

# MINUTES

Wednesday, October 28, 2020  
Mammoth Community Water District  
Special Board Meeting

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*The Board of Directors convened in session at the hour of 9:02 a.m. No recess was taken and the meeting was adjourned at 11:33 a.m.*

Prepared by:



Stephanie Hake  
Executive Assistant

ATTEST:



Mark Busby  
Board Secretary

**THE SPECIAL MEETING** of the Board of Directors of the Mammoth Community Water District held on Wednesday, October 28, 2020 at 9:02 a.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  
Information Services Manager: Justin Mulbay  
Finance Manager: Jeff Beatty  
Administrative Analyst: Betty Hylton  
Administrative Analyst: Chris Weibert  
Executive Assistant: Stephanie Hake  
District Counsel: Joshua Horowitz

#### Guests Present \*

Chris Thompson, Mono County Search and Rescue  
Barry Beck, Mono County Search and Rescue  
Nate Greenberg, Mono County

***\* 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 9:03 a.m.*

*Chris Thompson of Mono County Search and Rescue (SAR) addressed the Board requesting MCWD's approval of SAR entering in to a 5-year sub-lease with Mono County, who has requested to add a 15" satellite dish to the existing*

*mast on the side of the SAR building. The addition of the dish would enhance public safety by helping to improve electronic communications in the south part of Mono County.*

*Following a couple of clarifying questions and comments from Mark Busby, President Smith thanked Mr. Thompson for his request and directed staff to add the item for discussion at the November 19 regular Board of Directors meeting. No one else addressed the Board and he closed the public forum at 9:08 a.m.*

### **CONSENT AGENDA A**

**A-1 Approval of September 2020 Check Disbursements (Springbrook #'s 58148 – 58313)**

**A-2 Approval of Minutes from the Regular Board Meeting held September 17, 2020**

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

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

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

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

#### **BOARD ACTION – To approve Consent Agenda B**

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

## **CURRENT BUSINESS**

### **C-1 Quarterly Water Supply Update**

*Clay Murray reported that the surface water supply, as projected, is getting low, but that the groundwater supply is more than sufficient to meet demand through the next quarter and there is no recommended action at this time.*

**BOARD ACTION – None, informational only**

### **C-2 Presentation, Discussion, and Possible Direction Regarding the Fiscal Year 2021 Mid-Year Financial Forecast**

*Jeff Beatty provided the Board with a high-level financial review of the past six months and what might be expected in the remainder of the fiscal year. He noted that it was originally anticipated that a portion of the District's reserves was going to be needed to complete some of the scheduled capital projects, but less of the reserves were drawn on than was planned. This was primarily due to revenue being above budget and most expense categories below budget.*

*Director Cage had a brief question about property tax revenues, otherwise there was no discussion.*

**BOARD ACTION – None, informational only**

### **C-3 Update on Status of the Fiscal Year 2021 Strategic Plan**

*Mark Busby and the department managers led the Board members through the strategic plan document; discussing the mid-year status of most of the strategic objectives in the nine categories.*

*Director Creasy requested that an objective be added to the Government Relations section regarding the importance of the relationships with local agencies; i.e., The Town of Mammoth Lakes, Mammoth Lakes Fire and Mono County.*

*It was additionally noted that a metric be added for the 'Urban Water Management Plan' under Water Resource Management & Planning*

*During the discussion of Personnel objectives, it was noted that the 'Employee Engagement Survey' had been recently completed. President Smith requested that staff schedule a presentation to the Board of the survey results.*

*President Smith thanked Mr. Busby and staff for the comprehensive update.*

**BOARD ACTION – None, informational only**

**C-4 Discussion and Possible Approval of a Request to Refinance a Primary Loan under the Employee Home Purchase Assistance Program**

*Jeff Beatty said that the request from the employee was for a refinancing to obtain a lower interest rate. The request would not change the District's financial position and Mr. Beatty therefore recommended Board approval of the request.*

*Director Cage commented that the Finance Committee had discussed the request and recommended it be approved.*

**BOARD ACTION – To approve the request to refinance a primary loan under the Employee Home Purchase Assistance Program**

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

**C-5 Consideration and Possible Approval of Adjustments in Compensation and Benefits provided to the General Manager (to be considered after closed session)**

*President Smith noted after closed session that this item would be held over until the November 19, 2020 Regular Board meeting.*

**BOARD ACTION – None**

**Committee Meetings Held During the Month**

Technical Services Committee – October 27, 2020

Dennis Domaille  
Gary Thompson

Investment Committee – October 27, 2020

Tom Cage  
Robert Creasy

Finance Committee – October 27, 2020

Tom Cage  
Robert Creasy

**Technical Services Committee:**

*Director Domaille reported that the committee was reminded that Blair Hafner, the District's Lab Technician of 34 years, was retiring as of October 31. Also of note, a minor violation occurred at the wastewater treatment plant. Staff immediately corrected the problem upon discovery, notified the appropriate authorities, and are not expecting any notice of violation. Other discussions at the meeting were focused on capital project updates.*

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Investment Committee:

Director Cage reported that discussion at the Investment Committee meeting was routine.

Director Creasy added that the District's portfolio showed an increase in value, but only on paper and that the increase isn't realized.

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Finance Committee:

Director Creasy reported that the discussion at the meeting was strait forward and the only item of note was that the drawdown of the District's reserves for capital expenses wasn't as much as anticipated.

**DIRECTOR COMMENTS, REQUESTS, AND REPORTS**

Stephanie Hake noted that MCWD had been notified by Mono County LAFCO that, because there had been no other candidates nominated for the LAFCO alternate position, MCWD's Director Thompson was appointed by default as the alternate.

**ATTORNEY REPORT**

Attorney Horowitz reported that ACWA and the State Water Board have formed a working group on Water Right Curtailments and his office will keep MCWD informed of developments.

Attorney Horowitz also reported that his office was working on the year-end legislation report and the specific laws that could possibly impact MCWD. The document should be issued in December.

Lastly, he noted that congratulations were in order for the LA Dodgers and their fans for the World Series win.

The Board members went into closed session at 10:48 a.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 Public Employee Performance Evaluation – General Manager**  
Pursuant to Government Code sections 54954.5(e) and 54957

**D-4 Conference with District Labor Negotiators**

Pursuant to Government Code sections 54954.5(f) and 54957.6

District Negotiators: Tom Smith and Robert Creasy

Direction concerning proposed terms of General Manager Employment agreement, including compensation and benefits

**D-5 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

**ADJOURNMENT**

*The Board adjourned out of closed session at 11:32 a.m.*

*There was no report from closed session.*

*President Smith adjourned the meeting at 11:33 a.m.*