

**MINUTES**  
**REGULAR BOARD MEETING**  
of the  
**WEST VALLEY WATER DISTRICT**  
**May 7, 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"/>
Martin Pinon	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Albert Clinger	<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"/>
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 - Led by Director Greg Young.  
Opening Prayer- Led by Bishop Roxie Smith, Sold Out For Jesus, Rialto, CA Call to Order  
Roll Call of Board Members

**ADOPT AGENDA**

A motion to adopt the agenda was made by Director Greg Young and second by Director Dr. Michael Taylor. The motion passed by the following vote:

WVWD

Minutes: 5/7/20

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Gregory Young, Director
<b>SECONDER:</b>	Michael Taylor, Director
<b>AYES:</b>	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, Mr. Naseem Farooqi, Public Affairs Manager, read two emails on behalf of Jackson Brown and Don Griggs to the Board of Directors.

**PRESENTATIONS**

**1. Special District Leadership Foundation (Our Commitment to Excellence).**

Mr. Naseem Farooqi, Public Affairs Manager, provided a brief status update on the District achieving the Transparency Certificate of Excellence from the Special District Leadership Foundation (SDLF). West Valley Water District’s (WVWD) goal is to achieve the highest level of recognition for a Special District. The first step is to show case our compliance with all the State laws and regulations in three main subject areas; basic transparency, website presentation and community outreach. Currently, the District has been in compliance with all applicable State laws and regulations, such as the Ralph M. Brown Act, Public Records Act, Annual Audit and Financial Reports. The District’s website presentation there are some requirements by the SDLF that ensures WVWD offers a resource for ratepayers to stay apprised of major projects and ongoing operations. In addition, requirements include Board meetings, access to Board meetings, access to Board election information, public records request, financial disclosures, map of the District’s boundaries and service areas as well as general service information.

Outreach requirements show case that WVWD’s commitment to engage and communicate with our ratepayers. These activities include annual budget public hearings, workshops as well as ratepayer notifications, community events and meetings, including Earth Day District Office Open House and Calendar Poster Contest status. There has been a number of employees working on these events to ensure that the District met all applicable laws and regulations, including Board members who worked hard toward achieving these requirements. Mr. Farooqi thanked everyone for their collaborative efforts working on this. The District has been able to cross everything off the list to ensure that we are in compliance. There is only one item that the District does not have and that is a Public Records Request Policy; however, the Board tonight has an opportunity to adopt a Public Records Request Policy. Mr. Farooqi stated that at Legal’s advice there are a few typo’s to correct and the Board Secretary will hand out the revision. President Hawkins asked will the District have completed its application once the Board adopts the Public Records Request Policy. Mr. Farooqi stated yes. Director Dr. Clifford Young inquired if Legal reviewed the policy and Mr. Farooqi stated yes. Director Greg Young asked in the

policy is there a section that addresses keeping Board members informed of requests that are made. Mr. Farooqi stated no, but at the direction of the Board it can be included. Director Greg Young stated that he would like to see the complete Board informed, and not just certain Board members, possibly a report once a month. President Hawkins recommended to bring this up at an External Affairs Committee meeting.

## CONSENT CALENDAR

Director Greg Young motioned to adopt the Consent Calendar and requested to pull Item No.'s 5, 8, 10, 11 for separate consideration. Director Dr. Clifford Young second the motion and the following vote was taken:

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

1. BOARD OF DIRECTORS - REGULAR MEETING - MAR 5, 2020 12:00 AM.
2. BOARD OF DIRECTORS - SPECIAL MEETING - MAR 14, 2020 9:00 AM.
3. BOARD OF DIRECTORS - REGULAR MEETING - MAR 19, 2020 6:30 PM.
4. BOARD OF DIRECTORS - SPECIAL MEETING - MAR 21, 2020 12:00 AM.
5. BOARD OF DIRECTORS - REGULAR MEETING - APR 2, 2020 6:00 PM.  
(TABLED)
6. BOARD OF DIRECTORS - REGULAR MEETING - APR 16, 2020 6:00 PM.
7. COMMUNICATIONS ASSESSMENT REPORT FOR THE EXTERNAL AFFAIRS DEPARTMENT
8. APPROVAL OF CONSULTANT SELECTION - RFQ ISSUES MANAGEMENT AND CRISIS COMMUNICATION (PULLED)
9. APPROVAL OF PUBLIC RECORDS ACT POLICY
10. APPROVAL OF PAYMENT OF INVOICES FOR LEAL-TREJO, APC  
(PULLED)
11. APPROVAL OF PAYMNET OF INVOICES FOR ALBRIGHT, YEE & SCHMIT, APC (PULLED)



