

MINUTES
REGULAR BOARD MEETING
of the
WEST VALLEY WATER DISTRICT
August 6, 2020

Attendee Name	Present	Excused	Absent
Board of Directors			
Channing Hawkins	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Michael Taylor	<input checked="" type="checkbox"/> remote	<input type="checkbox"/>	<input type="checkbox"/>
Kyle Crowther	<input checked="" type="checkbox"/> remote	<input type="checkbox"/>	<input type="checkbox"/>
Clifford Young	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gregory Young	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Staff			
Clarence Mansell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Shamindra Manbahal	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Naseem Farooqi	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Peggy Asche	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lizett Santoro	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Albert Clinger	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Linda Jadeski	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Joanne Chan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Cynthia Birts	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jose Velasquez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Joe Schaack	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Olson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Legal Counsel			
Robert Tafoya	<input checked="" type="checkbox"/> remote	<input type="checkbox"/>	<input type="checkbox"/>

OPENING CEREMONIES

Pledge of Allegiance - Led by Director Dr. Clifford Young
Opening Prayer - Led by Pastor Gabriel Araya from Casa Del Rey
Call to Order
Roll Call of Board Members

ADOPT AGENDA

Director Greg Young motioned to adopt the agenda and Director Dr. Clifford Young second the motion with no discussion. The following vote was taken:

WVWD

Minutes: 8/6/20

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

PUBLIC PARTICIPATION

Naseem Farooqi, External Affairs Manager, stated that there are several individuals via Zoom wishing to address the Board members on an item on the agenda regarding the passing of Mr. Donald Griggs. However, at this time he is requesting that public comments be provided during the time of the agenda item. Mr. Farooqi asked are there anyone wishing to speak on items not listed on the agenda to please raise their hands virtually or start speaking. Hearing none, the meeting continued.

PRESENTATION

- Special Districts Leadership Foundation (Our Commitment to Excellence).

Ms. Cynthia Birts, Public Affairs Analyst, provided a brief update on the District of Distinction, Phase II, stating it is the District's commitment to transparency and accountability. Step one, the Board of Directors gave direction in January 2020 to complete the process for the application with the Special District Leadership Foundation (SDLF). In May 2020 all required documents were submitted for review by the SDLF and in June 2020 SDLF approved the District's Transparency Certification of Excellence, which means the District is now considered a District of Distinction. As a District of Distinction, we will be required to maintain all policy and procedures best practices; Board and Staff professional development; and maintain 3 years of acceptable annual audits. The next step is to achieve the Special District Governance Certificate District of Distinction Gold Level. All Board members will have to complete the following steps: Governance Foundations; Setting Direction/Community Leadership; Board's Role in Human Resources; Board's Role in Finance and Fiscal Accountability; and complete 10 hours of continuing education. The Ethics and Harassment training courses count toward the 10 hours. Once three of the Board members complete the training requirements, the District will reach the Silver status and when all Board members complete the trainings, the District will reach Gold.

- Update on the Oliver P. Roemer Water Filtration Facility Expansion Project.

Linda Jadeski, Engineering Services Manager, provided a brief update on the 16 MGD Expansion at the Oliver P. Roemer Water Filtration Facility project stating that she would like to introduce Mr. Jamal Awad who is the Project Manager, GHD, who is the consultant working on this project. Mr. Awad has over 30 years of experience in water quality and treatment. Mr. Awad thanked the Board and staff for this opportunity stating the GHD is employee owned and have been in business since 1928 providing engineering, environmental, and construction services. Mrs. Jadeski gave a brief update on the history at Oliver P. Roemer WFF stating that it was constructed in 1995 to utilize Lytle Creek surface water rights and expanded the treatment capacity from 7.2 mgd to 9.6 mgd in 1998. In 2006, Phase 1 and 2 expanded the capacity from 9.6 mgd to 14.4 mgd as well as expanded the turbidity treatment

process, ultraviolet disinfection, influent blending pond and 3 sludge drying basins, Granular Activated Carbon and Lytle Creek Pump Station. In 2007, Phase 3 was put on hold due to the recession. Moving forward there is a resurgence in development and increased water demand is needed. This expansion would treat additional State Project (SWP) water and SWP is used to supplement our groundwater well production. There has been a loss in supply reduction due to four wells being shut down to contaminants which totals over 10 mgd. Future development in the District's service area is expanding particularly in the north end and there is 34% undeveloped land. The projected new development is over 21,000 connections with a peak day demand of 53.8 mgd. The Roemer expansion is needed before the development occurs. The projected new revenue over 25 years will be paid by Developers in the capacity charges which is estimated at \$3 - \$6 million annually and will pay for the Roemer Expansion and new Wells. There will be no rate increases for existing customers. Mrs. Jadeski asked Mr. Shamindra Manbahal, Chief Financial Officer, to add his input on financing. Mr. Manbahal provided two very different raw funding options with a combination of WIFIA and Revenue Bonds. The Board ensued in a lengthy discussion about financing.

