



## BOARD OF DIRECTORS REGULAR MEETING MINUTES

Monday, October 18, 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

### PLEDGE OF ALLEGIANCE

Led by President Wright, Invocation also given by President Wright

### ROLL CALL

**BOARD MEMBERS PRESENT:** President Nancy Wright, Vice President Russ Martin, Director Randy Duncan, Director Steve Grasha, Director Ivan Sewell

**STAFF MEMBERS PRESENT:** Ceja, Santos, Pelton, Macy, Hoffert, Champion, Murphy, Petee, Nutter, Newman, Alzammar

### 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 about website and agenda accessibility issues.

### COVID-19 UPDATE

Nothing more to add

### EMPLOYEE RECOGNITION

#### HUMAN RESOURCES REPORT

The Board recognized the following employees:

#### NEW HIRES

Tim Neumann

Facilities Maintenance Lead

Kurt Kettenacker                      Innovation and Technology Manager  
 Marion Champion                      Programs & Public Affairs Manager

### **ANNIVERSARIES**

Bassam Alzammar                      Field Operations Manager                      3 Years  
 Danny Friend                              Director of Engineering & Operations                      24 Years

### **ACTION ITEMS**

#### **RESOLUTION 2021-16 - A RESOLUTION OF THE BOARD OF DIRECTORS OF THE MISSION SPRINGS WATER DISTRICT PROCLAIMING A LOCAL EMERGENCY, RATIFYING THE PROCLAMATION OF A STATE OF EMERGENCY BY GOVERNOR GAVIN NEWSOM ON MARCH 4, 2020, AND AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE LEGISLATIVE BODIES OF MISSION SPRINGS WATER DISTRICT FOR THE PERIOD OCTOBER 18, 2021, THROUGH NOVEMBER 18, 2021, PURSUANT TO BROWN ACT PROVISIONS**

The Board adopted Resolution 2021-16, ratifying the proclamation of a State of Emergency by Governor Gavin Newsom and authorized remote teleconference meetings of the legislative body of Mission Springs Water District, for the period October 18, 2021 through November 18, 2021.

#### **Motion made by Director Grasha, Seconded by Vice President Martin.**

Voting Yea: President Wright, Vice President Martin, Director Duncan, Director Grasha, Director Sewell

#### **FIRST AMENDMENT TO CONTRACT AGREEMENT WITH PAY NEAR ME**

The Board authorized the General Manager to amend the Payment Processing Agreement with PayNearMe Inc. and allow Mission Springs Water District to obtain Automated Clearing House (ACH), credit and debit card payments via the PayNearMe Platform, and authorized the General Manager to do all things necessary to complete the integration.

#### **Motion made by Director Grasha, Seconded by Director Sewell.**

Voting Yea: President Wright, Vice President Martin, Director Duncan, Director Grasha, Director Sewell

#### **ACCEPTANCE OF GRANT OF EASEMENT DEED FOR PUBLIC WATER UTILITIES – DESERT WILLOWS PROPERTY OWNERS ASSOCIATION**

It is recommended to authorize the General Manager to sign the Certificate of Acceptance, approving and accepting the Grant of Easement Deed from Desert Willows Property Owners Association dated September 30, 2021, for a public water utilities easement, located on APN: 663-405-024, 663-391-012, 663-405-025 on within the Desert Willows Community, City of Desert Hot Springs, CA.

#### **Motion made by Vice President Martin, Seconded by Director Sewell.**

Voting Yea: President Wright, Vice President Martin, Director Duncan, Director Grasha, Director Sewell

#### **AWARD OF CONTRACT FOR THE REGIONAL WATER RECLAMATION FACILITY PROJECT AND CAPITAL BUDGET AUGMENTATION**

The Board authorized the General Manager to award a contract for the construction of the Regional Water Reclamation Facility Project to J.F. Shea Construction, Inc., the lowest responsible bidder, in the amount of \$40,986,000.00 plus a 5% contingency of \$2,049,300.00 for a total of \$43,035,300.00,

augment the capital improvement budget amount to \$51,000,000.00 for Job No. 11424, and to do all things necessary to complete the project.

