



BOARD OF DIRECTORS REGULAR MEETING MINUTES

Monday, June 21, 2021 at 3:00 PM
Via Teleconference – No Live Attendance

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

Pledge and invocation were led by President Wright.

ROLL CALL

BOARD MEMBERS PRESENT: President Nancy Wright, Vice President Russ Martin, Director Randy Duncan, Director Steve Grasha, Director Ivan Sewell

STAFF MEMBERS PRESENT: Lucas, Macy, Wallum, Ceja, Llort, Murphy, Santos, Hoffert, Boyer, Alzammar, Scott

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

*This is the opportunity for members of the public to address the Board on matters within the Board's jurisdiction. **Please limit comments to three (3) minutes or less.** State law prohibits the Board from discussing or taking action on any item not listed on the agenda.*

No general public input

EMPLOYEE RECOGNITION

HUMAN RESOURCES REPORT

The Board recognized the following employees:

NEW HIRES

Joseph McElrone Collections Operator II

ANNIVERSARIES

Alexander Nine Field Operations Technician I 4 Years

Victoria Llord Programs and Public Affairs Associate 2 Years

PROMOTIONS

Colton Gerdes Field Operations Technician II, formerly, Water Production Operator I

CERTIFICATIONS/EDUCATIONAL ACCOMPLISHMENTS

Colton Gerdes Water Distribution Operator Certification – Grade II

Andy Grunnet Grade 3 Wastewater Treatment Plant Operator

ACTION ITEMS**PUBLIC HEARING (MONDAY, JUNE 21, 2021) - RESOLUTION 2021-07 – TO FIX, LEVY AND COLLECT WATER STANDBY ASSESSMENTS**

The Board adopted Resolution No. 2021-07 making determination to fix, levy and collect water service standby assessments for fiscal year 2021-22.

This item and item 8 were heard together.

President Wright opened the public hearing, secretaries report was given.

Staff report was given by Jo-Anne Bogias of Wildan Financial Services. This is a routine yearly item conducted to fix, levy, and collect water and sewer standby assessments.

Motion made by Director Grasha, Seconded by Director Sewell.

Voting Yea: President Wright, Vice President Martin, Director Duncan, Director Grasha, Director Sewell

PUBLIC HEARING (MONDAY, JUNE 21, 2021) - RESOLUTION 2021-08 – TO FIX, LEVY AND COLLECT SEWER STANDBY ASSESSMENTS

The Board adopted Resolution No. 2021-08 making determination to fix, levy and collect sewer service standby assessments for fiscal year 2021-22.

Motion made by Director Duncan, Seconded by Vice President Martin.

Voting Yea: President Wright, Vice President Martin, Director Duncan, Director Grasha, Director Sewell

PUBLIC HEARING (MONDAY, JUNE 21, 2021) - RESOLUTION 2021-13 - ADOPTION OF THE 2020 COACHELLA VALLEY REGIONAL URBAN WATER MANAGEMENT PLAN, ADOPTION OF THE 2021 WATER SHORTAGE CONTINGENCY PLAN, AND ADOPTION OF THE APPENDIX L ADDENDUM TO THE 2015 URBAN WATER MANAGEMENT PLAN STAFF RECOMMENDATION

The Board adopted Resolution 2021-13 adopting, filing, and implementing the 2020 Coachella Valley Regional Urban Water Management Plan, adopt 2021 Water Shortage Contingency Plan, and adopt Appendix L Addendum to the 2015 Urban Water Management Plan.

President Wright opened the public hearing, secretaries report was given.