## BUSINESS MATTERS

### 1. MINUTES OF APRIL 2, 2020 (ITEM NO. 5)

Director Greg Young requested to table item No. 5, minutes of April 2, 2020, and bring back to the next regularly scheduled Board meeting. The minutes appear to be software issues in several locations and Director Greg Young stated he will show the Board Secretary the corrections that are needed. There being no further discussion, Director Greg Young motioned to table the minutes of April 2, 2020, to the next regularly scheduled Board meeting. Director Dr. Clifford Young second the substitute motion and the following vote was then taken:

<b>RESULT:</b>	<b>TABLED [UNANIMOUS]</b>
<b>MOVER:</b>	Gregory Young, Director
<b>SECONDER:</b>	Clifford Young, Director
<b>AYES:</b>	Channing Hawkins, Michael Taylor, Kyle Crowther, Clifford Young, Gregory Young

### 2. APPROVAL OF CONSULTANT SELECTION - RFQ ISSUES MANAGMENT AND CRISIS COMMUNICATIONS (ITEM NO. 8)

Director Greg Young stated that he has some concerns regarding this item. Particularly, with the RFQ period as it was too short and only allowed five (5) business days to respond. Director Greg Young stated that he is not opposed to the idea of having a consultant help out with our department, but feels it should be extended out to allow enough firms to prepare a proposal. Also, another concern that he has is that it appears to be a perpetual contract and does not spell out a specific timeframe as he would like to see a timeframe included in the contract. Director Dr. Clifford Young stated that it was his understanding that it was an annual contract. Mr. Farooqi addressed the Board stating that in regards to the Agreement it is an annual contract; however, the standard purchase service agreements of West Valley Water District do have a term which states that the Board of Directors will have the ability to modify agreements. Therefore, it is up to the Board of Directors. After further discussion, Director Dr. Clifford Young motioned to approve the Consultant Selection. Director Dr. Michael Taylor second the motion and the following vote was taken:

<b>RESULT:</b>	<b>APPROVED [3 TO 1]</b>
<b>MOVER:</b>	Clifford Young, Director
<b>SECONDER:</b>	Michael Taylor, Director
<b>AYES:</b>	Michael Taylor, Kyle Crowther, Clifford Young
<b>NAYS:</b>	Gregory Young
<b>ABSTAIN:</b>	Channing Hawkins

### 3. APPROVAL OF PAYMENT OF INVOICES FOR LEAL - TREJO, APC (ITEM NO. 10)

Director Greg Young stated that in the past legal invoices were usually placed for in consideration and located in Business Matters for discussion. At this time, there were no discussions, Director Dr. Michael Taylor motioned to approve payment of invoices for LealTrejo, APC and Vice President Kyle Crowther second the motion. The following vote was recorded as follows:

<b>RESULT:</b>	<b>APPROVED [3 TO 1]</b>
<b>MOVER:</b>	Michael Taylor, Director
<b>SECONDER:</b>	Kyle Crowther, Vice President
<b>AYES:</b>	Channing Hawkins, Michael Taylor, Kyle Crowther
<b>NAYS:</b>	Clifford Young
<b>ABSTAIN:</b>	Gregory Young

**4. APPROVAL OF PAYMENT OF INVOICES FOR ALBRIGHT, YEE & SCHMIT, APC (ITEM NO. 11)**

This item was taken for separate consideration as requested by Director Greg Young. Director Dr. Michael Taylor motioned to approve payment of invoices for Albright, Yee & Schmit, APC. There were no discussions. Vice President Kyle Crowther second the motion. The following vote was recorded as follows:

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

**5. CONSIDER APPROVAL OF THE CACTUS BASINS WATER SPREADING AGREEMENT WITH SAN BERNARDINO VALLEY MUNICIPAL WATER DISTRICT**

Director Greg Young reported that he and Vice President Kyle Crowther as the Engineering, Operations & Planning Committee has worked with the General Manager, Clarence Mansell and Mr. Robert Tafoya, Legal Counsel, and the team at West Valley Water District as well as San Bernardino Valley Municipal Water District to work on the Spreading Agreement. Thanked June Hayes, Director at San Bernardino Valley Municipal Water District, and her leadership regarding this matter. Discussions ensued. Director Dr. Clifford Young motioned to approve the Cactus Basins Water Spreading Agreement with San Bernardino Valley Municipal Water District. Director Dr. Michael Taylor second the motion and the following vote was taken:

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Clifford Young, Director
<b>SECONDER:</b>	Michael Taylor, Director



<b>AYES:</b>	Channing Hawkins, Michael Taylor, Kyle Crowther, Clifford Young, Gregory Young
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**6. REQUEST TO MAKE AN EXCEPTION TO THE HIRING FREEZE AND AUTHORIZE THE HUMAN RESOURCES DEPARTMENT TO RECRUIT A CRITICAL NEED POSITION – INFORMATION TECHNOLOGY SUPPORT SPECIALIST.**

Director Dr. Michael Taylor motioned to approve and make an exception to the hiring freeze and authorize the Human Resources Department to recruit a critical need position for Information Technology Support Specialist. Director Dr. Clifford Young second the motion and the following vote was taken:

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

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

- **Board Members**

- Vice President Kyle Crowther thanked staff especially during this frustrating time with all that the world is going through and wished a Happy Mother's Day to all the mothers.
- Director Dr. Michael Taylor thanked staff for what all they are doing within the District.
- Director Greg Young reiterated what the other Board members stated. Also, provided a brief update stating that he and Vice President Crowther are on an Adhoc Committee working with San Bernardino Valley Municipal Water District on finding a solution with the disagreements regarding the Groundwater Council. A letter has been sent to San Bernardino Conservation and once approved he is hopeful to bring this item to the full Board at the next Board meeting.

- **Legal Counsel**

- Mr. Robert Tafoya, reported during Closed Session a vote was taken regarding Case No. CIV DS 1904733, Matt Litchfield, stating that the Board voted 4-1, Vice President Kyle Crowther "No", to accept the settlement agreement with Mr. Litchfield for \$99,999.99.

- **General Manager**

- At this time, Director Dr. Clifford Young inquired if the District was going to be on time for the budget. Clarence Mansell, General Manager, stated yes that the District is on schedule. The District's Chief Financial Officer, Mr. Shamindra "Rickey" Manbahal, stated that he has received responses from all departments and is compiling the data now with anticipation of discussing it with the General Manager and then to the full Board at a Budget Workshop soon.

The Board of Directors asked that Mr. Manbahal send them by email the full report he has on the Dr. Bill Mathis invoices.

#### **CLOSED SESSION**

Legal Counsel, Robert Tafoya, reported out on Closed Session during the "Reports" section of the agenda. He reported a vote was taken during Closed Session regarding Case No. CIV DS 1904733, Matt Litchfield, stating that the Board voted 4-1, Vice President Kyle Crowther "No", to accept the settlement agreement with Mr. Litchfield for \$99,999.99.

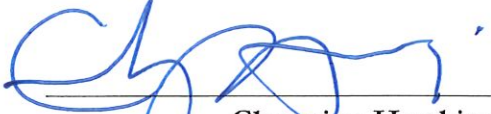
- CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956 9: Number of Cases: Six (6)
- CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION Pursuant to paragraph one (1) of subdivision (d) of Government Code Section 54956.9 Case Name: Matthew Litchfield v. Clifford Young et al Case No. CIV DS 1904733
- EXISTING LITIGATION - Naisha Davis v. West Valley Water District et al.
- 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
- PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE - (Government Code Section 54957(b))

#### **ADJOURN**

Being no further business, the meeting adjourned at 8:50 p.m.

WVWD

Minutes: 5/7/20

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

ATTEST:

  
Peggy Asche, Executive Assistant

WVWD

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