54954.2, a copy of this agenda has been posted at the Agency's main office, 6075 Kimball Avenue, Building A, Chino, CA and on the Agency's website at www.ieua.org at least seventy-two (72) hours prior to the meeting date and time above.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Board Secretary at (909) 993-1736 or dgarzaro@ieua.org, 48 hours prior to the scheduled meeting so that IEUA can make reasonable arrangements to ensure accessibility.

ACTION ITEM
1A

CHINO BASIN REGIONAL FINANCING AUTHORITY

Date: January 5, 2022

To: The Honorable Commissioners

From: Shivaji Deshmukh *SD*
General Manager

Subject: Adoption of Resolution No. 2022-1-1, Making Certain Findings and Determinations Regarding Special Rules for Conducting Meetings through Teleconference

RECOMMENDATION

It is recommended that the Board of Commissioners Adopt Resolution No. 2022-1-1, Making Certain Findings and Determinations Regarding Special Rules for Conducting Meetings through Teleconference

BACKGROUND

On March 4, 2020, Governor Newsom declared a state of emergency pursuant to Government Code 8625 due to the COVID-19 pandemic and recommended, together with local officials, measures for social distancing to assist in abating the spread of COVID-19; and on March 17, 2020, the Governor issued Executive Order N-29-20 which, among other things, suspended certain Brown Act rules governing the use of teleconferencing of local agency board meetings. Executive Order N-29-20 expired on September 30, 2021, while the state of emergency is still in place.

In response to the ongoing COVID-19 pandemic, the California legislature has enacted, and the Governor signed into law, AB 361 amending portions of Government Code 54953, allowing for the continued use of teleconferencing for local agency board meetings while suspending the conditions and restrictions of Government Code 54953(b)(3) if the legislative body of the local agency makes certain findings. The legislative body must make these findings every 30 days to continue the use of teleconferencing.

PRIOR COMMISSION ACTION

On December 8, 2021, the Commission approved Resolution No. 2021-12-1, Making Certain Findings and Determinations Regarding Special Rules for Conducting Meetings through Teleconference.

IMPACT ON BUDGET

None

RESOLUTION NO. 2022-1-1

A RESOLUTION OF THE CHINO BASIN REGIONAL FINANCING AUTHORITY, MAKING CERTAIN FINDINGS AND DETERMINATIONS REGARDING SPECIAL RULES FOR CONDUCTING MEETINGS THROUGH TELECONFERENCE

WHEREAS, the Chino Basin Regional Financing Authority (the “Authority”), a joint exercise of powers authority duly organized and existing under and pursuant to the Constitution and laws of the State of California; and

WHEREAS, all meetings of the Commission of the Authority (the “Commission”) are conducted in open and public settings in compliance with the Ralph M. Brown Act (Brown Act) so that any member of the public may attend, participate and watch the Authority’s Commission conduct their business; and

WHEREAS, on March 4, 2020, the Governor declared a state of emergency pursuant to Government Code 8625 due to the COVID-19 pandemic and has recommended, together with local officials, measures for social distancing to assist in abating the spread of COVID-19; and

WHEREAS, on March 17, 2020, the Governor issued Executive Order N-29-20 which, among other things, suspended certain Brown Act rules governing the use of teleconferencing of local agency board meetings; and

WHEREAS, Executive Order N-29-20 expired on September 30, 2021; and

WHEREAS, the California legislature has enacted, and the Governor has signed into law, AB 361 amending portions of Government Code 54953, allowing for the continued use of teleconferencing for local agency board meetings while suspending the conditions and restrictions of Government Code 54953(b)(3) if the legislative body of the local agency makes certain findings;

WHEREAS, On December 8, 2021 the Commissioners of Chino Basin Regional Financing Authority approved Resolution 2021-11-1 making certain factual findings, and authorizing the continued use of teleconferencing for CBRFA Commission meetings for an effective period of 30 days; and

NOW, THEREFORE, BE IT RESOLVED that the Commission of the Chino Basin Regional Financing Authority hereby make the following findings and determinations:

SECTION 1. The Governor has proclaimed a state of emergency on March 4, 2020 which continues.

SECTION 2. The Governor and local officials have promoted the use of social distancing as a method to abate the spread of COVID-19 within the community. The Commission finds that conducting in person meetings of the Commission of the Chino Basin Regional Financing Authority would be inimical to social distancing and would present imminent risks to the health or safety of the attendees and conducting meetings by teleconference would diminish that risk.

