

As a matter of proper business decorum, the Board of Commissioners respectfully request that all cell phones be turned off or placed on vibrate. To prevent any potential distraction of the proceeding, we request that side conversations be taken outside the meeting room.

**REGULAR BOARD MEETING**  
**VICTOR VALLEY WASTEWATER RECLAMATION AUTHORITY**  
**VICTORVILLE CITY HALL, CONFERENCE ROOM D**  
**14343 CIVIC DRIVE, VICTORVILLE CA 92392**  
**Thursday, July 20, 2023**  
**Closed Session 7:30 a.m. Open Session 8:00 a.m.**

*VVWRA is committed to protecting public health and the environment in the Victor Valley by providing effective and fiscally responsible wastewater collection, treatment, and recycling.*

**Call to Order**

**Nassif**

**Roll Call**

**Casteel**

**Public Comments- Closed Session Agenda Items**

**Nassif**

**CLOSED SESSION:** During the course of conducting the business set forth on this agenda as a regular meeting of the Board, the Chair may convene the Board in closed session to consider matters of pending real estate negotiations, pending or potential litigation, or personnel matters, pursuant to Government Code Sections 54956.8, 54956.9, 54957 or 54957.6, as noted. Reports relating to (a) purchase and sale of real property; (b) matters of pending or potential litigation; or (c) employment actions, or which are exempt from public disclosure under the California Public Records Act, may be reviewed by the Board during a permitted closed session and are not available for public inspection. At such time the Board takes final action on any of these subjects, the minutes will reflect all required disclosures of information. Closed Session is scheduled to commence at 7:30 a.m.. If the matters discussed in closed session require additional time beyond 8:00 a.m., in deference to the public, the Board may continue the Closed Session discussion after Open Session is concluded. In that case, Closed Session will resume after the Commissioners Comments section and any reportable action will be reported after the continued Closed Session has concluded and before adjournment.

**Closed Session**

**Item 1.** (Gov. Code Sec. 54957.6/ 54954.5 (f)) Conference with Legal Counsel-Labor Negotiation

- Non-Represented

**Item 2.** (Gov. Code Sec. 54956.9) Conference with Legal existing litigation

- Cloutier v. VVWRA, State Case No. 36632

**Call to Order & Pledge of Allegiance**

**Nassif**

**Report from Closed Session**

**Legal**

**Public Comment (Government Code Section 54954.3)**

**Nassif**

Opportunity for members of the public to directly address the Board on items of public interest within its jurisdiction. The public may also address the Board on items being considered on this agenda. VVWRA requests that all public speakers complete a speaker's card and provide it to the Secretary. Persons desiring to submit paperwork to the Board of Commissioners shall provide a copy of any paperwork to the Board Secretary for the official record. We request that remarks be limited to five minutes or less. Pursuant to Government Code Section 54954.3, if speaker is utilizing a translator, the total allotted time will be doubled.

**Possible Conflicts of Interest**

**Nassif**

**Consent Calendar**

**Nassif**

All matters placed on the Consent Calendar are considered as not requiring discussion or further explanation and unless any particular item is requested to be removed from the Consent Calendar by a Commissioner, staff member or member of the public in attendance, there will be no separate discussion of these items. All items on the Consent Calendar will be enacted by one action approving all motions and casting a unanimous ballot for resolutions included on the consent calendar. All items removed from the Consent Calendar shall be considered in the regular order of business.

**Item 3. Receive, Approve and File Minutes**

**Poulsen**

- Regular Board Meeting 06/15/2023

**Item 4. Receive, Approve and File June 2023 Disbursement**

- Warrant Summary Disbursements

**Board Action Required**

Staff Recommendation: Approve as presented

**Action Items**

*The Executive Leadership Team will provide brief updates on existing matters under their purview and will be available to respond to any questions thereof.*

**Item 5. Recommendation to approve VVWRA Non-Represented Employees' Compensation and Benefits Plan Changes**

**Coromina**

It is recommended that the Board of Commissioners approve the proposed changes VVWRA Non-Represented Employees Compensation and Benefits Plan

**Board Action Required**

Staff Recommendation: Approve as presented

**Item 6. Recommendation to Adopt Resolution 2023-12 Amend Surplus Property List of Unused Equipment and Scrap**

**Coromina**

It is recommended that the Board of Commissioners adopt Resolution No. 2023-12 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

**Board Action Required**

Staff Recommendation: Approve as Presented

**Item 7. Recommendation to Adopt Resolution 2023-13 a Grant Policy**

**Wang**

It is recommended that the Board of Commissioners adopt Resolution 2023-13 a Grant Policy

**Board Action Required**

Staff Recommendation: Approve as Presented

**Item 8. Recommendation to Amend the 2023 Board Schedule**

**Casteel**

It is recommended that the Board of Commissioners Amend the 2023 Board Schedule

**Board Action Required**

Staff Recommendation: Approve as Presented

**Staff Reports**

**Item 9. General Managers Report**

**Poulsen**

Report Range	Board Meeting Date (Thursday)
4 <sup>th</sup> Quarter October 2022- December 2022	February 16, 2023
1st Quarter January 2023-March 2023	May 18, 2023
2 <sup>nd</sup> Quarter April 2023-June 2023	September 21, 2023
3 <sup>rd</sup> Quarter July 2023- September 2023	November 16, 2023
4 <sup>th</sup> Quarter October 2023- December 2023	February Board 2024

**Adjournment**

**Nassif**

The board will adjourn to a regular board meeting

## American Disabilities Act Compliance Statement

Government Code Section 54954.2(a)



*Any request for disability-related modifications or accommodations (including auxiliary aids or services) sought to participate in the above public meeting should be directed to the VVWRA's Secretary at (760) 246-8638 at least 72 hours prior to the scheduled meeting. Requests must specify the nature of the disability and the type of accommodation requested.*

### **Agenda posting**

Government Code Section 54954.2

*This agenda has been posted in the main lobby of the Authority's Administrative offices not less than 72 hours prior to the meeting date and time above. All written materials relating to each agenda item are available for public inspection in the office of the Board Secretary.*

### **Agenda items received after posting**

Government Code Section 54957.5

*Materials related to an item on this agenda submitted after distribution of the agenda packet are available for public review at the VVWRA office located at, 20111 Shay Road, Victorville CA 92394. The materials will also be posted on the VVWRA website at [www.vvwra.com](http://www.vvwra.com).*

### **Items Not Posted**

Government Code Section 54954.2(b)

*In the event any matter not listed on this agenda is proposed to be submitted to the Board for discussion and/or action, it will be done as an emergency item or because there is a need to take immediate action, which came to the attention of the Board subsequent to the posting of the agenda, or as set forth on a supplemental agenda posted in the manner as above, not less than 72 hours prior to the meeting date.*

### **Items Continued**

Government Section 54954.2(b)(3)

*Items may be continued from this meeting without further notice to a Committee or Board meeting held within five (5) days of this meeting*

### **Meeting Adjournment**

*This meeting may be adjourned to a later time and items of business from this agenda may be considered at the later meeting by Order of Adjournment and Notice*

*VVWRA's Board Meeting packets and agendas are available for review on its website at [www.vvwra.com](http://www.vvwra.com). The website is updated on Friday preceding any regularly scheduled board meeting.*

**MINUTES OF A REGULAR MEETING  
REGULAR MEETING OF THE BOARD OF COMMISSIONERS  
VICTOR VALLEY WASTEWATER RECLAMATION AUTHORITY (VWVRA)  
June 15, 2023**

**CALL TO ORDER:** Chair Dakota Higgins called the meeting to order at 7:32 AM; in Conference Room D at Victorville City Hall, located at 14343 Civic Drive, Victorville California, with the following members present:

<b>ORO GRANDE (CSA 42) AND SPRING VALLEY LAKE (CSA 64) TOWN OF APPLE VALLEY CITY OF VICTORVILLE CITY OF HESPERIA</b>	<b>Dakota Higgins, Chair Scott Nassif, Vice-Chair Debra Jones, Secretary Larry Bird , Treasurer Absent for items 8 and 9</b>
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**VWVRA Staff and Legal Counsel:**

**Darron Poulsen, General Manager  
Kristi Casteel, Executive Assistant  
Piero Dallarda, Legal Counsel (BB&K)  
David Wylie, Safety & Communications Officer  
Brad Adams, Director of O&M  
Hillary Chavez, Administrative Assistant**

**Guests**

**Jenele Davidson, City of Victorville**

**CLOSED SESSION**

**PUBLIC COMMENTS- CLOSED SESSION AGENDA**

**NONE**

**Moved: Commissioner Jones                      Second: Commissioner Nassif  
Motion to enter into Closed Session**

**Motion passed by a 3-0 roll call vote with Commissioner Bird Absent**

**REGULAR SESSION**

**CALL TO ORDER & PLEDGE OF ALLEGIANCE**

Chair Higgins called the meeting to order at 8:40 AM.

