



BOARD OF DIRECTORS REGULAR MEETING STUDY SESSION MINUTES

Thursday, May 16, 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 Mayrhofer

STAFF MEMBERS PRESENT: Brian Macy, Marion Champion, Arturo Ceja, Danny Friend, Eric Weck, Arthur Cabrera, Cynthia Acosta, Will Whitten, Amanda Lucas, Kurt Kettenacker, April Scott, Dori Petee

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

No public input

President Sewell announced the following changes to the agenda. The following items are being pulled from the agenda:

Item # 10 AWARD OF CONTRACTS FOR CONSTRUCTION MANAGEMENT, INSPECTION, AND GEOTECHNICAL SERVICES FOR THE CONSTRUCTION OF THE 13TH AVENUE, MISSION LAKES BOULEVARD, AND THOMAS AVENUE TROPICAL STORM HILARY WATERLINE REPLACEMENT PROJECT

Item #12 EXECUTION OF LOT LINE ADJUSTMENT APPLICATION FOR THE CRITICAL SERVICES CENTER

Additionally, the Closed session is being moved to the top of this meeting. They will be meeting on the following item:

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION - SIGNIFICANT EXPOSURE TO LITIGATION pursuant to Government Code Section 54956.9 (d)(1) and/or (2) and/or (3). One Case.

REPORT ON ACTION TAKEN DURING CLOSED SESSION

There was no reportable action taken.

EMPLOYEE RECOGNITION

HUMAN RESOURCES REPORT

The Board acknowledged the following employees:

NEW HIRES

William Whitten

Business Analyst

ANNIVERSARIES

Charles Bell	Water Production Operator I	1 Year
Cynthia Acosta	Office Specialist II	1 Year
Jason Weekley	Lead Field Operations Technician	4 Years
Ann Rogers	Customer Service Representative II	8 Years
Robert Lopez	Purchasing and Warehouse Specialist	18 Years
David Pena	Field Service Representative II	19 Years

PROMOTIONS

Cynthia Acosta	Office Specialist II to Administrative Assistant I
David Pena	Field Service Representative II to Lead Field Service Representative
April Scott	Customer Service Manager to Programs and Public Affairs Specialist
Arthur Cabrera	Business Analyst to Customer Service Manager

PRESENTATIONS

DESERT HOT SPRINGS HIGH SCHOOL REAL ACADEMY INTERNSHIP PROGRAM

This presentation will be given on Monday, May 20th.

ACTION ITEMS

AWARD OF CONTRACT TO TRI-STAR CONTRACTING II INC., FOR THE 13TH AVENUE, MISSION LAKES BOULEVARD AND THOMAS AVENUE TROPICAL STORM HILARY WATERLINE REPLACEMENT PROJECT

It is recommended to authorize the General Manager to award a contract for the Construction of the 13th Avenue, Mission Lakes Boulevard and Thomas Avenue Tropical Storm Hilary Waterline Replacement Project to Tri-Star Contracting II, Inc., the lowest responsible bidder, in the amount of \$720,823.50, plus a 10% contingency (total \$792,905.85), and augment the project budget an additional \$120,000 and to do all things necessary to complete the project.

Engineering Manager Eric Weck presented; he explained that due to the unusually large water flows experienced in the Mission Creek Channel, three of the district's water lines that crossed the Mission Creek Channel were impacted in some way. He reviewed the lines needing repair, and briefly explained

the damage. The timeline for reimbursement is unknown; however, as more information comes from FEMA, staff will update the board. Staff has performed a contractor analysis on TriStar, reviewed the contractor's license, and determined that TriStar is in good standing with the state of California's license licensing board and has successfully and professionally performed construction projects for the district in the past with no problems.

AWARD OF CONTRACTS FOR CONSTRUCTION MANAGEMENT, INSPECTION, AND GEOTECHNICAL SERVICES FOR THE CONSTRUCTION OF THE 13TH AVENUE, MISSION LAKES BOULEVARD, AND THOMAS AVENUE TROPICAL STORM HILARY WATERLINE REPLACEMENT PROJECT

It is recommended to authorize the General Manager to execute a contract agreement for Construction Management and Inspection Services for the Construction of the 13th Avenue, Mission Lakes Boulevard, and Thomas Avenue Tropical Storm Hilary Water Line Replacement Project to MWH Constructors, Inc., in the amount of \$69,210.00, and to execute a contract agreement for Geotechnical Services to Land Mark Consultants, Inc. for the project in the amount of \$23,300.00, and to do all things necessary to complete the project.

This item was pulled from the agenda.

