



Chino Hills · Diamond Bar · Industry

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

**WEDNESDAY, JANUARY 11, 2023 AGENDA
6:00 P.M.**

**CITY OF CHINO HILLS - COMMUNITY ROOM
14000 CITY CENTER DRIVE
CHINO HILLS, CALIFORNIA**

**BOARD DIRECTORS
CHAIR, CATHY MARCUCCI
DIRECTOR, ANDREW CHOU
DIRECTOR, STAN LIU
DIRECTOR, RAY MARQUEZ
DIRECTOR, CORY MOSS
DIRECTOR, PETER J. ROGERS
DIRECTOR, NEWELL RUGGLES**

Addressing the Authority:

NOTICE OF TELEPHONIC MEETING:

Consistent with State Assembly Bill 361, the Tres Hermanos Conservation Authority shall be held telephonically and in person in the Community Room, City of Chino Hills City Hall. Directors and limited staff will be physically present for this meeting. If you would like to attend the meeting in person, please note that face coverings are recommended.

How to Observe the Meeting:

*Members of the public who wish to speak on an item, you can access the meeting remotely:
Join from a PC, Mac, iPad, iPhone, or Android device, or by phone: Please use this URL
<https://us02web.zoom.us/j/81520010855>*

If you do not wish for your name to appear on the screen, then use the drop down menu and click on "rename" to rename yourself to be anonymous.

*Or join by phone:
1-669-900-6833*

Enter Meeting ID: 815 2001 0855

*If you want to comment during the public comment portion of the agenda, Press *9 and we will select you from the meeting cue.*

NOTE: Your phone number is captured by the zoom software and is subject to the Public Records Act unless you first dial *67 before dialing the numbers as shown above to remain anonymous.

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@chinohills.org by 4:00 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 noted for the record at the meeting.

Alternatively, public comment may be submitted by joining the meeting in person or logging onto the meeting via Zoom. 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.

Copies of staff reports or other written documentation relating to agenda items are on file in the Office of the City Clerk at Chino Hills 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) 364-2624 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.

CALL TO ORDER:

PLEDGE OF ALLEGIANCE

ROLL CALL

1. **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.

REORGANIZATION OF THE BOARD OF DIRECTORS

Select Chair and Vice-Chair

CONSENT CALENDAR:

2. Approve December 14, 2022 Regular Meeting Minutes
3. Receive and file Payment Register for month ended November 30, 2022
4. Receive and file Treasurer's Report for month ended November 30, 2022
5. Authorize Amendment No. 1 to Agreement No. THCA20-002 with C&C Engineering, Inc. increasing total not-to-exceed amount from \$85,000 to \$118,600 for consultant services
6. Adopt Resolution making specified findings relating to use of teleconferencing in accordance with Assembly Bill 361 for meetings of Authority subject to State Open Meeting Laws

OLD BUSINESS:

There is none.

NEW BUSINESS:

7. Discuss canceling or rescheduling the February 8, 2023 regular meeting due to absence of Directors

AUTHORITY DIRECTOR COMMENTS:

ADJOURNMENT

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REGULAR BOARD OF DIRECTORS MEETING MINUTES
DIAMOND BAR, CALIFORNIA
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1. CALL TO ORDER

The Regular Meeting of the Tres Hermanos Conservation Authority was called to order by Director/Marquez at 6:00 p.m. in the Windmill Room, City of Diamond Bar City Hall.

Director/Marquez announced that consistent with State Assembly Bill 361, the Tres Hermanos Conservation Authority meeting was being held in person and via teleconference, with limited staff present. Members of the public were encouraged to participate telephonically, and for those wishing to attend the meeting in person, face coverings were recommended.

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was led by DED/Montgomery.