**REPORT FROM CLOSED SESSION**

**NONE**

**PUBLIC COMMENTS- REGULAR SESSION AGENDA**

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NONE

**POSSIBLE CONFLICT OF INTEREST**

Commissioner Nassif will be abstaining from any disbursements to Napa Auto Parts on item 5

**CONSENT CALENDAR:**

4. **Receive, Approve and File Minutes, May 18, 2023 Regular Meeting**
5. **Receive, Approve and File May 2023 Disbursement**

**Moved: Commissioner Jones****Second: Commissioner Nassif**

**Approval of the Consent Calendar Items 4 and 5 with Commissioner Nassif abstaining from any disbursements to Napa Auto Parts on item 5.**

**Chair Higgins- Yes****Commissioner Nassif - Yes****Commissioner Jones - Yes**

**Motion passed by a 3-0 roll call vote with Commissioner Bird absent**

**PUBLIC HEARING:**

6. **Adoption of FY 2023-2024 Budget**

**Chair Higgins opened the Public Hearing at 8:40 am.**

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

**Commissioner Nassif asked to close the public hearing and wait for Commissioner Bird to arrive before moving on with the Public Hearing. The consensus of the Board was to wait for Commissioner Bird.**

**Chair Higgins closed the public hearing at 8:41 am and moved on to action item 8**

**Chair Higgins re-opened the Public Hearing at 8:56 am**

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

**Chair Higgins closed the public hearing at 8:57 am.**

**There was a motion by Commissioner Nassif and seconded by Commissioner Jones to Read the budget by title only, waive further reading of the budget, and adopt budget and order it published. Motion passed by a 4-0 roll call**

**ACTION ITEM:**

**7. Recommendation to Adopt 2023-10 Adoption of the FY 2023-2024 Budget**

The Board will consider approval to adopt Resolution 2023-10: Adoption of the Proposed Budget as presented for the year ending June 30, 2024

**Moved: Commissioner Jones**

**Second: Commissioner Nassif**

**Approval to adopt Resolution 2023-10: Adoption of the Proposed Budget as presented for the year ending June 30, 2024**

**Chair Higgins- Yes**

**Commissioner Nassif - Yes**

**Commissioner Jones - Yes**

**Commissioner Bird- Yes**

**Motion passed by a 4-0 roll call vote**

**8. Recommendation to Approve VVWRA Administrative Employees MOU, (Memorandum or Understanding)**

The Board will consider approval of VVWRA Administrative Employees MOU. Under section one the word resolution will be stricken. This is not being approved by resolution this is being approved by action of the Board. The previous memorandum of understanding was not approved by resolution, so neither is this. On section four, there is a description PIO & Safety Coordinator this will be changed to Safety & Communications Officer. On section five, the position of Safety & Communications Officer will be added to the positions classified as confidential. In section six sub-section four, the word "shall" will be removed and add in "may" below that is a sentence that "one time" will be taken out and it will read "annual" in the same sentence the year "2023" will be taken out.

**Moved: Chair Higgins**

**Second: Commissioner Nassif**

**Approval of VVWRA Administrative Employees MOU**

**Chair Higgins- Yes**

**Commissioner Nassif - Yes**

**Commissioner Jones- Yes**

**Motion passed by a 3-0 roll call vote with Commissioner Bird absent**

**9. Recommendation to Adopt Resolution 2023-11 FY 2023-2024 Holiday Schedule**

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The Board will consider approval to adopt Resolution 2023-11 to establish the paid holidays for VVWRA employees during fiscal year 2022-2023 which is consistent with the MOU with the Employees Association adopted on December 8, 2016

**Moved: Commissioner Jones**

**Second: Commissioner Nassif**

**Approval to adopt Resolution 2023-11 to establish the paid holidays for VVWRA employees during fiscal year 2022-2023 which is consistent with the MOU with the Employees Association adopted on December 8, 2016**

**Chair Higgins- Yes**

**Commissioner Nassif - Yes**

**Commissioner Jones - Yes**

**Motion passed by a 3-0 roll call vote with Commissioner Bird absent**

**10. Recommendation to approve the Changes in the Language of the Professional Service Agreement for Vasquez & Company LLP**

Pending legal review. It is recommended that the Board of Commissioners approve the changes in the language of the Professional Service Agreement (PSA) with our auditor, Vasquez & Company LLP.

**Moved: Commissioner Jones**

**Second: Commissioner Nassif**

**Approval to changes in the language of the Professional Service Agreement (PSA) with our auditor, Vasquez & Company LLP pending legal review**

**Chair Higgins- Yes**

**Commissioner Nassif - Yes**

**Commissioner Jones- Yes**

**Commissioner Bird- Yes**

**Motion passed by a 4-0 roll call vote**

**11. Recommendation to authorize Staff and Our Legal Team to Begin Negotiations with Anaergia for a New RNG Contract Agreement to Have Anaergia Take Over Daily Operations of the Receiving and Maintenance of the Food Waste Receiving for the RNG Project**

The Board will consider approval to authorize staff and our legal team to begin negotiations with Anaergia for a new RNG contract agreement to have Anaergia take over daily operations of the receiving and maintenance of the food waste receiving for the RNG project

**Consensus to authorize staff and our legal team to begin negotiations with Anaergia for a new RNG contract agreement to have Anaergia take over daily operations of the receiving and maintenance of the food waste receiving for the RNG project**



## 12. Recommendation to Cancel the June 30th Board Meeting

The Board will consider approval to cancel the regularly scheduled June 30, 2022 Meeting if the Board adopts the FY 2023-24 Budget

**Moved: Commissioner Becerra**

**Second: Chair Nassif**

**Approval to cancel the regularly scheduled June 30, 2022 Meeting if the Board adopts the FY 2023-24 Budget**

**Chair Higgins- Yes**

**Commissioner Nassif - Yes**

**Commissioner Jones - Yes**

**Commissioner Bird- Yes**

**Motion passed by a 4-0 roll call vote**

## 13. Election of Officers

The Board will consider approval of the rotation of officers for the FY 2023-2024, effective July 1, 2023

**Moved: Commissioner Jones**

**Second: Chair Higgins**

**Approval of the rotation of officers for the FY 2023-2024, effective July 1, 2023**

**Chair Higgins- Yes**

**Commissioner Nassif - Yes**

**Commissioner Jones - Yes**

**Commissioner Bird- Yes**

**Motion passed by a 4-0 roll call vote**

**CLOSED SESSION (If Closed Session is continued)**

**Closed session**

## ADJOURNMENT

The board will adjourn to a regular board meeting on May 18, 2023 at 7:30 a.m.

## APPROVAL:

**DATE:** \_\_\_\_\_ **BY:**

Approved by Larry Bird, Secretary  
 VVWRA Board of Commissioners



## Victor Valley Wastewater Reclamation Authority

*A Joint Powers Authority and Public Agency of the State of California*

Administrative Offices

20111 Shay Road, Victorville, CA 92394

Telephone: (760) 246-8638

Fax: (760) 948-9897

e-mail: [mail@vwwra.com](mailto:mail@vwwra.com)

**DATE:** July 20, 2023

**TO:** Darron Poulsen  
General Manager

**FROM:** Xiwei Wang  
Accounting Supervisor

**SUBJECT:** Cash Disbursements Register

### RECOMMENDED ACTION

It is recommended that the Board of Commissioners approve the cash disbursements and payroll register for the Victor Valley Wastewater Reclamation Authority.

### BACKGROUND

The Cash Disbursements Register totals represented below are for the month of JUNE 2023, check numbers 125189-125226 and ACH's.

<i>Accounts Payable</i>			
<i>Checks</i>	<i>ACH's and EFT's</i>	<i>Payroll</i>	<i>Total</i>
<i>\$104,780.81</i>	<i>\$3,028,985.63</i>	<i>\$538,541.60</i>	<i>\$3,672,308.04</i>

**Victor Valley Wastewater Reclamation Authority**  
**Cash Disbursement Register**  
**From 6/1/2023 through 6/30/2023**

