



WEST VALLEY WATER DISTRICT
855 W. BASE LINE ROAD RIALTO, CA
PH: (909) 875-1804 FAX: (909) 875-1849

REGULAR BOARD MEETING
AGENDA

THURSDAY, AUGUST 6, 2020
CLOSED SESSION - 6:00 PM • OPEN SESSION – 7:00 PM

BOARD OF DIRECTORS

Channing Hawkins, President
Kyle Crowther, Vice President
Dr. Michael Taylor, Director
Greg Young, Director
Dr. Clifford Young, Director

"In order to comply with legal requirements for posting of agendas, only those items filed with the District Secretary's office by noon, on Wednesday a week prior to the following Thursday meeting, not requiring departmental investigation, will be considered by the Board of Directors."

Teleconference Notice: In an effort to prevent the spread of COVID-19 (Coronavirus), and in accordance with the Governor's Executive Order N-29-20 and the order of the County of San Bernardino dated March 17, 2020, there will be no public location for attending this Board Meeting in person. Members of the public may listen and provide public comment via telephone by calling the following number and access code: Dial: (888) 475-4499, Access Code: 807-977-6383 or you may join the meeting using Zoom by clicking this link: <https://us02web.zoom.us/j/8079776383>. Public comment may also be submitted via email to administration@wvwd.org. If you require additional assistance, please contact the Executive Assistant at administration@wvwd.org.

OPENING CEREMONIES

Pledge of Allegiance
Opening Prayer
Call to Order
Roll Call of Board Members

ADOPT AGENDA

PUBLIC PARTICIPATION

Any person wishing to speak to the Board of Directors on matters listed or not listed on the agenda, within its jurisdiction, is asked to complete a Speaker Card and submit it to the District Clerk. Each speaker is limited to three (3) minutes. Under the State of California Brown Act, the Board of Directors is prohibited from discussing or taking action on any item not listed on the posted agenda. Comments related to noticed Public Hearing(s) and Business Matters will be heard during the occurrence of the item.

Public communication is the time for anyone to address the Board on any agenda item or anything under the jurisdiction of the District. Also, please remember that no disruptions from the crowd will be tolerated. If someone disrupts the meeting, they will be removed.

PRESENTATION

- Special Districts Leadership Foundation (Our Commitment to Excellence)
- Update on the Oliver P. Roemer Water Filtration Facility Expansion Project

CONSENT CALENDAR

All matters listed under the Consent Calendar are considered routine and will be enacted by one vote. There will be no separate discussion of these items unless a member of the Board of Directors, Staff Member, or any member of the public request a specific item(s) be removed for separate action.

Consideration of:

1. May 19, 2020 - Special Board Meeting Minutes. **(page 6)**
2. May 21, 2020 - Regular Board Meeting Minutes. **(page 9)**
3. May 27, 2020 – Continuation of Special Board Meeting Minutes from May 19, 2020. **(page 16)**
4. June 4, 2020 - Regular Board Meeting Minutes. **(page 19)**
5. June 6, 2020 – Continuation of Special Board Meeting Minutes from May 19, 2020 and May 27, 2020. **(page 24)**
6. June 12, 2020 – Continuation of Special Board Meeting Minutes from May 19, 2020, May 27, 2020 and June 6, 2020. **(page 27)**
7. June 18, 2020 - Regular Board Meeting Minutes. **(page 30)**
8. June 23, 2020 – Continuation of Special Board Meeting Minutes from June 18, 2020. **(Page 36)**

9. June 25, 2020 – Continuation of Regular Board Meeting Minutes from June 18, 2020 and June 23, 2020. **(page 38)**
10. Approval of Employee Health and Well-Being Incentive Program. **(page 42)**
11. Approval of Revision for Pandemic Response Plan. **(page 44)**
12. Approval of Families First Coronavirus Response Act (FFCRA or Act) Regarding Employers to Provide Employees Up To 80 Hours of Sick Leave Related to COVID-19. **(page 61)**
13. Approval of Payment to Ivie McNeill Wyatt Purcell & Diggs for Professional Services rendered in June 2020, Invoice No. 743253, \$4,422.50. **(page 79)**
14. Approval of Payment to Albright, Yee & Schmit, APC for Professional Services rendered in June 2020, Invoice No. 26406, \$1,884.00. **(page 80)**

BUSINESS MATTERS

Consideration of:

15. Contract for Electrical Power ATS Replacement at Roemer Plant. **(page 81)**
16. A Tribute to Mr. Donald Griggs.

REPORTS - LIMITED TO 5 MINUTES MAXIMUM (Presentations or handouts must be provided to Board Members in advance of the Board Meeting).

1. **Board Members**
2. **Legal Counsel**
3. **General Manager**

UPCOMING MEETINGS

1. August 4, 2020 - San Bernardino Valley Municipal Water District Regular Board Meeting at 2:00 p.m., 380 E. Vanderbilt Way, San Bernardino, CA 92408.
2. August 10, 2020 - West Valley Water District Human Resources Committee Meeting at 6:00 p.m. at the District Headquarters.
3. August 11, 2020 - West Valley Water District Safety and Technology Committee Meeting at 6:00 p.m. at the District Headquarters.
4. August 12, 2020 - West Valley Water District Finance Committee Meeting at 1:00 p.m. at the District Headquarters.
5. August 12, 2020 - West Valley Water District Engineering, Operations & Planning Committee Meeting at 6:00 p.m. at the District Headquarters.

6. August 13, 2020 - West Valley Water District External Affairs Committee Meeting at 6:00 p.m. at the District Headquarters.
7. August 14, 2020 - Southern California Water Conference, 9:00 a.m. to 1:00 p.m., Virtual Meeting.
8. August 18, 2020 - San Bernardino Valley Municipal Water District Regular Board Meeting at 2:00 p.m., 380 E. Vanderbilt Way, San Bernardino, CA 92408.
9. August 20, 2020 - West Valley Water District Board of Directors Regular Board Meeting at 7:00 p.m. (6:00 p.m. Closed Session), at District Headquarters.
10. September 1, 2020 - San Bernardino Valley Municipal Water District Regular Board Meeting at 2:00 p.m., 380 E. Vanderbilt Way, San Bernardino, CA 92408.
11. September 3, 2020 - West Valley Water District Board of Directors Regular Board Meeting at 7:00 p.m. (6:00 p.m. Closed Session), at District Headquarters.
12. September 7, 2020 - District Office **CLOSED** in Observance of Labor Day
13. September 8, 2020 - West Valley Water District Safety and Technology Committee Meeting at 6:00 p.m. at the District Headquarters.
14. September 9, 2020 - West Valley Water District Finance Committee Meeting at 1:00 p.m. at the District Headquarters.
15. September 9, 2020 - West Valley Water District Engineering, Operations & Planning Committee Meeting at 6:00 p.m. at the District Headquarters.
16. September 10, 2020 - West Valley Water District External Affairs Committee Meeting at 6:00 p.m. at the District Headquarters.
17. September 14, 2020 - West Valley Water District Human Resources Committee Meeting at 6:00 p.m. at the District Headquarters.
18. September 15, 2020 - San Bernardino Valley Municipal Water District Regular Board Meeting at 2:00 p.m., 380 E. Vanderbilt Way, San Bernardino, CA 92408.
19. September 17, 2020 - West Valley Water District Board of Directors Regular Board Meeting at 7:00 p.m. (6:00 p.m. Closed Session), at District Headquarters.

CLOSED SESSION

- CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956 9: Number of Cases: Five (5).
- CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Pursuant to Paragraph (1) of subdivision (d) of the Government Code Section

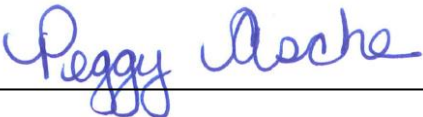
54956.9 Case name: Clifford Young et al v. Robert Tafoya et al. Case No. 19STCV05677

- CONFERENCE WITH LABOR NEGOTIATOR (54957.6) District Negotiators; Martin Pinon, Robert Tafoya, Union Negotiators; Re: International Union of Operating Engineers, Local 12.
- CONFERENCE WITH LEGAL COUNSEL - PUBLIC EMPLOYEE APPOINTMENT - Pursuant to Government Code Section 54957, Title(s): Assistant General Manager.
- PUBLIC EMPLOYEE DISCIPLINE/DISMISSEL/RELEASE - (Government Code Section 54957(b))

ADJOURN

DECLARATION OF POSTING:

I declare under penalty of perjury, that I am employed by the West Valley Water District and posted the foregoing Agenda at the District Offices on August 3, 2020.



Peggy Asche, Acting Board Secretary

Please Note:

Material related to an item on this Agenda submitted to the Board after distribution of the agenda packet are available for public inspection in the District's office located at 855 W. Baseline, Rialto, during normal business hours. Also, such documents are available on the District's website at www.wvwd.org subject to staff's ability to post the documents before the meeting.

Pursuant to Government Code Section 54954.2(a), any request for a disability-related modification or accommodation, including auxiliary aids or services, in order to attend or participate in the above-agendized public meeting should be directed to Peggy Asche, at least 72 hours in advance of the meeting to ensure availability of the requested service or accommodation. Ms. Asche may be contacted by telephone at (909) 875-1804 ext. 703, or in writing at the West Valley Water District, P.O. Box 920, Rialto, CA 92377-0920.

MINUTES
SPECIAL BOARD MEETING
of the
WEST VALLEY WATER DISTRICT
May 19, 2020

Attendee Name	Present	Absent	Late	Arrived
Board of Directors				
Channing Hawkins	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Michael Taylor	<input checked="" type="checkbox"/> Remote	<input type="checkbox"/>	<input type="checkbox"/>	
Kyle Crowther	<input checked="" type="checkbox"/> Remote	<input type="checkbox"/>	<input type="checkbox"/>	
Clifford Young	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Gregory Young	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Staff				
Clarence Mansell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Joanne Chan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Linda Jadeski	<input checked="" type="checkbox"/> Remote	<input type="checkbox"/>	<input type="checkbox"/>	
Jon Stephenson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Shamindra Manbahal	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Rosa Gutierrez	<input checked="" type="checkbox"/> Remote	<input type="checkbox"/>	<input type="checkbox"/>	
Naseem Farooqi	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Peggy Asche	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Legal				
Robert Tafoya	<input checked="" type="checkbox"/> Remote	<input type="checkbox"/>	<input type="checkbox"/>	

OPENING CEREMONIES

Pledge of Allegiance - Led by Director Dr. Clifford Young
Opening Prayer - Led by Director Dr. Clifford Young
Call to Order
Roll Call of Board Members

ADOPT AGENDA

Director Greg Young motioned to adopt the agenda and Director Dr. Clifford Young second the motion. The following vote was taken:

WVWD

Minutes: 5/19/20

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Gregory Young, Director
SECONDER:	Clifford Young, Director
AYES:	Channing Hawkins, Michael Taylor, Kyle Crowther, Clifford Young, Gregory Young

PUBLIC PARTICIPATION

There were no comments.

DISCUSSION

1. BUDGET WORKSHOP FOR FY 2020-21

Mr. Shamindra Manbahal, Chief Financial Officer, welcomed all to the FY 2020-21 Budget Workshop and stated that it is a challenging time due to the COVID-19 Pandemic. The proposal to the Board is a very trimmed budget along with recommendations, but he is looking out for the best interest of the District and employees as well as ratepayers. The 2020-21 proposed operating revenues is \$24,738,841.18 stating that he took the approach of a 10% reduction across the board. This anticipated revenue projection includes a reduction in revenue. President Hawkins asked why he was anticipating a reduction in revenue. Mr. Manbahal stated that based on his research and conversation with colleagues as well as the District's auditors, there is a generic response to the COVID-19 Pandemic. Water Districts are looking at a 10% to 15% reduction, local governments and counties are looking to 20% to 25% reductions. The state of California, Governor Newsom, just announced a \$54 billion shortfall and looking for ways to close that gap. The City of Upland just rejected their City Manager's proposal to dip into their reserve, but to look at cutting expenses instead and save their reserve for later. City of Rancho Cucamonga laid off an abundance of employees and so did City of Santa Monica. Therefore, taking all of this into consideration, Mr. Manbahal feels it is responsible to provide that direction to the Board of Directors for consideration in this budget. On the non-operating side, the proposed revenue is \$2,151,320.00. Our proposed operating expenditures for the upcoming year is \$25,269,931.00. The overall summary and impact to repair a reduced budget with this pandemic and another big challenge is to ensure that the District achieve its bond covenant ratio, which is a minimum of 1.2%. A lot of thought has gone into this budget. Mr. Manbahal stated that he included a reserve line item in the budget so the District can actually start putting away funds into our reserves account to help fund future CIP projects and to help create infrastructure projects. It's a balance budget and satisfies our bond covenant ratio, actually exceeds at 1.24% and provides \$641,780.18 to our reserve account. Mr. Manbahal asked if there were any questions. Director Dr. Michael Taylor thanked him. Director Dr. Clifford Young thanked him for the briefing. Director Greg Young thanked him for his hard work and knows that there will be subsequent questions and also thanked him for the additional work that he requested. President Hawkins thanked him for the time and effort and asked if he received feedback from the other managers. Mr. Manbahal stated yes that he did discuss with managers from different departments as well as the General Manager. President Hawkins stated that we will revisit the budget on May 27, 2020. This will allow the Board members time to review the budget.

The Budget Workshop for FY 2020-21 will continue on Wednesday, May 27, 2020.

WVWD

Minutes: 5/19/20

CLOSED SESSION

Mr. Tafoya reported out of Closed Session that there were no final actions taken.

- **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION** Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: Number of Cases: Three (3)

ADJOURN

There being no further business, the meeting adjourned at 8:22 p.m. and will continue on Wednesday, May 27, 2020.

Channing Hawkins
President of the Board of Directors
of West Valley Water District

ATTEST:

Peggy Asche, Acting Board Secretary

WVWD

Minutes: 5/19/20

MINUTES
REGULAR BOARD MEETING
of the
WEST VALLEY WATER DISTRICT
May 21, 2020

Attendee Name	Present	Excused	Absent
Channing Hawkins	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Michael Taylor	<input type="checkbox"/> Remote	<input type="checkbox"/>	<input type="checkbox"/>
Kyle Crowther	<input type="checkbox"/> Remote	<input type="checkbox"/>	<input type="checkbox"/>
Clifford Young	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gregory Young	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Staff			
Clarence Mansell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Linda Jadeski	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Shamindra Manbahal	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jon Stephenson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Naseem Farooqi	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maisha T. Mesa	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lizett Santoro	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Peggy Asche	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Cynthia Birts	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Diana Gunn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Legal Counsel			
Robert Tafoya	<input type="checkbox"/> Remote	<input type="checkbox"/>	<input type="checkbox"/>

OPENING CEREMONIES

Pledge of Allegiance - Led by Director Dr. Clifford Young.
Opening Prayer - Led by Reverend RD Young from SB Pastors United.
Call to Order
Roll Call of Board Members

At this time, President Hawkins thanked all employees for their continued work and service during this difficult time. He explained that, as a result of the continued efforts by staff, WVWD's water quality, safety and supply have remained unaffected by the pandemic. Earlier today it was announced that specific businesses will be allowed to reopen under certain guidelines, however, out of an abundance of caution, WVWD will not reopen. Current work procedures will remain in effect until there is a significant improvement with the pandemic according to County & State guidelines. President Hawkins announced that the District has made great strides to implement important safety measures as a result of COVID-19. This includes hiring a safety compliance company as well as the

WVWD

Minutes: 5/21/20

completion of CAL OES and FEMA courses for all District staff. President Hawkins announced that all employees have all been awarded certificates for their achievement.

