

**MINUTES**  
**REGULAR BOARD MEETING**  
of the  
**WEST VALLEY WATER DISTRICT**  
February 6, 2020

<b>Attendee Name</b>	<b>Present</b>	<b>Excused</b>	<b>Absent</b>
Board of Directors			
Channing Hawkins	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kyle Crowther	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Michael Taylor	<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"/>
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 type="checkbox"/>	<input checked="" 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"/>
Naseem Farooqi	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Legal Counsel			
Robert Tafoya	<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 Pastor Joel Booker, Inland Lighthouse Church

**Call to Order**

**Roll Call of Board Members** – At this time President Hawkins gave a brief update on the activities of the Board over the past sixty days following the roll call. In his update he let the public and attendees know that since his joining the Board, restrictions have been placed on General Manager prohibiting any further contract without approval of the Board President, consultant and professional services contracts have been reviewed in three separate meetings, approximately ten hours have been spent reviewing and scrutinizing contracts, the Board has approved a path towards earning a transparency Certificate of Excellence, meetings are now live-streamed on YouTube and Facebook, agendas are also

WVWD

Minutes: 2/6/20

being reviewed on Facebook before meetings, a hiring freeze has been imposed, Human Resources Policies and Practices are being reviewed, and a master calendar of scheduled meetings for Committee and Board meetings has been made available to the public. These update include some of the initial reforms taken. Additionally, he announced that several presentations will also be given during the meeting regarding changes internally and externally with regards to the Certificate of Excellence. This concluded his update review.

## **ADOPT AGENDA AS AMENDED**

President Hawkins requested to move Items No. 11, 12 and 13 to the Consent Calendar. Director Greg Young motioned to move the agenda with the requested changes. Director Dr. Taylor seconded the motion and the following vote was taken:

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Gregory Young, Director
<b>SECONDER:</b>	Michael Taylor, Director
<b>AYES:</b>	Channing Hawkins, Michael Taylor, Kyle Crowther, Clifford Young, Gregory Young

## **PUBLIC PARTICIPATION**

Comments were made to the Board of Directors by Al Vogler. Don Griggs also made comments on behalf of Hardy Brown, and himself.

## **PRESENTATIONS**

### **1. EARTH DAY EVENT PLANNING UPDATE.**

Jeremiah Brosowske, Assistant General Manager, gave a brief summary of the 2019 Earth Day Event and plans for the 2020 event. He also announced a conservation challenge that has been given to the District employees and Board of Directors. The challenge is to grow the largest “milk weed” plant which was passed out to the Directors and employees. Following the presentation Director Greg Young requested a future presentation of the cost for the 2019 event and to explore ways of creating a more cost effective event for 2020 if needed.

### **2. SPECIAL DISTRICT LEADERSHIP FOUNDATION (OUR COMMITMENT TO EXCELLENCE).**

Cynthia Birts, External Affairs Analyst, presented an update on the districts progress in acquiring the District Transparency Certificate of Excellence from the Special District Leadership Foundation (SDLF).

### **3. MANAGERS' 30 DAYS REFORM ACTION PLAN PRESENTATION.**

Clarence Mansell, General Manager, informed the Board that the presentation for this item was pulled the previous day. President Hawkins then delivered a brief update to the public informing them of what the “30 Day Reform Plan” entails and anticipated having a full presentation ready for the public at the next meeting. He then went on to describe

WVWD

Minutes: 2/6/20

the plan which involves the district managers and supervisors reviewing their scope of work and determining any deficiencies in their department to help create a strategic plan.

