



BOARD OF DIRECTORS REGULAR MEETING STUDY SESSION AGENDA

Thursday, July 14, 2022 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 AND CALIFORNIA'S ASSEMBLY BILL 361 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 OR GIVE REAL TIME COMMENTS BY ATTENDING THE MEETING VIRTUALLY OR TELEPHONICALLY.

JOIN ZOOM MEETING:

<https://us02web.zoom.us/j/8220655340?from=addon>

DIAL BY PHONE:

+1 (408) 638-0968

Meeting ID: 822 065 5340

ACTION MAY BE TAKEN ON ANY ITEM LISTED ON THIS AGENDA

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

4. RULES OF PROCEDURE

5. 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.*

EMPLOYEE RECOGNITION

6. HUMAN RESOURCES REPORT

ACTION ITEMS

- 7. RESOLUTION 2022-17 - AMENDING RESOLUTION NO. 2021-18; REVISIONS TO MISSION SPRINGS WATER DISTRICT PERSONNEL RULES AND REGULATIONS**

It is recommended to adopt Resolution No. 2022-17 providing for the revisions to Mission Springs Water District Personnel Rules and Regulations.
- 8. RESOLUTION 2022-18 - 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 JULY 23, 2022 – AUGUST 22, 2022, PURSUANT TO PROVISIONS OF THE RALPH M. BROWN ACT**

It is recommended to approve Resolution 2022-18, continuing teleconferencing meetings for the period of July 23, 2022 - August 22, 2022.
- 9. RESOLUTION 2022-19 - CONFLICT OF INTEREST CODE UPDATE**

It is recommended to adopt Resolution No. 2022-19 amending the Mission Springs Water District Conflict of Interest Code.
- 10. VARIOUS AGREEMENTS RELATED TO THE REHABILITATION OF HORTON WASTEWATER TREATMENT FACILITY, THE NORTH BUILDING**

It is recommended to authorize the General Manager to enter into the appropriate agreements to facilitate the rehabilitation of Horton Wastewater Treatment Facility, The North Building. This rehabilitation includes the construction and upgrades for two (2) bathrooms, kitchen, and office space for the Wastewater and Collections Departments. The agreements necessary to complete the rehabilitation are with Puro Clean for \$26,582.36 (roofing), Hi Desert Air for \$18,250.00 (air conditioning), Cove Electric for \$35,945.62 (electrical upgrades), and SW Plumbing for \$18,745.00 (plumbing).
- 11. FIRST 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. The amendment would increase the contract amount \$788,764 from \$1,072,200 to a not to exceed amount of \$1,860,964 and authorize the General Manager to do all things necessary to complete the project.
- 12. RESOLUTION 2022-20 RECOMMENDING APPROVAL OF SKYBORNE DEVELOPMENT - PARTIAL ASSIGNMENT AND ASSUMPTION AGREEMENT**

It is recommended to adopt Resolution No. 2022-20, recommending approval of a Partial Assignment and Assumption of Public Water System Improvement and Water Service Connection Fee Credit/Reimbursement Agreement authorizing Skyborne Ventures, LLC to assign water connection fee credits to Gallery Skyborne Partners, LLC as required by the Third Amendment to the Public Water System Improvement and Water Service Connection Fee Credit / Reimbursement Agreement for Tract No. 32030, and complete with all exhibits.

DISCUSSION ITEMS

- 13. MSWD REGIONAL WATER RECLAMATION FACILITY UPDATE**
- 14. CRITICAL SERVICES CENTER AND ADMINISTRATION BUILDING UPDATE**

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.

15. APPROVAL OF MINUTES

It is recommended to approve the minutes as follows:

June 1, 2022 - Special Meeting/Workshop

June 16, 2022 - Study Session

June 20, 2022- Board Meeting

16. REGISTER OF DEMANDS

The register of demands totaling \$3,604,639.24

REPORTS

- 17. DIRECTOR'S REPORTS**
- 18. GENERAL MANAGER'S REPORT**

COMMENTS

- 19. DISTRICT COUNSEL COMMENTS**
- 20. DIRECTOR COMMENTS**

CLOSED SESSION**21. 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)

22. 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)

23. CONFERENCE WITH LEGAL COUNSEL REGARDING SIGNIFICANT EXPOSURE TO LITIGATION

pursuant to Government Code Section 54956.9(d)(2) and/or (3)

(One potential case related to a threat of litigation by Coachillin Holdings, LLC)

24. **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**
potential initiation of litigation pursuant to Government Code 54956.9(d)(4)
(two potential cases).
25. **ANNUAL PUBLIC EMPLOYEE PERFORMANCE EVALUATION**
Pursuant to Government Code Section 54957
Title: General Manager
26. **REPORT ON ACTION TAKEN DURING CLOSED SESSION**
27. **ADJOURN**

If you need special assistance to participate in this meeting, please contact the Executive Assistant at (760) 660-4403 at least 48 working hours prior to the meeting.

ANY DISCLOSABLE PUBLIC RECORDS RELATED TO AN OPEN SESSION ITEM ON A REGULAR MEETING AGENDA AND DISTRIBUTED BY MISSION SPRINGS WATER DISTRICT TO ALL OR A MAJORITY OF THE BOARD OF DIRECTORS LESS THAN 72 HOURS PRIOR TO THAT MEETING ARE AVAILABLE FOR PUBLIC INSPECTION AT THE DISTRICT OFFICE, 66575 SECOND STREET, DESERT HOT SPRINGS, CALIFORNIA DURING NORMAL BUSINESS HOURS AND MAY ALSO BE AVAILABLE ON THE DISTRICT'S WEBSITE AT <https://www.mswd.org/board.aspx>. NOTE: THE PROCEEDINGS MAY BE AUDIO AND VIDEO RECORDED.

CERTIFICATION OF POSTING

I certify that on or before July 11, 2022, a copy of the foregoing notice was posted near the regular meeting place of the Board of Directors of Mission Springs Water District at least 72 hours in advance of the meeting (Government Code Section 54954.2).



Arden Wallum
Secretary of the Board of Directors