



BOARD OF DIRECTORS REGULAR MEETING MINUTES

Monday, September 15, 2025 at 3:00 PM

66575 Second St, Desert Hot Springs, CA AND/OR Via Teleconference

CALL TO ORDER

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

ROLL CALL

BOARD MEMBERS PRESENT: President Ivan Sewell, Vice President Robert Griffith, Director Russ Martin, Director Amber Duff, Director Ted Mayrhofen

STAFF MEMBERS PRESENT: Brian Macy, Marion Champion, Danny Friend, Arturo Ceja, Eric Weck, April Scott, Amanda Lucas, David Barraza, Will Whitten, Selene Rodriguez, Dori Petee

PLEDGE OF ALLEGIANCE

Led by Director Martin

RULES OF PROCEDURE

Rules of Procedure were read by General Counsel.

All noticed meetings are conducted using Rosenberg's Rules of Order as a procedural guideline. Directors should refrain from responding directly to public comments at meetings of the Board. The Board President will refer matters raised during public comment to the General Manager for follow-up when appropriate. Occasionally, a prompt response may be offered when an obvious answer resolution is available provided this is done in compliance with the Brown Act. Directors should refrain from debating or making decisions in response to public comments. 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 person shall be allowed to speak who has 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 about 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 public input

EMPLOYEE RECOGNITION

HUMAN RESOURCES REPORT

The Board acknowledged the following employees:

NEW HIRES

Skyler Aubrey - Accounting Manager; Robert Mojica - Water Production Operator II and Daniel Virgen Jr. - Associate Engineer

ANNIVERSARIES

Joe Hernandez, Field Service Representative II/Backflow Specialist, 18 Years

PROMOTIONS

Jeff Nutter Water Operations Superintendent
(previously Field Operations Superintendent)

Jason Weekley Construction & Maintenance Supervisor
(previously Lead Field Operations Technician)

Julio Martinez Lead Field Operations Technician
(previously Field Operations Technician II)

Alex Acevedo Construction Inspector
(previously Lead Field Operations Technician)

CLOSED SESSION**CONFERENCE WITH LEGAL COUNSEL - POTENTIAL LITIGATION**

Pursuant to Government Code Section 54956.9(d)(4). One potential case.

CONFERENCE WITH LEGAL COUNSEL - PENDING LITIGATION

pursuant to Government Code Section 54956.9(d)(1).

One case: Fournier v Mission Springs Water District (case number Adj19778853).

REPORT ON ACTION TAKEN DURING CLOSED SESSION

Both matters on the closed session agenda were discussed, and no reportable action was taken on either item.

ACTION ITEMS**AWARD OF CONTRACT FOR THE CONSTRUCTION OF THE HORTON MONITORING WELL 1A PROJECT**

The Board authorized the General Manager to award a contract for the construction of the Horton Monitoring Well 1A Project to ABC Liovin Drilling, Inc., the lowest responsible and responsive bidder, in the amount of \$156,050.00 plus a 10% contingency of \$15,605.00 for a total of \$171,655.00, and augment Capital Job No. 11885 by \$78,300 for a total project budget of \$222,970.00 and to do all things necessary to complete the project.

Staff provided a short presentation on Thursday; there is nothing further to add.

Motion made by Vice President Griffith, Seconded by President Sewell.

Voting Yea: President Sewell, Vice President Griffith, Director Martin, Director Duff, Director Mayrhofen

AWARD OF CONTRACT TO KYLE GROUNDWATER, INC. FOR PROFESSIONAL HYDROGEOLOGICAL SUPPORT SERVICES

The Board authorized the General Manager to execute an agreement with KYLE Groundwater, Inc. for Professional Hydrogeological Support Services related to the assessment and rehabilitation of Wells 28 and 30, and the preparation of a Drinking Water Source Assessment and Protection (DWSAP) document for Well 42, for a not to exceed amount of \$21,387.00, and to do all things necessary to complete the project.

Staff provided a presentation on Thursday; there is nothing further to add.

Motion made by Director Duff, Seconded by Director Mayrhofen.

Voting Yea: President Sewell, Vice President Griffith, Director Martin, Director Duff, Director Mayrhofen

AMENDMENT NO. 2 TO SOLAR POWER PURCHASE AND LEASE AGREEMENTS WITH TRIDENT MISSION SPRINGS LLC

The Board authorized the General Manager to approve and execute Amendment No. 2 to the Solar Power Purchase Agreement (PPA) and Amendment No. 2 to the Land Lease and Solar Easement Agreement (Lease) with Trident Mission Springs LLC, to design, build, and construct approximately 4 MW of renewable solar energy at three MSWD sites.

The Board heard a presentation by Danny Friend, Director of Operations, who provided updates on the district's solar projects and lease agreements. The original proposal included seven sites, but the scope was refined to focus on two NEM 2.0 sites—the Horton Wastewater Treatment Plant and the Nancy Wright Regional Facility—and one RESBCT site. The amendment discussed allows for operational flexibility, enabling the district to request Permission to Operate (PTO) for each site as it is completed, rather than waiting for all sites to finish. This change is expected to deliver positive impacts and cost savings for the district. The RESBCT site will be located north of the existing site, and the amendment modifies the lease component for the four remaining sites, totaling approximately 4,364 kilowatts DC and 99% of the original design. Board members expressed excitement about the project's progress and the ability to meet deadlines. The presentation concluded with an invitation for questions, and it was noted that there is no cost impact due to the current PPA kilowatt rate.

