

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

**WEDNESDAY, JANUARY 18, 2023
10:00 A.M.**

**VIEW THE MEETING LIVE ONLINE AT IEUA.ORG
TELEPHONE ACCESS: (415) 856-9169 / Conf Code: 852 166 573#**

PURSUANT TO AB361 AND RESOLUTION NO. 2022-12-1, ADOPTED BY THE CBRFA COMMISSIONERS ON DECEMBER 21, 2022, CBRFA MEETINGS WILL CONTINUE TO BE CONDUCTED THROUGH TELECONFERENCE IN AN EFFORT TO PROTECT PUBLIC HEALTH AND PREVENT THE SPREAD OF COVID-19.

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

ROLL CALL

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. 2023-1, MAKING CERTAIN FINDINGS AND DETERMINATIONS REGARDING SPECIAL RULES FOR CONDUCTING MEETINGS THROUGH TELECONFERENCE**

It is recommended that the Commissioners Adopt Resolution No. 2023-1, 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 21, 2022 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 Assistant General Manager Kristine Day to serve as Treasurer, appoint Director of Finance Javier Chagoyen-Lazaro to serve as the alternate Treasurer, and General Manager Shivaji Deshmukh to serve as CBRFA General Manager for 2023.

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 18, 2023

To: The Honorable Commissioners

From: Shivaji Deshmukh *SSD*
General Manager

Subject: Adoption of Resolution No. 2023-1, 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. 2023-1, 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 21, 2022, the Commission approved Resolution No. 2022-12-1, Making Certain Findings and Determinations Regarding Special Rules for Conducting Meetings through Teleconference.

IMPACT ON BUDGET

None

RESOLUTION NO. 2023-1

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

WHEREAS, On January 5, 2022 the Commissioners of Chino Basin Regional Financing Authority approved Resolution No. 2022-1-1 making certain factual findings, and authorizing the continued use of teleconferencing for CBRFA Commission meetings for an effective period of 30 days; and

WHEREAS, On March 16, 2022 the Commissioners of Chino Basin Regional Financing Authority approved Resolution No. 2022-3-2 making certain factual findings, and authorizing the continued use of teleconferencing for CBRFA Commission meetings for an effective period of 30 days; and

WHEREAS, On April 20, 2022 the Commissioners of Chino Basin Regional Financing Authority approved Resolution No. 2022-4-2 making certain factual findings, and authorizing the continued use of teleconferencing for CBRFA Commission meetings for an effective period of 30 days; and

WHEREAS, On July 20, 2022 the Commissioners of Chino Basin Regional Financing Authority approved Resolution No. 2022-7-1 making certain factual findings, and authorizing the continued use of teleconferencing for CBRFA Commission meetings for an effective period of 30 days; and

WHEREAS, On December 21, 2022 the Commissioners of Chino Basin Regional Financing Authority approved Resolution No. 2022-12-1 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 18th day of January, 2023.

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

Resolution No. 2023-1
CBRFA Findings and Determinations
Regarding Teleconference Meetings
Page 4 of 4

STATE OF CALIFORNIA)
)
COUNTY OF SAN BERNARDINO)

I, _____, Secretary of the Chino Basin Regional Financing Authority, DO
HEREBY CERTIFY that the foregoing Resolution being No. 2023-1, was adopted at a
special Commission meeting on January 18, 2023, of said Authority by the following
vote:

AYES:

NOES:

ABSENT:

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

(SEAL)

ACTION ITEM
1B

**SPECIAL MINUTES OF THE
COMMISSION MEETING OF
THE CHINO BASIN REGIONAL FINANCING AUTHORITY
DECEMBER 21, 2022**

COMMISSIONER PRESENT:

Steven J. Elie, President
Marco Tule, Secretary
Paul Hofer, Commissioner

COMMISSIONERS PRESENT via Video/Teleconference:

Michael Camacho, Vice President
Jasmin A. Hall, Commissioner

STAFF PRESENT:

