

# MINUTES

Thursday, March 16, 2017  
Mammoth Community Water District  
Regular Board Meeting

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*The Board of Directors convened in session at the hour of 5:35 p.m. A brief recess was taken and the meeting was adjourned at 8:50 p.m.*

Prepared by:



Stephanie Hake  
Executive Assistant

ATTEST:



Patrick A. Hayes  
General Manager

**THE REGULAR MEETING** of the Board of Directors of the Mammoth Community Water District held on Thursday, March 16, 2017 at 5:35 p.m.

### **A. ROLL CALL**

#### **Board Present**

Director: Robert Creasy  
Director: Dennis Domaille  
Director: Eric Kaufman  
Director: Tom Smith

#### **Board Absent**

Director: Tom Cage

#### **Staff Present**

General Manager: Pat Hayes  
District Engineer: John Pedersen  
Operations Superintendent: Clay Murray  
Maintenance Superintendent: Mark Busby  
Finance Manager: Jeff Beatty  
Public Relations / Environmental Specialist Manager: Irene Yamashita  
Information Services Manager: Justin Mulbay  
Human Resources Manager: Kay Hartman  
Executive Assistant: Stephanie Hake  
District Counsel: Joshua Horowitz

#### **Guests Present**

Patricia Slaven: ACWA/JPIA

### **B. PUBLIC FORUM**

*President Smith opened the public forum at 5:35 p.m.*

*No one addressed the Board.*

*President Smith closed the public forum at 5:35 p.m.*

### **PUBLIC HEARING**

#### **Concerning the Proposed Increase of Director Compensation**

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

*No one addressed the Board.*

*President Smith closed the public hearing at 5:36 p.m.*

### **C. CONSENT AGENDA**

**C-1 Approval of February 2017 Check Disbursements (Springbrook #'s 52742 – 52848)**

**C-2 Approval of Minutes from the Regular Board Meeting Held January 19, 2017**

**C-3 Approval of Minutes from the Regular Board Meeting Held February 16, 2017**

*There was no discussion. Director Creasy made a motion.*

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

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

### **D. CURRENT BUSINESS**

**D-1 Presentation of Insurance Rebate from ACWA/JPIA**

*ACWA/JPIA Director of Administration, Patricia Slaven, presented the Board with a rebate check in the amount of \$68,008. Ms. Slaven emphasized that congratulations go to staff for taking advantage of the many training opportunities offered by the ACWA/JPIA and keeping liability and workers' comp claims to a minimum.*

*On behalf of the Board, President Smith expressed his appreciation to staff for their efforts and to Ms. Slaven for making the trip to present the rebate check in person.*

**BOARD ACTION – None, information only**

**D-2 Discussion and Possible Adoption of Ordinance No. 03-16-17-04 to Amend Chapter 2 of the District Code Relating to Board Member Compensation**

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

**BOARD ACTION – To adopt Ordinance No. 03-16-17-04 amending Chapter 2 of the District Code relating to Board member compensation**

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

**D-3 Discussion and Possible Adoption of Ordinance No. 03-16-17-05 Amending Chapter 11 of the District Code to Establish a Fats, Oils, and Grease (FOG) Control Program**

*Pat Hayes provided a brief background of how staff arrived at the revised FOG control program being presented through this ordinance and the community outreach that has been done to date.*

*President Smith complimented Betty Hylton on her communication and educational approach with the food service establishments in the Town of Mammoth Lakes.*

*Following a few comments from Directors Creasy, Domaille and Kaufman, President Smith called for a motion.*

**BOARD ACTION – To adopt Ordinance No. 03-16-17-05 Amending Chapter 11 of the District Code to establish a Fats, Oils, and Grease Control Program**

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

**D-4 Discussion and Possible Adoption of Resolution No. 03-16-17-06 Approving the Fiscal Year 2017-2018 Capital and Operating Budgets**

*Jeff Beatty described the minor modifications that had been made to the proposed FY18 capital and operating budgets resulting from the draft presentation at the February 16 Board meeting.*

*The Board asked a few questions about the budget adjustments. President Smith called for a motion.*

**BOARD ACTION – To adopt Resolution No. 03-16-17-06 approving the Fiscal Year 2017-2018 Capital and Operating Budgets**

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

**D-5 Discussion and Possible Adoption of Resolution No. 03-16-17-07 Establishing an Appropriations Limitation for the Fiscal Year 2017-2018**

*Jeff Beatty provided a brief overview regarding the appropriations limit. Mr. Beatty reminded the Board that the amount of the limit being adopted is an estimate based on the previous years' data and will be amended in the coming months once the State closes its fiscal year and is able to calculate the exact figure.*

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

**BOARD ACTION – To adopt Resolution No. 03-16-17-07 establishing an Appropriations Limitation for Fiscal Year 2017-2018**

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

**D-6 Discussion and Possible Adoption of Resolution No. 03-16-17-08 Establishing the Fiscal Year 2017-2018 MCWD Master Fee Schedule**

