

MINUTES
REGULAR BOARD MEETING
of the
WEST VALLEY WATER DISTRICT
August 3, 2017

PRESENT **ABSENT**

DIRECTORS

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

STAFF

- ✓ Matthew H. Litchfield, P.E., General Manager
- ✓ Greg Gage, Assistant General Manager
- ✓ Marie Ricci, Chief Financial Officer
- ✓ Karen Logue, Human Resources/Risk Manager
- ✓ Wendy Strack, External Affairs Manager
- ✓ Linda Jadeski, Engineering Services Manager
- ✓ Jon Stephenson, Business Systems Manager
- ✓ Joanne Chan, Operations Manager
- ✓ Shanae Smith, Board Secretary
- ✓ Rosa Gutierrez, Associate Engineer
- ✓ Nadia Aguirre, Executive Assistant
- ✓ Albert Clinger, IT Administrator

LEGAL

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

VISITORS

- Dan Benner, Principal, Ruhnau Runau Clarke
- June D. Hayes, Director, SBV Municipal Water District
- Tom Shalhoub, Director, Yucaipa Valley Water District

Gil Navarro, Director, SBV Municipal Water District
Lydia Romero, Student
Anthony & Diana Araiza, Customers

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

OPENING CEREMONIES

Pledge of Allegiance – Director Clifford Young
Opening Prayer – Director Robert Bourland
Roll Call of Board Members – Quorum - Director Gregory Young – Arrived at 6:15 p.m.

ADOPT AGENDA

Vice President Gonzalez made a motion to Approve the Agenda, seconded by President Olinger. Following discussion, the motion carried by the following vote:

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

PUBLIC PARTICIPATION

President Olinger indicated that any person wishing to speak to the West Valley Water District (“District”) 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 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.

Ms. June D. Hayes, Director of the San Bernardino Valley Municipal Water District (“Valley District”) congratulated the District on its 1,000 days without a lost time claim. Ms. Hayes commented that an email was sent to Board Secretary Shanae Smith regarding a Drought Preparedness workshop scheduled for August 22nd, hosted by the California Rural Water Association (“CRWA”). Ms. Hayes encouraged Board and Staff to attend, as well as water operators, who would receive free continuing education credits. Ms. Hayes also discussed the Skinner/Hertberg draft proposal for water use efficiency bills and requested the Board’s review and submission of any input they may have to Hertberg’s office within the next week for consideration.

CONSENT CALENDAR

Director Young inquired about the Minutes of the regular meeting held on July 20, 2017 and why they were not included in the agenda packet presented, as he desired to challenge an action taken by the Board that is currently being acted upon and in violation of the County Water Code as it relates to County water districts. General Manager Matthew Litchfield led a discussion regarding Board Secretary Smith's absence and back-up provided by Executive Assistant Nadia Aguirre. Ms. Aguirre is in training as Acting Board Secretary and would provide minutes at the next regularly scheduled meeting. General Legal Counsel Michael Davis commented that there is nothing to challenge by way of the official action of the Board until the minutes are presented and adopted. At that point, you have a record of what officially transpired at the meeting and if what officially has transpired, then there is a basis for challenging. Following discussion, a motion was made by Vice President Gonzalez to Approve the Consent Calendar as presented, seconded by Director Bourland. The motion was approved by the following vote:

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

PUBLIC HEARING

President Olinger announced this as the time and place as specified in the Notice to hold the Public Hearing concerning Adopting Chapters 1 through 5, Chapter 11 and Appendices of the Revised 2015 San Bernardino Valley Regional Urban Water Management Plan ("RUWMP"). President Olinger inquired whether the Public Hearing been properly noticed. Board Secretary Shanae Smith certified that notices for the hearing had been advertised in The Sun Newspaper on July 20, 2017 and July 27, 2017 and posted at District headquarters, as well as on the District's website, in accordance with California law. President Olinger requested that General Manager Litchfield provide information leading up to the Public Hearing and its purpose. Mr. Litchfield introduced Engineering Services Manager, Ms. Linda Jadeski who provided an overview of the goals related to the update of the plan amendments of to the chapters indicated. President Olinger announced that the Public Hearing required by State law in order to receive input from interested and opened the floor to the public for comments. Hearing none, President Olinger called for a motion to close the public hearing. Director Young, Sr. made a motion to close the Public Hearing, seconded by Director Bourland. The motion carried by the following unanimous vote:

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

Director Young thanked members of the Engineering and Planning Committee, Ms. Jadeski and Staff who assisted with the effort. President Olinger read a statement quoted by Valley District General Manager, Douglas Headrick regarding the Revised 2015 San Bernardino Valley Regional Urban Water

Management Plan at a recent Valley District board meeting. “The RUWMP was organized to include a regional summary in the first chapters and to provide each participating agency with its own chapter, where it could describe specific plans to provide reliable water supply. This gave the retail agencies the flexibility to develop their own plan, while reducing the cost of each agency. Eight (8) agencies are a part of the consortium and that by joining the group, the District saved 1/3 of the cost. It also improved the consistency within the region, reduces double counting of resources, among other benefits.”

