



PLEASE NOTE: MISSION SPRINGS WATER DISTRICT BOARD MEETINGS WILL BE CONDUCTED PURSUANT TO THE GOVERNOR'S EXECUTIVE ORDER N-29-20 IN AN EFFORT TO PROTECT PUBLIC HEALTH AND PREVENT THE SPREAD OF COVID-19 (CORONAVIRUS), THE PUBLIC MAY ATTEND AND PARTICIPATE TELEPHONICALLY AS THERE WILL BE NO PUBLIC LOCATION FOR ATTENDING IN PERSON. THE AUDIO/VIDEO RECORDING OF THESE MEETINGS MAY BE POSTED TO THE MSWD WEBPAGE FOLLOWING THE MEETING.

THE PUBLIC MAY SUBMIT ANY COMMENTS ADDRESSING ITEMS BELOW BY EMAILING DPETEE@MSWD.ORG PRIOR TO THE START OF THE MEETING AT 3:00 PM.

CALL IN NUMBER FOR BOARD MEMBERS AND PUBLIC:
1(623) 404-9000
Meeting ID: 149 673 1463

ACTION MAY BE TAKEN ON ANY ITEM LISTED ON THIS AGENDA.

1. **CALL TO ORDER**
2. **ROLL CALL AND ACTION ON EXCUSED ABSENCES**
3. **PLEDGE OF ALLEGIANCE**
4. **PUBLIC INPUT**
This is the opportunity for members of the public to address the Board on matters within the Board's jurisdiction. **Please limit comments to three (3) minutes or less.** State law prohibits the Board from discussing or taking action on any item not listed on the agenda.
5. **COVID-19 UPDATE**
 - Status Report Regarding the Proclamation of a Local Emergency related to the Coronavirus and COVID-19.
6. **PUBLIC HEARING (MONDAY, 5/18/2020)**
RESOLUTION 2020-08 - TO COLLECT SEWER FEES ON TAX ROLL.
 - It is recommended to adopt Resolution No. 2020-08 electing to collect sewer user fees on the tax rolls.
7. **RESOLUTION 2020-09 RECOMMENDING APPROVAL OF SKYBORNE DEVELOPMENT – PARTIAL ASSIGNMENT AND ASSUMPTION AGREEMENT**
 - It is recommended that the Board of Directors adopt Resolution 2020-09 recommending approval of a Partial Assignment and Assumption of Public Water System Improvement and Water Service Connection Fee Credit/Reimbursement

Agreement authorizing Skyborne Ventures, LLC to assign water connection fee credits to Gallery Skyborne Partners, LLC as required by the Second Amendment to the Public Water System Improvement and Water Service Connection Fee Credit/Reimbursement Agreement for Tract No. 32030, complete with all exhibits.

8. PROFESSIONAL ENGINEERING SERVICES CONTRACT FOR MICHAEL PLATT CONSULTING

- It is recommended to authorize the General Manager to execute an agreement with Michael Platt Consulting LLC on an as-needed basis for a period of one year at a not-to-exceed amount of \$100,000.

9. PROFESSIONAL ENGINEERING SERVICES CONTRACT FOR TKE ENGINEERING, INC.

- It is recommended to authorize the General Manager to execute an agreement with TKE Engineering, Inc. on an as-needed basis for a period of one year at a not-to-exceed amount of \$250,000.

10. PROFESSIONAL ENGINEERING SERVICE CONTRACT FOR HEITEC CONSULTING

- It is recommended to authorize the General Manager to execute an agreement with HEITEC Consulting, on an as-needed basis for a period of one year at a not-to-exceed amount of \$150,000.

11. APPROVAL OF THE GENERAL MANAGERS EMPLOYMENT AGREEMENT

- If so desired approve the General Managers Employment Agreement.

12. MISSION SPRINGS WATER DISTRICT WEST VALLEY WATER RECLAMATION FACILITY

- Update and discussion.

13. CONSENT AGENDA

Consent agenda items are expected to be routine and non-controversial, to be acted upon by the Board at one time, without discussion. If a member would like an item handled separately, it will be removed from the Consent Agenda for separate action.

- It is recommended the Board approve the following Consent Agenda item(s):

A. APPROVAL OF MINUTES

- It is recommended to approve the minutes as follows:
 - Study Session Meeting – April 16, 2020
 - Regular Meeting – April 20, 2020

B. REGISTER OF DEMANDS

- The Register of Demands totaling \$2,566,276.16

(END OF CONSENT AGENDA)

14. FINANCIAL REPORT

15. PUBLIC AFFAIRS REPORT

16. **MONTHLY REPORTS**
17. **UPCOMING EVENTS & DIRECTORS' REPORTS**
18. **CORRESPONDENCE**
19. **DISTRICT COUNSEL COMMENTS**
20. **GENERAL MANAGER'S REPORT**
21. **DIRECTORS' COMMENTS**
22. **CLOSED SESSION**
 - A. CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION pursuant to Government Code Section 54956.9(d)(1).
One Case: Case No. PSC 1600676
(Mission Springs Water District vs. Desert Water Agency)
 - B. CONFERENCE WITH LEGAL COUNSEL REGARDING POTENTIAL LITIGATION pursuant to Government Code Section 54956.9(d)(4).
(One potential case adverse to Master Meter)
 - C. CONFERENCE WITH LEGAL COUNSEL REGARDING ANTICIPATED LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(d)(2) and/or (3) and/or (e)(3) (One Claim against MSWD submitted by attorney Josh Stambaugh for potential class of claimants Sharon Moreno and George Padilla).
 - D. CONFERENCE WITH LEGAL COUNSEL REGARDING POTENTIAL INITIATION OF LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(d)(4) (one potential case)
 - E. ANNUAL PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Pursuant to Government Code Section 54957
Title: General Manager
23. **REPORT ON ACTION TAKEN DURING CLOSED SESSION**
24. **ADJOURN**

If you need special assistance to participate in this meeting, please contact the Executive Assistant at 760.329.5169 ext. 137 at least 48 working hours prior to the meeting.

ANY DISCLOSABLE PUBLIC RECORDS RELATED TO AN OPEN SESSION ITEM ON A REGULAR MEETING AGENDA AND DISTRIBUTED BY MISSION SPRINGS WATER DISTRICT TO ALL OR A MAJORITY OF THE BOARD OF DIRECTORS LESS THAN 72 HOURS PRIOR TO THAT MEETING ARE AVAILABLE FOR PUBLIC INSPECTION AT THE DISTRICT OFFICE, 66575 2ND ST., DESERT HOT SPRINGS, CALIFORNIA DURING NORMAL BUSINESS HOURS AND MAY ALSO BE AVAILABLE ON THE DISTRICT'S WEBSITE AT WWW.MSWD.ORG/BOARD. NOTE: THE PROCEEDINGS MAY BE AUDIO & VIDEO RECORDED.

CERTIFICATION OF POSTING

I certify that on or before May 11, 2020, a copy of the foregoing notice was posted near the regular meeting place of the Board of Directors of Mission Springs Water District at least 72 hours in advance of the meeting (Government Code Section 54954.2)



Arden Wallum
Secretary of the Board of Directors