



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, NOVEMBER 17, 2022
CLOSED SESSION - 6:00 PM • OPEN SESSION – 6:45 PM

BOARD OF DIRECTORS

Channing Hawkins, President
Greg Young, Vice President
Angela Garcia, Director
Dan Jenkins, Director
Kelvin Moore, 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."

On March 4, 2020, Governor Newsom declared a State of Emergency resulting from the threat of COVID-19. On September 16, 2021, Governor Newsom signed Assembly Bill No. 361 into law. Assembly Bill No. 361 amends Government Code section 54953(e) by adding provisions for remote teleconferencing participation in meetings by members of a legislative body, without the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions. The West Valley Water District adopted a resolution determining, by majority vote, that, as a result of the declared State of Emergency, the District is adopting the State protocol which allows meetings in person and/or via teleconference. Accordingly, it has been determined that all Board and Workshop meetings of the West Valley Water District will be held pursuant to Assembly Bill No. 361, the Brown Act and will be conducted via teleconference and 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: 840-293-7790 or you may join the meeting using Zoom by clicking this link: <https://us02web.zoom.us/j/8402937790>. Public comment may also be submitted via email to administration@wvwd.org. If you require additional assistance, please contact administration@wvwd.org.

OPENING CEREMONIES

Call to Order
Pledge of Allegiance
Opening Prayer
Roll Call of Board Member

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 Acting Board Secretary, if you are attending in person. For anyone joining on Zoom, please wait for the Board President's instruction to indicate that you would like to speak. 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.

PRESENTATIONS

None.

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. Minutes - Special Board Meeting for July 27, 2022. **Pg. 7.**
2. Rejection of Claim #23-0222: Jim Hamilton v. West Valley Water District. **Pg. 11.**
3. Purchase of Laptops to Support the SCADA Upgrade Project. **Pg. 14.**
4. Potential Holiday Closure 2022. **Pg. 28.**
5. Clarifier Repairs at the Oliver P. Roemer Water Treatment Plant. **Pg. 31.**
6. Reduced Pressure Backflow Preventers. **Pg. 36.**

7. Water System Infrastructure Installation and Conveyance Agreement, Out-of-Agency Service Agreement, Plan for Service and Resolution 2022-29 for GATX Corporation. **Pg. 40.**
8. Approval of Payments to Albright, Yee, & Schmit, Professional Services, for September 2022, Invoice Nos. 27701 and 27753 totaling \$37,532.50. **Pg. 134.**
9. Approval of Payment to Carpenter, Rothans & Dumont, for Professional Services, dated September 2022, Invoice No. 42227 for \$252.50, respectively. **Pg. 136.**
10. Approval of Payments to Ivie McNeill Watt Purcell & Diggs, Professional Services, for February 2022, March 2022, April 2022, May 2022, June 2022 July 2022, and August 2022, Invoice Nos. 746681, 747222, 746682, 746683, 747232, 747232, 746684, 747242, 747252, 747253, 747262, 747263, 747272, and 747282, \$464.00, \$4,042.50, \$76.40, \$906.79, \$14,471.50, \$125.00, \$5,205.50, 4,735.52, \$125.00, \$9,109.47, \$215.00, \$4,413.00, and \$2,530.69, respectively. **Pg. 137.**
11. Approval of Payments to Julia Sylva, for Professional Services, for October 2022, Invoice Nos. 10179 and 10180 for \$4,026.50 and \$3,210.00, respectively. **Pg. 150.**
12. Approval of Payments to Leal Trejo, for Professional Services, for July 2022, and August 2022, Invoice Nos. 18932, 18972, 18977, 18978, 18979, 18981, 18980, 18976, 18982, and 19005, \$2,012.50, \$2,812.50, \$4,117.50, \$3,185.00, \$161.9, \$1,853.50, \$1,397.50, \$2,680.00, \$22,154.50, and \$26.00, respectively. **Pg. 152.**
13. Approval of Payments to Liebert Cassidy Whitmore, for Professional Services, for September 2022, Invoice Nos. 226720, and 226748, for \$212.50 and \$1,100.00, respectively. **Pg. 162.**
14. Approval of Payment to Shaw Law Group for Professional Services, for September 2022, Invoice No. 41444 for \$829.50, respectively. **Pg. 164.**
15. Approval of Payment to Tafoya Law Group for Professional Services, for August 2022, Invoice No. 22-1008 for \$27,804.50, respectively. **Pg. 165.**

