



WEST VALLEY WATER DISTRICT
855 W. BASE LINE ROAD, RIALTO, CA 92376
PH: (909) 875-1804 FAX: (909) 875-1849

REGULAR BOARD MEETING
AGENDA

THURSDAY, MARCH 4, 2021
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 the Public Affairs Manager, Naseem Farooqi at nfarooqi@wvwd.org. The webinar will also be available for public viewing by visiting www.wvwd.org. If you require additional assistance, please contact nfarooqi@wvwd.org.

OPENING CEREMONIES

Call to Order
Pledge of Allegiance
Opening Prayer
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

- Mark Norton, P.E., Water Resources & Planning Manager - Cloud Seeding Program.
- Recognition of Board of Directors and Staff Completing the Special District Leadership Foundation Academy.
- Oliver P. Roemer Water Filtration Facility Expansion Update.

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. February 4, 2021 – Regular Board Meeting Minutes. **(Page No. 5)**
2. REJECTION OF CLAIM - Frontier Communications vs West Valley Water District; Claim No. 21-0560. **(Page No. 11)**
3. REJECTION OF CLAIM - Frontier Communications vs West Valley Water District; Claim No. 21-0561. **(Page No. 15)**
4. Resolution No. 2021-4 - Concurring in Nomination of Melody McDonald to the Executive Committee of ACWA/JPIA. **(Page No. 19)**
5. Approval of Payment to Liebert Cassidy Whitmore, for Professional Services rendered in January 2021, Invoice No. 1514873; \$1,880.00. **(Page No. 26)**

BUSINESS MATTERS

Consideration of:

6. Review of Social Media Policy and Utilization of District Resources by Board of Directors. **(Page No. 27)**

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. General Manager

3. Legal Counsel

UPCOMING MEETINGS

1. March 8, 2021 - West Valley Water District Human Resources Committee Meeting at 6:00 p.m., at District Headquarters.
2. March 9, 2021 – West Valley Water District Safety & Technology Committee Meeting at 6:00 p.m., at District Headquarters.
3. March 10, 2021 - West Valley Water District Finance Committee Meeting at 1:00 p.m., at District Headquarters.
4. March 10, 2021 - West Valley Water District Engineering, Operations & Planning Committee at 6:00 p.m., at District Headquarters.
5. March 11, 2021 - West Valley Water District External Affairs Committee Meeting at 6:00 p.m., at District Headquarters.
6. March 16, 2021 - San Bernardino Valley Municipal Water District Regular Board Meeting at Meeting at 2:00 p.m., 380 E. Vanderbilt Way, San Bernardino, CA 92408.
7. March 18, 2021 – West Valley Water District Regular Board of Directors Meeting at 7:00 p.m. (6:00 p.m. Closed Session), at District Headquarters.
8. March 23, 2021 - West Valley Water District Policy Review & Oversight Committee Meeting at 6:00 p.m., at District Headquarters.
9. April 1, 2021 – West Valley Water District Regular Board of Directors Meeting at 7:00 p.m. (6:00 p.m. Closed Session), at District Headquarters.
10. April 6, 2021 - San Bernardino Valley Municipal Water District Regular Board Meeting at Meeting at 2:00 p.m., 380 E. Vanderbilt Way, San Bernardino, CA 92408.
11. April 8, 2021 - West Valley Water District External Affairs Committee Meeting at 6:00 p.m., at District Headquarters.
12. April 12, 2021 - West Valley Water District Human Resources Committee Meeting at 6:00 p.m., at District Headquarters.
13. April 13, 2021 – West Valley Water District Safety & Technology Committee Meeting at 6:00 p.m., at District Headquarters.
14. April 14, 2021 - West Valley Water District Finance Committee Meeting at 1:00 p.m., at District Headquarters.
15. April 14, 2021 - West Valley Water District Engineering, Operations & Planning Committee at 6:00 p.m., at District Headquarters.
16. April 15, 2021 – West Valley Water District Regular Board of Directors Meeting at 7:00 p.m. (6:00 p.m. Closed Session), at District Headquarters.

17. April 20, 2021 - San Bernardino Valley Municipal Water District Regular Board Meeting at Meeting at 2:00 p.m., 380 E. Vanderbilt Way, San Bernardino, CA 92408.
18. April 27, 2021 - West Valley Water District Policy Review & Oversight Committee Meeting at 6:00 p.m., at District Headquarters.

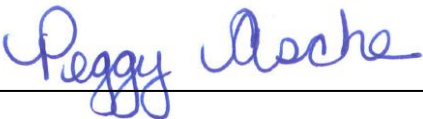
CLOSED SESSION

- CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION – Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: Number of Cases: Two (2).
- CONFERENCE WITH LEGAL COUNSEL - PUBLIC EMPLOYEE APPOINTMENT - Pursuant to Government code Section 54957, Title(s): Interim General Manager.
- CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION – Naisha Davis v. West Valley Water District et al. Case No. 20STCV0323.
- CONFERENCE WITH LABOR NEGOTIATOR (54957.6) DISTRICT NEGOTIATORS; Shamindra Manbahal, Robert Tafoya, Union Negotiators; re: International Union of Operating Engineers, Local 12.

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 March 1, 2021.



Peggy Asche, 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
REGULAR BOARD MEETING
of the
WEST VALLEY WATER DISTRICT
February 4, 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"/> 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"/> 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"/> remote	<input type="checkbox"/>	<input type="checkbox"/>
Albert Clinger	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jose Velasquez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rosa Gutierrez	<input checked="" type="checkbox"/> remote	<input type="checkbox"/>	<input type="checkbox"/>
Telat Yalcin	<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

- Call to Order
- Pledge of Allegiance - Led by Director Greg Young.
- Opening Prayer - Led by Pastor Carlo Mendoza, Sunrise Church
- Roll Call of Board Members

ADOPT AGENDA

Director Greg Young motioned to adopt the Agenda and Vice President Kyle Crowther second the motion. Hearing no discussion, the following vote was taken:

WVWD

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

PUBLIC PARTICIPATION

Mr. Naseem Farooqi, Public Affairs Manager, reported that there were no email comments and inquired if the public via Zoom would like to speak. Director June Hayes, San Bernardino Valley Municipal Water District addressed the Board. There were no other comments via Zoom.

At this time, President Hawkins thanked all his colleagues and members of the public for participating and for their service. There is a very important presentation by the Pun Group tonight. As you know, the District has been under scrutiny regarding financial practices as well as other practices. However, over the past year, the District has made significant strides moving forward and has made progress towards being a higher functioning agency. The Pun Group tonight will have an open discussion about where the District is as an agency.

