

MINUTES OF A REGULAR MEETING
REGULAR MEETING OF THE BOARD OF COMMISSIONERS
VICTOR VALLEY WASTEWATER RECLAMATION AUTHORITY (VWRA)
September 19, 2019 Continued to October 23, 2019

CALL TO ORDER: Chair Scott Nassif called the meeting to order at 7:34 AM; in Conference Room D at Victorville City Hall, located at 14343 Civic Drive, Victorville California, with the following members present:

(September 19):

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

Scott Nassif, Chair
Debra Jones, Vice-Chair
ABSENT
Robert Lovingood, Treasurer

(October 23):

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

Scott Nassif, Chair
Debra Jones, Vice-Chair
Larry Bird, Secretary
Robert Lovingood, Treasurer

VWRA Staff and Legal Counsel (September 19):

Brian Macy, Interim General Manager
Kristi Casteel, Secretary to GM/Board
Piero Dallarda, Legal Counsel (BB&K)
Chieko Keagy, Controller

David Wylie, Safety & Communications Officer
Xiewi Wang, Senior Accountant
Robert Townsend, Regulatory Compliance Inspector
Alton Anderson, Construction Manager

Others Present (September 19):

Doug Robertson Apple Valley
Nils Bentsen, City of Hesperia
Keith Metzler, City of Victorville
Brian Gengler, City of Victorville

George Harris, City of Victorville
Carl Coleman, Mojave Water Agency
Sandy Townsend, Resident
Robert DeLoach, DeLoach & Associates

VWRA Staff and Legal Counsel (October 23):

Robert DeLoach, Interim General Manager
Kristi Casteel, Secretary to GM/Board
Piero Dallarda, Legal Counsel (BB&K)
Chieko Keagy, Controller

David Wylie, Safety & Communications Officer
Latif Laari, Regulatory Inspector
Alton Anderson, Construction Manager

Others Present (October 23):

Doug Robertson Apple Valley
Nils Bentsen, City of Hesperia
Keith Metzler, City of Victorville
Brian Gengler, City of Victorville
Darron Poulsen, Public

CLOSED SESSION

PUBLIC COMMENTS- CLOSED SESSION AGENDA

On September 19, 2019, Chair Nassif asked if there were any comments from the public regarding any item on the Closed Session Agenda. Hearing none, Chair Nassif called for a motion to enter into Closed Session.

Commissioner Lovingood made a motion to enter into Closed Session. Seconded by Commissioner Jones.

REGULAR SESSION

CALL TO ORDER & PLEDGE OF ALLEGIANCE

On September 19, 2019, Chair Nassif called the meeting to order at 9:01 AM.

REPORT FROM CLOSED SESSION

On September 19, 2019, Piero Dallarda did say that item number 5 is being continued and closed session will continue after the conclusion of open session. If any action is taken on item 5, after closed session is completed, the Board will go back into open session and report from closed session. Item 5 is the General Manger Interview under Government Code Section 54957. The interviews will take place starting at 1 PM and there are four candidates being interviewed.

PUBLIC COMMENTS- REGULAR SESSION AGENDA

None

ANNOUNCEMENTS AND CORRESPONDENCE:

6. Possible conflict of interest issues

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

CONSENT CALENDAR:

Commissioner Jones asked to pull item 9 from the consent calendar.

7. Approve August 2019 Disbursement Registers

8. Approve Minutes from the August 15, 2019 Regular Meeting

Commissioner Lovingood made a motion to approve the consent calendar item 7 and 8, seconded by Commissioner Jones and approved by roll call vote with Chair Nassif abstaining from any disbursements to Napa Auto Parts.

Chair Nassif: Yes

Commissioner Jones: Yes

Commissioner Lovingood: Yes

9. Recommendation to Approve Employment Contract for Plant Superintendent

Commissioner Jones requested that moving forward, items such as contracts of this type not be placed on the consent calendar so that there can be discussion on the item if necessary.

