



## BOARD OF DIRECTORS REGULAR MEETING STUDY SESSION MINUTES

Thursday, December 15, 2022 at 3:00 PM  
Via Teleconference – No Live Attendance

### CALL TO ORDER

President Martin called the meeting to order at 3:00 pm.

### SWEARING IN OF NEW BOARD MEMBERS

General Manager & Board Secretary, Arden Wallum swore in two new Directors to the Board, Amber Duff and Ted Mayrhofen.

### ROLL CALL

**BOARD MEMBERS PRESENT:** President Russ Martin, Director Ivan Sewell, Director Robert Griffith  
Director Amber Duff, Director Ted Mayrhofen

**STAFF MEMBERS PRESENT:** Arden Wallum, Brian Macy, Arturo Ceja, Danny Friend, Dori Petee, Kurt Kettenacker, Jeff Nutter, Marion Champion, Carol Morin, Lisa Pelton, Amanda Lucas, Eric Weck, Theresa Murphy, Mike Platt, Oriana Hoffert, April Scott, Rachel Pust

### 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 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

### HUMAN RESOURCES REPORT

This item will be fully recognized on Monday.

## ACTION ITEMS

### **RESOLUTION 2022-30 - A RESOLUTION OF THE BOARD OF DIRECTORS OF THE MISSION SPRINGS WATER DISTRICT PROCLAIMING A LOCAL EMERGENCY PERSISTS, RE-RATIFYING THE PROCLAMATION OF A STATE OF EMERGENCY BY EXECUTIVE ORDER N-09-21, AND RE-AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE LEGISLATIVE BODIES OF THE MISSION SPRINGS WATER DISTRICT FOR THE PERIOD DECEMBER 23, 2022 – JANUARY 22, 2023, PURSUANT TO PROVISIONS OF THE RALPH M. BROWN ACT**

It is recommended to approve Resolution 2022-30, continuing teleconferencing meetings for the period of December 23, 2022 - January 22, 2023.

Standard monthly item, however, this will be ending at the end of February of 2023. General Counsel, John Pinkney reviewed the new Assembly Bill that will replace this, Assembly Bill (AB) 2449.

### **RESOLUTION NO. 2022-31 - A RESOLUTION OF THE BOARD OF DIRECTORS OF THE MISSION SPRINGS WATER DISTRICT RECOMMENDING APPROVAL OF A NOTICE OF EXEMPTION DETERMINATION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT GUIDELINES FOR THE SUPPLEMENTAL ENVIRONMENTAL PROJECT**

It is recommended to adopt Resolution No. 2022-31, recommending approval of a Notice of Exemption determination under the California Environmental Quality Act (CEQA) Guidelines pursuant to Section 15300 for the Supplemental Environmental Project and direct the General Manager to sign the attached Notice of Exemption and file same with the Riverside County Clerk.

General Manager Wallum introduced this item. He briefly explained the events that unfolded in October 2020 that resulted in the civil and administrative liability that is being converted into the Supplemental Environmental Project. This will resolve the violation specified in that order. Brian Macy went on to explain the project and the benefit it will have to the Groundwater supply and the Desert Hot Springs community.

### **RESOLUTION 2022-32 - AMENDING RESOLUTION NO. 2022-17; REVISIONS TO MISSION SPRINGS WATER DISTRICT PERSONNEL RULES AND REGULATIONS**

It is recommended to adopt Resolution No. 2022-32 providing for the revisions to Mission Springs Water District Personnel Rules and Regulations.

Oriana Hoffert, Human Resources Manager, presented an explanation of the proposed changes.

### **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.

Arturo Ceja provided the guidelines for development/connection fees. The District is not permitted to collect these fees and not spend them within five years.

### **ELECTION OF MSWD BOARD OFFICERS FOR 2023**

President Martin explained this process is to elect the President and Vice President. This will take place on Monday.

## DISCUSSION ITEMS

### MSWD REGIONAL WATER RECLAMATION FACILITY UPDATE

Steve Ledbetter of TKE shared a power point and slide show of the construction progress at the Reclamation Facility.

### CRITICAL SERVICES CENTER AND ADMINISTRATIVE BUILDING UPDATE

Assistant General Manager, Brian Macy explained, for the benefit of the new board members, a little about our architect regarding this project. He noted an upcoming tour of the Palm Springs Unified School District, this building was also designed by our architect.

### ENERGY CONSERVATION AND EFFICIENCY SERVICES PLAN – ENGIE SERVICES U.S.

On June 30, 2022, MSWD staff solicited qualifications for qualified contractors to demonstrate the competence and capacity of contractors to perform a design-build contract to assist MSWD in becoming more energy efficient. The design-build contract will include three (3) distinct phases: Development of an Energy Conservation and Efficiency Services Plan (feasibility study), Comprehensive Plan development, and the filing of solar interconnection applications and, Construction of energy enhancements and capital improvements to reduce electrical consumption.

Staff reviewed the three (3) proposals received from various consulting firms and contractors. Based on the qualifications received on July 28, 2022, staff evaluated the qualifications and selected ENGIE Services U.S. Inc. (ENGIE) as the most qualified contractor based on the scoring criteria in the Request for Qualifications. With Board concurrence, ENGIE will begin the development of an Energy Conservation and Efficiency Services Plan by evaluating the energy consumption and needs of the Alan L. Horton Wastewater Treatment Plant as well as other District-wide consumption and energy needs as outlined in their Statement of Qualifications.

ENGIE is proposing to complete the Energy Conservation and Efficiency Services Plan, the development of the Comprehensive Plan, filing of the necessary solar interconnection applications on the District's behalf, and make final recommendations for Board approval at no cost to the District. Once the recommendations are thoroughly vetted by staff and the Board, staff will bring an Energy Services Contract to the Board for approval. Based on the schedule provided by ENGIE, the Energy Services Contract will be presented to the Board in the next 12 months.

## 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:

November 17, 2022 - Study Session

November 21, 2022 - Board Meeting

**REGISTER OF DEMANDS**

The register of demands totaling \$857,374.50

**2023 BOARD OF DIRECTORS MEETING SCHEDULE**

**REPORTS**

**DIRECTOR'S REPORTS**

All Director Reports will be given on Monday 12/19.

**GENERAL MANAGER'S REPORT**

Included in the General Manager's report are the following oral reports:

- A. Financial Report (Monday 12/19)
- B. Public Affairs Update

Marion Champion presented a Public Relations Update.

**COMMENTS**

**DISTRICT COUNSEL COMMENTS**

Nothing to report

**DIRECTOR COMMENTS**

Vice President Sewell thanked Carol Morin & Marion Champion for their assistance in getting him visuals for a presentation he made at Cabot's Yerxa Elementary School. He also welcomed our two new Board members. Lastly, he requested a workshop for all Board members to have an open discussion on District business.

Director Mayrhofen thanked all for the warm welcome.

Director Duff also thanked the staff for the welcome and wished the former members good luck in the future.

Director Griffith also welcomed the new Board members.

President Martin echoed the sentiments above and encouraged the new members to take advantage of all the learning opportunities. He also noted a healthy organization can have a difference of opinion, and the way you handle those differences is critical to the health of that organization.

**ADJOURN**

Respectfully,

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Arden Wallum  
Secretary of the Board of Directors