



## BOARD OF DIRECTORS REGULAR MEETING MINUTES

Monday, May 20, 2024 at 3:00 PM

66575 Second St, Desert Hot Springs, CA AND/OR Via Teleconference  
Vice President Griffith will be participating remotely from the following  
location: Sheraton Grand Sacramento Hotel,  
12300 J St. Sacramento, CA 95814

### CALL TO ORDER

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

### ROLL CALL

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

STAFF: Brian Macy, Marion Champion, Danny Friend, Arturo Ceja, April Scott, Eric Weck, Amanda Lucas, Cynthia Acosta, Kurt Kettenacker, Dori Petee.

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

President Sewell asserted that Vice President Griffith is participating remotely from the address listed above.

### PLEDGE OF ALLEGIANCE

Led by Director Martin

### 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

**PRESENTATIONS****DESERT HOT SPRINGS HIGH SCHOOL REAL ACADEMY INTERNSHIP PROGRAM**

Assistant General Manager, Marion Champion introduced the internship program and introduced the students hosted by the District. The students are members of the REAL Academy at Desert Hot Springs High School.

**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**

The Board authorized 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.

Staff reported these repairs would be made without an interruption of service.

**Motion made by Director Duff, Seconded by Director Martin.**

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

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

The Board approved the Public Water and Sewer Bonding Agreement for the Skyborne Village III - Tract No. 32030-3 residential development project and authorized the General Manager to do all things necessary to complete the Agreement.

This item was presented at the May 16<sup>th</sup> Study Session; General Manager Macy reiterated this item is related to water and sewer improvements at Skyborne Village III. He noted that when the property was sold, the owner contributed three million to our Capital Improvement program as part of an agreement with the original Skyborne Development.

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

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

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

The Board directed 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.

This item was presented at the May 16<sup>th</sup> Study Session; General Manager Macy summarized this item and fielded questions from the Board.

**Motion made by Director Duff, Seconded by Director Martin.**

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

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

The Board adopted 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.

This item was presented at the May 16<sup>th</sup> Study Session. General Manager Macy summarized the item, and Will Whitten presented a slight modification. He noted that over the weekend, an adjustment was made to the amount being requested from the Bureau of Reclamation to include MSWD personnel time, bringing the total amount up to \$358,010. Given that the grant can fund up to \$400,000 and we are requesting a 0% cost share due to the project area's disadvantaged community status, the grant could still fund the entire amount we request.

Additionally, there is one clarification to the answer given to Director Duff's question during the study session last week regarding the location and intersections of the Intertie. It would run along Tamarack Road, intersecting Rushmore Avenue and Tamarack Road on the Palm Springs Crest side and at Fremontia and Tamarack on the west Palm Springs Village side.

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

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

**DISCUSSION ITEMS**

**NANCY WRIGHT REGIONAL WATER RECLAMATION FACILITY UPDATE**

Terry Renner of TKE presented a construction and funding & permitting update to the Board.

**CRITICAL SERVICES CENTER AND ADMINISTRATION BUILDING UPDATE**

Alvin Flores of Ruhnau Clarke Architects presented an update to the Board. This project is slated to go to the Planning Commission in July.

**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.*

Item 17 was pulled by Director Mayrhofen for discussion. AGM Champion reviewed the changes to the Handbook.

**RESOLUTION 2024-09 ~ ADOPTION OF THE UPDATED BOARD HANDBOOK**

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

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

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

**Voting Nay:** Director Mayrhofen

**CONSENT AGENDA**

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

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

**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

**REPORTS****DIRECTOR'S REPORTS**

Director Martin reported attending the following meetings and events: 4/2 DHS City Council Meeting, 4/4 DVBA Legislative Meeting, 4/6 Food Now Chili Cook-off, 4/9 RivCo Board of Supervisors Meeting, 4/12 Greg Wallis Tour of the NWRWRF, 4/13 Women's Club BBQ, 4/16 DHS City Council Meeting, 4/18 RivCo 7<sup>th</sup> Annual CV Business Conference and Economic Forecast, 4/20 MSWD Earth Day Celebration at Cabot's Museum, 4/24 Tribal Water Authority Meeting, 4/24 DVBA Networking Night, 4/25 DVBA General Membership Luncheon, and 4/30 RivCo Board of Supervisors Meeting.

Director Mayrhofen reported attending the following meetings and events: 4/3-4/4 CSDA Leadership Academy Module 2, 4/9 DHS Planning Commission Meeting, 4/12 Greg Wallis Tour of the NWRWRF, 4/18 RivCo 7<sup>th</sup> Annual CV Business Conference and Economic Forecast, 4/23 BIA CV Housing, Infrastructure & CEQA Event, and 4/25 CVCAN AI Mastery in Marketing.

Director Duff reported attending the following meetings and events: 4/2 RivCo Board of Supervisors Meeting, 4/9 CVWD Board Meeting, 4/11 ACWA Groundwater SGMA Meeting, 4/12 CSDA Summit, 4/19 ACWA Legislative Committee Meeting, 4/20 MSWD Earth Day Celebration at Cabot's Museum, 4/23 CVWD Board Meeting, and 4/25 Supervisor Karen Spiegel Elected Women in Leadership Meeting.

President Sewell reported attending the following meetings and events: 4/10 ACWA Legislative Symposium and 4/17 GCVCC Mixer.

**GENERAL MANAGER'S REPORT**

Included in this report are the following oral reports:

- A. Finance Report
- B. Public Affairs Report

Oral reports were given at the Study Session; there is nothing further to add.

### **COMMENTS**

#### **DISTRICT COUNSEL COMMENTS**

#### **DIRECTOR COMMENTS**

Director Martin announced he would also be attending the CASA Conference.

Director Duff emphasized that as the summer approaches, please watch your children around bodies of water.

Director Mayrhofen noted he is very concerned and will be notifying another agency about the smells coming from the Horton Plant. He mentioned he does not feel like he is getting cooperation from the District.

#### **ADJOURN**

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

Respectfully submitted,

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Dori Petee  
Executive Assistant