

MINUTES
REGULAR BOARD MEETING
of the
WEST VALLEY WATER DISTRICT
November 7, 2019

Attendee Name	Present	Excused	Absent
Board of Directors			
Michael Taylor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kyle Crowther	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Donald Olinger	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Clifford Young	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gregory Young	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Staff			
Clarence Mansell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ricardo Pacheco	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Jeremiah Brosowske	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Crystal L. Escalera	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Deborah Martinez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Shamindra Manhabal	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Joanne Chan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Linda Jadeski	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jon Stephenson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Albert Clinger	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rosa Gutierrez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Amal Sedrak	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Telat Yalcin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Melissa Blount	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Naseem Farooqi	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Socorro Pantaleon	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Diana Gunn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Legal Counsel			
Robert Tafoya	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Consultant(s)			
Misty Cheng	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

OPENING CEREMONIES

Pledge of Allegiance - Led by Vice President Kyle Crowther
Opening Prayer - Led by Director Don Olinger
Call to Order
Roll Call of Board Members

ADOPT AGENDA

- **TABLEL ITEMS NO. 5, 6, 7, 8, 9**

Vice President Crowther made a substitute motion to table Items No. 5, 6, 7, 8 and 9 to a future date. Director Dr. Young second the substitute motion and the following vote was taken:

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Kyle Crowther, Vice President
SECONDER:	Clifford Young, Director
AYES:	Michael Taylor, Kyle Crowther, Donald Olinger, Clifford Young, Gregory Young

- **ADOPT THE REMAINDER OF THE AGENDA WITH THE EXCEPTION OF THE TABLED ITEMS AND AMEND TITLE FOR ITEM NO. 10 FROM TAFOYA LAW GROUP, APC TO TAFOYA & GARCIA, LLC**

President Dr. Taylor motioned to adopt the balance of the agenda with the exception of the items that were tabled. Director Greg Young second the motion and the recorded vote below was taken. Following the vote, President Dr. Taylor clarified that the motion was to include the amendment for Item No. 10 from "Tafoya Law Group to Tafoya & Garcia." There was no discussion on this item.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Michael Taylor, President
SECONDER:	Gregory Young, Director
AYES:	Michael Taylor, Kyle Crowther, Donald Olinger, Clifford Young, Gregory Young

PUBLIC PARTICIPATION

June Hayes, Director at San Bernardino Municipal Water District, made comments to the Board. There were no other speakers.

INFORMATION

1. The Pacific River Project.

The Information Items were taken after the Consent Calendar and Business Items. General Manager Mansell gave a presentation on the Pacific River Project efforts. Following the presentation there was a brief discussion resulting in Director Dr. Young requesting the Pacific River Project to be placed on a future agenda for Board consideration.

WVWD

Minutes: 11/7/19

2. EMERGENCY WELL OPTIMIZATION PROJECT UPDATE

Operations Manager, Joanne Chan gave a brief presentation on the progress.

CONSENT CALENDAR

President Dr. Taylor motioned to approve the Consent Calendar (items No. 3 and 4) and Business Matters Items No. 10 and 11. Director Greg Young second the motion which passed with Director Dr. Young voting "No." The vote was as follows:

RESULT:	ADOPTED [4 TO 1]
MOVER:	Michael Taylor, President
SECONDER:	Gregory Young, Director
AYES:	Michael Taylor, Kyle Crowther, Donald Olinger, Gregory Young
NAYS:	Clifford Young

3. TREASURER REPORT AUGUST 2019

4. RECEIVE AND FILE SEPTEMBER 2019 CASH DISBURSEMENTS REPORT

BUSINESS MATTERS

5. RESOLUTION 2019-31, APPLICATION FOR BUREAU OF RECLAMATION (WATERSMART) DROUGHT RESILIENCY GRANT FUNDS FOR PACIFIC RIVER PROJECT CONCEPTUAL APPRAISAL AND ANALYSIS

Vice President Crowther made a substitute motion to pull Items No. 5, 6, 7, 8 and 9. Director Dr. Young second the substitute motion and the following vote was taken:

RESULT:	TABLED [UNANIMOUS]
MOVER:	Kyle Crowther, Vice President
SECONDER:	Clifford Young, Director
AYES:	Michael Taylor, Kyle Crowther, Donald Olinger, Clifford Young, Gregory Young

6. BUDGET AMENDMENT TO FUND AGREEMENT WITH AEROTEK, INC. FOR TEMPORARY LABOR SERVICES FOR FISCAL YEAR 2019-20

Vice President Crowther made a substitute motion to pull Items No. 5, 6, 7, 8 and 9. Director Dr. Young second the substitute motion and the following vote was taken:

RESULT:	TABLED [UNANIMOUS]
MOVER:	Kyle Crowther, Vice President
SECONDER:	Clifford Young, Director
AYES:	Michael Taylor, Kyle Crowther, Donald Olinger, Clifford Young, Gregory Young

7. CONSIDER ANNUAL RENEWAL OF A PROFESSIONAL SERVICES AGREEMENT FOR L.A. COUNTY PUBLIC SAFETY, SECURITY AND EMERGENCY MANAGEMENT CONSULTING SERVICES, LLC (CONSULTANT)

Vice President Crowther made a substitute motion to pull Items No. 5, 6, 7, 8 and 9. Director Dr. Young second the substitute motion and the following vote was taken:

RESULT:	TABLED [UNANIMOUS]
MOVER:	Kyle Crowther, Vice President
SECONDER:	Clifford Young, Director
AYES:	Michael Taylor, Kyle Crowther, Donald Olinger, Clifford Young, Gregory Young

8. CONSIDER APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT FOR CLIFTON ENGINEERING FOR ENGINEERING SERVICES

Vice President Crowther made a substitute motion to pull Items No. 5, 6, 7, 8 and 9. Director Dr. Young second the substitute motion and the following vote was taken:

RESULT:	TABLED [UNANIMOUS]
MOVER:	Kyle Crowther, Vice President
SECONDER:	Clifford Young, Director
AYES:	Michael Taylor, Kyle Crowther, Donald Olinger, Clifford Young, Gregory Young

9. CIP BUDGET AMENDMENT TO FACILITATE ADDITIONAL MAXIMO LICENSING AND HOSTING SERVICES

Vice President Crowther made a substitute motion to pull Items No. 5, 6, 7, 8 and 9. Director Dr. Young second the substitute motion and the following vote was taken:

RESULT:	TABLED [UNANIMOUS]
MOVER:	Kyle Crowther, Vice President
SECONDER:	Clifford Young, Director
AYES:	Michael Taylor, Kyle Crowther, Donald Olinger, Clifford Young, Gregory Young

10. APPROVAL OF PAYMENT TO TAFOYA & GARCIA, LLP FOR PROFESSIONAL SERVICES RENDERED IN SEPTEMBER 2019, INVOICE NO. 19-1009: \$25,807.57 AND OCTOBER 2019, INVOICE NO. 19-1010: \$21,858.88

During the adoption of the agenda President Dr. Taylor motioned to amend the title for Item No. 10 from "Tafoya Law Group, APC" to "Tafoya & Garcia, LLP." Following the adoption of the agenda President Dr. Taylor then motioned to approve the Consent Calendar and Business Matters Items No. 10 and 11. Director Greg Young second the motion which passed with Director Dr. Young voting "No." The vote was recorded as follows:

RESULT:	APPROVED [4 TO 1]
MOVER:	Michael Taylor, President
SECONDER:	Gregory Young, Director
AYES:	Michael Taylor, Kyle Crowther, Donald Olinger, Gregory Young
NAYS:	Clifford Young

11. DISTRICT CLOSURE FOR THE WEEK OF THE 2019 CHRISTMAS HOLIDAY.

President Dr. Taylor motioned to approve the Consent Calendar and Business Matters Items No. 10 and 11. Director Greg Young second the motion which passed with Director Dr. Young voting "No." The vote was as follows:

RESULT:	APPROVED [4 TO 1]
MOVER:	Michael Taylor, President
SECONDER:	Gregory Young, Director
AYES:	Michael Taylor, Kyle Crowther, Donald Olinger, Gregory Young
NAYS:	Clifford Young

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

- **Board Members**

- **Vice President Kyle Crowther:** Extended his gratitude to the residents that supported him in his re-election and optimism in moving the District forward. He also thanked Joanne Chan for her update on the wells, and Director Olinger for his service.
- **Director Greg Young:** Thanked the voters in his district for their continued trust in him. He also thanked Director Olinger for his years of service and commented that his presence will be missed. Director Greg Young also informed the Board and attendees that he was awarded a plaque from the Board of Supervisors for successfully completing the Management and Leadership Academy for the County of San Bernardino and attended a graduation ceremony earlier in the day for the employees that successfully completed the program. He then encouraged the employees at West Valley Water District to also take advantage of any programs and certification programs offered at the district.
- **Director Dr. Young:** Congratulated Vice President Crowther, Director Greg Young and future Director Hawkins on their election. He also commented that Director Olinger's presence would be missed.
- **President Dr. Taylor:** Thanked the community for attending and congratulated the re-elected and newly elected Directors. He commented on Director Olinger's service and remarked on his "class act" during his tenure. President Dr. Taylor also informed the Board that he had a planned
- **Director Don Olinger:** Informed the Board and attendees that he would have prepared remarks at the next meeting. He thanked Director June Hayes from San Bernardino Valley Municipal Water District, for her remarks and friendship and also