Other things that have been put in place include:

- Masks for all employees
- Zero contact thermometers
- Disinfectant wipes
- Increased janitorial services
- Zoom meetings

President Hawkins also briefly highlighted several improvements that have been made since he started his term as the new Board President in December. He noted that this week alone, there have been several meetings regarding fiscal responsibility. President Hawkins has worked with the CFO, General Manager and other leaders. They have passed HR and fiscal reforms and overall changed the course. He stated that there are still changes to be made and that he will continue to put the ratepayers first. President Hawkins discussed the fact that there are elements in our midst that do not want to see positive changes and that WVWD still has several individuals that are not content with progress.

ADOPT AGENDA

Director Michael Taylor made a motion to adopt all items on the agenda except item #5. CFO would like to continue item #5 to the next Board of Directors meeting. Director Greg Young seconds the motion and the motion passed by the following vote:

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Michael Taylor, Director
SECONDER:	Gregory Young, Director
AYES:	Channing Hawkins, Michael Taylor, Kyle Crowther, Clifford Young, Gregory Young

PUBLIC PARTICIPATION

Comments were made to the Board of Directors by Mr. Gil Navarro, SBVMWD.

PRESENTATIONS

1. **Clifton Larsen Allen, Outside Treasurer-** Has been reviewing WVWD financials for 1 ½ years. Recommends that WVWD move all funds over \$250,000 FDIC insured limit into various investment accounts to earn higher interest rates, etc. There is approximately \$650,000 that can be moved. It was noted during the review that WVWD is in compliance with the investment policy set forth by the Board of Directors. Treasurer also mentioned that WVWD is acting in accordance with California Government Code 53601 and 53601.6(b). Treasurer verified that the

WVWD

Minutes: 5/21/20

majority of investments are 5 years or less. Discussed the \$3 million settlement from the Rialto Basin case. Closed the presentation by explaining that WVWD only has approximately a \$2 million cushion to make necessary adjustments.

2. **Special Districts Leadership Foundation (Our Commitment to Excellence)**- Naseem Farooqi congratulated the District for completing the initial application process. Results will be back in a few weeks.

CONSENT CALENDAR

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Michael Taylor, Director
SECONDER:	Gregory Young, Director
AYES:	Channing Hawkins, Michael Taylor, Kyle Crowther, Clifford Young, Gregory Young

1. **AMENDED MINUTES 04.02.20 REG BOARD MEETING**
2. **TREASURER'S REPORT - APRIL 2020**
3. **WVWD FINANCIAL REPORT - APRIL 2020**
4. **WVWD MONTHLY CASH DISBURSEMENT REPORT - APRIL 2020**
5. **APRIL 2020 - PURCHASE ORDER REPORT (TABLED TO NEXT BOARD MEETING)**
6. **UTC FUND TRANSFER**
7. **APPROVE A PROFESSIONAL SERVICES AGREEMENT AND TASK ORDER NO. 1 WITH GHD INC. FOR PROFESSIONAL ENGINEERING SERVICES FOR THE 16MGD OLIVER P. ROEMER WATER FILTRATION FACILITY EXPANSION PROJECT**
8. **APPROVE A REIMBURSEMENT AGREEMENT WITH THE LYTLE DEVELOPMENT COMPANY FOR CONSTRUCTION OF A 30-INCH TRANSMISSION PIPELINE**
9. **AUTHORIZATION TO APPROVE CHANGE ORDER NO. 6 FOR THE CUSTOMER SERVICE FOYER RENOVATION PROJECT**
10. **APPROVE CHANGE ORDER NO. 2 FOR THE CONSTRUCTION INSPECTION SERVICES OF THE BLOOMINGTON AREA WATERLINE REPLACEMENT PHASE 3A PROJECT FOR ENGINEERING RESOURCES OF SOUTHERN CALIFORNIA, INC.**

WVWD

Minutes: 5/21/20

11. APPROVE CHANGE ORDER NO. 2 FOR THE CONSTRUCTION OF THE BLOOMINGTON AREA WATERLINE REPLACEMENT PHASE 3A PROJECT FOR EL-CO CONTRACTORS, INC.
12. CONSIDER SAN BERNARDINO BASIN AREA GROUNDWATER COUNCIL AGREEMENT
13. APPROVAL OF THE 2019 CONSUMER CONFIDENCE REPORT
14. AUTHORIZATION TO APPROVE CHANGE ORDER FOR FBR FILTER UNDERDRAIN REPAIR PROJECT
15. IVIE, MCNEILL & WYATT INVOICES
16. IVIE, MCNEILL & WYATT INV #742663
17. IVIE, MCNEILL & WYATT INV #742664
18. IVIE, MCNEILL & WYATT INV #742838
19. IVIE, MCNEILL & WYATT INV #742839
20. INVOICE #54 WILLOUGHBY & ASSOCIATES
21. INVOICE #57 WILLOUGHBY & ASSOCIATES
22. INVOICE #60 WILLOUGHBY & ASSOCIATES
23. INVOICE #62 WILLOUGHBY & ASSOCIATES
24. INVOICE #2018-42 FOR \$28,000 FROM NATIONAL DEMOGRAPHICS CORPORATION

BUSINESS MATTERS

1. **APPROVAL OF REQUEST FOR PROPOSAL (RFP) FOR A COMPUTERIZED MAINTENANCE MANAGEMENT SYSTEM (CMMS) AND DEVELOPMENT OF AN ASSET MANAGEMENT PROGRAM (AMP)**

Director Dr. Clifford Young motioned to table Business Item #1 until the Budget Workshops are completed in a few weeks. Director Greg Young seconds the motion but has questions. Asks if there is a cost associated with running the RFP. GM stated that there is no cost associated with running the bid and that we have a subscription to Planet Bids.com. Vice President Kyle Crowther asked if there was a reason this item could not be moved forward to a later date. GM stated that there would not be an issue to table the item.

WVWD

Minutes: 5/21/20

Director Dr. Clifford Young asked the General Manager if this item was included in this year's budget.

Also asked if this item could wait until the Budget Workshops were completed. General Manager says yes.

President Hawkins suggested that the item be tabled until the 2nd Board Meeting in June.

Director Dr. Clifford Young made the motion to table.

Director Greg Young seconds the motion and the following vote was taken:

RESULT:	TABLED [UNANIMOUS]
	Next: 6/18/2020 6:00 PM
MOVER:	Clifford Young, Director
SECONDER:	Gregory Young, Director
AYES:	Michael Taylor, Kyle Crowther, Clifford Young, Gregory Young, Channing Hawkins

REPORTS - LIMITED TO 5 MINUTES MAXIMUM (Presentations or handouts must be provided to Board Members in advance of the Board Meeting).

1. Board Members-

- Director Greg Young took time to thank San Bernardino Valley Municipal Water District for all of their work with the Ground Water Council agreement. Gave thanks and appreciation to Milford, Heather Dyer, June Hayes for their efforts in helping us resolve a few issues that we had with the Ground Water Conservation District. We look forward to being a part of the group. Thanks to the GM and staff and Vice President Crowther who worked on the Ad Hoc Committee with him. President Hawkins echoed his sentiments. Director Greg Young also wished everyone a wonderful Memorial Day and to remember the reason behind it.
- President Hawkins expressed his sentiments regarding Memorial Day and acknowledged his own family connection to the holiday, having family members who served our country. Also acknowledged current service members that are serving their country here in the U.S. as well as in other countries. President Hawkins mentioned WVWD employees who are also veterans and thanked them for their service.
- Director Dr. Michael Taylor echoed the sentiment of the Board with respect to the Memorial Day holiday. Mentioned several members of his own family who served in the Armed Forces, including his wife, son, father, brother. Director Dr. Michael Taylor also gave a statement about the untimely passing of Robert Tafoya's brother, Larry Edward Tafoya. He offered his sincere condolences from both himself and his family. He spoke of what an honor it was to know him. President Hawkins thanked him for his words and agreed that the

WVWD

Minutes: 5/21/20

Board of Directors felt the same way. Robert Tafoya thanked Director Dr. Michael Taylor for his statement.

2. Legal Counsel

- Robert Tafoya reported out on Closed Session during the “Reports” section of the agenda. He reported a 5 to 0 vote that was taken during Closed Session. The vote was to start an investigation into a leak of an item in a previous closed session. There was also a 5 to 0 vote to start litigation with regard to the leak.

3. General Manager

- NOTHING AT THIS TIME

CLOSED SESSION

Legal Counsel, Robert Tafoya, reported out on Closed Session during the “Reports” section of the agenda. He reported a 5 to 0 vote that was taken during Closed Session. The vote was to start an investigation into a leak of an item in a previous closed session. There was also a 5 to 0 vote to start litigation with regard to the leak.

- CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956 9: Number of Cases: Five (5)
- EXISTING LITIGATION - Naisha Davis v. West Valley Water District et al. Case No. 20 ST CV 0323
- CONFERENCE WITH LABOR NEGOTIATOR (54957 6) District Negotiators; Martin Pinon, Robert Tafoya, Union Negotiators; Re: International Union of Operating Engineers, Local 12
- PUBLIC EMPLOYEE APPOINTMENT - Government Co Section 54957(b)1- Assistant General Managers
- PUBLIC EMPLOYEE PERFORMANCE EVALUATION Pursuant to Government Code Section 54957 Title(s): General Manager, General Counsel

ADJOURN

Being no further business, the meeting adjourned at 8:05 p.m.

WVWD

Minutes: 5/21/20

Channing Hawkins
President of the Board of Directors
of West Valley Water District

ATTEST:

Maisha Mesa, Executive Assistant

WVWD

Minutes: 5/21/20

MINUTES
CONTINUATION OF SPECIAL BOARD MEETING
FROM TUESDAY, MAY 19, 2020, WHICH ADJOURNED
AND CONTINUED
May 27, 2020
WEST VALLEY WATER DISTRICT

Attendee Name	Present	Absent	Late	Arrived
Board of Directors				
Channing Hawkins	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Michael Taylor	<input checked="" type="checkbox"/> Remote	<input type="checkbox"/>	<input type="checkbox"/>	
Kyle Crowther	<input checked="" type="checkbox"/> Remote	<input type="checkbox"/>	<input type="checkbox"/>	
Clifford Young	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Gregory Young	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Staff				
Clarence Mansell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Joanne Chan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Linda Jadeski	<input checked="" type="checkbox"/> Remote	<input type="checkbox"/>	<input type="checkbox"/>	
Shamindra Manbahal	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Rosa Gutierrez	<input checked="" type="checkbox"/> Remote	<input type="checkbox"/>	<input type="checkbox"/>	
Naseem Farooqi	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Peggy Asche	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Lizett Santoro	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Albert Clinger	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Legal				
Robert Tafoya	<input checked="" type="checkbox"/> Remote	<input type="checkbox"/>	<input type="checkbox"/>	

OPENING CEREMONIES

- Pledge of Allegiance
- Opening Prayer
- Call to Order
- Roll Call of Board Members

ADOPT AGENDA

WVWD

Minutes: 5/27/20

PUBLIC PARTICIPATION

There were no public participation.

DISCUSSION

1. BUDGET WORKSHOP FOR FY 2020-21.

Mr. Shamindra Manbahal, Chief Financial Officer, stated that this is a continuation from May 19, 2020, fiscal year 2020-21 Budget Workshop. In addition to the operations budget, the CIP budget was presented last week to the Board members. Mr. Manbahal stated that he and staff has spent significant amount of time trying to simplify and identify all of our projects. These projects were discussed with the Engineering and Operating Departments as well as the CIP Department to isolate and identify projects by priority and also try to satisfy our CIP budget reserves. A spreadsheet was created listing replacement projects, rehab projects, new projects and a capital outlay category was added. The capital outlay category is primarily for non-infrastructure type assets, such as: software, computers, vehicles, etc. In the replacement section there are projects that were started and not completed; therefore, they will be moved into the next fiscal year. In addition, there are new projects that different departments are requesting to begin the next fiscal year. In each project a funding source has been identified in a priority manner, which is either capacity charge or the District's reserves. Mr. Manbahal asked if there were any questions. Director Greg Young asked about the proposed CIP project for Phase 3B Bloomington Alley Way Replacement and stated that the initial copy he received was planned for the following year. Why was it changed and moved up to this year. At this time, Rosa Gutierrez, Senior Engineer, stated that her department was asked what one project would they want moved up to this year. Mrs. Gutierrez reported a few reasons why this project was chose stating the waterline and meter locations, the project is located in a disadvantaged community, and Phase 3A was completed last year which will make it a smooth transition to move this project forward this coming fiscal year. Director Greg Young asked would there be any service disruptions or potential issues if this project was delayed. Mrs. Gutierrez stated no. Questions ensued and due to more time needed, President Hawkins requested to continue the Budget Workshop for Saturday, June 6, 2020 at 9:00 a.m.

CLOSED SESSION

Mr. Robert Tafoya reported out of Closed Session that the Board of Directors considered several items, but no final actions were taken and there are no reportable actions to report.

- CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: Number of Cases: Three (3).

WVWD

Minutes: 5/27/20

ADJOURN

The meeting adjourned at 8:15 p.m. and will continue on Saturday, June 6, 2020 at 9:00 a.m.

Channing Hawkins
President of the Board of Directors
of West Valley Water District

ATTEST:

Peggy Asche, Acting Board Secretary

WVWD

Minutes: 5/27/20

MINUTES
REGULAR BOARD MEETING
of the
WEST VALLEY WATER DISTRICT
June 4, 2020

Attendee Name	Present	Excused	Absent
Board of Directors			
Channing Hawkins	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Michael Taylor	<input checked="" type="checkbox"/> _remote	<input type="checkbox"/>	<input type="checkbox"/>
Kyle Crowther	<input checked="" type="checkbox"/> _remote	<input type="checkbox"/>	<input type="checkbox"/>
Clifford Young	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gregory Young	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Staff			
Clarence Mansell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Shamindra Manbahal	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Naseem Farooqi	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Albert Clinger	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Peggy Asche	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lizette Santoro	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maisha Mesa	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Legal Counsel			
Robert Tafoya	<input checked="" type="checkbox"/> _remote	<input type="checkbox"/>	<input type="checkbox"/>

President Hawkins stated that there will be a special opening prayer before the meeting begins due to the difficult time our country and local community is facing. The previous Pastors for the District would like to extend prayers over this agency, employees and our local community.

