



BOARD OF DIRECTORS REGULAR MEETING STUDY SESSION MINUTES

Thursday, August 15, 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, Arturo Ceja, Dori Petee, Amanda Lucas, Arthur Cabrera, Kurt Kettenacker, April Scott

PUBLIC INPUT

No public input

EMPLOYEE RECOGNITION

HUMAN RESOURCES REPORT

This item will be acknowledged on Monday 8/19

ACTION ITEMS

PUBLIC HEARING ~ RESOLUTION 2024-23 ~ ENERGY SERVICES CONTRACT WITH STATEN SOLAR, INC.

It is recommended to adopt Resolution 2024-23 and authorize the General Manager to negotiate and execute a Power Purchase Agreement (PPA) and Solar Facility Lease Agreement with Staten Solar, Inc. (Staten) to design, build, and construct approximately 4 MW of renewable solar energy at seven MSWD sites.

Public Hearing will take place on Monday, August 19th. The General Manager and Kenwood consultant fielded questions regarding the contract.

STATE ADVOCACY SERVICES - CA LOBBY, LLC

It is recommended to authorize the General Manager to execute an agreement for services with CA Lobby, LLC in the amount of \$5,000/month for the term beginning September 1, 2024 and ending August 31, 2025.

Assistant General Manager Marion Champion presented. She introduced a new agency that would provide State legislative and regulatory advocacy services similar to what we receive on the federal level. Rosanna Carvacho, who heads up CA Lobby, has worked previously with the District in this capacity. Champion reviewed the proposed activities that would be provided.

ORDINANCE 2024-02 AND RESOLUTION 2024-24 ~ UPDATING AND AMENDING CODIFICATION TITLES 1-3

It is recommended to adopt Ordinance 2024-02 and Resolution #2024-24, updating and amending titles 1, 2 and 3 of the District Code.

Champion went through the changes discussed in last week's workshop and fielded questions from the Board. Additional changes were discussed and noted. Director Duff is concerned that the code does not properly address the use of AI/Chat GBP. Additionally, Duff requested chapters 3.01 through 3.06 be more intensively reviewed.

EXECUTION OF LOT LINE ADJUSTMENT APPLICATION FOR THE CRITICAL SERVICES CENTER

It is recommended to authorize the General Manager to do all things necessary to sign and execute all necessary entitlement documents on behalf of Mission Springs Water District and 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 and execution.

Macy noted that this item pertains to survey issues we are working through as part of our Planning Commission application, which will go to the commission in September.

Engineering Manager Eric Weck explained Mission Springs Water District reached out to MSA Consulting, Inc., one of the District's on-call engineering consultants, to facilitate and prepare the Lot Line Adjustment analysis. The scope of work includes preparing the lot line adjustment application, legal exhibits and descriptions, preliminary title reports, utility research, base mapping of easements, and a site plan. MSA Consulting prepared the required documents to be submitted to the City of Desert Hot Springs, and it is recommended that the Board of Directors direct the General Manager to sign and execute all necessary entitlement documents and Lot Line Adjustment Application with the City of Desert Hot Springs for processing.

APPROVE CONTRACT AMENDMENT NO. 3 WITH YELLOW JACKET DRILLING SERVICES, LLC FOR THE CONSTRUCTION OF MONITORING WELL NO. 2

It is recommended to authorize the General Manager to approve Contract Amendment No. 3 with Yellow Jacket Drilling Services, LLC in the amount of \$27,645 for the construction of the Monitoring Well No. 2 for the Regional Water Reclamation Facility and to do all things necessary to complete the project. The construction amendment would increase the contract amount \$27,645, from \$202,785 to \$230,430.

Weck noted as part of the Nancy Wright Regional Water Reclamation Facility (NWRWRF) waste discharge requirements permit (Order R7-2020-0011) with the California Regional Water Quality Control Board (Regional Board), MSWD is required to install a groundwater monitoring well network to monitor changes to groundwater quality as a result of the proposed NWRWRF discharges. MSWD completed construction for two of the three required monitoring wells in 2022. Construction of the third monitoring well was put on hold due to the Regional Water Board direction relocated the well further downgradient. Following an easement acquisition process, staff initiated resuming construction. Staff completed a site visit with the contractor in May to assess site conditions. Subsequently, the contractor provided a change order request to complete the work. However, the change order is above the approved contingency amount; as such, a contract amendment is required to complete the work. Contract Amendments 1 and 2 were previously approved with no cost time extensions.

DISCUSSION ITEMS

NANCY WRIGHT REGIONAL WATER RECLAMATION FACILITY UPDATE

General Manager Brian Macy gave today's update.

CRITICAL SERVICES CENTER AND ADMINISTRATION BUILDING UPDATE

Alvin Flores from RCA presented an update to the Board. Documents have been submitted to the Planning Commission and as of last week RCA started receiving conditions from the City, Fire & MSWD. This item is set to appear on the Planning Commission agenda in September.

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.

APPROVAL OF MINUTES

It is recommended to approve the minutes as follows:

July 11, 2024 - Study Session

July 15, 2024 - Board Meeting

REGISTER OF DEMANDS

The register of demands totaling \$4,030,970.42

ACCEPTANCE OF THE WATER SUPPLY ASSESSMENT AND WATER SUPPLY VERIFICATION FOR THE VIENTO DEVELOPMENT PROJECT

It is recommended that the Board accept and approve the Water Supply Assessment and Water Supply Verification for the Viento Development Project located in the City of Desert Hot Springs.

REPORTS

DIRECTOR'S REPORTS

All reports will be given on Monday.

GENERAL MANAGER'S REPORT

Included in this report are the following oral reports:

A. Finance Report

B. Public Affairs Report

Arturo Ceja, Director of Finance gave the financial report for the period ending June 30, 2024.

Marion Champion, Assistant General Manager gave the public affairs update.

COMMENTS

DIRECTOR COMMENTS & REQUESTS

A. Director General Comments

B. Director Requests for Future Agenda Items

C. Director Requests for Future Meetings

Director Mayrhofer requested a closed session item to discuss the actions of a Director from another agency.

President Sewell acknowledged that the staff may be having difficulty dealing with the loss of an employee and asserted that the Board is supportive of us all.

ADJOURN

Respectfully submitted,

Dori Petee
Executive Assistant