congratulated Director Greg Young and Vice President Kyle Crowther on their re-election. He informed the Board that he would be reaching out to Channing Hawkins to help him in the transition. He also acknowledged the Rate Payers Association, Mr. Hardy Brown and Anthony “Butch” Araiza who were in attendance.

- **Legal Counsel**

President Dr. Taylor informed the attendees that he overlooked the report out from Closed Session at the last meeting and asked Legal Counsel to report on the action that was taken. Mr. Tafoya then reported the following:

- Karen Logue v. West Valley Water District Case No.: CIVDS1818381: On November 7, 2019 the Board voted 4-0, with Director Dr. Young being absent, to approval a settlement of \$130,000.00 with \$5,000.00 for lost earnings. Out of caution, the Board voted unanimously again today and approved the previously stated settlement.
- ANTICIPATED LITIGATION: On November 7, 2019 the Board vote of 4-0, with Dr. Young being absent, to approve a settlement and severance agreement for nine months. The Board also voted again today out of caution to approved the settlement and severance agreement for nine months. It was approved unanimously.
- Maria Guerrero vs. West Valley Water District, San Bernardino County Superior Court Case No. CIV DS 1910987: Mr. Tafoya reported that the Board voted unanimously today to settle the case for \$40,000.00

This concluded Mr. Tafoya’s Report.

- **General Manager**

- **Clarence Mansell:** Thanked Director Olinger for his service and asked if he would continue to stay involved in the Hydro Stem program at the district. Mr. Mansell then asked Rosa Gutierrez, Senior Engineer, to come forward and introduce a new employee. Mrs. Gutierrez then introduced the districts new engineer, Bertha Perez, to the Board of Directors. Following this, Mr. Mansell informed the Board that he will have a staff regularly reporting on the finances for the district. Diana Gunn, Asset Management Manager, then reported on the district finances. No further comments were made.

CLOSED SESSION

Robert Tafoya reported on Closed Session during the “Reports” portion of the meeting.

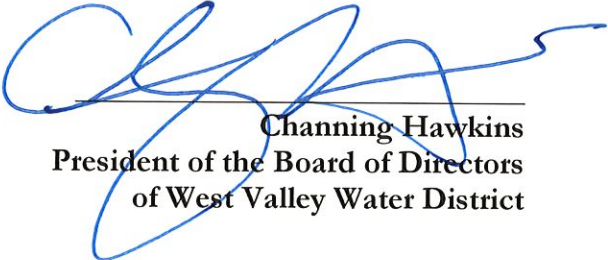
- ANTICIPATED LITIGATION Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: Number of Cases: Four (4)
 - On November 7, 2019 the Board vote of 4-0, with Dr. Young being absent, to approve a settlement and severance agreement for nine months. The Board also

voted again today out of caution to approved the settlement and severance agreement for nine months. It was approved unanimously.

- CONFERENCE WITH LEGAL COUNSEL -EXISTING LITIGATION Pursuant to Paragraph (1) of subdivision (d) of Government Code Section 54956.9 Case Name: Clifford Young, Patricia Romero, Naisha Davis, West Valley Water District v. Tafoya and Garcia, et al. Case No.: 19STCV05677
 - No report.
- CONFERENCE WITH LEGAL COUNSEL -EXISTING LITIGATION Pursuant to Paragraph (1) of subdivision (d) of Government Code Section 54956.9 Case Name: Maria Guerrero vs. West Valley Water District, San Bernardino County Superior Court Case No. CIV DS 1910987
 - Mr. Tafoya reported that the Board voted unanimously today to settle the case for \$40,000.00
- CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION Pursuant to paragraph one (1) of subdivision (d) of Government Code Section 54956.9 Case Name: Karen Logue v. West Valley Water District Case No.: CIVDS1818381
 - On November 7, 2019 the Board voted 4-0, with Director Dr. Young being absent, to approval a settlement of \$130,000.00 with \$5,000.00 for lost earnings. Out of caution, the Board voted unanimously again today and approved the previously stated settlement.

ADJOURN

The meeting adjourned at 7:05 PM



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

ATTEST:



Crystal L. Escalera, Board Secretary