OPENING CEREMONIES

Pledge of Allegiance - Led by Director Dr. Clifford Young

Opening Prayer - Led by Pastor David Gomez, Sunrise Church, Pastor Erik Williams, Sunrise Church, Pastor Carlo Mendoza, Sunrise Church, Elder Vernal Townsend, Sunrise Church, Pastor Araya, Casa Del Rey, Pastor Jerald Thompson, San Bernardino Community Seventh Day Adventist Church, Reverend RD Young, San Bernardino County Pastors United

Call to Order

Roll Call of Board Members

WVWD

Minutes: 6/4/20

ADOPT AGENDA

- **TABLE ITEM NO. 3 AND MOVE ITEMS NO. 5 AND 6 TO BUSINESS MATTERS**

Director Greg Young requested to table Item No. 3 as it is a continued meeting and the meeting has not been concluded yet and would like Items No. 5 and 6 moved to Business Matters for separate discussion. Director Greg Young motioned to move the agenda with the requested changes. Director Dr. Clifford Young second the motion and the following vote was taken:

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Gregory Young, Director
SECONDER:	Clifford Young, Director
AYES:	Channing Hawkins, Michael Taylor, Kyle Crowther, Clifford Young, Gregory Young

PUBLIC PARTICIPATION

Comments were read to the Board members by Naseem Farooqi, Public Affairs Manager, for Mr. Don Griggs.

CONSENT CALENDAR

- **MOVE ITEM NO. 4 TO BUSINESS MATTERS**

Director Greg Young motioned to adopt the balance of the Consent Calendar, but before adopting it he does have a question regarding Item No. 4. Questions ensued and the Board of Director engaged in a lengthy discussion regarding a payment for membership. Director Dr. Clifford Young requested to pull Item No. 4 for separate discussion. There being no further discussion, Director Dr. Clifford Young second the motion to approve Items 1 and 2 and move Item No. 4 to Business Matters. The following vote was then taken:

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Gregory Young, Director
SECONDER:	Clifford Young, Director
AYES:	Channing Hawkins, Michael Taylor, Kyle Crowther, Clifford Young, Gregory Young

1. BOARD OF DIRECTORS - REGULAR MEETING MINUTES - MAY 7, 2020.
2. BOARD OF DIRECTORS - SPECIAL MEETING MINUTES - MAY 18, 2020.
3. BOARD OF DIRECTORS - SPECIAL MEETING - MAY 19, 2020. **(TABLED)**

BUSINESS MATTERS

WVWD

Minutes: 6/4/20

4. APRIL 2020 - PURCHASE ORDER REPORT

Director Greg Young motioned to approve this item and President Channing Hawkins second the motion. The following vote was taken:

RESULT:	APPROVED [4 TO 1]
MOVER:	Gregory Young, Director
SECONDER:	Channing Hawkins, President
AYES:	Channing Hawkins, Michael Taylor, Kyle Crowther, Gregory Young
NAYS:	Clifford Young

5. APPROVAL OF PAYMENT TO ALBRIGHT, YEE AND SCHMIT, APC FOR PROFESSIONAL SERVICES RENDERED IN APRIL 2020 AND MAY 2020. INVOICE NO. 26337: \$12,334.00 AND INVOICE NO. 12289: \$5,450.00

Director Dr. Michael Taylor motioned to approve this item and Director Greg Young second the motion. At this time, Director Dr. Clifford Young stated that all legal invoices in the past were always placed in Business Matters for discussion and he would like to request that it goes back to Business Matters. The following vote was then taken:

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Michael Taylor, Director
SECONDER:	Greg Young, Director
AYES:	Channing Hawkins, Michael Taylor, Kyle Crowther, Clifford Young, Gregory Young

6. APPROVAL OF PAYMENT TO TAFOYA & GARCIA, LLP FOR PROFESSIONAL SERVICES RENDERED IN MARCH, 2020 INVOICE NO. 20-1002: \$23,553.96

There was no discussion on this item. Director Dr. Michael Taylor motioned to approve this item and Director Greg Young second the motion. The following vote was taken:

RESULT:	APPROVED [4 TO 1]
MOVER:	Michael Taylor, Director
SECONDER:	Greg Young, Director
AYES:	Channing Hawkins, Michael Taylor, Kyle Crowther, Gregory Young
NAYS:	Clifford Young

7. AUDIT FIRM SELECTION TO CONDUCT WEST VALLEY WATER DISTRICT'S ANNUAL FINANCIAL AUDIT

Director Dr. Clifford Young motioned to approve this item, but would like to have a discussion. Dr. Michael Taylor second the motion. At this time, Director Dr. Clifford Young stated that he is in favor of the contract and does not want to hold it up, but before the firm signs the contract, he would like a pre-conference call with the Finance Committee for several questions. Mr. Rickey Manbahal, CFO, stated that normally there is a pre-audit conference, but he will mention

WVWD

Minutes: 6/4/20

to the firm that the Finance Committee would like to have a pre-conference before signing the contract. There being no further discussion, the following vote was taken:

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Clifford Young, Director
SECONDER:	Michael Taylor, Director
AYES:	Channing Hawkins, Michael Taylor, Kyle Crowther, Clifford Young, Gregory Young

PUBLIC HEARING

None

REPORTS - LIMITED TO 5 MINUTES MAXIMUM (Presentations or handouts must be provided to Board Members in advance of the Board Meeting).

1. Board Members

- President Hawkins reported that at the request of Vice President Kyle Crowther and Director Greg Young, he would like the General Manager and staff to begin a plan to re-open the District. His suggestions are to see the possibility of opening up some services in the customer service area as well as reviewing productivity of employees' teleworking from home and report back at the next Board meeting.
- Director Greg Young thanked the Pastors for their prayers and stated that it is a very difficult and painful time in our country. He would like to repeat what one of the Pastors said stating that there needs to be love in our hearts for our fellow man.

2. Legal Counsel

Mr. Robert Tafoya reported out of Closed Session that the Board of Directors considered several items; however, there were no reportable actions taken. Mr. Tafoya thanked everyone from West Valley Water District who sent their condolences to him regarding his brother and stated that he is very grateful.

3. General Manager

CLOSED SESSION

Mr. Robert Tafoya reported out of Closed Session that the Board of Directors considered several items; however, there were no reportable actions taken.

- CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956 9: Number of Cases: Five (5)

WVWD

Minutes: 6/4/20

- CONFERENCE WITH LABOR NEGOTIATOR (54957 6) District Negotiators; Martin Pinon, Robert Tafoya, Union Negotiators; Re: International Union of Operating Engineers, Local 12
- PUBLIC EMPLOYEE APPOINTMENT - Government Co Section 54957(b) 1 Assistant General Managers
- PUBLIC EMPLOYEE PERFORMANCE EVALUATION Pursuant to Government Code Section 54957 Title(s): General Manager, General Counsel

ADJOURN

There being no further business, the meeting adjourned at 7:56 p.m.

Channing Hawkins
President of the Board of Directors
of West Valley Water District

ATTEST:

Peggy Asche, Acting Board Secretary

WVWD

Minutes: 6/4/20

MINUTES

CONTINUATION OF SPECIAL BOARD MEETING

FROM TUESDAY, MAY 19, 2020 AND WEDNESDAY, MAY 27, 2020,

WHICH ADJOURNED

AND CONTINUED

June 6, 2020

WEST VALLEY WATER DISTRICT

Attendee Name	Present	Absent	Late	Arrived
Board of Directors				
Channing Hawkins	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Michael Taylor	<input checked="" type="checkbox"/> Remote	<input type="checkbox"/>	<input type="checkbox"/>	
Kyle Crowther	<input checked="" type="checkbox"/> Remote	<input type="checkbox"/>	<input type="checkbox"/>	
Clifford Young	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Gregory Young	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Staff				
Clarence Mansell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Joanne Chan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Linda Jadeski	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Shamindra Manbahal	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Naseem Farooqi	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Peggy Asche	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Albert Clinger	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Legal				
Robert Tafoya	<input checked="" type="checkbox"/> Remote	<input type="checkbox"/>	<input type="checkbox"/>	

OPENING CEREMONIES

Pledge of Allegiance - Led by Director Dr. Clifford Young
 Opening Prayer - Led by Pastor Harry Bratton, Greater Faith Grace Bible Church
 Call to Order
 Roll Call of Board Members

ADOPT AGENDA

WVWD

Minutes: 6/6/20

PUBLIC PARTICIPATION

Comment was read to the Board members by Naseem Farooqi, Public Affairs Manager, from Mr. Gil Navarro, Director at San Bernardino Valley Municipal Water District, Division II.

DISCUSSION

1. BUDGET WORKSHOP FOR FY 2020-21.

Mr. Shamindra Manbahal, Chief Financial Officer (CFO), provided a brief opening statement stating that as the CFO, it is his responsibility to supply the Board of Directors with reliable financial information so that the best decision possible is made for the rate payers and the District. This budget is one of the most conservative budgets that has been provided in recent years. It provides continuous funding for operations and it satisfies all regulatory and reporting requirements, infrastructures, expansions and continued maintenance. It satisfies the minimum bond covenant ratio of 1.2%. It is a balanced budget and it applies some funding to our debt service and CIP funding. Mr. Manbahal asked at this time if there were any questions. Director Greg Young thanked Mr. Manbahal and his team for their efforts in providing him with the detailed information he requested and especially for providing an extremely frugal proposed budget due to expecting the revenues to decline this fiscal year because of the COVID-19 pandemic. Director Greg Young stated before addressing his concerns he would like to make three (3) recommendations:

1. Reduce overtime by 50% from last year and feels that it is an achievable goal. All managers and supervisors need to take ownership of their department and come up with a plan to reduce overtime. Also, provide a monthly report to the Board as a consent item on overtime for their department as well as the Human Resources Committee meetings.
2. Possibility of suspending this fiscal year with the matching of contributions per pay period (employer matches \$25, \$50, or \$75) based on the employee's contribution for the deferred compensation fund. President Hawkins asked Mr. Manbahal to prepare a data sheet with this information to the Board as he is not inclined to do this because he feels employees are doing a great job and should be compensated.
3. Board of Directors fees were voted to automatically update every year and his thoughts are that the Board should show an example and rescind for this fiscal year.

President Hawkins commented on the Professional Services contracts and stated that he would like to have the contracts reviewed that are related to operations, engineering and lobbyist. He would like the managers who are in charge of managing these contracts to be better stewards in monitoring the value that the District pays. President Hawkins would like to see a 10% reduction in these type of contracts.

Director Greg Young continued to address all his concerns of the proposed expenses line by line. Staff responded to each question and concern and the full Board engaged in discussion.

WVWD

Minutes: 6/6/20

At this time, Director Dr. Clifford Young stated that revisions have been made to the proposed budget and asked that the CFO bring back those revisions at a later date. Therefore, it was decided to adjourn the conversation and continue the meeting to Friday, June 12, 2020, at 6:00 p.m.

CLOSED SESSION

There were no final actions taken during Closed Session to report on.

1. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: Number of Cases: Three (3).

ADJOURN

The meeting adjourned at 1:09 p.m. and will continue on Friday, June 12, 2020 at 6:00 p.m.

Channing Hawkins
President of the Board of Directors
of West Valley Water District

ATTEST:

Peggy Asche, Executive Assistant

WVWD

Minutes: 6/6/20

MINUTES
CONTINUATION OF SPECIAL BOARD MEETING
FROM TUESDAY, MAY 19, 2020, WEDNESDAY, MAY 27, 2020,
AND SATURDAY, JUNE 6, 2020, WHICH ADJOURNED
AND CONTINUED
June 12, 2020
WEST VALLEY WATER DISTRICT

Attendee Name	Present	Absent	Late	Arrived
Board of Directors				
Channing Hawkins	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Michael Taylor	<input checked="" type="checkbox"/> Remote	<input type="checkbox"/>	<input type="checkbox"/>	
Kyle Crowther	<input checked="" type="checkbox"/> Remote	<input type="checkbox"/>	<input type="checkbox"/>	
Clifford Young	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Gregory Young	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Staff				
Clarence Mansell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Joanne Chan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Linda Jadeski	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Shamindra Manbahal	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Naseem Farooqi	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Jon Stephenson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Peggy Asche	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Rosa Gutierrez	<input checked="" type="checkbox"/> Remote	<input type="checkbox"/>	<input type="checkbox"/>	
Legal				
Robert Tafoya	<input checked="" type="checkbox"/> Remote	<input type="checkbox"/>	<input type="checkbox"/>	

OPENING CEREMONIES

Pledge of Allegiance - Led by Director Dr. Clifford Young
Opening Prayer - Led by President Channing Hawkins
Call to Order
Roll Call of Board Members

ADOPT AGENDA

President Hawkins stated that he would like to make a brief statement regarding a letter that the District received from the State Controller's Office outlining shortfalls in controls for operations, financial reports, assets and use of public funds from July 1, 2016 to June 30, 2018. It also includes an event that occurred August 2, 2019. President Hawkins stated that he has reviewed the report and would like to make it clear that this will not continue and we are here to discuss a budget and

WVWD

Minutes: 6/12/20

this budget does not have a retreat planned for the Board. We will not tolerate any of these improprieties and lack of financial controls. Our ratepayers deserve better and he is committed to making sure that they do receive better. Since the start of his term in 2020, we have all been working diligently to prevent past practices that have left our agency vulnerable. President Hawkins stated that he would like to thank the staff who attended the virtual meeting this morning to discuss the letter from the State Controller's Office and that employees' made several great points. There will be another virtual meeting held next week for the remaining staff to answer their concerns and address more questions. We understand how this report raises staff concerns which might affect how they feel about this agency. The very same way we are committed to eradicating and eliminating mismanagement or appearances of impropriety as well as committed to making this a safe and healthy workplace for our employees and staff. Tonight we must continue in the right direction and produce a transparent, accountable and responsible budget. Our Chief Financial Officer is projecting a revenue decrease of 10% or \$3 million, which will require very difficult decisions. However, we cannot allow the services to our customers to be impacted. This budget provides infrastructure upgrades to services within the disadvantaged community of Bloomington. We also are continuing the design expansion for our Oliver P. Roemer Water Filtration Facility. The proposed budget also funds the replacement of 1,700 meters, the construction of a new Zone 8 Reservoir to facilitate the projected growth, new waterlines in Santa Ana Avenue in Bloomington to improve water distribution hydraulics, the construction of over 7,000 linear feet of 30" transmission lines to allow the District to boost water supplies to the northern service area as well as repair and replace valves, flow meters and other important infrastructures. President Hawkins would like to thank his Board colleagues for asking questions and making suggestions to ensure our budget is fiscally responsible. He would also like to thank the Chief Financial Officer and staff who has spent countless hours in presenting a budget that includes water service improvements.

PUBLIC PARTICIPATION

There were no public comments.

