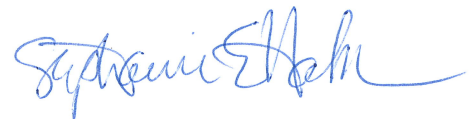


MINUTES

Thursday, April 21, 2022
Mammoth Community Water District
Regular Board Meeting

The Board of Directors convened in session at the hour of 5:32 p.m. There was no recess taken and the meeting was adjourned at 7:27 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, April 21, 2022 at 5:32 p.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
Finance Manager: Jeff Beatty
Information Services Manager: Justin Mulbay
Human Resources Manager: Chris Weibert
Plant Maintenance Supervisor: Rob Motley
Senior Administrative Analyst: Betty Hylton
Executive Assistant: Stephanie Hake
District Counsel: Joshua Horowitz

Guests Present *

Dane Wadle, CSDA Field Coordinator for Mono County
Jake Trauscht, MCWD Staff

** 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 if the Board complies with the requirements of AB 361. 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.*

Some items were taken out of order to facilitate the meeting.

PUBLIC FORUM

President Smith opened the public forum at 5:33 p.m.

Dane Wadle from the California Special District Association (CSDA) updated the Board on a couple of topics of potential interest to the District. One is the CSDA has been active federally, specifically with the federal infrastructure bill recently passed. He said that there is funding available for water infrastructure projects. Additionally, the community project funding allocation has been reestablished. If the District has any projects on the horizon, the CSDA can assist with access to the federal funds.

Mr. Wadle then informed the Board of the taxpayer protection and accountability act, an initiative that is still in the phase of gathering signatures. He described some of the language that CSDA has some concerns with. He said if the initiative gets enough signatures to be added to the November 2022 ballot, the CSDA will request the Board adopt a resolution opposing the initiative. He will keep staff updated with any progress on the subject.

President Smith thanked Mr. Wadle for his comments and closed the public forum at 5:42 p.m.

CONSENT AGENDA A

A-1 Consider finding by a majority vote under Gov. Code, section 54953, subd. (e)(1)(B) that, as a result of the COVID-19 emergency: (i) meeting in person would present imminent risks to the health or safety of attendees: and (ii) the meeting is authorized to be held by teleconference pursuant to Gov. Code, section 54953, subd. (e)(1)(C)

A-2 Approve the March 2022 Check Disbursements (InCode #'s 2236 – 2356)

A-3 Approve the Minutes from the Regular Board Meeting held March 17, 2022

A-4 Approve the Minutes from the Special Board Meeting held March 23, 2022

A-5 Approve a CEQA Notice of Exemption for the MCWD Water Storage Tank, T-4 Rehabilitation Project

A-6 Approve a CEQA Notice of Exemption for the TOML Multi-Use Path Water Fill Stations

There was no discussion and Director Domaille made a motion.

BOARD ACTION – To approve Consent Agenda A

MOVED BY: Director Domaille

SECONDED BY: Director Thompson

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

Director Creasy made a motion.

BOARD ACTION – To approve Consent Agenda B

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

CURRENT BUSINESS

C-1 Presentation of the MCWD 2021/22 Annual Report on Key Projects, Programs, and System Improvements

Mark Busby noted that this third annual report was a collaboration of all departments, but that Betty Hylton was the lead person in producing the report.

President Smith expressed the Board's appreciation to Betty Hylton and everyone that contributed to creating the report.

Director Cage expressed his appreciation for the report and that it highlights the many projects that MCWD accomplishes annually.

BOARD ACTION – None, informational only

C-2 Quarterly Water Supply Update

1. Discuss and Consider Changing the Water Supply Shortage Level

Clay Murray opened by describing how the below average snowpack over the past couple of winters directly impacts the District's availability of surface water, particularly during the summer irrigation season.

MCWD Engineer, Jake Trauscht, followed with a comprehensive presentation analyzing the correlation of snowpack at Mammoth Pass, specifically snow water content, to the recharge of the local groundwater aquifer. The presentation focused on the fluctuating water levels of the District's groundwater monitoring and production wells, the community's primary water supply during drought years. Mr. Trauscht noted the most significant observation being due to the prolonged drought, the aquifer is showing signs of fatigue and is not recovering as quickly as in past years.

Mr. Murray summarized the analysis by saying surface water is low and runoff from snowmelt will be limited, therefore the District will be dependent on groundwater, and it is important to reduce water demand as the community moves into the summer season. He concluded with a recommendation of moving to Water Supply Shortage Level 3.

Board members expressed appreciation for the thorough analysis, followed by a few questions and comments. President Smith then asked for a motion to change the water supply shortage level.

BOARD ACTION – To change the water supply shortage level from Level 1 to Level 3

MOVED BY: Director Creasy

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

C-3 Discuss and Consider Directing Staff to Implement a Water Shortage Surcharge

Jeff Beatty briefed the Board on the purpose of the Water Shortage Surcharge (WSS). Director Creasy said that implementation of a WSS was discussed at the Finance Committee meeting and the committee's recommendation was to not implement a surcharge at this time. There was no further discussion or motion made.

BOARD ACTION – None

C-4 Discuss and Consider Adopting Resolution No. 04-21-22-09 Adopting an Annual Statement of Investment Policy

Jeff Beatty provided a brief description of the proposed change to the policy; saying that it is to comply with the requirement of reporting of investment transactions monthly to the Board as well as quarterly reporting of investment holdings to the Investment Committee.

Director Cage commented that the item was discussed at the committee meeting then made a motion.

