



BOARD OF DIRECTORS REGULAR MEETING AGENDA

Monday, November 21, 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 2022-27- 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 NOVEMBER 23, 2022 – DECEMBER 22, 2022, PURSUANT TO PROVISIONS OF THE RALPH M. BROWN ACT**

It is recommended to approve Resolution 2022-27, continuing teleconferencing meetings for the period of November 23, 2022 - December 22, 2022.

- 8. LETTER OF AGREEMENT FOR COLLABORATION AND COST-SHARING FOR THE MISSION CREEK SUBBASIN ANNUAL REPORT**

It is recommended to authorize the General Manager to execute and Letter of Agreement for collaboration and cost-sharing for the Mission Creek Subbasin Annual Report for Water Years 2021-22 through 2025-26.

- 9. RESOLUTION 2022-28 AUTHORIZING THE FILING OF AN APPLICATION FOR A ROUND 2 SUSTAINABLE GROUNDWATER MANAGEMENT IMPLEMENTATION GRANT PROGRAM FOR THE MISSION CREEK SUBBASIN**

It is recommended to adopt Resolution No. 2022-28, authorizing the filing of an application for a Sustainable Groundwater Management Grant Program – Round 2 Implementation for the Mission Creek Subbasin.

- 10. APPROVE CHANGE ORDER NO. 1 WITH L.O. LYNCH QUALITY WELLS & PUMPS, INC., FOR ON-CALL WELL AND BOOSTER MAINTENANCE AND REPAIR SERVICES**

It is recommended to authorize the General Manager to approve Change Order No. 1 with L.O. Lynch Quality Wells & Pumps, Inc. for On-Call Well and Booster Maintenance and Repair Services. The change order would increase the contract amount to \$250,000 from \$150,000 to a not to exceed amount of \$400,000 and authorize the General Manager to do all things necessary to complete the project.

- 11. APPROVE CHANGE ORDER NO. 1 WITH TRI-STAR CONTRACTING II, INC. FOR ON-CALL SANITARY SEWER REPAIR SERVICES ON 1ST STREET, 4TH STREET, 6TH STREET AND 7TH STREET**

It is recommended to authorize the General Manager to approve Contract Change Order No. 1 with Tri-Star Contracting II, Inc. for On-Call Sanitary Sewer Repair Services on 1st Street, 4th Street, 6th, Street and 7th Street. The Change order would increase the contract amount \$250,000 from \$150,000 to a not to exceed amount of \$400,000 and authorize the General Manager to do all things necessary to complete the project.

- 12. ACCEPTANCE OF THE HORTON WASTEWATER TREATMENT PLANT INFLUENT PUMP STATION ODOR CONTROL SYSTEM PROJECT**

It is recommended to accept the Horton Wastewater Treatment Plant Influent Pump Station Odor Control System as complete and authorize the release of retention money held for Atom in the amount of \$22,981.65 thirty-five days after filing the Notice of Completion (NOC).

13. ACCEPTANCE OF GRANT OF EASEMENT DEED FOR PUBLIC WATER UTILITY EASEMENT; ELVIS ARANDA - 15TH AVENUE NEW WATER SERVICE

It is recommended to authorize the General Manager to sign the Certificate of Acceptance, approving and accepting the Grant of Easement Deed from Elvis Aranda, a single man, dated October 28, 2022, for a public water utility easement, located on the easterly 30 feet of APN: 654-030-058, Riverside County, CA.

14. RESOLUTION NO. 2022-29 ADOPTION OF THE MISSION SPRINGS WATER DISTRICT INJURY AND ILLNESS PREVENTION PROGRAM

It is recommended to adopt Resolution No. 2022-29 establishing its Employee Injury and Illness Prevention Program in accordance with regulations enacted by Cal/OSHA and Rescind Resolution 2018-18.

15. FIRST AMENDMENT TO CONTRACT AGREEMENT WITH WEST YOST & ASSOCIATES, INC. FOR HORTON WASTEWATER TREATMENT PLANT TECHNICAL REPORTS

It is recommended to authorize the General Manager to amend the contract agreement with West Yost Associates, Inc. to prepare a Total Dissolved Solids Impact Evaluation Work Plan and a Nitrogen Control Strategy Technical Report for the Horton Wastewater Treatment Plant. The contract amendment would increase the contract amount of \$44,166.00 by \$137,140.00, to a not to exceed amount of \$181,306.00 and authorize the General Manager to do all things necessary to complete the project.

DISCUSSION ITEMS

16. MISSION SPRINGS WATER DISTRICT REGIONAL WATER RECLAMATION FACILITY

17. CRITICAL SERVICES CENTER AND ADMINISTRATION BUILDING UPDATE

18. DISTRICT HOLIDAY SCHEDULE

Discussion on the District's holiday schedule and possible closures.

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:

October 13, 2022 - Study Session Minutes

October 17, 2022 - Board Meeting Minutes

20. REGISTER OF DEMANDS

The register of demands totaling \$2,755,301.88

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. PSC 1600676
(Mission Springs Water District vs. Desert Water Agency)
- 26. **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)
- 27. **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)
- 28. **REPORT ON ACTION TAKEN DURING CLOSED SESSION**
- 29. **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 November 18, 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