



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, DECEMBER 15, 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

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"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."

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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](mailto:administration@wvwd.org). If you require additional assistance, please contact [administration@wvwd.org](mailto:administration@wvwd.org).

## **OPENING CEREMONIES**

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

## **OATH OF OFFICE**

## **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. October 15, 2022 - Special Board Meeting Minutes. **p. 6**
2. October 19, 2022 - Special Board Meeting Minutes. **p. 9**
3. October 20, 2022 - Regular Board Meeting Minutes. **p. 12**
4. October 27, 2022 - Special Board Meeting Minutes. **p. 17**
5. November 3, 2022 – Regular Board Meeting Minutes. **p. 20**
6. November 17, 2022 – Regular Board Meeting Minutes. **p. 25**

7. November 18 & 19, 2022 - Special Board Meeting Minutes. **p. 30**
8. Rejection of Claim #23-0317. **p. 33**
9. Approval of Employment Agreement with Elvia Dominguez for the Position of Board Secretary. **p. 36**
10. Rescheduling of the January 5, 2023 Board Meeting. **p. 45**
11. Grant of Easement at Well 5A. **p. 46**
12. Approval of Payment to Willie W. Williams for Professional Services, for August 2022, Invoice No. 715 for \$5,615.00. **p. 55**

## **BUSINESS MATTERS**

### **Consideration of:**

13. Annual Board of Directors Reorganization. **p. 56**

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

1. **Board Members**
2. **General Manager**
3. **Legal Counsel**

## **UPCOMING MEETINGS**

- December 21, 2022 - Special Finance Committee Meeting at 6:00 p.m.
- December 22, 2022 - Special External Affairs Committee Meeting at 6:00 p.m.

## **UPCOMING COMMUNITY EVENTS**

- 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
- January 12, 2023 - Fontana Chamber Luncheon featuring Van Jew, West Valley Water District
- February 16, 2023 - Fontana State of the City, TBD
- Saturday, April 22, 2023 - Earth Day 2023 - Information to come

## **UPCOMING EDUCATIONAL & TRAINING OPPORTUNITIES**

- January 19, 2023 - Upper Santa River Division 1 Water Forum (with Director June Hayes of San Bernardino Valley Municipal Water District) - Hilton Garden Inn Fontana
- February 28 - March 2, 2023: ACWA DC 2023 - Washington D.C.
- March 23: ACWA 2023 Legislative Symposium - Sacramento, CA
- Saturday, April 22, 2023 - Earth Day 2023 - Information to come
- May 16 - 17, 2023: CSDA Special Districts Legislative Days - Sacramento, 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: Patricia Romero vs. West Valley Water District, Case No. CIVDS2024402.
- 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: Naisha Davis vs. West Valley Water District et al. Case No. 20STCV0323.
- 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 - PUBLIC EMPLOYEE APPOINTMENT - Pursuant to Government Code Section 54957, Title(s) Board Secretary.
- CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTION 54957 Appointment /Employment of a Public Employee - Legal 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 December 12, 2022.



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**Jon Stephenson, 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](http://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, Jon Stephenson, at least 72 hours in advance of the meeting to ensure availability of the requested service or accommodation. Mr. Stephenson may be contacted by telephone at (909) 875-1804 ext. 303, or in writing at the West Valley Water District, P.O. Box 920, Rialto, CA 92377-0920.