

MINUTES
REGULAR BOARD MEETING
of the
WEST VALLEY WATER DISTRICT
November 19, 2020

Attendee Name	Present	Absent	Late	Arrived
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"/> Remote	<input type="checkbox"/>	<input type="checkbox"/>	
Joanne Chan	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Linda Jadeski	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Jon Stephenson	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Albert Clinger	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Shamindra Manbahal	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Robert Tafoya	<input checked="" type="checkbox"/> Remote			
Naseem Farooqi	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Maisha T. Mesa	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Rosa Gutierrez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Jose Velasquez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

OPENING CEREMONIES

Pledge of Allegiance led by Director Dr. Clifford Young
Opening Prayer led by Elder Vernal Townsend
Call to Order
Roll Call of Board Members

ADOPT AGENDA

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

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

STATEMENT FROM BOARD PRESIDENT CHANNING HAWKINS

President Hawkins wished everyone a happy Thanksgiving. He then gave an update on COVID-19 & WVWD as cases surge again across our country. Stay at Home orders are now in effect from 10 p.m. to 5 a.m. in elect counties, including San Bernardino and Riverside. President Hawkins urged everyone to follow the order to ensure we are doing our part to stop the spread.

WVWD's water quality, safety and supply has not been affected by COVID-19. We will also continue to support our ratepayers by not disconnecting services for non-payment at this time.

Our customer service center is still closed but representatives are still available by phone to answer any questions. President Hawkins gave the telephone number for customers to use.

Most WVWD employees are telecommuting. Remaining employees are under a strict policy regarding contact tracing and quarantining if exposed or tested positive.

President Hawkins expressed his sadness and condolences as he reported the loss of Walter Hawkins, a lifelong community advocate for the disadvantaged and people of color. He asked that we keep Walter Hawkins and his family in our thoughts and prayers. He also requested that we adjourn the meeting in honor of Mr. Walter Hawkins. A moment of silence was taken in his memory.

President Hawkins went on to thank Dr. Michael Taylor and our WVWD management and supervisors for completing the 3rd module for the Special District Leadership Foundation's Leadership Academy.

President Hawkins ended his statement by urging everyone to continue to be safe and take precautions as COVID-19 cases are on the rise.

PUBLIC PARTICIPATION

NONE

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PRESENTATIONS

1. THANKSGIVING HOLIDAY FOOD DRIVE & COMMUNITY OUTREACH-

Public Affairs Manager Naseem Farooqi explained this year's Holiday Food Drive and the efforts that were being made to support the local community. WVWD employees and local community has come together to support 25 families with meals during this time. Details of the upcoming Toy Drive will be given at the next Board meeting. President Hawkins thanked staff and management for the dedication and hard work. Volunteered \$200 of his own funds to donate to the food drive. Dr. Young also volunteered to donate \$200.

2. POSTER CONTEST PRESENTATION-

Public Affairs Manager, Naseem Farooqi discussed the posters that were displayed in the Board Room. Naseem explained that the posters were actually the annual contest submissions from students in the community. Naseem explained that the process for collecting the poster contest submissions was challenging this year due to COVID-19 restrictions but the community worked together with WVWD to get the students the supplies that they needed to participate in the contest. Naseem then presented a slide show that highlighted the community efforts as well as students and the pictures that they submitted for the contest.

CONSENT CALENDAR

Director Dr. Clifford Young motioned to approve the consent calendar, with the exception of item No. 12, 13 & 14, pulled for separate discussion & item No. 9 to be moved to the next Board meeting. Director Greg Young second the motion and the following vote was taken:

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

1. Receive and File October 2020 - Purchase Order Report.
2. Receive and File October 2020 - Treasurer Report October.
3. Receive and File October 2020 - Cash Disbursement Report.
4. Receive and File October 2020 Revenues & Expenditures Report.
5. Holiday Closure for 2020.
6. Authorizing Resolution No. 2020-19 – Roemer Expansion Project.
7. Notice of Completion Recordation for the Construction of Casmalia Street Water

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Main Replacement Project.

