

MINUTES
REGULAR BOARD MEETING
of the
WEST VALLEY WATER DISTRICT
September 21, 2017

Attendee Name	Present	Absent
Board Members		
Donald Olinger, President	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Linda Gonzalez, Vice President	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Clifford Young, Director	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Gregory Young, Director	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Robert Bourland, Director	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Staff		
Matthew Litchfield, General Manager	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Greg Gage, Assistant General Manager	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Marie Ricci, Chief Financial Officer	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Karen Logue, Human Resources/Risk Manager	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Wendy Strack, External Affairs Manager	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Linda Jadeski, Engineering Services Manager	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Joanne Chan, Operations Manager	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Jon Stephenson, Business Systems Manager	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Shanae Smith, Board Secretary	<input checked="" type="checkbox"/>	<input type="checkbox"/>
General Legal Counsel		
Michael D Davis, Gresham Savage Nolan & Tilden, PC	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Derek Hoffman, Gresham Savage Nolan & Tilden, PC	<input checked="" type="checkbox"/>	<input type="checkbox"/>

VISITORS

June D. Hayes, Director, San Bernardino Valley Municipal Water District
Anthony & Diana Araiza

OPENING CEREMONIES

Pledge of Allegiance – Director Robert Bourland
Opening Prayer – Vice President Linda Gonzalez
Call to Order
Roll Call of Board Members - Quorum

ADOPT AGENDA

Assistant General Manager Greg Gage announced a correction to the pagination indicated on the presented agenda for Business Matter No. 4. Following discussion, a motion was made by Vice President Gonzalez to Approve the amended Agenda, seconded by Director Bourland. The motion carried by the following vote:

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Linda Gonzalez, Vice President
SECONDER:	Robert Bourland, Director
AYES:	Donald Olinger, Linda Gonzalez, Robert Bourland
ABSENT:	Clifford Young, Gregory Young

PUBLIC PARTICIPATION

Ms. June D. Hayes, Director of the San Bernardino Valley Municipal Water District ("Valley District") announced that Engineer Wen Huang's father had passed away and asked for him to be kept in the District's thoughts and prayers. Ms. Hayes also announced that Mr. Clarence Mancel, General Manager of Veolia had also experienced a loss, as his brother who worked at waste water treatment plant was killed by a drunk driver and to keep him in our thoughts and prayers also. Ms. Hayes also thanked the Board for sharing Mr. General Manager Matthew Litchfield, who made a presentation at the Advisory Commission on Water Policy ("Commission") meeting. Ms. Hayes also announced that funds are still available in the 25% Rebate Program in the commercial, \$1.00 square foot turf and Water Based Irrigation Program. In closing, Ms. Hayes also led a detailed discussion regarding a meeting she attended at Babcock Labs regarding the Unregulated Contaminant Monitoring Rule ("UCMR"), a required test for all water agencies that pertains to contaminants that may or may not be in the water, which is believed to have health impacts. Ms. Hayes answered questions from the Board.

Mr. Anthony "Butch" Araiza commented that he hated to sound like a broken record, and that he was sorry that Dr. Clifford Young was not present, as he had pontificated at the last meeting about how concerned he was for the rate payers having to pay \$1.00, \$1.50 or \$2.00 to utilize an outside location to pay their bills. However, he does not mind taking almost \$600.00 per month from the rate payers for his Long Term Care that no other member of the Board, nor employee is entitled to unless they pay for it themselves. But he gets it paid for by West Valley Water District and it is not right. Mr. Araiza stated that he overheard Mrs. Gonzalez at the last meeting ask to have the item placed on the agenda and that he knows they are working on it, but let's get this going. Policy No. 407 needs to be stricken off the books. President Olinger inquired of General Legal Counsel, Mr. Michael D. Davis of the status of the policy revision. Mr. Davis clarified that the draft policy was

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with General Manager Litchfield's office and that his office is in review of the draft with Human Resources/Risk Manager Ms. Karen Logue and that he anticipates comments being brought back to a Committee and the full Board. Vice President Gonzalez also commented that this has been delayed for five or six months and that she questioned it when seeing the checks cut. At that time, she pointed it out to the previous Chief Financial Officer ("CFO") more than once and questioned it and that he never got back to her. Vice President Gonzalez reiterated that it is very important to expedite it, as it seems to show favoritism.

