



# BOARD OF DIRECTORS REGULAR MEETING STUDY SESSION MINUTES

Thursday, April 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, Danny Friend, Arturo Ceja, Amanda Lucas, Andrea Varela, April Scott, Arthur Cabrera, Eric Weck, Oriana Hoffert, Theresa Murphy, Dori Petee

## CLOSED SESSION

### CONFERENCE WITH LEGAL COUNSEL REGARDING PENDING LITIGATION

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

One Case: Mission Springs Water District vs. Desert Water Agency et al. D081984  
Riverside County Super. Ct. No. PSC1600676

### CONFERENCE WITH LEGAL COUNSEL REGARDING POTENTIAL INITIATION OF LITIGATION -

Pursuant to Government Code Section 54956.9(d)(4) One potential case.

## REGULAR SESSION

### REPORT ON ACTION TAKEN DURING CLOSED SESSION

The Board met in closed session on the following items:

Conference with legal counsel regarding pending litigation pursuant to Government Code Section 54956.9(d)(1) One Case: Mission Springs Water District vs. Desert Water Agency et al.

D081984 Riverside County Super. Ct. No. PSC1600676 -

Reportable action, decision to seek review by the CA Supreme Court - 3 votes in favor, Sewell, Mayrhofen, Martin; 2 votes not in favor, Griffith & Duff.

Conference with legal counsel regarding potential initiation of litigation pursuant to Government Code Section 54956.9(d)(4) One potential case. - No reportable action was taken.

## 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 Monday.

## **ACTION ITEMS**

### **PUBLIC HEARING (MONDAY, 4/15/2024) ~ RESOLUTION 2024-06 ~ TO COLLECT SEWER FEES ON TAX ROLL**

It is recommended that Resolution 2024-06 be adopted, electing to collect sewer user fees on the tax roll under California Health and Safety Code §5470 et. seq.

The staff report and all discussions will take place at the Board Meeting on Monday, 4/15.

### **RECEIVE AND FILE THE MISSION CREEK SUBBASIN ANNUAL REPORT FOR WATER YEAR 2022-2023**

It is recommended to receive and file the Mission Creek Subbasin Annual Report for Water Year 2022-2023 prepared for the Coachella Valley Water District, Desert Water Agency, and Mission Springs Water District by WSP USA Environmental & Infrastructure Inc.

General Manager Macy noted that the consultant who prepared the report will present at Monday's meeting. Mr. Macy presented some slides regarding the annual groundwater balance in the Mission Creek Subbasin.

### **AUTHORIZATION FOR PURCHASE OF EQUIPMENT FOR THE NANCY WRIGHT REGIONAL WATER RECLAMATION FACILITY AND AUGMENTATION OF THE CAPITAL BUDGET**

It is recommended to authorize the General Manager to approve the purchase of equipment for the Nancy Wright Regional Water Reclamation Facility for a not to exceed amount of \$331,966.22 and augment the capital budget to accommodate this expenditure.

Director of Operations Danny Friend presented. He noted that the new equipment will streamline operational efficiency, reduce manual labor, and improve productivity. It also ensures a safer work environment for our staff. The funds allocated for this purpose will ensure timely procurement of the equipment, enabling staff to commence operations at the NWRWRF without delay.

**ADOPT RESOLUTION 2024-07 AND RECLASSIFY THE GOVERNMENT AND PUBLIC AFFAIRS MANAGER POSITION**

It is recommended to adopt Resolution 2024-07 amending the Employee Classification Plan for FY 2023-24 with the reclassification of the Public Affairs Manager position.

General Manager Macy explained with the internal appointment of the new Assistant General Manager (AGM), a realignment of the District's organizational chart is needed. The Government and Public Affairs duties will continue to be managed by our Assistant General Manager; however, as this role evolves and takes on additional AGM responsibilities, it is necessary to have additional Public Affairs support. With direct supervision from the Assistant General Manager Position, the Programs and Public Affairs Specialist will focus on customer communications and outreach, including conservation messaging and increased community engagement, as outlined in our 2024 Strategic Plan.

