

MINUTES

Thursday, April 15, 2021
Mammoth Community Water District
Regular Board Meeting

The Board of Directors convened in session at the hour of 5:31 p.m. A brief recess was taken and the meeting was adjourned at 7:15 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 held on Thursday, April 15, 2021 at 5:31 p.m.

ROLL CALL

Board Present *

Director: Tom Cage
Director: Robert Creasy
Director: Dennis Domaille
Director: Tom Smith
Director: Gary Thompson

Board Absent

None

Staff Present *

General Manager: Mark Busby
District Engineer: Garrett Higerd
Operations Superintendent: Clay Murray
Maintenance Superintendent: Jerry Baker
Finance Manager: Jeff Beatty
Information Services Manager: Justin Mulbay
Senior Administrative Analyst: Betty Hylton
Principal Administrative Analyst: Chris Weibert
Executive Assistant: Stephanie Hake
District Counsel: Joshua Horowitz

Guests Present *

Pam Bold, High Sierra Energy Foundation
Gil Campos, Mammoth Middle School

**** As a result of the threat of COVID-19, the Governor issued Executive Order N-25-20 dated March 12, 2020 allowing for Directors, staff, and members of the public to attend this public meeting via teleconference without strict compliance with the Brown Act's teleconferencing requirements. To maximize public participation, comply with Brown Act requirements, and provide a clear record of the meeting, public comment was made available for each agenda item and all action items were voted on by roll call.***

PUBLIC FORUM

President Smith opened the public forum at 5:32 p.m.

No one addressed the Board and President Smith closed the public forum at 5:32 p.m.

CONSENT AGENDA A

- A-1 Approval of March 2021 Check Disbursements (Springbrook #'s 58923 – 59068)**
- A-3 Approval of Minutes from the Regular Board Meeting held March 18, 2021**

There was no discussion and Director Domaille made a motion.

BOARD ACTION – To approve Consent Agenda A

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

CONSENT AGENDA B – STAFF 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 Creasy made a motion.

BOARD ACTION – To approve Consent Agenda B

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

CURRENT BUSINESS

- C-1 Discuss and Consider Approving a Request from the High Sierra Energy Foundation for the Funding of the Annual LivingWise Program in the Amount of \$2,759.75**

Director Creasy declared that he is a board member for the High Sierra Energy Foundation and in past years has recused himself from the discussion and vote when the funding request has been on the agenda. He noted that per the recently adopted MCWD Ethics Policy, because there is no potential financial gain for him, he is not required to recuse himself, but instead he would abstain from the discussion and vote unless there was a need for him to participate in the vote.

Pam Bold of the High Sierra Energy Foundation addressed the Board and said that the annual program scheduled in the spring of 2020 had been postponed due to COVID-19. Schools are now back to in-person learning and they are planning a modified version of the program for this year's 6th grade students, but would also like to include the kids that missed last year's program. The additional funding required to include the 7th grade students is \$2,759.75.

Gil Campos, Mammoth Middle School's 6th grade science teacher, then spoke about the educational value of the program and how they are planning to modify it in consideration of COVID-19 guidelines.

As a member of the public, Robert Creasy added comments in support of the program.

Following some comments and questions from board members and clarification about details of the program from Mr. Campos, President Smith called for a motion.

BOARD ACTION – To approve a request from the High Sierra Energy Foundation for the funding of the annual LivingWise Program in the amount of \$2,759.75, with the added caveat that the 2022 program be enhanced to reflect accountability for participation in the program

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

C-2 Presentation of Insurance Rebate from ACWA/JPIA

It was noted that the representative from ACWA/JPIA scheduled to make the presentation was unable to attend the meeting; therefore the item was postponed until the May 20 regular board meeting.

BOARD ACTION – None

C-3 Quarterly Water Supply Update

Clay Murray explained the current status of the snowpack, the District's surface water storage, and the state of the groundwater wells.

There was very little discussion.

BOARD ACTION – None, informational only

C-4 Discuss and Consider Making a Declaration of the Existence or Threatened Existence of a Water Shortage and Related Actions

1. Consider Adopting Resolution No. 04-15-21-10 Declaring a Water Shortage Condition

There was no discussion and Director Creasy made a motion.

BOARD ACTION – To adopt Resolution No. 04-15-21-10 Declaring a Water Shortage Condition

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

2. Consider Declaring a Level 1 Water Supply Shortage

Betty Hylton described the impacts of moving from the current Level 0 supply shortage condition to Level 1; as well as, clarified the differences between Level 1 and Level 2.

Clay Murray added comments to substantiate staff's recommendation of declaring Level 1 supply shortage condition.

Following a brief discussion, Director Cage made a motion.

