

# MINUTES

Thursday, April 20, 2023  
Mammoth Community Water District  
Regular Board Meeting

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*The Board of Directors convened in session at the hour of 5:32 p.m. There was a brief recess taken and the meeting was adjourned at 6:28 p.m.*

Prepared by:



Stephanie Hake  
Executive Assistant

ATTEST:



Mark Busby  
Board Secretary

**THE REGULAR MEETING** of the Board of Directors of the Mammoth Community Water District was held on Thursday, April 20, 2023 at 5:32 p.m.

### ROLL CALL

#### Board Present

Director: Tom Cage  
Director: Dennis Domaille  
Director: Elizabeth Hylton (*remote attendance AB 361*)  
Director: Tom Smith  
Director: Gary Thompson (*remote attendance AB 361*)

#### Board Absent

None

#### Staff Present

General Manager: Mark Busby  
District Engineer: Garrett Higerd  
Finance Manager: Jeff Beatty (*remote attendance*)  
Operations Superintendent: Clay Murray  
Maintenance Superintendent: Rob Motley  
Information Services Manager: Justin Mulbay  
Human Resources Manager: Chris Weibert  
Principal Administrative Analyst: Michael Draper  
Executive Assistant: Stephanie Hake  
Legal Counsel: Josh Horowitz (*remote attendance*)

#### Guests Present

None

***Some items were taken out of order to facilitate the meeting.***

### PUBLIC FORUM

*President Smith opened the public forum at 5:33 p.m.*

*No one addressed the Board and President Smith closed the public forum at 5:33 p.m.*

### CONSENT AGENDA A

**A-1 Consider finding under Gov. Code, section 54953, subd. (e)(1)(B) that as a result of the Governor's proclaimed state of emergency: (i) meeting in person would present imminent risks to the health or safety of attendees: and (ii) the meeting is authorized to be held by teleconference pursuant to Gov. Code, section 54953, subd. (e)(1)(C)**

**A-2 Approve the March 2023 Check Disbursements**

**A-3 Approve the Minutes from the Regular Board Meeting held March 16, 2023**

**A-4 Adopt Resolution No. 04-20-23-07 Setting a Public Hearing on the Report of Secured Delinquent Water and Sewer Charges as of March 31, 2023**

**A-5 Adopt Resolution No. 04-20-23-08 Setting a Public Hearing on the Report of Unsecured Delinquent Water and Sewer Charges as of March 31, 2023**

*President Smith said that since the board packet had been published, three accounts had been brought current and could be removed from the reports; two accounts on the Secured Report (A-4) and one account on the Unsecured Report (A-5). Therefore, these items were acted on separately.*

**BOARD ACTION – To approve Consent Agenda A, items A-1, A-2, and A-3**

MOVED BY: Director Cage  
SECONDED BY: Director Domaille  
AYES: Directors Cage, Domaille, Hylton, Smith, and Thompson  
NAYS: None

**BOARD ACTION – To approve Consent Agenda A, item A-4 with the updated report**

MOVED BY: Director Domaille  
SECONDED BY: Director Cage  
AYES: Directors Cage, Domaille, Hylton, Smith, and Thompson  
NAYS: None

**BOARD ACTION – To approve Consent Agenda A, item A-5 with the updated report**

MOVED BY: Director Cage  
SECONDED BY: Director Domaille  
AYES: Directors Cage, Domaille, Hylton, Smith, and Thompson  
NAYS: None

**CONSENT AGENDA B – DEPARTMENT REPORTS**

**B-1 Operations Department Report**

**B-2 Maintenance Department Report**

**B-3 Finance Department Report**

**B-4 Engineering Department Report**

**B-5 Information Services Report**

**B-6 Personnel Services Report**

**B-7 Regulatory Support Services Report**

**B-8 General Manager's Report**

*Director Domaille made a motion.*

**BOARD ACTION – To approve Consent Agenda B**

MOVED BY: Director Domaille  
SECONDED BY: Director Cage  
AYES: Directors Cage, Domaille, Hylton, Smith, and Thompson  
NAYS: None

