



BOARD OF DIRECTORS REGULAR MEETING MINUTES

Wednesday, August 23, 2023 at 3:00 PM

66575 Second St, Desert Hot Springs, CA AND/OR Via Teleconference

CALL TO ORDER

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

ROLL CALL

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

STAFF MEMBERS PRESENT: Brian Macy, Marion Champion, Arturo Ceja, Chad Finch, Rachel Pust, Eric Weck, Danny Friend, Oriana Hoffert, Dori Petee, Kurt Kettenacker

PLEDGE OF ALLEGIANCE

Led by Director Duff

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 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 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.”

President Martin announced that, as a result of the recent storm, the July Human Resources Report would be postponed until next month, to allow staff to remain in the field to make necessary repairs. Additionally, the General Managers Report is moving to the top of the agenda.

PUBLIC INPUT

Jan Pye, City Councilwoman notified the Board that the City proclaimed a State of Emergency that the Council ratified last night (August 22, 2023). She also congratulated Russ Martin on his recent appointment to the LAFCO Oversight Board.

GENERAL MANAGER'S REPORT

Interim General Manager Brian Macy and Public Affairs Manager Marion Champion updated the Board on the Districts efforts as a result of Tropical Storm Hilary.

ACTION ITEMS**RESOLUTION 2023-16 ~ AMENDING RESOLUTION 2023-05 ~ REVISIONS TO MISSION SPRINGS WATER DISTRICT PERSONNEL RULES AND REGULATIONS**

The Board adopted Resolution 2023-16 providing for the revisions to Mission Springs Water District Personnel Rules and Regulations.

Oriana Hoffert fielded questions from the Board.

Motion made by Director Griffith, Seconded by Director Duff.

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

Voting Nay: Director Mayrhofen

ASSOCIATION OF CALIFORNIA WATER AGENCIES (ACWA) REGION 9 ELECTION

The Board concurred on the individual candidates for Chair, Vice Chair and five (5) Board Members, and directed the Board President to submit the ballot.

Motion is for President Martin to consider the Boards recommendation and submit the ballot as he sees fit.

Motion made by Director Griffith, Seconded by Vice President Sewell.

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

RESOLUTION 2023-19 ~ APPOINTING INTERIM GENERAL MANAGER, BRIAN MACY AS SECRETARY OF THE BOARD OF DIRECTORS

The Board approved Resolution 2023-19, appointing Brian Macy Secretary of the Board of Directors and rescind Resolution 2006-27.

Motion made by Vice President Sewell, Seconded by Director Griffith.

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

Voting Nay: Director Mayrhofen

DISCUSSION ITEMS**STRATEGIC PLAN REVIEW AND DIRECTION**

This item was presented at the Study Session. Mr. Macy noted the Board seemed to be leaning toward Woodward & Curan and the Board concurred. There was a brief discussion and staff received direction on how to move forward.

NANCY WRIGHT REGIONAL WATER RECLAMATION FACILITY UPDATE

Steve Ledbetter of TKE, presented a landscaping update to the Board. There was then a lengthy conversation about a current Notice of Violation for this facility.

CRITICAL SERVICES CENTER AND ADMINISTRATION BUILDING UPDATE

Nothing further to add.

ENERGY CONSERVATION AND EFFICIENCY SERVICE PLAN UPDATE - ENGIE SERVICES U.S.

Ashu Jain with ENGIE Services U.S. gave a presentation to the Board. He reviewed the project goals from Engie's perspective and reviewed the Districts current electricity expenditure. The main objective is to reduce the Districts overall operating cost. The scope of work includes 4,167 kW across 7 sites. Mr. Jain reviewed the project cost and financing. This item will come before the Board for approval in September.

CONSENT AGENDA**Motion made by Director Griffith, Seconded by Vice President Sewell.**

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

Voting Abstaining: Director Duff

APPROVAL OF MINUTES

It is recommended to approve the minutes as follows:

July 13, 2023 - Study Session

July 17, 2023 - Board Meeting

July 25, 2023 - MSWD/DWA Joint Meeting

REGISTER OF DEMANDS

The register of demands totaling \$7,225,939.90

REPORTS**DIRECTOR'S REPORTS**

Director Mayrhofen reported he attended the following events: 7/6 Mayrhofen, 7/12 BIA Networking Night, 7/20 DVBA Networking Night.

Director Duff reported she attended the following events: 7/11 DHS Planning Commission, 7/11 CSDA Strategic Planning Webinar, 7/26 San Geronio Pass Regional Water Alliance Meeting.

Director Griffith reported he attended the following events: 7/5 DWA Board Meeting, 7/11 CVWD Board Meeting, 7/11 CSDA Strategic Planning Webinar, 7/18 DWA Board Meeting.

President Martin reported he attended the following events: 7/5 DHS City Council Meeting, 7/6 DVBA Legislative Meeting, 7/6 DVBA General Membership Luncheon, 7/11 RivCo Board of Supervisors Meeting, 7/12 BIA Networking Night, 7/18 RivCo Board of Supervisors Meeting, 7/20 DVBA Networking Night.

COMMENTS

DISTRICT COUNSEL COMMENTS

Mr. Pinkney announced Closed Session Items

DIRECTOR COMMENTS

Director Griffith commended the staff for all their work during and after the Tropical Storm.

Director Mayrhofer noted that for only 205 customers out of 14,000 to be without water or must be under a boil water advisory, is not too bad given the severity of the damage. Additionally, he commented on landscaping issues at Desert Crest and other District locations.

Director Sewell reminded Director Mayrhofer that in December of 2022 that staff reviewed the three energy efficiency proposals and there was Board concurrence on selecting ENGIE Services. Additionally, he thanked the staff for all the updates during the storm.

Director Duff thanked Interim GM, Brian Macy for all the updates to the Board during the storm.

President Martin called a five-minute recess and announced the Board would go into the Special Meeting. Following the Special Meeting the Board will go into closed session.

CLOSED SESSION

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)

PUBLIC EMPLOYEE PERFORMANCE REVIEW

Pursuant to Govt Code 54957

Title: Interim General Manager

REPORT ON ACTION TAKEN DURING CLOSED SESSION

The Board met in closed session on the items listed above. There was no reportable action taken on either item.

ADJOURN

With no further business. President Martin adjourned the meeting at 6:00 PM.

Respectfully,

Dori Petee
Executive Assistant