



## BOARD OF DIRECTORS REGULAR MEETING STUDY SESSION MINUTES

Thursday, September 16, 2021 at 3:00 PM  
Via Teleconference – No Live Attendance

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### CALL TO ORDER

Vice President Martin called the meeting to order at 3:00 P.M.

### ROLL CALL

**BOARD MEMBERS PRESENT:** Vice President Russ Martin, Director Randy Duncan, Director Steve Grasha, Director Ivan Sewell

**BOARD MEMBER(S) ABSENT:** President Nancy Wright  
(Vice President Martin noted President Wright's absence is excused)

### RULES OF PROCEDURE

**Rules of Procedure were ready by General Counsel, John Pinkney.**

*First all noticed meetings are conducted using Rosenberg's Rules of Order as procedural guidance. Directors should refrain from responding directly to public comment at meetings of the Board. The President of the Board presides at all meetings and decides all points of order and procedure during meetings. The President is responsible for maintenance and decorum at all Board meetings. No persons shall be allowed to speak who is not first been recognized by the President. All questions and remarks should be addressed to the President as the presiding officer. No member of the Board should speak more than once upon any one subject until every other member on the Board, wishing to speak on the subject shall have been given the opportunity to speak. No Board member shall interfere with the orderly progress of a Board meeting. In order to ensure the orderly progress of Board meetings the Board President regulates the amount of time to be dedicated to a particular agenda item."*

### PUBLIC INPUT

Pamela Edmonson commented the MSWD website isn't very accessible to the blind. Secondly, she asked about the new and upcoming Customer Portal. Vice President Martin noted staff would reach out to address her issues.

### EMPLOYEE RECOGNITION

### HUMAN RESOURCES REPORT

Mr. Wallum noted one milestone anniversary, this will be officially recognized on Monday.

### ACTION ITEMS

### ASSOCIATION OF CALIFORNIA WATER AGENCIES REGION 9 ELECTION

At the Boards discretion, either concur with the Region 9 Nominating Committee's recommended slate

of offices, or concur on individual candidates for Chair, Vice Chair, and five (5) Board Members, and direct the Board President to submit the Ballot.

Director Duncan noted Patrick O'Dowd has asked for the support of the MSWD Board. There was some confusion as to in what capacity he was asking for support. Director Grasha expressed his opposition against one of the candidates.

**RESOLUTION 2021-14 - CERTIFICATION AND ADOPTION OF THE FINAL INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION FOR THE VISTA RESERVOIR NO. 2 PROJECT**

It is recommended that the Board adopt Resolution 2021-14 certifying and adopting the Final Initial Study and Mitigated Negative Declaration for the Vista Reservoir No. 2 Project, and adopt the Mitigation Monitoring and Reporting Program (MMRP), and authorize the General Manager to sign and file a Notice of Determination (NOD) with the County of Riverside within five days of the Board meeting.

Report given by Steve Ledbetter of TKE Engineering. Mission Springs Water District (MSWD), as the Lead Agency pursuant to California Environmental Quality Act (CEQA), is proposing to develop a second reservoir at the exiting Vista Reservoir site. MSWD's decision to implement the project is a discretionary decision which qualifies as a "project" under CEQA. Based on the information in the project IS, MSWD determined that a MND was the appropriate environmental determination for this project to comply with CEQA.

**RESOLUTION 2021-15 - CERTIFICATION AND ADOPTION OF THE FINAL INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION FOR THE GROUNDWATER QUALITY PROTECTION PROGRAM (GQPP) FOR AREAS H AND I SEWER IMPROVEMENT PROJECT**

It is recommended the Board adopt Resolution 2021-15, certifying and adopting the Final Initial Study and Mitigated Negative Declaration for the Areas H and I Sewer Improvement Project, adopt the Mitigation Monitoring and Reporting Program (MMRP), and authorize the General Manager to sign and file a Notice of Determination (NOD) with the County of Riverside within five days of the Board meeting.

