

**Borrego Water District Board of Directors**  
**MINUTES**  
**Special Meeting**  
**March 10, 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  
Jessica Clabaugh, Finance Officer  
Wendy Quinn, Recording Secretary

- D. Approval of Agenda: **MSC: Brecht/Johnson approving the Agenda as written.**
- E. Comments from the Public and Requests for Future Agenda Items: None
- F. Comments from Directors: None
- G. Correspondence Received from the Public: None
- H. Other: Introduction of Jessica Clabaugh, BWD's New Finance Officer: Ms. Clabaugh

reported that she was from San Diego and studied math at San Diego State. She had been in the restaurant business, then returned to school to study accounting and become a CPA. Three years ago she moved to Warner Springs and has been working for the Warner Springs Ranch Resort in general management.

**II. ITEMS FOR BOARD CONSIDERATION AND POSSIBLE ACTION**

A. Contract for De Anza Pipeline Projects: Geoff Poole noted that this item was on the Agenda two weeks ago. There was a significant difference between the two bids, resulting from three line items: installation of pipe, installation of water services and paving. Rove Engineering, the low bidder, is a spin-off from A & R, the high bidder. A & R worked on a previous BWD contract and did good work but were expensive. Rove confirmed that they could do the work for the price bid, and Mr. Poole and David Dale recommended approval. **MSC: Brecht/Duncan awarding the contract for the De Anza Pipeline projects to Rove Engineering.**

B. Water Credits Policy: Director Brecht invited the Board's attention to a revised water credit policy in the Board package, compatible with the Stipulated Judgment. Steve Anderson had reviewed it. **MSC: Duncan/Delahay approving the revised water credit policy.**

C. Potential BWD involvement with Borrego Springs Stewardship Council: President Dice reported that she had been part of a leadership group for the Stewardship Council to see what it will be doing and what type of governance it will have. They hope to become a forum for various groups such as the Borrego Valley Association, the Borrego Valley Endowment Fund, the Borrego Art Institute and the Revitalization Committee. It is hoped that the County will update the community plan soon, and the Council wants to be prepared. President Dice invited the Board's attention to a proposed MOU in the Board package memorializing the plans. She asked the Board to sign into it and authorize the plans to proceed. President Dice volunteered to continue to attend the leadership group as a voting member of the Stewardship Council. **MSC: Brecht/Delahay authorizing President Dice to sign the MOU with the Stewardship Council and appointing her as a voting representative.** Director Johnson asked if President Dice would come to the BWD Board for direction before voting, and President Dice said that she would, and would recuse herself if there

were a conflict. She explained that the group has adopted the consensus guidelines used by the AC and was pursuing 501C3 status. April 17 is the proposed signing date for the MOU. President Dice suggested changing “threats” to “challenges” in the last paragraph under Objectives in the MOU.

**D. Update on Status of Settlement Agreement/Stipulated Judgment:** Mr. Poole reported that recent activity had included scheduling the first Water Master Board meeting for March 31, 5:30 p.m. at the library.

1. Process Server payments/collections. Mr. Poole explained that all property owners must be notified by mail of the Stipulated Judgment, Return Receipt Requested. If they don’t respond, notice needs to be posted on their property. The cost for a process server is approximately \$61,000, using the low bid. Mr. Anderson concurred. An e-mail has been sent to the other pumpers with this recommendation and requesting their agreement. Once they agree, invoices will be sent out. BWD’s share will be approximately \$6,000. Mr. Poole will talk to Mr. Anderson about a deadline for pumpers to agree and a penalty for nonpayment.

In response to Director Duncan’s inquiry about metering, Mr. Poole explained that there are some farmers who don’t want the expense of remote metering. They can use the meters that BWD uses, but they will have to agree to access. Director Brecht requested that the matter be included in the upcoming WMB Agenda.

### **III. STANDING AND AD-HOC BOARD COMMITTEE REPORTS**

#### **A. Standing:**

##### 1. Operations and Infrastructure.

a. Report on March 2, 2020 Committee Meeting. Mr. Poole reported that the Committee met with Mr. Dale and discussed alternatives to replacing the Twin Tanks and Indian Head Tank, perhaps using the Well 4-9 site or behind the Palm Canyon Resort. The Committee also discussed computer modeling. Mr. Dale has a model he developed three years ago which could be updated. The installation of a laundromat in the Mall has affected the EDUs, and staff has been working with Jim Wermers and Jerry Rolwing to determine the correct number of EDUs for the Mall as well as the Center. A recommendation will be brought to the Board.

#### **B. Ad Hoc:**

1. Town Hall 2020 – Publicity Plan. President Dice brought up the Town Hall meeting, scheduled for March 17 at 5:30, and whether it should proceed in view of the coronavirus. Discussion followed, including the current lack of concern locally and the need to provide hand sanitizers and leave doors open. The Committee will discuss it, consult Mr. Anderson and check with the library. If it goes forward, President Dice will post an announcement on Facebook. Mr. Poole will check with the presenters on what they plan to say.

### **IV. STAFF REPORT**

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

1. Wastewater Plant Grant Update. Mr. Poole reported that all technical requirements for the grant had been met and he was awaiting the contract. The grant will provide \$468,000 to rehabilitate two clarifiers and replace the headworks. Director Brecht requested a simple explanation of what they were and how they were being used.

2. Proposition 218 Process Update. President Dice suggested waiting for fall for the 218 process to avoid concerns from snowbirds. Hopefully the coronavirus will be gone by then.

3. 2020-2021 Budget Process Update. Mr. Poole reported he was in the process of getting the year-to-date figures and then will compile the draft budget, which he hoped to present to the Budget Committee in April.

4. Risk Management Policy update & budget. Mr. Poole reported that quarterly cyber security scans had begun, external as well as internal. Recommended changes were incorporated, and the system is presently in good shape.

5. Water Master Board Meeting Schedule – March 31<sup>st</sup> Board Meeting, April 2020 Report. Mr. Poole predicted the WMB will have three meetings before their staff is on board. Attorneys from each sector will rotate attendance, with Mr. Anderson being first. Mr. Poole has been working with the Core Team (Directors Brecht and Duncan) on the Agenda, which will be reviewed by the other pumpers for input.

**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):

**B.** Replacement Well Number Two Site – Conference with Real Property Negotiators (Govt. Code Section 54956.8); Property APN: APN 198-021-08, 77.95 acres; BWD Negotiator: Geoff Poole; Negotiating Parties: Geoff Poole, General Manager, and Owner: Borrego Nazareth; Under Negotiation: Price and Terms of Payment:

The Board adjourned to closed session at 10:25 a.m., and the open session reconvened at 11:45 a.m. There was no reportable action.

**VI. CLOSING PROCEDURE**

The next Board Meeting is scheduled for March 24, 2020 at Borrego Water District, 806 Palm Canyon Drive, Borrego Springs, CA 92004. There being no further business, the Board adjourned at 11:45 a.m.