

**Borrego Water District Board of Directors
MINUTES
Special Meeting
September 8, 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
David Dale, District Engineer
Esmeralda Garcia, Administrative Assistant
Wendy Quinn, Recording Secretary
Public: Tammy Baker Gary Worobec, Take Back
David Garmon Anza
- D. Approval of Agenda: **MSC: Brecht/Duncan approving the Agenda as written.**

The roll call vote was unanimous.

- E. Approval of Minutes: None
- F. Comments from the Public and Requests for Future Agenda Items: None
- G. Comments from Directors: President Dice reminded the Directors to submit comments for Geoff Poole’s performance evaluation.

H. Correspondence Received from the Public:

1. Hemp Cultivation in Coyote Creek Watershed and Potential Impact to BS Basin Inflows. Mr. Poole invited the Board’s attention to correspondence in the Board package from Gary Worobec regarding hemp cultivation in the Anza-Terwilliger Basin. Mr. Worobec, representing Take Back Anza, explained that the County began last year issuing permits for hemp cultivation. Hemp uses 300 times more water per acre than grapes. The Riverside County Watermaster sent letters to the County, State, Water Company and Sierra Club regarding the issue. The Planning Commission has ceased issuing hemp permits for the Santa Margarita Watershed, but there is a small area within the Anza-Terwilliger Basin that is outside that Watershed. It is the headwaters for Coyote Creek, from which Borrego Springs gets most of its water. Mr. Worobec was seeking BWD support to include that part of the Anza-Terwilliger Basin in the ban on hemp permits. He suggested a letter to Riverside County, and perhaps a letter from Supervisor Desmond to the Riverside County District 3 Supervisor. Director Brecht asked Mr. Worobec to send Mr. Poole the addresses for the letters, and to put the matter on the next BWD Agenda. President Dice will work with Trey Driscoll on the letters. She asked Mr. Worobec to let her know the timing and the name of the District 3 Supervisor.

II. ITEMS FOR BOARD CONSIDERATION AND POSSIBLE ACTION

A. San Diego County Water Authority Proposed Regional Conveyance System (RCS) through Borrego Springs: Mr. Poole referred to the Board’s letter, approved at the last meeting, to the SDCWA in anticipation of their September 27 meeting. The SDCWA Board was scheduled to consider the continuation of the study of the Regional Conveyance System, but the item was deferred until late November to allow more time to study issues, including a disagreement between the SDCWA and an independent consultant retained by its Member Agencies. In the interim, there will be a workshop and outreach in Borrego Springs.

Director Brecht pointed out that BWD's letter was an effort to dispel the rumor that BWD was enthusiastically in favor of the RCS route through Borrego Springs. However, the letter was buried in the SDCWA Agenda material, and some Board members didn't even see it. It was not discussed at the meeting. The study on behalf of the Member Agencies by Black and Veatch concluded that there may have been errors in calculation of the cost of the RCS. Director Brecht recommended that BWD focus on protecting the subbasin. He was concerned about potential conjunctive use, and the deterioration of Borrego's water quality by mixing it with Colorado River water. ***MSC: Brecht/Duncan assigning the Risk Management/Pandemic Committee to develop another letter to the SDCWA for its November meeting, working with Dudek and Ensi, and bring a draft to the next BWD meeting. The roll call vote was unanimous.***

B. Draft Response to County's Email from BWD Regarding Unknown Status of Wells in Subbasin: Mr. Poole referred to the District's previous letter to the County, requesting assistance in identifying the status of wells in Borrego Springs. The County's response was in the Board package, indicating they could not comply with the request; however, if the District informs them of improperly abandoned wells, they will take action. Also included in the Board package was a draft response from BWD to the County.

David Garmon noted that he had discussed the subject with Jamelle McCullough of the County while serving on Supervisor Desmond's Environmental Subcommittee. She indicated that if BWD would send a letter to every well operator asking for the status of their well, the County would consider those that didn't respond actionable and would follow up. Director Brecht asked to see the statement in writing, and Mr. Garmon and Director Duncan, who remembered seeing it, agreed to look for it.

C. Begin Process to Replace Twin Tanks: Mr. Poole addressed the question of whether to proceed with the Twin Tanks replacement now or wait until the grant application, which is in the final stages, has been approved. The technical review for the application has been done, and it is now in the contract-writing phase. Jessica Clabaugh has provided bond information requested by DWR. It is a reimbursement grant, so the District would have to provide the money up front anyway. Mr. Poole felt confident the grant would be approved. David Dale reported that he had inspected the Twin Tanks inside and out, and he and Alan Asche videoed the interior. The steel bolts connecting the panels inside the Tanks are severely corroded, and Mr. Dale expressed concern regarding a potential catastrophic failure. He did not feel they could be rehabilitated. There were also some leaks in the floor, but the cost to repair them would likely outweigh replacement costs. Mr. Dale and Mr. Asche felt the Tanks, which are almost 60 years old, should be replaced as soon as possible.