ROLL CALL:

Directors in attendance in person: Ray Marquez, Director

Directors in attendance online: Stan Liu, Alternate Director
Cory Moss, Director
Newell Ruggles, Director

Directors absent: Peter Rogers, Director
Steve Tye, Director
Cathy Marcucci, Chair

Staff in attendance in person: Dan Fox, Executive Director; Ben Montgomery, Deputy Executive Director; Joshua Nelson, Administrative Director

Staff in attendance online: Christa Buhagiar, Treasurer; Tracy Egoscue, Authority General Counsel

2. PUBLIC COMMENTS: There were none.

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3. CONSENT CALENDAR:

3.1 MINUTES OF THE NOVEMBER 9, 2022 REGULAR MEETING AND NOVEMBER 30, 2022 SPECIAL MEETING.

RECOMMENDED ACTION: APPROVE THE NOVEMBER 9, 2022 REGULAR AND NOVEMBER 30, 2022 SPECIAL TRES HERMANOS CONSERVATION AUTHORITY MEETING MINUTES.

3.2 PAYMENT REGISTER.

RECOMMENDED ACTION: THAT THE AUTHORITY RECEIVE AND FILE THE PAYMENT REGISTER FOR THE MONTH ENDED OCTOBER 31, 2022.

3.3 TREASURER'S REPORT FOR THE MONTH ENDED OCTOBER 31, 2022.

RECOMMENDED ACTION: THAT THE AUTHORITY RECEIVE AND FILE THE TREASURER'S REPORT FOR THE MONTH ENDED OCTOBER 31, 2022.

3.4 CONTINUED USE OF TELECONFERENCING IN ACCORDANCE WITH ASSEMBLY BILL 361 FOR MEETINGS OF THE TRES HERMANOS CONSERVATION AUTHORITY.

RECOMMENDED ACTION: ADOPT RESOLUTION NO. THCA 2022-21 ENTITLED: A RESOLUTION OF THE BOARD OF DIRECTORS OF THE TRES HERMANOS CONSERVATION AUTHORITY MAKING SPECIFIED FINDINGS RELATING TO THE USE OF TELECONFERENCING IN ACCORDANCE WITH ASSEMBLY BILL 361 FOR MEETINGS OF THE AUTHORITY SUBJECT TO STATE OPEN MEETING LAWS.

MOTION BY DIRECTOR MOSS AND SECOND BY ALTERNATE DIRECTOR LIU TO APPROVE THE CONSENT CALENDAR AS PRESENTED. MOTION CARRIED 4-0 BY THE FOLLOWING VOTE:

AYES:	DIRECTORS:	LIU, MARQUEZ, MOSS, RUGGLES
NOES:	DIRECTORS:	NONE
ABSENT:	DIRECTORS:	ROGERS, TYE, CHAIR MARCUCCI

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4. **OLD BUSINESS:** There was none.

5. **NEW BUSINESS:**

5.1 APPROVAL OF THE AUDITED FINANCIAL STATEMENTS FOR FISCAL YEAR 2021/22.

RECOMMENDED ACTION: THAT THE AUTHORITY RECEIVE AND FILE THE AUDITED FINANCIAL STATEMENTS FOR THE FISCAL YEAR ENDED JUNE 30, 2022.

Treasurer Christa Buhagiar provided the staff report.

Director Marquez opened the item for public comments. There was no one wishing to speak on this item.

MOTION BY DIRECTOR MOSS AND SECOND BY ALTERNATE DIRECTOR LIU TO RECEIVE AN FILE THE AUDITED FINANCIAL STATEMENTS FOR THE FISCAL YEAR ENDED JUNE 30, 2022. MOTION CARRIED 4-0 BY THE FOLLOWING VOTE:

AYES:	DIRECTORS:	LIU, MARQUEZ, MOSS, RUGGLES
NOES:	DIRECTORS:	NONE
ABSENT:	DIRECTORS:	ROGERS, TYE, CHAIR MARCUCCI

6. AUTHORITY STAFF AND AUTHORITY DIRECTOR COMMENTS:

ED/Fox announced that the Authority administration would be transitioning to the City of Chino Hills starting in January as part of the biennial rotation of duties. He thanked the City of Industry for providing the framed Proclamation commemorating the formation of the Tres Hermanos Conservation Authority and wished everyone a Merry Christmas and Happy Holidays.