Director Young arrived at 6:15 p.m.

BUSINESS MATTERS

Consideration of:

This item was taken out of order.

- 1. Adopt Resolution No. 2017-22, Resolution of the Board of Directors of the West Valley Water District, Adopting Chapters 1 Through 5, Chapter 11, and Appendices of the Revised 2015 San Bernardino Valley Regional Urban Water Management Plan –** Following the Public Hearing, a motion was made by Director Young, Sr. to Adopt Resolution No. 2017-22, Resolution of the Board of Directors of the West Valley Water District, Adopting Chapters 1 through 5, Chapter 11 and Appendices of the Revised 2015 San Bernardino Valley Regional Urban Water Management Plan, seconded by Director Bourland. The motion carried by the following unanimous vote:

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

- 2. Adopt Resolution No. 2017-23, Amending in Part, Resolution No. 2017-8, Approving Revisions to Schedule “B” Standing Committees and Schedule “C” Outside Meetings of Ordinance No. 84, Compensation and Policies Related to Board Activities –** Following discussion, Vice President Gonzalez made a motion to Adopt Resolution No. 2017-23, Amending in Part, Resolution No. 2017-8, Approving Revisions to Schedule “B” Standing Committees and Schedule “C” Outside Meetings of Ordinance No. 84, Compensation and Policies Related to Board Activities and to fill the vacant alternate positions, seconded by Director Bourland.

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

3. **Approval of Foyer Renovation Conceptual Design** - Mr. Litchfield introduced Dan Benner, Principal of Runnau, Runnau Clarke to provide an overview of the design options for the Customer Service and Administration area and answered questions from the Board. Following discussion, a motion was made by Director Young, Sr. to Approve the Foyer Renovation Conceptual Design, seconded by Director Young. The motion carried by the following unanimous vote:

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

4. **Approval of an Agreement for Professional Services and Task Order No. 1 with Michael Baker International for Engineering Design Services for Reservoir 2-3 Site Improvements and Modifications** - Following discussion, a motion was made by Director Young to Approve of an Agreement for Professional Services and Task Order No. 1 with Michael Baker International for Engineering Design Services for Reservoir 2-3 Site Improvements and Modifications, seconded by Vice President Gonzalez. The motion carried by the following unanimous vote:

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

5. **Approval of Matching Funds for Drought-Friendly Landscaping in Specified County Rights-of-Way** - Following discussion, a motion was made by Vice President Gonzalez to Approve of Matching Funds for Drought-Friendly Landscaping in Specified County Rights-of-Way, seconded by Director Young, Sr. The motion carried by the following unanimous vote:

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

6. **Adopt Resolution No. 2017-24, Election of Directors to the Special District Risk Management Authority Board of Directors** - Following discussion, a motion was made by Vice President Gonzalez to Adopt Resolution No. 2017-24, Approving the Vote for Timothy Unruh, Michael J. Karen, Cindi Beaudet, Incumbent Jean Bracy for the Election of Directors to the Special District Risk Management Authority Board of Directors, seconded by Director Young. The motion carried by the following unanimous vote:

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

7. **Adopt Resolution No. 2017-25, Approving the Addition of Delinquent Non-Paid Charges to the Annual Taxes Levied Upon the Property in San Bernardino County** – Following discussion, a motion was made by Director Young to Adopt Resolution No. 2017-25, Approving the Addition of Delinquent Non-Paid Charges to the Annual Taxes Levied Upon the Property in San Bernardino County, seconded by Director Bourland. The motion carried by the following vote:

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

8. **Approval of Payment to Larson O'Brien, LLP for Professional Services rendered through June 30, 2017 in the San Bernardino Valley Municipal Water District Matter; Invoice No. 3676; \$5,732.75** - Following discussion, a motion was made by Vice President Gonzalez to Approve of Payment to Larson O'Brien, LLP for Professional Services rendered through June 30, 2017; \$5,732.75, seconded by Director Young. The motion carried by the following unanimous vote:

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

President Olinger invited Gil Navarro, Director, Valley District to address the Board. Mr. Navarro introduced Ms. Lydia Romero who is attended the meeting as part of her leadership training and see her as one of our future leaders. Ms. Romero distributed Rialto Unified School District (“RUSD”) pamphlets regarding the Heritage Citrus Grove event taking place in the City of Rialto. Mr. Navarro commented that they took advantage of the rebate program administered by the Santa Ana Watershed Project Authority (“SAWPA”). Thanked the Board for supporting the project in conjunction with the District’s rebate program.

