



BOARD OF DIRECTORS REGULAR MEETING MINUTES

Monday, August 19, 2024 at 3:00 PM

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

CALL TO ORDER

President Sewell called the meeting to order at 3:00 PM

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, Danny Friend, Arturo Ceja, Amanda Lucas,
Oriana Hoffert, Will Whitten, Kurt Kettenacker, Dori Petee

PLEDGE OF ALLEGIANCE

Led by Director Martin

President Sewell observed a moment of silence for two individuals who have recently touched our hearts and our community. Grant Fournier, Wastewater Collections Operator, was not just a colleague but a friend, and his passing left a void that will be deeply felt by our MSWD team. He also extended condolences to retiree Nancy Mezquita, whose son tragically lost his life in a hit-and-run accident last week. No words can truly express the pain and sorrow of losing a loved one.

RULES OF PROCEDURE

Rules of Procedure were read by General Counsel John Pinkney.

All noticed meetings are conducted using Rosenberg's Rules of Order as a procedural guideline. Directors should refrain from responding directly to public comments at meetings of the Board. The Board President will refer matters raised during public comment to the General Manager for follow-up when appropriate. Occasionally, a prompt response may be offered when an obvious answer resolution is available provided this is done in compliance with the Brown Act. Directors should refrain from debating or making decisions in response to public comments. 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 person shall be allowed to speak who has 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 about 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

Steve Grasha noted he is speaking on his own behalf and not as a director at Desert Water Agency. He asserted he is always available to discuss the important issues of water in our watershed. He has been made aware of closing comments at the Study Session and wants everyone to know he is always available to discuss these important issues.

EMPLOYEE RECOGNITION

HUMAN RESOURCES REPORT

The Board recognized the following employees:

NEW HIRES

Ryan Goodner-Belli	GIS Specialist
Ana Fisher	Accounting Technician

ANNIVERSARIES

Greg Chapman	Wastewater Treatment Plant Operator II	18 Years
Lee Boyer	Chief Plant Operator	24 Years

PROMOTIONS

Lisa Pelton	Promoted to Senior Customer Service Representative Previously Customer Service Representative II
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CERTIFICATIONS/EDUCATIONAL ACCOMPLISHMENTS

Chad Finch	Water Distribution Grade 4 (D-4) certification
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ACTION ITEMS

PUBLIC HEARING ~ RESOLUTION 2024-23 ~ ENERGY SERVICES CONTRACT WITH STATEN SOLAR, INC.

It is recommended to adopt Resolution 2024-23 and authorize the General Manager to negotiate and execute a Power Purchase Agreement (PPA) and Solar Facility Lease Agreement with Staten Solar, Inc. (Staten) to design, build, and construct approximately 4 MW of renewable solar energy at seven MSWD sites.

After conducting the public hearing and hearing presentations the board continued this hearing to the September board meetings.

Motion to continue the Public Hearing to September 16, 2024

Motion made by Vice President Griffith, Seconded by Director Martin.

Voting Yea: President Sewell, Vice President Griffith, Director Martin, Director Duff, Director Mayrhofen

STATE ADVOCACY SERVICES - CA LOBBY, LLC

The Board authorized the General Manager to execute an agreement for services with CA Lobby, LLC in the amount of \$5,000/month for the term beginning September 1, 2024 and ending August 31, 2025.

Rosanna Carvacho provided background on her firm and her areas of expertise.

Motion made by Director Duff, Seconded by Vice President Griffith.

Voting Yea: President Sewell, Vice President Griffith, Director Martin, Director Duff, Director Mayrhofen

ORDINANCE 2024-02 AND RESOLUTION 2024-24 ~ UPDATING AND AMENDING CODIFICATION TITLES 1-3

It is recommended to adopt Ordinance 2024-02 and Resolution #2024-24, updating and amending titles 1, 2 and 3 of the District Code.

This item was pulled and will come back in September for Board approval.

EXECUTION OF LOT LINE ADJUSTMENT APPLICATION FOR THE CRITICAL SERVICES CENTER

The Board authorized the General Manager to do all things necessary to sign and execute all necessary entitlement documents on behalf of Mission Springs Water District and the Lot Line Adjustment Application with the City of Desert Hot Springs for the Critical Services Center and submit it to the City of Desert Hot Springs for processing and execution.

Motion made by Vice President Griffith, Seconded by Director Duff.

