

**TRES HERMANOS CONSERVATION AUTHORITY  
BOARD OF DIRECTORS REGULAR MEETING**

**JUNE 16, 2021 AGENDA  
6:00 p.m.**

**CITY OF DIAMOND BAR  
21810 COPLEY DR.  
DIAMOND BAR, CALIFORNIA**

**Chair, Ray Marquez  
Vice-Chair, Cathy Marcucci  
Director, Nancy Lyons  
Director, Cory Moss  
Director, Peter Rogers  
Director, Newell Ruggles  
Director, Steve Tye**

*Addressing the Authority:*

***NOTICE OF TELEPHONIC MEETING:***

*Pursuant to Section 3. of Executive Order N-29-20, issued by Governor Newsom on March 17, 2020, the regular meeting of the Tres Hermanos Conservation Authority shall be held telephonically.*

**How to Observe the Meeting:**

*Members of the public who wish to listen ONLY may join the meeting by calling the following conference call number: +1 (631) 992-3221 and entering the Access Code: 729-935-521.*

**How to Submit Public Comment:**

*Members of the public may provide public comment by sending written comments to the Authority Clerk by email at [cityclerk@DiamondBarCA.gov](mailto:cityclerk@DiamondBarCA.gov) by 5:00 p.m. on the day of the meeting. Please indicate in the Subject Line "FOR PUBLIC COMMENT." Written comments will be distributed to the Authority Directors and read into the record at the meeting.*

*Alternatively, public comment may be submitted by logging onto the meeting through this link: <https://attendee.gotowebinar.com/register/3507148938556602380>. Members of the public will be called upon one at a time during the Public Comment portion of the agenda, and will be asked to state their name and agenda item they wish to comment on.*

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Copies of staff reports or other written documentation relating to agenda items are on file in the Office of the City Clerk at Diamond Bar City Hall, and are available for public inspection. If requested, the agenda will be made available in an alternative format to a person with disability as required by Section 202 of the Americans with Disabilities Act of 1990. If you have questions regarding an agenda item, please contact the Authority Secretary at (909) 839-7010 during regular business hours.

In an effort to comply with the requirements of Title II of the Americans with Disabilities Act of 1990, the Tres Hermanos Conservation Authority requires that any person in need of any type of special equipment, assistance or accommodation(s) in order to communicate at a public meeting, must inform the Authority Secretary a minimum of 72 hours prior to the scheduled meeting.

**1. CALL TO ORDER****PLEDGE OF ALLEGIANCE****ROLL CALL**

- 2. PUBLIC COMMENTS:** At this time, members of the public may address the Authority regarding any items within the subject matter jurisdiction of the Authority provided NO action or discussion may be taken on any item not appearing on the agenda, except the Authority may BRIEFLY respond to statements made or questions posed. Comments are limited to five minutes per Speaker.

**3. CONSENT CALENDAR:**

- 3.1 Minutes of the April 21, 2021 Regular Meeting.

*Recommended Action:*

Approve the April 21, 2021 Regular Tres Hermanos Conservation Authority meeting minutes.

- 3.2 Warrants & Outgoing Wire Transfers / Payment Register

*Recommended Action:*

That the Authority receive and file the warrants and outgoing wire transfers for the month of March 2021 and the payment register for the month of April 2021.

- 3.3 Treasurer's Reports for the Months Ended March 31, 2021, and April 30, 2021.

*Recommended Action:*

That the Authority receive and file the Treasurer's Reports for the months ended March 31, 2021, and April 30, 2021.

- 3.4 Appoint Certified Public Accountants.

*Recommended Action:*

That the Authority appoint Lance, Soll & Lunghard, LLP, as the certified public accountants to provide financial auditing services.

3.5 Records Retention Schedule Adoption.

*Recommended Action:*

Adopt Resolution No. THCA 2021-04 entitled: A RESOLUTION OF THE BOARD OF DIRECTORS OF THE TRES HERMANOS CONSERVATION AUTHORITY, ADOPTING A RECORDS RETENTION SCHEDULE, ADOPTING THE PROCESS FOR FUTURE UPDATES AND DESTRUCTION OF CERTAIN AUTHORITY RECORDS.

**4. OLD BUSINESS:**

There is none.

**5. NEW BUSINESS:**

5.1 In-Person Meeting Format Preferences.

*Recommended Action:*

Discuss and provide direction on in-person meeting preferences.

5.2 Initial Discussion of Visioning Process.

*Recommended Action:*

Provide direction as deemed appropriate.

**6. AUTHORITY DIRECTOR COMMENTS:**

**7. ADJOURNMENT:** The next regular Tres Hermanos Conservation Authority meeting will be held on Wednesday, July 21, 2021 at 6:00 p.m.

*TRES HERMANOS CONSERVATION AUTHORITY*

ITEM NO. 3.1

**TRES HERMANOS CONSERVATION AUTHORITY  
STAFF REPORT****AGENDA NO. 3.1**

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**Date:** June 16, 2021  
**To:** Chair and Board of Directors  
**From:** Daniel Fox, Executive Director  
**Subject:** Minutes of the April 21, 2021 Regular Meeting.