Shivaji Deshmukh, P.E., General Manager
Christiana Daisy, P.E., Deputy General Manager
Kristine Day, Assistant General Manager
Adham Almasri, P.E., Principal Engineer
Tony Arellano, Safety Officer
Jerry Burke, Director of Engineering
Pietro Cambiaso, Acting Director of Planning & Resources
Andy Campbell, Groundwater Recharge Supervisor
Javier Chagoyen-Lazaro, Director of Finance
Lucia Diaz, Manager of Facilities & Water System Programs
Lisa Dye, Director of Human Resources
Denise Garzaro, Board Secretary/Office Manager
Brandon Gonzalez Contreras, Technology Specialist I
Michael Hurley, Director of Planning & Resources
Elizabeth Hurst, Chino Basin Program Manager
Michael Larios, Technology Specialist I
Scott Lening, Manager of Operations
Jason Marseilles, Manager of Engineering
Liza Munoz, Senior Engineer
Alyson Piguee, Director of External & Government Affairs
Travis Sprague, P.E., Principal Engineer
Ryan Ward, Assistant Engineer
Jamal Zughbi, P.E., Senior Engineer/Project Manager

STAFF PRESENT via Video/Teleconference:

Kevin Asprer, Associate Engineer
Deborah Berry, Controller
Martin Carinchi, CAD Designer
Robert Delgado, Manager of Maintenance
Warren Green, Manager of Contracts & Procurement
Julianne Frabizio, Project Manager
Jennifer Hy-Luk, Executive Assistant
Nolan King, Manager of Information Technology
Bonnie Marseilles, Administrative Assistant II
Cathleen Pieroni, Senior Policy Advisor
Sushmitha Reddy, Manager of Laboratories
Steven Smith, P.E., Senior Associate Engineer
Yvonne Taylor, Administrative Assistant II
Megan Trott, Associate Engineer

OTHERS PRESENT:

Jean Cihigoyenette, JC Law Firm
Marty Cihigoyenette, JC Law Firm

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 Elie called the meeting to order at 9:01 a.m. IEUA Operations Supervisor Alex Escalante led the Pledge of Allegiance. Board Secretary/Office Manager Denise Garzaro took roll call and established that a quorum was present.

President Elie provided an opportunity for members of the public to 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. 2022-12-1, MAKING CERTAIN FINDINGS AND DETERMINATIONS REGARDING SPECIAL RULES FOR CONDUCTING MEETINGS THROUGH TELECONFERENCE

B. MINUTES

C. APPOINTMENT OF THE CHINO BASIN REGIONAL FINANCING AUTHORITY TREASURER AND ALTERNATE TREASURER

MOVED BY COMMISSIONER CAMACHO, SECONDED BY COMMISSIONER HOFER, AGENDA ITEM NOS. 1A THROUGH 1C, WERE APPROVED AS RECOMMENDED BELOW, BY THE FOLLOWING VOTE:

Ayes: Camacho, Elie, Hall, Hofer, Tule

Noes: None

Absent: None

- o Adopted Resolution No. 2022-12-1, making certain findings and determinations regarding special rules for conducting meetings through teleconference.
- o Approved the minutes of the July 20, 2022 Chino Basin Regional Financing Authority Commission Meeting.
- o Approved the financial statements for the Fiscal Year ended June 30, 2022; and directed staff to distribute the reports, as appropriate, to the various federal, state and local agencies, financial institutions, and other interested parties.

ADJOURNMENT

With no further business, President Elie adjourned the meeting at 9:05 a.m.

Commissioner Tule, CBRFA Secretary

APPROVED: JANUARY 18, 2023

DRAFT

ACTION ITEM
1C

CHINO BASIN REGIONAL FINANCING AUTHORITY

Date: January 18, 2023
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 – Steven J. Elie, Vice President – Michael Camacho, and Secretary – Marco Tule.

The next election will be conducted in January 2024.

PRIOR BOARD ACTION

On January 5, 2022, the Commissioners elected Director Steven J. Elie for President, Director Michael Camacho for Vice President and Director Marco Tule 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 18, 2023

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 Assistant General Manager Kristine Day to serve as Treasurer, appoint Director of Finance Javier Chagoyen-Lazaro to serve as the alternate Treasurer, and General Manager Shivaji Deshmukh to serve as CBRFA General Manager for 2023.

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 Assistant General Manager 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 contractors 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 July 20, 2022, the Commissioners appointed Assistant General Manager Kristine Day as Treasurer for the Chino Basin Regional Financing Authority and Director of Finance Javier Chagoyen-Lazaro, as alternate Treasurer.

IMPACT ON BUDGET

None.

SD/dg