PRESENTATION

- **Fiscal Year 2019/20 Audit Report by the Pun Group.**

Mr. Kenneth Pun, Managing Partner with the Pun Group presented a PowerPoint presentation on the fiscal year end June 30, 2020 statement. Based on all audit procedures performed the results were determined that the Pun Group did not have any internal control issues during the 2020 fiscal year audit. There were no problematic or questionable issues with management, accounting, or other inappropriate activities. As the District is aware, in 2019 there were several deficiency audit findings. Mr. Pun stated that Management has taken our recommendations seriously and addressed all of the issues identified in the 2019 audit, which has significantly improved and strengthened the internal controls at the District. This concluded Mr. Pun's presentation and he asked if there were any questions. Director Greg Young had no questions; however, he thanked staff for all their hard work on receiving these recommendations. Director Dr. Clifford Young commended the audit group and especially the management team on this report tonight. Particularly the no findings which is different from the last report. Vice President Crowther also stated that he is very happy with the outcome of the audit report and thanked the Pun Group and staff for the hard work in receiving such a good report.

- **Fiscal Year 2020/21 Mid-Year Budget.**

Mr. Shamindra Manbahal, Acting General Manager, presented the mid-year budget update to the Board, rate payers and staff stating that they began the process last week and went through every budget line item with all departments. There were some internal adjustments made collectively. From there it was presented to the Finance Committee and Engineering, Operations and Planning Committee as well as a lengthy discussion with the Executive Committee regarding the mid-year update before presenting it tonight. Mr. Manbahal stated

WVWD

Minutes: 2/4/21

that he is happy to report that with the Board of Directors leadership, the adoption of the Reform Plan and the push for transparency and accountability, the District has made tremendous improvements. The purpose of the mid-year budget review is an essential element in maintaining financial stability. At this mid-year the District's revenues are approximately \$17 million, and expenditures are approximately \$13 million with all debt services covered. CIP funds have \$16.4 million available and are restricted for capacity related projects. Other capacity related projects above that amount would be funded with reserves. The overall mid-year budget review is positive, and revenues are expected to outperform original budget estimates. If the District stays the course and remains fiscally conservative, CIP projects will be funded by operating revenues and not reserves. Mr. Manbahal asked if there were any questions. Director Dr. Clifford Young inquired about the UTC reimbursements and Mr. Manbahal stated that the District is through the 3rd quarter; however, due to the Plant being offline the District did lose about one quarter of the reimbursements. But now that the Plant is back online the District is hoping to have a better accounting of it by the end of the year. President Hawkins thanked Van Jew and the team for getting the Plant back up and running. Director Greg Young thanked Mr. Manbahal and the entire team for helping keep the costs in line. President Hawkins also commended the team stating that the District is in a stronger financial position than they were in February 2020.

CONSENT CALENDAR

Director Dr. Michael Taylor motioned to adopt the Consent Calendar; however, Board Secretary Peggy Asche stated that a correction was required to the December 17, 2020 minutes to include Van Jew in attendance and Joanne Chan as attending remotely. Director Dr. Clifford Young requested to pull Item No. 6 for separate discussion. Hearing no further discussion, Director Dr. Michael Taylor motioned to amend the Consent Calendar as stated and Vice President Kyle Crowther second the motion. The following vote was taken:

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

1. **NOVEMBER 19, 2020 - REGULAR BOARD MEETING MINUTES.**
2. **DECEMBER 3, 2020 – REGULAR BOARD MEETING MINUTES.**
3. **DECEMBER 17, 2020 – REGULAR BOARD MEETING MINUTES.**
4. **JANUARY 14, 2021 – SPECIAL BOARD MEETING MINUTES.**
5. **RECEIVE AND FILE FISCAL YEAR 2019-20 CAFR.**
6. **APPROVAL OF PAYMENT TO LEAL TREJO, FOR PROFESSIONAL SERVICES RENDERED IN AUGUST, SEPTEMBER, OCTOBER 2020, INVOICE NO'S 18135, 18198, 18201; TOTALING \$52,880.00.**

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- 7. **APPROVAL OF PAYMENT TO IVIE MCNEILL WYATT PURCELL & DIGGS, FOR PROFESSIONAL SERVICES RENDERED IN AUGUST, SEPTEMBER, OCTOBER 2020, INVOICE NO'S 743668, 743669, 743670, 743671, 743672; TOTALING \$8,840.00.**
- 8. **APPROVAL OF PAYMENT TO LIEBERT CASSIDY WHITMORE, FOR PROFESSIONAL SERVICES RENDERED IN DECEMBER 2020, INVOICE NO. 1513119; \$1,634.00.**

BUSINESS MATTERS

- 6. **APPROVAL OF PAYMENT TO LEAL TREJO, FOR PROFESSIONAL SERVICES RENDERED IN AUGUST, SEPTEMBER, OCTOBER 2020, INVOICE NO.'S 18135, 18198, 18201; TOTALING \$52,880.00**

Director Greg Young motioned to approve payment to Leal Trejo for professional services rendered in August, September and October 2020 and Director Dr. Michael Taylor second the motion. Hearing no discussion, the following vote was taken:

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

- 9. **APPROVAL OF THE FISCAL YEAR 2020-21 MID-YEAR BUDGET.**

Director Greg Young motioned to approve this item and Director Dr. Clifford Young second the motion. Hearing no discussions, the following vote was taken:

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

- 10. **ADOPT RESOLUTION NO. 2021-1, CHANGING THE GENERAL DISTRICT ELECTION DATE FROM NOVEMBER OF ODD-NUMBERED YEARS TO THE STATEWIDE GENERAL ELECTION IN NOVEMBER OF EVEN-NUMBERED YEARS, COMMENCING WITH THE NOVEMBER 2022 ELECTION, IN ORDER TO COMPLY WITH SB 415.**

Director Greg Young motioned to adopt this item with the following amendment to change the District election date from November of odd-numbered years to the Statewide Primary election in even-numbered years, commencing with the June 2022 election, in order to comply with SB 415 and Director Dr. Michael Taylor second the motion. Hearing no discussions, the following vote was taken:

WVWD

Minutes: 2/4/21

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Gregory Young, Director
SECONDER:	Michael Taylor, Director
AYES:	Michael Taylor, Kyle Crowther, Clifford Young, Gregory Young
NOES:	None
ABSTAIN:	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 echoed his comments to Mr. Shamindra and the team regarding the budget and especially thanked Jose Velasquez, Accounting Manager, for providing the revenue worksheet.
- President Hawkins announced that there will be a State of the District scheduled for February 26, 2021. It will be an online opportunity to inform the community about what has been happening at the District. Also, there is an IEWORKS Virtual Summit scheduled for March 1, 2021, which is a water career program training that the District was able to secure over one million dollars of grant funding. It is a regional based water program with other water agencies joining.

2. General Manager

- Mr. Manbahal thanked staff for helping with an emergency last Friday and keeping him informed. There was smoke inside the District offices which later discovered the source was a freon gas line leak coming into the building. It was a good testament for teamwork and accountability.