CONSENT CALENDAR

Following discussion, a motion was by Vice President Gonzalez to Approve the Consent Calendar, seconded by Director Bourland. The motion carried by the following vote:

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Linda Gonzalez, Vice President
SECONDER:	Robert Bourland, Director
AYES:	Donald Olinger, Linda Gonzalez, Robert Bourland
ABSENT:	Clifford Young, Gregory Young

PUBLIC HEARING

None.

BUSINESS MATTERS

- 1. APPROVAL OF A CEQA NOTICE OF EXEMPTION FOR THE CONSTRUCTION OF A 30-INCH WATERLINE IN HIGHLAND AVENUE** - Following discussion, Director Bourland made a motion to Approve a CEQA Notice of Exemption for the Construction of a 30-Inch Waterline in Highland Avenue, seconded by Vice President Gonzalez. The motion carried by the following vote:

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Robert Bourland, Director
SECONDER:	Linda Gonzalez, Vice President
AYES:	Donald Olinger, Linda Gonzalez, Robert Bourland
ABSENT:	Clifford Young, Gregory Young

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2. APPROVAL OF A CEQA NOTICE OF EXEMPTION FOR THE CONSTRUCTION OF THE BLOOMINGTON ALLEYWAY MAIN REPLACEMENT PROJECT -

Following discussion, a motion was by Vice President Gonzalez Approve a CEQA Notice of Exemption for the Construction of the Bloomington Alleyway Main Replacement Project, seconded by Director Bourland. The motion carried by the following vote:

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Linda Gonzalez, Vice President
SECONDER:	Robert Bourland, Director
AYES:	Donald Olinger, Linda Gonzalez, Robert Bourland
ABSENT:	Clifford Young, Gregory Young

3. APPROVAL OF AN AGREEMENT FOR PROFESSIONAL SERVICES WITH GENERAL PUMP COMPANY FOR OLIVER P. ROEMER PUMP REHABILITATION AND IMPROVEMENT PROJECT -

Following discussion, a motion was made by Director Bourland to Approval of an Agreement for Professional Services with General Pump Company for Oliver P. Roemer Pump Rehabilitation and Improvement Project, seconded by Vice President Gonzalez. The motion carried by the following vote:

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Robert Bourland, Director
SECONDER:	Linda Gonzalez, Vice President
AYES:	Donald Olinger, Linda Gonzalez, Robert Bourland
ABSENT:	Clifford Young, Gregory Young

4. APPROVAL OF AN AGREEMENT FOR PROFESSIONAL SERVICES WITH CALGON CARBON FOR WATER TREATMENT FACILITY PERCHLORATE SELECTIVE RESIN MEDIA REPLACEMENT -

Following discussion a motion was made by Director Bourland to Approve an Agreement for Professional Services with Calgon Carbon for Water Treatment Facility Perchlorate Selective Resin Media Replacement, seconded by Vice President Gonzalez. The motion carried by the following vote:

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Robert Bourland, Director
SECONDER:	Linda Gonzalez, Vice President
AYES:	Donald Olinger, Linda Gonzalez, Robert Bourland
ABSENT:	Clifford Young, Gregory Young

5. APPROVAL OF AN AGREEMENT FOR PROFESSIONAL SERVICES WITH PALENCIA CONSULTING ENGINEERS FOR 2018 LYTLE CREEK WATERSHED SANITARY SURVEY UPDATE - Following discussion, a motion was made by Director Bourland to Approve an Agreement for Professional Services with Palencia Consulting Engineers for 2018 Lytle Creek Watershed Sanitary Survey Update, seconded by Vice President Gonzalez. The motion carried by the following vote:

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Robert Bourland, Director
SECONDER:	Linda Gonzalez, Vice President
AYES:	Donald Olinger, Linda Gonzalez, Robert Bourland
ABSENT:	Clifford Young, Gregory Young