Vendor Name	Payment #	Date	Total
All Pro Pest Control	125189	06/07/2023	\$ 1,250.00
Brown Bear Corp	125190	06/07/2023	\$ 25,664.97
Franklin Truck Parts	125191	06/07/2023	\$ 2,128.54
Guardian	125192	06/07/2023	\$ 677.10
Harrington Industrial Plastics	125193	06/07/2023	\$ 1,352.48
Heritage Environmental Services, L.L.C.	125194	06/07/2023	\$ 4,104.73
Hesperia Hose Supply	125195	06/07/2023	\$ 989.15
United Rentals Northwest, Inc	125196	06/07/2023	\$ 4,560.46
Verizon Wireless	125197	06/07/2023	\$ 2,448.00
Airgas Usa, Llc	125198	06/14/2023	\$ 649.62
Applied Industrial Technologies	125199	06/14/2023	\$ 2,065.16
City Of Victorville / Sanitation	125200	06/14/2023	\$ 7,456.75
Hi-Desert Communications	125201	06/14/2023	\$ 150.00
High Desert Backflow - Aaa Action Backflow, Llc	125202	06/14/2023	\$ 2,031.00
Hi-Grade Materials Co.	125203	06/14/2023	\$ 8,036.65
Konica Minolta Business Solutions	125204	06/14/2023	\$ 222.15
Shredyourdocs.Com	125205	06/14/2023	\$ 114.00
Transcat	125206	06/14/2023	\$ 3,620.37
Answering 365	125207	06/22/2023	\$ 154.65
Bird, Larry	125208	06/22/2023	\$ 100.00
Harrington Industrial Plastics	125209	06/22/2023	\$ 1,124.95
Jones, Debra	125210	06/22/2023	\$ 100.00
Konica Minolta Business Solutions	125211	06/22/2023	\$ 391.50
Nassif, Scott	125212	06/22/2023	\$ 100.00
Socal Jcb	125213	06/22/2023	\$ 3,053.39
Accurate Measurement Systems, Inc	125214	06/29/2023	\$ 3,358.48
Blaine Tech Services, Inc.	125215	06/29/2023	\$ 6,075.00
Brown Bear Corp	125216	06/29/2023	\$ 9,727.33
Dell Inc.	125217	06/29/2023	\$ 351.25
Gfoa	125218	06/29/2023	\$ 345.00
Harrington Industrial Plastics	125219	06/29/2023	\$ 813.42
High Desert Lock & Safe	125220	06/29/2023	\$ 195.00
Johnson Controls Fire Protection Lp	125221	06/29/2023	\$ 1,263.00
Multi W Systems, Inc	125222	06/29/2023	\$ 1,168.72
Shredyourdocs.Com	125223	06/29/2023	\$ 114.00
Southern Counties Lubricants	125224	06/29/2023	\$ 823.09
The Woodall Group Inc.	125225	06/29/2023	\$ 72.00
United Rentals Northwest, Inc	125226	06/29/2023	\$ 7,928.90
		<b>Total Checks</b>	<b>\$ 104,780.81</b>
2G Energy Inc.	20783	06/07/2023	\$ 1,074.48
A.D.S. Corp.	20784	06/07/2023	\$ 7,700.00
Anaergia Technologies, Llc	20785	06/07/2023	\$ 29,368.40
Babcock Laboratories, Inc.	20786	06/07/2023	\$ 22,184.54

**Victor Valley Wastewater Reclamation Authority**  
**Cash Disbursement Register**  
**From 6/1/2023 through 6/30/2023**

Vendor Name	Payment #	Date	Total
Bargain Byte	20787	06/07/2023	\$ 6,006.62
Biogas Engineering	20788	06/07/2023	\$ 3,600.00
Blue Ally Technology Sol. (Prev. Virtual Graffiti)	20789	06/07/2023	\$ 10,874.94
Brenntag Pacific, Inc	20790	06/07/2023	\$ 3,074.10
Cdw Government, Inc	20791	06/07/2023	\$ 8,861.56
Collicutt Energy Services Inc	20792	06/07/2023	\$ 47,353.71
Consumers Pipe & Supply, Co.	20793	06/07/2023	\$ 7,364.37
Crane Pro Services	20794	06/07/2023	\$ 1,499.00
Culligan Water Conditioning	20795	06/07/2023	\$ 611.48
Dorado, Allen	20796	06/07/2023	\$ 357.65
Dudek	20797	06/07/2023	\$ 20,052.50
Fha Services, Inc.	20798	06/07/2023	\$ 750.19
G & M Automotive Center	20799	06/07/2023	\$ 12,750.11
Grainger	20800	06/07/2023	\$ 17,228.20
Granicus, Inc.	20801	06/07/2023	\$ 800.00
Hach Company	20802	06/07/2023	\$ 59,614.16
Labor Finders	20803	06/07/2023	\$ 3,455.05
Larry Walker Associates	20804	06/07/2023	\$ 3,314.00
Mcmaster-Carr Supply Co.	20805	06/07/2023	\$ 187.50
Mullikin, Danny	20806	06/07/2023	\$ 377.00
Polydyne Inc.	20807	06/07/2023	\$ 12,441.00
Prudential Overall Supply	20808	06/07/2023	\$ 853.99
Quinn Company	20809	06/07/2023	\$ 4,764.29
Swatzell, Richard	20810	06/07/2023	\$ 263.30
Tesco Controls (Prev. Trimax Systems)	20811	06/07/2023	\$ 2,764.40
T-Mobile	20812	06/07/2023	\$ 393.12
Trakstar	20813	06/07/2023	\$ 7,600.00
U.S. Bank	20814	06/07/2023	\$ 6,016.06
U.S.A. Bluebook	20815	06/07/2023	\$ 2,256.58
Underground Service Alert Of Southern California	20816	06/07/2023	\$ 102.75
Victor Valley Wastewater Employees Assoc	20817	06/07/2023	\$ 812.50
Waxie Sanitary Supply	20818	06/07/2023	\$ 136.91
White Cap, L.P.	20819	06/07/2023	\$ 804.56
Xylem Water Solutions	20820	06/07/2023	\$ 1,661.63
Anaergia Technologies, Llc	20821	06/08/2023	\$ 483,657.50
2G Energy Inc.	20822	06/14/2023	\$ 45,378.89
Adt Commercial	20823	06/14/2023	\$ 516.06
Ametek Arizona Instrument, Llc DbA Ametek Brookfield	20824	06/14/2023	\$ 1,500.00
Applied Maintenance Supplies & Solution	20825	06/14/2023	\$ 4,247.03
Best, Best & Krieger, L.L.P.	20826	06/14/2023	\$ 33,300.40
Blackline Safety Corp	20827	06/14/2023	\$ 210.00
C.S. Amsco	20828	06/14/2023	\$ 3,835.78
California School Veba	20829	06/14/2023	\$ 674.93
Castro, Moises	20830	06/14/2023	\$ 159.00
Cdw Government, Inc	20831	06/14/2023	\$ 2,531.31

**Victor Valley Wastewater Reclamation Authority**  
**Cash Disbursement Register**  
**From 6/1/2023 through 6/30/2023**

Vendor Name	Payment #	Date	Total
Cintas Corporation	20832	06/14/2023	\$ 444.98
Consumers Pipe & Supply, Co.	20833	06/14/2023	\$ 2,843.30
Daily Express	20834	06/14/2023	\$ 1,820.00
Fha Services, Inc.	20835	06/14/2023	\$ 5,046.36
Graham Equipment	20836	06/14/2023	\$ 9,760.00
Grainger	20837	06/14/2023	\$ 2,080.82
Hach Company	20838	06/14/2023	\$ 1,526.75
Luhdorff And Scalmanini	20839	06/14/2023	\$ 450.00
Mcmaster-Carr Supply Co.	20840	06/14/2023	\$ 443.88
Orkin	20841	06/14/2023	\$ 1,170.97
Parker, Kyle	20842	06/14/2023	\$ 112.58
Procurement Consulting Services, Llc.	20843	06/14/2023	\$ 1,865.00
Prudential Overall Supply	20844	06/14/2023	\$ 1,736.84
Veteran Janitorial, Llc	20845	06/14/2023	\$ 2,730.00
Anthony, Donna	20846	06/22/2023	\$ 420.00
Billings, Richard	20847	06/22/2023	\$ 420.00
Correia, Linda	20848	06/22/2023	\$ 420.00
Dagnino, Roy	20849	06/22/2023	\$ 420.00
Davis, Tim	20850	06/22/2023	\$ 420.00
Flint, Terrie Gossard	20851	06/22/2023	\$ 269.02
Gyurcsik, Darline	20852	06/22/2023	\$ 269.02
Hinojosa, Thomas	20853	06/22/2023	\$ 420.00
Keniston, Olin	20854	06/22/2023	\$ 269.02
Main, Randy	20855	06/22/2023	\$ 420.00
Mcgee, Mark	20856	06/22/2023	\$ 420.00
Montgomery, Lillie	20857	06/22/2023	\$ 148.68
Nalian, L. Christina	20858	06/22/2023	\$ 148.68
Nave, Patrick	20859	06/22/2023	\$ 420.00
Aerzen Usa	20860	06/22/2023	\$ 7,706.69
American Express	20861	06/22/2023	\$ 12,094.07
Applied Maintenance Supplies & Solution	20862	06/22/2023	\$ 1,546.35
Avila, Marcos	20863	06/22/2023	\$ 70.00
Beck Oil, Inc.	20864	06/22/2023	\$ 69.13
Cdw Government, Inc	20865	06/22/2023	\$ 705.28
Dxp Enterprises	20866	06/22/2023	\$ 63,569.73
Grainger	20867	06/22/2023	\$ 2,380.18
Higgins, Dakota	20868	06/22/2023	\$ 100.00
High Desert Affordable Landscaping	20869	06/22/2023	\$ 5,034.00
Infinite-Data Llc	20870	06/22/2023	\$ 9,600.00
Koncur, Michael	20871	06/22/2023	\$ 40.00
Laari, Latif	20872	06/22/2023	\$ 146.07
Labor Finders	20873	06/22/2023	\$ 2,854.68
Mcgrath Rentcorp	20874	06/22/2023	\$ 6,012.82
Medina, Michael	20875	06/22/2023	\$ 575.09
Palazzo, Cyle	20876	06/22/2023	\$ 346.17