DED/Montgomery thanked the City of Industry for the framed Proclamation commemorating the formation of the Tres Hermanos Conservation Authority.

AD/Nelson mentioned that Sam Pedroza deserves the credit for preparing the Proclamation and wished everyone Happy Holidays.

Director Moss wished everyone a Merry Christmas and indicated it was their pleasure to have the Proclamation prepared.

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Directors Ruggles and Liu wished everyone Happy Holidays.

Director Marquez thanked the City of Industry for the framed Proclamation, thanked Diamond Bar for hosting the Authority meetings this year, and wished everyone Happy Holidays.

7. **ADJOURNMENT:** There being no further business, Director Marquez adjourned the Tres Hermanos Conservation Authority Regular Meeting at 6:10 p.m. to the Regular Meeting of January 11, 2023 at 6:00 p.m.

CHAIR

KRISTINA SANTANA
AUTHORITY SECRETARY



Chino Hills · Diamond Bar · Industry

Date: January 11, 2023
To: Chair and Board of Directors
From: Benjamin Montgomery, Executive Director
Subject: Payment Register

Recommendation:

That the Authority receive and file the payment register for the month ended November 30, 2022.

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. Attached for your review is the payment register for the month ended November 30, 2022. 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.

Respectfully Submitted,

Recommended By:


Benjamin Montgomery
Executive Director


Christa Buhagiar
Finance Director

Attachments Payment Register - November 2022

Tres Hermanos Conservation Authority

Payment Register

From 11/1/2022 to 11/30/2022

#	DATE	VENDOR NAME	CONTRACT/ PO#	DESCRIPTION	RETENTION	INVOICE AMT
5137	11/2/2022	C & C ENGINEERING, INC.	THCA20-002	CNC/SITE INSPECT/SEP22		\$2,910.00
					TOTAL	\$2,910.00
5138	11/2/2022	CITY OF CHINO HILLS		CH/WATER/09/15/22-10/17/22		\$321.42
	11/2/2022	CITY OF CHINO HILLS		CH/STAFF TIME/SEP22		\$336.71
					TOTAL	\$658.13
5139	11/2/2022	SO CAL SANITATION, LLC		SOCALIND/RESTROOM RENT/OCT22		\$103.00
					TOTAL	\$103.00
5140	11/16/2022	CITY OF INDUSTRY	THCA21-005	LACNTY/PEST/AUG22		\$49.61
					TOTAL	\$49.61
5141	11/23/2022	C & C ENGINEERING, INC.	THCA20-002	CNC/SITE INSPECT/OCT22		\$3,400.00
					TOTAL	\$3,400.00
5142	11/23/2022	CITY OF CHINO HILLS		CH/STAFF TIME/OCT22		\$520.37
					TOTAL	\$520.37
5143	11/23/2022	EGOSCUE LAW GROUP, INC.	THCA19-004	EGOSCUE/LEGAL/OCT22		\$437.50
					TOTAL	\$437.50
5144	11/23/2022	INDUSTRY SECURITY SERVICES, INC.		INDSTY/SECURITY SRVCS/ SEP22		\$3,676.52
	11/23/2022	INDUSTRY SECURITY SERVICES, INC.		INDSTY/SECURITY SRVCS/ OCT22		\$3,676.50
					TOTAL	\$7,353.02
5145	11/23/2022	JANUS PEST MANAGEMENT, INC.	THCA21-001	JANUS/PEST/OCT22		\$75.00
					TOTAL	\$75.00
TOTAL						\$15,506.63

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.



Chino Hills · Diamond Bar · Industry

Date: January 11, 2023
To: Chair and Board of Directors
From: Benjamin Montgomery, Executive Director
Subject: Treasurer's Report

Recommendation:

That the Authority receive and file the Treasurer's Report for the month ended November 30, 2022.

