

MINUTES
REGULAR BOARD MEETING
of the
WEST VALLEY WATER DISTRICT
September 16, 2021

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"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kyle Crowther	<input checked="" type="checkbox"/> remote	<input type="checkbox"/>	<input type="checkbox"/>
Clifford Young (Arrived 6:34 p.m.)	<input checked="" type="checkbox"/> remote	<input type="checkbox"/>	<input type="checkbox"/>
Gregory Young	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Staff			
Shamindra Manbahal	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Van Jew	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Naseem Farooqi	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Haydee Sainz	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Peggy Asche	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Linda Jadeski	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jon Stephenson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Joanne Chan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Albert Clinger	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Jose Velasquez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maisha Mesa	<input checked="" type="checkbox"/> remote	<input type="checkbox"/>	<input type="checkbox"/>
Legal Counsel			
Robert Tafoya	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

OPENING CEREMONIES

Pledge of Allegiance – Led by Director Dr. Michael Taylor
Opening Prayer – Pastor Jackson, Loveland Church
Call to Order
Roll Call of Board Members

ADOPT AGENDA

Director Dr. Michael Taylor motioned to adopt the agenda as presented and Director Greg Young second the motion. Hearing no discussion, the following vote was taken:

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RESULT:	ADOPTED [4 TO 0]
MOVER:	Michael Taylor, Director
SECONDER:	Gregory Young, Director
AYES:	Channing Hawkins, Michael Taylor, Kyle Crowther, Gregory Young
NAYS:	None
AWAY:	Clifford Young

PUBLIC PARTICIPATION

Peggy Asche, Board Secretary, stated that no requests were received to speak via email. President Channing Hawkins inquired if anyone from the public would like to speak. Mr. Jimmy Elrod, Special Representative at Southwest Regional Council of Carpenters addressed the Board regarding Consent Item No. 3.

PRESENTATION

- **GFOA’S Certificate of Achievement for Excellence in Financial Reporting Fiscal Year Ended 2019-20.**

Mr. Shamindra Manbahal announced that the district received the GFOA Certificate of Achievement for Excellence in Financial Reporting for the tenth consecutive row. Mr. Manbahal expressed how proud he is of the Finance Team and the Board members for their leadership to receive this distinguished certificate. The Board members congratulated the Finance Team and stated they appreciate their hard work.

CONSENT CALENDAR

Director Greg Young stated that he would like to pull Item No. 20 for a separate vote. Director Dr. Michael Taylor motioned to adopt items 1 through 19 and pull item No. 20 for separate consideration. Director Greg Young second the motion and there was no discussion. The following vote was taken:

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Michael Taylor, Director
SECONDER:	Gregory Young, Director
AYES:	Channing Hawkins, Michael Taylor, Kyle Crowther, Gregory Young, Clifford Young
NAYS:	None

1. **AUGUST 19, 2021 - REGULAR BOARD MEETING MINUTES.**
2. **APPROVAL OF MONTHLY FINANCIAL REPORTS FOR AUGUST 2021 (PO, TREASURER, CASH DISBURSEMENT, REVENUES & EXPENDITURES).**
3. **APPROVAL OF COMMUNITY WORKFORCE AGREEMENT.**
4. **ADOPT RESOLUTION NO. 2021-23, ADOPTING SIDE LETTER TO THE COMPREHENSIVE MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN**

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WEST VALLEY WATER DISTRICT AND THE INTERNATIONAL UNION OF OPERATING ENGINEERS, (IUOE), LOCAL 12, WHICH SETS FORTH ALL WAGES, HOURS, AND OTHER TERMS AND CONDITIONS OF EMPLOYMENT.

