



BOARD OF DIRECTORS REGULAR MEETING AGENDA

Tuesday, January 18, 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.*

6. COVID-19 UPDATE

EMPLOYEE RECOGNITION

7. HUMAN RESOURCES REPORT

PRESENTATIONS**8. 2022 CALENDAR DRAWING CONTEST - PRESENTATION OF AWARDS (TUESDAY 1/18)****ACTION ITEMS****9. RESOLUTION 2022-01 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 JANUARY 19, 2022 - FEBRUARY 19, 2022, PURSUANT TO PROVISIONS OF THE RALPH M. BROWN ACT**

It is recommended to approve Resolution 2022-01, continuing teleconferencing meetings for the period of January 19, 2022 - February 19, 2022.

10. APPOINTMENTS TO BOARD STANDING COMMITTEES

President Martin may appoint members to the District's standing committees.

11. AFFILIATION LISTING

It is recommended to review, update if necessary and approve the current Board Affiliation Listing.

12. FEDERAL ADVOCACY SERVICES – CARPI & CLAY, INC.

It is recommended to authorize the General Manager to execute an Agreement for Services with Carpi & Clay Government Relations in the amount of \$4000/month for the term February 1, 2022 to January 31, 2023.

13. DESERT WILLOWS WATER LINE REPLACEMENT PROJECT - NOTICE OF COMPLETION

It is recommended to accept the Desert Willows Water Line Replacement Project as complete and authorize the release of retention money held for The Van Dyke Corporation in the amount of \$65,210.00, thirty-five days after filing the Notice of Completion (NOC).

14. AWARD OF CONSTRUCTION CONTRACT FOR THE REGIONAL WATER RECLAMATION FACILITY MONITORING WELLS PROJECT

It is recommended to authorize the General Manager to award a contract for the construction of the Regional Water Reclamation Facility Monitoring Wells Project to Yellow Jacket Drilling Services, LLC, the lowest responsible bidder, in the amount of \$184,350.00 plus a 10% contingency of \$18,435.00 (total of \$202,785.00) and to do all things necessary to complete the project.

15. CONTRACT AMENDMENT WITH AECOM FOR THE TECHNICAL SUPPORT DURING CONSTRUCTION OF SITE WORK AND WELL FITTING FOR NEW WELL 42

It is recommended to authorize the General Manager to negotiate and execute a contract amendment with AECOM Technical Services, Inc. (AECOM) for a not to exceed amount of \$31,132.00 (total of \$105,798.00) for technical support services during the construction of Well 42.

16. MID-YEAR BUDGET REPORT AND PROPOSED FY 2021/22 CAPITAL BUDGET AND CONTINUING APPROPRIATIONS

It is recommended to approve the Mid-Year Budget Report and proposed FY 2021/22 Capital Budget and Continuing Appropriations.

DISCUSSION ITEMS**17. CRITICAL SERVICES CENTER AND ADMINISTRATIVE BUILDING UPDATE****18. MSWD REGIONAL WATER RECLAMATION FACILITY 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.

19. APPROVAL OF MINUTES

It is recommended to approve the minutes as follows:

December 16, 2021 - Study Session

December 20, 2021 - Board Meeting

20. REGISTER OF DEMANDS

The register of demands totaling \$1,794,167.95

REPORTS**21. DIRECTOR'S REPORTS****22. GENERAL MANAGER'S REPORT****COMMENTS****23. DISTRICT COUNSEL COMMENTS****24. DIRECTOR COMMENTS****CLOSED SESSION****25. 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)

26. 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)

27. **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)
28. **CONFERENCE WITH LEGAL COUNSEL REGARDING PENDING LITIGATION**
pursuant to Government Code Section 54956.9(d)(1)
One Case: (MSWD vs. Master Meter)
29. **REPORT ON ACTION TAKEN DURING CLOSED SESSION**
30. **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 January 15, 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