

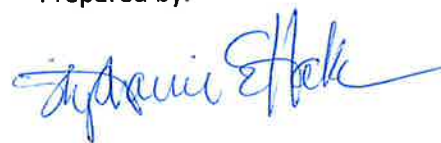
# MINUTES

Thursday, May 18, 2023  
Mammoth Community Water District  
Regular Board Meeting

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*The Board of Directors convened in session at the hour of 5:31 p.m. There was a brief recess taken and the meeting was adjourned at 6:36 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, May 18, 2023 at 5:31 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

#### 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

Kathleen Stewart (*remote attendance*)

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

### PUBLIC FORUM

*President Smith opened the public forum at 5:31 p.m.*

*Mark Busby addressed the Board to say that due to several conflicting schedules and lack of a quorum, staff recommend cancelling all regularly scheduled June Board activity. The board concurred and directed staff to post notices of cancellation for the June Board meeting and associated committee meetings.*

*Stephanie Hake reported that a customer recently called and wanted his comments shared with the Board. He was very appreciative of the professional and thorough response from maintenance staff members Bobby Larsen and Keith Weiland after he called late in the workday with a report of no water at his home.*

No one else addressed the Board and President Smith closed the public forum at 5:34 p.m.

### **PUBLIC HEARINGS**

President Smith next opened the public hearings at 5:34 p.m. to receive comments concerning the filing of reports on secured and unsecured delinquent water and sewer charges as of March 31, 2023.

Kathleen Stewart addressed the Board regarding her property at 54 Alpine Circle. She requested an item be put on the agenda for the next board meeting to consider reclassifying her property as a Single-Family Residence instead of a Multi-Family Residence.

President Smith thanked her for her comments and directed staff to include a discussion item for the July 20 board meeting.

No one else addressed the Board and President Smith closed the public hearings at 5:42 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 April 2023 Check Disbursements**

**A-3 Approve the Minutes from the Regular Board Meeting held April 20, 2023**

**A-4 Adopt a Notice of Exemption (NOE) for the 2023 Water and Wastewater System Improvements**

**A-5 Adopt Resolution No. 05-18-23-14 Confirming Collection and Requesting Inclusion of Secured Delinquent Rates, Charges, and Penalties for Water and Sewer Service on the Mono County Tax Roll for the Forthcoming Fiscal Year in the Same Manner as the District's General Taxes**

**A-6 Adopt Resolution No. 05-18-23-15 Confirming Collection and Requesting Inclusion of Unsecured Delinquent Rates, Charges, and Penalties for Water and/or Sewer Service on the Mono County Tax Roll for the Forthcoming Fiscal Year in the Same Manner as the District's General Taxes**

President Smith said that since the board packet was published on May 12, partial payments had been received from two account holders on the Secured Report (A-5) and the report should be updated to reflect the reduction in amount owed.

Stephanie Hake noted an error in the April 20 minutes, item A-3. The names of the Directors voting to adjourn the meeting were incorrectly listed in the posted version but have since been corrected.

President Smith called for a motion.

**BOARD ACTION – To approve Consent Agenda A with the amendment to the minutes from April 20, 2023, item A-3**

{00300688.1}

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

**CONSENT AGENDA B – DEPARTMENT REPORTS**

<b>B-1 Operations Department Report</b>	<b>B-5 Information Services Report</b>
<b>B-2 Maintenance Department Report</b>	<b>B-6 Personnel Services Report</b>
<b>B-3 Finance Department Report</b>	<b>B-7 Regulatory Support Services Report</b>
<b>B-4 Engineering Department Report</b>	<b>B-8 General Manager’s Report</b>

*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. 05-18-23-11 Revising the Appropriations Limitation for the Fiscal Year 2023-2024**

*Jeff Beatty briefly described the annual process of adopting the appropriations limit.*

*There was no discussion and President Smith called for a motion.*

**BOARD ACTION – To adopt Resolution No. 05-18-23-11 revising the appropriations limitation for the Fiscal Year 2024**

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

**C-2 Discuss and Consider Enacting Ordinance No. 05-18-23-12 Amending Chapter 12, Divisions III and VI of the Mammoth Community Water District Code Regarding the Temporary Use of Hydrant Meters**

*Rob Motley said all the information for the item could be found in the staff report.*

*There was no discussion and President Smith called for a motion.*

**BOARD ACTION – To enact Ordinance No. 05-18-23-12 amending Chapter 12, Divisions III and VI of the Mammoth Community Water District Code regarding the temporary use of hydrant meters**

{00300688.1}

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

**C-3 Revised Recycled Water Policy and Amend Chapter 11, Division XV of the MCWD Code (Ordinance No. 05-18-23-13)**

- 1. Adopt the Title 22 Engineering Report**
- 2. Discuss and Consider Enacting Ordinance No. 05-18-23-13 Amending Chapter 11, Division XV of the MCWD Code**

*Garrett Higerd described the revisions as mostly administrative. He added that the District's water quality regulator, Lahontan Regional Water Quality Control Board, rescinded the original recycled water permit issued in 2009 and replaced it with the updated version presented here. He highlighted the significant changes in the updated permit.*

*Following a brief discussion, President Smith called for a motion and vote for each item.*

**BOARD ACTION – To adopt the Title 22 Engineering Report**

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

**BOARD ACTION – To enact Ordinance No. 05-18-23-13 amending Chapter 11, Division XV of the MCWD Code**

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

**C-4 Appoint an Ad-Hoc Committee to Facilitate Discussions with Mono County Representatives Regarding Property Tax Allocation to District Related to Annexation of Snowcreek VIII Property**

*President Smith requested that Directors Cage and Thompson be the ad-hoc committee members to work with the Mono County ad-hoc committee on the property tax allocation topic. President Smith said that since Directors Cage and Thompson are members of LAFCO, this appointment would create continuity for discussions moving forward.*

*Director Cage and Director Thompson accepted the appointments.*

**BOARD ACTION – None**

## COMMITTEE MEETINGS HELD DURING THE MONTH

Mono County LAFCO – April 24, 2023

Tom Cage

Technical Services Committee – May 17, 2023

Dennis Domaille

Gary Thompson

Finance Committee – May 17, 2023

Tom Cage

Elizabeth Hylton (*remote attendance AB 361*)

### Mono County LAFCO:

Director Cage reported the following topics were discussed at the Mono LAFCO meeting:

- ✓ Staff have started updating Municipal Service Reviews (MSR) of the 26 special districts in Mono County.
- ✓ A new Executive Officer will be taking over in the next month or two.
- ✓ Staff is hopeful that the annual budget along with a reserve fund policy will be ready for adoption at the next LAFCO meeting in early June.

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### Technical Services Committee:

Director Domaille reported the committee meeting was short; topics discussed included work on District wells and insurance coverage and FEMA funding for T-8 tank and WWTP EQ Building roof collapses.

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### Finance Committee:

Director Cage reported the Finance Committee meeting was uneventful being only the first month of the fiscal year.

Director Hylton added that the committee discussed the potential impacts to the District's vehicle fleet due to the new CARB (California Air Resources Board) regulations being imposed in the next few years.

## DIRECTOR COMMENTS, REQUESTS, AND REPORTS

Director Cage complimented Clay Murray and Michael Draper on their recent interview representing the MCWD with the Sierra Wave radio.

## ATTORNEY REPORT

Attorney Horowitz reported that the 2023 legislature is back in session and considering three bills that would impact the water rights system: AB 460, AB 1337, and SB 389. He said he would report updates as they become available.

**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

**REPORT OUT AND ADJOURNMENT**

*There was no report from closed session and President Smith adjourned the meeting at 6:28 p.m.*