SECTION 3. The Commission will continue to conduct Commission meetings by teleconference in compliance with Government Code 54953(e) until such time as the Governor has terminated the state of emergency and the risk to health and safety of meeting attendees is sufficiently diminished or as otherwise required by law. Notice of meetings and posted agendas will contain information which allows members of the public to access the meeting and address the Commission and offer public comment including an opportunity for all persons to attend via a call-in option or an internet-based service option.

SECTION 4. This Resolution shall take effect immediately upon its adoption and shall be effective for 30 days or until such time as the Commission adopts a subsequent resolution in accordance with Government Code 54953(e)(3) to extend the time during which meetings of the Commission may be conducted by teleconference without compliance with Government Code 54953(3)(b).

ADOPTED this 5th day of January, 2022.

_____, President of the Chino
Basin Regional Financing Authority and the
Board of Commissioners thereof

ATTEST:

_____,'

Secretary of the Chino Basin
Regional Financing Authority and the
Board of Commissioners thereof

ACTION ITEM
1B

**MINUTES OF THE
COMMISSION MEETING OF
THE CHINO BASIN REGIONAL FINANCING AUTHORITY
DECEMBER 8, 2021**

COMMISSIONER PRESENT:

Jasmin A. Hall, President

COMMISSIONERS PRESENT via Video/Teleconference:

Michael Camacho, Vice President (*joined at 9:23 a.m.*)

Steven J. Elie, Commissioner

Paul Hofer, Commissioner

Marco Tule, Commissioner

STAFF PRESENT:

Shivaji Deshmukh, P.E., General Manager

Christiana Daisy, P.E., Deputy General Manager

Denise Garzaro, Board Secretary/Office Manager

Daniel Solorzano, Network Administrator

STAFF PRESENT via Video/Teleconference:

Kathy Besser, Executive Manager of External & Government Affairs/AGM

Javier Chagoyen-Lazaro, Acting Executive Manager of Finance & Administration/AGM

Joshua Aguilar, Senior Engineer

Kevin Asprer, Associate Engineer

Deborah Berry, Manager of Finance & Accounting

Jerry Burke, Manager of Engineering

Andy Campbell, Groundwater Recharge Coordinator/Hydrogeologist

Robert Delgado, Manager of Operations & Maintenance

Don Hamlett, Acting Deputy Manager of Integrated Systems Services

Elizabeth Hurst, Senior Environmental Resource Planner

Jennifer Hy-Luk, Acting Executive Assistant

Cathleen Pieroni, Manager of Inter-Agency Relations

Jeanina Romero, Executive Assistant

James Spears, Senior Engineer

Travis Sprague, Principal Engineer

Wilson To, Technology Specialist II

Teresa Velarde, Manager of Internal Audit

Jamal Zughbi, P.E., Senior Engineer/Project Manager

OTHERS PRESENT via Microsoft Teams Meeting:

Jean Cihigoyenette, JC Law Firm

Travis Hickey, IEUA Audit Committee Advisor

Nitin Patel, CliftonLarsenAllen

A Commission meeting of the Chino Basin Regional Financing Authority (CBRFA) was held at the Inland Empire Utilities Agency Headquarters, 6075 Kimball Avenue, Bldg. A, Chino, California and via video/teleconference on the above date.

CALL TO ORDER

President Hall called the meeting to order at 9:20 a.m. Senior Water Treatment Operator Kyle Jones led the Pledge of Allegiance. Board Secretary/Office Manager Denise Garzaro took roll call and established that a quorum was present.

President Hall provided directions on how the public may address the Commission. There were no public comments received. There were no additions or deletions to the agenda.

1. ACTION ITEMS

A. ADOPTION OF RESOLUTION NO. 2021-12-1, MAKING CERTAIN FINDING AND DETERMINATIONS REGARDING SPECIAL RULES FOR CONDUCTING MEETINGS THROUGH TELECONFERENCE

General Counsel Jean Cihigoyenetché noted that since the state of emergency regarding the COVID-19 pandemic is still in place, and in an effort to protect public health it is recommended that the Commissioners continue to conduct meetings through teleconference. He added that the Commissioners will need to make the findings every 30 days to continue to conduct meetings under the special rules.

MOVED BY COMMISSIONER ELIE, SECONDED BY COMMISSIONER TULE, THE COMMISSION ADOPTED RESOLUTION NO. 2021-12-1, MAKING CERTAIN FINDINGS AND DETERMINATIONS REGARDING SPECIAL RULES FOR CONDUCTING MEETINGS THROUGH TELECONFERENCE, BY THE FOLLOWING VOTE:

Ayes: Camacho, Elie, Hall, Hofer, Tule
Noes: None
Absent: None
Abstain: None

B. MINUTES

Commissioner Hofer announced that he was not present at the January 20, 2021 meeting and would abstain from voting on the approval of the meeting minutes.

