

**MINUTES
SPECIAL BOARD MEETING
of the
WEST VALLEY WATER DISTRICT
BOARD OF DIRECTORS
August 28, 2017**

PRESENT ABSENT

DIRECTORS

- ✓ Donald Olinger, President
- ✓ Linda Gonzalez, Vice President
- ✓ Dr. Clifford O. Young, Sr., Director
- ✓ Greg Young, Director
- ✓ Robert Bourland, Director

STAFF

- ✓ Matthew H. Litchfield, General Manager
- ✓ Greg Gage, Assistant General Manager
- ✓ Marie Ricci, Chief Financial Officer
- ✓ Karen Logue, Human Resources/Risk Manager
- ✓ Wendy Strack, External Affairs Manager
- ✓ Joanne Chan, Operations Manager
- ✓ Jon Stephenson, Engineering Services Manager
- ✓ Shanae Smith, Board Secretary

LEGAL

- ✓ Michael D. Davis, Savage Gresham Nolan & Tilden, PC
- ✓ Derek R. Hoffman, Savage Gresham Nolan & Tilden, PC

VISITORS

Anthony and Diana Araiza, Customers
Scott Olson

The Special meeting of the Board of Directors was called to order by Donald Olinger, Sr., at 6:00 p.m. at the District Office, 855 W. Baseline Road, Rialto, CA.

President Olinger opened the meeting and clarified the meeting format as a Board workshop to review, discuss and possibly adopt the draft Code of Ethics Policy (“COEP”) presented in the agenda packet and inquired whether there is a difference between a Special meeting of the Board to that of a Board workshop. General Manager Matthew H. Litchfield clarified that the meeting is in fact a workshop with the intent to have a discussion among the members of the Board with regard to the contents of the draft COEP presented at the August 17, 2017 regular Board meeting, with the option to potentially adopt should the Board so choose. Director Young, Sr. led a lengthy discussion regarding the meeting format and indicated for the record that President Olinger had been very deceptive in his initial call to Board members regarding discussion of the COEP and questioned whether we are having a workshop or adopting the COEP, as the meeting structure indicated in the printed agenda is a different format.

OPENING CEREMONIES

Pledge of Allegiance – Director Gregory Young
Opening Prayer - Director Robert Bourland
Roll Call of Board Members-Quorum

ADOPT AGENDA

Motion was made by Director Bourland to adopt the Agenda as presented, seconded by Vice President Gonzalez. A discussion continued regarding the meeting format and the FPPC requirement to adopt a COEP biennially on even years. Following discussion, the motion carried by the following vote:

Ayes:	Directors: Gonzalez, Olinger, Bourland
Noes:	Directors: Young, Sr.
Absent:	Directors: None
Abstain:	Directors: Young

PUBLIC PARTICIPATION

President Olinger indicated that any person wishing to speak to the Board of Directors (“Board”) on matters listed or not listed on the agenda, within its jurisdiction, is asked to complete a Speaker’s 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 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.

No members of the public spoke at the meeting.

BUSINESS MATTERS

- 1. Adopt Resolution No. 2017-26 of the Board of Directors of the West Valley Water District, Approving the Code of Ethics Policy** – Mr. Litchfield summarized the purpose of the Code of Ethics / Board Conduct Policy (“COEP”), which is a part of the Conflict of Interest Code, is to comply with the requirements of the Fair Political Reform Act of 1974, and that of the Fair Political Practices Commission (“FPPC”). Mr. Litchfield explained that the District’s current Conflict of Interest Code, as well as the COEP is outdated and needed updating and that the process to update the Conflict of Interest Code is time consuming, however, the COEP could move forward at this time. Staff presented the draft COEP at the regular Board meeting of August 17, 2017 and due to questions and concerns raised by the Board, the item was tabled to the Special meeting. Mr. Litchfield identified two alternatives in the Staff report specific to Section 15 of the COEP, with respect to enforcement of the COEP and formal filings for Board discussion. The options are the results of Staff working with Legal Counsel to conduct a side-by-side comparison of similar water district’s COEPs within Southern and Northern California. Director Young questioned why his email request to receive full copies of sample COEPs from neighboring agencies, including other government entities, as opposed to the excerpts received in the printed agenda packet had been ignored. Legal Counsel Michael D. Davis commented that he had taken notes at the August 17, 2017 regular Board meeting regarding Director Young’s request to bring back full copies of sample policies and that it is not his intent to withhold, nor was he aware of the email request. Following a lengthy discussion regarding COEP policies from other local government agencies, the Board reviewed and discussed each section of the proposed COEP, including Sections 1.0 – 9.3. Due to time constraints, the Board tabled the completion of the review of the draft COEP to a Board Workshop set for Monday, October 2, 2017 at 6:00 p.m., and directed Mr. Litchfield and Mr. Davis to provide full copies of sample COEPs from the ten (10) agencies identified in the agenda packet, as well as samples from other government agencies and to include government code citations within the sections discussed, as well as to prepare edits to the draft COEP as recommended by the Board.

ADJOURN

THERE BEING NO FURTHER BUSINESS, PRESIDENT OLINGER MOVED TO ADJOURN THE MEETING AT 8:05 P.M.

Donald Olinger
President of the Board of Directors
of West Valley Water District

ATTEST:

Shanae Smith, Board Secretary