

**Borrego Water District Board of Directors**  
**MINUTES**  
**Regular Meeting**  
**August 25, 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  
David Dale, District Engineer  
Jessica Clabaugh, Finance Officer  
Alan Asche, Operations Manager  
Diana Del Bono, Administration Manager  
Esmeralda Garcia, Administrative Assistant  
Wendy Quinn, Recording Secretary

Public:           Cathy Milkey                   Tammy Baker  
Todd Holman, EnrGen

**D.** Approval of Agenda: *MSC: Brecht/Johnson approving the Agenda as written. The roll call vote was unanimous.*

**E.** Approval of Minutes:  
1. July 14, 2020 Special Board Meeting. *MSC: Duncan/Johnson approving the Minutes of the Special Board Meeting of July 14, 2020 as written. The roll call vote was unanimous.*

2. July 28, 2020 Regular Board Meeting.  
*MSC: Duncan/Johnson approving the Minutes of the Regular Board Meeting of July 28, 2020 as corrected (amend Item III.B.f in part to read as follows: First paragraph, "To satisfy the requirements of the Stipulation SGMA, approximately \$7 million will be was needed . . . ." Second paragraph, "... the approved FY 2021 approved Prop 218 rates . . . . In the new FY 2022-2026 218 process . . ."). 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:

1. San Diego County Water Authority Regional Conveyance System Project.
  - i. Letter from T2 and La Casa del Zorro principals to BWD Board regarding SDCWA RCS pipeline project.
  - ii. BWD Board final letter sent to SDCWA Board regarding potential RCS pipeline alignment through Borrego.

Geoff Poole invited the Board's attention to correspondence in the Board package. Following up from the last meeting, a letter from Jack McGrory (La Casa del Zorro) and Shannon Smith (T2 Borrego) to BWD was included, as well as a letter from BWD to the SDCWA, regarding their RCS pipeline project. Cathy Milkey asked that the attachment to the McGrory/Smith letter be included. Discussion followed regarding whether a representative of BWD should attend the August 27 SDCWA meeting when they vote on Phase B of the RCS study, or if not, to whom their letter should be sent. Director Duncan wanted to know the outcome of the SDCWA vote, and President Dice agreed to put it on the next Agenda. Mr. Poole will check to see where the letter should be sent.

## II. ITEMS FOR BOARD CONSIDERATION AND POSSIBLE ACTION

A. FY 2021-2029 Final Proposed CIP Comprehensive Descriptions and Cost Estimates used for Development of Cost of Service Study and Financing Plan: Mr. Poole invited the Board's attention to an updated CIP in the Board package, including the two new projects presented by David Dale at the last meeting (Club Circle water and sewer lines and a new transmission main). Director Brecht asked what would happen if the grant to replace the Twin Tanks was not approved; can it wait another year, or should the District spend the money now. Mr. Poole was optimistic about the grant, but will check with Alan Asche and report back at the next meeting. Director Brecht asked whether the Wastewater Treatment Facility, Phases 1 and 2, was advanced treatment. Mr. Poole did not believe so. Director Brecht asked whether water supply provision was included in the CIP, and Mr. Dale replied that the CIP was usually just for physical improvements. Mr. Poole agreed to include water/land acquisition in the CIP summary.

Tammy Baker expressed concern that in the Fire Hydrant Replacement project, some were said to be "not functional." Mr. Dale said they were "semi-functional"; not as the manufacturer intended. Mr. Asche noted that all the hydrants were functioning, and if one fails, the Fire Department is notified. Mr. Poole asked Mr. Dale to amend the CIP; instead of saying some hydrants are not functional, say "We are bringing them up to current standards."

Mr. Asche reported that there are some water mains that should be added to the CIP in the next few years.

B. Initial Results for developing in-house capability to construct various CIP pipeline projects: Mr. Poole reported that he and Mr. Dale were working on cost estimates for using in-house staff for pipeline projects, and had discussed it with Raftelis. Information was included in the Board package.