A monthly report was emailed to all Board of Directors encompassing all ongoing activities that occurred from each department during the month of January. With the help of Naseem Farooqi, Public Affairs Manager, he felt that this would be a great way to communicate to the Board in keeping with the Reform Plan that was adopted. This is another testament for collaboration, teamwork, good direction, and leadership.

President Hawkins commended Mr. Manbahal and staff for preparing this monthly report to ensure communication with the Board of Directors on behalf of the entirety of the District it says a lot about your leadership and approach.

3. Legal Counsel

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

CLOSED SESSION

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

WVWD

Minutes: 2/4/21

- 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).
- INITIATION OF LITIGATION PURSUANT TO Government Code Section 54956.9(c).
- CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION - Naisha Davis v. West Valley Water District et al. Case No. 20 STCV0323.
- CONFERENCE WITH LEGAL COUNSEL - PUBLIC EMPLOYEE APPOINTMENT - Pursuant to Government code Section 54957, Title(s): Interim General Manager.
- CONFERENCE WITH LABOR NEGOTIATOR (54957.6) DISTRICT NEGOTIATORS; Shamindra Manbahal, Robert Tafoya, Union Negotiators; re: International Union of Operating Engineers, Local 12.

ADJOURN

Hearing no further business, the meeting adjourned at 8:20 p.m.

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

ATTEST:

Peggy Asche, Board Secretary

WVWD

Minutes: 2/4/21



**BOARD OF DIRECTORS
STAFF REPORT**

DATE: March 4, 2021
TO: Board of Directors
FROM: Shamindra Manbahal, Acting General Manager
SUBJECT: REJECTION OF CLAIM - FRONTIER COMMUNICATIONS VS WEST VALLEY WATER DISTRICT; CLAIM NO. 21-0560

BACKGROUND:

Claim for damages has been filed against the District. District denies responsibility for damages based on location of damages.

DISCUSSION:

District staff have investigated this claim and find the District caused no damages to claimant's property. Location of damages is located in Lancaster, CA approximately 75 miles outside of District's area of operations. District had no employee in that area performing work.

FISCAL IMPACT:

No fiscal impact of claim denial.

STAFF RECOMMENDATION:

District staff recommends the District Board of Directors reject this claim and direct staff to send appropriate notice of rejection to claimant(s).

Respectfully Submitted,

Shamindra Manbahal

Shamindra Manbahal, Acting General Manager

PB

ATTACHMENT(S):

1. Request For BOD Rejection Of Claim



REQUEST FOR REJECTION OF CLAIM

Claimant Information		
Claimant Name:	JPIA Claim #:	Date of Incident:
Claimant Address:	Amount of Claim: \$	
Location of Incident:		
General Description of Claim:		

Claim Details:

Reason For Request Of Claim Denial:



REQUEST FOR CLAIM DENIAL

Claimant Name:	JPIA Claim #:	Date of Incident:
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Continuation Page



**BOARD OF DIRECTORS
STAFF REPORT**

DATE: March 4, 2021
TO: Board of Directors
FROM: Shamindra Manbahal, Acting General Manager
SUBJECT: REJECTION OF CLAIM - FRONTIER COMMUNICATIONS VS WEST VALLEY WATER DISTRICT; CLAIM NO. 21-0561

BACKGROUND:

Claim for damages has been filed against the District. District denies responsibility for damages based on location of damages.

DISCUSSION:

District staff have investigated this claim and find the District caused no damages to claimant's property. Location of damages is located in Lancaster, CA approximately 75 miles outside of District's area of operations. District had no employee in that area performing work.

FISCAL IMPACT:

No fiscal impact of claim denial.

STAFF RECOMMENDATION:

District staff recommends the District Board of Directors reject this claim and direct staff to send appropriate notice of rejection to claimant(s).

Respectfully Submitted,

Shamindra Manbahal

Shamindra Manbahal, Acting General Manager

PB

ATTACHMENT(S):

1. Request For BOD Rejection Of Claim



REQUEST FOR REJECTION OF CLAIM

Claimant Information		
Claimant Name:	JPIA Claim #:	Date of Incident:
Claimant Address:	Amount of Claim: \$	
Location of Incident:		
General Description of Claim:		

Claim Details:

Reason For Request Of Claim Denial:



REQUEST FOR CLAIM DENIAL

Claimant Name:	JPIA Claim #:	Date of Incident:
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Continuation Page



**BOARD OF DIRECTORS
STAFF REPORT**

DATE: March 4, 2021
TO: Board of Directors
FROM: Shamindra Manbahal, Acting General Manager
SUBJECT: RESOLUTION NO. 2021-4 - CONCURRING IN NOMINATION OF MELODY A. MCDONALD TO THE EXECUTIVE COMMITTEE OF ACWA/JPIA

BACKGROUND:

The Association of California Water Agencies (“ACWA/JPIA”) Joint Powers Authority will be conducting an election to be held during the JPIA’s Spring 2021 Board of Directors’ meeting.

Melody A. McDonald, President of San Bernardino Valley Water Conservation District, has requested the District concur in her nomination for the position. Attached as Exhibit A is Resolution No. 2021-4, as well as her candidate statement.

FISCAL IMPACT:

None

STAFF RECOMMENDATION:

Adopt Resolution No. 2021-4, Concurring in Nomination of Melody A. McDonald to the position on the ACWA/JPIA Executive Committee.

Respectfully Submitted,

Shamindra Manbahal

Shamindra Manbahal, Acting General Manager

SM:pa

ATTACHMENT(S):

1. Exhibit A - Reso 2021-4

EXHIBIT “A”

RESOLUTION NO. 2021-4

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE WEST VALLEY WATER DISTRICT
CONCURRING IN NOMINATION TO THE EXECUTIVE COMMITTEE
OF THE ASSOCIATION OF CALIFORNIA WATER AGENCIES
JOINT POWERS INSURANCE AUTHORITY (“JPIA”)**

WHEREAS, this District is a member district of the JPIA; and

WHEREAS, the Bylaws of the JPIA provide that in order for a nomination to be made to JPIA’s **Executive Committee**, three member districts must concur with the nominating district, and

WHEREAS, another JPIA member district, the San Bernardino Valley Water Conservation District has requested that this district concur in its nomination of its member of the JPIA Board of Directors to the **Executive Committee** of the JPIA;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the West Valley Water District that this district concur with the nomination of **Melody A. McDonald** of San Bernardino Valley Water Conservation District to the **Executive Committee** of the JPIA.

BE IT FUTHER RESOLVED THAT THE District Secretary is hereby directed to transmit a certified copy of this resolution to the JPIA at P.O. Box 619082, Roseville, CA 95661-9082, forthwith,

ADOPTED this 4TH DAY OF MARCH 2021.