6. APPROVAL OF PURCHASE FROM H&E EQUIPMENT FOR AN ARTICULATING ELECTRIC BOOM LIFT - Following discussion, a motion was made by Vice President Gonzalez to Approve Purchase from H&E Equipment for an Articulating Electric Boom Lift, seconded by Director Bourland. The motion carried by the following vote:

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Linda Gonzalez, Vice President
SECONDER:	Robert Bourland, Director
AYES:	Donald Olinger, Linda Gonzalez, Robert Bourland
ABSENT:	Clifford Young, Gregory Young

7. APPROVAL OF AN AGREEMENT FOR PROFESSIONAL SERVICES WITH SIGNATURE PAINTING INC. FOR FIRE HYDRANT PAINTING PROJECT - Following discussion, a motion was made by Vice President Gonzalez to Approve an Agreement for Professional Services with Signature Painting Inc. for Fire Hydrant Painting Project, seconded by Director Bourland. The motion carried by the following vote:

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Linda Gonzalez, Vice President
SECONDER:	Robert Bourland, Director
AYES:	Donald Olinger, Linda Gonzalez, Robert Bourland
ABSENT:	Clifford Young, Gregory Young

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 Bourland reported on the following:

- a. Sep. 6th - Attended the Engineering and Planning Committee meeting, which was very busy. Complimented Staff on their hard work and the great job they did with all seven items presented.

Vice President Gonzalez reported on the following:

- a. Sep. 9th - Attended the District's free plant landscape class.
- b. Sep. 11th - Attended the Human Resources Committee meeting.
- c. Sep. 12th - Attended the Executive Committee meeting.
- d. Sep. 19th - Attended the Valley District Board of Directors meeting.
- e. Sep. 19th - Attended the District's free plant landscaping class.
- f. Sep. 20th - Attended the External Affairs Committee meeting.
- g. Sep. 21st - Attended the District's Board of Directors meeting.

President Olinger reported on the following:

- a. Sep. 19th - Attended the District's free plant landscaping class.
- b. Sep. 20th - Attended the District's Finance Committee meeting.

2. Legal Counsel

Mr. Davis reported on the following:

- a. Open Session report is on the dais and answered questions from the Board. Director Bourland stated that his objective regarding the special meeting on October 2nd is to have a vote for approval of our Board of Directors Policies Handbook and that he will state that at the outset of the meeting. Director Bourland also stated that we need to get something in place, as the District is as at risk. There were requests from Director Greg Young for a bunch of stuff and to ensure the information has been provided to him so that there is no potential delay in getting the handbook approved. President Olinger asked Mr. Davis' legal opinion regarding taking action at a workshop. Mr. Davis stated that he had already provided that guidance to Mr. Litchfield indicating there are three (3) types of meetings: Regular, Special and Emergency meetings. There is no "workshop"

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for action or discussion of a specific policy item or action for the District. Workshops are limited to long range planning, to Board and Staff relations and things of that nature. You may conduct a workshop within a regular meeting or within a special meeting. It does provide for action, as it permits to have the workshop as one agenda item and then a separate item to propose action on that topic as the next agenda item. It is written to accommodate, a. Board Workshop; and b. Proposed Action Item, as a Special meeting. A discussion ensued regarding the format of the meeting and documentation that would be provided at the October 2nd Special meeting.

3. General Manager

Mr. Litchfield was absent.

4. Assistant General Manager

Mr. Gage reported on the following:

- a. The District is working with Vector Control to remove vegetation in the Cactus Basin to mitigate the mosquito infestation where the water is pooling in those basins. The District had obtained a permit from the U.S. Army Corp of Engineers ("USACE") on September 21st and anticipates obtaining an additional permit needed within the next week and ultimately have a contractor complete vegetation removal.

5. Chief Financial Officer

Ms. Marie Ricci had no report.

6. Operations Manager

Ms. Joanne Chan reported on the following:

- a. The Oliver P. Roemer Water Treatment Plant ("ORWTP") is producing 6. mgd., down 39 %.
- b. Lytle Creek Flow is 2.25 mgd, down 49%.
- c. State Water Project ("SWP") water flow is at 3.7% mgd., down 5.1 %.
- d. The FBR Water Treatment Plant is treating 2.9 mgd., its maximum capacity.