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 and the amount of interest earnings, revenues, and expenditures since the last report. Attached for your information is the Treasurer's Report for the month ended November 30, 2022.

Respectfully Submitted,

Recommended By:


Benjamin Montgomery
Executive Director


Christa Buhagiar
Finance Director

Attachments Treasurer's Report - November 2022


**Tres Hermanos Conservation Authority
Treasurer's Report
For the Month Ended November 30, 2022**

Description	Cost Value	Market Value	Interest/ Book Yield	Maturity Date	% of Portfolio
Cash and Cash Equivalents					
Citizens Business Bank - Premium Money Market LAIF Account	\$ 41,166	\$ 41,166	0.02%	n/a	21.59%
	152,482	149,548	2.01%	n/a	78.41%
Total Investment Portfolio	\$ 193,648	\$ 190,714			100.00%

Blended Yield of Cash and Investments	1.58%
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Benchmarks:	
LAIF	2.01%
6mo U.S. Treasury	4.70%
2yr U.S. Treasury	4.38%
5yr U.S. Treasury	3.82%

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 November 30, 2022

	<u>Budget 2022/23</u>	<u>November 2022</u>	<u>Fiscal Year To Date 2022/23</u>	<u>% of Budget Used</u>
Revenues:				
Interest Income	\$ -	\$ 1	\$ 625	-
Fair Market Value Adjustment	-	-	1,951	-
Rental Income	13,743	1,005	6,195	45%
Reimbursements	4,920	321	1,536	31%
Contributions from Member Agencies	187,943	-	187,943	100%
Total Revenues	<u>206,606</u>	<u>1,327</u>	<u>198,250</u>	<u>96%</u>
Expenditures:				
Contractual Services	113,973	6,435	29,150	26%
Bank Charges	180	1.00	42	23%
Audit Services	2,040	-	1,980	97%
Legal Services	6,720	438	2,100	31%
Security Services	42,501	7,353.00	14,835	35%
Professional Services	27,397	857	1,867	7%
Liability Insurance	19,800	-	1,737	9%
Office Supplies	1,519	-	60	4%
Water	4,920	321	1,536	31%
Permits & Fees	5,445	-	125	2%
Total Expenditures	<u>224,495</u>	<u>15,405</u>	<u>53,432</u>	<u>24%</u>
Excess of Revenues Over/(Under) Expenditures	<u>\$ (17,889)</u>	<u>\$ (14,078)</u>	<u>\$ 144,818</u>	
Fund Balances:				
Beginning of Fiscal Year			\$ 38,307	
Excess of Revenues Over/(Under) Expenditures			144,818	
As of November 30, 2022			<u>\$ 183,125</u>	A
Fund Balances by City:				
Chino Hills			\$ 61,042	
Diamond Bar			61,041	
Industry			61,042	
Total Fund Balances by City			<u>\$ 183,125</u>	

A The ending fund balance in the amount of \$183,125 differs from the bank balance of \$193,648. The (\$10,523) difference is the net of (\$11,190) in outstanding checks and \$667 in accounts receivable.



Chino Hills · Diamond Bar · Industry

Date: January 11, 2023

To: Chair and Board of Directors

From: Benjamin Montgomery, Executive Director

Subject: Amendment No. 1 to Agreement No. THCA20-002 with C&C Engineering for Tres Hermanos Consultant Services

Recommendation:

Authorize the Executive Director to execute Amendment No. 1 to Agreement No. THCA20-002 with C & C Engineering, increasing the total not-to-exceed amount from \$85,000 to \$118,600.

Background/Analysis:

On December 16, 2020, the Board authorized Agreement No. THCA20-002 with C & C Engineering (C & C) for consulting services around the Tres Hermanos property to conduct water surface elevation measurements at the Arnold Reservoir Dam no more than once per week (required by the state to be performed by a registered civil engineer), provide on-call civil engineering services, and coordinate various property tasks. The total cost of the consulting services thus far has totaled \$61,798.75, leaving a remaining balance of \$23,201.25 on the agreement.

