

MINUTES

Thursday, December 13, 2018
Mammoth Community Water District
Regular Board Meeting

The Board of Directors convened in session at the hour of 5:36 p.m. A brief recess was taken and the meeting was adjourned at 8:46 p.m.

Prepared by:



Stephanie Hake
Executive Assistant

ATTEST:



Patrick A. Hayes
Board Secretary

THE REGULAR MEETING of the Board of Directors of the Mammoth Community Water District held on Thursday, December 13, 2018 at 5:36 p.m.

A. ROLL CALL

Board Present

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

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
Information Services Manager: Justin Mulbay
Principal Administrative Analyst: Irene Yamashita
Executive Assistant: Stephanie Hake
District Counsel: Andrew Ramos
District Counsel: Joshua Horowitz (*via phone for attorney report and closed session only*)

Guests Present

Mark Wildermuth
Julie Thompson
Jack Benham

Some items were taken out of order to facilitate the meeting

PLEDGE OF ALLEGIANCE

President Smith led the Pledge of Allegiance at 5:36 p.m.

PUBLIC FORUM

President Smith opened the public forum at 5:40 p.m.

Patrick Hayes noted that each Board member had been provided with a schedule for Board member and Special District related education and training opportunities available in 2019. Mr. Hayes requested that all members consider attending one or more of the events being offered.

President Smith thanked Mr. Hayes for his comments and closed the public forum at 5:41 p.m.

CONSENT AGENDA

C-1 Approval of November 2018 Check Disbursements (Springbrook #'s 55418 – 55484)

C-2 Approval of Minutes from the Special Board Meeting held November 6, 2018

C-3 Approval of Minutes from the Regular Board Meeting held November 15, 2018

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, Smith, and Thompson
NAYS: None
ABSENT: Director Cage

D. CURRENT BUSINESS

D-1 Acknowledgement of Final Results from the November 6, 2018 General Election and Swearing in of Dennis Domaille, Robert Creasy, and Gary Thompson (Ceremonial) to the Mammoth Community Water District Board of Directors

Patrick Hayes said following receipt of the Mono County's Registrar of Voters' certification of the November 6 election, Director Thompson was sworn in on the afternoon of December 7. Mr. Hayes went on to say that Director Thompson would ceremoniously repeat the oath with Directors Domaille and Creasy. Mr. Hayes then administered the Oath of Office to Directors Domaille, Creasy, and Thompson.

BOARD ACTION – None

D-2 Presentation on the Aquifer Storage and Replenishment Study Conducted by Wildermuth Environmental, Inc.

Mark Wildermuth of Wildermuth Environmental, Inc. provided the Board and staff with a power point presentation depicting the conclusions of the Aquifer Storage and Replenishment Study recently conducted by his firm. Mr. Wildermuth concluded that based on the analysis there is limited benefit in pursuing a project at this time, and recommended that the District revisit it in five years.

BOARD ACTION – None

D-3 Discussion and Possible Approval of Task Order No. 7 for Hydro-Geologic Consulting Services Relating to the Casa Diablo IV (CD-4) Geothermal Project under the Master Services Agreement with Wildermuth Environmental, Inc. (WEI)

John Pedersen briefly described the reason for the task order to the Board, emphasizing that the task order is for "as-requested" assignments only.

Following a brief discussion, Director Domaille made a motion.

BOARD ACTION – To approve the Task Order No. 7 for Hydro-Geologic consulting services relating to the Casa Diablo IV geothermal project under the Master Services Agreement with Wildermuth Environmental, Inc.

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

D-4 Consideration and Possible Approval of Adjustments in Compensation and Benefits Provided to the General Manager

Following the General Manager's performance review in closed session, the Board adjourned out of closed session and into open session to discuss any possible adjustments in compensation provided to the General Manager.

The Board's consensus was to limit any salary increase to the same COLA awarded to staff and to provide a merit award as a one-time payment, to be paid either before the end of the year or in January 2019 at Mr. Hayes' option. Director Creasy proposed a 3% cost of living salary increase and a one-time \$10,000 merit award.

Mr. Hayes stated that the proposal was acceptable and he preferred to receive the merit award in 2019.

BOARD ACTION – To approve a 3% salary increase for Mr. Hayes, retroactive to October 2018, and to provide a one-time merit award of \$10,000

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

CONSENT AGENDA NO. 2 – MANAGEMENT REPORTS

- E-1 Operations Superintendent's Report - December**
- E-2 Maintenance Superintendent's Report - December**
- E-3 Finance Manager's Report – December**
- E-4 District Engineer's Report- December**
- E-5 Information Services Manager's Report – December**

- E-5 Information Services Manager's Report – December**
- E-6 Human Resources Manager's Report – December**
- E-7 Public Relations / Environmental Specialist's Report – December**
- E-8 General Manager's Report - December**

There was no discussion. Director Creasy made a motion.

BOARD ACTION – To approve the Consent Agenda items E-1 through E-8

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

Meetings Held During the Month

Technical Services Committee – *December 12, 2018*

Dennis Domaille
Gary Thompson

Investment Committee – *December 12, 2018*

Tom Cage
Robert Creasy

Finance Committee – *December 12, 2018*

Tom Cage
Robert Creasy

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Technical Services Committee:

Director Domaille reported that the topics of note discussed were that the District's Laboratory was one of 5 of 588 labs selected by State regulators for a compliance check upgrade program; staff are still investigating the problem with some meters under-registering; in a related note, staff are pursuing hiring a consultant to study the water chemistry, and the photovoltaic plant is exceeding production projections as a result of in-house staff having taken over the maintenance of the facility.

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Investment Committee:

Director Creasy reported that the Investment committee met and after interviewing three firms to take over as the MCWD's non-discretionary investment advisor, Chandler Asset Management (CAM) was chosen. Once contract details are complete in the coming weeks, CAM will work with the District's Finance Manager, Jeff Beatty, managing the District's investment portfolio.

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Finance Committee:

Director Creasy reported that the Finance Committee discussions were primarily about the annual capital budgeting process and that staff are requested to better identify the probability of completed projects.

Also discussed was that a high level analysis was conducted for the return-on-investment for the District owned employee housing units and that a review of the District's housing policy will be reviewed in the coming months.

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There were no other committee meetings held during the month.

ATTORNEY REPORT

Attorney Horowitz reported to the Board that there is a provision in the District Water Code for permitting of private wells within the District's service boundary. He indicated that he is researching the background of the ordinance and how the authority came about. He will report back to the Board the results of the research and any recommendation of follow up action in the coming months.

The Board members went into closed session at 6:42 p.m.

CLOSED SESSION

H-1 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-2 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; Director Cage, Director Domaille, Pat Hayes and John Pedersen, District Negotiators, negotiating with Representatives of The Ranch at Snowcreek Owners' Association and The Fairway Ranch 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-3 Conference with Legal Counsel

Existing Litigation -- Pursuant to Government Code section 54956.9(a); International Union of Operating Engineers, Local 12 v. Mammoth Community Water District; Public Employment Relations Board

H-4 Public Employee Annual Performance Evaluation – General Manager

Pursuant to Government Code sections 54954.5(e) and 54957

The Board returned to open session at 8:40 p.m.

President Smith announced that that the Board considered General Manager Pay Hayes's performance to be very good in 2018.

ADJOURNMENT

President Smith noted that there was no further business on the agenda and called for a motion to adjourn.

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

The meeting was adjourned at 8:46 p.m.