DISCUSSION

BUDGET WORKSHOP FOR FY 2020-21

Mr. Shamindra Manbahal, Chief Financial Officer, welcomed all again to the continuation of the proposed budget workshop. There were several changes that the Board of Directors recommended at the last budget workshop and a summary of those requests have been prepared. This proposed budget is a very frugal budget. He and staff worked tremendously hard to bring it down to the level of where it is because of the COVID pandemic and environment that it has left us in. Mr. Manbahal extended a thank you to the Board of Directors for their leadership and staff for their contributions to this proposed budget. This proposed budget is an all-inclusive budget with total revenues of \$27 million and total expenses of \$26.3 million. The proposed budget is a balanced budget that does satisfy the bond covenant ratio at 1.32%, which is due to the adjustments that were recommended during the last Special Board meeting. Mr. Manbahal discussed the reductions that were requested and highlighted several areas; such as: the grand total in revenues are proposed at \$27,150,161.18, grand total expenses are proposed at \$26,395,530.32, and debt service payments at \$1,062,629.00, which will leave a deficit of (\$307,998.14) that will be transferred from reserves.

WVWD

Minutes: 6/12/20

Director Greg Young stated then this is not a balanced budget as we will be drawing from the reserves, assuming that there is a revenue decline of 10%. Mr. Manbahal stated yes. President Hawkins asked is there a Resolution related to the reserves. Mr. Manbahal stated that there is a Resolution that the Board approved in 2015 and it outlines the reserve policy. Also, the rate stabilization fund is there for shortfall in sales and currently there is \$853,000 in the account. Director Dr. Clifford Young stated that the rate stabilization fund should be re-visited. President Hawkins stated that he feels that the approach that has been taken to the budget thus far, has been fiscally responsible prioritizing the important projects for being able to increase our local water supply as well as the expansion of the Oliver P. Roemer Water Filtration Facility, which is a very significant water source for our community. Also, partnering with local water wholesalers and retailers to ensure that the ratepayers have water for the future. President Hawkins asked will there be any rate increases in the 2020/2021 budget? Mr. Manbahal stated that there is not a rate increase in this budget that will affect our ratepayers. Questions ensued and staff responded to each question and concern. Mr. Manbahal asked if there were any adjustments to the budget as he would like to place it on the agenda for approval at the next regularly scheduled Board meeting on June 18, 2020. The Board stated that direction has been given and there are no further recommendations at this time.

CLOSED SESSION

Mr. Robert Tafoya reported out of Closed Session stating that there were no reportable actions taken.

- CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: Number of Cases: Three (3)

ADJOURN

There being no further business, the meeting adjourned at 8:10 p.m.

Channing Hawkins
President of the Board of Directors
of West Valley Water District

ATTEST:

Peggy Asche, Acting Board Secretary

WVWD

Minutes: 6/12/20

MINUTES
REGULAR BOARD MEETING
of the
WEST VALLEY WATER DISTRICT
June 18, 2020

Attendee Name	Present	Excused	Absent
Board of Directors			
Channing Hawkins	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Michael Taylor	<input checked="" type="checkbox"/> _remote	<input type="checkbox"/>	<input type="checkbox"/>
Kyle Crowther	<input checked="" type="checkbox"/> _remote	<input type="checkbox"/>	<input type="checkbox"/>
Clifford Young	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gregory Young	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Staff			
Clarence Mansell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Shamindra Manbahal	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Naseem Farooqi	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Albert Clinger	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Peggy Asche	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lizette Santoro	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jon Stephenson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Linda Jadeski	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Joanne Chan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Legal Counsel			
Robert Tafoya	<input checked="" type="checkbox"/> _remote	<input type="checkbox"/>	<input type="checkbox"/>

OPENING CEREMONIES

Pledge of Allegiance - Led by Director Dr. Clifford Young
Opening Prayer - Led by Elder Vernall Townsend, Sunrise Church
Call to Order
Roll Call of Board Members

ADOPT AGENDA

- PULL ITEMS NO. 1, 2, AND 3**

At this time, President Hawkins stated that Items No. 1, 2 and 3 be pulled from the agenda. Director Greg Young stated that he would like to move Items No. 9 and 10 for separate consideration. Hearing no further changes, Director Dr. Michael Taylor motioned to pull Items

WVWD

Minutes: 6/18/20

No. 1, 2 and 3 and move Items No. 9 and 10 for separate consideration. Director Greg Young second the motion and the following vote was taken:

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Michael Taylor, Director
SECONDER:	Gregory Young, Director
AYES:	Channing Hawkins, Michael Taylor, Kyle Crowther, Clifford Young, Gregory Young

PUBLIC PARTICIPATION

Comments were made to the Board of Directors by Mr. Gil Navarro, San Bernardino Valley Municipal Water District. Also, comments were read by Naseem Farooqi, External Affairs Manager, for Mr. Don Griggs.

PRESENTATIONS

- 2019 Annual Water Quality Report.

Janet Harmon, Acting Water Quality Supervisor, reported on the 2019 Annual Water Quality Report stating that it was formerly known as the Consumer Confidence Report. This report informs our customers of the quality they receive from their tap water. The Safe Drinking Water Act (SDWA) requires that we include information on our water sources, levels of any detected contaminants and if we are in compliance with drinking water regulations. Mrs. Harmon informed the Board that the District has not violated a maximum contaminant level or any other water quality standards in 2019 compliance period. This report is due to our customers by July 1st of each year and notices will be sent out to our customers stating that the report is available on the West Valley Water District's website for viewing.

- State Controller's Office Audit Report.

Mr. Shamindra Manbahal, Chief Financial Officer, reported on the final audit report that the District received from the State Controller's Office. Mr. Manbahal stated that on June 11, 2020, the District responded to a draft report regarding several of their findings. However, the District is now in the process of addressing each and every one of their findings. The District has implemented several changes in March and they are now in place at the request of the Board of Directors, such as: CFO to receive and approve all reimbursements, documentation for expense reimbursements, credit card use policy, purchasing activities are now the responsibility of the CFO, and there are no plans in the budget for future Board retreats. President Hawkins stated that he realizes there are still additional work that needs to be completed and the District has six months to respond to the State Controller's Office. There are plans to meet within the next thirty days to go over the report to ensure that the District is in compliance

WVWD

Minutes: 6/18/20

and once completed a report will go to the full Board. Director Dr. Clifford Young suggested that the full Board meet in August for open forum (Special Meeting) to present the plan for rectifying the issues.

CONSENT CALENDAR

Director Greg Young motioned to approve the remaining Items No. 4, 5, 6, 7, 8, 11, 12 and 13. Director Dr. Michael Taylor second the motion and the following vote was taken:

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Greg Young, Director
SECONDER:	Michael Taylor, Director
AYES:	Channing Hawkins, Michael Taylor, Kyle Crowther, Clifford Young, Gregory Young

1. APPROVAL OF PROPOSED FISCAL YEAR 2020-21 OPERATING AND CAPITAL BUDGETS.

The Board voted unanimously to pull Item's 1, 2 and 3 during the adoption of the agenda.

2. RESOLUTION NO. 2020-12 FOR 2020-2021 OPERATING AND CAPITAL IMPROVEMENT BUDGET.

The Board voted unanimously to pull Item's 1, 2 and 3 during the adoption of the agenda.

3. RESOLUTION NO. 2020-13 CLASSIFICATION & SALARY.

The Board voted unanimously to pull Item's 1, 2 and 3 during the adoption of the agenda.

4. AUTHORIZATION TO APPROVE CHANGE ORDER NO. 2 FOR THE FBR FILTER UNDERDRAIN REPAIR PROJECT

5. CONSIDER BUDGET TRANSFER FROM CIP CONTINGENCY TO CEDAR AND ORANGE BUSINESS CENTER PROJECT

6. CONSIDER APPROVAL FOR CHANGE ORDER NO. 2 FOR THE DESIGN OF LORD RANCH PUMP STATION 4-3 PROJECT FOR ENGINEERING RESOURCES OF SOUTHERN CALIFORNIA, INC.

7. APPROVE CHANGE ORDER NO. 2 WITH MICHAEL BAKER INTERNATIONAL, INC. FOR DESIGN OF PUMP STATION 7-2 ELECTRICAL SERVICES

8. MAY 2020 - PURCHASE ORDER REPORT

WVWD

Minutes: 6/18/20

9. INVOICE NO. 17993 FROM LEO-TREJO- \$29,872.50

The Board voted unanimously to move Items No. 9 and 10 for separate consideration to Business Matters during the adoption of the agenda.

10. TAFOYA & GARCIA INVOICE NO. 20-1004, \$31,966.10

The Board voted unanimously to move Items No. 9 and 10 for separate consideration to Business Matters during the adoption of the agenda.

11. APPROVE A PROFESSIONAL SERVICES AGREEMENT FOR MARTIN PINON FOR HUMAN RESOURCES SERVICES.**12. CONSIDER ADOPTION OF RESOLUTION NO. 2020-14 FOR THE CREATION OF THE WATER TECHNOLOGY CAREER OPPORTUNITY PROGRAM****13. PRESENTATION OF THE 2019 ANNUAL CONSUMER CONFIDENCE REPORT****BUSINESS MATTERS****9. INVOICE NO. 17993 FROM LEO-TREJO- \$29,872.50**

Director Dr. Michael Taylor motioned to approve Items No. 9 and 10. Vice President Kyle Crowther second the motion with no discussion. The item passed with Director Dr. Clifford Young and Director Greg Young abstaining from the vote.

RESULT:	APPROVED [3 to 2]
MOVER:	Michael Taylor, Director
SECONDER:	Kyle Crowther, Vice President
AYES:	Channing Hawkins, Michael Taylor, Kyle Crowther
ABSTAIN:	Clifford Young, Gregory Young

10. TAFOYA & GARCIA INVOICE NO. 20-1004, \$31,966.10

Director Dr. Michael Taylor motioned to approve Items No. 9 and 10. Vice President Kyle Crowther second the motion with no discussion. The item passed with Director Dr. Clifford Young and Director Greg Young abstaining from the vote.

RESULT:	APPROVED [3 to 2]
MOVER:	Michael Taylor, Director
SECONDER:	Kyle Crowther, Vice President
AYES:	Channing Hawkins, Michael Taylor, Kyle Crowther
ABSTAIN:	Clifford Young, Gregory Young

WVWD

Minutes: 6/18/20

REPORTS - LIMITED TO 5 MINUTES MAXIMUM (Presentations or handouts must be provided to Board Members in advance of the Board Meeting).

1. Board Members

- Director Greg Young apologized for being so late and thanked everyone for attending. He also asked again that all Legal matters be kept in Business Matters and not placed in Consent.
- Director Dr. Michael Taylor reported that on June 12, 2020, he was asked to participate in a zoom conference of the Mayors to discuss water issues as it relates to COVID-19 and also as it relates to our current budget. It was a very informative meeting as there were several people from across the United States who were addressing their problems the same as our District due to COVID-19.
- President Hawkins thanked all staff and Board members for being a full participant during the deliberations of the budget to help the District's future. Also, wished all the Dad's Happy Father's Day.

2. Legal Counsel

- Mr. Robert Tafoya reported out of Closed Session that no final actions were taken.

3. General Manager

- Mr. Clarence Mansell reported that at the last Board meeting he was asked to look into a re-opening plan for the District and he did present a plan to the Executive Committee. However, the Committee recognized that many places of work opened too early and had to close again. Therefore, the Committee's recommendation is to maintain the safe work paradigm and monitor and access the situation for the right time to re-open as well as keep the full Board apprised. In the meantime, he will develop a re-opening plan and the outline for that is health and safety guidelines for employees working in the environment at the District, health and safety guidelines for visitors as well as customers, physical space redesign, increase hygiene practices and a training plan to implement the re-opening. Director Greg Young stated that he would like to see the Board discuss the possibility of at least a limited re-opening plan for the public to attend Board meetings.

CLOSED SESSION

Mr. Robert Tafoya reported out of Closed Session that no final actions were taken.

1. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION Significant exposure to litigation pursuant to paragraph (2) of Subdivision (d) of Section 54956 9: Number of Case: Five (5)
2. PUBLIC EMPLOYEE PERFORMANCE EVALUATION - Pursuant to Government Code Section 54957 Title(s): General Manager, General Counsel

WVWD

Minutes: 6/18/20

At this time, President Hawkins announced that there will be a Continued Board Meeting on Tuesday, June 23, 2020, at 7:00 p.m., Closed Session at 6:00 p.m.

ADJOURN

There being no further business, the meeting adjourned at 8:39 p.m.

Channing Hawkins
President of the Board of Directors
of West Valley Water District

ATTEST:

Peggy Asche, Acting Board Secretary

WVWD

Minutes: 6/18/20

MINUTES
SPECIAL CONTINUATION BOARD MEETING
FROM JUNE 18, 2020 REGULAR BOARD MEETING
WEST VALLEY WATER DISTRICT
June 23, 2020

Attendee Name	Present	Absent	Late	Arrived
Board of Directors				
Channing Hawkins	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Michael Taylor	<input checked="" type="checkbox"/> Remote	<input type="checkbox"/>	<input type="checkbox"/>	
Kyle Crowther	<input checked="" type="checkbox"/> Remote	<input type="checkbox"/>	<input type="checkbox"/>	
Clifford Young	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Gregory Young	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Staff				
Clarence Mansell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Shamindra Manbahal	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Naseem Farooqi	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Peggy Asche	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Lizette Santoro	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Albert Clinger	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Legal				
Robert Tafoya	<input checked="" type="checkbox"/> Remote	<input type="checkbox"/>	<input type="checkbox"/>	

At this time, President Hawkins stated that this meeting was supposed to be a continuance from the June 18, 2020 Regular Board Meeting. General Counsel notified the Board that there is an error on the agenda for today noticed as a “Special Meeting” and should have been “Continued Regular Board Meeting”. Therefore, the Board cannot take a vote on the budget tonight in adhering to the Brown Act. However, to not waste the time of the public we will do a roll call and finalize the remaining meeting tonight.

OPENING CEREMONIES

Pledge of Allegiance
Opening Prayer
Call to Order
Roll Call of Board Members

ADOPT AGENDA

WVWD

Minutes: 6/23/20

PUBLIC PARTICIPATION

There were no public comments.

DISCUSSION**1. Budget Workshop for FY 2020-21**

No action taken.

CLOSED SESSION

Mr. Robert Tafoya reported out of Closed Session that there were no reportable actions taken.

- **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**
Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: Number of Cases: Three (3)

ADJOURN

There being no further business, the meeting adjourned at 7:17 p.m. and will be continued to Thursday, June 25, 2020, at 7:00 p.m., Closed Session at 6:00 p.m.