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**Recommendation:**

Approve the April 21, 2021 Regular Tres Hermanos Conservation Authority meeting minutes.

**Background/Analysis:**

Attached for Board review and approval are the minutes of the April 21, 2021 Tres Hermanos Conservation Authority meeting.

**Respectfully Submitted,****Reviewed By,**

*Kristina Santana*  
\_\_\_\_\_  
Kristina Santana, City Clerk

5/7/2021

*Daniel Fox*  
\_\_\_\_\_  
Daniel Fox, City Manager

6/2/2021

Attachments:

1. April 21, 2021 Tres Hermanos Conservation Authority Minutes



TRES HERMANOS CONSERVATION AUTHORITY  
 REGULAR BOARD OF DIRECTORS MEETING MINUTES  
 DIAMOND BAR, CALIFORNIA  
 APRIL 21, 2021  
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**3.2 CONSIDERATION TO RECEIVE AND FILE THE WARRANTS AND OUTGOING WIRE TRANSFERS FOR THE MONTHS OF JANUARY AND FEBRUARY 2021.**

*RECOMMENDED ACTION: Receive and file the warrants and outgoing wire transfers for the months of January and February 2021.*

**3.3 CONSIDERATION TO APPROVE THE TREASURER'S REPORT FOR THE MONTHS ENDED JANUARY 31, 2021, AND FEBRUARY 28, 2021.**

*RECOMMENDED ACTION: Receive and file the Treasurer's Reports for the months ended January 31, 2021, and February 28, 2021.*

**3.4 CONSIDERATION TO REVIEW AND APPROVE THE PROPOSED AMENDMENTS TO THE CONFLICT OF INTEREST CODE.**

*RECOMMENDED ACTION: Approve the proposed amendments to the Conflict of Interest Code and direct the Filing Officer to submit any revisions to the Fair Political Practices Commission (FPPC) for adoption.*

**3.5 CONSIDERATION OF STATEMENT OF INVESTMENT POLICY FOR FISCAL YEAR 2021-22.**

*RECOMMENDED ACTION: Adopt Resolution No. THCA 2021-02 entitled: A RESOLUTION OF THE BOARD OF DIRECTORS OF THE TRES HERMANOS CONSERVATION AUTHORITY ADOPTING THE STATEMENT OF INVESTMENT POLICY FOR FISCAL YEAR 2021-22.*

MOTION BY DIRECTOR ROGERS AND SECOND BY VC/MARCUCCI TO APPROVE THE CONSENT CALENDAR. MOTION CARRIED 6-0 BY THE FOLLOWING VOTE:

AYES:	DIRECTORS:	LYONS, ROGERS, RUGGLES, TYE, VC/MARCUCCI, CHAIR/MARQUEZ
NOES:	DIRECTORS:	NONE
ABSENT:	DIRECTORS:	MOSS

TRES HERMANOS CONSERVATION AUTHORITY  
 REGULAR BOARD OF DIRECTORS MEETING MINUTES  
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ABSTAIN: DIRECTORS: NONE

**4. OLD BUSINESS**

There was none.

**5. NEW BUSINESS**

**5.1 CONSIDERATION OF BUDGET FOR FISCAL YEAR 2021-22.**

ED/Fox provided a staff report summarizing the proposed budget and responded to questions from Chair/Marquez regarding rental income and that he anticipates the cattle grazing contracts should be ready for the next meeting.

*RECOMMENDED ACTION: Adopt Resolution THCA No. 2021-03 entitled: A RESOLUTION OF THE BOARD OF DIRECTORS OF THE TRES HERMANOS CONSERVATION AUTHORITY, ADOPTING A BUDGET FOR FISCAL YEAR 2021-22.*

MOTION BY DIRECTOR TYE AND SECOND BY VC/MARCUCCI TO ADOPT RESOLUTION NO. THCA 2021-03: A RESOLUTION OF THE BOARD OF DIRECTORS OF THE TRES HERMANOS CONSERVATION AUTHORITY, ADOPTING A BUDGET FOR FISCAL YEAR 2021-2022. MOTION CARRIED 6-0 BY THE FOLLOWING ROLL CALL VOTE:

AYES:	DIRECTORS:	LYONS, ROGERS, RUGGLES, TYE, VC/MARCUCCI, CHAIR/MARQUEZ
NOES:	DIRECTORS:	NONE
ABSENT:	DIRECTORS:	MOSS
ABSTAIN:	DIRECTORS:	NONE

**6. AUTHORITY DIRECTOR COMMENTS:**

Director Rogers said he looked forward to meeting face-to-face planning/vision session.

Director Tye said was pleased to see VC/Marcucci participating in tonight's meeting and wished her good health.



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TRES HERMANOS CONSERVATION AUTHORITY  
REGULAR BOARD OF DIRECTORS MEETING MINUTES  
DIAMOND BAR, CALIFORNIA  
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VC/Marcucci asked when Red Bucket could be placed on the agenda. CM/Fox responded that staff is awaiting their proposal to the Authority and are attempting to get the cattle leases in place prior to consideration of a proposal.

Chair/Marquez said his City has questions regarding the planning process for the property and agreed that the visioning meeting should be placed on the next agenda.

