



## BOARD OF DIRECTORS REGULAR MEETING MINUTES

Monday, October 21, 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 Mayrhofen

**STAFF MEMBERS PRESENT:** Brian Macy, Marion Champion, Danny Friend, Arturo Ceja, Kurt Kettenacker, April Scott, Amanda Lucas, David Barraza, Eric Weck, Jeff Nutter, Dori Petee

### 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

Marion Champion presented the MSWD Interns from the Real Academy of Desert Hot Springs High School.

## EMPLOYEE RECOGNITION

### HUMAN RESOURCES REPORT

The Board acknowledged the following employees:

#### ANNIVERSARIES

Marion Champion	Assistant General Manager	3 Years
Kurt Kettenacker	Innovation & Technology Manager	3 Years
Danny Friend	Director of Operations	27 Years

## ACTION ITEMS

### AMENDMENTS TO POWER PURCHASE AND LEASE AGREEMENTS WITH TRIDENT MISSION SPRINGS LLC

The Board approved Amendment No. 1 for the Power Purchase Agreement (PPA) and Amendment No. 1 for the Solar Facility Lease Agreement with Trident Mission Springs LLC, to design, build, and construct approximately 4 MW of renewable solar energy at seven MSWD sites.

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

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

### ACCEPTANCE OF THE 13TH AVE., MISSION LAKES BLVD., AND THOMAS AVE. TROPICAL STORM HILARY WATER LINE REPLACEMENT PROJECT

The 13th Ave. Mission Lakes Blvd. and Thomas Ave. Tropical Storm Hilary Water Line Replacement Project was accepted by the Board, which authorized the release of retention money held for Tri-Star Contracting II in the amount of \$37,266.97 thirty-five days after filing the Notice of Completion.

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

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

### UPDATES TO THE DEVELOPER/CONTRACTOR HANDBOOK & GUIDELINES FOR DESIGN AND CONSTRUCTION OF WATER AND SEWER FACILITIES

The Board approved the updates to the Developer/Contractor Handbook & Guidelines for Design and Construction of Water and Sewer Facilities (Developer Handbook) (October 2024 Edition).

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

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

### ACCEPTANCE OF FINAL TRACT MAP FOR TRACT NO. 38816 – AVENTURA PALMS

The Final Tract Map for Tract No. 38816—Aventura Palms has been accepted and the General Manager has been authorized to execute the map to finalize the approval.

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

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

**FIRST AMENDMENT TO CONTRACT AGREEMENT WITH B-81 PAVING INC., FOR PAVEMENT REPAIRS FOR WATER AND SEWER PROJECTS FOR 2024-2025**

The General Manager has been authorized to amend the contract agreement with B-81 Paving Inc., titled Pavement Repairs for Water and Sewer Projects for 2024-2025. The amendment will increase the contract amount by \$150,000.00 from \$250,000.00 to a not-to-exceed amount of \$400,000.00 and authorize the General Manager to do all things necessary to complete the project.

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

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

**AWARD OF CONTRACT AGREEMENT WITH OPENGOV FOR BUDGETING, PLANNING AND PROCUREMENT SOFTWARE**

The General Manager has been authorized to execute a three-year contract agreement for budgeting, planning, and procurement software in the amount of \$191,993.18, plus a 10% contingency for staff time, for a total of \$230,391.82 to OpenGov and authorized to do all things necessary to complete the project.

**The motion made on this item includes an amendment to include 8 additional hours of staff training.**

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

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

**DISCUSSION ITEMS****CRITICAL SERVICES CENTER AND ADMINISTRATIVE BUILDING UPDATE**

Nothing further to add

**GROUNDWATER PROTECTION PROGRAM UPDATE**

General Manager Macy provided an answer to a question raised at the Study Session regarding disbursement requests.

**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:

September 4, 2024 - Special Meeting Workshop  
September 12, 2024 - Study Session  
September 16, 2024 - Board Meeting

**REGISTER OF DEMANDS**

The register of demands totaling \$1,682,115.64

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

Director Martin reported attending the following meetings & events: 9/5 DVBA Legislative Meeting, 9/9-12 CSDA Conference, 9/12 DVBA General Membership Luncheon, 9/13 All Valley Mayors & Tribal Luncheon, 9/17 DHS City Council Meeting, 9/27 Ribbon Cutting

Director Mayrhofen reported attending the following meetings & events: 9/9-12 CSDA Conference, 9/13 All Valley Mayors & Tribal Luncheon, 9/25 ACWA Webinar, 9/27 Ribbon Cutting

President Sewell reported attending the following meetings & events: 9/9-12 CSDA Conference, 9/13 All Valley Mayors & Tribal Luncheon, 9/25 GCVCC Morning Mixer, 9/27 Ribbon Cutting

Vice President Griffith reported attending the following meetings & events: 9/3 Meeting w/DWR, 9/9-12 CSDA Conference, 9/17 DWA Board Meeting, 9/27 Ribbon Cutting

Director Duff reported attending the following meetings & events: 9/3 DWA Board Meeting, 9/9-12 CSDA Conference, 9/10 DHS Planning Commission Meeting, 9/12 CVAG ~ CVCC and Energy & Sustainability Meeting, 9/18 ACWA Webinar, 9/24 CVWD Board Meeting, 9/25 San Geronio Pass Regional Water Alliance Meeting, 9/26 ACWA Webinar, 9/30 San Geronio Pass Board Meeting

**GENERAL MANAGER'S REPORT**

Included in this report are the following oral reports:

- A. Finance Report
- B. Public Affairs Report

General Manager Macy noted the audit is continuing. The finance report will resume next month.

Assistant General Manager Marion Champion presented the Public Affairs update.

**COMMENTS****DISTRICT COUNSEL COMMENTS**

General Counsel recapped items worked on for the District.

**DIRECTOR COMMENTS & REQUESTS**

- A. Director General Comments
- B. Director Requests for Future Agenda Items
- C. Director Requests for Future Meetings

Director Mayrhofer asked for a workshop discussion regarding extending water services to North Palm Springs.

Director Duff thanked the staff for their hard work and asked for an agenda item related to Well 33 solar site and maintenance contracts. GM Macy noted, is working with Kenwood Energy on this matter. Lastly, she urged people to get out and vote!

President Sewell announced the DHS Rotary Happy Healthy Halloween event on Saturday, October 26<sup>th</sup>.

**ADJOURN**

With no further business, President Sewell adjourned the meeting at 4:18 PM.

Respectfully submitted,

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Dori Petee  
Executive Assistant