BOARD ACTION – To declare a Level 1 Water Supply Shortage, effective May 1, 2021

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

3. Possible Approval of Implementing a Water Shortage Surcharge

Jeff Beatty briefly presented this item. Director Cage said that implementation of a Water Shortage Surcharge was discussed at the Finance Committee meeting and the committee's recommendation was to not implement a surcharge at this time. There was no further discussion or motion made.

BOARD ACTION – None

C-5 Discuss and Consider Approving a Notice of Exemption (NOE) for the 2021 Water System Improvements Project

Mark Busby described that the NOE is for the annual construction projects that the District is preparing for.

There was no discussion and Director Creasy made a motion.

BOARD ACTION – To approve the Notice of Exemption for the 2021 Water System Improvements Project

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

C-6 Discuss and Consider Adopting Resolution No. 04-15-21-08 Adopting an Annual Statement of Investment Policy

Jeff Beatty provided a brief description of one proposed change to the policy; saying that it is to comply with a change in state law permitting investments in U.S. Treasury Bonds that might have a negative yield.

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

BOARD ACTION – To Adopt Resolution No. 04-15-21-08 Adopting an Annual Statement of Investment Policy

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

C-7 Discuss and Consider Ratifying the Successor Memorandum of Understanding (MOU) Between the Mammoth Community Water District (MCWD) and International Union of Operating Engineers, Local Union No. 12 - General Employees Unit (L12)

President Smith expressed appreciation on behalf of the District to Chris Weibert, Mark Busby, and the parties involved for the well prepared and organized negotiation process.

Chris Weibert highlighted the changes to the MOU as compared to the recently expired agreement.

Following a brief discussion, Director Cage made a motion.

BOARD ACTION – To ratify the Successor Memorandum of Understanding (MOU) between the Mammoth Community Water District and International Union of Operating Engineers, Local Union No. 12 – General Employees Unit

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

C-8 Discuss and Consider Adopting Resolution 04-15-21-09 – First Amendment to FY22 Salary and Authorized Positions Resolution No. 03-18-21-07

- 1. Amending Salary Ranges for Represented Classes; and**
- 2. Amending Salary Ranges for Non-Represented Classes and Other Forms of Compensation**

Chris Weibert provided an overview of the changes. Mark Busby noted that outreach to staff has been done to ensure that everyone understands the changes being made. It was also noted that represented employees ratified the MOU on April 1, 2021.

There was no discussion and Director Creasy made a motion.

BOARD ACTION – To Adopt Resolution No. 04-15-21-09 – First amendment to FY22 Salary and Authorized Positions; repealing Resolution No. 03-18-21-07

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

Committee Meetings Held During the Month

Technical Services Committee – April 14, 2021

Dennis Domaille
Gary Thompson

Investment Committee – April 14, 2021

Tom Cage
Robert Creasy

Finance Committee – April 14, 2021

Tom Cage
Robert Creasy

Technical Services Committee:

Director Domaille reported that the committee was updated on the following District activities:

- ✓ *The rehabilitation plans being discussed for Wells 1 and 25*
- ✓ *The sewer and drainage problems related to the Town's affordable housing project at The Parcel*
- ✓ *The drilling of BLM 3*
- ✓ *The status of Well 32*
- ✓ *The Neptune metering system progress*

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Investment Committee:

Director Cage said that the Chandler investment advisor provided the committee with a thorough update on the District's investment portfolio, focusing on the national economy.

Director Creasy added that the portfolio is slightly outperforming the benchmarks.

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Finance Committee:

Director Cage reported that the upcoming property tax payment is expected to come in May or June.

Director Creasy commented on the District's financial health; therefore supporting the recommendation to not implement a water shortage surcharge at this time.

DIRECTOR COMMENTS, REQUESTS, AND REPORTS

Director Creasy commented that he was impressed with the volume of tasks and projects that are being accomplished by staff.

ATTORNEY REPORT

Attorney Horowitz said there wasn't anything notable to report except that much of the state is expecting water restrictions in the near future due to the low snow pack in the Sierras.

There was no recess taken and the Board members went into closed session at 6:48 p.m.

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 – 035-100-003; 035-010-020; 022-322-035

Under Negotiation: Price and Terms of Payment

MCWD Negotiators: Mark Busby, Garrett Higerd, and Tom Cage

Property Owner Negotiator: Town of Mammoth Lakes

D-2 Conference with Real Property Negotiators

Pursuant to Government Code Sections 54954.5(e) and 54956.8

Property Description: Mono County APNs – 035-090-008

Under Negotiation: Price and Terms of Payment

MCWD Negotiators: Mark Busby, Garrett Higerd, and Tom Cage

Property Owner Negotiator: Scott Voss

D-3 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 7:14 p.m.

It was reported from closed session that staff were directed to add an item to a future board agenda to ratify the agreed upon salary tables for the non-rep group applicable to FY23 and FY24.

President Smith adjourned the meeting at 7:15 p.m.