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

1. Board Reports

Director Young reported on the following:

- a. Apologized for being late due to a very important meeting at the hospital. Thanked everyone for coming. Commented on the rainfall.

Director Bourland reported on the following:

- a. Lighting struck on Easton near the District's water reservoir and lit a tree on fire. Advised that everyone be careful.

Director Young, Sr. reported on the following:

- a. No report, however, everyday is a good day and every moment that you breathe, live and enjoy life is very precious.

Vice President Gonzalez reported on the following:

- a. Thanked everyone for attending the meeting.
- b. July 20th – Attended the District's first collaborative Spanish class hosted by the External Affairs Department and the City. The class was taught by a bilingual gentleman from the City of Corona in the water industry. Enjoyed the class and learned a lot, including the A, B, Cs on the different in soils and how to treat them. Many questions were asked in Spanish and the Fontana Harold News Alejandro Canone may write a follow-up story on the class. City Councilman and ex-Board member Rafael Trujillo was also present and was excited about the class as well. A follow-up class will be hosted at St. Katherine's Church at the City on August 12, 2017.
- c. July 21st – Attended a breakfast meeting with Mr. Tom Shalhoub, Director, Yucaipa Valley Water District ("YVWD") to discuss water experience. Thanked Mr. Shalhoub for the advice he gave and commented that it is nice to receive advice from fellow Board members, who served many years on Boards like these.
- d. Thanked Staff for all of their hard work.

President Olinger reported on the following:

- a. Aug. 1st – Attended the Valley District Board meeting regarding the complex California Water Fix Program. Inquired of Ms. Hayes, whether or not the slides were available on compact disc for distribution. Ms. Hayes commented that the presentation is not currently available, however, she has had discussions with Valley District Staff regarding the possibility of video

taping all presentations to be placed on their website. The slide presentation will be available on the website soon and hopefully the video as well.

2. Legal Counsel/Consultants

Mr. Michael Davis reported on the following:

- a. Referenced the updated Status Report on the dais for each director, which brings current some of the issues provided last week. Also provided the Safe at Home Program report that Mr. Litchfield has a number of the items listed in the report. However, due to the length of the agenda presented, will be brought to the Board at a later date.

3. General Manager

Mr. Litchfield reported on the following:

- a. Community Sponsorship Program – The program is receiving a lot of interest and inquiries regarding participation and funding assistance are coming in. Reminded the Board that if they have a specific program or organization that would be interested in taking advantage of the program to submit them quickly. The program has been budgeted at \$5,000 in the 2017-2018 FY Budget.
- b. The Board photo has been rescheduled for August 17, 2017.
- c. The District has experienced thefts in the back of the District the last few weeks and as recent as Sunday, July 30th. An employee's cell phone and a few District tools were taken and found in the wash by utilizing the "Find My Phone" app. The Maintenance Supervisor discovered an opening in the fence that had been cut-out which has since been repaired. Security cameras had been installed at the Oliver P. Roemer Water Treatment Plant ("OPRWTP) and the same should be done for District Headquarters. Mr. Litchfield answered questions from the Board.

4. Assistant General Manager

Mr. Greg Gage was absent from the meeting.

5. Chief Financial Officer

Ms. Marie Ricci reported on the following:

- a. The District received for the sixth year in a row, the Certificate of Achievement for Excellence in Financial Reporting from the Government Financial Officers Association ("GFOA"), a nationwide financial association that includes the United States and Canada. The award is the highest form of recognition in governmental accounting and financial reporting and its attainment represents a significant accomplishment by government and its management. Specially recognized Accounting Supervisor Jose Velasquez for his lead role during the audit,

and putting together the report and submitting it to the GFOA, which is a very tedious and arduous process. Ms. Ricci answered questions from the Board. Vice President Gonzalez inquired whether or not the District had an Employee Recognition Program that could acknowledge Jose's hard work. A discussion ensued.

6. Operations Manager

Ms. Joanne Chan reported on the following:

- a. The ORWTP is producing 8.1mgd., up 12.5%.
- b. Lytle Creek Flow is 4.6 mgd, an increase of 9.5% due to the rainfall.
- c. State Water Project (SWP) water flow is at 2.4 mgd., a decrease of 20%.
- d. The FBR Treatment Plant is treating 2.9 mgd., its maximum capacity from Rialto Well No. 6.

7. Treasurer

Ms. Deborah Crowley of Eadie and Payne reported on the following:

- a. Summarized the Treasurer's report included in the packet and answered questions from the Board. Led a discussion regarding the escheatment process for outstanding rebate checks.

8. Engineering Services Manager

Ms. Linda Jadeski reported on the following construction projects:

- a. Hydro-Electric Plant located on Riverside Avenue, adjacent to the OPRWTP in conjunction with Valley District.
- b. A 30-inch waterline will be constructed at Pepper and Highlight at the 210 FWY off-ramps. Answered questions from the Board regarding the construction projects.