CM/Fox suggested that consideration of a vision meeting be placed on the May agenda.

7. **ADJOURNMENT:** There being no further business, Chair Ray Marquez adjourned the Tres Hermanos Conservation Authority at 6:19 p.m. to Wednesday, May 19, 2021 at 6:00 p.m.

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RAY MARQUEZ  
CHAIR

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KRISTINA SANTANA  
AUTHORITY SECRETARY

*TRES HERMANOS CONSERVATION AUTHORITY*

ITEM NO. 3.2

**TRES HERMANOS CONSERVATION AUTHORITY  
STAFF REPORT****AGENDA NO. 3.2**

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**Date:** June 16, 2021  
**To:** Chair and Board of Directors  
**From:** Daniel Fox, Executive Director  
**Subject:** Warrants & Outgoing Wire Transfers / Payment Register

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**Recommendation:**

That the Authority receive and file the warrants and outgoing wire transfers for the month of March 2021 and the payment register for the month of April 2021.

**Background/Analysis:**

Pursuant to the Amended and Restated Tres Hermanos Conservation Authority Joint Powers Agreement Section 5.2 Disbursements, the warrants and wire transfers of the Authority should be periodically reviewed by the Board.

On December 16, 2020, the Board adopted by-laws that designated the City of Chino Hills Finance Director as the Treasurer and future rotation was removed. As a result, the use of Quickbooks is no longer needed, so the City of Chino Hills Finance Department has been working to incorporate the Authority's financial activities into the City's software and processing all payments consistently to provide better oversight and control. These changes have been successfully implemented and as of April 2021, we can now provide all payments on one report called the Tres Hermanos Conservation Authority Payment Register.

The warrants and wire transfers are regularly submitted to the Board for review as an agenda item at each Board meeting. These payments may include the following types: automatic clearing house (ACH), electronic funds transfer (EFT), and paper check. ACH payments have a five-digit number starting with a "2", EFT payments have a five-digit number starting with a "1", and paper checks have a four-digit number.

Attached for your review are the warrants and outgoing wire transfers for the month of March 2021 and the payment register for the month of April 2021.

Respectfully Submitted,

Reviewed By,

*Christina Buhagiar*

Christina Buhagiar, Treasurer

6/7/2021

*Daniel Fox*

Daniel Fox, City Manager

6/8/2021

Attachments:

1. THCA Warrants and Outgoing Wire Transfers - March 2021
2. THCA Payment Register - April 2021

**Tres Hermanos Conservation Authority JPA  
Warrants and Outgoing Wire Transfers  
March 2021**

<b>Date</b>	<b>Check #</b>	<b>Vendor</b>	<b>Memo/Description</b>	<b>Amount</b>
3/18/21	1206	Egoscue Law Group	Legal Services - Feb 2021	\$ (887.50)
3/18/21	1207	LSL CPA's	Audit Services - FY 19/20	(210.00)
3/18/21	1208	Janus Pest Management	Pest Control/ Nov 2020 - Feb 2021	(6,900.00)
3/18/21	1209	City of Chino Hills	Staff Time - Jan 2021	(2,141.76)
3/18/21	1210	Industry Security Svc	Security Srvcs Jan - Feb 2021	(6,175.74)
3/23/21	1211	City of Chino Hills	Voided check - Charlies Fence/Water	-
3/24/21	1212	City of Chino Hills	Water 2/11 - 3/15/21	(211.02)
3/24/21	1213	City of Chino Hills	Charlie's Fence - Feb 2021	(2,750.00)
3/24/21	1214	City of Chino Hills	Water 1/13/21 - 2/11/21	(257.56)
Total				<u>\$ (19,533.58)</u>

# Tres Hermanos Conservation Authority

## Payment Register

From 4/1/2021 to 4/30/2021

#	DATE	VENDOR NAME	INVOICE #	DESCRIPTION	RETENTION	INVOICE AMT
5001	4/21/2021	CITY OF CHINO HILLS	924	1099 EFILE/ORG DOMAIN/STAMPS		\$133.50
	4/21/2021	CITY OF CHINO HILLS	928	FEB21 CH STAFF TIME		\$3,375.60
<b>TOTAL</b>						<b>\$3,509.10</b>
5002	4/21/2021	CITY OF INDUSTRY	2021- 00000010	WEED ABATEMENT/PEST CONTROL		\$8,587.98
<b>TOTAL</b>						<b>\$8,587.98</b>
5003	4/21/2021	EGOSCUE LAW GROUP, INC.	13078	LEGAL - MARCH 2021		\$962.50
<b>TOTAL</b>						<b>\$962.50</b>
5004	4/21/2021	KEENAN & ASSOCIATES	255179	PROPERTY INSURANCE MAR21-MAR22		\$2,419.88
	4/21/2021	KEENAN & ASSOCIATES	255398	PROPERTY INSURANCE MAR21-MAR22		\$13,869.78
<b>TOTAL</b>						<b>\$16,289.66</b>
<b>TOTAL</b>						<b>\$29,349.24</b>

Note: The payments above may include the following types: automatic clearing house (ACH), electronic funds transfer (EFT), and paper check. ACH payments have a five-digit number starting with a "2", EFT payments have a five-digit number starting with a "1", and paper checks have a four-digit number.