5. ADOPT RESOLUTION NO. 2021-24, ESTABLISHING THE SALARY SCHEDULE AND JOB CLASSIFICATION PAY SCHEDULE FOR FISCAL YEAR 2021-22.
6. WATER SYSTEM INFRASTRUCTURE INSTALLATION AND CONVEYANCE AGREEMENT WITH RICHLAND DEVELOPERS, INC FOR MONARCH HILLS TRACT 20010 (LOTS 155-233).
7. WATER SYSTEM INFRASTRUCTURE INSTALLATION AND CONVEYANCE AGREEMENT WITH LANDSEA HOMES FOR MONARCH HILLS (LYTLE CREEK RD. BACKBONE).
8. WATER SYSTEM INFRASTRUCTURE INSTALLATION AND CONVEYANCE AGREEMENT WITH NORTH FONTANA INVESTMENT COMPANY, LLC FOR GARDENS AT THE ARBORETUM OFF-SITE (CYPRESS AVE.).
9. WATER SYSTEM INFRASTRUCTURE INSTALLATION AND CONVEYANCE AGREEMENT WITH NORTH FONTANA INVESTMENT COMPANY LLC FOR GARDENS AT THE ARBORETUM (DUNCAN CANYON RD.).
10. WATER SYSTEM INFRASTRUCTURE INSTALLATION AND CONVEYANCE AGREEMENT WITH NORTH FONTANA INVESTMENT COMPANY, LLC FOR GARDENS AT THE ARBORETUM (SIERRA AVE.).
11. REIMBURSEMENT AGREEMENT WITH LENNAR HOMES OF CALIFORNIA, INC FOR TRACT 20224 MONTERADO (OFF-SITE CITRUS AVE.).
12. AGREEMENTS WITH MOTIVE ENERGY FOR ENERGY EFFICIENT BATTERY PACKS FOR THREE WEST VALLEY WATER DISTRICT PUMP STATIONS (PS) AND ONE WELL (PS #3A-1, PS #4-1, PS #7-1 & WELL 8A).
13. PURCHASE ORDER FOR WELL NO. 41 PUMP REPLACEMENT WITH GENERAL PUMP COMPANY.
14. RATIFY EXPENDITURES FOR TREATMENT SLUDGE DISPOSAL.
15. APPROVAL OF PAYMENT TO IVIE MCNEILL WYATT PURCELL & DIGGS, FOR PROFESSIONAL SERVICES RENDERED IN JULY 2021, INVOICE NO. 745075; \$4,253.40.
16. APPROVAL OF PAYMENT TO LIEBERT CASSIDY WHITMORE, FOR PROFESSIONAL SERVICES RENDERED IN JULY 2021, INVOICE NO. 203190; \$1,011.50.

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17. APPROVAL OF PAYMENT TO LIEBERT CASSIDY WHITMORE, FOR PROFESSIONAL SERVICES RENDERED IN AUGUST 2021, INVOICE NO. 203575; \$2,463.50.
18. APPROVAL OF PAYMENT TO LIEBERT CASSIDY WHITMORE, FOR PROFESSIONAL SERVICES RENDERED IN JULY 2021, PERSONNEL RULES AUDIT, INVOICE NO. 203191; \$273.00.
19. APPROVAL OF PAYMENT TO REED & DAVIDSON, LLP, FOR PROFESSIONAL SERVICES RENDERED IN AUGUST 2021, INVOICE NO. 42573; \$3,975.00.
20. APPROVAL OF PAYMENT TO LAW OFFICES OF JULIA SYLVA, FOR PROFESSIONAL SERVICES RENDERED IN AUGUST 2021, INVOICE NO. 21-02; \$3,364.00. (Item No. 20 was moved to Business Matters for discussion during the adoption of the Consent Calendar).

BUSINESS MATTERS

20. APPROVAL OF PAYMENT TO LAW OFFICES OF JULIA SYLVA, FOR PROFESSIONAL SERVICES RENDERED IN AUGUST 2021, Invoice No. 21-02; \$3,364.00. (Moved from Consent Calendar)

Director Dr. Michael Taylor motioned to approve payment to the Law Offices of Julia Sylva and Vice President Kyle Crowther second the motion. Hearing no discussion, the following vote was taken:

RESULT:	APPROVED [4 to 1]
MOVER:	Michael Taylor, Director
SECONDER:	Kyle Crowther, Vice President
AYES:	Channing Hawkins, Michael Taylor, Kyle Crowther, Clifford Young,
ABSTAIN:	Gregory Young
NAYS:	None

21. ADOPT RESOLUTION 2021-22, INITIAL STUDY/MITIGATED NEGATIVE DECLARATION FOR THE OLIVER P. ROEMER WATER FILTRATION FACILITY EXPANSION PROJECT.

