



## BOARD OF DIRECTORS REGULAR MEETING STUDY SESSION MINUTES

Thursday, June 13, 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, Danny Friend, Eric Weck, Oriana Hoffert, Dori Petee, Kurt Kettenacker, Amanda Lucas, Will Whitten, Andrea Varela, April Scott, Arthur Cabrera, Jeff Nutter.

### 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 Item #13 would be moved to the front of the agenda.

### RESOLUTION 2024-18 ~ AMENDING RESOLUTION 2024-02 REVISIONS TO MISSION SPRINGS WATER DISTRICT PERSONNEL RULES AND REGULATIONS

It is recommended to adopt Resolution 2024-18 providing for the revisions to Mission Springs Water District Personnel Rules and Regulations.

Vee Sotelo of SBEMP spoke on the proposed changes. To ensure that the District is in full compliance with laws implemented by state and federal agencies, the District's Human Resources Manager and District Counsel

regularly review and revise the Personnel Rules and Regulations. The revised Personnel Rules and Regulations include updates to existing policies to remain competitive, comply with new laws, or clarify policy language.

Ms. Sotelo reviewed each rule and presented the updates. Ms. Sotelo fielded questions from the Board and provided clarifications to certain rules.

## **EMPLOYEE RECOGNITION**

### **HUMAN RESOURCES REPORT**

This item will be recognized on Monday, June 17, 2024.

## **PRESENTATIONS**

All presentations will take place on Monday, June 17, 2024.

### **CWEA AWARDS PRESENTATION**

#### **GOVERNMENT FINANCE OFFICERS ASSOCIATION (GFOA) AWARD PRESENTATION**

Award for excellence in budget reporting

## **ACTION ITEMS**

### **PUBLIC HEARING (MONDAY 6/17/2024) RESOLUTION 2024-11 ~TO ESTABLISH WATER STANDBY ASSESSMENTS**

It is recommended that Resolution 2024-11 be adopted, making a determination to fix, levy, and collect water service standby assessments for the fiscal year 2024-2025.

Staff reports and presentations will occur during the public hearing on Monday, June 17, 2024.

### **PUBLIC HEARING (MONDAY 6/17/2024) - RESOLUTION 2024-12 ~ TO ESTABLISH SEWER STANDBY ASSESSMENTS**

It is recommended to adopt Resolution No. 2024-12, making a determination to fix, levy, and collect sewer service standby assessments for the fiscal year 2023-2024.

Staff reports and presentations will occur during the public hearing on Monday, June 17, 2024.

### **RESOLUTION 2024-13 ~ ADDITION OF DELINQUENT ACCOUNTS TO COUNTY TAX ROLLS**

It is recommended to adopt Resolution No. 2024-13 requesting the Addition of Delinquent Water and Sewer Charges and Other Fees of \$5.00 or more to the 2024-2025 Riverside County Tax Rolls.

Director of Finance, Arturo Ceja presented. Pursuant to Water Code sections 31701 and 31701.5, account balances in excess of \$5.00 and more than 60 days delinquent are placed on the County tax rolls annually. Approximately 170 accounts were identified with a minimum balance of \$5.00 and over 60 days delinquent for approximately \$200,700 of delinquent charges that are being proposed to be added to the 2024-2025 tax rolls.

**FISCAL YEAR 2024-25 BUDGET**

A. It is recommended to adopt Resolution No. 2024-14, adopting the Operating and Capital Budgets FY 2024-25.

B. It is recommended to adopt Resolution No. 2024-15, adopting its Appropriations Limit for FYE June 30, 2025.

C. It is recommended to adopt Resolution No. 2024-16, adopting its Employee Classification Plan effective July 1, 2024.

The budget was reviewed in detail at the June 5<sup>th</sup> Workshop. Mr. Ceja gave a brief overview of the budget process. Some of the budget numbers were updated based on the discussions that took place at the Workshop.

