



## BOARD OF DIRECTORS REGULAR MEETING STUDY SESSION MINUTES

Wednesday, November 10, 2021 at 3:00 PM  
Via Teleconference – No Live Attendance

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### CALL TO ORDER

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

### ROLL CALL

#### BOARD MEMBERS PRESENT

President Nancy Wright, Vice President Russ Martin, Director Randy Duncan, Director Steve Grasha  
Director Ivan Sewell

#### STAFF MEMBERS PRESENT

Wallum, Macy, Kettenacker, Friend, Scott, Ceja, Lucas, Hoffert, Petee, Pelton

### 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 spoke to give a quick thank you to staff for their assistance navigating the agenda on the new website.

### COVID-19 UPDATE

Mr. Wallum gave a brief COVID-19 Update.

### EMPLOYEE RECOGNITION

### HUMAN RESOURCES REPORT

Employees will be recognized on Monday.

## ACTION ITEMS

### **RESOLUTION 2021-17 - A RESOLUTION OF THE BOARD OF DIRECTORS OF THE MISSION SPRINGS WATER DISTRICT PROCLAIMING A LOCAL EMERGENCY PERSISTS, RE-RATIFYING THE PROCLAMATION OF A STATE OF EMERGENCY BY EXECUTIVE ORDER N-09-21, AND RE-AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE LEGISLATIVE BODIES OF THE MISSION SPRINGS WATER DISTRICT FOR THE PERIOD NOVEMBER 19, 2021 – DECEMBER 19, 2021, PURSUANT TO PROVISIONS OF THE RALPH M. BROWN ACT**

It is recommended to approve Resolution 2021-17, continuing teleconferencing meetings for the period of November 19, 2021 - December 19, 2021.

Housekeeping item - this is a procedure the board will need to do monthly until further notice. Allows for the continuance of teleconference meetings on a monthly basis.

### **PROFESSIONAL SERVICES CONTRACT WITH TKE ENGINEERING FOR CONSTRUCTION MANAGEMENT AND INSPECTION OF THE REGIONAL WATER RECLAMATION FACILITY**

It is recommended to authorize the General Manager to execute a contract for a not to exceed amount of \$3,671,000 with TKE Engineering for Construction Management and inspection of the Regional Water Reclamation Facility.

Action on this item will award a contract to TKE Engineering for the construction management and inspection related services for the Regional Plant. This project consists of three components, the wastewater facility itself, the conveyance line and collection system. Mr. Macy reviewed related services and the submittal and selection process.

### **THIRD AMENDMENT TO PUBLIC WATER SYSTEM IMPROVEMENT AND WATER SERVICE CONNECTION FEE CREDIT/REIMBURSEMENT AGREEMENT BETWEEN SKYBORNE VENTURES, LLC, AND MISSION SPRINGS WATER DISTRICT**

It is recommended to authorize the General Manager to execute the Third Amendment to Public Water System Improvement and Water Service Connection Fee Credit/Reimbursement Agreement between Skyborne Ventures, LLC, and Mission Springs Water District and file with the Official Records of Riverside County.

This item is being pulled from today's discussion. Staff is anticipating discussion and action on Monday.

### **COST SHARE AGREEMENT FOR THE UNITED STATES GEOLOGICAL SURVEY LAND SUBSIDENCE STUDY IN THE MISSION CREEK SUBBASIN**

It is recommended to authorize the General Manager to enter into a Letter of Agreement with the Coachella Valley Water District (CVWD) and Desert Water Agency (DWA), for coordinating, developing, and cost sharing, on a Land Subsidence Study in the Mission Creek Subbasin by the United States Geological Survey.

