

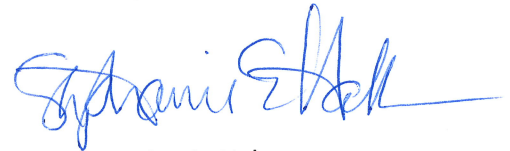
# MINUTES

Thursday, March 16, 2023  
Mammoth Community Water District  
Regular Board Meeting

---

*The Board of Directors convened in session at the hour of 5:35 p.m. There was a brief recess taken and the meeting was adjourned at 7:22 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, March 16, 2023 at 5:35 p.m.

### **ROLL CALL**

#### **Board Present**

Director: Tom Cage  
Director: Dennis Domaille  
Director: Elizabeth Hylton  
Director: Tom Smith  
Director: Gary Thompson (*remote attendance AB 2449*)

#### **Board Absent**

None

#### **Staff Present**

General Manager: Mark Busby  
District Engineer: Garrett Higerd  
Finance Manager: Jeff Beatty  
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

### **PUBLIC FORUM**

*President Smith opened the public forum at 5:36 p.m.*

*No one addressed the Board and President Smith closed the public forum at 5:36 p.m.*

### **CONSENT AGENDA A**

- A-1 Approve the February 2023 Check Disbursements**
- A-2 Approve the Minutes from the Regular Board Meeting held February 23, 2023**
- A-3 Approve the Request from Director Thompson to Attend this Meeting Remotely Due to a Family Medical Emergency as Provided for under AB 2449 "Emergency Circumstances"**

*Director Domaille made a motion to approve Consent Agenda A.*

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

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

### **CURRENT BUSINESS**

#### **C-1 Discuss and Consider Adopting Resolution No. 03-16-23-03 Establishing the Fiscal Year 2023-2024 MCWD Master Fee Schedule**

*Jeff Beatty described the few changes to the FY24 Master Fee Schedule. The annual renewal fee for FOG (Fats, Oils, and Grease) permittees was removed; a transaction fee was added for all payments made by credit or debit card; a 2% incremental increase to water and wastewater base and commodity rates as authorized by the 2021 Rate Study; and a 5.56% increase to connection fees for new customers. The connection fee increase is calculated based on the Engineering News Record Construction Cost Index and aligns with the MCWD Code.*

*A brief discussion followed, and Director Hylton made a motion.*

#### **BOARD ACTION – To adopt Resolution No. 03-16-23-03 establishing the Fiscal Year 2023-2024 MCWD Master Fee Schedule**

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

#### **C-2 Discuss and Consider Adopting Resolution No. 03-16-23-04 Approving the Fiscal Year 2023-2024 Capital and Operating Budget**

*Jeff Beatty highlighted the few changes to the FY24 Budget since the draft was presented at the February 23 Board meeting.*

*Director Cage said the Finance Committee thoroughly reviewed the budget with staff and was pleased with the final version.*

*President Smith expressed appreciation to all staff for the hard work that went into the final budget presentation; particularly tying the capital planning to the District's strategic plan.*

*Director Cage made a motion.*

**BOARD ACTION – To adopt Resolution No. 03-16-23-04 approving the Fiscal Year 2023-2024 MCWD Operating and Capital Budget**

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

**C-3 Discuss and Consider Adopting Resolution No. 03-16-23-05 Establishing an Initial Appropriations Limitation for the Fiscal Year 2023-2024**

*Jeff Beatty provided a brief overview of the annual process for adopting an appropriations limit.*

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

**BOARD ACTION – To adopt Resolution No. 03-16-23-05 establishing an initial Appropriations Limitation for the Fiscal Year 2023-2024**

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

**C-4 Discuss and Consider Adopting Resolution No. 03-16-23-06 Approving the Fiscal Year 2023-2024 Salary and Authorized Positions (SAPR)**

*Chris Weibert highlighted the changes in the FY24 SAPR. She said two permanent full-time positions had been added, one in the Engineering Department and one in the Information Systems Department. Ms. Weibert also noted that the COBRA provision had been slightly modified.*

*Following a brief discussion, Director Domaille made a motion.*

**BOARD ACTION – To adopt Resolution No. 03-16-23-06 approving the Fiscal Year 2023-2024 MCWD Salary and Authorized Positions (SAPR)**

MOVED BY: Director Domaille

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

**C-5 Water Supply Update**

**1. Discuss and Consider Changing the Water Supply Shortage Level**

*Clay Murray reviewed the current water supply statistics. Mr. Murray emphasized that even with the record-breaking snowpack, the groundwater levels will require more than one season to fully recharge. Because the groundwater levels are still low, staff recommend reducing the Water Supply Shortage from Level 3 to Level 1.*

**BOARD ACTION – To change the Water Supply Shortage Level from Level 3 to Level 1**

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

**COMMITTEE MEETINGS HELD DURING THE MONTH**

Special Technical Services Committee – *March 15, 2023 (held at 2:30 p.m.)*

Dennis Domaille

Gary Thompson (*remote attendance via AB 361*)

Finance Committee – *March 15, 2023*

Tom Cage

Elizabeth Hylton

**Technical Services Committee:**

*Director Domaille reported that highlights from the committee meeting were:*

- ✓ *A consultant has been selected to do the third-party geothermal sampling for Ormat's CDIV project.*
- ✓ *Staff are working with the Mammoth Lakes Fire Department to add Eastern Sierra propane tanks to the Hydrant Dig app that was originally created for locating fire hydrants.*

~

**Finance Committee:**

*Director Cage reported that the Finance Committee primarily discussed the FY24 Budget.*

**DIRECTOR COMMENTS, REQUESTS, AND REPORTS**

None

**ATTORNEY REPORT**

- 1. Legal Counsel Will Present on Current Remote Meeting Rules and Answer Board Questions Concerning those Rules**

*Attorney Horowitz summarized the rules currently available to Directors for remote meeting attendance. He said the three options for remote attendance are the rules provided for in the Brown Act, or the provisions under either Assembly Bill (AB) 361, or AB 2449. He said that the rules under the Brown Act are permanent and will not go away, whereas each of the assembly bill provisions have sunset dates in the next few years. AB 361 was enacted during the COVID emergency and is only triggered when the Governor declares a State of Emergency. In order to use AB 2449, either "Emergency" or "Just Cause" circumstances need to be met; each of which are defined in the statute.*

*A brief discussion followed.*

## **2. Other Legal Matters**

*Attorney Horowitz said there was nothing to report.*

### **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

### **REPORT OUT and ADJOURNMENT**

*The Board adjourned out of closed session at 7:21 p.m.*

*There was no report out from closed session.*

*The meeting was adjourned at 7:22 p.m.*