

MINUTES
REGULAR BOARD MEETING
of the
WEST VALLEY WATER DISTRICT
July 6, 2023

Call to Order –

President Gregory Young called the Regular Board Meeting of the West Valley Water District to order at 6:00 p.m.

Roll Call of Board Members

Attendee Name	Present	Absent	Arrived
Directors			
Channing Hawkins	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Zoom until 6:15 p.m., then in person
Angela Garcia	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Zoom until 6:15 p.m., then in person
Kelvin Moore	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Daniel Jenkins	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Gregory Young	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
General Counsel			
Jeff Ferre	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Staff			
John Thiel	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
William Fox	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Haydee Sainz	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Joanne Chan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Linda Jadeski	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Jon Stephenson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Albert Clinger	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Elvia Dominguez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Jose Velasquez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Socorro Pantaleon	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

CLOSED SESSION

The Board entered into Closed Session at 6:00 p.m. to discuss the following items listed on the agenda:

- 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).

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- **CONFERENCE WITH LABOR NEGOTIATORS**

Pursuant to Government Code Section 54957.6

Agency designated representatives: John Thiel, General Manager, Haydee Sainz, Human Resources & Risk Management Manager, Oliver Yee, Special Counsel

Employee Groups: International Union of Operating Engineers, Local 12

The Board adjourned the closed session at 6:32 p.m. to conduct the business portion of the meeting which commenced at 6:43 p.m. with all Board members present.

OPENING CEREMONIES

Pledge of Allegiance - The Pledge of Allegiance was led by Director Angela Garcia.

Opening Prayer - The Opening prayer was led by Pastor Reginald Young.

ADOPT AGENDA

Motion to adopt the agenda.

Vice President Daniel Jenkins motioned to adopt the agenda and Director Channing Hawkins seconded the motion. The following vote was taken:

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Daniel Jenkins, Vice President
SECONDER:	Channing Hawkins, Director
AYES:	Channing Hawkins, Angela Garcia, Kelvin Moore, Daniel Jenkins, Gregory Young

PUBLIC PARTICIPATION

President Gregory Young inquired if anyone from the public would like to speak. Member of the public Pastor Reginald Young gave public comment. No additional requests were received to speak via email or in-person, or on Zoom, therefore President Young closed the public comment period.

PRESENTATIONS

1. Smart Irrigation Month Marketing Campaign

Acting Government and Legislative Affairs Manager Socorro Pantaleon gave the report and PowerPoint presentation.

The Board collectively thanked Miss Pantaleon and staff for their outreach efforts and for the report.

CONSENT CALENDAR

Motion to approve Consent Calendar items #1 - #16

Director Angela Garcia motioned to adopt consent calendar items #1 - #16 and Director Kelvin Moore seconded the motion. The following vote was taken:

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RESULT:	APPROVED [UNANIMOUS]
MOVER:	Angela Garcia, Director
SECONDER:	Kelvin Moore, Director
AYES:	Channing Hawkins, Angela Garcia, Kelvin Moore, Daniel Jenkins, Gregory Young

1. May 18, 2023 - Regular Board Meeting Minutes.
2. May 20, 2023 - Special Board Meeting Minutes
3. June 1, 2023 - Regular Board Meeting Minutes
4. Approve the Funds Transfer Report - May 2023
5. Treasurer's Report - May 2023
6. Approve Monthly Revenue & Expenditures Report - May 2023
7. Cash Disbursements Reports - May 2023
8. Purchase Order Report - May 2023
9. Approval of Blanket Purchase Orders for Fiscal Year 2023-2024
10. Adopt **Resolution 2023-12** Amending Schedule of Charges for the Hourly Labor and Vehicle/Equipment Hourly rates for Water Service Regulations
11. May - June Social Media Report
12. Amendment No. 4 to Purchase and Sale Agreement for Well Site Property with Fontana 37, LLC
13. Agreement Between West Valley Water District and Riverside Highland Water Company for the Mutual Purchase and Transfer of Water During a Bona Fide Water Emergency
14. Legal Invoice Payment to Albright Yee and Schmidt for May 2023, Invoice #28154 for \$6,302.50
15. Approve Legal Invoice Payment to Liebert Cassidy Whitmore for May 2023, Invoice #244262 for \$2,447.00, Invoice #244263 for \$1,765.00, Invoice #244264 for \$28.50, Invoice #244265 for \$1,190.00, Invoice #244266 for \$823.00, and Invoice #244267 for \$1,122.00
16. Approve Legal Invoice Payment to Alvarez-Glasman & Colvin for January Invoice #20631 for \$6,120.00; February 2023 Invoice #20682 for \$2,680.00; for February 2023 Invoice #20683 for \$6,411.03; for February 2023 Invoice #20691 for \$7,336.22; for March 2023 Invoice #20692 for \$2,252.00

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BUSINESS MATTERS

17. Resolution and Agreement for Purchase and Sale of APN 0256-13-110 with IDIL West Valley Logistics Center, LP.

Board discussion included details and timeline of the construction; clarification that prevailing wage requirement was met; clarification that there is no information on what businesses will be housed the buildings; access to water reservoir once pipeline is built; clarification on easement for the pipeline access; clarification that during construction of the pipeline there will be no interruption in water service; consideration of project construction and possible traffic.