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

ATTEST:

Peggy Asche
Board Secretary



San Bernardino Valley Water Conservation District

Helping Nature Store Our Water

February 10, 2021

Dr. Michael Taylor
West Valley Water District
P.O. Box 920
Rialto, CA 923770920

Dear Dr. Michael Taylor,

The Board of Directors of the San Bernardino Valley Water Conservation District has nominated its President, Melody A. McDonald, to continue in her position on the ACWA/JPIA Executive Committee. Enclosed is a certified copy of SBVWCD Resolution No. 581 nominating Mrs. McDonald for ACWA/JPIA Executive Committee.

Melody currently serves on the ACWA/JPIA Executive Committee, Personnel Committee, Chairs the Liability Program Subcommittee, served on the Building & Property Ad Hoc Committee, and was past chair of the Property & Workers Compensation Program Subcommittees. Melody has an institutional knowledge of all of JPIA's programs, their history, how coverage's evolved for the JPIA membership and has helped the organization grow to 188 Million in assets. Melody participates in training at various JPIA members facilities; she has personally visited and presented rate stabilization fund refund checks back to JPIA members totaling over 45 Million, since the inception of the fund. This year, JPIA has held nearly over 600 training classes resulting in more than 4,000 employees receiving training. Melody believes the best claim is the one that never happened, and that there is a direct correlation between risk management, training, and minimizing losses. She pursues all her duties with a strong sense of commitment and dedication. Enclosed is her Statement of Qualifications.

The District respectfully requests your organization consider adopting a concurring resolution of nomination in support of Mrs. McDonald. Enclosed is a sample concurring resolution for your consideration in support of her nomination or it can be found at <https://www.acwajpia.com/election/>. Since time is of the essence, and that this will require Board action, please include this on your agenda for your next Board meeting. Please send a certified copy to:

ACWA/JPIA **and**
Attention: Sylvia
Robinson
P.O. Box 619082
Roseville, CA 95661

**San Bernardino Valley Water
Conservation District**
Attention: Athena Lokelani
1630 W. Redlands Blvd. Ste "A"
Redlands, CA 92374

This resolution must be received by ACWA/JPIA no later than 4:30 pm Friday March 19, 2021.

Sincerely,

Daniel B. Cozad
General Manager

1630 W. Redlands Blvd, Suite A
Redlands, CA 92373
Phone: 909.793.2503
Fax: 909.793.0188
www.sbvxcd.org Email: info@sbvxcd.org

BOARD OF DIRECTORS

Division 1:
Richard Corneille

Division 2:
David E. Raley

Division 3:
Robert Stewart

Division 4:
John Longville

Division 5:
Melody McDonald

GENERAL MANAGER

Daniel B. Cozad

RESOLUTION NO. 581

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
SAN BERNARDINO VALLEY WATER CONSERVATION DISTRICT
NOMINATING ITS ACWA/JPIA BOARD
MEMBER TO THE EXECUTIVE COMMITTEE
OF THE ASSOCIATION OF CALIFORNIA WATER AGENCIES
JOINT POWERS INSURANCE AUTHORITY ("ACWA/JPIA")**

WHEREAS, this District is a member district of the ACWA/JPIA that participates in all four of its Programs: Liability, Property, and Workers' Compensation; and Employee Benefits; and

WHEREAS, the Bylaws of the ACWA/JPIA provide that in order for a nomination to be made to ACWA/JPIA's **Executive Committee**, the member district must place into nomination its member of the ACWA/JPIA Board of Directors for such open position; and

WHEREAS, President McDonald has served District and the ACWA/JPIA Executive Committee for many years and brings leadership experience and perspective.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the San Bernardino Valley Water Conservation District that its member of the ACWA/JPIA Board of Directors, Melody McDonald, be nominated as a candidate for the **Executive Committee** for the election to be held at JPIA's Spring 2021 Conference.

BE IT FURTHER RESOLVED that the ACWA/JPIA staff is hereby requested, upon receipt of the formal concurrence of three other member districts to affect such nomination.


BE IT FURTHER RESOLVED that the District Secretary is hereby directed to transmit a certified copy of this resolution to the ACWA/JPIA at P.O. Box 619082, Roseville, California 95661-9082, forthwith.

ADOPTED this 13th day of January 2021.



President, Board of Directors

ATTEST:



Secretary



Melody.sbvwd@gmail.com

**Melody
Henriques-McDonald**

P.O. BOX 30197
SAN BERNARDINO, CA 92413

(909) 793-2503 District
(909) 499-5175 cell
(909) 867-9821 fax

Like @ <https://www.facebook.com/Melody4Water>

Candidate for:

**ACWA JPIA
EXECUTIVE COMMITTEE**
(Incumbent, seeking re-election)



Melody & Board receiving, District of Distinction Award, the highest governance and best practices accreditation possible.

Kathleen Tieg, former Special Districts Board Member & ACWA President presenting, 2017

ASSOCIATIONS

Member, Board of Directors of the San Bernardino Valley Water Conservation District (Elected), Currently President, originally appointed in 1991, and first woman on the board.

Member, Executive Committee ACWA/JPIA

Chair, JPIA Liability Program Committee

Vice-Chair, Employee Benefits Committee

Director, ACWA/Joint Powers Insurance Authority

Member ACWA Federal Affairs Committee

Board Member, Association of the San Bernardino County Special Districts

Over 28 + Years, Experience in the Water Industry includes:

Past Member, (CWA) California Women for Agriculture

Past Member, ACWA Water Management Committee

Past Member, ACWA State Legislative Committee

Past Chair & Vice-Chair, JPIA Property & Workers Compensation Programs

Past Member, Board of Directors ACWA, Region 9 Chair

Past Chair, Water Management Certification Subcommittee

Chair, California Water Quality Control Board, Santa Ana Region
8 Years of service, Gubernatorial Appointment 1993-2000

CURRENT EMPLOYMENT

Southwest Lift & Equipment, Inc. (Heavy Duty Vehicle Lifts)
Broker/Associate, Century 21 Lois Lauer Realty

PROFESSIONAL ASSOCIATIONS & LICENSES

Redlands Association of Realtors
California Real Estate Broker's License
Arizona Real Estate Broker's License

ORGANIZATIONS AND SOCIETIES

Highland Chamber of Commerce
San Bernardino Chamber of Commerce
Immanuel Baptist Church Highland, CA
BSF International

EDUCATION

San Gorgonio High School, 1976
Western Real Estate School, 1989
Graduate, Special Districts Board Management Institute, 1997
Studied at Crafton Hills College

A PROFESSIONAL LAW CORPORATION

6033 W. Century Boulevard
 5th Floor
 Los Angeles, CA 90045
 310-981-2000
 Fed. Tax I.D. #95-3658973

Client-Attorney Privilege

Invoice 1514873
 January 31, 2021

West Valley Water District
 CONFIDENTIAL
 Shamindra Manbahal
 Interim General Manager
 smanbahal@wwwd.org

