



# BOARD OF DIRECTORS REGULAR MEETING MINUTES

Monday, September 18, 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

## ROLL CALL

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

**STAFF MEMBERS PRESENT:** Brian Macy, Marion Champion, Dori Petee, Danny Friend, Arturo Ceja,  
Amanda Lucas, April Scott, Eric Weck, Lee Boyer, Jeff Nutter, Oriana Hoffert

## PLEDGE OF ALLEGIANCE

Led by Vice President Sewell

## 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 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

No public input

## EMPLOYEE RECOGNITION

### HUMAN RESOURCES REPORT

The Board acknowledged employees from July & August

#### ANNIVERSARIES

Jacob Mosqueda	Wastewater Treatment Plant Operator I	1 Year
Rachel Pust	Accounting Manager	1 Year
Joe Hernandez	Field Service Representative II/Backflow Specialist	16 Years

Greg Chapman	Wastewater Treatment Plant Operator II	17 Years
Lee Boyer	Chief Plant Operator	23 Years

**CERTIFICATIONS/EDUCATIONAL ACCOMPLISHMENTS**

Chad Finch  
(Water Production Supervisor) Cross Connection Control Specialist certification

Fernando Ruelas  
(Field Operations Technician I) Water Distribution Grade 2 (D-2) certification

**ACTION ITEMS****PUBLIC HEARING ~ RESOLUTION 2023-21 ~ ENERGY SERVICE CONTRACT WITH ENGIE SERVICES U.S.**

It is recommended to adopt Resolution 2023-21, Energy Services Contract with ENGIE Services U.S., to design, build and perform operations and maintenance services on the Comprehensive Energy and Sustainability Upgrades project.

President Martin opened the Public Hearing; Secretary gave notice of Public Hearing publishing.

Ashu Jain of ENGIE Services U.S. impressed to the Board, why MSWD should work with his organization and why we need to act swiftly. He noted that ENGIE has provided their services to date at no cost, because they believe in the importance of the project.

Mr. Macy noted there were four distinct parts to the review of this project: peer review, legal review, engineering review and finance review. Staff is still reviewing the following: project cost and contract. There are still a lot of unknowns related to this project and because of this staff is recommending that the Board not move forward at this time.

President Martin closed the Public Hearing. Board continued with questions and Board discussion.

**Motion to continue Regular Meeting to October 5, 2023****Motion made by Director Griffith, Seconded by Director Mayrhofen.**

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

**AWARD OF CONTRACT AGREEMENT FOR THE SUPPLEMENTAL ENVIROMENTAL PROJECT TO R.E. CHAFFEE CONSTRUCTION, INC.**

The Board authorized the Interim General Manager to execute a contract agreement to complete the Supplemental Environmental Project in the amount of \$390,877 plus a 10% contingency for a total of \$429,964.70, to R.E. Chaffee Construction, Inc., and augment the project budget an additional \$250,000 for the cost of construction, and inspection and authorize the Interim General Manager to do all things necessary to complete the project.

Eric Weck noted that construction should start at the end of November beginning of December.

**Motion made by Director Griffith, Seconded by Director Mayrhofen.**

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

**DISCUSSION ITEMS**

**NANCY WRIGHT REGIONAL WATER RECLAMATION FACILITY UPDATE**

Nothing further to add

**CRITICAL SERVICES CENTER AND ADMINISTRATION BUILDING UPDATE**

Nothing further to add

**DEVELOPER/CONTRACTOR HANDBOOK & GUIDELINES FOR DESIGN AND CONSTRUCTION OF WATER AND SEWER FACILITIES UPDATE**

Nothing further to add

**CONSENT AGENDA**

**Motion made by Vice President Sewell, Seconded by Director Griffith.**

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

**APPROVAL OF MINUTES**

It is recommended to approve the minutes as follows:

August 9, 2023 - Special Meeting Workshop

August 17, 2023 - Study Session

August 23, 2023 - Board Meeting

August 23, 2023 - Special Meeting

**REGISTER OF DEMANDS**

The register of demands totaling \$2,368,916.31

**REPORTS**

**DIRECTOR'S REPORTS**

Director Duff reported she attended the following events: 8/8 & 8/29 DHS Planning Commission, 8/28 - 8/31 CSDA Conference

Director Griffith reported he attended the following events: 8/1 DWA Board Meeting, 8/8 CVWD Board Meeting, 8/15 DWA Board Meeting, 8/28 - 8/31 CSDA Conference

Director Mayrhofen reported he attended the following event: 8/16 DVBA Bowling Bash

Vice President Sewell reported he attended the following event: 8/28 - 8/31 CSDA Conference

President Martin reported he attended the following events: 8/3 DVBA Legislative Meeting, 8/9 DHS City Council Meeting, 8/14 DVBA Board Meeting, 8/16 DVBA Bowling Bash, 8/28 - 8/31 CSDA Conference.

**GENERAL MANAGER'S REPORT**

Included in this report are the following oral reports:

- A. Finance Report
- B. Public Affairs Report

Nothing further to add

**COMMENTS**

**DISTRICT COUNSEL COMMENTS**

General Counsel announced closed session.

**DIRECTOR COMMENTS**

Vice President Sewell thanked everyone involved with the Blood Drive and encouraged all Board Members to share the event the next time around.

**CLOSED SESSION**

**CONFERENCE WITH LEGAL COUNSEL REGARDING POTENTIAL INITIATION OF LITIGATION**

pursuant to Government Code Section 54956.9(d)(4)  
Two potential cases.

**PUBLIC EMPLOYEE PERFORMANCE REVIEW**

Pursuant to Govt Code 54957  
Title: Interim General Manager

**REPORT ON ACTION TAKEN DURING CLOSED SESSION**

The Board met in closed session in the above referenced items, there was no reportable action on either item.

**ADJOURN**

With no further business, President Martin adjourned the meeting at 4:21 PM

Respectfully,

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Dori Petee  
Executive Assistant