



BOARD OF DIRECTORS SPECIAL MEETING (WORKSHOP) MINUTES

Wednesday, September 04, 2024 at 9:00 AM

66575 Second St, Desert Hot Springs, CA AND/OR Via Teleconference

CALL TO ORDER

President Sewell called the meeting to order at 9:00 AM

ROLL CALL

BOARD MEMBERS PRESENT: President Ivan Sewell, Vice President Robert Griffith, Director Russ Martin, Director Amber Duff, Director Ted Mayrhofen

STAFF MEMBERS PRESENT: Brian Macy, Marion Champion, Arturo Ceja, Amanda Lucas, Danny Friend, Kurt Kettenacker, Dori Petee

PUBLIC INPUT

No public input

President Sewell announced that the order of items for this meeting would change. The Board will go into Closed Session first.

CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Potential Initiation of Litigation Pursuant to Government Code Section 54956.9(d)(4). One Potential Case.

CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION

Conference with Legal Counsel Regarding Existing Litigation Pursuant to Government Code Section 54956.9(d)(1). One Case: Southern California Edison V. California State Board of Equalization, et. al., OCSC Case No: 30-2024-01403215-CU-MC-CXC.

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant Exposure to Litigation Pursuant to Government Code Section 54956.9(d)(2) and/or (3). Two potential cases.

PUBLIC EMPLOYEE PERFORMANCE EVALUATION

pursuant to Government Code Section 54957

Position: District Legal Counsel

REPORT ON ACTION TAKEN DURING CLOSED SESSION

No reportable action was taken on any of the closed session items.

ITEMS FOR DISCUSSION

CALPERS ACTUARIAL REPORT CHANGES AND UPDATES

Arturo Ceja presented the changes to CalPERS actuarial reporting. The Secure Act 2.0 is now in effect,

essentially aiming to improve retirement savings options in the US. Some of the act's provisions that may affect CalPERS include the required minimum distribution age, excise tax, catch-up contributions, surviving spouses, penalty-free withdrawals, and retirement savings lost and found. Starting January 2, 2024, Secure 2.0 will expand access to retirement funds for personal or family emergencies, victims of natural disasters (backdated to January 26, 2021), and survivors of domestic abuse without incurring a 10% early withdrawal penalty.

POWER PURCHASE AGREEMENT UPDATE

General Manager Brian Macy updated the Board on the change in the contract name from Statin to Trident Mission Springs LLC. Tim Holmes of Kenwood Energy (Consultant) explained the industry practice of creating an LLC for projects like solar fields. Mr. Holmes also provided details on the ownership and financing structure and addressed potential concerns about liability and the process of reposting the public hearing notice.

CODIFICATION UPDATE

Assistant General Manager Marion Champion previewed updates based on feedback from the previous meeting. Changes made include updating the smoking policy to include a 20-foot radius, as noted by Director Duff, and revising the elections by division language to present tense. Reordered the section on improper usage of electronic media for clarity. Aligned the no smoking policy in Rule 8 with other policies and defined specific substances in the no smoking policy.

Ongoing work includes creating an AI policy to prevent misuse, with general language to be included in the codification. Legal is drafting language for the AI policy to be reviewed in the study session.

Ms. Champion opened the floor for additional feedback. She requested all feedback before the study session.

COMMENTS

GENERAL MANAGER'S COMMENTS

GM Macy announced the Critical Services Center item will be on the DHS Planning Commission Agenda on September 10, 2024. There will also be an item related to rear assessments.

DIRECTOR COMMENTS AND REQUESTS FOR FUTURE AGENDA ITEMS

1. General comments
2. Requests for future agenda items
3. Requests for future meetings

Director Martin clarified that his request for reimbursement will appear on the Study Session agenda.

Director Mayrhofen noted he drove by the Regional Plant, and he has some things he would like to discuss with the General Manager.

Director Duff asked if the roads to the Regional Plant would be open for the ribbon cutting and noted our directions need to take that into account.

President Sewell promoted the District's upcoming Blood Drive.

ADJOURN

With no further business, President Sewell adjourned the meeting at 10:47 AM.

Respectfully Submitted,

Dori Petee
Executive Assistant