Staff Report was given by Victoria Llort. Ms. Llort reviewed the key elements of the plan and the water shortage contingency plan. She noted that individual agency chapter can be found in chapters four through nine (4-9) and how they meet reporting requirements of the UWMP Act. The Water Shortage Contingency Plan (WSCP) was reviewed with the Board during the updates given at the April and May Board meetings. She noted one of the significant differences between the 2015 plan and the 2020 plan, are the response action levels. Since the previous update in May, the following changes have been made to the WSCP, allowing for leak checks and conservation alt. plans for laylight watering, Level 2, removal of prohibition of initial swimming pool filling, however as a result the group changed prohibition of "outdoor watering" to "outdoor water use", level 6. And lastly moving of prohibition of misting systems from Level 3 to Level 5. The Board will see an update of the WSCP Ordinances and water waste provisions at the July Board meetings. She reviewed other items being amended in the updated plan. Ms. Llort reviewed the ways the group shared this information with the general community and gave the staff recommendations on action of today's items.

At this time, the Board opened the floor to public comment:

Russell Betts noted there is much to review but noted that the community of Desert Hot Springs has historically suffered because of a WSCP. He noted that a baseline of conservation is set for the Valley that everyone needs to meet however the City of Desert Hot Springs has already far exceed this standard. He noted the baseline should be set at what Desert Hot Springs is already achieving.

Mr. Wallum noted that the community has already met the conservation requirements. Ms. Llort added that as we note the six (6) shortage levels, we see flexibility before these levels are enacted. One of the main reasons for a regional plan was to allow for consistency across the valley.

Seeing no more public comment, President Wright closed the public hearing and called for discussion by the Board.

Director Duncan notes that something about this plan doesn't sit right with him. He wished that this agenda item was broken into several different parts. He noted the addendum and the shortage levels and commented that he didn't see any type of public outreach included in the plan. He stated he felt this plan was government overreach and a self-imposed power grab. Ms. Llort noted that she is happy to provide Director Duncan with each of the shortage level(s) public outreach plans but emphasized that this plan does include increased public outreach and education for conservation. Regarding appendix L, she noted that the consultant who help facilitate the plan is on this meeting and can elaborate on that plan. The consultant (Water Systems Consulting) noted that appendix L is a fairly narrow document trying to show that the region as a whole is reducing their reliance on water from the Delta. The idea is that this will help smooth out the approval process for any future projects that could help increase the reliability of that supply. He then noted that the WSCP, the six stages and action were developed to create alignment between the six agencies.

Vice President Martin asked Director Duncan if the changes Director Duncan would like to make are substantial. Director Duncan noted that he doesn't have any specific changes and that this plan is government overreach.

Director Grasha stated he tends to agree with Director Duncan and felt that this should be two separate documents to act on today. He also asserted that we are not currently in a drought. Ms. Llort noted that the WSCP is part of the Regional Urban Water Management Plan.

Mr. Wallum noted that he wished the Board would have provided this feedback at the previous updates given to the Board over the last six months.

President Wright to called for a motion, there was a brief (additional) comment made by Director Grasha before the roll call vote.

Motion made by Director Grasha, Seconded by Director Sewell.

Voting Yea: President Wright, Vice President Martin, Director Grasha, Director Sewell

Voting Nay: Director Duncan

RESOLUTION 2021-09 - ADDITION OF DELINQUENT ACCOUNTS TO COUNTY TAX ROLLS

The Board adopted Resolution No. 2021-09 requesting Addition of Delinquent Water and Sewer Charges and other fees of \$5.00 or more to the 2021-22 Riverside County Tax Rolls.

There was a brief discussion regarding potential grant monies and how they would be applied to customers directly.

Motion made by Director Sewell, Seconded by Director Duncan.

Voting Yea: President Wright, Vice President Martin, Director Duncan, Director Grasha, Director Sewell

FISCAL YEAR 2021/2022 BUDGET

A. The Board adopted Resolution No. 2021-10, adopting the Operating and Capital Budgets FY 2021-2022.

B. The Board adopted Resolution No. 2021-11, adopting its Appropriations Limit for FYE June 30, 2022.

C. The Board adopted Resolution No. 2021-12, adopting its Employee Classification Plan effective July 1, 2021.

Mr. Ceja reminded the board there is no rate increases, three additional FTE's (Full Time Employee's) the expectation of Loans and Grants with regards to the Regional Plant and a 3% revenue increase in water sales and water treatment.

