



BOARD OF DIRECTORS REGULAR MEETING STUDY SESSION MINUTES

Thursday, March 16, 2023 at 3:00 PM

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

CALL TO ORDER

President Martin called the meeting to order at 3:00 PM.

ANNOUNCEMENT AND VERIFICATION OF REMOTE MEETING PARTICIPATION PURSUANT TO AB 2449 OR GC 54953(b)

Director Griffith entered the meeting at 3:52 PM. He is appearing virtually under the AB 2449 Emergency Circumstance. The Board voted to allow his remote participation.

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

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

ROLL CALL

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

*Director Griffith had technical difficulties logging into the meeting. He connected at 3:52 PM

STAFF MEMBERS PRESENT: Amanda Lucas, Arden Wallum, Arturo Ceja, Brian Macy, Chad Finch, Danny Friend, Eric Weck, Kurt Kettenacker, Marion Champion, Mike Platt, Oriana Hoffert, Rachel Pust

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 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

No public Input

EMPLOYEE RECOGNITION

HUMAN RESOURCES REPORT

This item will be fully acknowledged on Monday.

ACTION ITEMS

RESOLUTION 2023-04 - A RESOLUTION OF THE BOARD OF DIRECTORS OF MISSION SPRINGS WATER DISTRICT RESCINDING (COVID-19) LOCAL EMERGENCY

It is recommended that the Board adopt Resolution 2023-04 rescinding the Board's COVID-19 emergency resolution number 2020-07

This item will end the local emergency, as the COVID-19 pandemic has now reached a controlled status. The State of California Emergency Declaration ended on February 28th and the National Emergency Declaration will end on May 11th.

RESOLUTION 2023-05 - AMENDING RESOLUTION 2022-32 - REVISIONS TO MISSION SPRINGS WATER DISTRICT PERSONNEL RULES AND REGULATIONS

It is recommended to adopt Resolution 2023-05 providing for the revisions to Mission Springs Water District Personnel Rules and Regulations.

The Employee Handbook was most recently updated in January 2023. On December 19, 2022, the MSWD Board of Directors (Board) adopted Resolutions No. 2022-32, which rescinded all previous resolutions related to personnel policies and regulations and replaced in its entirety the MSWD Personnel Rules and Regulations.

In order to ensure that the District is in full compliance with laws implemented by state and federal agencies, the District's Human Resources Manager and the District Counsel regularly review and revise the personnel rules and regulations. The revised MSWD Personnel Rules and Regulations includes updates to existing policies to remain competitive, comply with the law, or to clarify policy language.

Two revisions to the handbook focus on when the last paycheck will be issued to an employee, and two revisions are just to further clarify policy.

ACCEPT AUDITED FINANCIAL STATEMENTS FOR YEAR ENDED JUNE 30, 2022

It is recommended to review and accept the audited financial statements as presented by Rogers, Anderson, Malody & Scott, LLP.

Mr. Wallum introduced this item by explaining that an audit is an analysis of the transparency and accuracy of the Districts accounting and reporting. The auditor's report confirms or corrects what accounting has reported is true and accurate depiction of our finances. We know we are in a good financial condition at this point, but we want to check to be sure what is reported to you is correct and in accordance with generally accepted accounting standards. This is also an opportunity to propose changes that can be implemented to improve wherever possible. Arturo Ceja introduced the RAMS team who presented the annual audited financial statements for the year ended June 30, 2022. The RAMS team reviewed the audit process and report.

ESRI SMALL UTILITY ENTERPRISE AGREEMENT FOR GIS SERVICES

It is recommended to approve the ESRI Small Utility Enterprise Agreement, at an amount of \$28,400 per year for a contract period of three (3) years.

The ESRI Small Utility Enterprise Agreement (SUEA) will provide access to a powerful geographic information system (GIS) platform that supplies the software, licensing, services, and resources required to begin building our GIS infrastructure. This infrastructure will enable us to advance our asset management and work order platforms and directly integrate with other systems. With this agreement, we will have access to a powerful GIS platform that will allow us to improve our decision-making processes, enhance our operational efficiency, and ultimately improve customer service.

UNITED STATES ARMY CORP OF ENGINEERING, SPONSOR SHARE OF ASSESSMENT DISTRICT 18, AREA A AND AREA G DESIGN

It is recommended to authorize the General Manager to negotiate and render payment for Mission Springs Water District Sponsor Share of Assessment District 18, Area A and Area G Design.

Under the Agreement, the USACE provides funding and administration for the design of sewer projects under the Section 219 program: with USACE contributing 75% of design costs and MSWD contributing 25% of design costs (i.e., MSWD's "sponsor share"). The most recent amendment to the Agreement, Amendment No. 8 (attached hereto) executed in February 2019, includes the sewer design for Assessment District 18, Areas A and G. (MSWD Job Number 11618). At the time of the Agreement, the design for Areas A and G cost was estimated at \$1,600,000; with USACE contributing \$1,200,000 and MSWD's sponsor share of \$400,000. MSWD provided its initial sponsor share in 2019 following execution of Amendment No. 8. Following the bid and award of the Area A and G Sewer Design Project by USACE, the actual design cost was higher than expected, resulting in an additional sponsor share required by MSWD.

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

Steve Ledbetter of TKE provided an update on the construction of the Regional Plant.

CRITICAL SERVICES CENTER AND ADMINISTRATION BUILDING UPDATE

Brian Macy noted staff continues to work with environmental consultants and the City of DHS on the CEQUA amendment. Also working with the City on grading issues.

CONSENT AGENDA

There was a brief discussion on each of the consent agenda items.

APPROVAL OF MINUTES

It is recommended to approve the minutes as follows:

February 16, 2023 - Study Session

February 21, 2023 - Board Meeting

REGISTER OF DEMANDS

The register of demands totaling \$2,284,216.58

BOARD MEMBER COMPENSATION

-Compensation for Director(s) Mayrhofer & Duff to attend a meeting with MSWD's legal counsel regarding MSWD v DWA litigation history and status - Date to be determined upon approval

-Compensation for all Directors to attend the CWEA Awards Luncheon in San Diego on Wednesday, April 19, 2023. Discussion to also include overnight hotel accommodation.

ACCEPTANCE OF THE EMERGENCY SEWER REPAIRS ON THE 1ST STREET, 4TH STREET, 6TH STREET, AND 7TH STREET PROJECT

It is recommended to accept the Emergency Sewer Repairs on the 1st Street, 4th Street, 6th Street, and 7th Street Project as complete and authorize the release of retention money held for Tri-Star Contracting II, inc in the amount of \$14,457.71, thirty-five days after filing the Notice of Completion (NOC).

REPORTS**DIRECTOR'S REPORTS**

Director's will give their reports on Monday

GENERAL MANAGER'S REPORT

Included in this report are the following oral reports:

- A. Financial Report
- B. Public Affairs Report (Monday)
- C. Customer Service Report (Monday)

Arturo Ceja presented the Financial Report for the period ending February 28, 2023.

General Manager Wallum announced we were recently approved to repurpose Prop 1 Round 1 monies which we are combining with the Prop 1 Round 2 monies which will give the District about \$950,000 in Grants to complete the D-3 Area.

CORRESPONDENCE**THANK YOU NOTES****COMMENTS****DISTRICT COUNSEL COMMENTS**

General Counsel Pinkney announced the brief in the DWA vs MSWD lawsuit has been filed. He also went through work done on behalf of the District.

DIRECTOR COMMENTS

ADJOURN

With no further business, President Martin adjourned the meeting at 5:14 P.M.

Respectfully,

Arden Wallum
Secretary of the Board of Directors