Client/Matter No.: WE126-00005
 Re: Confidential Personnel Matter
 cc: General Counsel

For Professional Services Rendered Through 1/31/2021**Billing Summary**

Total Fees	\$1,880.00
Total Charges	<u>\$1,880.00</u>



**BOARD OF DIRECTORS
STAFF REPORT**

DATE: March 4, 2021
TO: Board of Directors
FROM: Shamindra Manbahal, Acting General Manager
SUBJECT: REVIEW OF SOCIAL MEDIA POLICY - UTILIZATION OF DISTRICT RESOURCES BY BOARD OF DIRECTORS

BACKGROUND:

On April 19, 2018, the Board of Directors approved the Political Activities Policy with Directors C. Young, G. Young, Crowther and Olinger voting in support of the policy and Director Taylor excused from the meeting. As expressed in Section 2002, “This policy applies to all District officers and employees, including full-time and hourly/part-time District employees.” The policy prohibits use of District resources for political activities. In addition, the social media policy approved by the Board of Directors on July 19, 2020, with Hawkins, Crowther, Taylor, C. Young and G. Young voting in favor, prohibits Board members from utilizing District resources and representing that he/she is speaking on behalf of the District, the Board or any other Board member. The policy also requires Board members to include a disclaimer such as “I am a member of the Board of Directors of the West Valley Water District but posts, comments, and messages are personal and not those of the Board of Directors or the District.”

DISCUSSION:

On February 9, 2021, the West Valley Water District (WVWD) was notified of a letter of opposition submitted by Director Greg Young to the County Land Use Department regarding a development project in the unincorporated area of Bloomington. The letter references a Coalition for a Better Bloomington and references the Coalition’s opposition to the project. The opposition letter submitted by Director Greg Young was submitted on official West Valley Water District letterhead. In addition, Director Greg Young posted on Facebook various images of the West Valley Water District letter. Director Greg Young did not include in the letter and social media posts that the statements and/or views are personal and not those of the Board of Directors or the District as required by the policy.

FISCAL IMPACT:

None

STAFF RECOMMENDATION:

The Board of Directors discuss and take action it deems necessary on violations of District policies and disciplinary actions outlined under section 6 “Violations of this Policy” in the Social Media Policy.

Respectfully Submitted,

Shamindra Manbahal

Shamindra Manbahal, Acting General Manager

SM:pa

ATTACHMENT(S):

1. Documentation for Social Media Policy

MEETING HISTORY:

02/18/21 Board of Directors REFERRED TO BOARD



9 February 2021

285 West Rialto Avenue
Rialto, CA 92376
Office: (909) 875-2210
Fax: (909) 879-7876

GERALD W. BEARD
REALTY, INC.

Ms. Peggy Asche
Acting Board Secretary
West Valley Water District
855 W. Base Line Road
P.O. Box 920
Rialto, CA 92377

Re: Cedar Avenue Truck Terminal Project (PRJ-2020-00035)
10746 Cedar Avenue
Bloomington, CA

Dear Ms. Asche:

We are in receipt of the attached two letters from your Board member Greg Young. We have not received any other correspondence other than a will serve letter from your water agency regarding this project. We are hoping you can provide us with any documentation or Board Action which supports these letters on official West Valley Water District letterhead and implies the District is in full support of Mr. Young's position. Please consider this a request under the Public Records Act Request for any board action, minutes of any meetings and any other items related to the approval of the enclosed/attached letters from the West Valley Water District.

You can reach me at [REDACTED] or mail copies of the Board minutes or action items taken to us at P.O. Box 7, Rialto, CA 92377 or 285A West Rialto Avenue, Rialto, CA 92376. We look forward to your prompt response.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Scott C. Beard', is written over a white background.

Scott C. Beard
President

Cc: David Wiener

Pursuant to the California Public Records Act (Gov. Code section 6250 et seq.), the District's records shall be disclosed to the public, upon request to review or obtain copies of, unless there is a legal basis not to do so. If you wish to request access to information concerning the District's policies and practices, please write in the space below clearly specifying the document(s) requested.

Under the California Government Code section 6253(c), the District has ten (10) calendar days after the date of your request to determine whether the record(s) you requested are available and subject to disclosure. The District may extend this period of time for an additional fourteen (14) days under "unusual circumstances." After the District has made the determination that the documents you requested are available and subject to disclosure, the records will be produced within a reasonable time thereafter. Applicable fees will apply.

DESCRIPTION OF THE REQUESTED DOCUMENT(S)

I, (first and last name) SCOTT C. BEARD, hereby request the following information from the West Valley Water District:

SEE ATTACHED LETTER

Please be advised that under California Government Code section 6250 et seq., some public records may be exempt from the Public Records Act.

Please check one:

- Review at the West Valley Water District's office
- Photocopy (Fee: \$0.25 per page)
- Maps and/or oversized (2'x 3') documents (Fee: \$3.50 per page)
- Digital Format (CD) Disc (Fee: \$3.75 per disc + \$0.25 per page)

[Signature]
Applicant's Signature

2/9/2021
Date

[Redacted]
Daytime Telephone

285A W. RIALTO AVE.
Street Address

RIALTO
City

CA
State

92376
Zip

FOR OFFICE USE ONLY	
DATE RECEIVED:	DATE NOTIFIED:
DATE RECORDS PRODUCED:	SIGNATURE:

BOARD OF DIRECTORS

Channing Hawkins
President, Board of Directors
 Kyle Crowther
Vice President, Board of Directors
 Dr. Michael Taylor
Director
 Dr. Clifford O. Young, Sr.
Director
 Greg Young
Director



ESTABLISHED AS A PUBLIC AGENCY IN 1952
 WEST VALLEY WATER DISTRICT'S MISSION IS TO PROVIDE A RELIABLE,
 SAFE-DRINKING WATER SUPPLY TO MEET OUR CUSTOMERS' PRESENT
 AND FUTURE NEEDS AT A REASONABLE COST AND TO PROMOTE
 WATER-USE EFFICIENCY AND CONSERVATION.

ADMINISTRATIVE STAFF

Clarence C. Mansell, Jr.
General Manager
 Shamindra K. Manbahal
Chief Financial Officer
 Peggy Asche
Acting Board Secretary

To: Anthony DeLuca, Senior Planner
 County of San Bernardino
 Land Use Services Department, Planning Division
 385 N Arrowhead Ave. 1st Floor
 San Bernardino, CA 92415

February 6, 2021

Re: Cedar Avenue Truck Terminal Project (PRJ-2020-00035)

Dear Mr. DeLuca,

I am writing you today to voice my strong opposition to the Cedar Avenue Truck Terminal Project (PRJ-2020-00035). The project brings little value to a Bloomington that is desperate for smart and community-centered development in order to ensure our future viability as a community.