The Authority is currently in the third year of the C & C contract and will need continued consulting services around the property. The proposed agreement is to increase the total not-to-exceed amount from \$85,000 to \$118,600 to cover contract costs through June 30, 2023. Future agreement costs will be evaluated during the budget process.

Fiscal Impact:

The current estimated cost of C & C consulting services is more than planned in the Fiscal Year 22/23 budget; therefore, staff will evaluate funding with the mid-year budget review.

Respectfully Submitted,

Recommended By:

Joshua Nelson
Deputy Executive Director

Christa Buhagiar
Finance Director

TRES HERMANOS CONSERVATION AUTHORITY

**AMENDMENT NO. 1 TO AGREEMENT NO. THCA20-002
BETWEEN THE TRES HERMANOS CONSERVATION AUTHORITY AND
C & C ENGINEERING, INC.**

THIS AMENDMENT NO. 1 to Agreement No. THCA20-002 dated December 17, 2020, is entered into in the State of California by and between the TRES HERMANOS CONSERVATION AUTHORITY, a joint powers authority, hereinafter called "Authority", and C & C ENGINEERING, INC., a California Corporation company hereinafter called "Contractor".

Authority and Contractor agree to amend Agreement No. THCA20-002 as follows:

- 1. In Section 5, replace the words "Total compensation shall not-to-exceed \$85,000" with "Total compensation shall not-to exceed \$118,600".

Execution in Counterparts; Electronic Signatures. This Amendment may be executed in duplicate originals, each of which is deemed to be an original, and may be executed in counterparts. Electronically signed copies of this Agreement utilizing technology which conforms to the requirements in both Government Code Section 16.5 and 2 California Code of Regulations Section 22003 shall legally bind the parties to the same extent as original documents.

All other provisions of the agreement remain in effect.

IN WITNESS WHEREOF, the parties hereto have caused this Amendment No. 1 to Agreement No. THCA20-002 to be executed on the day and year last written below:

**TRES HERMANOS CONSERVATION C & C ENGINEERING, INC.
AUTHORITY**

**Benjamin Montgomery
Executive Director**

DocuSigned by:
Clement Calvillo

(Signature)

clement calvillo

President

(Printed Name/Title)

ATTEST:

1/4/2023

(Date)

**Cheryl Balz
Authority Secretary**

(Date)

(Signature)

APPROVED AS TO FORM:

(Printed Name/Title)

**Tracy J. Egoscue
Authority General Counsel**

(Date)



Chino Hills · Diamond Bar · Industry

Date: January 11, 2023

To: Chair and Board of Directors

From: Benjamin Montgomery, Executive Director

Subject: Continued use of Teleconferencing in Accordance with Assembly Bill 361 for Meetings of the Tres Hermanos Conservation Authority

Recommendation:

Adopt Resolution No. THCA 2023-XX entitled: A RESOLUTION OF THE BOARD OF DIRECTORS OF THE TRES HERMANOS CONSERVATION AUTHORITY MAKING SPECIFIED FINDINGS RELATING TO THE USE OF TELECONFERENCING IN ACCORDANCE WITH ASSEMBLY BILL 361 FOR MEETINGS OF THE AUTHORITY SUBJECT TO STATE OPEN MEETING LAWS.

Background/Analysis:

Due to the continued impact of the COVID-19 pandemic, the California Legislature passed AB 361 (effective October 1, 2021), which authorizes a local agency to use teleconferencing without complying with certain teleconferencing requirements imposed by the Brown Act when: (1) the legislative body of a local agency holds a meeting during a declared state of emergency; (2) when state or local health officials have imposed or recommended measures to promote social distancing; and/or (3) when a local agency has determined that meeting in person would present imminent risks to the health or safety of attendees.

