

Borrego Water District Board of Directors
MINUTES
Regular Meeting
March 24, 2020 @ 9:00 a.m.
806 Palm Canyon Drive
Borrego Springs, CA 92004

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
Steve Anderson, Best Best & Krieger
Esmeralda Garcia, Administrative Assistant
Wendy Quinn, Recording Secretary
- Public: Harry Ehrlich Rebecca Falk
Michael Sadler, Trey Driscoll, Dudek
Borrego Sun
- D. Approval of Agenda: **MSC: Brecht/Johnson approving the Agenda as written. The roll call vote was unanimous.**
- E. Approval of Minutes:
1. February 11, 2020 Special Board Meeting
 2. February 25, 2020 Regular Board Meeting
- MSC: Brecht/Johnson approving the Minutes of the Special Meeting of February 11, 2020 and the Regular Meeting of February 25, 2020 as written. The roll call vote was unanimous.**
- F. Comments from the Public and Requests for Future Agenda Items: None
- G. Comments from Directors: None
- H. Correspondence Received from the Public: None

I. ITEMS FOR BOARD CONSIDERATION AND POSSIBLE ACTION

A. RESOLUTION 2020-03-01 OF THE BOARD OF DIRECTORS OF THE BORREGO WATER DISTRICT DECLARING A TEMPORARY SUSPENSION OF SERVICE TURNOFFS AND LATE PAYMENT PENALTY ACCRUAL DURING THE COVID-19 STATE OF EMERGENCY: Geoff Poole introduced a proposed Resolution declaring a temporary suspension of service turnoffs for nonpayment and late payment penalties during the COVID-19 state of emergency. Steve Anderson stated the the Resolution was based on a Best Best & Krieger template and had been adopted by several water districts. It is effective through June 1, subject to Mr. Poole’s authority to extend it in his reasonable discretion.

Mr. Poole reported that he had confirmed with Raftelis that the action would not place unequal burdens on any class of ratepayers, pursuant to the requirements of Proposition 218. The Resolution will be included in the next water bills and on the BWD website. **MSC: Duncan/Brecht adopting Resolution 2020-03-01 of the Board of Directors of the Borrego Water District Declaring a Temporary Suspension of Service Turnoffs and Late Payment Penalty Accrual During the COVID-19 State of Emergency. The roll call vote was unanimous.**

- B. BWD Impacts and Response to Pandemic COVID-19:
Mr. Poole offered to answer questions on material in the Board package.

1. Messaging.
 - a. Statement for use in Newsletter, Website and Other. President Dice asked whether the Customer Newsletter would be published monthly, and Mr. Poole replied that it would.
2. Finance Impacts.
 - a. Projection of potential revenue loss during preventive measures period. Director Brecht reported that the District has approximately \$1.5 million in reserves. If there is a revenue shortfall, it is important to avoid shutdowns. A State bailout might be necessary. He suggested delaying the 218 process until fall, noting that he hoped not to raise rates significantly. President Dice asked whether all District staff members were still employed, and Mr. Poole replied that they were.
 - b. Impact of FY2021 Budget process.
 - c. Board direction regarding Proposition 218 process.
 - d. Impact on 2018 BWD Bonds re: IRS relax Bond CIP spend requirements if delays?
3. Operations.
 - a. Continuing essential water and sewer functions.
 - b. Any operations supply chain issues?
 - c. Impact mitigation from electricity brownouts and blackouts.
 - d. Community-level emergency management cooperation.
4. Rescheduling Options for Town Hall 2020. President Dice suggested considering a Town Hall meeting in the fall.
5. Potential Impacts on Water Master Board Meeting. Director Johnson inquired about plans for the WMB meeting. Mr. Poole hoped to upgrade his computer. Michael Sadler suggested avoiding interruptions from participants by asking people wanting to speak to hold up a card and wait to be recognized. Steve Anderson noted that some public agencies have separate dial-in numbers for the Board and staff and for the public. He also offered to send out an e-mail asking those participating in the closed session to call in separately.

II. STANDING AND AD-HOC BOARD COMMITTEE REPORTS

A. STANDING:

1. Operations and Infrastructure. Mr. Poole reported that David Dale is continuing assessment of various operational alternatives to eliminate the need to replace the Twin Tanks and Indian Head Tank in their current locations. The site of Well 4-9 appears promising.

B. AD-HOC:

1. Stipulated Judgment Implementation. No report.
2. Risk Management/Pandemic. President Dice noted that the Committee now includes the pandemic.
3. Grant Funding. No report.
4. Association of California Water Agencies/Joint Powers Authority. No report.
5. Organizational Staffing. No report.
6. Prop 218 and BWD Developers' Policy. No report.
7. Town Hall 2020 Agenda. No report.

III. STAFF REPORT

A. Financial Reports: February 2020: Mr. Poole offered to answer questions.

B. General Manager Report: No additional reports.

V. CLOSED SESSION

A. Conference with Legal Counsel – Significant exposure to litigation pursuant to Government Code paragraph (3) of subdivision (d) of Section 54956.9 (Two (2) potential cases):

B. Replacement Well Number Two Site – Conference with Real Property Negotiators (Gov. Code §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 9:40 a.m., and the open session reconvened at 11:20 a.m. There was no reportable action.

VI. CLOSING PROCEDURE

The next Board Meeting is scheduled for April 14, 2020 to be available online. See Board Agenda at www.borregowd.org for details, available at least 72 hours before the meeting. There being no further business, the Board adjourned at 11:20 a.m.