**Victor Valley Wastewater Reclamation Authority**  
**Cash Disbursement Register**  
**From 6/1/2023 through 6/30/2023**

<b>Vendor Name</b>	<b>Payment #</b>	<b>Date</b>	<b>Total</b>
Qed Environmental Systems, Inc.	20877	06/22/2023	\$ 4,053.01
Rodriguez, Jordan	20878	06/22/2023	\$ 166.36
Waxie Sanitary Supply	20879	06/22/2023	\$ 285.71
Wylie, David	20880	06/22/2023	\$ 34.05
Xylem Water Solutions	20881	06/22/2023	\$ 30,128.21
2G Energy Inc.	20882	06/29/2023	\$ 10,464.14
Alvarez, Juan	20883	06/29/2023	\$ 46.61
Applied Maintenance Supplies & Solution	20884	06/29/2023	\$ 1,297.14
Babcock Laboratories, Inc.	20885	06/29/2023	\$ 33,874.47
Beck Oil, Inc.	20886	06/29/2023	\$ 2,566.29
Biogas Power Systems- Mojave, Llc	20887	06/29/2023	\$ 64,119.27
Blue Siren, Inc.	20888	06/29/2023	\$ 6,767.00
Brenntag Pacific, Inc	20889	06/29/2023	\$ 6,142.84
Cdw Government, Inc	20890	06/29/2023	\$ 2,886.01
Cintas Corporation	20891	06/29/2023	\$ 1,013.55
Collicutt Energy Services Inc	20892	06/29/2023	\$ 14,038.19
Consumers Pipe & Supply, Co.	20893	06/29/2023	\$ 3,569.19
Davis Electric, Inc	20894	06/29/2023	\$ 16,980.00
Evoqua Water Technologies Llc	20895	06/29/2023	\$ 186,372.71
Fha Services, Inc.	20896	06/29/2023	\$ 12,321.25
G & M Automotive Center	20897	06/29/2023	\$ 360.00
Grainger	20898	06/29/2023	\$ 15,049.75
Haaker Equipment Company	20899	06/29/2023	\$ 9,230.61
Hach Company	20900	06/29/2023	\$ 22,065.78
Labor Finders	20901	06/29/2023	\$ 1,285.60
Larry Walker Associates	20902	06/29/2023	\$ 1,989.25
Luhdorff And Scalmanini	20903	06/29/2023	\$ 6,705.00
Mcmaster-Carr Supply Co.	20904	06/29/2023	\$ 169.79
Orkin	20905	06/29/2023	\$ 669.98
Polydyne Inc.	20906	06/29/2023	\$ 37,323.00
Prudential Overall Supply	20907	06/29/2023	\$ 1,754.56
Qed Environmental Systems, Inc.	20908	06/29/2023	\$ 338.05
Rockwell Engineering	20909	06/29/2023	\$ 17,128.91
U.S.A. Bluebook	20910	06/29/2023	\$ 143.44
Vertech Industrial Systems	20911	06/29/2023	\$ 8,487.50
Waxie Sanitary Supply	20912	06/29/2023	\$ 1,371.78
Xylem Water Solutions	20913	06/29/2023	\$ 1,277.40
Flyers Energy, Llc	DFT04026	06/08/2023	\$ 1,548.99
Lincoln Financial Group	DFT04027	06/08/2023	\$ 6,303.49
Lincoln Financial Group	DFT04028	06/08/2023	\$ 74.66
Principal Life Ins. Co.	DFT04029	06/08/2023	\$ 3,684.46
Southern California Edison	DFT04030	06/08/2023	\$ 866.42
Southwest Gas Company	DFT04031	06/08/2023	\$ 9,963.94
Southwest Gas Company	DFT04032	06/08/2023	\$ 36,527.99
Town Of Apple Valley	DFT04033	06/08/2023	\$ 188.24

**Victor Valley Wastewater Reclamation Authority**  
**Cash Disbursement Register**  
**From 6/1/2023 through 6/30/2023**

Vendor Name	Payment #	Date	Total
Ups	DFT04034	06/08/2023	\$ 47.16
Ups	DFT04035	06/08/2023	\$ 41.68
Ups	DFT04036	06/08/2023	\$ 184.74
Quadient Leasing Usa, Inc	DFT04037	06/15/2023	\$ 293.98
Sparkletts Drinking Water	DFT04038	06/15/2023	\$ 1,449.32
State Water Resources Control Board	DFT04039	06/15/2023	\$ 1,027,609.73
State Water Resources Control Board	DFT04040	06/15/2023	\$ 271,632.70
Southern California Edison	DFT04041	06/15/2023	\$ 2,406.88
Southern California Edison	DFT04042	06/15/2023	\$ 15,514.10
Southern California Edison	DFT04043	06/15/2023	\$ 25,308.50
Liberty Utilities	DFT04049	06/22/2023	\$ 125.38
Southern California Edison	DFT04050	06/22/2023	\$ 63,275.41
Southwest Gas Company	DFT04051	06/22/2023	\$ 32.27
Southwest Gas Company	DFT04052	06/22/2023	\$ 25.00
Southwest Gas Company	DFT04053	06/22/2023	\$ 25.00
Flyers Energy, Llc	DFT04054	06/27/2023	\$ 1,709.73
Sparkletts Drinking Water	DFT04055	06/27/2023	\$ 1,269.95
Ups	DFT04056	06/27/2023	\$ 574.76
Ups	DFT04057	06/27/2023	\$ 263.03
Ups	DFT04058	06/27/2023	\$ 454.01
<b>Total EFT's and ACH</b>			<b>\$ 3,028,985.63</b>

<p style="color: red; font-weight: bold;">Approved</p> 	<b>Total Checks</b>	<b>\$ 104,780.81</b>
	<b>Total EFT's and ACH</b>	<b>\$ 3,028,985.63</b>
	<b>Total Payroll - May 2023</b>	<b>\$ 538,541.60</b>
	<b>Total</b>	<b>\$ 3,672,308.04</b>



VICTOR VALLEY WASTEWATER RECLAMATION AUTHORITY
Board of Commissioners Staff Report

TO: VVWRA Board of Commissioners
FROM: Darron Poulsen, General Manager
SUBMITTED BY: Robert Coromina, Director of Administration
DATE: July 20, 2023
SUBJECT: APPROVAL OF VVWRA NON-REPRESENTED EMPLOYEES' COMPENSATION AND BENEFITS PLAN CHANGES

Form with checkboxes for: For Action, Information Only, Fiscal Impact, Account Code, Funds Budgeted/ Approved.

STAFF RECOMMENDATION

It is recommended that the Board of Commissioners approve the proposed changes VVWRA Non-Represented Employees Compensation and Benefits Plan.

PREVIOUS ACTION(S)

The original agreement was presented and approved by the Board of Commissioners on June 15, 2023.

BACKGROUND INFORMATION

A VVWRA employee association was established in 2016. At that time, for confidentiality and to minimize any conflict of interest most of the administrative staff was not eligible for membership into the VVWRA employee's association:

The Authority has met and informed the Non-Represented Employees of the proposed changes outlined in the new version. An opportunity was provided to allow these staff members the opportunity to voice any concern and address any questions, no issues or concerns were raised by staff.

Changes of the agreement include:

- Agreement Title Change - Document title to be changed from Non-Represented MOU to Non-Represented Employees Compensation and Benefits Plan
No Term (Year to Year agreement).
Annual Bonus - Based on Performance and goal achievement. Only given when fiscally available and approved by the Board. (Non PERS)
457 Contribution (up to 3% Match)
Administrative Leave (2-Days) - (All Non-Represented Salary Employees)
Medical Increase (Non-Manager Employees)

Attachment(s): Exhibit 1 - Non-Represented Employees Compensation and Benefits Plan. for the Victor Valley Wastewater Reclamation Authority Administrative Employees



# EXHIBIT 1



VICTOR VALLEY WASTEWATER  
RECLAMATION AUTHORITY

Non-Represented Employees  
Compensation and Benefits Plan

FY 2023/2024

### SECTION 1: Establishment

The Non-Represented Employees' Compensation and Benefit Plan shall be implemented. The following sections shall remain in full force and effect until modified or terminated by action of the Victor Valley Wastewater Reclamation Authority, (VWVRA), Board of Commissioners and may be modified individually or in whole by action of the VWVRA Board of Commissioners.

### SECTION 2: Provisions of Law

It is understood that this Non-Represented Employees Compensation and Benefit Plan is subject to all current and future applicable federal and state laws, federal and state regulations. If any section or provision of the agreement is in conflict or inconsistent with such above applicable laws, rules and regulations, or is otherwise held to be invalid or unenforceable by any competent jurisdiction, such section or provision shall be suspended and superseded by such applicable law or regulations, and the remainder of this resolution shall not be affected thereby.