**4. INTRODUCTION OF INTERIM HUMAN RESOURCES AND RISK MANAGER.**

Martin Pinon, Interim Human Resources and Risk Manager, introduced himself to the Board and public. Mr. Pinon informed the Board and public that progress is being made by Human Resources to review and update the districts Human Resources Policies and Procedures, and employee grievances are being addressed. President Hawkins thanked Mr. Pinon for his work and reiterated the scope of work Mr. Pinon will be conducting for the district as well as his qualifications. Additionally, President Hawkins informed the public of direction that was given to Mr. Pinon and Mr. Mansell on an interim basis until new policies and practices can be implemented at the district. Recruitment, internal transfer promotions and salaries and performance evaluations have been directed to Mr. Pinon to manage, and Mr. Mansell will manage the routing of district mail.

**CONSENT CALENDAR**

Items No. 11, 12 and 13 were moved to the Consent Calendar when the agenda was adopted. Director Dr. Young motioned to adopt the Consent Calendar, seconded by Director Dr. Taylor. The following vote was then taken:

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Clifford Young, Director
<b>SECONDER:</b>	Michael Taylor, Director
<b>AYES:</b>	Channing Hawkins, Michael Taylor, Kyle Crowther, Clifford Young, Gregory Young

**5. DECEMBER 19, 2019 REGULAR BOARD MEETING MINUTES**

**6. JANUARY 16, 2020 REGULAR BOARD MEETING MINUTES**

**7. BUDGET TRACKING REPORT AS OF JANUARY 27, 2020 SUMMARY**

**11. APPROVE CHANGE ORDER NO. 1 FOR THE CONSTRUCTION OF THE BLOOMINGTON AREA WATERLINE REPLACEMENT PHASE 3A PROJECT FOR EL-CO CONTRACTORS, INC.**

**12. APPROVE CHANGE ORDER NO. 1 FOR THE CONSTRUCTION INSPECTION SERVICES OF THE BLOOMINGTON AREA WATERLINE REPLACEMENT PHASE 3A PROJECT FOR ENGINEERING RESOURCES OF SOUTHERN CALIFORNIA, INC.**

**13. CONSIDER A PLAN FOR SERVICE FOR I-15 LOGISTICS CENTER ANNEXATION**

WVWD

Minutes: 2/6/20

## BUSINESS MATTERS

### 8. CIP BUDGET AND CONTRACT AMENDMENTS TO IMPLEMENT A COMPUTERIZED MAINTENANCE MANAGEMENT SYSTEM (CMMS) UTILIZING MAXIMO SOFTWARE

The Directors engaged in a lengthy discussion regarding cost and previously discussed issues for this item. Vice President Crowther commented that a request was previously made to the General Manager to bring back quotes on other similar systems for the Board to consider. After clarification was made on how to proceed with voting on the item, Director Dr. Taylor motioned to give direction to the General Manager to bring back to the Board reports on the top two alternate vendors to present on systems similar to the programs being suggested in Items No. 8 and 9, and to move these two items off the agenda. Director Greg Young seconded the motion which passed by the following vote:

<b>RESULT:</b>	<b>WITHDRAWN [UNANIMOUS]</b>
<b>MOVER:</b>	Michael Taylor, Director
<b>SECONDER:</b>	Greg Young, Director
<b>AYES:</b>	Channing Hawkins, Michael Taylor, Kyle Crowther, Clifford Young, Gregory Young

### 9. EMERGENCY REQUEST FOR CIP BUDGET AMENDMENT TO FACILITATE ADDITIONAL MAXIMO USER LICENSING AND HOSTING SERVICES WITH POLARIS SOLUTIONS

The Directors engaged in a lengthy discussion regarding cost and previously discussed issues for this item. Vice President Crowther commented that a request was previously made to the General Manager to bring back quotes on other similar systems for the Board to consider. After clarification was made on how to proceed with voting on the item, Director Dr. Taylor motioned to give direction to the General Manager to bring back to the Board reports on the top two alternate vendors to present on systems similar to the programs being suggested in Items No. 8 and 9, and to move these two items off the agenda. Director Greg Young seconded the motion which passed by the following vote:

<b>RESULT:</b>	<b>WITHDRAWN [UNANIMOUS]</b>
<b>MOVER:</b>	Michael Taylor, Director
<b>SECONDER:</b>	Greg Young, Director
<b>AYES:</b>	Channing Hawkins, Michael Taylor, Kyle Crowther, Clifford Young, Gregory Young

### 10. AGREEMENT FOR AS-NEEDED, ON-CALL TECHNICAL SERVICES WITH CAROLLO ENGINEERS, INC. FOR FIXED BED (FXB) & FLUIDIZED BED (FBR) BIOTREATMENT SYSTEMS AND WATER RESOURCES SUPPORT

Director Dr. Young motioned to approve this item, seconded by Director Dr. Taylor. Director Greg Young requested discussion on the item before the vote was taken. He brought to the Board's attention that the task order being presented did not list the scope of work for the FBX and FBR. Director Dr. Young raised additional concern about the warranty of the FBR equipment if another company was hired. Further discussion then ensued. Following this

WVWD

Minutes: 2/6/20

discussion Joanne Chan, Operations Manager, was instructed to report back to the Board on any potential warranty issues. Director Greg Young then made an amended motion to approve Item No. 10 for the FXB and FBR with the amended language used on Pg. 231 of the agenda packet, contingent on legal issues regarding the warranty of the FBR. Director Dr. Taylor second the motion. Before a vote was taken Director Greg Young asked the General Manager to clarify if “Task Order 2” on page 90 was a typo since it did not list any details on the scope of work. Mr. Mansell clarified that it was a typo and there is no “Task Order No. 2.” Being no further discussion on this item the following vote was taken:

<b>RESULT:</b>	<b>ADOPTED AS AMENDED [UNANIMOUS]</b>
<b>MOVER:</b>	Gregory Young, Director
<b>SECONDER:</b>	Michael Taylor, Director
<b>AYES:</b>	Channing Hawkins, Michael Taylor, Kyle Crowther, Clifford Young, Gregory Young

**14. APPROVAL OF PAYMENT TO TAFOYA & GARCIA, LLP FOR PROFESSIONAL SERVICES RENDERED IN NOVEMBER 2019, INVOICE NO. 19-1011: \$6,638.50 AND DECEMBER 2019, INVOICE NO. 19-1012: \$13,948.18**

Director Dr. Taylor motioned to approve payment, seconded by Vice President Kyle Crowther. There was no discussion on this item. The item was approved by the recorded vote below:

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Michael Taylor, Director
<b>SECONDER:</b>	Kyle Crowther, Vice President
<b>AYES:</b>	Channing Hawkins, Michael Taylor, Kyle Crowther, Clifford Young, Gregory Young

**15. APPROVAL OF PAYMENT TO LEAL TREJO FOR PROFESSIONAL SERVICES RENDERED JUNE 2019 THROUGH NOVEMBER 2019. JUNE 2019, INVOICE NO. 17648: \$44,344.94; JULY 2019, INVOICE NO. 17685: \$1,581.34; JULY, 2019, INVOICE NO. 17686: \$41,717.50; SEPTEMBER 2019, INVOICE NO. 17717: \$15,000.00; AUGUST 2019, INVOICE NO. 17718: \$16,043.89; NOVEMBER 2019, INVOICE NO. 17764: \$942.00; SEPTEMBER 2019, INVOICE NO. 17765: \$28,500.00; NOVEMBER 2019, INVOICE NO. 17795: \$657.15; OCTOBER 2019, INVOICE NO. 17796: \$20,282.00.**

Director Dr. Taylor motioned to approve payment, seconded by Vice President Crowther. President Channing Hawkins announced that the payments being approved were for the Qui Tam lawsuit. He then asked if there were any questions to which none were asked. The following vote was then taken with Directors Dr. Young and Greg Young abstaining from the vote:

<b>RESULT:</b>	<b>APPROVED [3 TO 0]</b>
<b>MOVER:</b>	Michael Taylor, Director
<b>SECONDER:</b>	Kyle Crowther, Vice President
<b>AYES:</b>	Channing Hawkins, Michael Taylor, Kyle Crowther
<b>ABSTAIN:</b>	Clifford Young, Gregory Young

