



## BOARD OF DIRECTORS REGULAR MEETING MINUTES

Monday, December 18, 2023, at 3:00 PM

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

### CALL TO ORDER

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

### ROLL CALL

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

**STAFF MEMBERS PRESENT:** Dori Petee, Brian Macy, Marion Champion, Danny Friend, Arturo Ceja, Eric Weck, Andrea Varela, April Scott, Cynthia Acosta, Chad Finch, Eric Weck, Jeff Nutter, Oriana Hoffert, William Whitten

### ANNOUNCEMENT AND VERIFICATION OF REMOTE MEETING PARTICIPATION PURSUANT TO AB 2449 OR GC 54953(b)

### PLEDGE OF ALLEGIANCE

Vice President Sewell led the Pledge of Allegiance.

### RULES OF PROCEDURE

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

*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 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 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

Interim General Manager announced the format of this item is changing. Staff will no longer prepare acknowledgement slides for general anniversaries. Moving forward only milestones will be acknowledged.

Amanda Lucas was briefly acknowledged for her seven (7) year anniversary.

## ACTION ITEMS

### ELECTION OF MSWD BOARD OFFICERS FOR 2024

The Board nominated and elected a President and Vice President for the 2024 year.

President Martin led the proceedings. Director Griffith nominated Vice President Sewell for President, term ending December 2024. Vice President Sewell accepted the nomination.

All Directors voted in favor of Director Sewell for President of the Board, term ending December 2024.

Nominations continued for Vice President, term ending December 2024.

President Martin nominated Director Griffith for Vice President, term ending December 2024. Director Griffith accepted the nomination.

All Directors voted in favor of Director Griffith for Vice President of the Board, term ending December 2024.

Officers will assume their new positions on January 1, 2024.

### **ORDINANCE 2023-01 ~ AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE MISSION SPRINGS WATER DISTRICT (THE "DISTRICT"), ADOPTED PURSUANT TO THE PROVISIONS OF WATER CODE "20201 ET SEQ., PROVIDING FOR COMPENSATION OF DIRECTORS OF THE DISTRICT**

The Board waived the second reading and adopted Ordinance 2023-01 by title only, updating compensation for the Board of Directors pursuant to Water Code 20202 et seq.

Waived second reading and moved to pass Ordinance with a note to staff to bring this back for discussion and review once a year starting in 2025.

### **Motion made by Director Griffith, Seconded by Vice President Sewell.**

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

### **ANNUAL REPORT OF CAPACITY FEES AND RELATED CAPITAL EXPENDITURES**

The Board of Directors accepted the annual report of capacity fees and related expenditures as submitted.

California Gov Code requires this process on an annual basis. The Builder's Association has signed off on these fees.

**Motion made by Director Griffith, Seconded by Director Duff.**

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

**DISCUSSION ITEMS****MSWD REGIONAL WATER RECLAMATION FACILITY UPDATE**

No further updates, Interim General Manager addressed a question raised at the Study Session.

**CRITICAL SERVICES CENTER AND ADMINISTRATIVE BUILDING UPDATE**

Alvin Flores of Ruhnau Clarke and William Whitten of MSWD presented a project update. He covered some follow up questions raised at the last presentation/update. The items covered were construction costs for the Second Street location along with temporary office space in the interim and estimated Corporate Yard demolition costs. Other possible locations for sale or for lease were also presented. Mr. Flores reviewed the original design vs. the reduced size design if the Corp Yard location is selected. Next steps are for the Board to select the final site selection so Ruhnau Clarke can complete the final design based on location. The Board directed staff to move forward with the Corp Yard location, with the existing design (flipped) and amend the Ruhnau Clarke contract.

**CANNABIS PRETREATMENT PROGRAM DISCUSSION**

Nothing further to add

**CONSENT AGENDA****Motion made by Director Griffith, Seconded by Director Mayrhofen.**

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

**APPROVAL OF MINUTES**

It is recommended to approve the minutes as follows:

November 16, 2023 - Study Session

November 20, 2023 - Board Meeting

November 21, 2023 - Strategic Planning Workshop #2

**REGISTER OF DEMANDS**

The register of demands totaling \$6,150,153.97

**2023 BOARD OF DIRECTORS MEETING SCHEDULE****REPORTS****DIRECTOR'S REPORTS**

Director Griffith reported he attended the following events: 11/7 DWA Board Meeting, 11/14 CVWD Board Meeting, 11/16 DHS State of the City, 11/28-11/30 ACWA Fall Conference

Director Duff reported she attended the following events: 11/14 DHS Planning Commission, 11/28-11/30 ACWA Fall Conference

Director Mayrhofen reported he attended the following events: 11/8 DVBA Networking Night, 11/16 DHS State of the City, 11/28-11/30 ACWA Fall Conference

Vice President Sewell reported he attended the following events: 11/16 DHS State of the City, 11/28-11/30 ACWA Fall Conference

President Martin reported he attended the following events: 11/2 DVBA Legislative Meeting, 11/7 DHS City Council Meeting, 11/8 DVBA Networking Night, 11/9 CVAG ~ CVCC and Energy & Sustainability Meeting, 11/11 DHS Veterans Day Events, 11/13 DVBA Board Meeting, 11/16 DHS State of the City, 11/16 Countywide Oversight Meeting, 11/20 Cabot's Board Meeting, 11/21 DHS City Council Meeting

### **GENERAL MANAGER'S REPORT**

Nothing further to add

### **COMMENTS**

#### **DISTRICT COUNSEL COMMENTS**

General Counsel announced closed session on the items listed below

#### **DIRECTOR COMMENTS**

Director Mayrhofen requested that his seat at the Dias be moved in the new year.

Vice President Sewell thanked outgoing President Russ Martin for his leadership over the last two years. He also thanked the Board for their confidence in him as he prepares to serve as President in 2024. Lastly, he wished everyone a Happy Holidays.

Director Griffith congratulated President Elect Sewell and looks forward to working with him in the new year. He also wished everyone a Happy Holidays.

Director Duff requested a workshop for review of the Board Handbook. She also congratulated the new President and Vice President and thanked President Martin for his service. Lastly, she wished everyone Happy Holidays.

President Martin thanked the Board for their work over the last year and gave his confidence in the new leadership. He also wished everyone a Happy Holidays.

### **CLOSED SESSION**

#### **CONFERENCE WITH LABOR NEGOTIATOR**

Pursuant to Govt Code 54957.6

Agency Designated Representative: President Russ Martin or his designee

Unrepresented Employee Position: General Manager

**CONFERENCE WITH LEGAL COUNSEL REGARDING POTENTIAL INITIATION OF LITIGATION**

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

**CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION - SIGNIFICANT EXPOSURE TO LITIGATION**

pursuant to Government Code Section 54956.9(d)(2) and/or (3)  
One Potential Case

**REPORT ON ACTION TAKEN DURING CLOSED SESSION**

The Board met in closed session on the items listed above: there was no reportable action on any item.

**ADJOURN**

With no further business, President Martin adjourned the meeting at 6:00 P.M.

Respectfully submitted,



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Dori Petee  
Executive Assistant