Motion made by Vice President Griffith, Seconded by President Sewell.

Voting Yea: President Sewell, Vice President Griffith, Director Martin, Director Duff, Director Mayrhofen

DISCUSSION ITEMS

ADMINISTRATION BUILDING UPDATE

Staff provided a short presentation on Thursday; there is nothing further to add.

GROUNDWATER PROTECTION PROGRAM UPDATE

Staff provided a short presentation on Thursday; there is nothing further to add.

CONSENT AGENDA

Motion made by Vice President Griffith, Seconded by Director Duff.

Voting Yea: President Sewell, Vice President Griffith, Director Martin, Director Duff, Director Mayrhofen

APPROVAL OF MINUTES

It is recommended to approve the minutes as follows:

August 6, 2025 - Special Meeting Workshop Minutes

August 14, 2025 - Study Session Minutes

August 18, 2025 - Board Meeting Minutes

REGISTER OF DEMANDS

The register of demands totaling \$2,470,819.22

REPORTS**DIRECTOR'S REPORTS**

Director Martin reported attendance at the following meetings and events: 8/7 DVBA Legislative Forum, 8/11 DVBA Board Meeting, 8/18 Cabots Board Meeting, 8/19-8/22 Urban Water Institute Conference, 8/24-8/28 CSDA Conference.

Director Mayrhofen reported attendance at the following meetings and events: 8/4 CSDA Ethics Training, 8/8 BIASC Water Conference, 8/13 AWWA Webinar, 8/22 CVWD Board Meeting, 8/24-8/28 CSDA Conference, 8/28 BIA Networking Event.

President Sewell reported attendance at the following meetings and events: 8/12 CVWD Board Meeting, 8/20 AWWA Webinar, 8/24-8/28 CSDA Conference.

Vice President Griffith reported attendance at the following meetings and events: 8/5 DWA Board Meeting, 8/19 DWA Board Meeting, 8/24-8/28 CSDA Conference.

Director Duff reported attendance at the following meetings and events: 8/7 CVCAN Members Meeting, 8/19-8/22 Urban Water Institute Conference, 8/24-8/28 CSDA Conference.

GENERAL MANAGER'S REPORT

Included in this report are the following oral reports:

1. Finance Report
2. Public Affairs Report

Director of Finance Arturo Ceja presented a financial report for the period ending July 31, 2025. The report highlighted ongoing efforts to improve the district's long-range financial plan, including new projects and an RFP for financial services advisors to guide future actions. The district's net operating income was reported at \$670,000, primarily due to operational improvements, while nonoperating income and debt service ratios showed positive trends compared to last year. The board discussed the timing of expenses and noted that interest earnings continue to outpace loan payments. The presentation also addressed the need for additional information and upcoming changes to internal financial reporting, as guided by General Manager Brian Macy. Board members expressed appreciation for the finance team's hard work and acknowledged the challenges faced, with no further questions raised during the session.

Assistant General Manager Marion Champion presented a Public Affairs report. She highlighted past and upcoming events as well as awards and recognition for MSWD. Ms. Champion also highlighted non-paid media mentions and Youth Programs provided by MSWD. The Calendar Drawing Contest is nearing its deadline and winners will be announced in December. Community meetings will continue until our October Public Hearing for the proposed rate increase. A brief legislative update was also provided, with emphasis on bills the District is following.

COMMENTS

DIRECTOR COMMENTS AND REQUESTS FOR FUTURE AGENDA ITEMS

1. General Comments
2. Requests for Future Agenda Items
3. Requests for Future Meetings

Director Mayrhofen addressed several concerns related to water quality and agency operations. The comments began with an anecdote about assisting an elderly woman in a grocery store who was confused about bottled water, emphasizing that the agency's water is more heavily regulated than bottled water and encouraging people to research and compare both. Director Mayrhofen advised that if anyone suspects issues with the water, they should consider installing a reverse osmosis system for peace of mind. Director Mayrhofen also responded to rumors and misinformation, clarifying that the agency is not out of compliance regarding Chrome 6 and wells, and dismissing conspiracy theories circulating in the community. Appreciation was expressed for Director McKenna from DWA for efforts to address water-related problems and for correcting public comments about MSWD and Chrome 6. Director Mayrhofen encouraged anyone with evidence of wrongdoing to present it at board meetings and thanked those working to resolve ongoing issues. Finally, he acknowledged being asked about running for election again and indicated a willingness to do so, hoping these clarifications would settle concerns for some community members.

Vice President Griffith expressed his happiness with the award earned by the Board and Staff with CSDA. He also conveyed it was nice that the entire Board attended that conference, as it doesn't happen often.

Director Duff emphasized the importance of public engagement, encouraging individuals to ask questions and assuring them that their concerns will be addressed. Duff highlighted the transparency and readiness of the staff to provide information, display laboratory results, and address any issues or uncertainties. Echoing the sentiments of Director Mayrhofen, Duff reassured the community that the organization operates in a world grounded in facts, reality, and science, and expressed gratitude to those who value factual information and scientific inquiry.

ADJOURN

With no further business, President Sewell adjourned the meeting at 5:15 PM.

Respectfully Submitted,



Dori Petee
Executive Assistant