The Authority first utilized the provisions of AB 361 at its Special meeting on October 25, 2021. In order to continue to have the ability to use the modified teleconferencing options, AB 361 requires that the Authority re-affirm its findings every 30 days thereafter. Conditions under which AB 361 may be utilized continue to exist as described in the attached Resolution (Attachment 1).

The Authority is currently going beyond what the Brown Act requires by holding meetings in person and by way of teleconference and allowing the public to participate in both forums. The provisions of AB 361 allowing the modified teleconferencing will expire January 1, 2024.

Fiscal Impact:

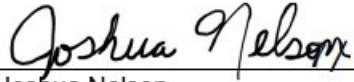
There is no fiscal impact with this item.

Reviewed by Others:

The Authority General Counsel has reviewed and approved the Resolution as to form.

Respectfully Submitted,

Recommended By:



Joshua Nelson
Deputy Executive Director



Daniel Fox
Administrative Director

Attachments Resolution

RESOLUTION NO. THCA 2023-XX

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE TRES HERMANOS CONSERVATION AUTHORITY MAKING SPECIFIED FINDINGS RELATING TO THE USE OF TELECONFERENCING IN ACCORDANCE WITH ASSEMBLY BILL 361 FOR MEETINGS OF THE AUTHORITY SUBJECT TO STATE OPEN MEETING LAWS.

WHEREAS, on March 4, 2020, California Governor Newsom declared a State of Emergency in response to the COVID-19 pandemic; and

WHEREAS, on March 12, 2020, to address the impacts of COVID-19, Governor Newsom issued Executive Orders that required, among other things, residents of California to follow orders and guidance of local public health officials, including social distancing and masking requirements; and

WHEREAS, existing California law, the Ralph M. Brown Act (“Brown Act”) requires, with specified exceptions, that all meetings of a legislative body of a local agency, as those terms are defined, be open and public, that a physical location for such meetings be provided, and that the public be permitted to provide public comment during the meetings; and

WHEREAS, the Brown Act permits members of legislative bodies to teleconference into public meetings subject to certain conditions, including that the place from which the member teleconferences be open to the public, that an agenda be posted on the site, and that the teleconference location be noticed in the agenda; and

WHEREAS, in recognition that such public gatherings at such meetings could accelerate the spread of COVID-19, Governor Newsom’s Executive Orders suspended, among others, these Brown Act teleconferencing requirements to provide local agencies with greater flexibility to hold meetings via teleconferencing safely; and

WHEREAS, as of September 30, 2021, the Governor’s Executive Order suspending the Brown Act’s teleconferencing requirements expired; and

WHEREAS, on September 16, 2021, Governor Newsom signed Assembly Bill 361, which authorizes a local agency to continue to use teleconferencing without complying with certain teleconferencing requirements imposed by the Brown Act when: (1) the legislative body of a local agency holds a meeting during a declared state of emergency; (2) when state or local health officials have imposed or recommended measures to promote social distancing; and/or (3) when a local agency has determined that meeting in person would present imminent risks to the health or safety of attendees; and

WHEREAS, both Los Angeles County and state health officials continue to recommend social distancing due to continued community spread of COVID-19 cases; and

WHEREAS, the Authority first utilized the provisions authorized by AB 361 at a Special meeting on October 25, 2021, and subsequently adopted Resolution Nos. THCA 2021-06, 2021-07, 2022-01, 2022-02, 2022-03, 2022-04, 2022-07, 2022-09, 2022-10, 2022-11, 2022-12, 2022-13, 2022-14, 2022-15, 2022-16, 2022-18, 2022-20 and 2022-21 re-affirming its continued use.