*TRES HERMANOS CONSERVATION AUTHORITY*

ITEM NO. 3.3

**TRES HERMANOS CONSERVATION AUTHORITY  
STAFF REPORT**

**AGENDA NO. 3.3**

**Date:** June 16, 2021  
**To:** Chair and Board of Directors  
**From:** Daniel Fox, Executive Director  
**Subject:** Treasurer's Reports for the Months Ended March 31, 2021, and April 30, 2021.

**Recommendation:**

That the Authority receive and file the Treasurer's Reports for the months ended March 31, 2021, and April 30, 2021.

**Background/Analysis:**

Pursuant to the Amended and Restated Tres Hermanos Conservation Authority Joint Powers Agreement Section 5.3 Accounts, the Treasurer must verify and report in writing, at least quarterly, the amount of money held for the Authority, the amount of interest earnings, revenues, and expenditures since the last report.

Attached for your information are the Treasurer's Reports for the months ended March 31, 2021, and April 30, 2021.

**Respectfully Submitted,**

**Reviewed By,**

*Christina Buhagiar*

Christina Buhagiar, Treasurer

6/7/2021

*Daniel Fox*

Daniel Fox, City Manager

6/8/2021

Attachments:

1. Treasurer's Report - March 2021
2. Treasurer's Report - April 2021



Tres Hermanos Conservation Authority  
Treasurer's Report  
For the Month Ended March 31, 2021

Description	Cost Value	Market Value	Interest/ Book Yield	Maturity Date	% of Portfolio
<b>Cash and Cash Equivalents</b>					
Citizens Business Bank - Premium Money Market LAIF Account	\$ 31,649	\$ 31,649	0.02%	n/a	14.92%
	180,211	180,440	0.36%	n/a	85.08%
<b>Total Investment Portfolio</b>	<b>\$ 211,860</b>	<b>\$ 212,089</b>			<b>100.00%</b>

**Blended Yield of Cash and Investments** 0.31%

<b>Benchmarks:</b>	
LAIF	0.36%
6mo U.S. Treasury	0.05%
2yr U.S. Treasury	0.16%
5yr U.S. Treasury	0.92%

I hereby certify that the investments are in compliance with the investment policy adopted by the the Board of Directors. The investment portfolio provides sufficient funds to meet the budgeted expenditures over the next six months. This report meets the requirements of Government Code Section 53646.

  
\_\_\_\_\_  
Christina Buhagiar  
Treasurer

**Tres Hermanos Conservation Authority**  
**Statement of Revenues, Expenditures and Changes in Fund Balances**  
**For the Month Ended March 31, 2021**

	<u>Budget 2020/21</u>	<u>Mar 2021</u>	<u>Fiscal Year To Date 2020/21</u>	<u>% of Budget Used</u>
Revenues:				
Investment interest	\$ -	\$ 1	\$ 272	-
Rental income	8,100	675	6,075	75%
Contributions from member agencies	248,488	-	248,488	100%
Reimbursements	-	31	251	-
Total Revenues	<u>256,588</u>	<u>707</u>	<u>255,086</u>	<u>99%</u>
Expenditures:				
Contractual Services	133,819	6,900	42,334	32%
Legal services	20,004	887	4,912	25%
Legal services - Extraordinary	66,000	-	1,205	2%
Security services	37,815	6,176	23,968	63%
Professional Services	35,220	5,102	8,557	24%
Office Supplies & Software	2,005	(23)	799	40%
Utilities	3,309	469	3,035	92%
Total Expenditures	<u>298,172</u>	<u>19,511</u>	<u>84,810</u>	<u>28%</u>
Excess of revenues over (under) expenditures	<u>\$ (41,584)</u>	<u>\$ (18,804)</u>	<u>\$ 170,276</u>	
Fund Balances:				
Beginning of fiscal year, Revised			\$ 41,584	
Excess of revenues over (under) expenditures			170,276	
As of March 31, 2021			<u>\$ 211,860</u>	
Fund Balances by City:				
Chino Hills			\$ 72,555	
Diamond Bar			53,800	
Industry			85,505	
Total Fund Balances by City			<u>\$ 211,860</u>	

**Tres Hermanos Conservation Authority  
Treasurer's Report  
For the Month Ended April 30, 2021**

Description	Cost Value	Market Value	Interest/ Book Yield	Maturity Date	% of Portfolio
<b>Cash and Cash Equivalents</b>					
Citizens Business Bank - Premium Money Market	\$ 66,587	\$ 66,587	0.02%	n/a	34.66%
LAIF Account	125,362	125,521	0.34%	n/a	65.34%
<b>Total Investment Portfolio</b>	<b>\$ 191,949</b>	<b>\$ 192,108</b>			<b>100.00%</b>

<b>Blended Yield of Cash and Investments</b>	<b>0.23%</b>
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<b>Benchmarks:</b>	
LAIF	0.34%
6mo U.S. Treasury	0.03%
2yr U.S. Treasury	0.16%
5yr U.S. Treasury	0.86%

I hereby certify that the investments are in compliance with the investment policy adopted by the the Board of Directors. The investment portfolio provides sufficient funds to meet the budgeted expenditures over the next six months. This report meets the requirements of Government Code Section 53646.