BOARD ACTION – To adopt Resolution No. 04-21-22-09 adopting an Annual Statement of Investment Policy

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

C-5 Discuss and Consider Approving a One-Time Cost of Living Adjustment to Base Pay of Five Percent (5%), Across the Board for All Staff and Equivalent Adjustment to All Salary Ranges

1. Adopt the Side Letter of Agreement (SLA) Between Mammoth Community Water District (District) and International Union of Operating Engineers, Local Union No. 12 (L12), Modifying the 2021-2026 Memorandum of Understanding (MOU); and

2. Approve the Same Adjustments for the Non-Represented Staff

Chris Weibert provided a brief review of why and how this proposal was brought to the Board for consideration. Ms. Weibert said that the Union of Operating Engineers, Local 12, had approved of the proposal through a meet and confer process.

Director Creasy thanked General Manager, Mark Busby, for bringing the proposal to the Board. President Smith echoed the comment and thanked all staff for their consistent hard work which made the decision easy for the Board to consider.

Director Cage made a motion.

BOARD ACTION – To approve a one-time Cost of Living Adjustment to base pay of five percent (5%), across the board for all staff and equivalent adjustment to all salary ranges effective April 10, 2022

- 1. Adopt the Side Letter of Agreement between Mammoth Community Water District and International Union of Operating Engineers, Local Union No. 12, modifying the 2021-2026 Memorandum of Understanding (MOU); and**
- 2. Approve the same adjustments for the Non-Represented staff**

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

C-6 Discuss and Consider Adopting Resolution 04-21-22-08 – First Amended FY23 Salary and Authorized Positions Resolution No. 03-17-22-07

Chris Weibert stated that an additional amendment to the SAPR not previously mentioned was made. The “non-exempt” language was removed from Section B referencing On-Call/Standby pay to allow for any staff member, regardless of class, to be assigned on-call or standby duty.

There was no discussion and Director Cage made a motion.

BOARD ACTION – To adopt Resolution 04-21-22-08 – First Amended FY23 Salary and Authorized Positions; repealing Resolution No. 03-17-22-07

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

C-7 Discuss Negotiating a Property Tax Allocation to District Related to Annexation of Snowcreek VIII Property

Mark Busby and Jeff Beatty provided a brief history of the Mono County LAFCO (Local Agency Formation Commission) process to annex the Snowcreek VIII property into the Mammoth Community Water District in 2018. At the time the annexation was approved, the component of redistribution of the property tax for the affected parcels was not completed. They stated that discussions with Mono County are ongoing and are hopeful that the outcome will be agreeable to all parties.

A discussion between the Board, staff, and legal counsel followed. Mark Busby said they would update the Board following a meeting with Mono County staff scheduled in May.

BOARD ACTION – None, discussion only

C-8 Consider and Possibly Approve an Amendment to General Manager Employment Agreement (to be considered after Closed Session)

Following closed session, President Smith said the General Manager's employment agreement had been discussed in closed session regarding a cost-of-living adjustment of five percent (5%) consistent with the adjustment and effective date approved for all staff across the board.

BOARD ACTION – To approve an amendment to General Manager Employment Agreement consistent with the amount and timing of the adjustment approved for all staff

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

Committee Meetings Held During the Month

Technical Services Committee – April 20, 2022

Dennis Domaille

Gary Thompson (*absent*)

Investment Committee – April 20, 2022

Tom Cage

Robert Creasy

Finance Committee – April 20, 2022

Tom Cage

Robert Creasy

Technical Services Committee:

Director Domaille said there was nothing to report that hadn't been discussed at tonight's meeting.

~

Investment Committee:

Director Cage reported that the agreement with the investment advisors, Chandler Asset Management (CAM), had changed the status of CAM from a non-discretionary advisor to a discretionary advisor. This is to allow CAM to make investment decisions without having to get MCWD staff approval before the transaction is initiated.

Director Cage also said that the committee is trying to be as strategic as possible with the District's investment portfolio to be able to maximize its value in the current climbing interest rate environment.

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Finance Committee:

Director Cage said that the committee discussed the end of the previous fiscal year and the start to the new one. He reported that staff are thinking about a different investment strategy for the LADWP fund, which is monies being set aside with a large payment due in approximately 50 years.

DIRECTOR COMMENTS, REQUESTS, AND REPORTS

There were no comments from Directors.

ATTORNEY REPORT

Attorney Horowitz reported that the State Water Resources Control Board is starting to create a regulation from the Governor's recent conservation proclamation. This will possibly include the prohibition of watering non-functional turf at businesses, street medians, etc. Many of the specifics are not clear yet, but it is likely that urban water suppliers will be mandated to move to a Level 2 or 20% conservation requirement. Details are still being worked out and his office will report when more information is available.

Attorney Horowitz also elaborated on the initiative that Mr. Wadle reported on earlier during public comment. He too, expressed his concerns and said his staff is keeping a close eye on how this initiative progresses and will continue to report as developments arise.

No recess was taken, and the Board went into closed session at 7:17 p.m.

CLOSED SESSION

D-1 Conference with District Labor Negotiators

Pursuant to Government Code sections 54954.5(f) and 54957.6

District Negotiators: Tom Smith and Tom Cage

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

REPORT OUT AND ADJOURNMENT

The Board adjourned out of closed session at 7:21 p.m. at which time Mark Busby and Stephanie Hake were brought back into the meeting and the Board opened the discussion of business item C-8. The report out from closed session is contained in the minutes of that item.

Following the discussion of item C-8, Director Domaille made a motion to adjourn the meeting.

BOARD ACTION – To adjourn the regular Board meeting

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

President Smith adjourned the meeting at 7:27 p.m.