**CURRENT BUSINESS**

**C-1 Discuss and Consider Adopting Resolution No. 04-20-23-09 Adopting an Annual Statement of Investment Policy**

*Jeff Beatty said that the proposed changes to the policy were administrative with a couple of "best practices" added.*

*Director Cage said the Investment Committee reviewed the proposed changes and there were no questions. He expressed appreciation for the way Jeff Beatty and the Chandler Investment advisors are expertly handling the District's investment portfolio.*

*Following a brief discussion Director Cage made a motion.*

**BOARD ACTION – To adopt Resolution No. 04-20-23-09 Adopting an Annual Statement of Investment Policy**

MOVED BY: Director Cage  
SECONDED BY: Director Hylton  
AYES: Directors Cage, Domaille, Hylton, Smith, and Thompson  
NAYS: None

**C-2 Discuss and Consider Approving a One-Time Cost of Living Adjustment to Base Pay of Five Percent (5%), Across the Board for All Staff and Equivalent Adjustment to All Salary Ranges**

- 1. Adopt the Side Letter of Agreement (SLA) Between Mammoth Community Water District (District) and International Union of Operating Engineers, Local Union No. 12 (L12), Modifying the 2021-2026 Memorandum of Understanding (MOU); and**
- 2. Approve the Same Adjustments for the Non-Represented Staff**

*Chris Weibert commented that following direction from the Board, staff contacted the Union of Operating Engineers, Local 12 regarding the proposed one-time cost of living adjustment. The Union approved the proposal and signed the side letter of agreement to the MOU. She also noted that the increase in wages was included in the FY24 Budget.*

*President Smith thanked staff for the work on bringing this item to the Board. He also expressed appreciation for the several positive comments from staff members. He then called for a motion.*

**BOARD ACTION – To approve a one-time cost of living adjustment to base pay of five percent (5%), across the board for all staff and equivalent adjustment to all salary ranges**

- 1. Adopt the Side Letter of Agreement (SLA) between Mammoth Community Water District (District) and International Union of Operating Engineers, Local Union No. 12 (L12), modifying the 2021-2026 Memorandum of Understanding (MOU); and**
- 2. Approve the same adjustments for the non-represented staff**

MOVED BY: Director Domaille  
SECONDED BY: Director Cage  
AYES: Directors Cage, Domaille, Hylton, Smith, and Thompson  
NAYS: None

**C-3 Discuss and Consider Adopting Resolution No. 04-20-23-10 – First Amended FY24 Salary and Authorized Positions Resolution No. 03-16-23-06**

1. Amend Salary Ranges for Represented Classes; and
2. Amend Salary Ranges for Non-Represented Classes

*There was no discussion and Director Domaille made a motion.*

**BOARD ACTION – To adopt Resolution No. 04-20-23-10 – First Amended FY24 Salary and Authorized Positions; repealing Resolution No. 03-16-23-06**

1. Amend salary ranges for represented classes; and
2. Amend salary ranges for non-represented classes

MOVED BY: Director Domaille  
SECONDED BY: Director Hylton  
AYES: Directors Cage, Domaille, Hylton, Smith, and Thompson  
NAYS: None

**C-4 Consider and Possibly Approve an Amendment to General Manager Employment Agreement (to be considered after Closed Session)**

*Following closed session, President Smith said the General Manager's employment agreement had been discussed in closed session.*

*Director Cage made a motion to amend the General Manager's Employment Agreement consistent with the cost-of-living adjustment of five percent (5%) and effective date approved for all staff earlier in the meeting.*

**BOARD ACTION – To approve an amendment to General Manager Employment Agreement consistent with the amount and timing of the adjustment approved for all staff**

MOVED BY: Director Cage  
SECONDED BY: Director Domaille  
AYES: Directors Cage, Domaille, Hylton, Smith, and Thompson  
NAYS: None