8. Award of Contract for Construction of Santa Ana Avenue Transmission Main Project Phase 1 to El-Co Contractors, Inc.
9. Approve Task Order No. 2 with Michael Baker International for Construction Management and Inspection Services for Santa Ana Avenue Transmission Main Project Phase I.
The Board voted unanimously to pull this item and move to the next meeting.
10. Approve Professional Services Agreement and Task Order No. 1 with TKE Engineering, Inc. for the Professional Engineering Services for Development of Construction Bid Documents for Well 54 Discharge to Waste Drain Line Project.
11. Approve a Budget Transfer to Fund the Pump Station 7-2 Project for a Radio Survey.
12. *Employment Agreement with Van M. Jew for the Position of Assistant General Manager, Operations and Engineering.
The Board voted unanimously to pull items No. 12,13 & 14 for discussion during the adoption of the agenda.
13. Name Change Amendment and Hourly Rate Reduction to Contract with General Counsel.
The Board voted unanimously to pull items No. 12,13 & 14 for discussion during the adoption of the agenda.
14. Approval of Payment to Tafoya & Garcia LLP, for Professional Services rendered August 2020, Invoice No. 20-1006; \$21,419.70.
The Board voted unanimously to pull items No. 12,13 & 14 for discussion during the adoption of the agenda.
15. Approval of Payment to Tafoya & Garcia LLP, for Professional Services rendered September 2020, Invoice No. 20-1009; \$22,534.08.

Director Dr. Michael Taylor motioned to approve item No. 12. Director Kyle Crowther second the motion and the following vote was taken:

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

Director Michael Taylor motioned to approve item No. 13 & 14. Director Kyle Crowther second the motion and the following vote was taken:

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RESULT:	APPROVED
MOVER:	Dr. Michael Taylor, Director
SECONDER:	Kyle Crowther, Director
AYES:	Channing Hawkins, Michael Taylor, Kyle Crowther
NO:	Dr. Clifford Young
ABSTAIN:	Greg Young

BUSINESS MATTERS

NONE

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

1. Board Members

- Director Dr. Michael Taylor wanted the ratepayers to know about a QUI TAM lawsuit that has been going on for approximately 1 ½ years. Director Taylor says that the lawsuit was filed by Director Dr. Clifford Young along with 2 former employees posing as ratepayers. He says that this lawsuit is costing ratepayers hundreds of thousands of dollars in legal fees & employee research fees. Director Dr. Taylor has requested a “top down” audit of the entire District of what it has costed the ratepayers. He says that he has also requested legal advice to seek legal remedy to financially seek to recoup the District’s cost. He wants to make sure that the public knows what is going on and what he intends to do to recoup expenses for the public.
- Director Greg Young reported that he has been recovering from COVID-19 and wants to thank the community for all of their thoughts and prayers. He also addressed his colleagues and expressed his hope that one day that they can lay down the arms and stop trying to one up each other. He says that he never wanted the division on the Board. He says that they should let it go and prove that they can move on.
- President Hawkins expressed his agreement with Director Greg Young’s comments and said that he was glad to hear that he was on the road to recovery.

2. Legal Counsel

Mr. Tafoya reported out of Closed Session that he was given direction on a matter but no final action was taken.

3. General Manager

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Acting General Manager, Rickey Manbahal wished everyone a happy Thanksgiving and spoke about the Thanksgiving luncheon held at the District earlier that day.


CLOSED SESSION

Mr. Tafoya reported out of Closed Session that he was given direction on a matter but no final action was 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: Three (3).
2. CONFERENCE WITH LABOR NEGOTIATOR (54957.6) District Negotiators; Shamindra Manbahal, 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, Human Resources Risk Manager.
4. CONFERENCE WITH LEGAL COUNSEL- EXISTING LITIGATION- Naisha Davis v. west Valley Water District et al. Case No. 20 STCV0323.
5. CONFERENCE WITH LEGAL COUNSEL- EXISTING LITIGATION- Pursuant to Paragraph One (1) of Subdivision (d) of the Government Code Section 54956.9 Case Name: Clifford Young Et Al V. Robert Tafoya Et. Al. Case No. 19STCV05677.

ADJOURN

Hearing no further business, the meeting was adjourned at 8:03 p.m. in honor of Mr. Walter Hawkins.


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

ATTEST:


Maisha T. Mesa, Executive Assistant

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