

**MINUTES OF A REGULAR MEETING
REGULAR MEETING OF THE BOARD OF COMMISSIONERS
VICTOR VALLEY WASTEWATER RECLAMATION AUTHORITY (VWRA)
August 20, 2020**

CALL TO ORDER: Chair Debra Jones called the meeting to order at 7:39 AM; in Conference Room D at Victorville City Hall, located at 14343 Civic Drive, Victorville California, with the following members present:

**CITY OF VICTORVILLE
CITY OF HESPERIA
ORO GRANDE (CSA 42) AND
SPRING VALLEY LAKE (CSA 64)
TOWN OF APPLE VALLEY**

**Debra Jones, Chair
Bill Holland, Vice-Chair
Don Holland, Secretary
Scott Nassif, Treasurer**

VWRA Staff and Legal Counsel:

**Darron Poulsen, General Manager
Kristi Casteel, Secretary to GM/Board
Piero Dallarda, Legal Counsel (BB&K)**

**Chieko Keagy, Controller
Robert Coromina, Director of Administration**

Guest Present:

**Brain Gengler, City of Victorville
Doug Robinson, Town of Apple Valley**

Nils Bentsen, City of Hesperia

CLOSED SESSION

PUBLIC COMMENTS- CLOSED SESSION AGENDA

Chair Jones asked if there were any comments from the public regarding any item on the Closed Session Agenda. Hearing none, Chair Jones called for a motion to enter into Closed Session.

Moved: Commissioner Bird

Second: Commissioner Nassif

Motion to enter into Closed Session

Motion passed by a 4-0 roll call vote

REGULAR SESSION

CALL TO ORDER & PLEDGE OF ALLEGIANCE

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Chair Jones called the meeting to order at 8:54 AM.

REPORT FROM CLOSED SESSION

Piero Dallarda stated that the report from closed session is going to require that the Board add a late breaking item. The Commission met under Government Code Section 54954.5 and 54956.9d and the Commission approved settlement for the Flow Diversion issue with the City of Victorville along the lines of the agreement that was approved by the City of Victorville last Tuesday at their Council Meeting. The approval of the agreement by the City of Victorville arose after the VVWRA Board agenda was published and as a result of that, upon advice of Counsel, the matter should be added to the open session as a late breaking item under Government Code Section 54954.2b which provides that two thirds of the Board can find that this matter arose after the agenda was published and that it requires immediate action. Two thirds of the Board must approve to be added to the agenda. The matter could have been approved in closed session and reported out but to be transparent the matter is being brought to open session. Copies of the agreement have been made available for the public.

Moved: Commissioner Nassif

Second: Commissioner D Holland

Motion was made and a second to add the settlement agreement with the City of Victorville to open session as item 9A as a late breaking item under Government Code Section 54954.2b.

Chair Jones- Yes

Commissioner B Holland- Yes

Commissioner D Holland- Yes

Commissioner Nassif- Yes

Motion passed by a 4-0 roll call vote

PUBLIC COMMENTS- REGULAR SESSION AGENDA

None

POSSIBLE CONFLICT OF INTEREST

Commissioner Nassif will be abstaining from any disbursements to Napa Auto Parts on item 7

CONSENT CALENDAR:

6. Receive, Approve and File Minutes, July 16, 2020 and July 27, 2020

7. Receive, Approve and File July 2020 Disbursement

Moved: Commissioner Nassif

Second: Commissioner D Holland

Approval of the Consent Calendar Items 6 and 7 with Commissioner Nassif abstaining from any disbursements to Napa Auto Parts on item 7.

Chair Jones- Yes

Commissioner B Holland- Yes

Commissioner D Holland- Yes

Commissioner Nassif- Yes

Motion passed by a 4-0 roll call vote

ACTION ITEM:

8. Recommendation to Adopt Resolution 2020-09 Surplus Property

It is recommended that the Board of Commissioners approve Resolution No. 2020-09 to amend the Surplus Property List and authorize the General Manager to approve the disposition of surplus equipment that no longer has any present or prospective use.

Moved: Commissioner Nassif

Second: Commissioner B Holland

Approval of Recommendation to Adopt Resolution 2020-09 to amend the Surplus Property List and authorize the General Manager to approve the disposition of surplus equipment that no longer has any present or prospective use.

Chair Jones- Yes

Commissioner B Holland- Yes

Commissioner D Holland - Yes

Commissioner Nassif- Yes

Motion passed by a 4-0 roll call vote

9. Recommendation to Trimax Change Order #9 for the Enhanced Installation of the PLC Old Blower Building

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The Board will consider approval of the Trimax Phase 2 Contract modification for the following:

- Add scope for the replacement of PLC Old Blower Building (PLC BLO) at the cost of \$54,400.00
- Removal of scope to replace PLC Aeration (PLC AER) at the cost of \$99,800.00

Moved: Commissioner B Holland

Second: Commissioner Nassif

Approval of the Trimax Phase 2 Contract modification for the following:

- **Add scope for the replacement of PLC Old Blower Building (PLC BLO) at the cost of \$54,400.00**
- **Removal of scope to replace PLC Aeration (PLC AER) at the cost of \$99,800.00**

Chair Jones- Yes

Commissioner B Holland- Yes

Commissioner D Holland - Yes

Commissioner Nassif- Yes

Motion passed by a 4-0 roll call vote

9.A Recommendation to Approve Settlement Agreement with Victorville

The Board will consider approval of a Settlement Agreement with the City of Victorville

Moved: Commissioner Nassif

Second: Commissioner D Holland

Approval of the Settlement Agreement with the City of Victorville

Chair Jones- Yes

Commissioner B Holland- No

Commissioner D Holland - Yes

Commissioner Nassif- Yes

Motion passed by a 3-1 roll call vote with Commissioner B Holland voting no

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STAFF/PROFESSIONAL SERVICES REPORTS:

10. General Managers Report

- **Energy Report**

11. Financial and Investment Report – July 2020

12. Operations & Maintenance Report – July 2020

13. Environmental Compliance Department Reports – July 2020

14. Septage Receiving Facility Reports – July 2020

15. Safety & Communications Report – July 2020

CLOSED SESSION (If Closed Session is continued)

ADJOURNMENT

The board will adjourn to a regular board meeting on August 20, 2020 at 7:30 a.m.

APPROVAL:

DATE: September 17, 2020

BY: Donald Heled

Approved by VVWRA Board Robert Lovingood,
Secretary VVWRA Board of Commissioners