Piero Dallarda stated for the record that the Board is instructing staff that all contracts of this type not be part of the consent calendar. The Board would like to see them as a separate item on the action calendar

Commissioner Jones made a motion to approve item 9, seconded by Commissioner Lovingood and approved by roll call vote with Chair Nassif abstaining from any disbursements to Napa Auto Parts.

Chair Nassif: Yes

Commissioner Jones: Yes

Commissioner Lovingood: Yes

DISCUSSION ITEMS:

10. Resolution 2019-14: Adoption of VVWRA Rate Study from Raftelis

Chieko Keagy gave a brief presentation on item 10

Commissioner Jones made a motion to approve the recommendation, seconded by Commissioner Nassif and approved by roll call.

Chair Nassif: Yes

Commissioner Jones: Yes

Commissioner Lovingood: Yes

PUBLIC HEARING:

11. First Reading of Ordinance 001: An Ordinance for the Victor Valley Wastewater Reclamation Authority Increasing Sewer User Charges

Chair Nassif opened the Public Hearing at 9:25 AM.

The Secretary of the Board confirmed the posting and publication of the Hearing Notice as required by law.

Brian Macy gave a brief presentation on Ordinance 001

Commissioner Jones asked if, because this particular agenda item was posted without the ordinance itself if VVWRA is still in compliance.

Piero Dallarda stated that the Agenda was posted 72 hours prior on the website and available at the meeting location. There was a description of 20 words or less of the item and this item were properly described. In terms of compliance, legally, VVWRA is in compliance with Section 54954.2 of the Brown Act and also with the Attorney General's Opinion from 2016 regarding those requirements. The Ordinance was also posted on the website and the redline version was in the agenda. Staff could at the next meeting attach the entire Ordinance with the red line version to the agenda to provide easier access.

Chair Nassif asked if there were any comments from the public. There were no public comments.

Chair Nassif closed the public hearing at 9:36 am

Commissioner Jones made a motion to read the ordinance by title only and waive further reading of the ordinance, seconded by Commissioner Lovingood and approved by roll call vote with Chair Nassif abstaining from any disbursements to Napa Auto Parts.

Chair Nassif: Yes

Commissioner Jones: Yes

Commissioner Lovingood: Yes

The Board Secretary read the title of the ordinance- Ordinance 001: An Ordinance for the Victor Valley Wastewater Reclamation Authority Increasing Sewer User Charges

Commissioner Lovingood made a motion to introduce ordinance, seconded by Commissioner Jones and approved by roll call vote.

Chair Nassif: Yes

Commissioner Jones: Yes

Commissioner Lovingood: Yes

ACTION & DISCUSSION ITEMS:

12. Recommendation to Schedule Second Hearing for Ordinance 001: Rules and Regulations for Sewer Service

Commissioner Lovingood made a motion to approve the recommendation, seconded by Commissioner Jones and approved by roll call.

Chair Nassif: Yes

Commissioner Jones: Yes

Commissioner Lovingood: Yes

PUBLIC HEARING:

13. First Reading of Ordinance 002: An Ordinance for the Victor Valley Wastewater Reclamation Authority Increasing Connection Fee

Chair Nassif opened the Public Hearing at 9:40 AM.

The Secretary of the Board confirmed the posting and publication of the Hearing Notice as required by law.

Brian Macy gave a brief presentation on Ordinance 002

Commissioner Jones had the same questions and concern for this item as previously in item 11.

Piero Dallarda stated that it would be the same thing. VVWRA is in legal compliance. VVWRA can always do more.

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It was the consensus of the Board to direct staff to include the entire ordinance and red line version in the Board Agenda for both Ordinance 001 and 002 for the second reading and moving forward for all Ordinance Public Hearings.

Chair Nassif asked if there were any comments from the public. There were no public comments.

