

MINUTES

Thursday, April 18, 2024
Mammoth Community Water District
Regular Board Meeting

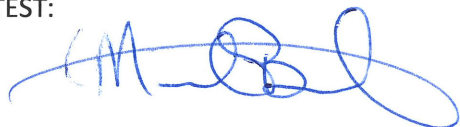
The Board of Directors convened in session at the hour of 5:31 p.m. No recess was taken, and the meeting was adjourned at 7:03 p.m.

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, April 18, 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*)
Che Johnson – Leibert, Cassidy, Whitmore (*attending via Zoom*)

PUBLIC FORUM

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

Colin West with “Clean Up the Lake” addressed the Board. He briefly described a proposed project to remove underwater litter in many of the lakes in the Mammoth Lakes Basin. He said the project requires additional outside funding and requested the Board consider hearing more about the project and possible support at an upcoming board meeting.

No one else addressed the Board and President Smith closed the public forum at 5:33 p.m.

CONSENT AGENDA A

- A-1 Approve the March 2024 Check Disbursements**
- A-2 Approve the Minutes from the Special Board Meeting held March 21, 2024**
- A-3 Approve the Minutes from the Regular Meeting held March 21, 2024**

A-4 Adopt Resolution No. 04-18-24-09 Setting a Public Hearing on the Report of Secured Delinquent Water and Sewer Charges as of March 31, 2024

A-5 Adopt Resolution No. 04-18-24-10 Setting a Public Hearing on the Report of Unsecured Delinquent Water and Sewer Charges as of March 31, 2024

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 Cage made a motion.

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

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

CONSENT AGENDA B – DEPARTMENT 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 Domaille made a motion.

BOARD ACTION – To approve Consent Agenda B

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

CURRENT BUSINESS

C-1 Discuss and Consider Adopting Resolution No. 04-18-24-11 Approving an Annual Statement of Investment Policy

Jeff Beatty said that the minor changes being presented had been recommended by the District’s investment advisors and reflected industry best practices.

Director Cage suggested a change to the policy language that describes the five members of the committee (Section V, Investment Committee). The current language states the board members for the Investment Committee are the same members of the Finance Committee. It should be amended to state that only one member needs to be from the Finance Committee and the other board member can be any of the other four members. Attorney Horowitz suggested “...two members of the Board, including at least one member of the Finance Committee”.

BOARD ACTION – To adopt Resolution No. 04-18-24-11 approving the annual Statement of Investment Policy with the amended language in Section 5, A.

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

C-2 Discuss and Consider Directing Staff to Update the District’s Section 457 Money Purchase Pension Plan Documents to Authorize Elected Officials to Participate in the Plan

Mark Busby said that Director Cage had inquired about the possibility for board members to participate in the District’s Section 457 Money Purchase Pension Plan (Plan). He said that the cost is minimal to change the documents to allow elected officials to invest up to the amount of their stipend in the Plan. He iterated that there would be no match from the District.

There were a couple of comments from board members. President Smith called for a motion.

BOARD ACTION – To direct staff to update the District’s Section 457 Money Purchase Pension Plan documents to authorize elected officials to participate in the Plan, provided amendment cost is no more than \$1,000

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

C-3 Discuss and Consider Transferring Responsibility for Obtaining Annual Fiduciary Reports for the District’s Money Purchase Pension Plan from Oram & Kaylor to the District

Jeff Beatty described to the Board that the District has a fiduciary responsibility to the Money Purchase Pension Plan (Plan). A third party produces a semi-annual report assessing the investment options available in the plan as well as a comparative cost to participants. Currently, Oram & Kaylor obtains and pays for the report, and the cost is passed on to the plan participants. Best practice is for the District to pay for the report as the plan fiduciary and to eliminate the potential for a conflict-of-interest for Oram & Kaylor.

Director Cage echoed Mr. Beatty’s comments and added that the Pension Committee discussed the topic, and the change makes sense.

There was no discussion and Director Cage made a motion.