Report given by Steve Ledbetter of TKE Engineering. Mission Springs Water District (MSWD), as the Lead Agency pursuant to California Environmental Quality Act (CEQA), is proposing to construct 30,000 lineal feet of new sewer pipeline. This project pertains to Sub Areas H and I and would install the pipeline required to connect 678 parcels to the MSWD sewer system and abate over 468 on-site septic systems. MSWD's decision to implement the project is a discretionary decision which qualifies as a "project" under CEQA. Based on the information in the project IS, MSWD determined that a MND was the appropriate environmental determination for this project to comply with CEQA.

**ACCEPTANCE OF THE NORTH INDIAN CANYON SEWER PROJECT**

It is recommended the Board accept the North Indian Canyon Sewer Project as complete and authorize the release of retention money held for Downing Construction, Inc. in the amount of 5% of the approved contract amount, thirty-five days after filing the Notice of Completion (NOC).

Mr. Wallum noted this project was completed prior to the Riverside County Widening Project Phase 2. Constructing our sewer project ahead of the widening project allowed the District to save costs on removing and replacing the future asphalt being installed over the location of our Project. This project

was inspected with contract inspection and was determined to be complete by District staff on May 8, 2021. All progress payment invoices were authorized for payment to the contractor as recommended by our construction management consultant. The NOC will be recorded at the County of Riverside Recorder's Office following Board acceptance.

### **DISCUSSION ITEMS**

#### **CRITICAL SERVICES CENTER AND ADMINISTRATION BUILDING UPDATE**

This update will be provided on Monday.

#### **MSWD REGIONAL WATER RECLAMATION FACILITY UPDATE**

Steve Ledbetter of TKE Engineering noted the District received five bids on this project ranging in price \$40.9 million to \$50.8 million. Staff is reviewing bid reviews from the consultant AECOM recommending the District move forward with award to the low bidder.

#### **GROUNDWATER SUSTAINABILITY PLAN UPDATE**

Mission Creek Subbasin and San Geronio Pass Subbasin

Update will be given by Steve Ledbetter of TKE Engineering on Monday when President Wright is in attendance.

### **CONSENT AGENDA**

*Consent agenda items are expected to be routine and non-controversial, to be acted upon by the Board at one time, without discussion. If a member would like an item to be handled separately, it will be removed from the Consent Agenda for separate action.*

### **APPROVAL OF MINUTES**

It is recommended to approve the minutes as follows:

Study Session - July 15, 2021

Board Meeting - July 19, 2021

Special Meeting - August 16, 2021

### **REGISTER OF DEMANDS**

The register of demands (JULY) totaling \$ 2,634,687.73

The register of demands (AUGUST) totaling \$ 1,939,972.47

### **BOARD COMPENSATION**

It is recommended to authorize Board compensation for the following:

Participation in the Palm Springs Unified School District Legislative Breakfast – October 8, 2021

### **CORRESPONDENCE**

### **THANK YOU LETTER - GERALD MCKENNA**

### **DIRECTOR'S REPORTS**

## **UPCOMING EVENTS & DIRECTOR REPORTS**

Director Sewell reported he attended the following event: 8/30-9/2 CSDA Conference.

## **REPORTS**

### **GENERAL MANAGER'S REPORT**

Due to technical problems, the financial report will be given on Monday.

### **DISTRICT COUNSEL COMMENTS**

Mr. Pinkney gave a brief update on the mediation for MSWD v. Master Meter. Mediations are confidential, closed session will be scheduled to update the Board. Hearing to set trial date for the MSWD v. DWA is scheduled for September 24, 2021. No update for the Class Action case at this time.

### **DIRECTOR COMMENTS**

Director Grasha mentioned DWA's 60th Anniversary celebration via Zoom.

Vice President Martin noted a DHS City Council meeting where Councilmember Jan Pye experienced a medical emergency, he gave a brief update and wished her well.

### **ADJOURN**

With no further action, Vice President Martin adjourned the meeting at 3:37 P.M.

Respectfully,

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Arden Wallum  
Secretary of the Board of Directors