### SECTION 3: Management Structure

All employees work for the General Manager; however, they have supervisors assigned to them based upon the organizational structure included in the annual budget and as determined by the General Manager.

### SECTION 4: Administrative Employees Classifications

The non-represented job classifications include all job classifications and employees not represented by a recognized employee association as approved by the General Manager. The non-exclusive listing of classifications that are non-represented includes the full-time, part-time, temporary employees, and any other employees to include the following full-time classifications:

<b>Professional (Salary)</b>	<b>MANGEMENT (Salary)</b>
Management Analyst	Environmental Compliance Manager
Human Resources Technician	Operations Supervisor
Executive Assistant to the General Manager	Maintenance Supervisor
PIO & Safety Coordinator	Accounting Supervisor
Lead Accountant	

### SECTION 5: Confidential Employees

Confidential employees are designated as such when an employee, in the course of his or her duties, has access to information relating to the Authority's administration of employer-employee relations. Employees designated as confidential employees may not represent any employee organization which represents other Authority employees concerning the wages, hours or other terms and conditions of employment of such other employees. The employees designated as confidential employees are as follows:

Executive Assistant to the General Manager  
 PIO & Safety Coordinator  
 Human Resources Technician  
 Management Analyst  
 Lead Accountant

#### SECTION 6: Salary

1. The VVWRA Board of Commissioners shall approve and adopt all compensation schedules covering all classes of position in the competitive services, showing the minimum and maximum rates of pay. In arriving at such salary ranges, consideration shall be given to prevailing rates of pay for comparable work including consideration of conditions of work and employer paid benefits as well as basic pay; to current costs of living, considering the index affecting the Victor Valley area; and to the Agency's financial condition and policies. The compensation schedule shall be approved by the Board of Commissioners.
2. Annually, a Cost-of-Living Adjustment (COLA) will be reviewed by management and presented to the Board of Commissioners. The COLA will be based on the annualized Consumer Price Index (CPI) – All Urban Consumers (Area: Riverside-San Bernardino – Ontario).
3. The salary ranges will be listed in the VVWRA Employee Compensation Schedule.
4. Each non-represented full-time employee who is actively employed with the VVWRA on June 17, 2023, may receive a Bonus which will be based on performance and as approved by the Board of Commissioners not to exceed 5% of annual salary.

This one-time payment will be included in the last paycheck received in the month of June 2023 and will not be reported to CalPERS as special compensation.

### **Classifications/Promotions**

#### Purpose

Classification review is a management tool to ensure the accurate reflection of tasks and duties involved in each administrative association VVWRA position for the purpose of recruitment, retention, compensation, and organizational structuring. Whenever administrative association positions are subject to any change as a result of classification review, any Board of Commissioners' action shall be made on the recommendation of the General Manager. Any request to review a classification action shall be submitted to the Authority Director of Administrative Services.

### **Implementation of Classification Study Results**

#### Upgrading

An upgrading is the reclassification of a position from one classification to another classification having a higher base salary range. Whenever an employee is upgraded because of such reclassification, pursuant to the Personnel Rules, such employee's step placement in the new salary range shall be governed by the Article on "Promotions."

#### Downgrading

A downgrading is the reclassification of a position from one classification to another classification having a lower base salary range. When a position is downgraded, the employee may continue at the same salary

rate payment where the salary rate is within the new base salary range. Where an employee receives a salary rate payment greater than the maximum of the new base salary range, the Authority General Manager or their designee, may authorize continuation of the same salary rate payment to the employee that the employee received prior to the downgrading of the position by placing the employee on an “Y” rated step, provided that the employee shall receive no future salary rate increases, including annualized cost of living increases, (CPI), until the salary range maximum of the new classification exceeds the “Y” rated step. While the employee is on the “X” step, they are not eligible for any 5% certification increase.

#### Salary Rate Adjustment

A salary rate (equity) adjustment is a change in the salary range assignment of an existing classification because of a classification/compensation study. Employees whose classification is assigned to a higher base salary range shall be placed on the step in the new range that is approximately a five percent (5%) salary increase, not to exceed the maximum step of the new range. The employee shall be eligible to advance to the next step, if applicable, upon completion of 1 year of service at the new range and step. Subsequent step advances shall be administered in accordance with the Salary Rates and Step Advancements and Merit Advances Articles.

#### Promotions

A promotion is the appointment of an employee from one classification to a classification having a higher base salary range. A promoted employee shall receive at least the entrance rate of the new range or approximately a five percent (5%) increase (i.e., mathematically closest to 5%), whichever is greater, provided that no employee is thereby advanced above the top step of the higher base salary range. At the discretion of the Authority and with the approval of the General Manager or their designee, an employee may be placed at any step within the higher base salary range. Promotions shall be effective only at the beginning of a pay period unless an exception is approved by the Director of Administrative Services.

### SECTION 7: 457 (a) Program

The Authority will provide to all Administrative Association employees a 457 (a) program with contributions every pay period as follows:

#### Professional/Supervisory

- Up to three percent match, (3.0%) of base salary

#### Management

- Up to three percent match, (3.0%) of base salary

\*\*Employees must contribute to plan to receive match. Employer will match the employee's contribution up to 3% max.

Holidays – Paid holidays will be paid at the same number of hours of the employee approved work schedule. For example, employees working a 4/10 schedule: paid holiday will be at ten (10) hours per holiday.

### SECTION 8: Health

Medical/Dental/Vision Contribution. The contribution of the AUTHORITY toward medical, dental and vision insurance shall be as follows:

- Professional staff: \$1,350.00 per month
- Management Staff: \$1,450.00 per month

### SECTION 9: Holidays

All full-time continuous salaried employees shall be compensated at the regular rate for the following holidays:

Juneteenth  
 Independence Day  
 Labor Day  
 Veteran's Day  
 Thanksgiving Day  
 Day after Thanksgiving  
 Christmas Eve  
 Christmas Day  
 New Year's Eve  
 New Year's Day  
 Martin Luther King Jr. Day  
 President's Day  
 Memorial Day  
 Floating Holiday

### SECTION 10: Two-Tiered Management Program

Employees designated as either Professional/Supervisory, Management or Senior Management are not eligible for overtime pay or compensatory time for working hours over and above the normal daily work schedule. Employees so designated shall be entitled to all benefits provided to general employees and the following:

Professional and Management staff:

Administrative Leave to a maximum of two (2) scheduled workdays per fiscal year at the discretion of appropriate supervisor.

New employees' accrual of administrative leave shall be prorated to the end of the fiscal year. Administrative leave is intended to be used in the fiscal year. If an employee separates from employment, however, the employee will be compensated for any accrued, but unused, administrative leave.



**VICTOR VALLEY WASTEWATER RECLAMATION AUTHORITY  
Board of Commissioners Staff Report**

**TO:** VVWRA Board of Commissioners  
**FROM:** Darron Poulsen, General Manager  
**SUBMITTED BY:** Robert Coromina, Director Of Administrative Services  
**DATE:** July 20, 2023  
**SUBJECT:** **RECOMMENDATION TO ADOPT RESOLUTION NO. 2023-12:  
AMEND SURPLUS PROPERTY LIST OF UNUSED EQUIPMENT  
AND SCRAP**

---

<input checked="" type="checkbox"/> <b>For Action</b>	<input type="checkbox"/> <b>Fiscal Impact</b>	<b>\$0</b>
<input type="checkbox"/> <b>Information Only</b>	<input type="checkbox"/> <b>Account Code:</b>	
	<input type="checkbox"/> <b>Funds Budgeted/ Approved:</b>	

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**STAFF RECOMMENDATION**

It is recommended that the Board of Commissioners adopt Resolution No. 2023-12 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.

**PREVIOUS ACTION(S)**

Update from previous surplus property resolution no: 2022-11

**BACKGROUND INFORMATION**

VVWRA is currently in possession of equipment that is categorized as surplus property. In Resolution 2023-12 (Exhibit 1) Pursuant to Resolution No. 2006-10 (Exhibit A), staff would like to begin the surplusing of the property listed in Resolution 2023-12 (Exhibit B). The majority of the said property is to be disposed of or sold as unserviceable junk or scrap. The equipment that is still functional will be disposed of under the policy and procedures regarding the disposal of surplus personal property as outlined in resolution 2006-10.