BOARD ACTION – To approve transferring the responsibility for obtaining the annual fiduciary reports for the District’s Money Purchase Pension Plan from Oram & Kaylor to the District

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

C-4 Discuss and Consider Approving the Ad-Hoc Auditor Selection Committee’s Recommended Candidate for the New District Auditor and Authorize the Finance Manager to Execute an Engagement Letter with the Selected Candidate

Jeff Beatty said that staff initially received five responses to the Request for Proposals and through discussions with the ad-hoc committee, chose two candidates to conduct final interviews with.

Director Cage commended staff for doing the preliminary work that resulted in finding solid candidates to interview. He said the committee easily decided to recommend hiring Eadie Payne.

BOARD ACTION – To approve the ad-hoc Auditor Selection Committee’s recommended candidate for the new District auditor and authorize the Finance Manager to execute an Engagement Letter with the candidate

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

C-5 Discuss and Consider Adopting Resolution No. 04-18-24-13 Declaring Easements Encumbering 58 Thompsons Way (APN 035-010-070-000) and 94 Berner Street (APN 033-041-011-000) Exempt Surplus Land Under Government Code Section 54221(f)(1)(E), and Authorize Execution and Recording of Deeds Quitclaiming those Easements to the Underlying Property Owners

Garrett Higerd said this item would be deferred to a later meeting.

BOARD ACTION – None

C-6 Discuss and Consider Adopting Resolution 04-18-24-12 – First Amended FY25 Salary and Authorized Positions Resolution No. 03-21-24-07

1. Amending Salary Ranges for Represented Classes; and
2. Amending Salary Ranges for Non-Represented Classes

Chris Weibert said the discussion for this item would be deferred to the Special Board Meeting later in the evening.

BOARD ACTION – None

COMMITTEE MEETINGS HELD DURING THE MONTH

Ad-Hoc Auditor Selection Committee – April 3, 2024

Tom Cage
Elizabeth Hylton

Ad-Hoc Auditor Selection Committee – April 10, 2024

Tom Cage
Elizabeth Hylton

Ad-Hoc MOU Negotiations Committee – April 10, 2024

Tom Smith
Tom Cage

Technical Services Committee – April 17, 2024

Gary Thompson
Tom Cage (*alternate*)

Investment Committee – April 17, 2024

Tom Cage
Elizabeth Hylton

Finance Committee – April 17, 2024

Tom Cage
Elizabeth Hylton

Mono LAFCO:

Director Cage reported that the LAFCO meeting scheduled for April 11 was cancelled just before it was scheduled to convene; it has been rescheduled for April 30.

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Ad-Hoc Auditor Selection Committee:

Director Cage said the discussions at the April 3rd and April 10th committee meetings resulted in tonight's selection of a new auditor.

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Ad-Hoc MOU Negotiations Committee:

Director Cage said there was nothing to report.

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Technical Services Committee:

Director Domaille said there was nothing notable discussed.

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Investment Committee:

Director Cage stated that the Chandler Asset Management advisors are very knowledgeable and a pleasure to work with. Together with staff they have structured an investment strategy that is working very well for the District's financial goals. Director Hylton added that the advisors presented an insightful exercise that reflected selling older investments before they mature.

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Finance Committee:

Director Hylton reported that most discussions at the committee meeting were routine. She noted that Plant Maintenance staff were working on some creative solutions to maintain peak performance of the solar farm as obsolete infrastructure components need replacement.

DIRECTOR COMMENTS, REQUESTS, AND REPORTS

There were no comments from Directors.

ATTORNEY REPORT

Attorney Horowitz reported on the status of Initiative #1935 that would potentially significantly limit a public agency's ability to raise revenues. ACWA, CSDA, and other local government groups have been lobbying very hard in opposition to the initiative. There is a petition to prevent it from appearing on the November 2024 ballot scheduled to be heard by the Supreme Court on May 8. The court is expected to render a decision in the coming months. His office will report on developments as they are made available.

No recess was taken, and the Board went into closed session at 6:11 p.m.

CLOSED SESSION

D-1 Conference with Labor Negotiator

Pursuant to Government Code section 54957.6

District Employee Relations Officer: Mark Busby

Employee Organization: International Union of Operating Engineers, Local Union No. 12

Unrepresented Employees: Management, Supervisory, and Confidential

ADJOURNMENT

The Board returned from closed session and there was no report out.

President Smith adjourned the meeting at 7:03 p.m., and the special meeting noticed concurrently with this meeting followed.