Motion made by Vice President Martin, Seconded by Director Duncan.

Voting Yea: President Wright, Vice President Martin, Director Duncan, Director Grasha, Director Sewell

PROFESSIONAL SERVICES CONTRACT WITH TKE ENGINEERING FOR THE DESIGN OF THE HORTON WASTEWATER TREATMENT PLANT TERTIARY EFFLUENT FILTRATION SYSTEM

The Board authorized the General Manager to execute a contract for a not to exceed amount of \$101,200 with TKE Engineering for the design of the Horton Wastewater Treatment Plant Tertiary Effluent Filtration System Project.

Nothing further to add.

Motion made by Vice President Martin, Seconded by Director Duncan.

Voting Yea: President Wright, Vice President Martin, Director Duncan, Director Grasha, Director Sewell

PROFESSIONAL SERVICES CONTRACT AGREEMENT FOR SO CAL LAND MAINTENANCE, INC.

The Board authorized the General Manager to approve the contract agreement with So Cal Land Maintenance, Inc. for irrigation maintenance and landscaping services for District facilities, for a not to exceed amount of \$74,100.00, plus a 10% contingency (total \$81,510.00), for a period of one year.

Nothing further to add.

Motion made by Vice President Martin, Seconded by Director Sewell.

Voting Yea: President Wright, Vice President Martin, Director Duncan, Director Grasha, Director Sewell

PROFESSIONAL SERVICES CONTRACT AGREEMENT FOR SOUTHERN CALIFORNIA FLEET SERVICES INC.

The Board authorized the General Manager to approve the contract agreement with Southern California Fleet Services Inc. to perform maintenance and repairs for all District vehicles and equipment, for a not to exceed amount of \$100,000 for a period of one year.

Nothing further to add

Motion made by Director Grasha, Seconded by Vice President Martin.

Voting Yea: President Wright, Vice President Martin, Director Duncan, Director Grasha, Director Sewell

ACCEPTANCE OF GRANT OF EASEMENT DEED FOR PUBLIC WATER UTILITIES EASEMENT – MAGDI RAGHEB HANNA

The Board authorized the General Manager to sign the Certificate of Acceptance, approving and accepting the Grant of Easement Deed from Magdi Ragheb Hanna (Plaza DHS Developer) dated May 18, 2021 for public water utilities easement, located on APN: 666-310-009 on 18th Avenue, City of Desert Hot Springs, CA.

Nothing further to add

Motion made by Director Sewell, Seconded by Director Duncan.

Voting Yea: President Wright, Vice President Martin, Director Duncan, Director Grasha, Director Sewell

ACCEPTANCE OF GRANT OF EASEMENT DEED FOR PUBLIC SEWER AND WATER UTILITIES EASEMENT – MAGDI RAGHEB HANNA

The Board authorized the General Manager to sign the Certificate of Acceptance, approving and accepting the Grant of Easement Deed from Magdi Ragheb Hanna (Plaza DHS Developer) dated May 18, 2021 for public sewer and water utilities easement, located on APN: 666-310-009 on 18th Avenue, City of Desert Hot Springs, CA.

Nothing further to add.

Motion made by Director Duncan, Seconded by Director Sewell.

Voting Yea: President Wright, Vice President Martin, Director Duncan, Director Grasha, Director Sewell

CONTRACT AGREEMENT WITH B-81 PAVING INC. FOR PAVEMENT REPAIRS FOR WATER AND SEWER PROJECTS

The Board authorized the General Manager to approve a contract agreement with B-81 Paving Inc. for the pavement repairs for water and sewer projects for fiscal year 2021-2022, for a not to exceed

amount of \$150,000, and authorize the General Manager to do all things necessary to complete the project.

Nothing further to add.

Motion made by Director Duncan, Seconded by Vice President Martin.