Specifically, this project will:

- Impact the quality of life for residential housing located next to and in the area around the proposed project.
- The project will increase truck traffic significantly on roads and overpasses that are already over utilized.
- The project will hurt the land value for nearby residential homes.
- The project would rezone one of the few undeveloped commercial shopping center zones in the community to accommodate a project that would be considered light industrial in any other city.
- The project will significantly increase noise and air pollution for nearby residents.
- The project will does not fit the Bloomington Community Plan that the County developed with the Community over several years of hearings and input.
- The project does not add any ongoing revenue for Bloomington specifically nor does it require the occupant to join any future facilities district.
- The developer did not bring this project to the community and the Bloomington MAC for input prior to submitting the project.

As one of the elected members of the Bloomington community, I have had many residents reach out to me regarding this project. I have subsequently spoken to other elected officials and community leaders who share the overwhelming opposition to this horrible project. In fact, I have yet to meet or speak to any Bloomington resident who thinks this is good idea. Not one person.

As such, I have joined with my fellow residents, elected officials, and community leaders to form the Coalition for a Better Bloomington. For too long, Bloomington has been a dumping ground for projects that other cities would never allow. For far too long the County has paid lip service to listening to our concerns and asking for our input, like they did with the Bloomington Community Plan, to simply turn around and undermine that plan and trust to approve projects from developers who care nothing for our quality of life. We have had enough and we will be heard. Ignore us as your peril.

The Cedar Avenue Truck Terminal Project (PRJ-2020-00035) is not the best highest use of the property in question. Bloomington needs a retail shopping center. We need restaurants. We need gas stations. We need car washes. These are the things I hear from my constituents all the time. We need don't need a truck terminal right next to Bloomington homes. No one I talk to wants that. This parcel is one of few parcels in Bloomington which could accommodate these needs.

855 W. Base Line Rd., P.O. Box 920 | Rialto, CA 92377-0920
 Ph: (909) 875-1804 | Fax: (909) 875-1849
 www.wvwd.org

FAX (909) 875-7284 Administration
 FAX (909) 875-1361 Engineering
 FAX (909) 875-1849 Customer Service

BOARD OF DIRECTORS

Channing Hawkins
President, Board of Directors
 Kyle Crowther
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ADMINISTRATIVE STAFF

Clarence C. Mansell, Jr.
General Manager
 Shamindra K. Manbahal
Chief Financial Officer
 Peggy Asche
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Additionally, the Cedar Avenue Truck Terminal Project (PRJ-2020-00035) should not be given a Mitigated Negative Declaration (MND) by the County. Nothing about this project is either mitigated nor negative. Building two eight-foot wall does not mitigate 24 hour, seven days a week noise and air pollution from 260 semi-trucks.

What if anything does the County do to test the validity of the developer paid for studies? The developer paid for traffic study fails to take the into account the truck traffic from new warehouses in Fontana, Rialto, and Jurupa Valley that were recently approved and that will be sending trucks onto Cedar Avenue. How many other assumptions would also fail an independent analysis?

It is shocking that Land Use Services would be preparing a Mitigated Negative Declaration for this project. How is it the Land Use Services can complete an initial study and not determine that this project would have a "Potentially Significant Impact" in the categories of "Noise", "Greenhouse Gas Emissions", or "Air Quality"? Would you make such a declaration if it was your kids having to breath the air released from those 260 semi-trucks? It is utterly shameful that the County would not immediately require a full Environmental Impact Report for a project with this use and proximity to residential housing. There needs to be an independent study of this project and not just the word of hand-picked Developer paid for consultants.

As a Director of the local water district, which has had to spend millions of dollars to cleanup contaminated groundwater from short-sided industrial planned projects, I am gravely concerned about the lack of any study to address the potential of containments seeping into our groundwater basin. We have too many groundwater issues already to risk rushing a project without fulling examining the potential for contamination. Would the County be willing to accept the responsibility for any potential contamination this develop will bring if a full EIR was not done?

The Cedar Avenue Truck Terminal Project (PRJ-2020-00035) must have a full Environmental Impact Report conducted to fully understand the true impact of this project on our community's quality of life and to test the validity of the developer provided studies.

The County has moral obligation to protect its citizens and the County's own Mission Statement claims to "satisfy its customers by providing service that promotes the health, safety, well-being, and quality of life of its residents." How does this project meet that mission? It is quite simple, it does not. Pushing this project forward without a full Environmental Impact Report would actually promote the opposite of the County Mission Statement.

I sincerely, ask that this project be required to complete a full Environmental Impact Report so we the community can better understand its true impact. I further call on the County to reject projects such as these as they are not in line with the needs of our community.

Greg Young, MBA, PMP
 West Valley Water District Board Member, Division 5,
 Chair, Engineering, Planning, and Operations Committee
 10604 Valencia St. Bloomington, CA 92316

CC:
 Board of Supervisors

BOARD OF DIRECTORS

Channing Hawkins
President, Board of Directors
Kyle Crowther
Vice President, Board of Directors
Dr. Michael Taylor
Director
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Greg Young, MBA, PMP
 West Valley Water District Board Member, Division 5,
 Chair, Engineering, Planning, and Operations Committee
 10604 Valencia St. Bloomington, CA 92316

CC:
 Board of Supervisors

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 FAX (909) 875-1361 Engineering
 FAX (909) 875-1849 Customer Service



Gregory Young created the group **Coalition For a Better Bloomington.**

February 1 at 7:55 PM · 





Gregory Young updated the description.

February 1 at 8:05 PM ·



We are a group of citizens that support quality development in Bloomington that adheres to the highest standards while bringing jobs, infrastructure improvements and revenue for increased services that our residents desperately want and deserve.



Gregory Young

February 1 at 8:06 PM · 🌐



Project Notice

An application has been filed with County Planning

PROJECT NUMBER: PROJ-2020-00035

ASSESSOR PARCEL NO: 0257-031-12

APPLICANT: SCOTT BEARD

LOCATION: WEST SIDE OF CEDAR AVE., APPROXIMATELY 650 FEET NORTH OF SANTA ANA AVE.

COMMUNITY: BLOOMINGTON/DISTRICT 5

ZONING: BL/CG-SCp

Project Proposal

General Plan Amendment to change the Land Use Zoning District from General Commercial, Sign Control Overlay (CG-SCp) to Service Commercial (CS) and a Conditional Use Permit for a Truck Terminal with 321 truck parking spaces and 13 vehicle parking spaces and a two-story 9,600 sq. ft. building for office and truck repair uses, on approximately 8.95 acres.

We'd love to hear from you....

Please submit comments by October 8, 2020 to ensure that they get considered in the review process. However, comments will be taken up to the time of the project decision. Please refer to this project by the Project Number and the Assessor Parcel Number (APN). If you have no comment, a reply is not necessary.

Proposed Project Site



Jim Morrissey, Contract Planner
 Phone: 909.387.4234
 E-mail: jim.morrissey@lus.sbcounty.gov
 Fax: 909-387-3223

Project Decision

If you would like to be notified of the decision rendered for this project, please provide your contact information in the section below and mail this notice back to one of the addresses listed below.



