



BOARD OF DIRECTORS REGULAR MEETING STUDY SESSION MINUTES

Thursday, December 17, 2020 at 3:00 PM

Via Teleconference – No Live Attendance

NOTICE IS HEREBY GIVEN MISSION SPRINGS WATER DISTRICT BOARD MEETINGS WILL BE CONDUCTED PURSUANT TO THE GOVERNOR'S EXECUTIVE ORDER N-29-20 IN AN EFFORT TO PROTECT THE PUBLIC HEALTH AND PREVENT THE SPREAD OF COVID-19 (CORONAVIRUS). THE PUBLIC MAY ATTEND AND PARTICIPATE TELEPHONICALLY AS THERE WILL BE NO PUBLIC LOCATION FOR ATTENDING IN PERSON. THE AUDIO/VIDEO RECORDING OF THESE MEETINGS MAY BE POSTED TO THE MSWD WEBPAGE FOLLOWING THE MEETING.

THE PUBLIC MAY SUBMIT ANY COMMENTS ADDRESSING ITEMS BELOW BY EMAILING DPETEE@MSWD.ORG PRIOR TO THE START OF THE MEETING.

CALL-IN NUMBER FOR BOARD MEMBERS AND PUBLIC (AUDIO ONLY):

1(623) 404-9000

Meeting ID: 659 010 3494

PUBLIC WISHING TO CONNECT TO THIS MEETING VIA VIDEO MAY CONTACT DORI PETEE AT DPETEE@MSWD.ORG OR (760) 660-4403 FOR INSTRUCTIONS.

ACTION MAY BE TAKEN ON ANY ITEM LISTED ON THIS AGENDA

CALL TO ORDER

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

SWEARING IN OF BOARD MEMBER

Director Duncan was sworn in by the General Manager/Secretary of the Board, Arden Wallum.

PLEDGE OF ALLEGIANCE

ROLL CALL

Board Members Present: President Nancy Wright, Vice President Randy Duncan, Director Steve Grasha, Director Russ Martin, Director Ivan Sewell

Staff Present: Wallum, Petee, Friend, Llord, Macy, Scott, Alzammar, Ceja, Lucas, McCue

Legal Counsel Present: John Pinkney

RULES OF PROCEDURE

Rules of Procedure were ready by General Counsel, John Pinkney.

First all noticed meetings are conducted using Rosenberg's Rules of Order as procedural guidance. Directors should refrain from responding directly to public comment at meetings of the Board. 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 persons 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 upon 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

1. HUMAN RESOURCES REPORT

Employees will be acknowledged on Monday.

ACTION ITEMS

2. RESOLUTION NO. 2020-21 AMENDING RESOLUTION NO. 2020-06; REVISIONS TO MISSION SPRINGS WATER DISTRICT PERSONNEL RULES AND REGULATIONS

It is recommended to adopt Resolution No. 2020-21 providing for the revisions to Mission Springs Water District Personnel Rules and Regulations.

Human Resources Coordinator, Oriana Hoffert reviewed the changes being applied. Updates and minor adjustments have been made to this document. Director Grasha pointed out a section that needed amending, Rule 33a – second line mentions "unlawful harassment" it was noted that harassment is harassment and the word unlawful should be removed.

3. ANNUAL REPORT OF CAPACITY FEES AND RELATED CAPITAL EXPENDITURES

It is recommended that the Board of Directors accept the annual report of capacity fees and related expenditures as submitted.

Mr. Wallum noted this is a routine item. Mr. McCue explained that these fees have been sent to, reviewed by and approved by the DVBA. It was also sent to the BIA, MSWD received no response.

4. ELECTION OF OFFICERS FOR 2021

There was no discussion.

