

MINUTES

Thursday, August 19, 2021
Mammoth Community Water District
Regular Board Meeting

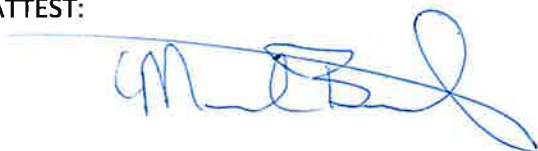
The Board of Directors convened in session at the hour of 5:38 p.m. A brief recess was taken, and the meeting was adjourned at 7:41 p.m.

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, August 19, 2021 at 5:38 p.m.

Vice President Cage noted that President Smith had not signed into the meeting and there had been no communication from him. It was determined there was a quorum of members and Vice President Cage called the meeting to order.

ROLL CALL

Board Present *

Director: Tom Cage
Director: Robert Creasy
Director: Gary Thompson

Board Absent

Director: Dennis Domaille
Director: Tom Smith

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
Principal Administrative Analyst: Chris Weibert
Executive Assistant: Stephanie Hake
District Counsel: Joshua Horowitz

Guests Present *

Patricia Robertson – Mammoth Lakes Housing
Tom Hodges – Mammoth Lakes Housing
Jennifer Kreitz – Mammoth Lakes Housing
Brian D'Andrea – Mammoth Lakes Housing

**** 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

Vice President Cage opened the public forum at 5:38 p.m.

No one addressed the Board and Vice President Cage closed the public forum at 5:39 p.m.

PUBLIC HEARING

Vice President Cage was having technical difficulties, therefore Director Creasy opened the public hearing to receive comments concerning the filing of reports on delinquent water and sewer charges as of May 31, 2021 at 5:40 p.m.

No one addressed the Board and Director Creasy closed the public hearing at 5:41 p.m.

CONSENT AGENDA A

- A-1 Approve June 2021 Check Disbursements (Incode10 #'s 1062 – 1182)**
- A-2 Approve July 2021 Check Disbursements (Incode10 #'s 1183 – 1341)**
- A-3 Approve Minutes from the Regular Board Meeting held June 17, 2021**

Director Cage said he would abstain from voting for item A-3, the minutes from the June 17 Board meeting due to being absent from the meeting. Director Creasy made a motion to adopt items A-1 and A-2 and to carry item A-3 over to the next board meeting. Attorney Horowitz said that if Director Cage had read and agreed with the minutes he did not need to abstain from the vote. Director Cage said he had read the minutes and Director Creasy amended his motion to include item A-3 as well.

There was no further discussion.

BOARD ACTION – To approve Consent Agenda A, items A-1, A-2, and A-3

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

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 Thompson made a motion.

BOARD ACTION – To approve Consent Agenda B

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

CURRENT BUSINESS

C-1 Discuss and Consider Adopting Resolution No. 08-19-21-16 Honoring Jesus Guarneros

Director Creasy read the resolution and Director Cage then made a motion to adopt the resolution.

Following the vote, Director Cage requested that the absent board members have the opportunity to vote on the resolution; therefore, staff were directed to bring the resolution back to the Board at the September 16 regular board meeting to be ratified by all board members.

BOARD ACTION – To adopt Resolution No. 08-19-21-16 honoring Jesus Guarneros

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

C-2 Discuss and Consider a Request from Mammoth Lakes Housing for Relief of Connection Fees and Provide Direction to the General Manager for Responding to Request

Mark Busby summarized the request by Mammoth Lakes Housing (MLH). Attorney Horowitz then described the legal limitations imposed on MCWD because it is a special district subject to Propositions 218 and 26. He said there are some creative loan options that can possibly assist MLH meet its funding needs.

A lengthy discussion followed with comments and questions from members of the MLH staff and board, as well as MCWD board members and staff.

The Board suggested that the MLH staff prepare a proposal for a loan in consultation with staff that aligns with the District's legal limitations, and bring it back to the Board at a later date.

BOARD ACTION – None

C-3 Discuss and Consider Adopting Resolution No. 08-19-21-17 Confirming Collection and Requesting Inclusion of Delinquent Rates, Charges and Penalties for Water and Sewer Service on the Mono County Tax Roll for the Forthcoming Fiscal Year in the Same Manner as the District's General Taxes

Jeff Beatty commented that one of the property owners on the list originally provided to the Board members had paid the delinquent amount earlier in the day. He also noted that the list had an incorrect APN for one of the properties. Therefore, the final list would need to be amended before being submitted to Mono County.

BOARD ACTION – To adopt Resolution No. 08-19-21-17 confirming collection and requesting inclusion of delinquent rates, charges and penalties for Water and Sewer Service on the Mono County Tax Roll for the forthcoming fiscal year in the same manner as the District’s general taxes with the amended list

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

C-4 Quarterly Water Supply Update

Mark Busby led the discussion in Clay Murray’s absence. He noted that in making the projections staff went back to data from 2014, a similar low-water year to this year. He also said that when staff produces the update in January, they will assess how the snow-year is shaping up and begin planning for the potential impacts of another low snow year on the summer 2022 season.

BOARD ACTION – None, information only

Committee Meetings Held During the Month

Technical Services Committee – August 18, 2021

Gary Thompson
Tom Cage (*alternate*)

Investment Committee – August 18, 2021

Tom Cage
Robert Creasy

Finance Committee – August 18, 2021

Tom Cage
Robert Creasy

Technical Services Committee:

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

- ✓ *The well drilling activities at Well 32, Well M-33 (Center Street), and Laurel Pond*
- ✓ *The planned rehabilitation of Wells 1 and 25 this fall*

Director Cage added that he was impressed by the amount of work that staff regularly accomplish and for Mark Busby to convey this message to staff.

Mark Busby added that AmeriGas recently approached staff about wanting to possibly make changes to its lease agreement for the Juniper Ridge site, removing the gas tank and replacing it with underground gas lines. He said that staff will work with legal counsel to modify the lease and bring it back to the Board at a later date for possible approval.

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Investment Committee:

Director Creasy reported that the committee met with the District's advisors and the only item of note to report is that the investment portfolio continues to perform slightly above the benchmarks.

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Finance Committee:

Director Creasy said there was a lot of discussion about the check register, but nothing out of the ordinary. Director Cage noted that there were some anomalies in the reporting, likely due to the software transition and that these anomalies should be corrected in the coming months.

DIRECTOR COMMENTS, REQUESTS, AND REPORTS

Director Creasy complimented Melissa Bretz and Justin Mulbay and all staff involved in the lengthy and complex Tyler Software implementation which is now close to completion. He also congratulated staff members, Melissa Reeves and Ryan Conboy on their recent promotions, and welcomed Chris Monroe to the MCWD team.

ATTORNEY REPORT

Attorney Horowitz said the only subject of note is that the State Water Board has reached out to public water providers and requested information about the arrearages of customer water bills. He explained that this survey is the basis on which the State Water Board will distribute the funding allocated by the Legislature for to pay water bill arrearages as part of its COVID-19 relief package. Jeff Beatty said he recently received the questionnaire and has started the process.

The Board members went into closed session at 6:51 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

REPORT OUT AND ADJOURNMENT

Direction was given to staff on Item D-1. There was no reportable action from closed session. Vice President Cage adjourned the meeting at 7:41 p.m.