Coalition for a Better Bloomington strongly opposes the Cedar Ave Truck Terminal. Please submit your comments to the County by February 11th. Email Anthony DeLuca at anthony.deluca@lus.sbcounty.gov



COUNTY OF SAN BERNARDINO
NOTICE OF AVAILABILITY (NOA) AND NOTICE OF INTENT (NOI) TO ADOPT
AN INITIAL STUDY / MITIGATED NEGATIVE DECLARATION

In accordance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines, County Staff prepared an Initial Study / Mitigated Negative Declaration (IS/MND) that identify and evaluate the environmental impacts of the below-named project.

Project Title: Cedar Avenue Truck Terminal

Project No.: PROJ-2020-00035

Project Location: The project is located at 10746 Cedar Avenue between Santa Ana Avenue and Slover Avenue in the community of Bloomington, California.

Assessor Parcel Number: 0257-031-12

Project Description: Conditional Use Permit (CUP) for a Truck Terminal with a 2,400 square-foot building for office use and storage, an approximate 250 square-foot guard shack, and a 4,800 square-foot maintenance shop with four repair bays on approximately 8.95 acres. The project includes parking for 260 trucks and 14 vehicles with 1 handicap accessible space. The project will require a zone change from General Commercial (CG) to Service Commercial (CS).

Environmental Review and Public Comment:

The document meets the State requirements of the California Environmental Quality Act. Interested parties can view the Initial Study/Environmental Checklist and supporting documentation online at: <http://cms.sbcounty.gov/lus/Planning/Environmental/Valley.aspx> and the following offices:

High Desert Government Center
Land Use Services – Planning Division
15900 Smoke Tree Street, Suite 131
Hesperia, CA 92345

San Bernardino Government Center
Land Use Services – Planning Division
385 N. Arrowhead Avenue, 1st Floor
San Bernardino, CA 92415

The comment period on the IS/MND begins on **January 13, 2021** and closes on **February 11, 2021 at 4:30 PM**. Please submit comments to anthony.deluca@lus.sbcounty.gov or to:

Anthony DeLuca, Senior Planner
County of San Bernardino
Land Use Services Department, Planning Division
385 N. Arrowhead Ave 1st Flr

Social Media Policy

SECTION 1: PURPOSE

SECTION 2: POLICY DISTRICT CODE

SECTION 3: POSTING GUIDELINES

SECTION 4: TRANSPARENCY

SECTION 5: SOCIAL MEDIA SITES BOARD OF DIRECTORS' USE

SECTION 6: SOCIAL MEDIA SITES

SECTION 7: POLICY ADOPTION AND REVIEW

SECTION I: PURPOSE

The purpose of this Policy is to establish the goals of the District for social media use, provide criteria for choosing social media outlets, identify employees who will represent the West Valley Water District (WVWD) through these outlets, and the type of information that will be conveyed via social media.

The Water District's presence on social media is an extension of the District's communications and outreach efforts and is jointly overseen by the general manager or their designee, public affairs department, and the director of general services. Social media includes any internet-based networking site, including, but not limited to, blogs, *Facebook*, *Twitter*, *YouTube* and *Instagram*.

There are two main purposes for WVWD to have a presence on social media:

- I. To disseminate time-sensitive information as quickly as possible, such as in the event of an emergency;
- II. To increase the District's ability to broadcast its message to the widest possible audience.

Social media is, by nature, interactive. It is inherently less controllable than traditional media and should be undertaken with full awareness that not all comments and conversations will show the Water District in a positive light. In addition, by creating a presence on social media, the Water District is potentially creating a community of users who can talk to each other about the organization. However, it is an important opportunity to engage the community in a dynamic conversation, quickly convey information, and to address any comments about Water District programs and services through conversations that are taking place on social media. It affords two-way communication opportunities that are difficult to create through more traditional communication methods.

SECTION 2: POLICY

1. All Water District social media sites shall be (1) approved for content by the general manager or their designee; and (2) approved by the public affairs manager. In an emergency situation, the public affairs manager may post content and notify the general manager.
2. The public affairs and information technology departments will work together to use social media proficiently, effectively, and safely to communicate Water District messages and have meaningful dialogue with the public on relevant topics.

3. Any users of WVWD's social media channels must comply with applicable federal, state, and local laws, and the District's Computer Use Policy. This includes adherence to established laws and policies regarding copyright, records retention, California Public Records Act, e-discovery laws, First Amendment, privacy laws, and information security policies established by the District, and therefore must be able to be managed, stored, and retrieved to comply with these laws.
4. The Water District reserves the right to restrict or remove any content that is deemed in violation of this policy or any applicable law. Content violating the Water District Social Media Policy shall be reported to the general manager, public affairs manager and legal counsel. The Water District reserves the right to remove comments or content including, but not limited to, those that contain:
 - i. Profane language or content;
 - ii. Pornographic content;
 - iii. Content that promotes, fosters or perpetuates discrimination;
 - iv. Sexual harassment content;
 - v. Solicitations of commerce or advertisements including promotion or endorsement, unless already part of a Water District-sponsored event;
 - vi. Content that, in the sole discretion of the general manager or their designee(s), is patently offensive or violently hostile;
 - vii. Conduct or encouragement of illegal activity;
 - viii. Promotion or endorsement of clear and specific political issues not involving the District, groups or individuals;
 - ix. Information that will compromise the safety or security of the public or public systems;
 - x. Content in support of, or opposition to, political campaigns, candidates or ballot measures not related to West Valley;
 - xi. Content that WVWD reasonably believes violates a legal ownership interest of any other party, such as trademark or copyright infringement;
 - xii. Making or publishing of false or malicious statements concerning any employee, the Water District or its operations;
 - xiii. Violent or threatening content;
 - xiv. Disclosure of confidential or proprietary information;
 - xv. Content pertaining to confidential or privileged information.
5. Each Water District social media site shall include an introductory statement, which clearly states the purpose of the site. All social media sites shall include an entry that clearly indicates that content posted or submitted for posting are subject to public disclosure.
6. All District social media sites shall clearly indicate that they are maintained by the Water District and shall have the agency's contact information prominently displayed.

7. The public affairs manager shall name a designee to monitor content on social media to ensure adherence to this policy, appropriate messaging, consistent branding, and consistency with the Water Districts goals.
8. Social media pages will be monitored regularly. Comments that contain profanity, or are spam, will be removed.
9. Any employee who discovers negative or inaccurate comments about the Water District on the District's, or other, social media sites should notify the general manager or their designee immediately in order to correct misinformation.

SECTION 3: POSTING GUIDELINES

One of the main goals of social media is to create a *voice* for the District. As such, it is important that content be posted in a similar context or tone across District social media outlets. The general manager or their designee will work with authorized users to identify the tone and review posts to ensure they align with the voice the District is working to convey.