Chair Nassif closed the public hearing at 9:47 am

Commissioner Jones made a motion to read the ordinance by title only and waive further reading of the ordinance and to introduce the ordinance by title only, seconded by Commissioner Nassif and approved by roll call vote.

Chair Nassif: Yes

Commissioner Jones: Yes

Commissioner Lovingood: Abstain

The Board Secretary read the title of the ordinance- Ordinance 002: An Ordinance for the Victor Valley Wastewater Reclamation Authority Increasing Connection Fees

ACTION & DISCUSSION ITEMS:

14. Recommendation to Schedule Second Hearing for Ordinance 002: Connection Fee Ordinance

Commissioner Jones made a motion to approve the recommendation, seconded by Commissioner Lovingood and approved by roll call.

Chair Nassif: Yes

Commissioner Jones: Yes

Commissioner Lovingood: Yes

15. Recommendation to Approve Amendment for Larry Walker & Associates Professional Services for Sanitary Sewer Management Plan Update

Commissioner Lovingood made a motion to approve the recommendation, seconded by Commissioner Jones and approved by roll call.

Chair Nassif: Yes

Commissioner Jones: Yes

Commissioner Lovingood: Yes

16. Recommendation to Approve Easement for High Desert Solar

Commissioner Jones made a motion to approve the recommendation, seconded by Commissioner Lovingood and approved by roll call.

Chair Nassif: Yes

Commissioner Jones: Yes

Commissioner Lovingood: Yes

STAFF/PROFESSIONAL SERVICES REPORTS:

Brian Macy gave a brief presentation to the Board on VVWRA's electrical costs and energy savings

17. Financial and Investment Report – August 2019

18. Operations & Maintenance Report – August 2019

19. Environmental Compliance Department Reports – August 2019

20. Septage Receiving Facility Reports – August 2019

21. Safety & Communications Report – August 2019

NEXT VVWRA BOARD MEETING:

Thursday, October 17, 2019 - Regular Meeting of the Board of Commissioners

Chair Nassif stated that our Regular meeting for October is in conflict with the League of Cities. Chair Nassif recommends Wednesday, October 23rd. It was the consensus of the Board to move the Regular Meeting in October to Wednesday, October 23, 2019.

FUTURE AGENDA ITEMS

Second Hearing for Ordinance 001

Second Public Hearing for Ordinance 002

Bid Results for PLC's Replacement Project

Bid Results for Regional Plant Storm Water Project

USDA Loan and Grant for the Oro Grand Interceptor Project

COMMISSIONER COMMENTS

CLOSED SESSION

Chair Nassif called for a motion to re-enter Closed Session.

Commissioner Jones made a motion to re-enter closed session, seconded by Commissioner Lovingood and approved by roll call.

Chair Nassif: Yes

Commissioner Jones: Yes

Commissioner Lovingood: Yes

REGULAR SESSION

RETURN FROM CLOSED SESSION

Chair Nassif called the meeting to order after returning from closed session at 5:32 PM.

REPORT FROM CLOSED SESSION

Piero Dallarda stated that the Board went back into closed session to continue the discussion on item 5, Conference with legal counsel- public employee appointment General Manager under government code 54957. Interviews were conducted but there is nothing to report.

ADJOURNMENT

Meeting was continued to October 23, 2019 at 7:30 AM

On October 23, 2019 upon returning from closed session, Chair Nassif called for a motion to adjourn the September 19, 2019 meeting.

Commissioner Jones made a motion adjourn the September 19, 2019 meeting, seconded by Commissioner Lovingood and approved by roll call.

Chair Nassif: Yes

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Commissioner Jones: Yes

Commissioner Bird: Yes

Commissioner Lovingood: Yes

APPROVAL:

DATE: November 21, 2019 **BY:**

A handwritten signature in black ink, appearing to read "L. Bird", written over a horizontal line.

Approved by VVWRA Board Larry Bird,
Secretary VVWRA Board of Commissioners