BUSINESS MATTERS

Consideration of:

16. Employees Survey

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

1. **Board of Directors**
2. **General Manager**

3. Legal Counsel

UPCOMING MEETINGS

- November 18 &19, 2022 - Special Board of Directors Strategic Planning Retreat.
- November 22, 2022 - Policy Review Committee Meeting at 6:00 p.m.
- November 23, 2022 - Finance Committee Meeting at 6:00 p.m.
- November 28, 2022 - External Affairs Meeting at 6:00 p.m.
- December 1, 2022 - Regular Board of Directors Meeting at 6:30 p.m.

UPCOMING COMMUNITY EVENTS

- Saturday, November 19, 2022 - Thanksgiving Drive (WVWD is sponsoring turkeys for families and donating water), Smile America - Abdi Foundation, Warner Elementary School 10510 E. Rialto Ave, Rialto, CA 92376 at 10:00 am - 2:00 pm
- Saturday, December 3, 2022 - West Valley Water District's Winter Wonderland, Victoria Gardens Cultural Center, 12505 Cultural Center Drive, Rancho Cucamonga, CA 91739 at 6:00 p.m. - 12:00 a.m.
- Saturday, December 3, 2022 - Rialto Holiday Festival and Parade Rialto Civic Center, 150 S. Palm Avenue. Tree Lighting, Posada, Entertainment, Vendor Lane, Activities & More at 5:30 p.m. - 9:00 p.m.
- Saturday, December 3, 2022 - Colton Chamber of Commerce's Annual Christmas Parade 10:00 a.m. O Street and La Cadena Drive, Christmas Parade
- Saturday, December 17, 2022 - Christmas Drive - Smile America, Abdi Foundation at Warner Elementary School, 10510 E. Rialto Ave, Rialto, CA 92376, 10:00 am - 2:00 pm
- Saturday, April 22, 2023 - Earth Day 2023 - Information to come

UPCOMING EDUCATION & TRAINING OPPORTUNITIES

- November 29 - December 1, 2022 - Association of California Water Agencies, 2022 Fall Conference (Indian Wells, CA)

CLOSED SESSION

- CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION - Significant Exposure to Litigation Pursuant to Paragraph (2) of Subdivision (D) of Section 54956.9(B): Number of Cases: Two (2).

- CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Paragraph One (1) of Subdivision (d) of the Government Code Section 54956.9 Case Name: Diana Gunn. vs. West Valley Water District, Case No. CIVSB2117195.
- CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Paragraph One (1) of Subdivision (d) of the Government Code Section 54956.9 Case Name: Nadia Loukeh. vs West Valley Water District, Case No. CIVSB2116242.
- CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Paragraph One (1) of Subdivision (d) of the Government Code Section 54956.9 Case Name: Julianna Zavala. vs West Valley Water District, Case No. CIVSB2117197.
- CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Gov. Code §54956.9[d][1]) CBMWD v. City of Chino et al. (Superior Court of California, County of San Bernardino, Case Number RCV 51010)
- CONFERENCE WITH LEGAL COUNSEL - PUBLIC EMPLOYEE APPOINTMENT - Pursuant to Government Code Section 54957, Title(s) General Manager.
- CONFERENCE WITH LEGAL COUNSEL - PUBLIC EMPLOYEE APPOINTMENT - Pursuant to Government Code Section 54957, Title(s) Board Secretary.
- CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTION 54957 - Public Employee Performance Evaluation, Public Employee Discipline/Dismissal/Release - General Counsel.
- CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTION 54957 Appointment /Employment of a Public Employee - General Counsel
- CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTION 54957 - Public Employee Performance Evaluation - Acting General Manager.

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 November 14, 2022.



Nancy Albitre, Acting 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 the Acting Board Secretary, Nancy Albitre, at least 72 hours in advance of the meeting to ensure availability of the requested service or accommodation. Ms. Albitre may be contacted by telephone at (909) 875-1804 ext. 346, or in writing at the West Valley Water District, P.O. Box 920, Rialto, CA 92377-0920.