**CONTRACT AGREEMENT WITH PREMIER PROPERTY PRESERVATION, LLC FOR ANNUAL JANITORIAL SERVICES FOR FY 2024-2025**

It is recommended that the General Manager be authorized to approve a one-year contract agreement with Premier Property Preservation, LLC, titled Annual Janitorial Services for 2024-2025 in the amount of \$34,320.00, plus a 10% contingency for a total of \$37,752.00. The agreement can be extended for two additional years and negotiated at a revised price if necessary. The not-to-exceed amounts are \$37,752.00 for fiscal years 2024-25, 2025-26, and 2026-27.

The District contracts for annual disinfection and janitorial services for several facilities, including the Administration Building, Accounting Modular, Annex Building, Corporate Yard, and the Horton WWTP. This contract will also cover the new Nancy Wright RWRF, providing regularly scheduled professional janitorial services, including labor, cleaning supplies, equipment, and materials. This contract will also include janitorial services for the new Regional Plant. In May 2024, the District advertised a request for bids for annual janitorial and disinfection services via PlanetBids. Four bids were received, and Premier Property Preservation, LLC was the lowest responsive bidder.

**PUBLIC WATER AND SEWER SYSTEMS CONSTRUCTION AGREEMENTS FOR TRACT 32030-3, SKYBORNE VILLAGE III**

It is recommended to approve the Public Water and Sewer Systems Construction Agreements for the Skyborne Village III - Tract No. 30230-3 residential development project (Project) and authorize the General Manager to do all things necessary to complete the agreements.

Engineering Manager, Eric Weck presented. At last month's board meeting, an agenda item briefly discussed this development regarding the Board accepting and awarding the water and sewer bonding agreement. For the record, the bonding and construction agreements were given to the developer simultaneously for signing, executing, and returning them. Both the bonding and the construction agreements were returned to us to execute and present to the Board. The developer requested the District's staff to execute the bonding agreements first while the developer processed and reviewed the construction agreement. Staff accommodated this request from the developer to keep their project progressing. Today's agenda item pertains to only having the board accept the water and sewer construction agreement, as the bonding agreement was approved by the board in May. Typically, both the bonding and the construction Agreements are presented to the board simultaneously. In this case, however, the developer elected to separate them and have the district approve them separately.

**AWARD OF CONTRACT TO MWH CONSTRUCTORS INC. FOR CONSTRUCTION MANAGEMENT AND INSPECTION SERVICES FOR SKYBORNE VILLAGE 111 - LENNAR HOMES**

It is recommended that the General Manager be authorized to execute a contract agreement with MWH Constructors, Inc., for construction management and inspection services for Skyborne Village III—Lennar Homes for an amount not to exceed \$285,572.

Engineering Manager, Eric Weck presented. He noted that MSWD is retaining MWH Constructors to provide Inspection services for the Skyborne Village III – Lennar homes project during the development project's pre-construction, construction, and post-construction phases. MWH Constructors, Inc. was previously selected through a competitive review process to perform on-call Construction Management and Inspection services for the District for various types of projects for both development and capital improvement. MWH Constructors provided a scope and fee to provide inspection services for the Skyborne Village III – Lennar Homes Project. The scope of work involves inspection of over 11,800 linear feet of waterline, 286 water services, and the installation of 32 fire hydrants. Likewise, inspection and management services also include the inspection of 11,000 linear feet of sewer lines, 8,400 linear feet of sewer laterals, and 49 sewer manholes. Inspection will be performed by an experienced field inspector per MSWD standards. These services include project construction and coordination with the developer's contractor and MSWD staff.

**CONTRACT AGREEMENT RENEWAL WITH INTELESYS COMMUNICATIONS SERVICES FOR INFORMATION TECHNOLOGY PROFESSIONAL SERVICES**

It is recommended to authorize the General Manager to enter into a contract with Intelesys Communications Services for Information Technology (IT) Professional Services for the twelve-month period of July 1, 2024 – June 30, 2025, and do all things necessary to execute the agreement.

Director of Finance, Arturo Ceja presented. The district requires complementary IT services for the IT manager's day-to-day work, including tracking individual workstation problems, software updates, server maintenance, and anti-virus monitoring after hours. Intelesys Communications onboarded the District in January and became the District's IT Professional Services provider on 2/1/2024. The initial contract period was 1/1/2024 - 6/30/2024 with the intent of being a 6-month trial period, also enabling the District to align the annual renewal with the start of the fiscal year.