President Wright reiterated the grant monies awarded.

**Motion made by Director Grasha, Seconded by Vice President Martin.**

Voting Yea: President Wright, Vice President Martin, Director Duncan, Director Grasha, Director Sewell

## DISCUSSION ITEMS

### CRITICAL SERVICES CENTER AND ADMINISTRATION BUILDING UPDATE

Staff is working on a date and time for the Board to tour East Valley Water District.

### INFORMATIONAL PRESENTATION ON PROCESS FOR ADJUSTMENT OF DIVISION BOUNDARIES FOLLOWING RELEASE OF 2020 CENSUS INFORMATION

Misty Calder from SBEMP gave a presentation on the process for adjustment of division boundaries for MSWD.

## CONSENT AGENDA

**Motion made by Vice President Martin, Seconded by Director Duncan.**

Voting Yea: President Wright, Vice President Martin, Director Duncan, Director Grasha, Director Sewell

### APPROVAL OF MINUTES

It is recommended to approve the minutes as follows:

July 1, 2021 - Special Meeting Workshop

September 16, 2021 - Study Session

September 20, 2021 - Board Meeting

### REGISTER OF DEMANDS

The register of demands totaling \$2,720,011.07

### LETTER AGREEMENT TO TOLL ENFORCEMENT OF DEVELOPER'S OBLIGATION TO CONSTRUCT CERTAIN IMPROVEMENTS AS SET FORTH IN PARAGRAPH 5.1(B) OF THE SECOND AMENDMENT BETWEEN SKYBORNE VENTURES, LLC AND MISSION SPRINGS WATER DISTRICT UNTIL THE EARLIER OF (I) DECEMBER 15, 2021.

The Board authorized the General Manager to execute the letter agreement to toll enforcement of developer's obligation to construct certain improvements as set forth in paragraph 5.1(b) of the Second Amendment between Skyborne Ventures, LLC and Mission Springs Water District until the earlier of (i) December 15, 2021 which will allow both parties to continue negotiations in formalizing a Third Amendment of an original agreement dated August 30, 2006 and recorded October 25, 2006 as Document No. 2006-0784841

## DIRECTOR'S REPORTS

### UPCOMING EVENTS AND DIRECTOR REPORTS

Vice President Martin reported he attended the following events: 9/7 DHS City Council Meeting, 9/8-9/9 Urban Water Institute Conference, 9/10 GCVCC All Valley Mayors Luncheon, 9/14 RivCo Board of Supervisors Meeting, 9/14 DHS Planning Commission Meeting, 9/15 DVBA Public Works Luncheon, 9/16 DVBA Networking Night, 9/16 Countywide Oversight Board Meeting, 9/21 DHS City Council Meeting, 9/22 Tribal Authority Board Meeting, 9/28 CVWD Board Meeting.

Director Duncan reported he attended the following events: 9/8-9/9 Urban Water Institute Conference, 9/21 DWA Board Meeting, 9/28 CVWD Board Meeting

President Wright reported she attended the following event: 9/9 CVAG – E&E Meeting

## REPORTS

### GENERAL MANAGER'S REPORT

April Scott, Customer Service Manager, gave a brief update on the new and upcoming customer portal.

### DISTRICT COUNSEL COMMENTS

General Counsel, John Pinkney, pointed out the benefits of AB361, adopted today by the Board.

### DIRECTOR COMMENTS

Director Sewell, thanked Marion Champion and Staff for launching the MSWD Calendar Coloring Contest.

Director Duncan wished President Wright a happy belated birthday. Secondly, he commented that he is not sure if the Regional Plant is the most expensive project, he has ever voted on, but it is certainly the most important.

### ADJOURN

With no further business, President Wright adjourned the meeting at 3:52 PM.

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Arden Wallum  
Secretary of the Board of Directors