

Borrego Water District Board of Directors

MINUTES

Special Meeting

January 14, 2020 @ 9:00 a.m.

806 Palm Canyon Drive

Borrego Springs, CA 92004

I. OPENING PROCEDURES

- A.** Call to Order: President Dice called the meeting to order at 9:00 a.m.
- B.** Pledge of Allegiance: Those present stood for the Pledge of Allegiance.
- C.** Roll Call: Directors: Present: President Dice, Vice-President
 Brecht, Secretary/Treasurer
 Duncan, Delahay, Johnson

Staff: Geoff Poole, General Manager
 Wendy Quinn, Recording Secretary

Public: Michael Sadler, *Borrego Sun* Meet Panchal
 Randal Slane Fred Emery
 Trey Driscoll, Dudek (via Marianne
 teleconference, Item II.C only) Emery
 Hugh McManus, Dudek (via
 teleconference, Item II.C only)

- D.** Approval of Agenda: *MSC: Brecht/Delahay approving the Agenda as written.*

- E.** Comments from the Public and Requests for Future Agenda Items: None

- F.** Comments from Directors: Director Delahay announced a hazardous waste pickup, including electronics and chemicals, Saturday, March 14, 9:00 a.m. to 2:00 p.m. at the High School.

- G.** Correspondence Received from the Public: None

II. ITEMS FOR BOARD CONSIDERATION AND POSSIBLE ACTION

A. Selection of BWD Representatives on Water Master (WM) Board: *MSC: Brecht/Delahay appointing Director Dave Duncan as the primary BWD representative on the Water Master Board, and President Kathy Dice as alternate.* President Dice noted that Director Duncan was an excellent choice because of his involvement with development of the GMP and Stipulated Judgment. Director Brecht requested a written policy on responsibilities of the Water Master Board member and alternate and their terms of office. In response to a question from the audience, President Dice explained that the Water Master Board will be comprised of members representing BWD, agriculture, recreation, the community, and maybe the County. Pending Court and DWR approval of the Stipulated Judgment, the interim Water Master Board is expected to begin meeting in February.

B. Nomination and Selection Process for Community Representatives on WM Board: Geoff Poole explained that the community member of the Water Master Board will represent the community at large. After the public comment period on the Stipulated Judgment, the appointment procedure was changed. Originally, the first three Water Master Board members were going to appoint him or her from nominations by GSP Advisory Committee members representing BWD, the State Park, the Sponsor Group and the Stewardship Council, as well as the School District. Based on public comments, the representative will now be selected from those nominees by the BWD Board. The four nominees are Mark Jorgensen, Bri Fordem, Rebecca Falk and Martha Deichler. Mr. Poole suggested that the nominees meet with the Board in a public forum and answer questions prepared by the Core Team, as well as follow-up questions from the Board and the public. The candidates will be provided the prepared questions in advance.

Mr. Poole distributed the draft questions. Director Johnson recommended question no. 2 be amended to read in part, “. . . the most potentially important future issues” Discussion followed regarding question no. 3, relative to the Brown Act, and Mr. Poole agreed to work with the Core Team to clarify it.

C. Rams Hill Flood Control Inspection Report and Policy Recommendation: Mr. Poole explained that BWD owns and maintains the flood control facilities at Rams Hill, which were recently inspected. Trey Driscoll and Hugh McManus from Dudek reported on the inspection they completed. There had been no significant storm runoff since the initial Dudek inspection two years ago, but at approximately 18 locations they found some general erosion due to runoff which they recommend be addressed. Overall, the structures are in good shape and fulfilling their intended purposes. Mr. Driscoll recommended an engineer or consulting firm inspect the facilities at least every three years or if there is significant storm runoff.

Director Brecht asked whether there are standards for maintaining flood control structures. Mr. Driscoll replied that when the initial inspection was done, there was an evaluation standard, but the as-built drawings were unclear. Director Brecht recommended obtaining an engineer’s stamp on the drawings and asked for a cost estimate, which Mr. Driscoll estimated at over \$10,000. He will update the cost estimate and report back to the Board.

Mr. Poole pointed out that Greg Holloway and Alan Asche are qualified to do the recommended repairs as soon as possible. Mr. Driscoll will let them know what materials are needed, and Mr. Poole will come back to the Board with a suggested policy and frequency. Mr. Driscoll suggested the BWD crew inspect the facilities at least quarterly, as well as during and following any flood event. He explained that the District’s risk management policy includes cyber security and physical security for wells and other facilities. Staff will come up with an overall risk management policy and specific procedures, which can be expanded as issues arise. For the next meeting staff will work with Dudek on the Rams Hill cost estimate and with Brian Brady on a draft risk management policy.

D. Resolution of the Board of Directors of the Borrego Water District Adopting Meeting Schedule for 2020: Mr. Poole invited the Board’s attention to the proposed meeting schedule for 2020, the second and fourth Tuesdays of each month with adjustments for the holiday season. Director Brecht pointed out that the regular meetings (fourth Tuesday) are set with the County and do not require a resolution. The special meetings (second Tuesday) can be changed, so he recommended against including them in a resolution because then a change would require another resolution. President Dice pointed out that the regular meetings were set for the fourth Wednesday with the County, so a resolution is needed to change them to Tuesdays. Mr. Poole said he would plan on the special meetings on the second Tuesday unless he hears otherwise. In November and December, the regular meetings will be on the second Tuesday. ***MSC: Brecht/Delahay adopting Resolution No. 2020-01-02, Resolution of the Board of Directors of the Borrego Water District Revising the Schedule of Regular Meetings as amended; Regular Meetings every fourth Tuesday except in November and December, when they will be on the second Tuesday. Special meeting dates are deleted from the Resolution.***

E. Support for Borrego Valley Stewardship Council: Director Duncan reported that the Stewardship Council is considering gathering community groups to address environmental issues and is looking for support in creating agendas, providing meeting space and maybe some staff time. Mr. Poole pointed out that it would depend on exactly what is involved. BWD could provide meeting space, but preparation of agendas would impact staff time. Director Duncan said that the Chamber of Commerce or ABF might help. Director Brecht suggested requesting something in writing.