Mr. Poole noted that plans and specifications had already been prepared and reviewed by the State. Bid documents now need to be developed. There is also a question of where the replacement tank will be located. The existing Twin Tanks are on State Park land, but the District owns a nearby parcel. The State will accept either location, but the current plan is to use the existing site, demolish the Twin Tanks and then build the new one. A property exchange with the Park may be negotiated. ***MSC: Brecht/Johnson initiating preparation of bid documents for replacement of the Twin Tanks. The roll call vote was unanimous.***

D. Selection of Consultant to Upgrade SCADA/Telemetry System: Mr. Poole reported that Operations staff had issues regarding SCADA's ability to remotely monitor the control system. It is past its useful life, and replacement parts are no longer available. Mr. Asche and Mr. Dale put together a design and received four proposals. Mr. Dale reported that the quotes ranged from \$88,000 to \$114,000, which was anticipated in the CIP. The project is somewhat urgent because of overtime and spillage resulting from the old system. ***MSC: Brecht/Johnson authorizing staff to move forward with purchase of a new SCADA system. The roll call vote was unanimous.***

E. Borrego Springs Basin Interim Watermaster:

1. Final Memo to Interim Watermaster of Subbasin Regarding Some Initial Risk Management Issues for WM's Consideration. Mr. Poole invited the Board's attention to the final draft of a memo to the WMB in the Board package. Director Duncan will submit it to Samantha Adams.

2. Watermaster Request for BWD Assistance with Meter Reading. Mr. Poole reported that the WMB was requesting BWD to perform the initial meter reading. The future has not yet been determined. Mr. Poole is working with Ms. Adams and JPIA on insurance issues. Director Brecht expressed concern regarding data-related issues. Mr. Poole explained that Wildermuth Environmental is an expert in data integrity and data security.

3. Agenda Items for September 10, 2020. Mr. Poole reported that the WMB Agenda had not yet been published.

III. STAFF REPORTS

A. Water Sales and Revenues Update: Ms. Clabaugh presented a graph depicting water revenue and usage. Water revenues are up 3.85 percent as compared to last year, and the water usage is up 10 percent. Over three years, water consumption is about five percent lower. Sewer charges are relatively stable. Ms. Clabaugh went on the report on the aging accounts. The 30-60-day, 60-90-day and over 120-day late bills increased since last year, but the 90-120-day late bills decreased. Delinquent letters have been sent out. Staff is examining individual accounts and may set up payment plans for those that are late but not normally.

B. Publication of Documents:

1. T2 attorney's suggested letter to SDCWA re: RCS.

2. BWD Final Draft Letter to SDCWA re: RCS.

The referenced letters were included in the Board package.

C. Tentative Schedule with Fieldman Rolapp Associates (FRA) and Raftelis Financial concerning CIP financing plan, Cost of Service Study, and Developer's Policy changes: Mr. Poole invited the Board's attention to the schedule in the Board package. He hoped to adopt the new Developer's Policy at the next Board meeting. It has been reviewed and approved by Jim Bennett.

D. BWD Website Update: Mr. Poole reported that a new website, borregowd.org, has replaced the previous BVGSP.org. He welcomed requests for new information. Meet Panchal is preparing to return to India, and Esmeralda Garcia will be maintaining the website. Director Johnson pointed out that the old website is still active, and Mr. Poole agreed to take care of it. Ms. Garcia explained that currently both websites are being updated.

IV. CLOSED SESSION:

A. Conference with Legal Counsel – Significant exposure to litigation pursuant to paragraph (3) of subdivision (d) of Government Code Section 54956.9: (One (1) potential case):

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):

C. Performance Review: Performance Evaluation of General Manager: GM Performance Review – Conference for Public Employee Performance Evaluation – Title: General Manager Employee Performance Review – pursuant to subdivision (d)(4) of Government Code Section 54957:

The Board adjourned to closed session at 10:40 a.m., and thereafter, the open session reconvened. There was no reportable action.

V. CLOSING PROCEDURE

The next Board Meeting is scheduled for September 22, 2020 at Borrego Water District, 806 Palm Canyon Drive, Borrego Springs, CA 92004. There being no further business, the Board adjourned.