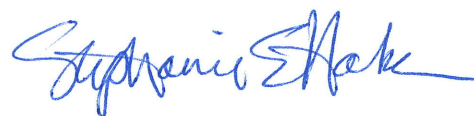


MINUTES

Thursday, May 16, 2024
Mammoth Community Water District
Regular Board Meeting

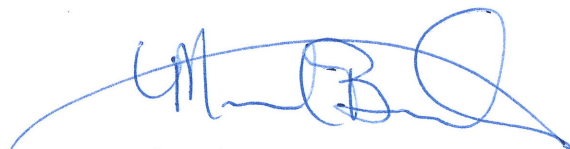
The Board of Directors convened in session at the hour of 5:31 p.m. No recess was taken, and the meeting was adjourned at 7:36 p.m.

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 was held on Thursday, May 16, 2024 at 5:31 p.m.

ROLL CALL

Board Present

Director: Tom Cage
Director: Dennis Domaille
Director: Elizabeth Hylton
Director: Tom Smith
Director: Gary Thompson

Board Absent

None

Staff Present

General Manager: Mark Busby
District Engineer: Garrett Higerd
Finance Manager: Jeff Beatty
Operations Superintendent: Clay Murray
Maintenance Superintendent: Rob Motley
Information Services Manager: Justin Mulbay
Human Resources Manager: Chris Weibert
Principal Administrative Analyst: Michael Draper
Executive Assistant: Stephanie Hake
District Counsel: Joshua Horowitz (*attending via Zoom*)

Guests Present

Colin West – “Clean Up the Lake” (*attending via Zoom*)
Leanna Block – MCWD Staff
Tyler Nelson – MCWD Staff
Daniel Pijuan – MCWD Staff

PUBLIC FORUM

President Smith opened the public forum at 5:31 p.m.

Mark Busby addressed the Board and recommended the June Board activity be cancelled. He said that there was no known business pending and due to Board member availability, it would be challenging to gather a quorum.

The Board agreed with Mr. Busby’s comments.

No one else addressed the Board and President Smith closed the public forum at 5:32 p.m.

PUBLIC HEARINGS

President Smith opened the public hearings at 5:32 p.m. to receive comments concerning the filing of reports on secured and unsecured delinquent water and sewer charges as of March 31, 2024.

No one addressed the Board and President Smith closed the public hearings at 5:32 p.m.

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

CONSENT AGENDA A

- A-1 Approve the April 2024 Check Disbursements**
- A-2 Approve the Minutes from the Regular Board Meeting held April 18, 2024**
- A-3 Approve the Minutes from the Special Meeting held April 18, 2024**
- A-4 Adopt Resolution No. 05-16-24-13 Confirming Collection and Requesting Inclusion of Secured 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**
- A-5 Adopt Resolution No. 05-16-24-14 Confirming Collection and Requesting Inclusion of Unsecured Delinquent Rates, Charges, and Penalties for Water and/or Sewer Service on the Mono County Tax Roll for the Forthcoming Fiscal Year in the Same Manner as the District's General Taxes**
- A-6 Approve Notices of Exemption (NOEs) for the 2024 Capital Projects**

Jeff Beatty commented that one of the accounts on the secured delinquent list (A-4, Exhibit A) had been removed since the board packet was distributed.

Director Domaille made a motion.

BOARD ACTION – To approve Consent Agenda A, including the amended exhibit for item A-4

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

CONSENT AGENDA B – DEPARTMENT REPORTS

- | | |
|--|---|
| B-1 Operations Department Report | B-5 Information Services Report |
| B-2 Maintenance Department Report | B-6 Personnel Services Report |
| B-3 Finance Department Report | B-7 Regulatory Support Services Report |
| B-4 Engineering Department Report | B-8 General Manager's Report |

Director Domaille made a motion.

BOARD ACTION – To approve Consent Agenda B

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

CURRENT BUSINESS

C-1 Discuss and Consider Approving a One-time Sponsorship of \$25,000 to “Clean Up The Lake (501(c)3” to Support Litter Removal and Aquatic Invasive Species Survey for Lake Mary

Colin West with “Clean Up The Lake” summarized for the Board his proposed project to remove underwater litter from Lake Mary and the other lakes in the Mammoth Lakes Basin. He said his scope of work also includes surveying aquatic invasive species. He described previously completed projects in other lakes in the Sierra and the successful results of the efforts.