Voting Yea: President Wright, Vice President Martin, Director Duncan, Director Grasha, Director Sewell

CONTRACT AGREEMENT WITH R.I.C. CONSTRUCTION CO., INC. FOR WELL 24 ELECTRICAL PANEL REHABILITATION

The Board authorized the General Manager to approve a contract agreement with R.I.C. Construction Co., Inc., the lowest responsible bidder, for the construction of the Well 24 Electrical Panel Rehabilitation, in the amount of \$482,777.00, plus a 10% contingency for a total of \$531,054.70, and authorize the General Manager to do all things necessary to complete the project.

Director Grasha asked why this item wasn't included in the rehabilitation of the well. Mr. Alzammar noted the electrical panel failed after the well was rehabilitated.

Motion made by Vice President Martin, Seconded by Director Duncan.

Voting Yea: President Wright, Vice President Martin, Director Duncan, Director Grasha, Director Sewell

DISCUSSION ITEMS

MSWD REGIONAL WATER RECLAMATION FACILITY UPDATE

Nothing further to add.

ADMINISTRATION AND CORP YARD BUILDING UPDATE

Special Meeting/Workshop scheduled for July 1, 2021.

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.

Motion made by Vice President Martin, Seconded by Director Sewell.

Voting Yea: President Wright, Vice President Martin, Director Duncan, Director Grasha, Director Sewell

APPROVAL OF MINUTES

It is recommended to approve the minutes as follows:

Study Session - May 13, 2021

Board Meeting - May 17, 2021

REGISTER OF DEMANDS

The register of demands totaling \$2,899,689.50.

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:

65950 Ironwood Drive - \$3,800.00

66862 San Rafael Road - \$4,800.00

DIRECTOR'S REPORTS**UPCOMING EVENTS AND DIRECTOR REPORTS**

Vice President Martin reported he attended the following events: 5/4 DHS City Council Meeting, 5/6 DVBA Legislative Meeting, 5/10 ACWA/JPIA Board Meeting, 5/11 RivCo Board of Supervisors Meeting, 5/13 DVBA General Membership Meeting, 5/18 DHS City Council Meeting, 5/20 Countywide Oversight Meeting, 5/24 Cabot's Museum Board Meeting, 5/25 RivCo Board of Supervisors Meeting, 5/26 San Geronio Pass Water Alliance.

Director Duncan reported he attended the following events: 5/4 DWA Board Meeting, 5/11 CVWD Board Meeting, 5/18 DWA Board Meeting, 5/25 CVWD Board Meeting.

President Wright reported the events she attended in May were reported at the May meeting. She noted events attended in June, California Water Commission Meeting and the ACWA Groundwater Committee Meeting, CVCC and E&E Meetings.

Director Grasha reported he attended the following events: 5/25 Virtual Round Table on the Salton Sea, 6/5 Memorial Service for Corky Larsen.

REPORTS**GENERAL MANAGERS REPORT**

Nothing further to report.

DISTRICT COUNSEL REPORT

Nothing further to report, announced closed session.

DIRECTOR COMMENTS

Director Grasha commented on a Notice of Violation received by the District on June 10, 2021. Additionally, he commented on Incompatible Offices.

Director Sewell noted the ribbon cutting for the new DHS Library, on Saturday June 26, 2021.

Director Duncan noted the accusations and drama are completely unacceptable.

CLOSED SESSION

THREAT TO PUBLIC SERVICE OR FACILITIES

(Gov Code Section 54957)

Consultation with Gary Sturdivan, Sturdivan Consulting

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. RIC 2003782

(George Padilla and Sharon Moreno vs. Mission Springs Water District)

CONFERENCE WITH LEGAL COUNSEL REGARDING PENDING LITIGATION

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

One Case: (MSWD vs. Master Meter)

REPORT ON ACTION TAKEN DURING CLOSED SESSION

The Board met in closed session on the following item: 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)

There was no reportable action.

ADJOURN

With no further business President Wright adjourned the meeting at 5:00 PM



Arden Wallum

Secretary of the Board of Directors