7. Engineering Services Manager

Ms. Linda Jadeski reported on the following:

- a. Capital Improvement Project Update - The 30" Transmission Line in Pepper Avenue is being installed with conjunction of the Pepper 210 freeway off-ramps. Although the project is still proceeding, the District has completed the 30" pipeline installation.

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8. External Affairs Manager

Ms. Wendy Strack reported on the following:

- a. Photos from recent events discussed by Vice President Gonzalez.
- b. Turf Replacement Grant Programs Update - Approximately 56.6% complete or in progress with customers in some phase of the two (2) programs.
- c. October, 2017 - Several events planned for each weekend, including landscape classes in conjunction with the City of Rialto and also the Bloomington Health and Resource Fair on October 7th, Let's Move on the Trail event in Fontana on October 14th and the WECAN Landscaping class at the District on October 21st. President Olinger thanked Ms. Strack for the report and Director Bourland inquired whether the 56.6% included what has already been committed for the Riverside Avenue and Bloomington projects. Ms. Strack clarified in detail, the two (2) separate programs and their funding sources.

9. Human Resources/Risk Manager

Ms. Karen Logue was absent.

10. Business Systems Manager

Mr. Jon Stephenson had no report.

11. Board Secretary

Ms. Shanae Smith reported on the following:

- a. Sep. 25-28, 2017 - California Special Districts Association ("CSDA") 2017 Annual Conference and Exhibitor Showcase, Monterey Marriot and Monterey Conference Center in Monterey, California.

FUTURE AGENDA ITEMS

Vice President Gonzalez requested that Staff clearly identify the titles of Directors, Staff and General Legal Counsel as part of the Minutes template within the new legislative management software. Mr. Stephenson stated that the idea was to get feedback from the Board and to work with Ms. Smith and the representative from Accela to make any requested modifications to the Minutes template within the system.

INFORMATION

None.

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CLOSED SESSION

At 6:55 p.m. the Board convened to Closed Session to discuss several items. At 7:40 p.m., the Board reconvened to Open Session. Mr. Davis reported on the following:

1. APPROVAL OF CLOSED SESSION MINUTES (UNRESTRICTED): Regular meeting September 7, 2017. – Approved.
2. APPROVAL OF CLOSED SESSION (RESTRICTED): Regular meeting September 7, 2017.

a. Approved the Clifford Young (Restricted) Closed Session Minutes.

3. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54656.9(a): FPPC Complaint, Clifford O. Young, Sr. v. West Valley Water District and Linda Gonzalez, Complaint No. COM-06092017-01044.

No reportable action.

4. 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.

5. 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.

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): EEOC Complaint, Kenny Hernandez, Case Number 480-2017-00835.

No reportable action.

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

No reportable action.

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9. CONFERENCE WITH LEGAL COUNSEL - POTENTIAL LITIGATION - Pursuant to Government Code Section 54956.9(b): Chantelle Washington, Claim Number 17-0433 (WVWD) and 17-053 (CCS).

No reportable action.

10. CONFERENCE WITH LEGAL COUNSEL - POTENTIAL LITIGATION - Pursuant to Government Code Section 54956.9(b): Brandon Erwin, Claim Number 17-0433 (WVWD) and 17-053 (CCS).

No reportable action.

11. CONFERENCE WITH LEGAL COUNSEL - POTENTIAL LITIGATION - Pursuant to Government Code Section 54956.9(b): Roland Vasquez, Claim Number 18-0072 (WVWD).

No reportable action.

12. CONFERENCE WITH LEGAL COUNSEL – POTENTIAL LITIGATION - Pursuant to Government Code Section 54956.9(b): Ljot Inglis, Claim Number 18-0079 (WVWD).

The Board voted to reject the Ljot Inglis Claim Number 18-0079.

ADJOURN

**THERE BEING NO FURTHER BUSINESS, PRESIDENT OLINGER MOVE TO
ADJOURN THE MEETING AT 7:40 P.M.**

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

ATTEST:

Shanae Smith, Board Secretary

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