*Jeff Beatty described that the proposed Master Fee schedule was compiling into one place all fees the District charges for its services, making them easily referenced by staff and the public. Mr. Beatty noted that some lab fees were adjusted to reflect the actual cost of doing business. There was no further discussion.*

**BOARD ACTION – To adopt Resolution No. 03-16-17-08 establishing a Master Fee Schedule for Fiscal Year 2017-2018**

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

**D-7 Adopt the Fiscal Year 2018 (FY18) Salary and Authorized Positions Resolution (SAPR) – Resolution No. 03-16-17-09**

*Kay Hartman noted that the FY18 Salary and Authorized Positions Resolution being presented provides direction to implement the adjusted salary ranges for the non-represented class. Salary ranges reflected for the represented class are as they currently exist due to the ongoing negotiations with International Union of Operating Engineers, Local Union No. 12.*

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

**BOARD ACTION – To adopt Resolution No. 03-16-17-09, the Fiscal Year 2017-2018 Salary and Authorized Positions**

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

## **D-8 Monthly Water Supply Update**

*Clay Murray reported that the current water supply was sufficient for the next 120 days.*

*A brief discussion followed regarding the nearly record breaking snowpack that has accumulated in the Lakes Basin.*

**BOARD ACTION – None, informational only**

## **D-9 Presentation of the Photovoltaic Energy System Report ~ Year 5**

*A short discussion took place regarding the report. Jeff Beatty noted that the SCE rebate has ended, but the system still provides a net savings to the District. Director Creasy requested that staff explore the feasibility of incorporating photovoltaic energy at additional District facilities. Director Kaufman noted that a request was made for the labor to maintain the system be tracked to accurately reflect the overall cost of the system.*

**BOARD ACTION – None, informational only**

## **E. CONSENT AGENDA NO. 2 – MANAGEMENT REPORTS**

**E-1 Operations Superintendent's Report**

**E-2 Maintenance Superintendent's Report**

**E-3 Finance Manager's Report**

**E-4 District Engineer's Report**

**E-5 Information Services Manager's Report**

**E-6 Human Resources Manager's Report**

**E-7 Public Relations / Environmental Specialist's Report**

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

*Director Creasy asked a clarifying question to E-2 regarding power outages at District facilities caused by the deep snowpack. There was no other discussion. President Smith called for a motion.*

**BOARD ACTION – To approve the Consent Agenda No. 2**

**MOVED BY:** Director Domaille

**SECONDED BY:** Director Creasy

**AYES:** Directors Creasy, Domaille, Kaufman, and Smith

**NAYS:** None

**ABSENT:** Director Cage

## **F. BOARD MEMBERS' COMMITTEE REPORTS**

### **Meetings Held During the Month**

Finance Committee – March 15, 2017

Tom Cage  
Robert Creasy

Technical Services Committee – March 15, 2017

Dennis Domaille  
Eric Kaufman

*Director Creasy reported that the Finance Committee met and the discussions were focused on the agenda items discussed earlier in the Board meeting.*

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*Director Domaille noted that the Technical Services Committee met and the bulk of the meeting was discussion of the FOG control program.*

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*There were no other committee meetings held during the month.*

## **G. ATTORNEY REPORT**

*Attorney Horowitz reported that a ruling was just issued by the State Supreme Court regarding Public Records Act (PRA) and the use of electronic devices. The court ruled "yes", personal devices used for District business are subject to the PRA, but noted there are privacy concerns. His law firm is in the process of translating the court's decision and formulating recommendations for best practices and policy guidelines.*

*Attorney Horowitz also reported that the deadline for filing new bills in the state legislature is Friday, March 17. Of note there are two companion bills, SB5 and AB18, both bond measures that include \$1.5 billion for the potential funding of water conservation and clean water programs. Additionally, as reported at the February meeting, Senate Constitutional Amendment 4 proposed to reform Proposition 218 is still a hot topic. ACWA is actively involved with this proposal to help ensure rate setting control remains at the local level.*

*The Board members went into closed session at 6:57 p.m.*

## **H. CLOSED SESSION**

### **H-1 Conference with Legal Counsel**

Existing Litigation – Pursuant to Government Code Section 54956.9 (a) Case: Mammoth Community Water District vs. United States Department of Interior, Bureau of Land Management; Mammoth Community Water District v. United States Department of Agriculture, Forest Service

### **H-2 Conference with Legal Counsel**

Existing Litigation – Pursuant to Government Code Section 54956.9 (a) Case: Mammoth Community Water District vs. Great Basin Unified Air Pollution Control District with ORNI 50, LLC as a Real Party in Interest – Mono County Superior Court

**H-3 Conference with Labor Negotiator**

Pursuant to Government Code Section 54957.6

District Employee Relations Officer: Patrick Hayes

Employee Organizations: International Union of Operating Engineers, Local Union No. 12, Unrepresented Employees; Management, Supervisory and Confidential

*The Board returned to open session at 8:50 p.m.*

*There was no report from closed session.*

**I. ADJOURNMENT**

*President Smith adjourned the meeting at 8:50 p.m.*