Voting Yea: President Sewell, Vice President Griffith, Director Martin, Director Duff, Director Mayrhofen

APPROVE CONTRACT AMENDMENT NO. 3 WITH YELLOW JACKET DRILLING SERVICES, LLC FOR THE CONSTRUCTION OF MONITORING WELL NO. 2

The Board authorized the General Manager to approve Contract Amendment No. 3 with Yellow Jacket Drilling Services, LLC in the amount of \$27,645 for the construction of the Monitoring Well No. 2 for the Regional Water Reclamation Facility and to do all things necessary to complete the project. The construction amendment would increase the contract amount \$27,645, from \$202,785 to \$230,430.

Motion made by Director Duff, Seconded by Director Martin.

Voting Yea: President Sewell, Vice President Griffith, Director Martin, Director Duff, Director Mayrhofen

DISCUSSION ITEMS**NANCY WRIGHT REGIONAL WATER RECLAMATION FACILITY UPDATE**

General Manager Macy gave brief update.

CRITICAL SERVICES CENTER AND ADMINISTRATION BUILDING UPDATE

The update was given on Thursday, there is nothing further to add

CONSENT AGENDA

Motion made by Director Martin, Seconded by Vice President Griffith.

Voting Yea: President Sewell, Vice President Griffith, Director Martin, Director Duff, Director Mayrhofen

APPROVAL OF MINUTES

It is recommended to approve the minutes as follows:

July 11, 2024 - Study Session
July 15, 2024 - Board Meeting

REGISTER OF DEMANDS

The register of demands totaling \$4,030,970.42

ACCEPTANCE OF THE WATER SUPPLY ASSESSMENT AND WATER SUPPLY VERIFICATION FOR THE VIENTO DEVELOPMENT PROJECT

It is recommended that the Board accept and approve the Water Supply Assessment and Water Supply Verification for the Viento Development Project located in the City of Desert Hot Springs.

REPORTS

DIRECTOR'S REPORTS

Vice President Griffith reported attending the following meetings and events: 7/2 DWA Board Meeting, 7/16 DWA Board Meeting.

Director Duff reported attending the following meetings and events: 7/9 CVWD Board Meeting, 7/24 San Geronio Pass Regional Water Alliance Meeting, 7/31-8/2 CASA Conference.

Director Martin reported attending the following meetings and events: 7/2 DHS City Council Meeting, 7/16 DHS City Council Meeting, 7/17 BIA Mixer, 7/31-8/2 CASA Conference.

President Sewell reported attending the following meetings and events: 7/9 RivCo Board of Supervisors, 7/12 GCVCC Legislative Breakfast, 7/17 GCVCC Lunch Club, 7/31-8/2 CASA Conference.

GENERAL MANAGER'S REPORT

Included in this report are the following oral reports:

- A. Finance Report
- B. Public Affairs Report

Both oral reports were given on Thursday, there is nothing further to add.

COMMENTS

DISTRICT COUNSEL COMMENTS

Counsel announced closed session.

DIRECTOR COMMENTS & REQUESTS

- A. Director General Comments
- B. Director Requests for Future Agenda Items
- C. Director Requests for Future Meetings

Director Martin requested that compensation for the Board to attend the NWRWRF Ribbon cutting be added to the next agenda for approval.

Director Duff noted that school is back in session and urged people to drive carefully. She mentioned an incident at her son's school and encouraged drivers to watch for children.

Vice President Griffith commented on a recent article about using the Chevron Doctrine.

CLOSED SESSION

THREAT TO PUBLIC SERVICES OR FACILITIES

pursuant to Government Code Section 54957

Consultation with Security Operations Manager and/or Security Consultant

CONFERENCE WITH LEGAL COUNSEL REGARDING POTENTIAL INITIATION OF LITIGATION

Pursuant to Government Code Section 54956.9(d)(4). One potential case.

PUBLIC EMPLOYEE PERFORMANCE REVIEW

Pursuant to Government Code Section 54957

Title: General Manager

PUBLIC EMPLOYEE PERFORMANCE REVIEW

pursuant to Government Code Section 54957

Position: District Legal Counsel

REPORT ON ACTION TAKEN DURING CLOSED SESSION

The Board met in closed session on the items listed above: There was no reportable action on any item.

ADJOURN

With no further business, President Sewell adjourned the meeting at 5:31 PM.

Respectfully submitted,

Dori Petee
Executive Assistant