**16. APPROVAL OF PAYMENT TO THE KAUFMAN LAW FIRM FOR PROFESSIONAL SERVICES RENDERED IN OCTOBER 2018, INVOICE NO. 10130: \$24,430.00 AND JANUARY 2018, INVOICE NO. 10140: \$69,120.75**

Director Dr. Taylor motioned to approve this item, seconded by Vice President Kyle Crowther. Director Greg Young then inquired with the General Manager on the timing of bills. He questioned if the delay in placing the invoice on the agenda was an error on the districts part or if the invoice was not presented to the district until a much later date. General Manager Mansell replied that the district placed the item on the agenda shortly after receiving the invoice. Director Greg Young thanked Mr. Mansell for the clarification and was glad to hear the timing of receiving the invoices were not due to an oversight on the districts part. The vote was then taken:

<b>RESULT:</b>	<b>APPROVED [4 TO 1]</b>
<b>MOVER:</b>	Michael Taylor, Director
<b>SECONDER:</b>	Kyle Crowther, Vice President
<b>AYES:</b>	Channing Hawkins, Michael Taylor, Kyle Crowther, Gregory Young
<b>NAYS:</b>	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**
  - **Director Greg Young:** Thanked the public for attending and those watching online. He also commended President Hawkins for getting the agenda to the Directors in a timely manner and felt it was a move in a positive direction. President Hawkins acknowledged the agenda preparation was due to the staff's diligent work and applauded their efforts.
  - **Dr. Clifford Young:** No report.
  - **Dr. Michael Taylor:** No report.
  - **Vice President Crowther:** No report.
  - **President Hawkins:** No Report.
- **Legal Counsel**
  - Robert Tafoya: Reported a vote was taken during Closed Session to approve Mr. Tafoya to retain IMW Law Group. There was a short discussion on the vote taken and which lawsuit and complaint IMW was being retained for. It was clarified that IMW would be retained for the Naisha Davis lawsuit and Clarence Mansell EEOC complaint with President Hawkins, Director Greg Young and Director Dr. Young abstaining from the vote.
- **General Manager**
  - No report

## **FUTURE ITEMS**

- **No report**

## **CLOSED SESSION**

Mr. Tafoya reported out on Closed Session during the "Reports" section of the agenda. He reported a vote was taken during Closed Session to approve Mr. Tafoya to retain IMW Law Group. There was a short discussion on the vote taken and which lawsuit and complaint IMW was being retained for. It was clarified that IMW would be retained for the Naisha Davis lawsuit and Clarence Mansell EEOC complaint with President Hawkins, Director Greg Young and Director Dr. Young abstaining from the vote.

- **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**  
Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: Number of Cases: Nine (9)
- **REAL PROPERTY NEGOTIATIONS CALIFORNIA GOVERNMENT CODE SECTION 54956.8**
- **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
- **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION** Pursuant to paragraph one (1) of subdivision (d) of Government Code Section 54956.9 Case Name: Kenny Hernandez v. West Valley Water District San Bernardino County Case No.: CS1825805
- **CONFERENCE WITH LEGAL COUNSEL -EXISTING LITIGATION** Pursuant to Paragraph (1) of subdivision (d) of Government Code Section 54956.9 Case Name: Naisha Davis vs. West Valley Water District, Los Angeles County Superior Court Case No. 20ST CV02126
- **PUBLIC EMPLOYEE PERFORMANCE EVALUATION** Pursuant to Cal. Gov. Code Section 54957(b)(1) Title: General Manager General Counsel

## **ADJOURN**

Being no further business, the meeting adjourned at 8:22 PM.

WVWD

Minutes: 2/6/20

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

**ATTEST:**

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**Crystal L. Escalera, Board Secretary**

WVWD

Minutes: 2/6/20