C. Draft of Important Risk Management areas for BWD continuance of service requirements for discussion by Interim Watermaster now that a Watermaster Executive Director has been hired: Director Brecht outlined Agenda items he was proposing to the WMB: Improperly abandoned wells, conjunctive use of the Borrego basin to store Colorado River water, analysis of water quality and monitoring results. Director Johnson noted that she had done some editing and would send her input to Director Brecht. ***MSC: Brecht/Delahay agreeing that the issues discussed are important to the District and asking Director Duncan to present them to the WMB as future Agenda items proposed by the Board. The roll call vote was unanimous.***

D. Endorsement request for Borrego Minister Association's COVID-19 Emergency letter to San Diego Gas & Electric Company (SDG&E): Mr. Poole invited the Board's attention to a letter from the Borrego Ministers' Association requesting assistance from SDG&E and asking BWD to endorse it, included in the Board package. ***MSC: Brecht/Duncan endorsing the Borrego Ministers' Association's request to SDG&E. The roll call vote was unanimous.***

E. BWD responses to public comments regarding the Stipulated Judgment submitted to the California Department of Water Resources for SGMA-compliance review: Mr. Poole explained that there was a 45-day comment period following BWD's submission of its GMP and Stipulated Judgment to the DWR. Todd Driscoll has compiled responses to the comments, and the other pumpers' legal representatives reviewed and approved them. They were included in the Board package. ***MSC: Brecht/Duncan accepting the responses to the Stipulated Judgment and posting them on the BWD website. The roll call vote was unanimous.***

F. Analysis of Existing BWD Solar Electricity Systems and Energy Efficiency Analysis: Mr. Poole introduced a recent two-phase study of the District's energy system. First, the existing solar infrastructure was examined, both at the office/warehouse and at the wastewater treatment plant. Then the electrical usage in all facilities was evaluated. Todd Holman of EnrGen Inc., who performed the study, presented his findings. Mr. Holman noted that there was a significant amount of over-production at the treatment plant. There is currently a \$5,000 credit with SDG&E. There were other minor issues which will or have been addressed.

At the office and warehouse, two optimizers need to be replaced, and the solar panels were soiled. Mr. Holman recommended that they be cleaned more regularly. Energy production is 11 percent below expectations, probably due to the optimizers and soiling.

Mr. Holman went on to explain his review of the electrical system. By adopting a more advantageous rate plan, BWD could use its excess production at the treatment plant to cover usage at other facilities. Every facility that uses power was examined and evaluated, including light switches, fans and HVAC units, to identify potential savings. Many of the lights can be changed to LED lights, and motion detector switches can be installed. Another option is “intelligent thermostats,” which would save 15 to 20 percent on air conditioning. Pumps, which use a lot of energy, will be evaluated.

Director Brecht inquired about battery storage for the office and warehouse. Mr. Holman stated he would look at it in the next phase of the study, including intermittent usage and arbitrage. Mr. Poole added that the second phase would look at future recommendations, such as possible conversion of the wells to solar. He hoped to have a report at the next meeting.

**G. Risk Management Policy Update DRAFT: COVID-19 Procedures:** Mr. Poole invited the Board’s attention to the COVID-19 Procedures in the Board package. They will be included in the Risk Management Policy. Diana Del Bono explained that the Procedures outline what employees should do if they become sick and how BWD will respond. Employees experiencing symptoms should stay home and call a doctor. Returning to work would be according to CDC protocol. Cleaning guidelines were included, as well as PPE information. Director Brecht recommended eliminating background information on COVID, since more is being learned as time goes on. Ms. Del Bono reported that the information will be shared with the employees and included in the Disaster Preparedness Plan and the Injury/Illness Prevention Plan. Tammy Baker suggested including frequency of cleaning and appropriate social distancing. Ms. Del Bono explained that those were covered in the County guidelines, and she can include the County checklist in the BWD Procedures.

**H. Posting Borrego Springs Communit Sponsor Group Agendas on BWD Website:**  
No report.

**I. Borrego Springs Interim Watermaster Board:**

1. Selection of Executive Director/Technical Consultant. Mr. Poole reported that a contract with Wildermuth Environmental for Executive Director/Technical Consultant services was approved at the last WMB meeting. Samantha Adams will serve as ED and Andy Malone as TC.

2. BWD Request for Pumping Credit to Offset Admin Support Costs. Mr. Poole reported that the WMB was considering BWD’s request and asked that the cost range be narrowed. He and Director Duncan will work on this issue for a future Agenda. Director Brecht will send Director Duncan a letter on the subject.

3. County of San Diego Accepts Permanent Participation on WM Board. Mr. Poole reported he had received confirmation from County Counsel that the County accepted a permanent seat on the WMB. County Counsel had worked with the pumpers’ attorneys to resolve liability concerns. Mr. Poole suggested a letter of appreciation to the County, particularly Supervisor Desmond, for approving the seat and making the appointment. Director Brecht asked Mr. Poole to draft a letter to Supervisor Desmond with a copy to the Stewardship Council, share it with Director Johnson and President Dice, and have President Dice sign it.