**Attachment(s):**

**Exhibit 1** – Resolution 2023-12

# EXHIBIT 1



**RESOLUTION NO. 2023-12**

**RESOLUTION TO AMEND LIST OF SURPLUS EQUIPMENT ESTABLISHED UNDER RESOLUTION 2006-10 (RESOLUTION ESTABLISHING POLICY AND PROCEDURES FOR DISPOSING OF SURPLUS PROPERTY, DECLARING ITEMS OF VICTOR VALLEY WASTEWATER RECLAMATION AUTHORITY TO BE SURPLUS PROPERTY AND AUTHORIZING THE SALE AND DISPOSITION THEREOF)**

**WHEREAS**, the Board of Commissioners of the Victor Valley Wastewater Reclamation Authority [Authority] has deemed that it is in the best interest of VVWRA constituents to dispose of certain items of personal property and equipment [Property] as surplus property pursuant to Government Code Section 37350; and

**WHEREAS**, the Authority is empowered, pursuant to Government Code Section 37350, to dispose of said items of property when, in its discretion, it finds that said property is no longer required for purposes of the Authority; and

**WHEREAS**, the Authority adopted Resolution 2006-10 on July 18, 2006 establishing Policy and Procedures as the preferred policies and procedures for the disposal of such surplus property; and

**WHEREAS**, the Authority has determined that the General Manager may declare any personal property as surplus and that such declaration shall be made in writing, the equipment and materials listed in Exhibit B, which is attached hereto and incorporated herein by this reference, shall be disposed of as surplus property as contemplated in the Policy.

**WHEREAS**, the Authority has identified, and the General Manager has declared further personal property as surplus to be disposed of; and

**WHEREAS**, the Authority desires to designate income derived from surplus miscellaneous metals recycling to offset costs associated with employee events.

**NOW THEREFORE, BE IT RESOLVED** that all items listed in Exhibit B shall be declared as surplus property, pursuant to the provisions of Government Code Section 37350, and that the Policy and Procedures attached hereto in Exhibit A shall be followed in order to dispose of said surplus property.

**APPROVED AND AMENDED** at a regular meeting of the Board of Commissioners of Victor Valley Wastewater Reclamation Authority on this 20<sup>th</sup> day of July 2023.

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Scott Nassif, Chair  
VVWRA Board of Commissioners

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Larry Bird, Secretary  
VWRA Board of Commissioners

\_\_\_\_\_  
Piero Dallarda of  
Best Best & Krieger LLP  
General Counsel, VWRA

**CERTIFICATION:**

I do hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the Board of Commissioners held on July 20, 2023.

\_\_\_\_\_  
Kristi Casteel – Clerk of the Board

# EXHIBIT A

Resolution 2023-12

**RESOLUTION NO. 2006-10**

**RESOLUTION ESTABLISHING POLICY AND PROCEDURES FOR DISPOSING OF SURPLUS PROPERTY, DECLARING ITEMS OF VICTOR VALLEY WASTEWATER RECLAMATION AUTHORITY TO BE SURPLUS PROPERTY AND AUTHORIZING THE SALE AND DISPOSITION THEREOF**

**WHEREAS**, the Board of Commissioners of the Victor Valley Wastewater Reclamation Authority [Authority] has deemed that it is in the best interest of VVWRA’s constituents to dispose of certain items of personal property and equipment [Property] as surplus property pursuant to Government Code Section 37350;

**WHEREAS**, the Authority is empowered, pursuant to Government Code Section 37350, to dispose of said items of property when, in its discretion, it finds that said property is no longer required for purposes of the Authority;

**WHEREAS**, the Authority has determined that the Policy and Procedures attached hereto as Exhibit A and incorporated herein by this reference, are the preferred policies and procedures to dispose of such surplus property; and,

**WHEREAS**, the Authority has determined that, at this particular time, the equipment and materials listed in Exhibit B, which is attached hereto and incorporated herein by this reference, shall be disposed as surplus property as contemplated in the policy,

**THEREFORE, BE IT RESOLVED** that, pursuant to the provisions of Government Code Section 37350, the Board of Commissioners of the Victor Valley Wastewater Reclamation Authority adopts the Policy and Procedures attached hereto as Exhibit A as the policies and procedures that VVWRA shall follow in order to dispose of surplus property.

**ADOPTED** at a regular meeting of the Board of Commissioners of Victor Valley Wastewater Reclamation Authority on this 18<sup>th</sup> day of July 2006.

  
\_\_\_\_\_  
Ed Pack, Chair  
VVWRA Board of Commissioners

ATTEST:  
  
\_\_\_\_\_  
Rudy Cabriales, Secretary  
VVWRA Board of Commissioners

APPROVED AS TO FORM:  
  
\_\_\_\_\_  
Piero Dallarda  
of Best Best & Krieger LLP  
General Counsel, VVWRA

VICTOR VALLEY WASTEWATER RECLAMATION AUTHORITY

**POLICY AND PROCEDURES RE DISPOSAL OF SURPLUS PERSONAL PROPERTY**

**Designation of surplus personal property.**

The General Manager may, after consultation with the appropriate personnel at VVWRA, declare any personal property as surplus. The declaration shall be in writing, and the property shall be delivered to the General Manager by those employees of VVWRA that have custody and control over it. The General Manager shall store the property and maintain a written inventory. If any supervisor or manager of any department at VVWRA has use of the property, he or she may so request from the General Manager who shall have the authority to assign the property to any department able to make best use of such property. If, however, no supervisor or manager makes request for the use of such property in his department after the inventory has been circulated at least once, then the property shall be finally deemed surplus and having no further public use or benefit.

**Sale by sealed bid or auction of surplus personal property.**

The General Manager shall, in all cases where the estimated value of the particular item of personal property is five thousand dollars or more, and may, in the sale of all other personal property where, in his or her discretion, he or she determines it in the best interest of VVWRA, sell surplus personal property by means of sealed bid or public auction. The procedure for conducting such sale shall be determined by the General Manager, providing, however, that the following are included in such procedure: (1) At least one notice, three days before the sale, shall be posted in three public places in the VVWRA service area, containing a general description of the type of property to be sold and the time and place of such bid opening or auction; (2) That the terms of all sales shall be cash; (3) The sale by sealed bid or auction shall be to the highest responsible bidder; (4) That a receipt be given to the purchaser. In conducting an auction, the General Manager may contract with a professional auctioneer, and his or her fee may either allow a flat fee, hourly fee, or a percentage of the amount of the sale, based upon that which is the common and customary method and rate for such auctioneering services. The auction may be conducted at the most convenient business location to the person or entity conducting the auction as long as VVWRA's General Manager concurs on the location.

**Sale in open market of surplus personal property.**

If the surplus property is in usable condition and its estimated value is less than five thousand dollars, the surplus property may be disposed of in the following manner: The General Manager shall make an investigation of the market conditions of personal property of the type declared surplus and determine prices for all surplus property which, in his or her opinion, will be competitive with prices in the open market. He or she may then sell the personal property at market prices by advertising in the most appropriate means which, in his or her opinion, will bring the greatest number of potential purchasers. A notice of the sale shall be posted in three public places within VVWRA's service area, at least three days before the sale, which notice shall set forth the day and time it shall begin; the number of days it is to be continued if it is to last more than one day; the place where the articles may be examined; the place where the

purchase price is to be paid and the property delivered; and a general description of the type of property being sold. The terms of all such sales shall be cash in the amount of the full purchase price. The General Manager or his or her authorized representative shall give a receipt to the purchaser of such property and keep a copy for the files. No sale may be made under this section to any employee. As an alternate to the procedure in this section, the General Manager may dispose of the property by contracting with a professional auctioneer, and his or her fee may either allow a flat fee, hourly fee, or a percentage of the amount of the sale, based upon that which is the common and customary method and rate for such auctioneering services. The auction may be conducted at the most convenient business location to the person or entity conducting the auction as long as VVWRA's General Manager concurs on the location.

**Trade-in surplus personal property.**

Notwithstanding any provisions of this article for the sale of surplus personal property in the open market or any auction, the General Manager may trade in surplus personal property with an amount he or she determines to be reasonable, to be allowed toward the purchase of a similar type of personal property. Typical situations where this might apply might be in the disposal of used motor vehicles and other machinery and equipment for which trade-ins are commonly permitted by the manufacturer.

**Sale of unserviceable junk or scrap personal property.**

When any surplus property is deemed to be unserviceable, junk or scrap, no longer suitable for its original purpose, the General Manager shall dispose of such personal property by destruction, trade or sale of said personal property at the best competitive price available in the open market without regards to the other provisions of this article.

**Conveying surplus personal property to charitable, nonprofit organizations.**

Notwithstanding the other provisions of this article, the Board of Commissioners may convey to a charitable nonprofit organization or a school district any surplus personal property upon receiving reasonable assurances that the property (or the proceeds therefrom) will be used for the benefit of educational, scientific, or charitable purposes, or for community matters such as recreation, education, aid to the destitute, city beautification, or any other activity in which the city government may legitimately participate. The maximum estimated value for said personal property shall not exceed five thousand dollars.

**Conveying surplus personal property to other public agencies.**

Notwithstanding the other provisions of this article, the Board of Commissioners may convey or sell without recourse to sealed bid or auction surplus personal property to other public agencies including cities, counties, school districts, special districts and joint powers agencies as may be determined by the Board.