Channing Hawkins
President of the Board of Directors
of West Valley Water District

ATTEST:

Peggy Asche, Acting Board Secretary

WVWD

Minutes: 6/23/20

MINUTES
CONTINUATION OF REGULAR BOARD MEETING
FROM JUNE 18, 2020 AND JUNE 23, 2020, WHICH ADJOURNED
AND CONTINUED
June 25, 2020
WEST VALLEY WATER DISTRICT

Attendee Name	Present	Excused	Absent
Board of Directors			
Channing Hawkins	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Michael Taylor	<input checked="" type="checkbox"/> remote	<input type="checkbox"/>	<input type="checkbox"/>
Kyle Crowther	<input checked="" type="checkbox"/> remote	<input type="checkbox"/>	<input type="checkbox"/>
Clifford Young	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gregory Young	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Staff			
Clarence Mansell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Shamindra Manbahal	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Naseem Farooqi	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Albert Clinger	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Peggy Asche	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maisha Mesa	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Legal Counsel			
Robert Tafoya	<input checked="" type="checkbox"/> remote	<input type="checkbox"/>	<input type="checkbox"/>

OPENING CEREMONIES

Pledge of Allegiance
Opening Prayer
Call to Order
Roll Call of Board Members

ADOPT AGENDA

PUBLIC PARTICIPATION

There were no public comments.

WVWD

Minutes: 6/25/20

PRESENTATIONS

Mr. Shamindra Manbahal stated that it was a pleasure to present the FY 2020-21 budget with a brief PowerPoint presentation to summarize the budget. The West Valley Water District's mission is to provide customers with safe, high quality and reliable water service at a reasonable rate and in a sustainable manner. The proposed budget assumptions are based on the operating revenue due to the Pandemic COVID-19 and proposing a 10% reduction across the board. There are no cost of living increases and the District is not proposing any rate increases in this budget. We are reducing staff and realigning departments as well as freezing conferences and travel for non-essential programs. However, this does not mean that there is not a budget for training, only for non-essential travel. The Engineering salary and benefits have been reallocated back to the O & M budget where it should be. Also, we are postponing any major purchases for future fiscal years. The proposed budget summary revenues are \$27,150,161.18 and expenditures are \$26,375,404.62 and our debt service is approximately \$1M. This budget is still short and will need an additional \$287,872.00 after all of these reductions of conservative spending. However, the key is that the District is maintaining its bond covenants ratio at 1.34% and the minimum is 1.2% and it is important that the District continues to maintain at this level for future expenditures and borrowing. The plan is to build this budget from here on out conservatively to plan for the future. Plus, the one message that is very important to our Board members is that the District does not have any rate increases. Mr. Manbahal thanked the Board and Staff for their continued support in helping achieve this proposed budget. President Hawkins thanked Mr. Manbahal for his work and tireless effort that was put into this budget. Tonight the Board has an opportunity to approve this proposed budget that a lot of thought and effort was put into over the past several weeks. Due to COVID-19 the District is expecting a 10% decrease or \$3.4M loss of revenue. Also, thanked his colleagues for being willing to make some of the difficult choices. Through the process, the District found approximately \$3.8M in cost savings. This budget will also fund the replacement of 1,700 meters, construction of a new reservoir, new waterlines, 10,000 linear feet of pipeline, and the repair and replacement of treatment apparatuses. There are so many ratepayers unemployed, due to COVID-19, and unable to pay their bills. The District is now prioritizing its spending and prevent some of the spending and practices that occurred in the past. Unfortunately, the District was on an untenable road path and an explosion of employees over the last few years; however, we respect and admire all employees, but there are plans and projects in this budget that will not be moving forward. President Hawkins stated that this has been one of the hardest decisions that he has been a part of in his life. It is very difficult in making tough choices, but the truth is that is what leadership has to do. The District is here to be good stewards of the peoples' money and do the right thing and it is to ensure that we are responsible with the ratepayers' money and not raise rates unnecessarily. This budget will get the District back into the right direction. President Hawkins said with this all being said he thanked all staff and board members for their time for helping move into the right direction for the future.

CONSENT CALENDAR

Director Dr. Clifford Young motioned to approve Items No. 1, 2 and 3 and Director Greg Young second the motion. At this time, Director Greg Young requested a brief discussion stating that he appreciates the time spent with the Chief Financial Officer and thanked him for his professionalism. Unfortunately, the Board was faced with some very difficult choices and heated debates. Also, thanked his colleagues and their positions in trying to do the best for the District, giving the

WVWD

Minutes: 6/25/20

circumstances. Director Dr. Michael Taylor stated that he appreciated the spirit of the battle with this budget as it was very difficult. There were several scenarios given and he believes that only one was the best and it would have provided the latitude during the year to make adjustments, if needed. His understanding from the CFO is that our revenues are good and that there were no changes from last year. As Board of Directors our main job is to take care of the District, ratepayers, and especially all of the loyal employees. His personal feelings are to not lay any employees off especially during this job market now. Thanked the Board for the opportunity to express his opinions. Hearing no further discussions, the following vote was taken:

RESULT:	APPROVED [4 TO 1]
MOVER:	Clifford Young, Director
SECONDER:	Greg Young, Director
AYES:	Channing Hawkins, Kyle Crowther, Clifford Young, Gregory Young
NOES:	Michael Taylor

1. Approval of Proposed Fiscal Year 2020-21 Operating and Capital Budgets.
2. Resolution No. 2020-12 for 2020-2021 Operating and Capital Improvement Budget.
3. Resolution No. 2020-13 Classification & Salary.

BUSINESS MATTERS

None

REPORTS - LIMITED TO 5 MINUTES MAXIMUM (Presentations or handouts must be provided to Board Members in advance of the Board Meeting).

1. **Board Members**
 - President Hawkins stated that due to the 4th of July being a holiday, it was requested to move the July 2nd Board meeting to July 9th.
2. **Legal Counsel**
3. **General Manager**

CLOSED SESSION

Mr. Tafoya reported out of Closed Session that no reportable action was taken.

- **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**
Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956 9: Number of Cases: Two (2)

WVWD

Minutes: 6/25/20

ADJOURN

There being no further business, the meeting adjourned at 7:52 p.m.

Channing Hawkins
President of the Board of Directors
of West Valley Water District

ATTEST:

Peggy Asche, Acting Board Secretary

WVWD

Minutes: 6/25/20



**BOARD OF DIRECTORS
STAFF REPORT**

DATE: August 6, 2020
TO: Board of Directors
FROM: Clarence Mansell Jr., General Manager
SUBJECT: WVWD EMPLOYEE HEALTH AND WELL-BEING INCENTIVE PROGRAM

DISCUSSION:

The West Valley Water District (WVWD) Board of Directors remains committed to the health and safety of all management and staff during and after employment. Following through on this commitment, the board is proposing a new plan that will enable employees to take advantage of a new opportunity, The Employee Health and Well-Being Incentive Program, that will help ensure employees can meet life's challenges, especially during a public health and economic crisis.

The Employee Health and Well-Being Incentive Program

The program is open to all employees who decide to conclude their employment with the Water District.

Options – Incentives

- \$15,000 incentive plus \$1,000 for each year of employment with the District with a maximum amount of \$35,000.

The Employee Health and Well-Being Incentive Program

- 1) Qualifying employees
 - Voluntary participation – available to all employees
- 2) Options
 - \$15,000 plus \$1,000 for each year of service, with a maximum at \$35,000

FISCAL IMPACT:

\$35,000 maximum incentive per participant.

STAFF RECOMMENDATION:

That the WVWD Board of Directors consider approving staff recommendation of this program.

Respectfully Submitted,



Clarence Mansell Jr, General Manager

SM



**BOARD OF DIRECTORS
STAFF REPORT**

DATE: August 6, 2020
TO: Board of Directors
FROM: Clarence Mansell Jr., General Manager
SUBJECT: REVISION FOR PANDEMIC RESPONSE PLAN

BACKGROUND:

In the early months of the Pandemic, the Board of Directors approved a Pandemic Response Plan (PRP) that was recommend by the District's Safety and Security Consultant, Daniel Rodriguez.

This PRP consists of the guidelines we follow here at the District in addressing COVID 19 related cases.

DISCUSSION:

Since the PRP was adopted by the Board earlier this year, there has been a need to make some edits and revisions to some of the language in the plan because:

- Some of the guidance and advice issued by the Center for Disease Control and the State Department of Health regarding the COVID 19 virus and the treatment protocols have changed;

- Additionally, staff has reviewed the plan and have also determined that some edits and revisions are in order.

If approved, the new revised and edited plan will again be distributed to all District employees.

FISCAL IMPACT:

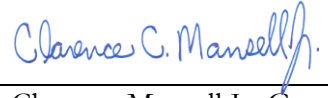
There will be no fiscal impact

STAFF RECOMMENDATION:

Staff recommends that the Board of Directors approve the proposed revised and edited plan.

ATTACHMENT(S): Exhibit A - Marked-up edited and revised Pandemic Response Plan.

Respectfully Submitted,



Clarence Mansell Jr, General Manager

CM:pa

ATTACHMENT(S):

1. WVWD COVID 19 Pandemic Response Plan 07.23.20 (Revised)

EXHIBIT “A”

WEST VALLEY WATER DISTRICT
Coronavirus Disease 2019 (COVID-19)
Pandemic Response Plan

West Valley Water District’s (“WVWD”) Coronavirus Disease 2019 (COVID-19) Pandemic Response Plan has been developed to ensure continuity of water services in the event of a pandemic and to protect the health and safety of WVWD employees. Recommendations from the Centers for Disease Control and Prevention (CDC) have been incorporated into this plan.

I. Plan Activation

The plan will be implemented when the World Health Organization (WHO) declares a Phase 6 Pandemic Alert or at the discretion of the General Manager.

II. COVID-19 Symptoms

According to the CDC, reported illnesses have ranged from mild symptoms to severe illness and death for confirmed COVID-19 cases.

The following symptoms may appear 2-14 days after being exposed to the COVID-19 virus:

<ul style="list-style-type: none"> • <u>Fever or chills</u> • Cough • <u>Shortness of breath/difficulty breathing</u> • <u>Fatigue</u> • <u>Muscle or body aches</u> • <u>Headaches</u> 	<ul style="list-style-type: none"> • <u>Loss of taste or smell</u> • <u>Sore throat</u> • <u>Congestion or runny nose</u> • <u>Nausea or vomiting</u> • <u>Diarrhea</u>
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Refer to the CDC's website (<https://www.cdc.gov/coronavirus/2019-ncov/index.html>) for additional details.

III. Protocols for Employees Who Become Sick

The temperature of all employees must be taken immediately upon arrival at work, ~~and immediately before leaving work [very difficult to perform]~~. ~~Human Resources~~ Designated personnel or the employee’s supervisor shall take temperatures using a no touch forehead thermometer. Employees shall be sent home if their temperature is at 100.4° F or greater.

Maintaining adequate staffing levels during a pandemic is accomplished in part by reducing the spread of disease in the workplace. The primary method recommended to achieve this objective is for sick employees to stay home. The reasons for employees reporting to work when they do not feel well are varied. Some employees feel they will be penalized if they do not report to work, others attempt to save their sick time, and some employees have low sick leave balances. This

section will address these issues and provide guidance in protecting WVWD employees and managing the infectious spread of the virus as recommended by the CDC and WHO, ~~and WVWD's policy.~~ [references itself] Employees shall be informed of the following:

- Employees will not be reprimanded if they are acting responsibly by staying home when they are symptomatic or must care for a person in their immediate family who has become ill. In fact, the emphasis will be on the importance for employees to stay home particularly if they are exhibiting pandemic sickness symptoms. Employees who have symptoms (see above definitions) are ~~recommended~~ required to stay home and not come to work until they are free of fever (fever is present at 100.4° F ~~[37.8 0 C]~~ or greater using an oral or no touch forehead thermometer), ~~signs of a fever,~~ and any other symptoms for at least 24 hours, without the use of fever-reducing or other symptom-altering ~~medications~~ medicines (e.g. cough suppressants). Employees ~~are to should~~ notify their supervisor of their need to stay home, and stay home if they are sick. The employee will be required to provide a physician's medical release in order for them to return to work.
- [Do we add Emergency Paid Sick Leave here] Employees who require time off of work are required to exhibit symptoms ~~will~~ use their sick leave. Employees with no sick leave balances are eligible to use compensatory time, floating holidays, administrative leave and/or vacation if necessary. An employee may also take leave without pay if approved by the General Manager. On a case-by-case basis, the General Manager may enter into a written agreement with an employee to extend pay while on leave where an employee exceeds their accrued time off balances with the following understandings: 1) maximum extension of time is forty (40) hours, 2) employee agrees reimbursement of extended time off shall be made through future earned accruals, and 3) if employee separates from WVWD prior to reimbursement of extended time off, the employee agrees to pay back to the District the value of the unreimbursed extended time off. ~~will be deducted from the Employees final compensation.~~ [lump sum deductions not legal in CA]
- Employees who become ill or who are instructed to self-isolate shall complete the recommended isolation period as determined in consultation with their physician and return only when they are no longer infectious. The employee will be required to provide a physician's medical release in order for them to return to work. Expect employees to be out from two weeks (mild cases) to six weeks (critical cases).
- Employees who are affected by the virus have the following EDD support services:
 - a. If you are unable to work due to having or being exposed to the coronavirus (certified by a medical professional), you can file a Disability Insurance (DI) claim. DI provides short-term benefit payments to eligible workers who have a full or partial loss of wages due to a non-work-related illness, injury, or pregnancy. Benefit amounts are approximately 60-70 percent of wages (depending on income) and range from \$50-\$1,300 a week.

Commented [PB1]: Per Rickey – 80 hours emergency leave not addressed.

Commented [PB2]: Per Rickey – How would WVWD recover funds?

Commented [PB3]: In situations such as this, remedy would be sought via small claims court.

"Vacation Taken Before it Is Earned"
"Because of schedules and employee needs, you may allow employees to take vacation before they actually accrue it. Because the time is a form of wages, this practice is, in effect, a loan against future wages. If employment terminates before the vacation is earned, you will not be able to recover the advanced vacation wages by a paycheck deduction. For more information, see Employee Debts, Loans and Deductions."

Governor's Executive Order waives the one-week unpaid waiting period, so you can collect DI benefits for the first week you are out of work. If you are eligible, the EDD processes and issues payments within a few weeks of receiving a claim.

b. If you are unable to work because you are caring for an ill or quarantined family member with COVID-19 (certified by a medical professional), you can file a Paid Family Leave (PFL) claim. PFL provides up to six weeks of benefit payments to eligible workers who have a full or partial loss of wages because they need time off work to care for a seriously ill family member or to bond with a new child. Benefit amounts are approximately 60-70 percent of wages (depending on income) and range from \$50-\$1,300 a week. If you are eligible, the EDD processes and issues payments within a few weeks of receiving a claim.

If your child's school is closed, and you have to miss work to be there for them, you may be eligible for Unemployment Insurance benefits. Eligibility considerations include if you have no other care options and if you are unable to continue working your normal hours remotely. ~~File an Unemployment Insurance claim and our EDD representatives will decide if you are eligible.~~ Employees should contact Human Resources (HR) for assistance.