Director Dr. Michael Taylor motioned to adopt Resolution No. 2021-22 and Vice President Kyle Crowther second the motion. Hearing no discussion, the following vote was taken:

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Michael Taylor, Director
SECONDER:	Kyle Crowther, Vice President
AYES:	Channing Hawkins, Michael Taylor, Kyle Crowther, Clifford Young, Gregory Young
NAYS:	None

22. LENNAR HOMES REQUEST FOR REDUCTION OF DEVELOPER IMPACT FEES.

Linda Jadeski, Director of Engineering, reported on the lengthy process leading up to the Water Facilities Masterplan that was finally completed. This document was used to provide the information for the development impact fee study/capacity charge study. After the Water Facilities Masterplan was adopted by the Board of Directors, the district contracted with a firm to prepare the report, which started mid last year, and this report was brought to several committees for review as well as the Board of Directors for their consideration. Ms. Jadeski asked if there were any questions. The Board engaged in lengthy discussions. President Hawkins announced that there is public comment from Lennar Homes and apologized for not addressing them during Public Participation period. At this time, Carlos Rodriguez and Geoff Smith from Lennar Homes addressed the Board with their concerns. Director Dr. Michael Taylor stated that he has concerns feeling that a special effort should have been made to the development community. Hearing no further discussion, Director Dr. Michael Taylor motioned to bring this item back to another meeting once it has gone through the Finance Committee to be looked at for a possible exemption; however, there was no second and the motion died. President Channing Hawkins then motioned to deny Lennar Homes request for reducing the developer impact fees and Director Greg Young second the motion. Hearing no further discussion, the following vote below was taken with Director Dr. Michael Taylor voting "No". Director Greg Young clarified that a "Yes" vote indicates to deny Lennar Homes request.

RESULT:	APPROVED [3 TO 1]
MOVER:	Channing Hawkins, President
SECONDER:	Gregory Young, Director
AYES:	Channing Hawkins, Kyle Crowther, Gregory Young
NAYS:	Michael Taylor
AWAY:	Clifford Young

23. REVIEW, DISCUSS AND SELECT REDISTRICTING SERVICES FIRM.

Mr. Naseem Farooqi, Director of Government and Legislative Affairs, reported that Request for Proposals for Redistricting Services were opened for a period of two weeks. The district received five (5) proposals; however, upon review, management and staff recommended three (3) proposals to be considered by the Board. The firms to be considered are as follows: Lucien Partners, Bear Demographics & Research, and GEOinovo Solutions, Inc. The proposers provided a five-minute presentation to the Board. Mr. Farooqi reminded the Board that if there is going to be a June Primary Election, the deadline is December 15, 2021, to certify and approve all district divisions. Therefore, keeping this in mind while selecting a firm, the Board will have to be confident that the firm will be able to deliver within this timeframe as well as have the community outreach approach. Further discussions ensued by the Board. Hearing no further discussions, Director Dr. Michael Taylor motioned to select Lucien Partners as the firm to assist with the redistricting services and Vice President Kyle Crowther second the motion. The following vote was taken:

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

24. APPROVAL TO CHANGE THE REGULAR BOARD OF DIRECTORS MEETING DATE FROM OCTOBER 7, 2021, TO OCTOBER 14, 2021.

Director Dr. Michael Taylor motioned to approve changing the Regular Board of Directors meeting date to October 14, 2021, and Director Greg Young second the motion. Hearing no discussion, the following vote was taken:

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

- Director Greg Young thanked all the participants tonight for their proposals and appreciates their interest. He would like to recommend that staff ensures Lucien Partners spend time with each Board member in receiving their thoughts for redistricting.

2. General Manager

3. Legal Counsel

Mr. Robert Tafoya reported out of Closed Session stating that several items were considered; however, no final actions were made.

CLOSED SESSION

- CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION – Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9(b): Number of Cases: Two (2).
- CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION – San Bernardino County v. West Valley Water District et al. Case No. CIV SB 2113136.


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- CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION - Pursuant to Paragraph One (1) of Subdivision (d) of the Government Code Section 54956.9 Case Name: Patricia Romero v. West Valley Water District, Case No. CIVDS2024402.
- CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION – Government Code Section 54956.9(d)(1) - Young v. West Valley Water District, Superior Court of the State of California, San Bernardino County, Case No. CIVDS 2020934.


ADJOURN

There being no further discussion, the meeting adjourned at 8:17 p.m.



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

ATTEST:



Peggy Asche, Board Secretary

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