



## BOARD OF DIRECTORS REGULAR MEETING STUDY SESSION MINUTES

Thursday, October 14, 2021, at 3:00 PM

Via Teleconference – No Live Attendance

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### CALL TO ORDER

President Wright called the meeting to order at 3:00 PM

### ROLL CALL

**BOARD MEMBERS PRESENT:** President Nancy Wright, Vice President Russ Martin, Director Randy Duncan, Director Steve Grasha, Director Ivan Sewell

**STAFF MEMBERS PRESENT:** Wallum, Ceja, Santos, Pelton, Macy, Hoffert, Champion, Murphy, Petee

### RULES OF PROCEDURE

**Rules of Procedure were ready by General Counsel, John Pinkney.**

*First all noticed meetings are conducted using Rosenberg's Rules of Order as procedural guidance. Directors should refrain from responding directly to public comment at meetings of the Board. The President of the Board presides at all meetings and decides all points of order and procedure during meetings. The President is responsible for maintenance and decorum at all Board meetings. No persons shall be allowed to speak who is not first been recognized by the President. All questions and remarks should be addressed to the President as the presiding officer. No member of the Board should speak more than once upon any one subject until every other member on the Board, wishing to speak on the subject shall have been given the opportunity to speak. No Board member shall interfere with the orderly progress of a Board meeting. In order to ensure the orderly progress of Board meetings the Board President regulates the amount of time to be dedicated to a particular agenda item."*

### PUBLIC INPUT

No general public input

### COVID-19 UPDATE

Mr. Wallum gave a brief COVID update.

### EMPLOYEE RECOGNITION

### HUMAN RESOURCES REPORT

This item will be fully recognized on Monday.

### ACTION ITEMS

**RESOLUTION 2021-16 - A RESOLUTION OF THE BOARD OF DIRECTORS OF THE MISSION SPRINGS WATER DISTRICT PROCLAIMING A LOCAL EMERGENCY, RATIFYING THE PROCLAMATION OF A STATE OF EMERGENCY BY GOVERNOR GAVIN NEWSOM ON MARCH 4, 2020, AND AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE LEGISLATIVE BODIES OF MISSION SPRINGS WATER DISTRICT**

**FOR THE PERIOD OCTOBER 18, 2021, THROUGH NOVEMBER 18, 2021, PURSUANT TO BROWN ACT PROVISIONS**

It is recommended to adopt Resolution 2021-16, ratifying the proclamation of a State of Emergency by Governor Gavin Newsom and authorize remote teleconference meetings of the legislative body of Mission Springs Water District, for the period October 18, 2021, through November 18, 2021.

Item will be fully addressed on Monday.

**FIRST AMENDMENT TO CONTRACT AGREEMENT WITH PAY NEAR ME**

It is recommended to authorize the General Manager to amend the Payment Processing Agreement with PayNearMe Inc. and allow Mission Springs Water District to obtain Automated Clearing House (ACH), credit and debit card payments via the PayNearMe Platform, and authorize the General Manager to do all things necessary to complete the integration.

Mr. Macy noted this is an amendment to an existing contract. Pay Near Met has expanded their service and these changes will provide us with substantial benefits. This amendment will reduce costs and increase efficiency.

**ACCEPTANCE OF GRANT OF EASEMENT DEED FOR PUBLIC WATER UTILITIES – DESERT WILLOWS PROPERTY OWNERS ASSOCIATION**

It is recommended to authorize the General Manager to sign the Certificate of Acceptance, approving and accepting the Grant of Easement Deed from Desert Willows Property Owners Association dated September 30, 2021, for a public water utilities easement, located on APN: 663-405-024, 663-391-012, 663-405-025 on within the Desert Willows Community, City of Desert Hot Springs, CA.

Mr. Macy presented, during recent construction of the water line replacement it was discovered that there was no formal utility easement recorded for the existing water lines.

**AWARD OF CONTRACT FOR THE REGIONAL WATER RECLAMATION FACILITY PROJECT AND CAPITAL BUDGET AUGMENTATION**

It is recommended to authorize the General Manager to award a contract for the construction of the Regional Water Reclamation Facility Project to J.F. Shea Construction, Inc., the lowest responsible bidder, in the amount of \$40,986,000.00 plus a 5% contingency of \$2,049,300.00 for a total of \$43,035,300.00, augment the capital improvement budget amount to \$51,000,000.00 for Job No. 11424, and to do all things necessary to complete the project.

Steve Ledbetter presented to the Board. The Regional Water Reclamation Facility (RWRF) Project is a vital component in expanding the District's wastewater treatment capacity. The RWRF will construct a 1.5 million gallon per day Sequence Batch Reactor wastewater treatment plant, which will dispose the treated secondary effluent in on-site disposal ponds. The proposed RWRF project also includes an operations and administrative building that houses a solids processing area, chemical storage area, maintenance area, administrative area, electrical room, and blower room. The RWRF project is required to increase the District's total wastewater treatment capacity and alleviate a portion of existing wastewater flows going to the Horton Wastewater Treatment Plant.

## DISCUSSION ITEMS

### CRITICAL SERVICES CENTER AND ADMINISTRATION BUILDING UPDATE

Mr. Macy presented a brief update.

### BOARD DISCUSSION REGARDING THE PROCESS OF RE-DISTRICTING FOR DESERT WATER AGENCY (DWA)

President Wright pulled this item from the agenda.

## 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.*

Russell Betts spoke on Item #16 Letter Agreement to Toll Enforcement/Skyborne (Public Comment)

### APPROVAL OF MINUTES

It is recommended to approve the minutes as follows:

July 1, 2021 - Special Meeting Workshop

September 16, 2021 - Study Session

September 20, 2021 - Board Meeting

### REGISTER OF DEMANDS

The register of demands totaling \$2,720,011.07

### LETTER AGREEMENT TO TOLL ENFORCEMENT OF DEVELOPER'S OBLIGATION TO CONSTRUCT CERTAIN IMPROVEMENTS AS SET FORTH IN PARAGRAPH 5.1(B) OF THE SECOND AMENDMENT BETWEEN SKYBORNE VENTURES, LLC AND MISSION SPRINGS WATER DISTRICT UNTIL THE EARLIER OF (I) DECEMBER 15, 2021.

It is recommended to authorize the General Manager to execute the letter agreement to toll enforcement of developer's obligation to construct certain improvements as set forth in paragraph 5.1(b) of the Second Amendment between Skyborne Ventures, LLC and Mission Springs Water District until the earlier of (i) December 15, 2021 which will allow both parties to continue negotiations in formalizing a Third Amendment of an original agreement dated August 30, 2006 and recorded October 25, 2006 as Document No. 2006-0784841

## DIRECTOR'S REPORTS

### UPCOMING EVENTS AND DIRECTOR REPORTS

Director Sewell reported he attended the following event: 9/10 GCVCC All Valley Mayors Luncheon.

Director Duncan reported he attended the following event: 9/28 CVWD Board Meeting.

President Wright reported she attended the following event: 9/9 CVAG - E&E Meeting.

**REPORTS**

**GENERAL MANAGER'S REPORT**

Arturo Ceja presented the financial report for the period ending September 30, 2021.

Marion Champion presented a brief PR update.

**DISTRICT COUNSEL COMMENTS**

No closed session today.

**DIRECTOR COMMENTS**

VP Martin commented on the Op-ed in the paper.

Director Duncan asked for an update on the customer portal.

**ADJOURN**

With no further business, President Wright adjourned the meeting at 4:18 PM.



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Arden Wallum  
Secretary of the Board of Directors