**COMMITTEE MEETINGS HELD DURING THE MONTH**

Ad-Hoc Committee – Code and Policy – *March 15, 2023*

Tom Smith  
Dennis Domaille

Employee Housing Committee – *March 29, 2023*

Tom Smith  
Gary Thompson

Technical Services Committee – *April 19, 2023*

Dennis Domaille  
Tom Cage (*alternate*)

Investment Committee – *April 19, 2023*

Tom Cage  
Elizabeth Hylton (*remote attendance AB 361*)

Finance Committee – April 19, 2023

Tom Cage

Elizabeth Hylton (remote attendance AB 361)

Ad Hoc Code Book Committee:

Director Smith reported that the committee met and reviewed the final draft of the MCWD Employee Policy document. Following the committee's approval of the draft, the document was forwarded to the International Union of Operating Engineers, Local 12 for their review and comment. He noted that once the final version is adopted by the Board, Chapters 4 and 5 of the MCWD Code will be repealed.

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Employee Housing Committee:

Director Thompson reported that the committee discussed the possibility of purchasing a 1-bedroom condominium to add to the employee housing inventory. The committee directed staff to make an informal offer on a condominium for sale, but the offer was declined by the seller.

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Technical Services Committee:

Director Domaille reported that highlights from the committee meeting were:

- ✓ Snow removal operations.
- ✓ The collapse of water tank T-8 and the roof on the Equalization Building at the WWTP and the associated impacts to the Capital Project Schedule.
- ✓ Neptune metering system problems.

Mr. Busby commented that staff are considering options for maintaining and/or replacing the metering system due to the ongoing problems with the Neptune system.

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Investment Committee:

Director Cage said the Investment Committee discussed the current interest rate environment and how staff and the investment advisors are maximizing this with short, medium, and long-term investment strategies.

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Finance Committee:

Director Cage reported that Finance Department staff are focusing on closing out fiscal year 2023. Due to the beginning of the new fiscal year, there is not much other activity to report on.

**DIRECTOR COMMENTS, REQUESTS, AND REPORTS**

Director Hylton reported that she completed two virtual training courses through the California Special District Association (CSDA) in the past month; "District Liability Issues" and "Ethics Training" which is required bi-annually per Assembly Bill (AB) 1234.

**ATTORNEY REPORT**

None

**CLOSED SESSION**

**D-1 Conference with Real Property Negotiators**

Pursuant to Government Code Sections 54954.5(e) and 54956.8  
Property Description: Mono County APNs – 033-148-005-000 and 033-148-006-000  
Under Negotiation: Price and Terms of Payment  
MCWD Negotiators: Mark Busby and Garrett Higerd  
Property Owner Negotiator: Greg Eckert

**D-2 Conference with Labor Negotiator**

Pursuant to Government Code section 54957.6  
District Employee Relations Officer: Mark Busby  
Employee Organization: International Union of Operating Engineers, Local Union No. 12  
Unrepresented Employees: Management, Supervisory, and Confidential

**D-3 Conference with Labor Negotiator**

Pursuant to Government Code sections 54954.5(f) and 54957.6  
District Negotiators: Tom Smith and Tom Cage  
Direction concerning proposed terms of General Manager Employment Agreement, including Compensation and Benefits

**REPORT OUT AND ADJOURNMENT**

*The Board adjourned out of closed session at 6:26 p.m. at which time Mark Busby and Stephanie Hake were brought back into the meeting and the Board opened the discussion of business item C-4. The report out from closed session item D-3 is contained in the minutes of that item. There was no reportable action on items D-1 and D-2.*

*Following the discussion of item C-4, Director Domaille made a motion to adjourn the meeting.*

**BOARD ACTION – To adjourn the regular Board meeting**

MOVED BY: Director Domaille  
SECONDED BY: Director Cage  
AYES: Directors Cage, Domaille, Hylton, Smith, and Thompson  
NAYS: None

*President Smith adjourned the meeting at 6:28 p.m.*