- The CDC recommends that employees who appear to have symptoms upon arrival to work or become sick during the day should be separated from other employees and be sent home immediately. Sick employees should cover their noses and mouths with a tissue when coughing or sneezing (or an elbow or shoulder if no tissue is available).
- Employees who have ~~already~~ recovered from the coronavirus are to return to work for their normally scheduled shift, or any other illness are encouraged to return to work. The employee will be required to provide a physician's medical release in order for them to return to work.
- Employees who report to work and are obviously symptomatic will be ~~directed~~ asked by their supervisor to go home. Supervisors and managers in consultation with HR have the discretion to direct ask employees to go home when, in the judgment of the supervisor, manager, the presence of the employee at work would endanger the health and welfare of other employees or where the illness or injury of the employee interferes with the performance of an employee's duties.
- When possible and if they can tolerate it, workers with symptoms should be given a mask, if available, to wear before they go home if they cannot be placed in an area away from others.
- The usual requirement for a doctor's note after three (3) consecutive days of absence might be waived by the General Manager or designee on a case-by-case basis. If this requirement is waived, employees would be required to call HR or the supervisor with an update on their condition each day after three (3) consecutive days has elapsed. Medical offices may be extremely busy and employees may not be able to obtain an 'off work' note or see a doctor.
- The protocol for a person who begins to feel sick while at work or has observed another person exhibiting coronavirus symptoms at work, ~~must~~ is to contact their

Commented [PB4]: Per Rickey – Should go to HR for screening and determination

Don't agree with paragraph, employee should go to HR to take action. Supervisor/manager should not make this decision.

supervisor/manager. The supervisor/manager will contact HR who will document the illness using the form Coronavirus Symptom Assessment Form (Appendix B). If HR is not available, the supervisor/manager will document the illness and determine if the employee should be sent home. If an employee becomes ill and must go home immediately, the employee can go home and personnel from HR will contact the supervisor as soon as possible.

- Duties of Designated Human Resources Personnel:
 - a. Discuss the symptoms the employee is experiencing. Document illness using the Coronavirus Symptom Assessment form (Appendix A).
 - b. Notify employee's supervisor/manager of the evaluation results and if the employee will be sent home.
 - c. ~~Notify employee's supervisor/manager of the evaluation results and if the employee will be sent home. [Duplicate]~~
 - d. Offer the use of a disposable mask, if available, to the employee during the time they are gathering their belongings and preparing to leave the workplace.
 - e. Encourage the employee to keep in contact and let him/her know about phone in and follow-up procedures.
 - f. Encourage employee to return to work upon recovery.
- If an employee calls in sick with coronavirus-like symptoms or if the reason for the employee's illness is unknown, personnel from HR will contact the employee to document the illness.
- If an employee leaves work due to the onset of coronavirus symptoms, the protocol also includes the disinfection of the employee's workstation. HR or supervisor/manager will be responsible for disinfection of work areas.
- Human Resources will be responsible for tracking employee absenteeism due to coronavirus. Severe levels of absenteeism will be reported to the General Manager.
- If coronavirus severity increases, at the beginning of each workday all employees should be asked about symptoms consistent with the coronavirus illness.

IV. Infection Control and Employee Protection

Safeguarding the health of employees and customers during a coronavirus pandemic is a key objective for WVWD.

A variety of infection control measures, including heightened hygiene practices, social distancing, and disinfection procedures will be used to slow the spread of disease. One of the best strategies to reduce the risk of becoming ill with coronavirus is to avoid crowded settings and other situations that increase the risk of exposure to someone who may be infected.

Basic hygiene and social distancing precautions that will be used include the following:

- Stay home if you are sick.
- Wash your hands frequently with soap and water for 20 seconds or use a hand sanitizer if soap and water are not available.
- Avoid touching your nose, mouth, and eyes.
- Cover your coughs and sneezes with a tissue, or cough and sneeze into your elbow or upper sleeve (avoid sneezing or coughing into the hands).
- Dispose of tissues in no-touch trash receptacles.
- Wash your hands or use a hand sanitizer after coughing, sneezing, or blowing your nose.
- Avoid close contact (within 6 feet) with coworkers and customers.
- Avoid shaking hands, the high-five, and the knuckle bump as this can still spread germs. If you do have physical contact with others, always wash your hands immediately afterward.
- If wearing gloves, wash your hands after removing them.
- Keep frequently touched common surfaces (for example, telephones, computer equipment, etc.) clean. Use available disinfection wipes.
- When possible, avoid using other employees' phones, desks, offices, or other work tools and equipment.
- Employees who are healthy but have a sick family member at home with coronavirus should notify their supervisor and refer to CDC guidance for how to conduct a risk assessment of their potential exposure.
(<https://www.cdc.gov/coronavirus/2019-neov/nhp/risk-assessment.html>)
- Minimize group meetings and participation in community events; use e-mails, and phones when possible. If meetings are unavoidable, avoid close contact (within 6 feet) with others and ensure that the meeting room is well ventilated.
- During times of moderate to severe levels of illness, telephone communications is the preferred method of contact.
- Consider removing magazines and other frequently touched materials from common areas.
- All employees are recommended to use hand sanitizer or wash hands after handling mail and following each customer transaction and specifically the front desk, engineering services, and customer service personnel as they may experience more interaction with customers.
- Additional hand sanitizer, disinfecting wipes, and tissues have been placed in commonly used areas. Additional stock of supplies, to the extent supplies are available will be provided.
- At severe levels of coronavirus, limit unnecessary visitors to the workplace.
- At severe levels of coronavirus, limit vendors contact with WVWD personnel.
- At severe levels of coronavirus, post notices at facility entry points advising staff and visitors not to enter if they have coronavirus symptoms.

- At severe levels of coronavirus, minimize customer contact by limiting customer meetings, encouraging customers to use remote service options such as telephone contact only, dropping off payment in drop box, dropping off development plans in plan receptacle located next to the front counter payment area, mailing payments and use of credit card, and online services.
- At severe levels of coronavirus, employees with higher risk of the flu, cold, infection or other medical complications may be reassigned to duties that have minimal contact with other employees and customers.
- At severe levels of coronavirus, and as advised by the CDC, employee travel for conferences and meetings will be limited and/or completely restricted.
- At severe levels of coronavirus, the General Manager or his designee may approve telecommuting for certain employees on a case-by-case basis. Telecommuting arrangements for employees, when feasible, shall be made using the Employee Telework Agreement form that identifies various terms and conditions.

V. Disinfection Procedures

WVWD is currently using germicidal wipes for general clean up and disinfectant spray when it is necessary to disinfect offices or other commonly used areas. Routine approaches for cleaning and disinfection are adequate in these areas. Personnel cleaning the areas are recommended to wear gloves, if available, and should discard them when finished. Hands must be washed or sanitized at the completion of the procedure.

When an employee with suspected coronavirus, flu or any other infectious illness is identified and the sick individual has left the workplace, the supervisor will contact HR personnel to coordinate and conduct a thorough cleaning of the workplace where the sick individual was present. Included in the cleaning will be auxiliary places they conduct work or have been in contact with. Special attention should be paid to telephones, computer keyboards, the mouse, desktop, steering wheels, and District radios. Door knobs, sinks, drawer handles, light switches, etc. in the vicinity should also be disinfected. If possible, do not disturb the person's clothing or other fabrics during the cleaning process. In areas that cannot be disinfected, such as electrical equipment, employees will wear masks and gloves while working in the area or the area will be isolated.

VI. Critical Job Functions

Rates of absenteeism will depend on the severity of the pandemic. In a severe pandemic, absenteeism attributable to illness, the need to care for ill family members, and fear of infection, may reach 40 percent during the peak weeks of an outbreak.

Using these estimates as a guideline, WVWD's General Manager and supervisors/managers will identify the personnel responsible for performing critical tasks and a sufficient number of temporary alternates to ensure that each critical task is given the appropriate priority during a reduction in normal staffing levels. The General Manager, and supervisors/managers will direct personnel to respond to more pressing issues and priorities based on pandemic severity.

Additionally, during a severe pandemic, regulatory requirements may be impacted by a reduction in staffing levels causing delinquency in reporting.

DEPARTMENT/DIVISION	CRITICAL JOB FUNCTION
General Manager	<ul style="list-style-type: none"> • Communications with employees, Board of Directors. • Communications with media, external stakeholders, and customers. • Internal communication will be jointly coordinated with HR. • Support executive staff in developing key messages for use with Board, customer and other communications. • Coordinate joint public communications with other emergency response partners; communication with County Joint Information Center (if activated).
Administrative Services	<ul style="list-style-type: none"> • Administrative facility operations and maintenance. • Reception/communications with internal and external visitors. • Supplies. • Janitorial/Cleaning. • Support to other departments.
Finance and Customer Service	<ul style="list-style-type: none"> • Fielding customer calls. • Generating water bills. • Accounts payable (during a severe pandemic this may be limited if there are personnel shortages). • Processing payments received from customers. • Filing regulatory agency reports or notifying of delay Shut-offs may be suspended during a severe pandemic to ensure customers have water for hygiene purposes. • Processing payroll.

Information Systems	<ul style="list-style-type: none"> • Maintain normal systems operations including providing computer systems and communications. • Maintain cybersecurity activities • User Support. • Support for District website updates.
Engineering <u>Development</u>	<ul style="list-style-type: none"> • Engineering customer services. • Inspectors inspect construction of facilities to district standards (during a severe pandemic this may be suspended if there are personnel shortages).
<u>Engineering CIP</u>	<ul style="list-style-type: none"> • <u>Customer services with stakeholders.</u> • <u>Contractors construct infrastructures and facilities to District standards and specifications. Agreement with the Contractor is in place for ongoing construction.</u> • <u>Inspectors inspect construction of facilities to District standards and specifications. Agreement with the consulting firm is in place for ongoing construction that requires inspection.</u> • <u>Design of the capital improvement projects for the District (during a severe pandemic the design may be placed on hold until further notice).</u> • <u>Serve as Project Managers for the capital improvement projects.</u> • <u>Review and approve invoices, contracts, agreements, change orders, budget transfers, and request purchase orders.</u> • <u>Communicate with the General Manager, Assistant General Manager, Engineering Development, Production, Meters, Maintenance, Customer Service, Accounting, External Affairs, and Procurement, Department for project coordination.</u>
Meters	<ul style="list-style-type: none"> • Reading water meters. • Ordering of parts/supplies necessary for day to day operations. • Respond to service leaks. • Respond to customer service orders.

Production	<ul style="list-style-type: none"> • Respond to electrical, SCADA and pump and motor problems.
Operations	<ul style="list-style-type: none"> • Water quality monitoring (sampling and analyses). • Water quality compliance reporting. • System monitoring (flows, reservoir level, pressures, water orders, water quality, etc.). • Afterhours customer service calls. • Inspect reservoirs and pump stations after rapidly changing water levels or earthquake. • Mark outs. • Filing regulatory agency reports or notifying of delay.
Distribution/Maintenance	<ul style="list-style-type: none"> • Respond to pipeline failure leaks, critical easement damage and fire hydrant damage.
Human Resources	<ul style="list-style-type: none"> • Employee benefits. • Processing, tracking and reporting injury/illness. • Disinfecting infectious workstations. • Engaging staffing partners for temporary labor as needed. • Coordinate with the General Manager on employee messaging. • Health education and any employee training. • Processing and reporting injury/illness. • Stocking supplies critical for emergency response. • Communication with county Emergency Operations Center (EOC).

Upon activation, the following steps will be taken to ensure adequate personnel levels are maintained to perform critical job functions.

- Personnel from various departments may be trained to answer the main phone lines and assist customers.

- Appropriate personnel should be cross trained in performing critical Finance functions.
- Field personnel have been cross trained where practical to ensure continuation of water services. Staff may also be paired with other certified staff to assist with operations of facilities as needed.
- N-95 masks (if available), hand sanitizer and surface sanitizing wipes are kept in stock and will be distributed to working employees as needed.

COVID-19 is an emerging, rapidly evolving situation and WVWD is following the CDC, the WHO, the California Department of Public Health and the local San Bernardino County Public Health Department for updated information as it becomes available, in addition to updated guidance. Information will be shared as often as possible.

The General Manager has the discretion and authority to update and change information to this pandemic response plan due to the fluid nature of the situation. WVWD will continue to monitor and provide plan updates accordingly.

Attachments:

Appendix A- Frequently Asked Questions (FAQ's)
Appendix B- Coronavirus Symptom Assessment Form

West Valley Water District
 Coronavirus Disease (COVID-19)
 Frequently Asked Questions (FAQ's)

What are the symptoms of COVID-19?

Patients with COVID-19 have had mild to severe respiratory illness with symptoms of:

- Fever
- Cough
- Shortness of breath

How can employees protect themselves?

Employees can help protect themselves from respiratory illness with everyday preventive actions.

- Avoid close contact with people who are sick.
- Avoid touching your eyes, nose, and mouth with unwashed hands.
- Wash your hands often with soap and water for at least 20 seconds. Use an alcohol-based hand sanitizer that contains at least 60% alcohol if soap and water are not available.

What to do if you think you are sick:

Call ahead. If you are experiencing symptoms of COVID-19 or may have had contact with a person with COVID-19 or recently traveled to countries with apparent community spread, call your health care provider or local public health department first before seeking medical care so that appropriate precautions can be taken. Also, consider using online systems offered through the District's health plans, to speak with a physician without visiting the medical provider in person.

Where do I find more information about COVID-19 and what local resources are available?

San Bernardino County Department of Public Health has established 2-1-1 as a call center to answer general questions from the public and are partnering with Inland Empire Health Plan (IEHP) to establish a nurse advice line for all San Bernardino County residents who have concerns about exposures or testing.

For more extensive and up-to-date information please visit:

- San Bernardino County Public Health Department
- CDC's Coronavirus Disease 2019 (COVID-19) Website
- CDPH's Coronavirus Disease 2019 (COVID-19) Website

(Appendix A)

How will the District decide to send an employee home and recommend seeking medical attention?

The District will monitor and observe employees daily to determine if Coronavirus-like symptoms such as cough, fever and shortness of breath exist. If fever and one or more of these symptoms are identified by management in consultation with HR, the employee will be sent home and recommended to seek medical care.

Will the District require employees to use sick leave if they have an illness?

Yes. The district will require employees to utilize available sick leave balances. If no sick leave is available, employees can use other available leave balances (vacation, comp time, administrative leave) or enter into an alternative employment agreement with the District (refer to policy for details).

Commented [PB5]: Per Rickey - What about the 80 hours emergency sick time?

If the District sends an employee home due to exhibiting signs of illness, how will other staff be notified?

The District will make every reasonable attempt to keep an employee's identity and medical information confidential/private. ~~However, the district may provide communication to District employees regarding a Coronavirus case within a particular department (without identifying the employee's name) in order to identify possible virus spread within the District. If an employee is sent home because they exhibit signs of illness or they are confirmed positive for COVID-19, HR will take the lead to sanitize the employee's workstation. Medical providers will inform the CDC and the state's public health department if an employee tests positive for COVID-19 and take the proper steps to identify others who may have had contact with the infected employee.~~

Should employees wear a facemask to work even if they are not sick?