CONSENT CALENDAR

Director Dr. Michael Taylor motioned to adopt and move Items No. 1 – 14 and Vice President Kyle Crowther second the motion. The CFO requested that he would like to comment on Item No. 12 for separate discussion and Director Greg Young requested a friendly amendment to pull Item No. 10 as well for separate discussion. Director Dr. Michael Taylor requested to move Items No. 1 -14. A vote was taken and the motion failed to pass 2 to 3.

RESULT:	DEFEATED [2 TO 3]
MOVER:	Michael Taylor, Director
SECONDER:	Kyle Crowther, Vice President
AYES:	Michael Taylor, Kyle Crowther
NAYS:	Channing Hawkins, Clifford Young, Gregory Young

CONSENT CALENDAR

At this time, Director Greg Young motioned to adopt the Consent Calendar moving Items No. 10 and 12 for separate consideration. Hearing no changes, Director Dr. Clifford Young second the motion and the following vote was taken:

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

1. BOARD OF DIRECTORS - SPECIAL MEETING MINUTES - MAY 19, 2020.
2. BOARD OF DIRECTORS - REGULAR MEETING MINUTES - MAY 21, 2020.
3. BOARD OF DIRECTORS - SPECIAL MEETING MINUTES - MAY 27, 2020.
4. BOARD OF DIRECTORS - REGULAR MEETING MINUTES - JUNE 4, 2020.

WVWD

Minutes: 8/6/20

5. **BOARD OF DIRECTORS - SPECIAL MEETING MINUTES - JUNE 6, 2020.**
6. **BOARD OF DIRECTORS - SPECIAL MEETING MINUTES - JUNE 12, 2020.**
7. **BOARD OF DIRECTORS - REGULAR MEETING MINUTES - JUNE 18, 2020.**
8. **BOARD OF DIRECTORS - SPECIAL MEETING MINUTES - JUNE 23, 2020.**
9. **BOARD OF DIRECTORS - REGULAR MEETING MINUTES - JUNE 25, 2020.**
10. **APPROVAL OF EMPLOYEE HEALTH AND WELL-BEING INCENTIVE PROGRAM.**

The Board voted unanimously to move Items No. 10 and 12 for separate consideration to Business Matters during the adoption of the agenda.

11. **APPROVAL OF REVISION FOR PANDEMIC RESPONSE PLAN.**
12. **APPROVAL OF FAMILIES FIRST CORONAVIRUS RESPONSE ACT (FFCRA OR ACT) REGARDING EMPLOYERS TO PROVIDE EMPLOYEES UP TO 80 HOURS OF SICK LEAVE RELATED TO COVID-19.**

The Board voted unanimously to move Items No. 10 and 12 for separate consideration to Business Matters during the adoption of the agenda.

13. **APPROVAL OF PAYMENT TO IVIE MCNEILL WYATT PURCELL & DIGGS FOR PROFESSIONAL SERVICES RENDERED IN JUNE 2020, INVOICE NO. 743253, \$4,422.50.**
14. **APPROVAL OF PAYMENT TO ALBRIGHT, YEE & SCHMIT, APC FOR PROFESSIONAL SERVICES RENDERED IN JUNE 2020, INVOICE NO. 26406, \$1,884.00.**

BUSINESS MATTERS

10. WVWD EMPLOYEE HEALTH AND WELL-BEING INCENTIVE PROGRAM

Director Greg Young inquired with Staff what is required to receive these incentives and the requirements for this program. Mr. Manbahal, Chief Financial Officer, stated that there are no requirements and that it is a program being introduced for employees that would like to participate in retiring and use as a retirement incentive or seek employment elsewhere. Hearing no further comments, Director Greg Young motioned to approve this item and Director Dr. Clifford Young second the motion. The following vote was taken:

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

12. FAMILIES FIRST CORONAVIRUS RESPONSE ACT (FFCRA OR ACT)

Mr. Manbahal, Chief Financial Officer, stated that he has one concern regarding the staff report stating “Additionally, staff recommends that the Board consider approving reimbursing employees for associated costs employees incurred when testing and quarantining. Examples of these expenses are: copays, the cost of the test, and hotel stays.” Mr. Manbahal is objecting to this language because the District is having a challenging time getting reimbursed from FEMA. FEMA does not reimburse for these type of expenses and the District should not commit itself to this. Director Greg Young made a motion to approve this item with the CFO’s recommendation and Director Dr. Michael Taylor second the motion. The following vote was taken:

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

15. CONTRACT FOR ELECTRICAL POWER ATS REPLACEMENT AT ROEMER PLANT

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

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

16. A TRIBUTE TO MR. DON GRIGGS

President Hawkins stated that Mr. Don Griggs was a well-known face at West Valley Water District’s Board meetings. Mr. Don Griggs served with honor and integrity as the President of the West Valley Water Ratepayers Association and the Westside Action Group. In addition to his work in the utility industry, he fought for over 40 years to improve the political economic condition for particularly African Americans in our local community and throughout the county. Ultimately, his leadership and tenacity for civil rights led to equitable improvements and victories for every resident. His life and legacy of leadership service and most of all his mentorship and friendship, will be missed by all. At the last Board of Directors meeting, I asked to bring back this item for our Board to discuss and give a proper tribute to Mr. Griggs. Therefore, President Hawkins is asking his colleagues to join him in honoring Mr. Griggs for his lifetime service to our community most especially as the President of West Valley Water Ratepayers Association. The

District received three letters that were provided to each Board member from Community Leaders regarding Mr. Don Griggs. One letter is from Mayor Deborah Robertson, second letter from Rev. Dr. Joshua Beckley from Ecclesia Christian Fellowship, and the third letter from the Interim President, WVWD Ratepayers Association, Dr. Jean Peacock, Ph.D. At this time, President Hawkins asked Mr. Farooqi for public comment. Mr. Farooqi requested comments from the public. Dr. Jean Peacock, Walter S. Hawkins, Councilman Joe Baca, Hardy Brown, Mayor Deborah Robertson, Dr. Joshua Beckley and Mrs. Celeste Griggs addressed the Board members for consideration of naming the Hydro Electric Generation Plant in honor of Donald Griggs. President Hawkins made a motion to name the Hydro Electric Generation Plant after Mr. Donald Griggs and Director Dr. Michael Taylor second the motion. Director Greg Young inquired with Legal Counsel stating that the wording for this item was not agenzized as naming a fixed asset, only as a tribute. Mr. Robert Tafoya, Legal Counsel, stated that a tribute could include naming a building after Mr. Donald Griggs and he believes that this agenda item is proper. Director Greg Young stated that he has several concerns regarding this item, but he does want to express his heartfelt condolences to the family of Donald Griggs. It is certainly right and just for the District to honor his commitment to the community. However, there are concerns of naming a fixed asset like this in this manner. There is only one asset in the District named after someone which is the Oliver P. Roemer Water Filtration Facility and it should be a very high bar philosophically of naming a facility after someone. Director Greg Young feels that a fixed asset of the District should be named after someone with many years of involvement in the water industry or of this agency. He is perplexed as to why the District would name a Plant after someone who only recently has been involved with the District. The Board ensued in a lengthy discussion, and a substitute motion was made by Vice President Kyle Crowther to table this item to a subsequent Board meeting. Director Dr. Clifford Young second the motion. The item was approved to table to the next regularly scheduled Board meeting with President Hawkins and Director Dr. Michael Taylor voting “no”:

RESULT:	TABLED [3 TO 2]
MOVER:	Kyle Crowther, Vice President
SECONDER:	Clifford Young, Director
AYES:	Kyle Crowther, Clifford Young, Gregory Young
NAYS:	Channing Hawkins, Michael Taylor

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 everyone for attending the Board meeting and thanked Staff for the great presentations. Again, expressed his heartfelt condolences to the Griggs family and to all who knew Mr. Griggs. Very sad to hear of his passing. It is a very difficult time we are living in right now and wants to wish everyone to stay safe and continue to wear your masks.
- President Hawkins stated that he realizes there was a heated discussion tonight regarding Mr. Griggs and if he said anything above the voice that he should not of used he would like to apologize to his colleagues.

- Director Dr. Michael Taylor stated that he is looking forward to the next Board meeting for further discussion regarding Mr. Griggs.

2. Legal Counsel

Mr. Tafoya reported out of Closed Session that the Board did consider several items, but there were no reportable actions taken.

3. General Manager

CLOSED SESSION

Mr. Tafoya reported out of Closed Session that the Board did consider several items, but there were no reportable actions taken.

1. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956 9: Number of Cases: Seven (7).
2. CONFERENCE WITH LABOR NEGOTIATOR (54957.6) District Negotiators; Martin Pinon, Robert Tafoya, Union Negotiators; Re: International Union of Operating Engineers, Local 12
3. CONFERENCE WITH LEGAL COUNSEL - PUBLIC EMPLOYEE APPOINTMENT - Pursuant to Government Code Section 54957, Title(s): Assistant General Manager

ADJOURN

There being no further discussion, the meeting adjourned at 9:02 p.m.



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

ATTEST:



Peggy Asche, Acting Board Secretary