4. August 27 Agenda Items. The August 27 WMB Agenda had not yet been published.

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

**A. STANDING:**

1. Operations and Infrastructure. No report.

**B. AD-HOC:**

- a. Stipulated Judgment Implementation. No report.
- b. Risk Management/Pandemic. No report
- c. Grant Funding. No report.
- d. Association of California Water Agencies/Joint Powers Authority. No report.
- e. Organizational Staffing. No report.
- f. Prop 218 and BWD Developers' Policy. No report.

**IV. MONTHLY FINANCIAL & OPERATIONS REPORTS**

**A. Financial Reports: July 2020:** Ms. Clabaugh presented the Treasurer's Report, cash flow, revenue, income and projections. There was a slight increase in receivables. An invoice was received for the UCI air quality study. The District has just over \$6 million cash in the bank, about \$14,000 over the annual budget. The current CIP projects include replacement Well #2 and replacement Well #1, which is almost done, as well as various upgrades. Downstream performed a sewer inspection.

Director Brecht inquired about GSP reimbursement, and Ms. Clabaugh agreed to send him a detailed report. Director Brecht further asked whether the District was receiving GSP reimbursement from pumpers, and Ms. Clabaugh replied that most had paid. Director Brecht noted the air quality study was capitalized, and he did not believe it should be. He went on to inquire whether "sewer facilities" on Agenda page 154 referred to both sewer and wastewater treatment. Ms. Clabaugh believed it did, but will confirm.

Ms. Clabaugh reported she was working on the audit, and discussing the groundwater management staff allocation adjustment with Mr. Poole.

1. **Water and Sewer Revenue Comparison.** Ms. Clabaugh will present this report at the next meeting. The data is not yet available.

**B. Water and Wastewater Operations Report: July 2020:** The Water and Wastewater Operations Report was included in the Board package.

**V. STAFF REPORT**

**A. Administration:** Ms. Del Bono reported that the volume of phone calls was low, except around the first of the month. Some of the e-mail customers haven't returned their bills, due to a problem with Springbrook's connection to Outlook. Staff has been waiting for a system network, which when operational will enable customers to access their statements on line. This will free up time for Val Bowman, who is working on bills and payments. Esmeralda Garcia has been busy with WMB work. She and Ms. Bowman will be working with past due customers, setting up payment plans. Ms. Garcia also translates the Agendas and Minutes into Spanish. Ms. Del Bono is dealing with accounts payable, and working with Mr. Asche to update the Disaster Emergency Response Plan. Once the update is complete, there will be a staff meeting to review the procedures. Portions of the Administrative Code are also being updated to create a leave procedure.

**B. Wastewater Operations:** No report. Roy Martinez was at the dentist.

**C. Water Operations:** Mr. Asche reported there were no emergency repairs during the past month. Non-emergency repairs included installation of clamps to stop leaks. The meter replacement program is continuing. Some of the old meters were tested for accuracy, and most were 95 percent accurate. Staff is getting ready for the sanitary survey by the State, and awaiting a final inspection of Well 4-9. There were some repairs to Well 5. The hydrant replacement program is continuing, six or seven per month. They should be finished this month. The remaining hydrants will be part of the Bending Elbow/Rocking Chair job. Work has started on the De Anza line. Mr. Asche is collecting estimates for the SCADA/telemetry system upgrade and hoped to have a recommendation at the next Board meeting.

**D. General Manager:**

1. Proposed schedule for Developer's Policy and Cost of Service studies and rate setting requirements through July 1, 2021. Mr. Poole reported that Jim Bennett had reviewed and approved the changes to the Developer's Policy. Information for the COS study and CIP has been provided to Raftelis and Fieldman, Rolapp. A detailed schedule should be available at the next Board meeting.

2. Discussion of Superior Court's Stipulation Judgment Legal Service Process Required for a Comprehensive Adjudication of Subbasin Water Rights. Mr. Poole explained that notices of the Stipulated Judgment must be sent to all property owners in the Subbasin, both physical and mailing addresses. He predicted that would happen in about a week.

3. Update on High School Interpretive Skills Training Class at Borrego Springs High School: The required \$10,000 has been raised. Mr. Poole reported that the required \$10,000 had been raised to fund the Borrego Springs High School Interpretive Skills Training Class.

**VI. 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. Conference with Legal Counsel – Existing Litigation (BWD v. All Persons Who Claim a right to Extract Groundwater, et al. (San Diego Superior Court case no. 37-2020-00005776)):**

The Board adjourned to closed session at 11:50 a.m., and thereafter, the open session reconvened. There was no reportable action.

**VII. CLOSING PROCEDURE**

The next Board Meeting is scheduled for September 8, 2020, to be available on line. See Board Agenda at BorregoWD.org for details, available at least 72 hours before the meeting. There being no further business, the meeting adjourned.