Steve Ledbetter of TKE presented. For the Mission Creek subbasin, the objectives of this study are to: assess land-surface elevations during 2015–21 using available InSAR or other survey data, develop a subsidence monitoring plan, detect, and quantify land subsidence, and evaluate the relation between changes in land-surface elevation and groundwater levels at selected sites. This information can be used to effectively manage the water resources and related land subsidence and develop a greater

understanding of subsidence and the geology of the Mission Creek Subbasin. The total cost of the study is \$582,458, with USGS contributing \$98,221. The total cost of the study specific to the Mission Creek Subbasin is \$240,856, with USGS contributing \$39,899. The Agencies desire the split the remaining Mission Creek study costs (\$200,957) equally (1/3 each agency), for a total of \$66,986 for each agency over the next 4 fiscal years.

## **DISCUSSION ITEMS**

### **PRESENTATION/DISCUSSION WITH ASHLEY METZGER REGARDING REDISTRICTING PROCESS FOR DESERT WATER AGENCY (DWA)**

Presentation/Discussion will take place on Monday.

### **GROUNDWATER SUSTAINABILITY PLAN (GSP) UPDATE**

Mission Creek Subbasin and San Geronio Pass Subbasin

Update presentation by Steve Ledbetter of TKE.

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

Update provided by Steve Ledbetter of TKE.

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

Update provided by Brian Macy, noted the tour of East Valley.

### **ACWA PRESIDENT AND VICE PRESIDENT ELECTIONS**

Discussion and direction to President Wright for voting purposes at the December ACWA/JPIA Conference.

### **DISTRICT HOLIDAY SCHEDULE**

Discussion on the District's holiday schedule and possible closures.

Mr. Wallum asked the Board to consider the possibility of closing the office between Christmas and New Years. He will present more on this item on Monday.

## **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:

October 14, 2021 - Study Session

October 18, 2021 - Board Meeting

## **REGISTER OF DEMANDS**

The register of demands totaling \$1,665,500.52

## REPORTS

### DIRECTOR REPORTS

Director Sewell reported he attended the following events; 10/8 PSUSD Legislative Breakfast, 10/21 State of the City, 10/22 Groundwater Committee Meeting w/DHS Library Director.

### GENERAL MANAGERS REPORT

Includes: Financial Report, Federal Update from Carpi & Clay, Wastewater and Water Production Tables and Public Affairs Information

Mr. Wallum noted that staff will be moving offices shortly. Additionally, he mentioned that water production is down 12%, yet we have added ninety three new services.

Arturo Ceja presented the financial report for the period ending October 31, 2021.

Marion Champion presented a Public Relations update.

## COMMENTS

### DISTRICT COUNSEL COMMENTS

Announced closed session.

### DIRECTOR COMMENTS

Director Duncan announced Marine Corp Birthday.

Director Sewell noted the customer portal and requested a workshop on this to learn the system. Announced the Veterans ceremony at Veterans Park on Thursday.

Director Grasha noted the letter from the auditors should have been sent directly from the auditors and not filtered through staff, he stated he received it late.

## CLOSED SESSION

### CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION

pursuant to Government Code Section 54956.9(d)(1)

One Case: Case No. RIC 2003782

(George Padilla and Sharon Moreno vs. Mission Springs Water District)

### CONFERENCE WITH LEGAL COUNSEL REGARDING SIGNIFICANT EXPOSURE TO LITIGATION

pursuant to Government Code Section 54956.9(d)(2) and/or (3)

(One potential case related to a threat of litigation by Coachillin Holdings, LLC)

### CONFERENCE WITH LEGAL COUNSEL REGARDING PENDING LITIGATION

pursuant to Government Code Section 54956.9(d)(1)

One Case: (MSWD vs. Master Meter)

### CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION

pursuant to Government Code Section 54956.9(d)(1)

One Case: Case No. PSC 1600676  
(Mission Springs Water District vs. Desert Water Agency)

**REPORT ON ACTION TAKEN DURING CLOSED SESSION**

The Board met in closed session on One Case: Case No. RIC 2003782  
(George Padilla and Sharon Moreno vs. Mission Springs Water District)  
There was no reportable action.

**ADJOURN**

With no further action President Wright adjourned the meeting at 5:15 PM

Respectfully,

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Arden Wallum  
Secretary of the Board of Directors