



WEST VALLEY WATER DISTRICT
855 W. BASE LINE ROAD, RIALTO, CA 92376
PH: (909) 875-1804 FAX: (909) 875-1849

**AMENDED REGULAR BOARD MEETING
AGENDA**

**THURSDAY, FEBRUARY 17, 2022
CLOSED SESSION - 6:00 PM • OPEN SESSION – 6:30 PM**

BOARD OF DIRECTORS

Channing Hawkins, President
Dr. Michael Taylor, Vice President
Greg Young, Director
Angela Garcia, Director
Vacant, Director

"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."

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, a meeting in person would present imminent risks to the health or safety of attendees. 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. There will be no public access to the meeting venue. 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 the Board Secretary, Peggy Asche at peggy@wvwd.org. If you require additional assistance, please contact peggy@wvwd.org.

OPENING CEREMONIES

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

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 District Clerk. 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.

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. January 20, 2022 – Regular Board Meeting Minutes. **Pg. 7**
2. Approval of Monthly Financial Reports for January 2022 (PO, Treasurer, Cash Disbursement, Funds Transfer, Revenues & Expenditures). **Pg. 13**
3. Consider Water System Infrastructure Installation and Conveyance Agreement with Lennar Homes of California, Inc (Tr 20364 Gardens at the Arboretum). **Pg. 52**
4. Consider Water System Infrastructure Installation and Conveyance Agreement with Lennar Homes of California, Inc (Tr 20363 Gardens at the Arboretum). **Pg. 77**
5. Consider Water System Infrastructure Installation and Conveyance Agreement with Lennar Homes of California, Inc (Tr 20362 Lot 6 Gardens at the Arboretum). **Pg. 109**
6. Consider Water System Infrastructure Installation and Conveyance Agreement with Lennar Homes of California, Inc (Tr 20362 Lot 5 Gardens at the Arboretum). **Pg. 133**
7. Consider Water System Infrastructure Installation and Conveyance Agreement with Lennar Homes of California, Inc (Tr 20362 Gardens at the Arboretum Collector Streets). **Pg. 158**
8. Consider Water System Infrastructure Installation and Conveyance Agreement with BSREP III Sierra Grande, LLC for PM20167 on Sierra Ave and Casa Grande Dr. **Pg. 182**
9. Consider Water System Infrastructure Installation and Conveyance Agreement with Lennar Homes of California, Inc for River Ranch PA4 Tract 20207. **Pg. 204**

10. Approval of Payment to Ivie McNeill Wyatt Purcell & Diggs, for Professional Services rendered in December 2021, Davis v. WVWD, Invoice No. 745920; \$8,993.50. **Pg. 230**
11. Approval of Payment to Ivie McNeill Wyatt Purcell & Diggs, for Professional Services rendered in December 2021, Romero v. WVWD, Invoice No. 745921; \$155.80. **Pg. 231**
12. Approval of Payment to Ivie McNeill Wyatt Purcell & Diggs, for Professional Services rendered in December 2021, Loukeh v. WVWD, Invoice No. 745922; \$2,700.00. **Pg. 232**
13. Approval of Payment to Liebert Cassidy Whitmore, for Professional Services rendered in December 2021, Invoice No. 211604; \$977.50. **Pg. 233**

BUSINESS MATTERS

Consideration of:

14. Procedural Requirements – Division 3 Vacancy (review only, no vote required). **Pg. 234**
15. Review Credential of Prospective Candidate for Division 3 Vacancy – Candidate Interview. **Pg. 243**
16. Selection and Appointment of New Division 3 Director.
17. Oath of Office – New Division 3 Director.

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

1. February 21, 2022 – West Valley Water District offices **CLOSED** in Observance of President’s Day.
2. February 22, 2022 - West Valley Water District Policy Review & Oversight Committee Meeting at 6:00 p.m., at District Headquarters.
3. March 1, 2022 - San Bernardino Valley Municipal Water District Regular Board Meeting at 2:00 p.m., 380 E. Vanderbilt Way, San Bernardino, CA 92408.
4. March 3, 2022 – West Valley Water District Regular Board of Directors Meeting at 6:30 p.m. (6:00 p.m. Closed Session), at District Headquarters.
5. March 8, 2022 – West Valley Water District Safety & Technology Committee Meeting at 6:00 p.m., at District Headquarters.
6. March 9, 2022 - West Valley Water District Finance Committee Meeting at 1:00 p.m., at District Headquarters.

7. March 9, 2022 - West Valley Water District Engineering, Operations & Planning Committee at 6:00 p.m., at District Headquarters.
8. March 10, 2022 – West Valley Water District External Affairs Committee Meeting at 6:00 p.m., at District Headquarters.
9. March 14, 2022 - West Valley Water District Human Resources Committee Meeting at 6:00 p.m., at District Headquarters.
10. March 15, 2022 - San Bernardino Valley Municipal Water District Regular Board Meeting at 2:00 p.m., 380 E. Vanderbilt Way, San Bernardino, CA 92408.
11. March 17, 2022 – West Valley Water District Regular Board of Directors Meeting at 6:30 p.m. (6:00 p.m. Closed Session), at District Headquarters.
12. March 22, 2022 - West Valley Water District Policy Review & Oversight Committee Meeting at 6:00 p.m., at District Headquarters.
13. April 18, 2022 – Association of The San Bernardino County Special Districts Membership Meeting, at 6:00 p.m., hosted by West Valley Water District; located at Hilton Garden Inn, Fontana.

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: Three (3).
- CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Paragraph One (1) of Subdivision (d) of the Government Code Section 54956.9 Case Name: West Valley Water District v. The Dow Chemical Company, et al., San Bernardino Superior Court, Judicial Council Coordination Proceeding No. 4435, Case No. CGC-21-590529.
- 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: 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: Patricia Romero v. 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: Naisha Davis v. West Valley Water District et al. Case No. 20STCV0323.
- CONFERENCE WITH LEGAL COUNSEL – PUBLIC EMPLOYEE APPOINTMENT – Pursuant to Government Code Section 54957: Title(s) Chief Financial Officer.

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 February 14, 2022.



Maisha Mesa, Executive Assistant

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 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 Peggy Asche, at least 72 hours in advance of the meeting to ensure availability of the requested service or accommodation. Ms. Asche may be contacted by telephone at (909) 875-1804 ext. 703, or in writing at the West Valley Water District, P.O. Box 920, Rialto, CA 92377-0920.