ACCEPT GRANT DEED FOR WELL 35 ON A PORTION OF ASSESSOR'S PARCEL NUMBER 667-100-043

It is recommended to direct the General Manager to sign the Certificate of Acceptance approving and accepting the Grant Deed from Skyborne Ventures, LLC, a California Limited Liability Company, dated May 8, 2024, for Well 35, currently located on Assessor's Parcel Number 667-100-043, in the City of Desert Hot Springs, Riverside County, California.

Engineering Manager Eric Weck presented; he identified the existing property layout in a presentation. The proposed acreage is 5.285 acres. Skyborne Ventures will deed the remaining portion of the property to the City of Desert Hot Springs for a future park site. There is no fiscal impact associated with the acceptance of this deed.

EXECUTION OF LOT LINE ADJUSTMENT APPLICATION FOR THE CRITICAL SERVICES CENTER

It is recommended to authorize the General Manager to execute 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.

This item was pulled from the agenda.

RESOLUTION 2024-10 ~ GRANT APPLICATION FOR WEST PALM SPRINGS VILLAGE PALM SPRINGS CREST WATER SYSTEMS BACKUP INTERTIE PROJECT

It is recommended that the Board adopt Resolution 2024-10, approving the submission of an application for grant funding for the preliminary planning of the West Palm Springs Village—Palm Springs Crest Water Systems Backup Intertie Project.

Business Analyst Will Whitten presented on this item. He noted this grant opportunity was identified by our on-call grant-writing firm as a potential funding path for a mutual backup intertie project that will boost resiliency for the Palm Springs Crest and West Palm Springs Village water systems in the IDE area. This grant would provide the funding for the preliminary planning phase components of the project, which aligns with the District's Strategic Plan and, ultimately, the District's Master Plan to

connect the West Palm Springs Village and Palm Springs Crat Water Systems to our main MSWD system. He presented a high-level project timeline and fielded questions from the Board.

PUBLIC WATER AND SEWER SYSTEMS CONSTRUCTION AGREEMENTS AND WATER AND SEWER BONDING AGREEMENT FOR TRACT NO 32030-3 SKYBORNE VILLAGE III

It is recommended to approve the Public Water and Sewer Bonding Agreement for the Skyborne Village III - Tract No. 32030-3 residential development project and authorize the General Manager to do all things necessary to complete the Agreement.

Engineering Manager Eric Weck presented; he noted that the acceptance of the bonding agreement ensures that the developer constructs water and sewer improvements and that they are completed to District standards and specifications. Likewise, the performance and warranty bonds ensure that the contractor performing the work will cover the one-year warranty period and will also cover claims by others for materials or labor supplied for the improvements but not paid for and in the event the project defaults. This is a developer-funded project.

DISCUSSION ITEMS

NANCY WRIGHT REGIONAL WATER RECLAMATION FACILITY UPDATE

This discussion and update will be given on Monday, May 20th.

CRITICAL SERVICES CENTER AND ADMINISTRATION BUILDING UPDATE

This discussion and update will be given on Monday, May 20th.

CONSENT AGENDA

APPROVAL OF MINUTES

It is recommended to approve the minutes as follows:

April 11, 2024 - Study Session

April 14, 2024 - Board Meeting

April 24, 2024 - Special Meeting Workshop

REGISTER OF DEMANDS

The register of demands totaling \$1,940,447.12

RESOLUTION 2024-09 ~ ADOPTION OF THE UPDATED BOARD HANDBOOK

It is recommended to adopt Resolution 2024-09 approving the updated Board of Directors Handbook.

REPORTS

DIRECTOR'S REPORTS

Vice President Griffith reported attending the following meetings and events: 4/2 DWA Board Meeting, 4/10 ACWA Legislative Symposium, 4/16 DWA Board Meeting, 4/30 DWA Board Meeting.

GENERAL MANAGER'S REPORT

Included in this report are the following oral reports:

A. Finance Report

Arturo Ceja presented the financial report for the period ending March 31, 2024.

B. Public Affairs Report

Marion Champion presented the Public Affairs Update. Will Whitten presented a review of the new HUB @ MSWD, employee intranet.

COMMENTS**DISTRICT COUNSEL COMMENTS**

The General Counsel reviewed the items their office has worked on behalf of the District. He also reported that in the MSWD vs DWA case, his office filed a petition for review with the California Supreme Court.

DIRECTOR COMMENTS**A. Director General Comments****B. Director Requests for Future Agenda Items**

Director Mayrhofen shared an experience he had showing just how closely the District is watched by the public.

President Sewell thanked staff for the efforts put in to host yesterday's blood drive.

ADJOURN

With no further business, President Sewell adjourned the meeting at 4:30 PM.

Respectfully submitted,

Dori Petee
Executive Assistant