Christina Buhagiar  
Treasurer

**Tres Hermanos Conservation Authority**  
**Statement of Revenues, Expenditures and Changes in Fund Balances**  
**For the Month Ended April 30, 2021**

	<u>Budget 2020/21</u>	<u>April 2021</u>	<u>Fiscal Year To Date 2020/21</u>	<u>% of Budget Used</u>
<b>Revenues:</b>				
Investment Interest	\$ -	\$ 152	\$ 423	-
Rental Income	8,100	675	6,750	83%
Contributions from Member Agencies	248,488	-	248,488	100%
Reimbursements	-	31	283	-
<b>Total Revenues</b>	<u>256,588</u>	<u>858</u>	<u>255,944</u>	<u>100%</u>
<b>Expenditures:</b>				
Contractual Services	133,478	8,588	53,672	40%
Legal Services	20,004	963	5,875	29%
Legal Services - Extraordinary	66,000	-	1,205	2%
Security Services	37,815	-	23,968	63%
Professional Services	35,220	19,665	25,472	72%
Office Supplies & Software	2,005	141	940	47%
Utilities	3,650	-	3,035	83%
<b>Total Expenditures</b>	<u>298,172</u>	<u>29,357</u>	<u>114,167</u>	<u>38%</u>
<b>Excess of Revenues Over/(Under) Expenditures</b>	<u>\$ (41,584)</u>	<u>\$ (28,499)</u>	<u>\$ 141,777</u>	
<b>Fund Balances:</b>				
Beginning of Fiscal Year, Revised			\$ 41,584	
Excess of Revenues Over/(Under) Expenditures			141,777	
As of April 30, 2021			<u>\$ 183,361</u>	A
<b>Fund Balances by City:</b>				
Chino Hills			\$ 63,055	
Diamond Bar			44,301	
Industry			76,005	
<b>Total Fund Balances by City</b>			<u>\$ 183,361</u>	

A The ending fund balance in the amount of \$183,361 includes \$8,587.98 in outstanding checks that are not included in the bank balance of \$191,949.

*TRES HERMANOS CONSERVATION AUTHORITY*

ITEM NO. 3.4

**TRES HERMANOS CONSERVATION AUTHORITY  
STAFF REPORT****AGENDA NO. 3.4**

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**Date:** June 16, 2021  
**To:** Chair and Board of Directors  
**From:** Daniel Fox, Executive Director  
**Subject:** Appoint Certified Public Accountants.

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**Recommendation:**

That the Authority appoint Lance, Soll & Lunghard, LLP, as the certified public accountants to provide financial auditing services.

**Background/Analysis:**

Pursuant to the Amended and Restated Tres Hermanos Conservation Authority Joint Powers Agreement Section 3.8 Treasurer, the certified public accountant shall be annually appointed by the Board.

The City of Chino Hills issued a Request for Proposal (RFP) for financial auditing services on January 19, 2021. On March 4, 2021, the City received 10 proposals in response to its RFP for financial auditing services from Certified Public Accountant firms. Based on the results of the evaluation process and interviews, staff recommended to the City Council for Lance, Soll & Lunghard, LLP, to provide financial auditing services to the City. In addition to their substantial experience with government financial audits and excellent reputation in the industry, Lance, Soll & Lunghard, LLP, maintained a long standing professional relationship with the City and has a valuable amount of institutional knowledge.

At the April 27, 2021, Chino Hills City Council meeting, the City Council authorized the execution of a three-year agreement with two additional one-year renewal options with Lance, Soll & Lunghard, LLP, to provide financial auditing services beginning with fiscal year ended 2020-21. The Authority's annual financial audit is included in these services.

**Fiscal Impact:**

There is sufficient funding in the Authority's operating budget to cover the \$2,000 Fiscal Year 2020-21 cost of the Lance, Soll & Lunghard, LLP, financial auditing services. Future financial auditing service costs will be budgeted for in the appropriate fiscal year.

Respectfully Submitted,

Reviewed By,

*Christina Buhagiar*

Christina Buhagiar, Treasurer 6/7/2021

*Daniel Fox*

Daniel Fox, City Manager 6/8/2021

*TRES HERMANOS CONSERVATION AUTHORITY*

ITEM NO. 3.5



**TRES HERMANOS CONSERVATION AUTHORITY  
STAFF REPORT****AGENDA NO. 3.5**

---

**Date:** June 16, 2021  
**To:** Chair and Board of Directors  
**From:** Daniel Fox, Executive Director  
**Subject:** Records Retention Schedule Adoption.

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**Recommendation:**

Adopt Resolution No. THCA 2021-04 entitled: A RESOLUTION OF THE BOARD OF DIRECTORS OF THE TRES HERMANOS CONSERVATION AUTHORITY, ADOPTING A RECORDS RETENTION SCHEDULE, ADOPTING THE PROCESS FOR FUTURE UPDATES AND DESTRUCTION OF CERTAIN AUTHORITY RECORDS.