July 7, 2006

MEMORANDUM

**TO:** LOGAN OLDS, ACTING GENERAL MANAGER  
VICTOR VALLEY WASTEWATER RECLAMATION AUTHORITY

**FROM:** PIERO C. DALLARDA  
GENERAL COUNSEL

**RE:** SALE OF SURPLUS PROPERTY

Victor Valley Wastewater Reclamation Authority ("VWVRA") has inquired about the authority to sell surplus personal property and the procedures to do so. This memorandum provides information regarding these issues.

**1. Sale of Surplus Property**

The Joint Powers Agreement for VWVRA does not specifically provide that VWVRA is authorized to conduct its affairs under the procedures dictated for special districts or municipal water districts.<sup>1</sup> Therefore, VWVRA typically follows rules applicable to City in the conduct of its official affairs. Under California Government Code Section 37350, a city may sell personal property as a means of "disposal" if it is "for the common benefit."<sup>2</sup> (*See Government Code Section 37350.*) The legislative body of a city, therefore, is vested with the free and unrestricted discretionary power to determine what personal property shall be disposed of, and when and how that disposition shall be made. (*Davis v. City of Santa Ana*, 108 Cal.App.2d 669, 683 (1952).) The only restriction imposed by the general basic law is that such disposition shall be for the benefit of the city and its constituents. (*Davis* at 683.)

VWVRA has the authority to sell surplus property as long as it is for "the common benefit." VWVRA can make a strong argument that the surplus property has no present or prospective use for the equipment and materials. Also, sale of the equipment and materials would be for the common benefit as proceeds from the sale would go to VWVRA's general fund and would therefore benefit VWVRA and its constituents.

**2. Potential Liability Issues**

As some of the surplus may have been used for sewage disposal and may be damaged, there may exist potential liability issues should the equipment and materials later be used for potable purposes. Under Government Code Section 820.2, a public employee is not liable for an

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<sup>1</sup> It has been the advice of legal counsel that VWVRA insert such a provision at the time the JPA is amended.

<sup>2</sup> Government Code Section 37350 states, "a city may purchase, lease, receive, hold, and enjoy real and *personal property*, and control and *dispose* of it *for the common benefit.*" *Government Code Section 37350* (emphasis added).

injury resulting from his act or omission where the act or omission was the result of the exercise of discretion vested in him. An act is "discretionary" if it requires personal deliberation, decision, and judgment while an act is ministerial if it amounts only to obedience to orders for performance of a duty in which the employee is left no choice of his own. (*See Morgan v. Yuba County*, 230 Cal.App.2d 938 (1964).) The decision whether or not to sell the equipment and materials could be construed as a discretionary act because it requires VVWRA officials to deliberate the pros and cons of having or not having the regulation in place. Therefore, under section 820.2, VVWRA officials would be immune from lawsuits alleging negligence in making a decision to sell the surplus property

Under Government Code Section 815.2(b), a public entity is not liable for an injury resulting from an act or omission of an employee of the public entity where the employee is immune from liability. Therefore, because VVWRA officials would be immune from suit regarding the decision to sell the PVC equipment and materials because such a decision is a discretionary act under Section 820.2, VVWRA would also not be liable for the decision to eliminate the regulation.

VVWRA is covered by the Tort Claims Act found in Government Code Section 810 et seq. Under the Tort Claims Act, the only way VVWRA could be liable for putting into commerce potentially dangerous equipment and materials is if there exists a statute which places an affirmative duty on VVWRA to the injured party to not allow potentially dangerous equipment and materials to be placed into the stream of commerce. No such statutory affirmative duty exists. Therefore, VVWRA would not be liable for placing into commerce potentially dangerous equipment and materials.

### **3. Policy and Procedure For Sale of Surplus Property**

Attached as Exhibit A is a suggested policy and procedure to dispose of surplus personal property. We recommend that VVWRA adopt a resolution that basically adopts the attached policy and procedures. We have attached a sample resolution as Exhibit B.



# VWVRA

## Surplus Property Inventory Worksheet



Department: Maintenance

Page: 1 of 2

Sheet: To Auction

	Item Description	Model #	Location	Quantity
1	1981 Caterpillar Track Loader	933	Behind warehouse	01 each
2	Lincoln welder/generator	Ac225/dc210/6	Northside warehouse	01 each
3	Various size storage bins	na	Northside warehouse/inside	09 each outside 03 each inside
4	Hydraulic driven street sweeper	na	Behind warehouse	01 each
5	Multiquip 5000 generator gas driven	na	Inside warehouse	01 each
6	Lincoln electric welder w/ cart	Sp-100	Inside warehouse	01 each
7	2"x 3/4" pvc pipe saddles	na	Inside warehouse	08 cases
8	Stang Hydronics trailer mounted 8" pump/eng driven	80mmp	Contact tank area	01 unit
9	Vista camper shell (full size truck)	na	Contact tank area	01 each
10	Clemco Sanblaster wheel-mounted	1648	Behind conex boxes	01 each
11	Aluminum tool boxes	na	Behind warehouse	02 each
12	Rigid pipe threader	555	Between conex boxes	01 each
13	Lindsay sandblaster	100	Between conex boxes	01 each
14	Morris Barrel Tilter 800 lb capacity	185A	Between conex boxes	01 each
15	Misc. Furniture (4 bookshelve, 5 desks, misc. chairs)	na	Conex box #3	01 lot
16	Trailer Mounted generator, propane gas driven engine	na	Round house	01 unit
17	Utility trailer 8' x 5'	na	Round house	01 each
18	340 gallons raised base storage tanks	na	Round house	01 each

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19	Honda easy start lawnmower	na	Between conex boxes	01 each
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6-8

VWVRA  
Surplus Property Inventory Worksheet



Department: Maintenance

Page: 1 of 1

Sheet: Trash or Scrap

	Item Description	Model #	Location	Quantity
1	Empty barrels 55gal	na	Roundhouse	11 each
2	Electric sewage pumps	na	Northside warehouse	03 each
3	Electric mixing pump	na	Northside warehouse	01 each
4	Flanged 16" butterfly valves	na	Northside warehouse	02 each
5	Contractor Shop Vac 10 gallons	na	Between conex boxes	01 each
6	Wacker trash pump w/trailer	na	Behind warehouse	01 each
7	Paco pump casing	na	Behind warehouse	01 each
9	Storage Lockers	na	Between conex boxes	03 each
10	Electric driven air mover	na	Between conex boxes	01 unit
11	Air inlet housing	na	Round house	01 each
12	Dorr-oliver grit classifier	na	Round house	01 each
13	Storage tanks	na	Round house	03 each
14	Aro Industrial Cart	na	Between conex boxes	01 each
15	Various Size PVC Pipe	Sch120,sch40, sch80, yellow mine	Behind Warehouse, Round house, Conex boxes	8,000+ feet
16	Scrap metal	Aluminum, steel, stainless steel	Behind Warehouse, conex boxes, roundhouse	6000+ lbs 1- 20 cubic yard roll-off
17	Scrap wood/ pallets	na	Central location Rounhouse	15 cubic yard roll-off
18	Lighting and poles	na	Roundhouse	04 each
19	Concrete	na	Central location Rounhouse	2-30 cubic yard tall roll offs
20	Fiberglass Tanks	na	Roundhouse	?

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**VVWRA**  
**Surplus Property Inventory Worksheet**

*HAZARDOUS  
WASTE*

Department: Maintenance

Page: 1 of 1

Sheet: Hazardous Waste

	Item Description	Model #	Location	Quantity
1	Lighting Batteries		Pallet southside warehouse	04 each
2	Isco Samplers (Freon)	2910/3700	Northside warehouse/ roundhouse	04 each
3	Tires	na	Central location Roundhouse	18 each
4	Oxidizer (permananato)	50 kg	Roundhouse	10 each

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### VWRA Surplus Property Inventory Worksheet

Department MIS department

Page 1 of 1

Date 06\05\06

Completed By Tony Samaniego

	Item Description	Location	Quantity
<b>Auction</b>	1 CRT Monitors	Old Shop( Admin. bldg.)	12
	2 PC Towers (No H.D)	Old Shop( Admin. bldg.)	10
	3 Keyboards	Old Shop( Admin. bldg.)	23
	4 Mice	Old Shop( Admin. bldg.)	14
	5 Fax Machine	Old Shop( Admin. bldg.)	1
	6 320 HP deskjet printer	Old Shop( Admin. bldg.)	1
	7 HP deskjet 540	Old Shop( Admin. bldg.)	1
	8 HP 550C deskjet	Old Shop( Admin. bldg.)	1
	9 Monroe 2805 calculator	Old Shop( Admin. bldg.)	1
	10 AST labtop w/PS	Old Shop( Admin. bldg.)	1
11			
<b>Trash</b>	12 CRT Monitors	Old Shop( Admin. bldg.)	8
	13 Printers	Old Shop( Admin. bldg.)	7
	14 Key boards	Old Shop( Admin. bldg.)	1
	15 LCD flat panel monitor	Old Shop( Admin. bldg.)	1
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# EXHIBIT B