MOVED BY COMMISSIONER ELIE, SECONDED BY COMMISSIONER TULE, THE COMMISSION APPROVED THE MINUTES OF THE JANUARY 20, 2021 CHINO BASIN REGIONAL FINANCING AUTHORITY COMMISSION MEETING, BY THE FOLLOWING VOTE:

Ayes: Camacho, Elie, Hall, Tule
Noes: None
Absent: None
Abstain: Hofer

C. CHINO BASIN REGIONAL FINANCING AUTHORITY FISCAL YEAR 2020/21 ANNUAL FINANCIAL STATEMENTS

Acting Executive Manager of Finance & Administration/AGM Javier Chagoyen-Lazaro provided a background on the purpose of the Financing Authority and presented a brief overview of the CBRFA FY 2020/21 financial statements.

MOVED BY COMMISSIONER CAMACHO, SECONDED BY COMMISSIONER HOFER, THE COMMISSION APPROVED THE FINANCIAL STATEMENTS FOR THE FY ENDED JUNE 30, 2021; AND DIRECTED STAFF TO DISTRIBUTE THE REPORTS, AS APPROPRIATE, TO VARIOUS FEDERAL, STATE AND LOCAL AGENCIES, FINANCIAL INSTITUTIONS, AND OTHER INTERESTED PARTIES, BY THE FOLLOWING VOTE:

Ayes:	Camacho, Elie, Hall, Hofer, Tule
Noes:	None
Absent:	None
Abstain:	None

ADJOURNMENT

With no further business, President Hall adjourned the meeting at 9:29 a.m.

Commissioner Elie, CBRFA Secretary

APPROVED: JANUARY 5, 2022

ACTION ITEM
1C

CHINO BASIN REGIONAL FINANCING AUTHORITY

Date: January 5, 2022

To: The Honorable Commissioners

From: Shivaji Deshmukh *SD*
General Manager

Subject: Election of Officers

RECOMMENDATION

It is recommended that the Board of Commissioners elect a President, Vice President, and Secretary to the Chino Basin Regional Financing Authority.

BACKGROUND

In accordance with the JPA (Section 4.02), at its first meeting in each calendar year, the Commission shall elect a President, Vice President, and Secretary.

The current officers are as follows: President – Jasmin A. Hall, Vice President – Michael Camacho, and Secretary – Steven J. Elie.

The next election will be conducted in January 2023.

PRIOR BOARD ACTION

On January 20, 2021, the Commissioners elected Director Jasmin A. Hall for President, Director Michael Camacho for Vice President and Director Steven J. Elie for Secretary to the Chino Basin Regional Financing Authority.

IMPACT ON BUDGET

None.

SD/dg

ACTION ITEM
1D

CHINO BASIN REGIONAL FINANCING AUTHORITY

Date: January 19, 2022

To: The Honorable Commissioners

From: Shivaji Deshmukh *SD*
General Manager

Subject: Appointment of the Chino Basin Regional Financing Authority Treasurer,
Alternate Treasurer and General Manager

RECOMMENDATION

It is recommended that the Commissioners approve the appointment of Acting Executive Manager of Finance and Administration/AGM Javier Chagoyen-Lazaro to serve as Treasurer, appoint Manager of Finance and Accounting Deborah Berry to serve as the alternate Treasurer, and General Manager Shivaji Deshmukh to serve as CBRFA General Manager for 2022.

BACKGROUND

In accordance with the JPA (Section 4.8), it is recommended that the Commissioners delegate the powers and duties of the Treasurer's office to the Executive Manager of Finance and Administration/AGM of the Inland Empire Utilities Agency.

It is also recommended that the Commissioners appoint an alternate Treasurer, which is in accordance with the JPA (Section 4.10).

The Commission shall have the power to appoint and employ such other officers, employees, consultants, and independent contracts as it may deem necessary for the purposes of this Agreement, any of whom may be employees of a Member, and who shall have such powers, duties, and responsibilities as are determined by the Commission.

PRIOR BOARD ACTION

On January 20, 2021, the Commissioners re-appointed Christina Valencia, Executive Manager of Finance and Administration/AGM, as Treasurer for the Chino Basin Regional Financing Authority and Javier Chagoyen-Lazaro, Manager of Finance and Accounting, as alternate Treasurer.

IMPACT ON BUDGET

None.

SD/dg