F. General Manager Salary Adjustment: President Dice reported that the Board had discussed the General Manager’s salary adjustment in closed session and evaluated his performance. All agreed he has done an amazing job with the GSP, Core Team and Stipulated Judgment while managing his duties as General Manager of BWD. He has performed admirably.

MSC: Brecht/Delahay approving a ten percent salary increase for Geoff Poole, General Manager, retroactive to July 11, 2019.

G. Update on Status of Settlement Agreement/Stipulated Judgment: Mr. Poole reported that Steve Anderson had nothing to report. Further discussion was continued to closed session.

III. STANDING AND AD-HOC BOARD COMMITTEE REPORTS

A. Standing:

1. Operations and Infrastructure. Mr. Poole reported that the Committee had held a couple of meetings over the past months. They discussed Proposition 218 and rate setting for the next five years and evaluated the CIP. They are looking at some changes to the system that might prevent the need to replace the Twin Tanks and Indian Head Tank by putting the reservoir in a different location, at a higher level. Director Brecht suggested that standing committees should have a regular meeting date and agenda. Mr. Poole explained that the Committee had an agenda, but not a regular date. Director Duncan reported that a fire hydrant had been knocked down at Club Circle and it took two people to close the valve. He suggested a valve maintenance program. Director Delahay reported that the hydrant was on the list for replacement, and Mr. Poole was working on it.

B. Ad-Hoc:

1. SGMA Compliance. Director Brecht reported that the Committee was close to disbanding. He will keep the Board informed.

2. Risk. Mr. Poole recommended adding President Dice to the Committee and combining it with the Air Quality Monitoring Committee. Director Johnson suggested including the emergency plan in the Committee's material.

3. Grant Funding. No report.

4. Association of California Water Agencies/Joint Powers Authority. No report.

5. Organizational Staffing. No report.

6. Prop 218 Preparation. Director Brecht reported he had scheduled a conference call with Raftelis to find out when their study would be completed. He suggested that the BWD Developers' Policy Committee be combined with this one.

7. Air Quality Monitoring. See Risk Committee.

8. BWD Developers' Policy. See Prop 218 Preparation Committee.

9. Town Hall 2020 Agenda. President Dice and Director Johnson volunteered to serve on the Committee.

IV. STAFF REPORT

A. General Manager Report: Status Update and Verbal Discussion of:

1. Grants Update. Mr. Poole reported that Rick Alexander would attend the January 28 meeting and update the Board on the grant projects. The environmental consultant will contact the Iipay Nation concerning potential impacts associated with the wastewater treatment plant improvements. If an alternative to the Twin Tanks and Indian Head Tank is approved, our grant application will need to be amended.

2. 2021 Budget Development Plan/Schedule. Mr. Poole reviewed the proposed budget development schedule. Director Brecht pointed out that approval of a rate increase has to be 30 days before it goes into effect, so everything on the schedule was moved up a month.

3. Return on Investment for BWD Office and WWTP Solar. Mr. Poole reviewed the proposed schedule and recommended input from the Operations and Infrastructure Committee. Director Brecht recommended moving the schedule up to be close to the Raftelis study.

4. BS Basin Groundwater & Water Quality Monitoring Program (+ well abandonment). Mr. Poole reported that he met with Jay Jones and John Peterson. They are
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contacting well owners to see if the District can take samples from their wells. They are also continuing to pursue the repurposing of abandoned wells for use as monitoring wells. Dr. Jones and Mr. Peterson will attend the January 28 meeting to present an update. Director Brecht requested a written report. Meet Panchal reported that there are 221 wells in the Basin, and he is in the process of dividing them into categories (agriculture, monitoring, domestic and industrial), active or inactive.

5. RH agreement for Spare Capacity. No report.

6. Proposals for BWD Technical Advisory Committee Representation. Mr. Poole explained that each pumper will have a representative on the Technical Advisory Committee. He had asked Dr. Jones and Dudek to submit proposals.

7. CIP Schedule Update. No report.

8. Projected Bond Financed Project Expenditures Jan. 2020 thru Jul 2022. No report.

9. BWD Cyber Policy. No report.

V. CLOSED SESSION:

A. Conference with Legal Counsel – Significant exposure to litigation pursuant to paragraph (3) of subdivision (d) of Government Code Section 54956.9: (Two (2) potential cases):
The Board adjourned to closed session at 10:35 a.m., and the open session reconvened at 11:50 a.m. There was no reportable action.

VI. CLOSING PROCEDURE

The next Board Meeting is scheduled for January 28, 2020 at Borrego Water District, 806 Palm Canyon Drive, Borrego Springs, CA 92004. There being no further business, the Board adjourned at 11:50 a.m.