**Background/Analysis:**

On December 16, 2020, the Board of Directors of the Tres Hermanos Conservation Authority (Authority) adopted Bylaws for the Authority. Pursuant to Section 1.3 of the Bylaws entitled "Custodian of Records", the Board of Directors appointed the City of Chino Hills as the office where all official and permanent records are retained. It is the desire of the Authority to effectively maintain a Records Management Program to guide and direct the City of Chino Hills in the dispensation of records. A Records Retention Schedule facilitates easy and quick reference to, and preservation of, Authority records. Attached for review and approval is a comprehensive Records Retention Schedule capturing records currently in existence and records that fall under the purview of the Authority to be created. Staff recommends that the Authority adopt the attached Resolution adopting a Records Retention Schedule (Exhibit A to the Resolution) as the official standard for records retention for proper and efficient management of Authority records, adopting a process for future updates to the Records Retention Schedule, and providing for the destruction of certain Authority records.

**Fiscal Impact:**

None.

Respectfully Submitted,

Reviewed By,

*Cheryl Balz*

Cheryl Balz, Filing Officer

6/7/2021

*Daniel Fox*

Daniel Fox, City Manager

6/9/2021

Attachments:

1. Resolution No. THCA 2021-04, Records Retention Schedule
2. Exhibit A - Retention Schedule

## RESOLUTION NO. THCA 2021-04

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
TRES HERMANOS CONSERVATION AUTHORITY,  
ADOPTING A RECORDS RETENTION SCHEDULE,  
ADOPTING THE PROCESS FOR FUTURE UPDATES AND  
DESTRUCTION OF CERTAIN AUTHORITY RECORDS

**WHEREAS**, Section 34090 of the Government Code of the State of California provides a procedure whereby any Local Agency record which has served its purpose and is no longer required may be destroyed with the approval of the legislative body by resolution and the written consent of legal counsel, the head of a department; and

**WHEREAS**, the Executive Director has presented to the Board a proposed Records Retention Schedule in accordance with the Tres Hermanos Conservation Authority (Authority) Bylaws adopted December 16, 2020; and

**WHEREAS**, it is the desire of the Authority to establish a Records Management Program to guide and direct the City of Chino Hills as the Office of Records in the dispensation of records; and

**WHEREAS**, a uniform Records Retention Schedule facilitates easy and quick reference to, and preservation of, Authority records and provides for proper and efficient management of Authority records.

**NOW, THEREFORE, THE BOARD OF TRES HERMANOS CONSERVATION AUTHORITY DOES RESOLVE, DETERMINE, AND ORDER AS FOLLOWS:**

**Section 1.** The Authority does hereby adopt the Records Retention Schedules as the official standard for records retention of Authority records attached to this resolution as Exhibit A.

**Section 2.** Records are authorized to be destroyed as provided by Section 34090 et seq. of the Government Code of the State of California and in accordance with the provision of said schedule, the Records Retention Schedules, and as necessary and required by law with the consent in writing of the City Clerk of the City of Chino Hills as the Office of Records, the Executive Director, and Legal Counsel, without further action by the Authority.

**Section 3.** The term "records" as used herein are any writing or recording that contains information related to the conduct of the public's business prepared, owned, used, or retained by the Authority regardless of physical form or characteristics, "Regardless of physical form" means that video, audio files and data in a computer system used to conduct business are also records.

**Section 4.** This Resolution shall become effective immediately upon its passage and adoption.

**Section 5.** The Secretary shall certify as to the adoption of this Resolution.

**PASSED, APPROVED, and ADOPTED** this 16<sup>th</sup> day of June, 2021.

\_\_\_\_\_  
Ray Marquez  
Chair  
Tres Hermanos Conservation Authority

ATTEST:

I, Kristina Santana, Secretary of the Tres Hermanos Conservation Authority, do hereby certify that the foregoing Resolution was duly and regularly passed, approved, and adopted by the Board of Directors of the Tres Hermanos Conservation Authority, at its regular meeting held on the 16<sup>th</sup> day of June, 2021, by the following Roll Call vote:

AYES: BOARD MEMBERS:

NOES: BOARD MEMBERS:

ABSENT: BOARD MEMBERS:

ABSTAIN: BOARD MEMBERS:

\_\_\_\_\_  
Kristina Santana  
Secretary  
Tres Hermanos Conservation Authority

## EXHIBIT A

TRES HERMANOS CONSERVATION AUTHORITY  
RECORDS RETENTION SCHEDULE

	Authority Approval Date:	Page 1 of 5
RECORD/TITLE	TOTAL RETENTION	REMARKS
<b>LEGISLATIVE</b>		
Agendas, posting affidavits, staff reports	Permanent	Authority preference GC §34090
Agenda notification requests	Expiration +2 yrs.	GC §34090
Affidavits of Publication (hearings, etc.)	Permanent	Statute of Limitations for mailings for annexations, special districts, bonds is 60 days; Municipal Government actions is 3-6 months; CCP §§337 et seq, 349.4; GC §34090; Maintained with agenda packet
Bylaws	Permanent	Authority preference GC §34090
Resolutions, (Official)	Permanent	GC §34090(e) et. Seq.
Minutes, (Official)	Permanent	GC §34090(e) et. Seq.
<b>FINANCE</b>		
Accounts Payable	After Audit + 7 yrs.	Authority preference; Statewide guidelines propose audit + 4 yrs.; Published articles show 3-7 yrs.; other cities show 7-10 yrs.; GC §34090
Accounts Receivable	After Audit + 7 yrs.	Authority Preference; Statewide guidelines propose audit + 4 yrs.; Published articles show 3 - 7 yrs.; other cities show 7 -10 yrs.; GC §34090
Audits	After Audit + 7 yrs.	Authority Preference; Longer than 2 yrs. for auditing; GC §34090.7; Annual Audits maintained permanently with Agenda packet.
Bank Statements	After Audit + 7 yrs.	Authority Preference; For auditing purposes; Published articles show 3 - 4 yrs.; Other cities show 7 - 10 yrs.; GC §34090, 26 CFR 31.6001-1

## EXHIBIT A

Page 2 of 5

RECORD/TITLE	TOTAL RETENTION	REMARKS
<b>FINANCE (continued)</b>		
Bond (Treasurer)	Permanent	Part of Blanket Crime Insurance GC §34090
Bonds / Certificates of Participation (Issued by the Authority)	Cancellation, Redemption or Maturity + 10 yrs.	Statute of Limitation for bonds, mortgages, trust deeds, notes or debentures is 6 yrs.; Bonds issued by local governments are 10 yrs.; There are specific requirements for unused bonds; CCP §§336(a) & (b), 337.5(b); GC §§ 43900, et. Seq.; 34090
Budget (Adopted)	Permanent	Authority Preference; maintained as part of the Agenda packet; Statewide guidelines propose complete + 2 yrs.; GC §34090
Budget (Amendments)	Permanent	Authority Preference; maintained as part of the Agenda packet; GC §34090.7
Budget (proposed and reviews)	2 yrs.	GC §34090
Purchasing Policy	Superseded + 2 yrs.	Statewide guidelines propose superseded + 2 or 5 yrs.; GC §34090
Requisitions, Purchase Orders	After Audit + 7 yrs.	Authority Preference; Published articles show 3 yrs.; Statute of Limitations is 4 yrs.; GC §34090, CCP §337
Warrant Registers (Includes Cancelled Warrants, Cancelled / Voided Checks, etc.)	After Audit + 7 yrs.	Authority Preference; Statute of Limitations is 4 yrs.; statewide guidelines propose Audit + 2 yrs.; GC §34090, CCP § 337
<b>PROPERTY</b>		
Easements	Permanent	GC §34090
Deeds - Property owned by Authority	Permanent	GC §34090(a)
Deeds/Easements/Recorded Documents relating / involving the Authority	Permanent	Authority Preference; GC §34090

## EXHIBIT A

Page 3 of 5

<b>RECORD/TITLE</b>	<b>TOTAL RETENTION</b>	<b>REMARKS</b>
<b>FAIR POLITICAL PRACTICES (FPPC)</b>		
Conflict of Interest Code	Permanent	Adopted by Resolution. Authority Preference. Filing Officer maintains original statements; GC §§ 891009(e)(g); 34090
Form 804 & 805 (Agency Report of New Positions & Consultants)	Permanent	FPPC Regulation 18734(c); GC §§ 81009(e); 34090
Statement of Economic Interest filers - Appointed Officials (includes Board Members, Executive Directors, Treasurer)	Permanent	Authority preference; Filing Officer maintains copies only; original statements are filed with FPPC; GC §§ 81009(f)(g); 34090
Statement of Economic Interest filers - Designated employees and Consultants (original)	7 yrs.	Filing Officer maintains original statement GC §§ 81009(e)(g); 34090
<b>RISK MANAGEMENT</b>		
Certificates of Insurance (filed with agreement)	Permanent	Conforms with Agreement retention; longest statute of limitations is 10 yrs.; statewide guidelines propose permanent; CCP §337 et. Seq; GC §34090
Claims and Litigation files	Resolution + 5 yrs.	Claim must be filed within 2 yrs.; Statute of Limitations for contracts is 4 yrs.; wrongful death for construction is completion + 5 yrs.; CCP §§ 337 et seq.; GC §§ 911.2, 34090, 34090.6; PC §832.5(b)
Authority Owned Insurance Policies	Permanent	For protection from litigation; GC §34090
Miscellaneous Certificates of Insurance (not tied to an agreement)	Expiration + 10 yrs.	Authority Preference for policies that do not involve liability - GC §34090