Board members asked several questions. After a brief discussion, Director Cage said he was in support of the project, but that payment should be made at the completion of cleaning Lake Mary.

BOARD ACTION – To approve a one-time sponsorship of \$25,000 to “Clean Up The Lake” to support litter removal and surveying aquatic invasive species, to be paid upon completion of the work

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

C-2 Discuss and Consider Adopting Resolution No. 05-16-24-15 Revising the Appropriations Limitation for the Fiscal Year 2024-2025

Jeff Beatty briefly described the annual process of adopting the appropriations limit.

There was no discussion and Director Cage made a motion.

BOARD ACTION – To adopt Resolution No. 05-16-24-15 revising the Appropriations Limitation for the fiscal year 2024-2025

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

C-3 Discuss and Consider Adopting the Revised MCWD Disposal of Surplus Assets Policy (PL-ADM-003)

Mark Busby said that the policy was updated to allow the General Manager to sign and file quitclaim deeds, to more efficiently transfer utility easements that do not have a fair market value.

Attorney Horowitz added that the Surplus Land’s Act is not very clear about the process for disposing of easements and this change brings the policy back to the original language.

There was no discussion and President Smith called for a motion.

BOARD ACTION – To adopt the amended Disposal of Surplus Assets Policy

MOVED BY: Director Domaille
SECONDED BY: Director Thompson

AYES: Directors Cage, Domaille, Hylton, Smith, and Thompson
NAYS: None

C-4 MCWD Landscape Standards Policy

- 1. Discuss and Consider Adopting a New MCWD Landscape Standards Policy (PL-ADM-023) to Update and Replace Existing Code Provisions**
- 2. Discuss and Consider Enacting Ordinance No. 05-16-24-16 Repealing Division X of Chapter 12 of the MCWD Code**

Michael Draper provided a brief PowerPoint presentation highlighting key components of the proposed policy. He said the policy is replacing Division X of Chapter 12 of the MCWD Code and closely aligns with current California regulations as well as the District's Water Shortage Contingency Plan. The policy is meant to clearly communicate landscaping guidelines and the permitting process to District customers, with the goal of promoting water efficiency and conservation.

President Smith said the draft policy had been presented to the ad-hoc Code/Policy Committee for input.

Following a brief discussion, Director Domaille made two separate motions; to adopt the new policy and enact the related ordinance.

BOARD ACTION – To adopt the MCWD Landscape Standards Policy (PL-ADM-023) that updates and replaces existing provisions in the MCWD Code

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

BOARD ACTION – To enact Ordinance No. 05-16-24-16 repealing Division X of Chapter 12 (Water Code) of the MCWD Code

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

C-5 Consider Offer Under First Right of Refusal for the Sale of an Employee Home Purchased Under Employee Down Payment Assistance Program and Provide Direction to General Manager for Responding to Offer – Subject Property: 311 Mono Street, Mammoth Lakes

Jeff Beatty provided the Board with a brief financial analysis if the District were to purchase the home and add it to the rental housing program.

There was a lengthy discussion between Board members, Attorney Horowitz, Jeff Beatty, Tyler Nelson, and Daniel Pijuan regarding the possible pros and cons of purchasing the home and having it in the rental housing program.

Director Cage recommended that an appraisal of the property be done before the Board can make a decision. Direction was provided to staff to order an appraisal of the property as soon as possible then schedule a special board meeting to continue the discussion.

BOARD ACTION – None, direction only

C-6 Discuss and Nominate One Alternate Member for Mono County LAFCO Commission

President Smith suggested Director Thompson should be nominated to maintain consistency on the commission.

BOARD ACTION – Nominate Director Thompson for the alternate Special District member for Mono County LAFCO commission

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

C-7 Appoint an Ad-Hoc Committee for the Connection Fee Study

President Smith appointed Director Domaille and himself to be the ad-hoc committee to work with staff on the upcoming Connection Fee Study.

