



BOARD OF DIRECTORS REGULAR MEETING AGENDA

Monday, October 17, 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 2022-26- 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 OCTOBER 23, 2022 – NOVEMBER 22, 2022, PURSUANT TO PROVISIONS OF THE RALPH M. BROWN ACT**

It is recommended to approve Resolution 2022-26, continuing teleconferencing meetings for the period of October 23, 2022 - November 22, 2022.

- 8. APPROVE CHANGE ORDER NO. 4 FOR THE WELL 24 ELECTRICAL PANEL REHABILITATION PROJECT**

It is recommended to authorize the General Manager to negotiate and execute Change Order No. 4 with R.I.C. Construction Co. Inc. (R.I.C.) in the not to exceed amount of \$6,007.00 for additional work required to complete the Well 24 Electrical Panel Rehabilitation Project and allocate an additional \$7,500 for contingencies.

- 9. AWARD OF CONTRACT FOR THE CONSTRUCTION OF THE REGIONAL SEWER CONVEYANCE LINE PROJECT**

It is recommended to authorize the General Manager to award a contract for the construction of the Regional Sewer Conveyance Line Project to Downing Construction, Inc., the lowest responsible bidder, in the amount of \$6,508,281.00 plus a 10% contingency of \$650,828.10 for a total of \$7,159,109.10, and to do all things necessary to complete the project.

- 10. REJECTION OF CONSTRUCTION BIDS FOR THE DRYWALL REPAIRS AT THE MISSION SPRINGS WATER DISTRICT ADMINISTRATION BUILDING**

It is staff's recommendation to reject all bids and not proceed with the Drywall Repairs at the Mission Springs Water District Administration Building.

- 11. PROFESSIONAL SERVICES AGREEMENT AMENDMENT WITH WEST YOST FOR HORTON WASTEWATER TREATMENT PLANT TECHNICAL REPORTS**

It is recommended to authorize the General Manager to negotiate and execute a professional services agreement amendment with West Yost to prepare a Total Dissolved Solids Impact Evaluation Work Plan and a Nitrogen Control Strategy Technical Report for the Horton Wastewater Treatment Plant for an amount not to exceed \$137,140.00.

DISCUSSION ITEMS

- 12. MSWD REGIONAL WATER RECLAMATION FACILITY UPDATE**

- 13. 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.

14. APPROVAL OF MINUTES

It is recommended to approve the minutes as follows:

September 15, 2022 - Study Session
September 19, 2022 - Board Meeting

15. REGISTER OF DEMANDS

The register of demands totaling \$3,194,938.54

REPORTS**16. DIRECTOR'S REPORTS****17. GENERAL MANAGER'S REPORT**

Included in the General Manager's report is the following oral report:

A. Public Affairs Update

COMMENTS**18. DISTRICT COUNSEL COMMENTS****19. DIRECTOR COMMENTS****CLOSED SESSION****20. 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)

21. 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)

22. 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)

23. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION - SIGNIFICANT EXPOSURE TO LITIGATION

pursuant to Government Code Sections 54956.9(d)(2) and/or (3) and/or (4)

One potential case regarding Regional Water Quality Control Board, Colorado River Basin Region Notice of Violation of Order No. R7-2014-0049 related to October 3, 2020 incident at the Horton Plant.

24. REPORT ON ACTION TAKEN DURING CLOSED SESSION

25. 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 October 14, 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