**AWARD OF CONTRACT AGREEMENT WITH TRIMBLE FOR WORK ORDER AND ASSET MANAGEMENT SOFTWARE SUBSCRIPTION AND SUPPORT SERVICES**

It is recommended to authorize the General Manager to execute a three-year contract with Trimble Inc. for work order and asset management software subscription and support services in the amount of \$139,584.00, plus a 10% contingency for a total of \$153,542.40, and authorize the General Manager to do all things necessary to complete the project.

Director of Finance, Arturo Ceja presented. On February 20, 2024, the board approved the contract agreement for the Complete Deployment of the ArcGIS Enterprise, Utility Network, and CityWorks to Timmons Group. Included in the contract with Timmons was the proposal for the software needed for the Work Order and Asset Management Software that is managed by another company. Trimble is the licensing company that will allow the District to use the CityWorks Work Order and Asset Management

Systems. In Trimble's own words, "From the office to the field, Trimble CityWorks helps you improve service to your community while increasing safety, efficiency, and performance."

**BOARD MEMBER AFFILIATION LISTING (UPDATED)**

It is recommended to approve the updated Board Affiliation Listing.

District, subject to the approval of the entire Board. The board periodically reviews this list, and changes may be suggested. Per MSWD Resolution 2024-03, Section 2.B.2e., a Director is entitled to a daily stipend for each day of attendance at District-related activities if designated by the Board as a representative on the Affiliate List. After many discussions by the Board, it has been determined that necessary updates need to be made.

**DISCUSSION ITEMS****NANCY WRIGHT REGIONAL WATER RECLAMATION FACILITY UPDATE**

This discussion item will take place on Monday, June 17<sup>th</sup>.

**CRITICAL SERVICES CENTER AND ADMINISTRATION BUILDING UPDATE**

This discussion item will take place on Monday, June 17<sup>th</sup>.

**CONSENT AGENDA**

Vice President Griffith pulled Resolution 2024-19 for discussion. Assistant General Manager, Marion Champion presented. She noted this initiative would significantly revise the State Constitution, undermining local control and disrupting local governments' ability to provide essential services and infrastructure. An entity representing California's wealthiest corporations is behind this proposition, and it is eligible for the November 2024 statewide ballot. CSDA has formed a coalition of member agencies against the initiative and asked agencies like us to adopt an individual resolution opposing it. Last fall, the Governor and the state legislature filed an emergency petition to the California Supreme Court for a pre-election challenge, arguing that the measure is unlawful because it improperly revises the State Constitution via initiative and impairs local governments.

**APPROVAL OF MINUTES**

It is recommended to approve the minutes as follows:

May 16, 2024 - Study Session

May 20, 2024 - Board Meeting

**REGISTER OF DEMANDS**

The register of demands totaling \$4,183,241.80

**RESOLUTION 2024-17 ~ NOTICE OF GENERAL DISTRICT ELECTION, NOVEMBER 5, 2024, AND ESTABLISHMENT OF DEPOSIT FOR OPTIONAL CANDIDATE'S STATEMENT**

It is recommended to adopt Resolution No. 2024-17 and authorize the District Secretary to notify the County Registrar of Voters that the offices of three members of the Board are to be filled and that candidates will be responsible for costs associated with the Candidate's Statement.

## **RESOLUTION 2024-19 ~ OPPOSING BALLOT INITIATIVE 1935**

It is recommended to approve Resolution 2024-19 taking an opposing position on Ballot Initiative 1935.

### **REPORTS**

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

All reports will be given on Monday, June 17<sup>th</sup>.

#### **GENERAL MANAGER'S REPORT**

Included in this report are the following oral reports:

- A. Finance Report – No report this month as accounting presented on the budget.
- B. Public Affairs Report – This report will be given on Monday, June 17<sup>th</sup>.

### **COMMENTS**

#### **DISTRICT COUNSEL COMMENTS**

General Counsel John Pinkney reviewed the matters his office has worked on on behalf of the District.

#### **DIRECTOR COMMENTS**

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

#### **ADJOURN**

With no further action, President Sewell adjourned the meeting at 4:48 PM.

Respectfully submitted,

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Dori Petee  
Executive Assistant