Director Angela Garcia motioned and Director Kelvin Moore seconded the motion to 1) Approve the Agreement for Purchase and Sale for APN 0256-13-110 with IDIL West Valley Logistics Center, LP.; 2) Adopt **Resolution 2023-13** titled "A RESOLUTION OF THE BOARD OF DIRECTORS OF THE WEST VALLEY WATER DISTRICT: (1) DECLARING A PARCEL OF LAND TO BE EXEMPT SURPLUS LAND UNDER THE SURPLUS LAND ACT; (2) APPROVING THE SALE OF THE PARCEL PURSUANT TO A PURCHASE AND SALE AGREEMENT; AND (3) FINDING THAT THESE ACTIONS ARE EXEMPT FROM REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.; and 3) Authorize the General Manager to execute all necessary documents.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Angela Garcia, Director
SECONDER:	Daniel Jenkins, Vice President
AYES:	Channing Hawkins, Angela Garcia, Kelvin Moore, Daniel Jenkins, Gregory Young

18. Revisions to Article 17 of the District Water Service Rules and Regulations

Director of Operations Joanne Chan gave the report and PowerPoint presentation.

Board discussion included clarification that the monthly service fee charge is for customers who have backflow preventers, mainly multifamily and commercial customers; current fee schedule; whether the recommendation could wait until the fee assessment study was completed.

Chief Financial Officer William Fox stated that he will conduct a cost-of-service study and will return to the board with findings which can include a review of all rates. President Gregory Young clarified that the item was first presented to the Engineering & Operations Committee as well as the Policy Committee and was referred to the Board to review and update outdated language, then later look at all District fees and service charges as part of larger study; General Counsel Jeff Ferre further clarified that part of the adjustment to fees includes not only inflation adjustment, but also ensuring federal compliance in case a FEMA application is required in the future.

Vice President Daniel Jenkins motioned to approve staff recommendations and Angela Garcia seconded the motion. The following vote was taken:

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Daniel Jenkins, Vice President
SECONDER:	Angela Garcia, Director
AYES:	Channing Hawkins, Angela Garcia, Kelvin Moore, Daniel Jenkins, Gregory Young

19. State Bond Update

Acting Government and Legislative Affairs Manager Socorro Pantaleon gave the report.

After some discussion, staff was directed to draft letters in support or opposition as staff recommended and return to the Board for final approval without exception.

20. Resolution Approving the Lifting of Temporary Freeze on Hiring District Personnel.

General Manager John Thiel gave the report.

Board discussion included a desire to continue reporting on position status and controls; a recount of historic reasons why the hiring freeze was instituted; preference to have the district look at filling positions based on operational needs and in consultation with the Human Resources Committee.

Director Channing Hawkins motioned to adopt **Resolution 2023-14** entitled "A RESOLUTION OF THE BOARD OF DIRECTORS OF THE WEST VALLEY WATER DISTRICT RESCINDING RESOLUTION 2020-1 AND THEREBY LIFTING THE TEMPORARY FREEZE ON HIRING OF DISTRICT PERSONNEL," and Director Angela Garcia seconded the motion. The following vote was taken:

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Channing Hawkins, Director
SECONDER:	Angela Garcia, Director
AYES:	Channing Hawkins, Angela Garcia, Kelvin Moore, Daniel Jenkins, 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

Vice President Daniel Jenkins wished his wife a happy birthday and indicated his desire to participate the Water Education for Latino Leaders Fellowship

Director Kelvin Moore thanked the Government and Legislative Affairs staff for the donation of water to the Rialto Juneteenth celebration.

President Gregory Young wished everyone a belated happy 4th of July.

2. General Manager

General Manager John Thiel reported on a roundtable he attended with Norma Torres, one-on-one meetings he attended with various groups, status of recruitments, transition of legal services, and

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gave an update on the status of revisiting the Strategic Plan. After some discussion staff were directed to schedule a Strategic Plan Workshop when the facilitator is available in September.

3. Legal Counsel

General Counsel Jeff Ferre reported on the Closed session items with the following: No action was taken on both items. He then provided information to the Board on virtual meetings and laws related to requirements for Board members to participate in meetings virtually.

ADJOURN

President Gregory Young adjourned the meeting at 7:17 p.m.

ATTEST:



Elvia Dominguez, Board Secretary

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