Yes. As advised by the CDC, facemasks are helpful in preventing the spread of the coronavirus.

Should employees self-quarantine if they believe they have been exposed to COVID-19, but are not showing signs of illness?

Yes. Employees who feel they have been exposed to COVID-19 are recommended to call their healthcare professional if they feel sick with fever, cough, or difficulty breathing, or have been in close contact with a person known to have COVID-19, or if they have recently traveled from an area with ongoing spread of COVID-19. The employee's healthcare professional will work with the state's public health department and CDC to determine if they need to be tested for COVID-19 and whether a person ill with COVID-19 requires hospitalization or if home isolation is appropriate.

How will employees know if they have the Coronavirus?

Testing will be done by a medical professional to determine positive tests. The medical professional will determine the level of care and the need for and the appropriate length of quarantine. Employees with a positive COVID-19 diagnosis are required to receive a medical

(Appendix A)

release to return to work from their physician and submit to HR before they will be authorized to return to the workplace.

Will employees be eligible to claim short term disability or California Paid Family Leave (PFL) if affected by the virus?

Yes. Employees have available various EDD support services, dependent on your particular situation, if affected by the virus. Refer to the policy for details or visit: (https://www.edd.ca.gov/about_edd/coronavirus-2019.htm for details.)

Will employees be required to apply for Family Medical Leave (FMLA) in the event of illness?

Yes. Employees will be required to make a claim for FMLA for their own illness lasting more than three days and under the care of a physician or if they are caring for an ill family member. Contact H.R. for assistance,

What is the required quarantine period if an employee tests positive for the virus?

Employees who test positive for Coronavirus will be provided with the recommended quarantine period from their treating physician. Generally, employees are expected to be out from two weeks (mild cases) to six weeks (critical cases).

Will the District require a medical release to return to work?

Yes. The infected or sick employee will be required to provide a physician's release to return to work outlining any work restrictions. This release must be received by HR prior to returning to the work site.

Disclaimer: There is no feasible way to capture, identify and answer all questions that may arise from this fluid pandemic situation. This document is a living document; it will be updated as lessons are learned, as new information becomes available or as gaps are identified. This document is intended as a guidance document. The General Manager has the authority to make changes to this document and to delegate authority as necessary.

Employees with additional questions are encouraged to contact the Human Resources Department.

(Appendix B)

Coronavirus Symptom Assessment Form
(CONFIDENTIAL)

Check all symptoms that apply:

	Fever temperature greater than 100.4° F
	Cough
	Shortness of breath
	Respiratory symptoms _____

If you have a fever and one or more of the symptoms above:

	Coronavirus-like illness is suspected;
	Stay home and avoid contact with other people except to get medical care;
	Monitor symptoms and if they deteriorate, seek medical care immediately.
	If you have underlying medical conditions, contact your medical provider immediately.

Commented [PB6]: Add the following to the list per CDC website:
 Fatigue
 Muscle of body aches
 Headaches
 New loss of taste or smell
 Sore throat
 Congestion or runny nose
 Nausea or vomiting
 Diarrhea

Form completed by:

Name

Title

INFORMATION CONTAINED IN THIS FORM IS CONFIDENTIAL AND TO BE STORED IN THE EMPLOYEE'S CONFIDENTIAL MEDICAL FILE IN HUMAN RESOURCES ONLY



**BOARD OF DIRECTORS
STAFF REPORT**

DATE: August 6, 2020
TO: Board of Directors
FROM: Clarence Mansell Jr., General Manager
SUBJECT: FAMILIES FIRST CORONAVIRUS RESPONSE ACT (FFCRA OR ACT)

BACKGROUND:

In response to the COVID 19 Pandemic, the Federal government passed a law requiring employers to pay employees Emergency Sick Leave if they had to miss work because of the COVID 19 virus.

The Federal law is known as the Families First Coronavirus Response Act (“FFCRA”). It requires employers to provide employees 80 hours of paid sick leave and it also expands the family and medical leave for reasons related to COVID-19. (Public Law No. 116-127.)

Isn't the District exempt under this law?

Yes. Because District employees are considered first responders under the “public works” category, it is exempted from having to pay this sick leave to employees.

DISCUSSION:

Since the Pandemic started in March of this year to date, we had to send at least 23 employees to get tested for the COVID 19 and to be quarantined.

All of these employees have tested because we have required them to do so and to quarantine for 14 days and sometimes longer as recommended by the CDC and State Health Department guidelines.

The challenge is that during the time District employees have been out because of the virus, they had to supplement their income by using their own accrued sick and vacation time.

Employees believe this is unfair and taxing on them. They do not believe they should have to pay for their salaries from their sick and vacation accruals because this is an illness or an infection that they had no control over and because we required them to go home and test and quarantine.

The Department of Human Resources agrees with the employees. If we required them to go home and test and quarantine we should pay them while they are away for COVID 19 reasons.

Survey of local agencies

In preparation for this meeting and to support our recommendation, the HR Department conducted an informal short survey that showed that the following comparable agencies are indeed paying this benefit to its employees:

- Jurupa – 80 hours
- East Valley – 160 hours
- Rancho C – 80 hours
- Inland Empire – 80 hours
- Rubidoux – 80 hours

FISCAL IMPACT:

Yes. There will be fiscal impact.

It is difficult to quantify at this time because we have not determined who will receive the full 80 hours, and who will receive less.

STAFF RECOMMENDATION:

Staff recommends that the Board of Directors make an exception to the law and authorize management to pay the employees the 80 hours Emergency Paid Sick leave as required by the FFCRA.

Staff also recommends that the Board of Directors approve the policy associated with this benefit and the guidelines employees will have to abide by to receive this benefit. This policy will sunset at the end of this year.

Additionally, staff recommends that the Board consider approving reimbursing employees for associated costs employees incurred when testing and quarantining. Examples of this expenses are: copays, the cost of the test, and hotel stays.

Attachments(s):

Exhibit A - DRAFT Administrative Policy and Protocols for Employee leave and Compensation under the Families First Coronavirus Response Act

Respectfully Submitted,



Clarence Mansell Jr, General Manager

CM:pa

ATTACHMENT(S):

1. COVID 19 - Policy on Compensation on CNP Leaves

EXHIBIT “A”

ADMINISTRATIVE POLICY AND PROTOCOLS FOR EMPLOYEE LEAVE AND COMPENSATION UNDER THE FAMILIES FIRST CORONAVIRUS RESPONSE ACT

Section I. Preamble

The purpose of the Families First Coronavirus Response Act (“FFCRA”) is to provide employees with paid sick leave and expanded family and medical leave for reasons related to COVID-19. (Public Law No. 116-127.)

II. Statement of Policy

This policy is intended to provide West Valley Water District (hereinafter referred to as “District”) employees with the emergency paid sick leave and expanded family and medical leave to which they are entitled under FFCRA.

The District will provide eligible employees with leave pursuant to the Emergency Paid Sick Leave Act (“EPSLA”) (i.e., Emergency Paid Sick Leave) and Emergency Family and Medical Leave Expansion Act (“EMFLEA”) (i.e., Emergency Family and Medical Leave) as required under the Families First Coronavirus Response Act (“FFCRA” or the “Act”).

The following provisions set forth certain rights and obligations with respect to said leave.

III. Effective Dates

The Administrative Policy and Protocols for Employee Leave and Compensation under the FFCRA shall expire on December 31, 2020 or when the EPSLA or EMFLEA provisions of the FFCRA are no longer effective under the law, whichever is later.

IV. District Employees – Considered First Responders

The District is in the water supply industry and thus its employees fall under the FFCRA category of first responders. Specifically, District employees fall under the category of “public works personnel”.

V. Exemption from FFCRA

Even though the FFCRA does not apply to health providers or first responders, the District has decided to exempt themselves from this provision of the of the law and approve the provision to District employees with the emergency paid sick leave and expanded family and medical leave to which they are entitled under FFCRA

VI. Compliance

The District will fully and faithfully comply with the requirements set forth in the FFCRA and the regulations promulgated by the DOL in its administration of this policy.

Section 2. Definitions

- A. “Child Care Provider” means a provider who receives compensation for providing child care services on a regular basis. The term includes a center-based child care provider, a group home child care provider, a family child care provider, or other provider of child care services for compensation that is licensed, regulated, or registered under State law; and satisfies the State and local requirements.

However, under the FFCRA, the eligible child care provider need not be compensated or licensed if he or she is a family member or friend, such as a neighbor, who regularly cares for the Employee’s child.

- B. “Emergency Family and Medical Leave” means leave provided under the EMFLEA (Sec. 3101, et seq. of the FFCRA).
- C. “Emergency Paid Sick Leave” means leave provided under the EPSLA (Sec. 5101, et seq. of the FFCRA).
- D. “Emergency responder” means the following for the purposes of employees who may be exempted from Emergency Paid Sick Leave and Emergency Family and Medical Leave:

(1) Anyone necessary for the provision of transport, care, healthcare, comfort and nutrition of such patients, or others needed for the response to COVID-19; or

(2) Anyone who serves in the military or national guard, or as a law enforcement officer, correctional institution personnel, fire fighter, emergency medical services personnel, physician, nurse, public health personnel, emergency medical technician, paramedic, emergency management personnel, 911 operator, child welfare worker and service provider, public works personnel, and persons with skills or training in operating specialized equipment or other skills needed to provide aid in a declared emergency, as well as individuals who work for such

facilities employing these individuals and whose work is necessary to maintain the operation of the facility.

- E. “Health care provider” means the following for the purposes of employees who may be exempted from Emergency Paid Sick Leave and Emergency Family and Medical Leave:

(1) Anyone employed at any doctor’s office, hospital, health care center, clinic, post-secondary educational institution offering health care instruction, medical school, local health department or agency, nursing facility, retirement facility, nursing home, home health care provider, any facility that performs laboratory or medical testing, pharmacy, or any similar institution, employer, or entity; or

(2) Any individual employed by an entity that contracts with any of these institutions described above to provide services or to maintain the operation of the facility where that individual’s services support the operation of the facility.

This also includes anyone employed by any entity that provides medical services, produces medical products, or is otherwise involved in the making of COVID-19 related medical equipment, tests, drugs, vaccines, diagnostic vehicles, or treatments.

- F. “Individual” for the purpose of Section 3.D. above means an employee’s immediate family member, a person who regularly resides in the employee’s home, or a similar person with whom the employee has a relationship that creates an expectation that the employee would care for the person if he or she were quarantined or self-quarantined. “Individual” does not include persons with whom the Employee has no personal relationship.
- G. “Son or Daughter” means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis, who is under 18 years of age; or 18 years of age or older who is incapable of self-care because of a mental or physical disability. (29 U.S.C. 2611; 29 CFR 826.10(a).)
- H. “Subject to a Quarantine or Isolation Order” means a quarantine or isolation order includes quarantine, isolation, containment, shelter-in-place, or stay-at-home orders issued by any Federal, State, or local government authority that cause the employee to be unable to work even though his or her Employer has work that the employee could perform but for the order.

This also includes when a Federal, State, or local government authority has advised categories of citizens (e.g., of certain age ranges or of certain medical conditions) to shelter in place, stay at home, isolate, or quarantine, causing those

categories of employees to be unable to work even though their employers have work for them.

Section 3. Emergency Paid Sick Leave

Qualifying Reasons for Emergency Paid Sick Leave:

Emergency Paid Sick Leave is only permitted for the following reasons:

- A. The employee is Subject to a Quarantine or Isolation Order related to COVID-19.
- B. The employee has been advised by a health care provider to self-quarantine due to concerns related to COVID-19.
- C. The employee is experiencing symptoms of COVID-19 and seeking a medical diagnosis.
- D. The employee is caring for an individual who is Subject to a Quarantine or Isolation Order or who has been advised by a health care provider to self-quarantine due to concerns related to COVID-19.
- E. The employee is caring for the employee's son or daughter if the child's school or place of care has been closed, or the child's childcare provider is unavailable, due to COVID-19 precautions.
- F. The employee is experiencing any other substantially similar condition specified by the Secretary of Health and Human Services in consultation with the Secretary of the Treasury and the Secretary of Labor.

Employees Eligible for Emergency Paid Sick Leave:

- A. Subject to Sections B and C, below, all District employees are potentially eligible for Emergency Paid Sick Leave.
- B. Employees are not eligible for Emergency Paid Sick Leave if the District determines that the employee's duties and services are not needed during all or part of the period of requested Emergency Paid Sick Leave (for example, because the District has temporarily stopped providing the services that the employee would otherwise provide).

In this circumstance, the District may deem that the employee is not working due to lack of work.

- C. The District may elect to exempt from the receipt of Emergency Paid Sick Leave any employee or class of employees who qualify as a “Health care provider” or “Emergency responder” as defined in Section 2.D. and E., above.
1. The District has designated the following job classifications as “emergency responders”

Because we are in the water industry and work on water issues all District classifications are considered emergency responders.

Amount of Emergency Paid Sick Leave:

- Leave taken as Emergency Paid Sick Leave is in addition to any other statutory or contractual leave to which the employee is entitled.
- Full time employees working 40 hours per week may take up to 80 hours of Emergency Paid Sick Leave.
- Part time employees may take to up to the average number of hours that they work over a two-week period as determined by reviewing the six-month period prior to the usage of leave.

If the employee has been employed by the District for fewer than six months, the District will calculate the leave entitlement based on the entire period the employee has been employed.

- Employees hired on or after April 1, 2020 who took the full 80 hours of Emergency Paid Sick Leave when employed by another employer are not entitled to take any additional Emergency Paid Sick Leave with the District.

An employee who has taken some, but not all, of the Emergency Paid Sick Leave to which they are entitled when they were employed by another employer, is entitled only to the remaining portion of such leave from the District.

- An employee who is laid off or otherwise terminated on or after March 1, 2020 and who is rehired on or before December 31, 2020 will be eligible for unused Emergency Paid Sick Leave for the qualifying reasons set forth in Section 3.

Employee Benefits While on Emergency Paid Sick Leave:

The benefit amount varies based on the reason for the leave as follows:

- A. Employees are entitled to Emergency Paid Sick Leave at their regular rate of pay, subject to a cap of \$511 per day and \$5,110 in the aggregate, if they are unable to work or telework for one of the following reasons:
1. The employee is Subject to a Quarantine or Isolation Order related to COVID-19;
 2. The employee has been advised by a health care provider to self-quarantine due to concerns related to COVID-19; or,
 3. The employee is experiencing symptoms of COVID-19 and seeking a medical diagnosis.
- B. Employees are entitled to Emergency Paid Sick Leave at two-thirds (2/3) of their regular rate of pay, subject to a cap of \$200 per day and \$2,000 in the aggregate, if they are unable to work or telework for one of the following reasons:
1. The employee is caring for an individual who is Subject to a Quarantine or Isolation Order related to COVID-19 or who has been advised by a health care provider to self-quarantine due to concerns related to COVID-19;
 2. The employee is caring for the employee's son or daughter if the child's school or place of care has been closed, or the child's childcare provider is unavailable, due to COVID-19 precautions; or
 3. The employee is experiencing any other substantially similar condition specified by the Secretary of Health and Human Services in consultation with the Secretary of the Treasury and the Secretary of Labor.