## EXHIBIT A

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RECORD/TITLE	TOTAL RETENTION	REMARKS
<b>RISK MANAGEMENT (continued)</b>		
Workers Compensation Claims (Employee Accident Reports)	Close or Settlement + 30 yrs. or Termination of Benefits + 5 yrs. Whichever is Longer	Claims can be made for 30 yrs. for toxic subst. exposure; Claims are req'd for 5 yrs. After the end of comp or injury, whichever is longer; the Workers Comp Appeals Board may destroy records after 5 yrs.; EEOC/FLSA/ADEA(Age) reqs 3 yrs. for promotion, demotion, transfer, selection, or discharge; State Law reqs 2-3 yrs.; 8 CCR 15400.2, 8 CCR 15400.2, 8 CCR §3204(d)(1) et. Seq.; 29 CFR 1910.1020, GC §§12946, 60201, 34090; CCP §337 et seq.
<b>MISCELLANEOUS</b>		
Agreements and Contracts	Permanent	Authority preference; Statute of Limitations is 4 yrs.; 10 yrs. for Errors & Omissions; CCP §§ 337, 337.1(a), 337.15, 343; GC §34090; Contractor has retention requirements in 48 CFR 4.703
Electronic Mail: Email defined as a Public Record	2 yrs.	Unless retention required for legal hold GC §34090
Formal Bids	Permanent	Maintained with contract files GC §34090
Unsuccessful Bids/RFPs/RFQs	Bid opening or Award date + 2 yrs.	GC §34090
Environmental Documents	Permanent	Includes EIR, Comment letters, etc. GC §34090
General Correspondence	2 yrs.	GC §34090
Press Releases, Photographs, etc. (Excludes Historical)	2 yrs.	GC §34090
Records Management (Destruction / Retention schedules)	Permanent	Authority Preference, GC §34090 et. Seq.
Requests for Public Records	2 yrs.	GC §34090





*TRES HERMANOS CONSERVATION AUTHORITY*

ITEM NO. 5.1

**TRES HERMANOS CONSERVATION AUTHORITY  
STAFF REPORT****AGENDA NO. 5.1**

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**Date:** June 16, 2021  
**To:** Chair and Board of Directors  
**From:** Daniel Fox, Executive Director  
**Subject:** In-Person Meeting Format Preferences.

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**Recommendation:**

Discuss and provide direction on in-person meeting preferences.

**Background/Analysis:**

It is anticipated that effective June 15, 2021, Governor Newsom will end the Blueprint for a Safer Economy Program and eliminate social distancing requirements and occupancy limitations related to COVID-19. It is anticipated LA County Health Officials will do the same. This will allow for the ability to return to in-person meetings without any restrictions.

The City of Diamond Bar is currently responsible for hosting the Authority meetings. It is recommended that the Board discuss and provide direction on the desired meeting format as Staff looks to return to in-person meetings in July.

Options available to the Board include:

- Return to 100% in-person meetings
  - Meetings would be held in the Windmill Community Room located at Diamond Bar City Hall.
  - As in past practice, all Board Members, Staff and members of the public would need to physically attend the meeting.
- Conduct Hybrid meetings
  - Meetings would be held in the Windmill Community Room located at Diamond Bar City Hall.
  - Members of the public would be able to attend the meeting and address the Authority in-person or remotely through the GoToWebinar platform.
  - Board Members and Staff would have the ability to be participate remotely or

in-person which may vary by meeting depending on the agenda items being considered. On June 2<sup>nd</sup>, Governor Newsom's Office announced that Executive Order N-29-20 will remain in effect beyond the June 15th reopening plan, in an effort to help cities and local governments prepare for in-person public meetings and Brown Act compliance. The announcement allows local agencies to continue holding meetings remotely as needed while developing plans to return to in-person meetings and developing hybrid formats that maintain Brown Act compliance while also providing greater accessibility and transparency to the public.

- Continue to hold 100% virtual meetings
  - Continue to hold 100% virtual meetings with no physical location through the GoToWebinar platform until such time that Executive Order N-29-20 is lifted or additional provisions are included in the Brown Act that may offer additional alternatives.

At this time, it is recommended that the Board consider the Hybrid meeting option. The hybrid approach would provide the greatest flexibility for the public, staff and Board Members to participate given individual circumstances and preferences related to COVID-19, convenience for participating in meetings, and transparency in conducting Authority business. It would also still allow for further adjustments to be made if and when new guidance on the Brown Act becomes available.

**Respectfully Submitted,**

**Reviewed By,**

*Kristina Santana*  
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 Kristina Santana, City Clerk

6/4/2021

*Daniel Fox*  
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 Daniel Fox, City Manager

6/7/2021

*TRES HERMANOS CONSERVATION AUTHORITY*

ITEM NO. 5.2

**TRES HERMANOS CONSERVATION AUTHORITY  
STAFF REPORT****AGENDA NO. 5.2**

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**Date:** June 16, 2021  
**To:** Chair and Board of Directors  
**From:** Daniel Fox, Executive Director  
**Subject:** Initial Discussion of Visioning Process.

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**Recommendation:**

Provide direction as deemed appropriate.

**Background/Analysis:**

Various Board Members have expressed interest in commencing a visioning process for Tres Hermanos Ranch. The visioning process presents a tremendous opportunity to set the stage and establish both short and long-term priorities for the Ranch. This could include ideas about uses and activities for the property, and efforts to engage the community in the process.

It is requested that the Board provide some initial thoughts, ideas, and expectations regarding the property and the visioning process. Based on the initial feedback, Staff will be able to develop a more detailed work program, define a public engagement process, identify any needed resources, timeline and budget estimates for consideration by the Board.

**Respectfully Submitted,****Reviewed By,**

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Kristina Santana, City Clerk

6/5/2021



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Daniel Fox, City Manager

6/7/2021