9. External Affairs Manager

Ms. Wendy Strack reported on the following:

- a. Staff participated in National Night Out in the City of Rialto and scheduled to participate with the City of Fontana. However, due to lightning strikes, Fontana had cancelled the event. There was a good showing in Rialto and after the storms passed through, it turned out to be a nice evening. Answered questions from the Board regarding give-aways for customers at events.

10. Human Resources/Risk Manager

Ms. Karen Logue reported on the following:

- a. Provided “Safety” candy bars to the Board and Staff to memorialize the Districts accomplishment in safety. of The back label read, “1,000 days without a lost time claim. August 1, 2017. Thank you for putting safety first. Your family depends upon you, and we do too. West Valley Water District.” An Employee Recognition and Safety Luncheon is scheduled for August 15, 2017.
- b. Due to the hot weather, the Safety Committee discussed purchasing towels that can be wet down worn around the neck. Purchasing Supervisor Al Robles ordered and placed the towels in vending machines for District Staff. In addition, hats with gel in the lining to keep staff cool in the heat had also been purchased and placed in the vending machines.

11. Business Systems Manager

Mr. Jon Stephenson had no report.

12. Board Secretary

Ms. Smith announced the following upcoming meetings:

- a. Aug. 7th – Human Resources Committee Meeting at 6:00 p.m.
- b. Aug. 9th – Engineering and Planning Committee Meeting at 5:45 p.m.
- c. Aug. 16th – Finance Committee Meeting at 5:45 p.m.

President Olinger inquired about the California Special Districts Association (“CSDA”) 2017 Annual Conference and Exhibitor Showcase and Association of California Water Agencies (“ACWA”) deadline for registration and whether any RSVPs had been received. Ms. Smith confirmed the date of the registration deadline and that Board and Staff had been registered. However, lodging accommodations were running out quickly and that other accommodations could be provided for late registrants.

UPCOMING MEETINGS

This item was taken out of order.

FUTURE AGENDA ITEMS

Vice President Gonzalez request for Mr. Davis to bring back the Long Term Care item for Board discussion. Mr. Davis confirmed the item would be brought before the Board at the next meeting. Vice President Gonzalez also inquired whether an Ad Hoc Committee would be convened to review and discuss the item. A discussion ensued.

INFORMATION

None.

CLOSED SESSION

At 7:45 p.m. the Board convened to Closed Session to discuss several items. At 9:28 p.m., the Board reconvened to Open Session. Mr. Davis reported on the following:

1. APPROVAL OF CLOSED SESSION MINUTES (UNRESTRICTED): Regular meeting July 20, 2017. – Approved with revisions.
2. APPROVAL OF CLOSED SESSION MINUTES (RESTRICTED): Regular meeting July 20, 2017. – Approved.
3. CONFERENCE WITH LEGAL COUNSEL – PERSONNEL MATTER - Pursuant to Government Code 54957: Public Employee Performance Evaluation: General Manager.

No reportable action.

4. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION – Pursuant to Government Code Section 54956.9(a): FPPC Complaint, Clifford O. Young, Sr. v. West Valley Water District and Linda Gonzalez, Complaint No. COM-06092017-01044.

Director Young, Sr. and Vice President Gonzalez were excused due to a potential conflict of interest. No reportable action.

5. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(a): Suzanne Cook v. West Valley Water District & Clifford O. Young; San Bernardino County Superior Court Case No. CIVDS1713213.

No reportable action.

6. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(a): San Bernardino Valley Municipal Water District, et al., v San Gabriel Valley Company, et al; San Bernardino County Superior Court Case No. CIVDS1311085 / Fourth District Court of Appeal Division Two, Case No. E063180.

No reportable action.

7. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(a): Southern California Edison v. Fontana I Medical Properties, et al; San Bernardino County Superior Court Case No. CIVDS1621129.

No reportable action.

8. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(a): EEOC Complaint, Kenny Hernandez, Case Number 480-2017-00835.

No reportable action.

9. CONFERENCE WITH LEGAL COUNSEL – POTENTIAL LITIGATION - Pursuant to Government Code Section 54956.9(b): EEOC Complaint, Shanae Smith, Case Number 480-2017-00219.

No reportable action.

10. CONFERENCE WITH LEGAL COUNSEL – POTENTIAL LITIGATION - Pursuant to Government Code Section 54956.9(b): Jesus Campos Ugalde, Claim Number 178-0503.

No reportable action.

THERE BEING NO FURTHER BUSINESS, DIRECTOR YOUNG MOVED TO ADJOURN THE MEETING AT 9:30 P.M.

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

ATTEST:

Shanae Smith, Board Secretary