BOARD ACTION – None

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

When the Board returned to open session, President Smith said an adjustment to the General Manger’s employment agreement was discussed in closed session as a result of the Union negotiations that concluded in April.

Director Domaille made a motion to amend the General Manager’s employment agreement consistent with the two percent (2%) adjustment approved for all staff at the April 18 Regular Board Meeting: retroactive to April 21, 2024.

BOARD ACTION – To approve an amendment to General Manager Employment Agreement consistent with the amount and timing of the compensation adjustment approved for all staff on April 18, 2024

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

COMMITTEE MEETINGS HELD DURING THE MONTH

Mono LAFCO – April 30, 2024

Tom Cage

Ad-Hoc Code/Policy Committee – May 9, 2024

Tom Smith

Tom Cage

Employee Housing Committee – May 9, 2024

Tom Smith
Gary Thompson

Technical Services Committee – May 15, 2024

Gary Thompson
Tom Cage (*alternate*)

Finance Committee – May 15, 2024

Tom Cage
Elizabeth Hylton

Mono LAFCO:

Director Cage reported that the notable agenda item at Mono LAFCO's meeting was the preliminary Fiscal Year 2024-25 budget. He said MCWD's portion of the projected budget is expected to increase from \$1,857 to \$2,725 for the year. The significant increase is due to the cost of conducting 26 Municipal Service Review (MSR) updates.

Garrett Higerd added that the District's Sphere of Influence (SOI) needs to be updated, primarily because of the ski area's Main Lodge re-development project. The MCWD Board should review and update the District's SOI in order to make a recommendation to Mono LAFCO before the District's MSR is completed.

Mr. Higerd added that the Main Lodge joint EIR/EIS is expected to be released in 2025. It will be important for both agencies (MCWD and Mono LAFCO) to thoroughly review the reports and provide comments related to expanded water and sewer service to the proposed development.

Director Cage said the Commission also discussed the LAFCO Membership Roster and the steps to fill the current and upcoming vacancies.

~

Ad-Hoc Code/Policy Committee:

Director Smith said the committee met and discussed the policies that were acted upon earlier in this meeting. Director Domaille complimented Michael Draper for his work on the new Landscaping Standards Policy.

~

Employee Housing Committee:

Director Smith said the committee discussed the goals of the housing program and more information would be provided during the upcoming closed session.

~

Technical Services Committee:

Director Domaille said there were many topics discussed at the meeting. The most notable was the discovery of a tremendous source of I&I (infiltration & inflow) into the District's wastewater plant. Rob Motley elaborated on the story and described how the Line Maintenance team, through regular inspection, discovered an enormous volume of clear water infiltrating into some abandoned sewer laterals in the Sierra Valley Sites neighborhood. Following the excavation and repairs, staff estimated that the discovery reduced the plant's daily inflow by approximately 20%.

The committee was also updated on the failure of a section of sewer pipe that had been sliplined as part of the annual rehabilitation project in 2022. The contractor that did the original work is standing behind their work and is being very proactive about correcting the failure.

Also discussed was the status of the regular third-party sampling and testing of groundwater for potential impacts due to Ormat's CDIV project.

Additionally, there are several summer projects in various phases of the bidding process.

~

Finance Committee:

Director Cage said the meeting was brief due to it being the first month of the fiscal year.

DIRECTOR COMMENTS, REQUESTS, AND REPORTS

There were no comments from Directors.

ATTORNEY REPORT

Attorney Horowitz said there was nothing to report.

CLOSED SESSION

D-1 Conference with Labor Negotiator

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

D-2 Conference with Real Property Negotiators

Pursuant to Government Code Sections 54954.5(e) and 54956.8

Property Description: Mono County APN – 033-149-000-000

Under Negotiation: Price and Terms of Payment

MCWD Negotiators: Mark Busby and Jeff Beatty

Property Owner Negotiator: Mammoth Realty Group

REPORT OUT AND ADJOURNMENT

The Board adjourned out of closed session at 7:34 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.

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

BOARD ACTION – To adjourn the regular Board meeting

MOVED BY: Director Hylton

SECONDED BY: Director Cage

AYES: Directors Cage, Domaille, Hylton, Smith, and Thompson

NAYS: None

President Smith adjourned the meeting at 7:36 p.m.