Supplementation of Paid Accrued Leaves:

Employees may supplement the compensation they receive if taking Emergency Paid Sick Leave (paid up to the specified limitations under the FFCRA) with their earned or accrued leaves in order to achieve 100% of the pay the employee would normally receive in a given week for working their regularly scheduled hours.]

[Optional: Intermittent Leave

Generally, an employee must use the permitted days of Emergency Paid Sick Leave consecutively until the employee no longer has a qualifying reason to take the leave.

However, an employee may request Emergency Paid Sick Leave on an intermittent basis only if the employee obtains the District's prior approval to do so, and:

- (1) The employee is not working and qualifies for use of Emergency Paid Sick Leave; or
- (2) The employee is teleworking; or
- (3) The employee is reporting to the worksite and has requested Emergency Paid Sick Leave to care for their son or daughter if the child's school or place of care has been closed, or the child's child care provider is unavailable, due to COVID-19 precautions.

The District will evaluate such request to determine if such leave is operationally feasible.]

Restoration to Prior Position:

An employee who uses Emergency Paid Sick Leave is entitled to reinstatement to their prior or an equivalent position, unless the employee's employment would have ended regardless of whether he or she took leave.

Emergency Paid Sick Leave is Protected Leave:

Emergency Paid Sick Leave is considered protected leave when used for the reasons specified in Section 3.

The District shall not discharge, discipline, or in any other manner discriminate against an employee who takes Emergency Paid Sick Leave.

Emergency Paid Sick Leave Request:

The District requests, but does not require that the employee provide notice of the need to use Emergency Paid Sick Leave until after the first workday of usage of such leave. However, an employee may provide notice of the need to use Emergency Paid Sick Leave prior to the usage of such leave.

After the first workday for which an employee takes Emergency Paid Sick Leave, the employee must provide reasonable notice for the usage of such as soon as is practicable thereafter.

An employee may provide notice of the need to use Emergency Paid Sick Leave orally or in writing, and may provide such notice through the employee's spokesperson (e.g.,

spouse, adult family member, or other responsible party) if the employee is unable to provide such notice personally.

If an employee fails to provide proper notice, the District will give the employee notice of the failure and provide the employee with an opportunity to provide the required documentation, described below, prior to denying the employee's request for leave.

Certification of Emergency Paid Sick Leave:

An employee who seeks Emergency Paid Sick Leave must provide the following information, orally or in writing, prior to the commencement of the leave or as soon thereafter as practicable:

- (1) Employee's name;
- (2) Date(s) for which leave is requested;
- (3) Qualifying reason for the leave; and
- (4) Oral or written statement that the Employee is unable to work because of the qualified reason for leave.

In addition, the employee must provide the following documentation in support of his/her request for Emergency Paid Sick Leave:

- (1) To take Emergency Paid Sick Leave because the employee is Subject to a Quarantine or Isolation Order related to COVID-19, the employee must provide the name of the government entity that issued the quarantine or isolation order.
- (2) To take Emergency Paid Sick Leave because the employee has been advised by a health care provider to self-quarantine due to concerns related to COVID-19, the employee must provide the name of the health care provider who advised the employee to self-quarantine due to concerns related to COVID-19.
- (3) To take Emergency Paid Sick Leave because the employee is caring for an individual who is Subject to a Quarantine or Isolation Order related to COVID-19 or who has been advised by a health care provider to self-quarantine due to concerns related to COVID-19, the employee must provide either:
 - (1) The name of the government entity that issued the Quarantine or Isolation Order to which the individual being cared for is subject; or

- (2) The name of the health care provider who advised the individual being cared for to self-quarantine due to concerns related to COVID-19.
- (4) To take Emergency Paid Sick Leave because the employee is caring for the employee's son or daughter if the child's school or place of care has been closed, or the child's child care provider is unavailable, due to COVID-19 precautions, the employee must provide:
- (1) The name of the son or daughter being cared for;
 - (2) The name of the School, Place of Care, or Child Care Provider that has closed or become unavailable; and
 - (3) A representation that no other suitable person will be caring for the Son or Daughter during the period for which the employee takes Emergency Paid Sick Leave.

Emergency Paid Sick Leave Carry-Over:

Unused Emergency Paid Sick Leave will carryover for any employee who after termination, resignation, retirement, or other separation from employment is rehired prior to the expiration described in Section 13 below.

Under no circumstances will unused Emergency Paid Sick Leave carry over after the expiration described in Section 13 below.

No Emergency Paid Sick Leave Cash-Out or Conversion to Service Credits:

Unused Emergency Paid Sick Leave may not be cashed out upon termination, resignation, retirement, or other separation from employment.

Unused Emergency Paid Sick Leave may not be converted to retirement service credits.

Section 4. Emergency Family and Medical Leave

Reasons for Emergency Family and Medical Leave:

Emergency Family and Medical Leave is only permitted for the leave due to an inability to work (or telework) because the employee needs to provide care for the employee's son or daughter under the Emergency Family and Medical Leave Expansion Act. (FMLA Sec. 110 (a)(2)(A).)

Employees Eligible for Emergency Family and Medical Leave:

- A. Employees are entitled to up to 12 weeks of job-protected Emergency Family and Medical Leave if the employee satisfies the following requirements:
1. The employee has worked for the [City/County/Agency/District] for at least 30 calendar days;
 2. The employee is unable to work (or telework) due to a need to care for the employee's son or daughter whose school or place of care has been closed, or whose child care provider is unavailable due to a COVID-19 emergency declared by either a Federal, State, or local authority;
 3. The employee has not used all available FMLA leave. Emergency Family and Medical Leave is a form of FMLA leave, and is not in addition to any other FMLA leave;
 4. There is no other suitable person (such as a co-parent, co-guardian, or usual child care provider) available to care for the employee's son or daughter during the period for which the employee takes Emergency Family and Medical Leave; and
 5. The [City/County/Agency/District] did not exempt the employee as either a "Health care provider" or "Emergency responder."
- B. Employees are not eligible for Emergency Family and Medical Leave if the District determines that the employee's duties and services are not needed during the period of requested Emergency Family and Medical Leave (for example, because the District has ceased offering the services that would otherwise be provided by the employee).

In this instance, the District may deem that the employee is not working due to lack of work.

- C. The District may elect to exempt from the receipt of Emergency Family and Medical Leave any employee or class of employees who qualify as a "Health care provider" or "Emergency responder" as defined in Section 2.D. and E., above.
- a. The District has designated the following job classifications as "healthcare providers":

[List Job Classifications]

- b. The District has designated the following job classifications as “emergency responders”:

[List Job Classifications]

- D. An employee who is laid off or otherwise terminated on or after March 1, 2020 and who is rehired on or before December 31, 2020 will be eligible for unused Emergency Family and Medical Leave provide that the employee had been on the District’s payroll for 30 or more of the 60 calendar days prior to the date the employee was laid off or otherwise terminated.

Amount of Emergency Family and Medical Leave:

An eligible employee is entitled to a maximum of twelve workweeks of Emergency Family and Medical Leave during the period in which the leave may be taken (between April 1, 2020 to December 31, 2020) even if the twelve workweeks spans two twelve-month leave periods under the FMLA.

Employee Benefits While on Emergency Family and Medical Leave; Supplementation of Paid Accrued Leaves:

- A. First Ten Days of Emergency Family and Medical Leave

The first ten (10) days of Emergency Family and Medical Leave are unpaid.

During this period, the employee may elect to use Emergency Paid Sick Leave, as described above, if the employee has not exhausted such leave through use at the District or prior employer.

If the employee has exhausted the Emergency Paid Sick Leave, an employee may use their earned and accrued leaves to supplement the unpaid Emergency Family and Medical Leave in order to achieve up to 100% of the pay they would normally receive in a given week for working their regularly scheduled hours.

Use of such accrued and unused leave will run concurrently with use of Emergency Family and Medical Leave.

- B. Emergency Family and Medical Leave After the First Ten Days

After the tenth day, and for the remaining up to ten (10) weeks of Emergency Family and Medical Leave, an employee is entitled to compensation for such leave at two-thirds (2/3) of the employee’s regular rate of pay, subject to a cap of \$200 per day and \$10,000 total.

During this period, employees may supplement the Emergency Family and Medical Leave (paid up to the specified limitations under the FFCRA) with their earned or accrued leave provided by the District in order to achieve 100% of the pay the employee would normally receive in a given week for working their regularly scheduled hours.]

Intermittent Leave:

An employee may request Emergency Family and Medical Leave on an intermittent basis and the District will evaluate such request to determine if such leave is operationally feasible.

Required Use of Applicable Earned or Accrued Leave During Emergency Family Medical Leave:

Employees must use all earned or accrued leave (other than sick leave, unless the District allows use of sick leave for this purpose) increments concurrently with any Emergency Family Medical Leave.

The employee must do so if the earned or accrued leave is available to care for the employee's child because the child's school or place of care is closed. The employee must use the earned or accrued leave in full day increments, unless the District permits the earned or accrued leave to be used to supplement the Emergency Family and Medical Leave compensation in order to achieve 100% of the pay the employee would normally receive for working their regularly scheduled hours.

An employee who uses earned or accrued leave concurrently with Emergency Family and Medical Leave will receive full pay until the earned or accrued leave is exhausted. Thereafter, and for the remainder of the Emergency Family Medical Leave, the employee will be paid the Emergency Family Medical Leave compensation of two-thirds (2/3) of the employee's regular rate of pay, subject to a cap of \$200 per day and \$10,000 total.

Employee Notice of Emergency Family and Medical Leave:

Where the need to use Emergency Family and Medical Leave is foreseeable, the employee shall provide the District with such notice as soon as practicable.

The District requests, but does not require, that the employee provide notice of the need to use Emergency Family and Medical Leave unit after the first workday of the usage of such leave.

After the first workday for which an employee takes Emergency Family and Medical Leave, the employee must provide reasonable notice for the usage of such as soon as possible.

An employee may provide notice of the need to use Emergency Family and Medical Leave orally or in writing, and may provide such notice through the employee's spokesperson (e.g., spouse, adult family member, or other responsible party) if the employee is unable to provide such notice personally.

If an employee fails to provide proper notice, the District will give the employee notice of the failure and provide the employee an opportunity to provide the required documentation, described below, prior to denying the request for leave.

Certification of Emergency Family and Medical Leave:

An employee who seeks Emergency Family and Medical Leave must provide the following information prior to taking leave or as soon thereafter as practicable:

- (1) Employee's name;
- (2) Date(s) for which leave is requested;
- (3) Qualifying reason for the leave;
- (4) Oral or written statement that the employee is unable to work because of the qualified reason for leave;
- (5) The name of the son or daughter being cared for;
- (6) The name of the school, place of care, or child care provider that has closed or become unavailable; and
- (7) A representation that no other suitable person (such as a co-parent, co-guardian, or usual child care provider) will be caring for the son or daughter during the period for which the Employee takes Emergency Family and Medical Leave.

Reinstatement Upon Return:

An employee who uses Emergency Family and Medical Leave is entitled to reinstatement to their prior or an equivalent position, unless the employee's employment would have ended regardless of whether he or she took leave.

District's with fewer than 25 eligible employees:

If the District is unable to restore the employee to an equivalent position to the employee's prior position, the District will notify the employee if an equivalent position becomes available within 1-year of either, the date the public health emergency concludes or date which is 12 weeks after the employee started their Emergency FMLA Leave, (which ever date is earlier).

[Notification shall be by regular mail to the employees address on file.]



IVIE McNEILL WYATT
PURCELL & DIGGS

Bill to: West Valley Water District
855 West Base Line Road
Rialto, California, 92376

Invoice No: 743253
Dated: July 10, 2020
File No: 8007005
File Name: Davis v WVWD

FOR PROFESSIONAL SERVICES

Total Fees:	\$4,442.50
Total Costs:	<u>0.00</u>
	\$4,422.50



ALBRIGHT, YEE & SCHMIT, APC

707 Wilshire Boulevard, Suite 3600
 Los Angeles, California 90017-3442
 (213) 833-1700
 Fax: (213) 833-1710
 alex.albright@ayslaw.com
 www.ayslaw.com

Law Firm's Invoice # 26406
 Date: 07/30/2020

West Valley Water District
 ATTN: Ms. Peggy Asche

WVWD - Litchfield v. WVWD (1092.06)

In Reference to: Litchfield v. WVWD (1092.06)

Detailed Statement of Account:

Current Invoice

Invoice Number	Amount Due	Payments Recieved	Balance Due
26406	\$1,884.00	\$0.00	\$1,884.00

Thank you for your business!

Payment is due upon receipt.

Please make checks payable to: Albright, Yee & Schmit, APC
 707 Wilshire Boulevard, Suite 3600
 Los Angeles, CA 90017-3516
 Attn: Accounts Receivable

We accept payment by credit card.

Our Taxpayer ID # 37-1779958



**BOARD OF DIRECTORS
STAFF REPORT**

DATE: August 6, 2020
TO: Board of Directors
FROM: Clarence Mansell Jr., General Manager
SUBJECT: CONSIDER AN AGREEMENT WITH QUINN CAT FOR AN
AUTOMATIC TRANSFER SWITCH AT THE OLIVER P. ROEMER
WATER TREATMENT FACILITY

BACKGROUND:

On June 3, 2020, the switching device that transfers power from utility power to the emergency generator at the Oliver P. Roemer Water Treatment (Roemer) Plant was damaged beyond repair by an Edison outage that repeatedly cycled on and off several times. Utility power has been restored to the facility on the same date, but there is no ability to switch to the emergency generator. The scope of work includes the removal and disposal of the existing Generator automatic transfer switch (ATS), installation of the new Eaton's ATS, and the programming needed to match the new ATS to the requirements of the powered equipment and the fixed emergency generator at the Roemer Plant.

DISCUSSION:

On July 9, 2020, the Board of Directors approved the selection of Quinn Cat to replace the ATS. Subsequently, District staff and Legal negotiated the details of the agreement with Quinn Cat for the project. This report presents that agreement for Board approval. Attached as **Exhibit A** is the agreement.

FISCAL IMPACT:

Projects of this type were anticipated in the Fiscal Year 2020/21 Capital Improvement Budget and will be funded from project number W20006 titled "analyzer(s) and/or Flow Meter(s)", which has available funds in the amount of \$50,000.00.

STAFF RECOMMENDATION:

Staff recommends that the Board of Directors approve staff's recommendation to approve an Agreement with Quinn Cat for an Automatic Transfer Switch in the amount not to exceed \$30,000.00.

Respectfully Submitted,

Clarence C. Mansell Jr.

Clarence Mansell Jr, General Manager

CM:jc