



## BOARD OF DIRECTORS REGULAR MEETING AGENDA

Monday, May 16, 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](mailto: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

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### 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 2022-07 - 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 MAY 24, 2022 – JUNE 22, 2022, PURSUANT TO PROVISIONS OF THE RALPH M. BROWN ACT**

It is recommended to approve Resolution 2022-07, continuing teleconferencing meetings for the period of May 24, 2022 - June 22, 2022.

- 8. PROFESSIONAL ENGINEERING SERVICES CONTRACT FOR TKE ENGINEERING, INC.**

It is recommended to authorize the General Manager to execute an agreement with TKE Engineering, Inc., on an as-needed basis for a period of one year at a not-to-exceed amount of \$250,000.00

- 9. FIRST AMENDMENT TO CONTRACT AGREEMENT WITH B-81 PAVING, INC. FOR PAVEMENT REPAIRS FOR WATER AND SEWER PROJECTS FOR 2021-2022**

It is recommended to authorize the General Manager to amend the contract agreement with B-81 Inc., titled Pavement Repairs for Water and Sewer Projects for 2021-2022. The amendment would increase the contract amount \$50,000 from \$150,000 to a not to exceed amount of \$200,000.00 and authorize the General Manager to do all things necessary to complete the project.

**DISCUSSION ITEMS**

- 10. MSWD REGIONAL WATER RECLAMATION FACILITY UPDATE**

- 11. CRITICAL SERVICES CENTER AND ADMINISTRATIVE 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.*

- 12. APPROVAL OF MINUTES**

It is recommended to approve the minutes as follows:

April 14, 2022 - Study Session

April 18, 2022 - Board Meeting

- 13. REGISTER OF DEMANDS**

The register of demands totaling \$1,492,447.99

**REPORTS**

- 14. DIRECTOR'S REPORTS**

15. **GENERAL MANAGER'S REPORT**
  - A. **Financial Report**
  - B. **Public Affairs Report**

**COMMENTS**

16. **DISTRICT COUNSEL COMMENTS**
17. **DIRECTOR COMMENTS**

**CLOSED SESSION**

18. **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)
19. **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)
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. **REPORT ON ACTION TAKEN DURING CLOSED SESSION**
22. **ADJOURN**

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*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.**

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**CERTIFICATION OF POSTING**

I certify that on or before May 13, 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).



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Arden Wallum  
Secretary of the Board of Directors