Authorized users are to follow these guidelines when interacting on District social media sites:

- Double check the facts before posting to a site;
- Maintain professionalism, honesty, and respect;
- The tone of social media content is often informal, however staff is encouraged to adhere to the District's more formal writing style whenever possible;
- Some questions cannot and should not be answered on social media. It may be more appropriate to ask the poster (person) to contact the Water District directly;
- The District's social media sites will be viewed as a District resource. Water District employees and board member should keep campaign regulations in mind and avoid any type of campaigning on the District's social media sites.

SECTION 4: TRANSPARENCY

WVWD is committed to using social media to enhance transparency and open communications with customers and the general public. In doing such, the general manager or their designee will not remove any comments from the public that are negative or disparaging to the District unless the post:

- Contains profane, obscene, or pornographic content and/or language;
- Promotes, fosters, or perpetuates discrimination;
- Makes threats to any person or organization, is defamatory, or is a personal attack;
- Is irrelevant to the topic being discussed.

SECTION 5: BOARD OF DIRECTORS' USE

This section is to provide guidance for the use of social media accounts by Board members.

A. Use of District Resources Prohibited

Board members participating in social media are prohibited from utilizing District resources and representing that he/she is speaking on behalf of the District, the Board or any other

Board member. Therefore, regardless of whether an account is personal or public, as explained below, it is required that Board members include on their accounts, for example on the profile page, a disclaimer along the following lines:

"I am a member of the Board of Directors of the West Valley Water District but posts, comments, and messages are personal and not those of the Board of Directors or the District."

B. Removal of Comments and/or Block Followers

Board members could have First Amendment obligations to the public if they have turned those personal accounts into public ones. Conversely, if Board members operate purely private accounts, then they would not have First Amendment obligations and could block individuals and remove comments. Of course, a Board member may wish to have a public account with the First Amendment obligations that come with it.

When evaluating whether a private account has become a public one, the factors that a court would consider include (without limitation):

- Whether an account is open to all or is set to a private setting. Can anyone join or "like" an account or must someone send a request to the Board member and the Board member can decide whether to accept or reject that individual as a "friend" or "follower?"
- Whether the Board member uses the account to engage with constituents/residents;
- The way in which the account is presented. Does it have the look of a public account dealing with District issues or is it limited to comments and pictures involving the Board Member's personal life, such as family and vacations?

A Board member can block a member of the public from his/her personal social media page, and remove comments, unless the page has become public.

C. Best Practices to Avoid Private Accounts Becoming Public

If a Director does not wish to have a public account, then the following are some best practices on how to avoid turning a private social media account into a public one:

- Add a disclaimer to the account that notes that the page is a private page only.
- Make the account a private account where only family and friends may access it.
- Primarily post about personal topics, such as family and vacations, as opposed to District-related matters.
- Do not designate or indicate that the account is an "official" or governmental account.
- Do not engage in District business on the account (e.g., asking for customer details on the publicly-viewed portion of the platform)
- Do not take action on District business on the account. For example, if a constituent posts a request for governmental help (e.g., questions on how to dispute a water bill) direct the constituent to District staff or the District's website.
- Do not use District staff to help maintain the personal account.

- If it is unclear whether a private account has turned into a public forum, refrain from blocking users with differing viewpoints.

D. Best Practice for a Public Account

Consider adding a policy or link to a policy describing why a post may be taken down or someone may be blocked from the account (e.g., posting of profanity or obscene material). If a Director believes that his/her account has become public, it is advisable that the Director post his/her own policy on his/her page that describes why a third party post or comment may be removed by the Director. Such a policy would address removing obscene or offensive posts and blocking individuals who engage in rude or disruptive behavior.

SECTION 6. VIOLATIONS OF THIS POLICY

Violations of the WVWD Social Media Policy by any WVWD employee could result in disciplinary action including but not limited to termination. Violations of the WVWD Social Media Policy by the Board Members could result in a censure by the Board of Directors.

SECTION 7: COMMENT BY PUBLIC

- Public comment shall be permitted per this Social Media Policy.

SECTION 8: SOCIAL MEDIA SITES

Facebook.com/westvalleywaterdistrict


Twitter.com/myWVWD

Instagram.com/myWVWD

YouTube.com (channel has yet to be assigned url due to recent establishment)

SECTION 9: POLICY ADOPTION AND REVIEW

This policy shall be adopted by resolution of the Board. Moreover, the policy shall be reviewed on a biennial basis and the Board must approve modifications, if any.

	WEST VALLEY WATER DISTRICT Human Resources Policies & Practices Manual	Article No. 20
		Board Effective Date: 04-19-18
		Revision Date & No:
TITLE: POLITICAL ACTIVITIES POLICY		Page 1 of 2

2001. PURPOSE

To provide guidelines for District officers and employees regarding participation in political activities.

(See California Government Code Sections 3201 and 3207)

2002. APPLICABILITY

This policy applies to all District officers and employees, including full-time and hourly/part-time District employees.

(See California Government Code Sections 3201-3203, and Section 3207)

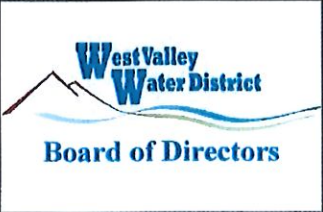
2003. POLICY

The political activities of District officers and employees are restricted by certain State and Federal laws. District officers and employees shall obey all applicable laws.

District officers and employees are prohibited from engaging in political activities of any kind while on duty for the District or during work hours, while wearing a District uniform, or while on District premises. District Officers and employees may not use District assets, property, funds, equipment or other District resources for the purpose of providing support or opposition to a candidate or a ballot measure. Such resources include, but are not limited to, District computers, email systems, internet services, telephones, photocopying, and fax machines, office supplies, postage, vehicles, office spaces, facilities, and field sites owned, leased or controlled by the District.

District officers and employees may not solicit political contributions from other District officers or employees on eligibility lists for District jobs. District Officers or employees may solicit contributions from District Officers or employees in connection with ballot measures affecting their wages, hours, and working conditions, provided that no such solicitation may occur while on duty for the District or during work hours.

Disciplinary action up to an including termination of employment will be instituted if this policy is violated.

 West Valley Water District Board of Directors	WEST VALLEY WATER DISTRICT Human Resources Policies & Practices Manual	Article No. 20
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Nothing stated herein shall be construed as limiting any District Officer's or employee's right to vote, or freedom of reasonable expression or right of association, nor the exercise of any rights protected by the Constitution of the United States of America and the State of California.

All District Officers and employees shall receive a copy of this policy annually, and all District employees shall acknowledge receipt of this policy in writing as part of new employee orientation and annually thereafter.

(See California Government Code Sections 3201-3207, and Section 3209)