

# MINUTES

Thursday, December 21, 2017  
Mammoth Community Water District  
Regular Board Meeting

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*The Board of Directors convened in session at the hour of 5:34 p.m. No recess was taken and the meeting was adjourned at 6:25 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, December 21, 2017 at 5:34 p.m.

**A. ROLL CALL**

**Board Present**

Director: Tom Cage

Director: Eric Kaufman

Director: Tom Smith

**Board Absent**

Director: Robert Creasy

Director: Dennis Domaille

**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 (*via telephone*)

**Guests Present**

Caroline Smith

**B. PUBLIC FORUM**

*President Smith opened the public forum at 5:34 p.m.*

*No one addressed the Board.*

*President Smith closed the public forum at 5:34 p.m.*

**C. CONSENT AGENDA**

**C-1 Approval of November 2017 Check Disbursements (Springbrook #'s 53885 – 54028)**

**C-2 Approval of Minutes from the Regular Board Meeting Held November 16, 2017**

*Director Cage made a motion.*

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

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

#### **D. CURRENT BUSINESS**

##### **D-1 Discussion and Possible Approval of a Contract with Teaman, Ramirez, and Smith for Annual Financial Auditing Services**

*Director Cage commented that the Finance Committee had discussed this item and the committee's recommendation was to approve the proposed contract with Teaman, Ramirez, and Smith for auditing services.*

##### **BOARD ACTION – To approve the contract with Teaman, Ramirez, and Smith for annual financial auditing services**

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

##### **D-2 Consideration and Possible Approval of an Amended Employment Agreement to Extend its Term and to Make Adjustments in Compensation and Benefits Provided to the General Manager**

*Director Smith noted that the ad hoc committee worked with Attorney Horowitz to make final adjustments to the proposed contract that resulted from the General Manager's performance review during closed session at the November 16, 2017 Board meeting.*

*There was no further discussion.*

##### **BOARD ACTION – To approve an amended employment agreement to extend its term by four (4) years and to make adjustments in compensation and benefits provided to the General Manager**

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

#### **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

*There was no discussion.*

*President Smith called for a motion.*

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

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

**Meetings Held During the Month**

Finance Committee – December 20, 2017

Tom Cage  
Robert Creasy

Technical Services Committee – December 20, 2017

Eric Kaufman  
Robert Creasy (*alternate*)

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Finance Committee: Director Cage reported that the Finance Committee primarily discussed the proposed contract with Teaman, Ramirez, and Smith for auditing services.

*Additionally, the committee requested that Mr. Beatty work on providing a year to year cash balance comparison graph to show if the District is on track with the targets that were established by the rate study consultant in 2016.*

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Technical Services Committee: Director Kaufman reported that discussions at the Tech Services meeting included requesting staff to fine tune the Emergency Response Plan as it pertains to massive power outages that might last anywhere from 24 hours to multiple days.

*The committee also recommended that the Maintenance Department warehouse critical repair parts for the photovoltaic plant to minimize down time to the facility.*

*Director Kaufman also reported that the Mono County Search and Rescue (SAR) organization is talking about approaching the District with a request to dig a trench to their building located on District property that will house a fiber optic line. He also noted that if and when this item comes before the MCWD Board of Directors he would abstain from the discussion as he is currently a member of the SAR team.*

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

## **H. ATTORNEY REPORT**

*Attorney Horowitz noted there was nothing to report.*

*The Board members went into closed session at 5:47 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 Real Property Negotiators**

Involving the Acquisition of Easements on Ranch Road, Woodcrest Trail and Adjacent Common Areas Adjacent to the Site of Proposed District Well 32, Town of Mammoth Lakes; Pat Hayes and John Pedersen, District Negotiators, will negotiate with Representatives of The Ranch at Snowcreek Owners' Association. Instructions by the Board to the District's Negotiators may include Price, Terms of Payment, or both. (See Government Code sections 54954.5(b) and 54956.8.)

### **H-4 Public Employee Performance Evaluation – General Manager**

Pursuant to Government Code sections 54954.5(e) and 54957

### **H-5 Conference with District Labor Negotiators**

Pursuant to Government Code sections 54954.5(f) and 54957.6

District Negotiators: Tom Smith and Dennis Domaille

Direction concerning proposed amended terms of General Manager employment agreement including extension of term and changes to General Manager's compensation and benefits

*The Board returned to open session at 6:25 p.m. and there was nothing to report out.*

## **I. ADJOURNMENT**

*President Smith adjourned the meeting at 6:25 p.m.*