Resolution 2023-12

**Victor Valley Wastewater  
Surplus Equipment  
Exhibit 02**

Item	Item Description	Model #	Additional Info	Location	Qty
1	Misc. Obsolete IT equipment and Supplies	Samsung TV	Broken No longer usable	Old Administration Building	1
2	Misc. Obsolete IT equipment and Supplies	Hard Drives	No longer usable	Old Administration Building	26
3	Misc. Obsolete IT equipment and Supplies	Old PLC 5's	No longer usable	Old Administration Building	4
4	Misc. Obsolete IT equipment and Supplies	Old Uninterrupted Battery Backups	No longer usable	Old Administration Building	12
5	Misc. Obsolete IT equipment and Supplies	Old Cameras	Broken No longer usable	Old Administration Building	4
6	Misc. Obsolete IT equipment and Supplies	Old Network Switches	Obsolete no longer in use	Old Administration Building	16
7	Misc. Obsolete electrical equipment and Supplies	Old VFD's	Obsolete no longer in use	E&I warehouse	3
8	Misc. Obsolete electrical equipment and Supplies	Old electrical buckets	Obsolete no longer in use	E&I warehouse	6
9	Misc. Obsolete electrical equipment and Supplies	Flow Tubes	Broken No longer usable	E&I warehouse	5
10	Misc. Obsolete electrical equipment and Supplies	Sampling Equipment	Broken No longer usable	Round House	13
11	Misc. Obsolete electrical equipment and Supplies	Various Obsolete instruments	Broken No longer usable	E&I warehouse	21
12	Waukesha Engine			Warehouse Storage area	1
13	Gem Cart	5ASAK27418F046184		Warehouse Storage area	1
14	Club Car	PH0845-978811		Warehouse Storage area	1
15	EZ-GO GOLF CART			Warehouse Storage area	1
16	Misc. Maintenance Parts			Warehouse	
17	Parts Bins need to be gone			Warehouse	
19	3-Generators and 2-Compressors			Warehouse Storage area	5
20	Tool Boxes			Warehouse Storage area	2

21	Old Vactor truck	1FDYS82A3PVA14307		Plant	1
22	Misc. Broken Parts and pieces to process equipment			Warehouse Storage area	
23	Misc. Process equipment				
24	Chemicals/paints that are no used			Warehouse Storage area	
25	2005 FORD F-450	1FDXW47P55EC98929		Plant	1
26	Misc. Pumps and Valves			Warehouse Storage area	
27	Misc. Vehicle parts(Shocks, filters, Belts, etc)			Warehouse Storage area	2 Pallets
28	Club Car Golf cart	PHO82996326		Warehouse Storage area	1
29	Maximizer Car lift			Warehouse	1
30	Mill trailblazer Welder			Warehouse	1
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32					
33					
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# EXHIBIT 1

**RESOLUTION 2013-13**

**RESOLUTION OF THE VICTOR VALLEY WASTEWATER RECLAMATION  
AUTHORITY TO APPROVE GRANT POLICY**

**WHEREAS**, the Victor Valley Wastewater Reclamation Authority, a California Joint Powers Authority, (“VWVRA”) from time to time applies for grants and/or funds provided by federal, state, local authorities and/or private parties for undertakings and/or projects that are consistent with and in furtherance of the public mission or objective of the VWVRA;

**WHEREAS**, VWVRA follows all applicable federal, state, and local regulations related to applications for grant funding;

**WHEREAS**, VWVRA’s internal controls are processes implemented by the VWVRA’s Board of Commissioners, management, and staff with the advice of legal counsel to provide reasonable assurance that VWVRA achieves its objective related to its operations, as well as the reporting and compliance of the state and federal grants and expenditures;

**WHEREAS**, VWVRA considers the Committee of Sponsoring Organization (COSO) of the Treadway Commission requirements while developing its internal control processes;

**WHEREAS**, the Board of Commissioners of VWVRA (the “Board of Commissioners”) is responsible for approving all cash disbursements on a monthly basis as part of regularly conducted public meetings;

**WHEREAS**, financial statements including grant activities with budget comparisons are presented to the Board of Commissioners on a quarterly basis and are always made available to the public;

**WHEREAS**, the Board of Commissioners adopts the Authority’s budget on an annual basis following a public hearing;

**WHEREAS**, VWVRA utilizes specific general ledger accounts and project codes to track revenues and expenditures relating to the grant;

**WHEREAS**, the Board of Commissioners has determined, upon the advice of VWVRA staff, that an official grant policy should be adopted to apply to any VWVRA program, department, or division preparing and submitting grant applications to agencies outside VWVRA for funds, materials, or equipment to be received and administered by VWVRA or by an agency for which VWVRA acts as fiscal agent;

**NOW THEREFORE**, the Board of Commissioners of the Victor Valley Wastewater Reclamation Authority hereby ordains as follows,

**Section 1. Findings.** The Board of Commissioners asserts and adopts the findings set forth above as well as the staff recommendation and exhibits attached to this Resolution;

**Section 2. Adoption of Grant Policy.** The Board of Commissioners adopts the Grant Policy attached hereto as Exhibit “A”.

**Section 3. Effective Date.** This Resolution shall become effective upon its approval or adoption.

**ADOPTED** this 20<sup>th</sup> day of July, 2023.

\_\_\_\_\_  
Scott Nassif, Chair  
VWRA Board of Commissioners

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Larry Bird, Secretary  
VWRA Board of Commissioners

\_\_\_\_\_  
Piero Dallarda of  
Best Best & Krieger LLP, Counsel VWRA

**CERTIFICATION:**

I do hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the Board of Commissioners held on July 20, 2023.

\_\_\_\_\_  
Kristi Casteel – Clerk of the Board

# EXHIBIT A

Resolution 2023-13



## VICTOR VALLEY WASTEWATER RECLAMATION AUTHORITY GRANT MANAGEMENT POLICY

### DEFINITION

The definition of a grant for purposes of this policy is as follows: An award of financial assistance in the form of money or property by a funding source including the federal government, state government, other local governments, non-profit agencies, and private businesses and citizens that the Authority has the ability to accept or reject.

### POLICY STATEMENT

It is the policy of Victor Valley Wastewater Reclamation Authority, a California Joint Powers Authority, (VWRA) to follow all applicable federal, state, and local regulations related to applications for grant funding. The Victor Valley Wastewater Reclamation Authority (Authority) internal controls are processes implemented by the Authority's Board of Commissioners, management, and staff [with the advice of legal counsel](#) to provide reasonable assurance that the Authority achieves its objective related to its operations, as well as the reporting and compliance of the state and federal grants and expenditures. The Authority considers the Committee of Sponsoring Organization (COSO) of the Treadway Commission requirements while developing its internal control processes.

The Board of Commissioners is responsible for approving all cash disbursements on a monthly basis [as part of regularly conducted public meetings](#). Financial statements including grant activities with budget comparisons are presented to the Board of Commissioners on a quarterly basis [and are always made available to the public](#). The Board of Commissioners adopts the Authority's budget on an annual basis [following a public hearing](#). The Authority utilizes specific general ledger accounts and project codes to track revenues and expenditures relating to the grant.

This policy ~~applies is applicable~~ to any Victor Valley Wastewater Reclamation Authority program, department, or division preparing and submitting grant applications to agencies outside the Authority for funds, materials, or equipment to be received and administered by the Authority or by an agency for which the Authority acts as fiscal agent. The goals and objectives of the Authority's departments should be established early in the planning process and should not change based on changes in the availability of different funding sources sought and received. If grant polices and regulations conflict with regulations and policies of the Authority, the federal and state regulations will prevail unless they are less restrictive than Authority's policies-where Authority policy prevails.



No grant will be accepted that will incur management reporting costs greater than the grant amount. Such costs include, but are not limited to, indirect costs, overhead and any other items needed to administer the grant. Any unapproved submittal by any Authority program, department, or division in violation of these grant procedures shall not bind the Authority.

#### **Allowable vs Unallowable Costs**

A cost that is allowable must be necessary and reasonable for the performance of the award and be allocable, conform to any award limitations or exclusions, consistent with policies and procedures that apply to both Federal and other non-Federal activities, consistently treated, determined in accordance with generally accepted accounting principles (GAAP), not included as a cost or used to meet cost sharing or matching requirements of any other federally-financed program in either the current or a prior period, adequately documented.

#### **PROCEDURES**

Refer to the most current approved SOP for procedures pertaining to grant management.



**VICTOR VALLEY WASTEWATER RECLAMATION AUTHORITY  
BOARD OF COMMISSIONERS  
2023  
BOARD MEETING SCHEDULE \***

Time: Closed Session: 7:30 AM. Regular Session: 8:00 AM.

**Thursday January 19**

**Thursday February 16**

**Thursday March 16**

**Thursday April 20**

**Thursday May 18**

**Thursday June 15**

**Thursday, June 22 (Budget Adoption)**

**Thursday July 20**

**Thursday August 17**

**Thursday September 21**

**Thursday October 19**

**Thursday November 16**

Approved on: PROPOSED