WHEREAS, the Authority must approve a Resolution reaffirming that the requirements set forth in Assembly Bill 361 exist every 30 days in order to allow members of its legislative bodies to utilize the provisions of Assembly Bill 361 when attending public meetings via teleconferencing; and

WHEREAS, notwithstanding that the Authority, as defined by the Brown Act, are now holding modified public meetings in person, there may be situations in which a Board of Director(s) decides not to attend in person due to a particular health or safety risk posed by such attendance and as such, it is the desire of the Authority to permit its Board of Directors to attend by way of teleconference pursuant to Assembly Bill 361.

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

Section 1. That the above recitals are true and correct. and based thereon, that the spread and potential further spread of COVID-19 poses an imminent risk to the public health and safety.

Section 2. That meetings of the Tres Hermanos Conservation Authority are held in the City of Diamond Bar, in the County of Los Angeles, in the State of California.

Section 3. That a state of emergency due to the COVID-19 pandemic continues to exist and at the time that this Resolution was adopted both Los Angeles County and State health officials are recommending social distancing to slow the spread of COVID-19.

Section 4. That meeting in person may pose an imminent risk to the health and safety of some attendees, including members of the Authority Board of Directors, who due to age, health conditions, or vaccination status, have a higher risk of contracting COVID-19 and are more likely to get severely ill and in some cases, die from COVID-19.

Section 5. That during the effective period of this Resolution and any reaffirmation thereof, Authority Board of Directors may participate in meetings subject to the Brown Act by way of teleconference in accordance with Assembly Bill 361.

Section 6. That meetings shall be held in accordance with AB 361 by, among other things, providing notice to the public how it can access the meeting and provide public comment, providing an opportunity for the public to attend via a call-in or an internet-based service option, conducting the meeting in a manner which protects the

statutory and constitutional rights of the public, and stopping the meeting until public access is restored in the event of a service disruption.

IT IS FURTHER RESOLVED that this Resolution is effective for 30 days from its adoption date. Subsequent appearances by teleconferencing of the Board of Directors must be affirmed/acknowledged every 30 days by the Tres Hermanos Conservation Authority in order for the provisions of Assembly Bill 361 to continue to apply.

PASSED, APPROVED AND ADOPTED this 11th day of January, 2023.

Chair
Tres Hermanos Conservation Authority

ATTEST:

I, Cheryl Balz, Secretary of the Tres Hermanos Conservation Authority, do hereby certify that the foregoing Resolution was duly passed, approved and adopted by the Board of Directors of the Tres Hermanos Conservation Authority at a Regular meeting held on the 11th day of January, 2023, by the following vote:

AYES: BOARD MEMBERS:

NOES: BOARD MEMBERS:

ABSENT: BOARD MEMBERS:

ABSTAIN: BOARD MEMBERS:

Cheryl Balz, Secretary
Tres Hermanos Conservation Authority



Chino Hills · Diamond Bar · Industry

Date: January 11, 2023

To: Chair and Board of Directors

From: Benjamin Montgomery, Executive Director

Subject: Discuss cancellation or rescheduling of the February 8, 2023, Tres Hermanos Conservation Authority meeting

Recommendation:

Discuss whether to cancel or reschedule the February 8, 2023, Tres Hermanos Conservation Authority Board of Directors meeting due to the absence of the Executive Director, the Deputy Executive Director, and the Administrative Director who will be attending the League of California Cities Annual City Manager's Conference.

Background/Analysis:

The League of California Cities (CalCities) Annual City Manager's conference is being held on February 8-10, 2023, in Carlsbad. Executive Director Montgomery, Deputy Executive Director Nelson, and Administrative Director Fox are scheduled to attend this conference. This item is being placed on the agenda to consider either canceling the meeting in its entirety or rescheduling the February 8, 2023, meeting due to their absence. If the meeting is canceled, it is likely that a special meeting may need to be called to review and approve the mid-year budget review.

Fiscal Impact:

There is no fiscal impact with this item.

Reviewed by Others:

This item has been reviewed by the Treasurer.

Respectfully Submitted,

Recommended By:


 Joshua Nelson
 Deputy Executive Director


 Cheryl Balz
 Secretary