DISCUSSION ITEMS

5. MISSION SPRINGS WATER DISTRICT REGIONAL WATER RECLAMATION FACILITY

Mr. Wallum announced Steve Ledbetter with TKE Engineer would be providing today's update. Mr. Ledbetter informed the Board of some funding opportunities for this project. One of the conditions for this grant funding is that the District take on the responsibility of abating the septic tanks, a responsibility that usually falls on the property owner. Mr. Ledbetter continued by elaborating on the three options given to the District by the State

Water Resource Control Board; under option one (1), the State will condition the SRF (State Revolving Fund) agreement to have to connect 75% of the parcels to the system within the first year at the cost of the homeowner. Mr. Ledbetter noted that historically, the connection rate within the first year is about 30 – 40%, so the District has been unable to achieve this previously and this presents a concern. Option two (2) says the application will stand as is without the abatement and will issue the initial funding agreement; Option three (3) would be to update the application materials now and have the District put together a technical memo that outlines a change in the cost of the SRF application and justifies that the District is willing to take on this work and the work is covered under our current CEQA (California Environmental Quality Act) document and have that rolled into the initial agreement. Our CEQA consultant has confirmed that the abatement portion is covered under our existing EIR (Environmental Impact Report).

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.

6. APPROVAL OF MINUTES

It is recommended to approve the minutes as follows:

Study Session - November 12, 2020

Regular Meeting - November 16, 2020

7. REGISTER OF DEMANDS

The Register of Demands totaling \$1,700,663.47

8. 2021 BOARD OF DIRECTORS MEETING SCHEDULE

9. MAKE THE CONNECTION FINANCIAL ASSISTANCE PROGRAM APPROVAL

The following have submitted an application for a non-transferable lien agreement to connect to the sewer system:

10373 Palm Drive \$4,050.00

10646 Sunset Avenue \$3,465.00

CORRESPONDENCE

10. THANK YOU LETTER FROM FOOD NOW

DIRECTOR'S REPORTS

11. EVENTS & DIRECTOR'S REPORTS

Director Sewell reported he attend the following event; 11/19 Economic Summit

REPORTS

12. GENERAL MANAGERS REPORT

Mr. Wallum thanked and congratulated the Holiday Planning Committee for all their work on this employee event. He also noted that staff is and will continue through the end of the month, to participate in the Chrome IV Workshops. Lastly, he gave a brief COVID-19 update, reporting that numbers are spiking and will continue to do so. He reiterated that staff is again split with half staff working from home and rotating shifts in the office.

13. FINANCIAL REPORT

Mr. McCue gave the financial report for the period of July 1, 2019 to June 30, 2020

Net Operating Income (Loss) – variance from Budget	\$1,351,599
Net Non-Operating Income (Loss) – variance from Budget	\$(8,147,012)
Net Income (Loss) – variance from Budget	\$(6,795,413)
<i>Cash</i>	
Increase (Decrease) in Cash	\$(253,309)
Balance of Cash at Beginning of Year	\$ 34,961,554
Balance of Cash at April 30, 2017	\$ 34,708,246
Unrestricted Cash	\$ 3,758,832
<i>Restricted Cash</i>	
Capital Reserve Fund	\$29,965,742
Other Restricted Cash	\$30,949,414
Cash in Custody of MSWD	\$ 34,708,246

14. DISTRICT COUNSEL REPORT

Mr. Pinkney announced closed session on the Class Action Lawsuit.

DIRECTOR'S COMMENTS

Vice President Duncan congratulated the newly appointed/elected Directors.

Director Martin congratulated the Directors as well.

Director Grasha announced he would like another workshop to discuss the new Admin Building.

Director Sewell thanked the Holiday Committee as well and noted he enjoyed the event very much.

CLOSED SESSION

15. 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)

CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION

pursuant to Government Code Section 54956.9(d)(1)

One Case: Case No. RIC2003782
(George Padilla and Sharon Moreno vs. Mission Springs Water District).

REPORT ON ACTION TAKEN DURING CLOSED SESSION

There was no reportable action.

ADJOURN

President Wright adjourned this meeting at 4:19 PM

Respectfully submitted,

Arden Wallum
Secretary of the Board of Directors