**AWARD OF CONTRACT TO AECOM FOR ASSESSMENT DISTRICT NO. 18, AREA D-3 SANITARY SEWER DESIGN SERVICES**

It is recommended to authorize the General Manager to negotiate and execute a contract with AECOM Technical Services, Inc. (AECOM) for repackaging of the plans and specifications for the AD-18 Area D-3 Sewer Construction Project for a total amount not to exceed \$51,834.

Engineering Manager Eric Weck presented. The design of area D3 would include the design of about 4600 linear feet of sewer main and the connection of over 100 properties. This design project will complete the final portion of Area D in Assessment District 18. If this item is approved on Monday, the design of the area will begin immediately with a design completion of August 2024, and we estimate the construction should begin by December 2024.

**AWARD OF ON-CALL GENERAL ENGINEERING SERVICES CONTRACT AMENDMENT NO. 1 FOR THE PREPARATION OF A WATER SUPPLY ASSESSMENT AND WATER SUPPLY VERIFICATION FOR PROJECT VIENTO DEVELOPMENT**

It is recommended to authorize the General Manager to execute a contract amendment with TKE Engineering, Inc. for the preparation of a Water Supply Assessment and Water Supply Verification for the Viento Development Project in the amount of \$21,040.00.

General Manager Macy introduced Mike Thornton, owner of TKE Engineering. Mr. Thornton addressed previous issues the Board has had with TKE and assured them he would be handling them personally. Engineering Manager Eric Weck presented this item. He gave some background on this project and noted that a WSA (Water Supply Assessment) and WSV (Water Supply Verification) are required to move forward with this project. This proposed project will develop over 100 acres located on the north side of 20<sup>th</sup> Avenue just west of the new Nancy Wright Regional Water Reclamation Facility. A WSA is required because this project is more than 250,000 square feet. The proposed size is currently 630,000 square feet. No District monies will be spent to develop the WSA as the developer provided a deposit that will cover this cost.

**AWARD OF CONTRACT TO CANYON SPRINGS ENTERPRISES FOR THE WELL 22 REHABILITATION AND CAPITAL BUDGET AUGMENTATION**

It is recommended to authorize the General Manager to award a contract for the Well 22 Rehabilitation Project to Canyon Springs Enterprises, the lowest responsible bidder, in the amount of

\$1,333,916.00, plus a 10% contingency (total \$1,467,307.60), augment the capital improvement budget amount to \$2,240,000 for Job No. 11611, and to do all things necessary to complete the project.

Engineering Manager Eric Weck presented. The well had to be taken out of service due to problems with its pumping equipment and concerns about water quality. Recently, the first phase of rehabilitation was completed. This involved cleaning and treating the well casing and filter pack, as well as replacing worn-out pumping equipment. After passing water quality tests, MSWD is now moving on to the second phase. When the entire project is finished, it will restore approximately 1,937 acre-feet per year of reliable water supply. In the second phase of work, they removed and replaced the well discharge piping and other parts, raised the well pedestal above flood levels, installed new electrical and SCADA equipment, and built a new chemical storage shed. These improvements will bring the project up to current health and safety standards. Additionally, the project received a grant of \$338,787.00 from the Department of Water Resources Urban and Multibenefit Drought Relief program.

#### **AWARD OF CONTRACT TO MWH CONSTRUCTORS, INC. FOR CONSTRUCTION MANAGEMENT AND INSPECTION SERVICES FOR WELL 22 REHABILITATION**

It is recommended to authorize the General Manager to execute a contract agreement with MWH Constructors for an amount not to exceed \$189,573 for construction management and inspection services for the Well 22 Rehabilitation.

Engineering Manager Eric Weck presented. This item pertains to construction management and inspection services for the item discussed above during pre-construction, construction, and post-construction.

