



BOARD OF DIRECTORS REGULAR MEETING STUDY SESSION MINUTES

Thursday, January 11, 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, William Whitten, Oriana Hoffert, Amanda Lucas, Dori Petee

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."

PUBLIC INPUT

No public input

EMPLOYEE RECOGNITION

HUMAN RESOURCES REPORT

This item will be acknowledged on Tuesday.

ACTION ITEMS

FEDERAL ADVOCACY SERVICES – CARPI & CLAY, INC.

It is recommended to authorize the Interim General Manager to execute an Agreement for Services with Carpi & Clay Government Relations in the amount of \$5000/month for the term February 1, 2024, to January 31, 2025.

Marion Champion introduced Laura Morgan-Kessler of Carpi and Clay who presented a legislative update to the Board. Ms. Champion noted that during Laura's tenure representing MSWD, she has garnered significant contributions toward the Groundwater Quality Protection Program and noteworthy federal funding.

Laura's monthly fee has not changed in the 12 years she has been representing the District but due to the changing economy and inflation, it is time. The monthly fee is going up by \$1000 per month.

ACKNOWLEDGE MSWD LEGISLATIVE PLATFORM FOR 2024-2025

It is recommended to receive and file the MSWD 2024-25 Legislative Platform.

Marion Champion presented an overview of the 2024-25 Legislative Platform. The platform is broken down into ten core areas. Ms. Champion briefly reviewed those items.

RESOLUTIONS 2024-01, 2024-04 AND 2024-05 REVISED 2023-2024 OPERATING AND CAPITAL BUDGET, APPROPRIATIONS LIMIT AND CLASSIFICATION PLAN

It is recommended to adopt Resolutions 2021-01, 2024-04, AND 2024-05 related to the fiscal year ending June 30, 2024, revised operating, and capital budgets.

Arturo Ceja presented a summarized version of the information presented at the Budget Workshop on Thursday, January 9, 2024. He reviewed the contributing factors to the mid-year changes.

RESOLUTION 2024-02 ~ AMENDING RESOLUTION 2023-16 REVISIONS TO MISSION SPRINGS WATER DISTRICT PERSONNEL RULES AND REGULATIONS

It is recommended to adopt Resolution 2024-02 providing for the revisions to Mission Springs Water District Personnel Rules and Regulations.

Oriana Hoffert reviewed the updates to the employee handbook that are based on recent changes to the law. Federal, State, and/or local laws frequently change which further impacts the District Personnel Rules and Regulations. Presented are two changes to the sick leave usage policy.

RESOLUTION 2024-03 RESCINDING AND REPLACING RESOLUTION 2009-02 EXPENSE REIMBURSEMENT POLICY

It is recommended to adopt Resolution 2024-03 rescinding and replacing Resolution 2009-02 Reimbursement Policy.

District Counsel presented this item. The current policy was passed in 2009 so it was timely this was updated. Counsel summarized the changes from the previous document. Monthly compensation was updated and language that Directors cannot claim double reimbursement or double payment for meetings attended. Websites related to travel or travel reimbursement were updated.

AUTHORIZE GENERAL MANAGER EMPLOYMENT AGREEMENT

It is recommended to authorize the Board President to execute a General Manager Employment Agreement between Mission Springs Water District and Brian Macy.

Mr. Macy recused himself from this item's discussion. District Counsel presented this item. The contract would go into effect on February 8, 2024, for three years. He briefly reviewed the agreement in question.

THIRD AMENDMENT TO CONTRACT WITH RUHNAU CLARKE ARCHITECTS FOR THE DESIGN OF THE CRITICAL SERVICES CENTER/ADMINISTRATION BUILDING

It is recommended to authorize the General manager to amend the professional services contract with Ruhnau Clarke Architects for the design of the Critical Services Center/Administration Building at the District Corp Yard. The amendment would increase the contract amount of \$393,200 from \$1,860,964 to a not-to-exceed amount of \$2,254,164 and authorize the General Manager to do all things necessary to complete the project.

In July 1, 2021, MSWD agreed with Ruhnau Clarke Architects (RCA) to design a 15,000-square-foot administration building at a potential property purchase location or the current Corporate Yard. On July 18, 2022, it was decided to build and design the Critical Services Center/Administration Building campus (CSC) on MSWD property off Two Bunch Palms Trail which included an administration building, a new maintenance facility with 3 vehicle bays, parking areas, solar canopies, walkways, and conservation garden. After a thorough environmental review of the Two Bunch Palms property during the design phase and additional Board discussions, the District is considering moving the CSC to the Corporate Yard which would include redesign services for the campus. On December 13, 2022, the District extended the contract duration by three years as the contract scope includes services through construction. This contract amendment will allow Ruhnau Clarke to amend the current design to fit the Corp Yard location.

APPOINTMENTS TO BOARD STANDING COMMITTEES

President Sewell may appoint members to the District's standing committees.

President Sewell noted he is doing his best to equally distribute everyone to committees. The list will be presented on Tuesday for approval.

AFFILIATION LISTING

It is recommended to review, update if necessary, and approve the current Board Affiliation Listing.

This item will be fully acknowledged on Tuesday for review and approval. Director Duff asked for organizations that are wastewater-specific to be presented for possible addition to this list.

DISCUSSION ITEMS

NANCY WRIGHT REGIONAL WATER RECLAMATION FACILITY UPDATE

Terry Rener, Construction Manager for TKE presented a construction, funding and permitting update to the Board.

CRITICAL SERVICES CENTER AND ADMINISTRATIVE BUILDING UPDATE

Nothing further to add that was not covered in the third amendment contract item.

MSWD STRATEGIC PLANNING UPDATE

No update

CONSENT AGENDA

Director Duff pulled the Register of Demands for discussion and clarification.

Eric Weck, Engineering Manager reviewed the Public Water and Sewer Systems Construction agreement.

APPROVAL OF MINUTES

It is recommended to approve the minutes as follows:

December 5, 2023 - Strategic Planning Workshop #4

December 14, 2023 - Study Session

December 18, 2023 - Board Meeting

REGISTER OF DEMANDS

The register of demands totaling \$3,033,826.41

PUBLIC WATER AND SEWER SYSTEMS CONSTRUCTION AGREEMENTS AND WATER AND SEWER BONDING AGREEMENT MAP FOR TRACT NO. 38200 - RANCHO DESCANSO

It is recommended to authorize the Interim General Manager to execute the Public Water and Sewer Systems Construction Agreements and Water and Sewer Bonding Agreement for the Rancho Descanso - Tract No. 38200 residential development project and to do all things necessary to complete the agreements.

REPORTS**DIRECTOR'S REPORTS****GENERAL MANAGER'S REPORT**

Included in this report are the following oral reports:

- A. Finance Report
- B. Public Affairs Report

The finance report was given during the mid-year budget item. The Public Affairs Report will be given on Tuesday.

COMMENTS**DISTRICT COUNSEL COMMENTS**

No closed session today.

DIRECTOR COMMENTS

Director Martin commented on the agenda packet and noted the amount of work that goes into preparing this document.

Director Mayrhofen congratulated Mr. Macy, although his contract won't go up for approval until Tuesday.

Director Duff also commented on the packet and noted she is grateful these items are being addressed.

Vice President Griffith noted the work on this packet and commented he is hopeful for what will be accomplished this year.

President Sewell echoed all the comments made today.

ADJOURN

With no further business, President Sewell adjourned the meeting at 4:47 PM

Respectfully submitted,

Dori Petee
Executive Assistant