#### **AWARD CONTRACT AMENDMENT #3 TO WEST YOST FOR HORTON PHASE I NITROGEN CONTROL STRATEGY IMPLEMENTATION**

It is recommended that West Yost be awarded contract amendment #3 to implement Phase I of the work plan described in the Horton WWTP Nitrogen Control Strategy Technical Report approved by the Colorado River Regional Water Quality Control Board in September 2023. This will increase the contract amount to \$84,700.00, from \$181,306.00 to a new total of \$266,006.00.

General Manager Brian Macy presented. The original contract was to help with our discharge requirements for the NWRWRF, the Salt Nutrient Management Plan, and other items. The second amendment was requirements for the Horton Facility. This third amendment is for a new study on Nitrogen control.

#### **AWARD OF PROFESSIONAL SERVICES AGREEMENT FOR GEOVIEWER SOFTWARE SUBSCRIPTION AND SUPPORT SERVICES FOR THE MISSION SPRINGS WATER DISTRICT TO NOBEL SYSTEMS**

It is recommended to authorize the General Manager to execute a three-year contract for GeoViewer Software Subscription and Support Services for the Mission Springs Water District in the amount of \$63,129.00 to Nobel Systems and authorize the General Manager to do all things necessary to complete the project.

Director of Operations Danny Friend presented this item. The District currently utilizes Noble Systems for GIS mapping services and its custom GeoViewer online/mobile platforms, which are designed to streamline field workflow processes and help manage day-to-day operations. GeoViewer Mobile allows field staff to view real-time data and analyze and collect data online or offline. It includes tools such as USA Dig Alert, CMMS, valve exercising and valve isolation analysis, leak data collection, and fire hydrant flushing/maintenance.

In February 2024, the District moved forward with the complete deployment of ArcGIS Enterprise, Utility Network, and Cityworks. It is imperative that staff continue to have a GIS program to manage work orders, document system maintenance, and easily collect data. This contract is necessary to allow continued benefits while staff works towards the implementation of the new GIS Utility Network and Cityworks program.

### **DISCUSS RIVERSIDE LOCAL AGENCY FORMATION COMMISSION (LAFCO) ELECTION OF TWO POSITIONS**

It is recommended to consider the nominees for two Riverside Local Agency Formation Commission (LAFCO) positions up for election and have the Board President cast a vote for a Regular Special District Member from the Eastern Region of the County and an Alternate Special District Member Countywide.

President Sewell asked for input from the Board on this vote. He will cast a vote on Monday.

### **DISCUSSION ITEMS**

#### **NANCY WRIGHT REGIONAL WATER RECLAMATION FACILITY UPDATE**

This update will take place on Monday.

#### **CRITICAL SERVICES CENTER AND ADMINISTRATIVE BUILDING UPDATE**

This update will take place on Monday.

### **CONSENT AGENDA**

Director Duff pulled the Register of Demands for clarification on certain items.

#### **APPROVAL OF MINUTES**

It is recommended to approve the minutes as follows:

March 6, 2024 - Special Meeting Workshop

March 14, 2024 - Study Session

March 18, 2024 - Board Meeting

#### **REGISTER OF DEMANDS**

The register of demands totaling \$4,337,139.49

### **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

**COMMENTS**

**DISTRICT COUNSEL COMMENTS**

District Counsel recapped how they assisted the District.

**DIRECTOR COMMENTS AND REQUESTS FOR FUTURE AGENDA ITEMS**

**A. Director General Comments**

Director Martin complimented the staff on putting together the materials for today’s meeting.

Director Mayrhofen noted he brought up some safety issues with General Manager Macy and would like an update on them on Monday. Mr. Macy addressed those items today.

**B. Director Requests for Future Agenda Items**

No requests at this time.

**ADJOURN**

With no further business, President Sewell adjourned the meeting at 4:30 PM

Respectfully submitted,

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Dori Petee  
Executive Assistant