

Borrego Water District Board of Directors
Regular Meeting
March 14, 2023 @ 9:00 a.m.
806 Palm Canyon Drive
Borrego Springs, CA 92004

COVID-19 UPDATE: The Borrego Water District Board of Directors meeting as scheduled in an in person AND electronic format. Anyone who wants to listen to or participate in the meeting is encouraged to attend in person at the address above or observe the GO TO MEETING at:

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I. OPENING PROCEDURES -

- A.** Call to Order
- B.** Pledge of Allegiance
- C.** Directors' Roll Call: President Dice, Vice President Baker, Directors Duncan & Johnson
- D.** Approval of Agenda
- E.** Comments from the Public & Requests for Future Agenda Items (may be limited to 3 min)
- F.** Comments from Directors
- G.** Correspondence Received from the Public- None

II. ITEMS FOR BOARD CONSIDERATION AND POSSIBLE ACTION

- A.** Presentation for Recognition of Contribution by Wendy Quinn – K Dice
- B.** Resolution No. 2023-03-01 Recognizing the Contribution of David Dale – G Poole
- C.** Discussion of Future Consultant Needs - G Poole
- D.** Borrego Springs Subbasin Watermaster Board – VERBAL D Duncan/K Dice/T Driscoll
 - 1. Update on Board Activities
 - 2. Update on Technical Advisory Committee Activities

III. BOARD COMMITTEE REPORTS, IF NEEDED

STANDING:

- A.** Operations and Infrastructure: Duncan/Baker
- B.** Budget and Audit: Dice/Moran
- C.** ACWA/JPIA Insurance: Dice/Johnson

AGENDA: March 14, 2023

All Documents for public review on file with the District's secretary located at 806 Palm Canyon Drive, Borrego Springs CA 92004. Any public record provided to a majority of the Board of Directors less than 72 hours prior to the meeting, regarding any item on the open session portion of this agenda, is available for public inspection during normal business hours at the Office of the Board Secretary, located at 806 Palm Canyon Drive, Borrego Springs CA 92004.

The Borrego Springs Water District complies with the Americans with Disabilities Act. Persons with special needs should call Geoff Poole – Board Secretary at (760) 767 – 5806 at least 48 hours in advance of the start of this meeting, in order to enable the District to make reasonable arrangements to ensure accessibility.

If you challenge any action of the Board of Directors in court, you may be limited to raising only those issues you or someone else raised at the public hearing, or in written correspondence delivered to the Board of Directors (c/o the Board Secretary) at, or prior to, the public hearing.

AD HOC:

- A. Prop 68 Implementation: Baker/Johnson
- B. Public Outreach: Dice/Johnson
- C. Grants: Dice/Johnson
- D. Cyber Security/Risk Management: Baker/Baker
- E. Developer's Policy: Baker/Duncan
- F. Finance: Baker/Moran
- G. Borrego Springs Basin Water Quality: Moran/Johnson

IV STAFF REPORTS - VERBAL

- A. General Manager – Geoff Poole
 - i. CEQA Requirements and Procurement Procedures for Proposition 68 Grant Expenditures
 - ii. 2022 Padilla/Issa: Direct Congressional Funding Update
 - iii. 2023 Feinstein/Issa/Padilla: Direct Congressional Funding Request for Waterline and Valve Replacement

V. CLOSED SESSION:

- A. Conference with Legal Counsel - Potential Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9: (Two (2) potential cases)
- B. Conference with Legal Counsel – Existing Litigation (Borrego Water District v. All Persons (Groundwater), Orange County Superior Court Case No. 37-2020-00005776)
- C. Conference with Real Property Negotiators (Gov. Code §Section 54956.8) Property Easement APN: 140-303-0900 & 140-303-1100 Agency Negotiator: Geoff Poole, BWD General Manager Negotiating Parties: BWD and US Gypsum Corp as potential buyer Price and Terms of Payment
- D. Conference with Real Property Negotiators (Gov. Code §Section 54956.8) Property APNs: 140- 070-17, 140-070-18, 140-070-24, 140-070-27, 140-110-14, and 140-010-11 Agency Negotiator: Geoff Poole, BWD General Manager Negotiating Parties: BWD and David Bauer as potential seller regarding Price and Terms of Payment
- E. Conference with Real Property Negotiators (Gov. Code §Section 54956.8) Property APN: 140-010-08 Agency Negotiator: Geoff Poole, BWD General Manager Negotiating Parties: BWD and William Bauer as potential seller regarding Price and Terms of Payment

VI. CLOSING PROCEDURE: The next Board Meeting is scheduled for 9:00 AM March 28, 2023, to be available in person and online. See Board Agenda at BorregoWD.org for details, Agenda information available at least 72 hours before the meeting.

AGENDA: March 14, 2023

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BORREGO WATER DISTRICT
BOARD OF DIRECTORS MEETING
MARCH 14, 2023
AGENDA ITEM II.A

March 7, 2023

TO: Board of Directors
FROM: Geoffrey Poole, General Manager
SUBJECT: Presentation to Wendy Quinn – K Dice

RECOMMENDED ACTION:

Present signed Resolution 2023-02-01 approved at the 2-28-23 Meeting and Gift to Wendy

ITEM EXPLANATION:

Wendy is retiring from BWD from her role as the best Board Minutes Secretary ever. 😊

She will be missed and President Dice will present Wendy with her recognition in person at the meeting.

NEXT STEPS

Replace Wendy! 😞

FISCAL IMPACT

N/A

ATTACHMENTS

1. None

BORREGO WATER DISTRICT
BOARD OF DIRECTORS MEETING
MARCH 14, 2023
AGENDA ITEM II.B

March 7, 2023

TO: Board of Directors

FROM: Geoffrey Poole, General Manager

SUBJECT: Resolution No. 2023-03-01 Recognizing the Contribution of David Dale – G Poole

RECOMMENDED ACTION:

Approve Resolution No 2023-03-01

ITEM EXPLANATION:

BWD District Engineer, David Dale, has accepted a full time position and tenured his resignation effective 3-14. The attached Resolution has been prepared to recognize David's contribution.

Staff is considering the options for David's replacement and will have a recommendation at the March 28th Board Meeting.

NEXT STEPS

1. Begin the Process to Replace

FISCAL IMPACT

N/A

ATTACHMENTS

1. Resolution 2023-03-01

RESOLUTION NO. 2023-03-01
RESOLUTION OF THE BOARD OF DIRECTORS OF THE
BORREGO WATER DISTRICT
THANK AND RECOGNIZE DAVID DALE FOR HIS HARD WORK AND DEDICATION.

WHEREAS: The Borrego Water District (District) has embarked upon an aggressive Capital Improvement Program (CIP) to replace aging infrastructure.

WHEREAS: Completion of the Project from design to acceptance, on time and within budget is key to a successful CIP.

WHEREAS: Under the Direction of David Dale, PE, the District completed a series of successful water line, tank and wastewater treatment plant renovation projects.

NOW THEREFORE, The District's Board of Directors and Staff wish to recognize David for his hard work and dedication during his tenure.

ADOPTED, SIGNED AND APPROVED this 14th day of March 2023.

Kathy Dice

President Of The Board of Directors Of Borrego Water District
ATTEST:

Dave Duncan

Secretary of the Board Of Directors Of Borrego Water District
PASSED AND ADOPTED by said Board on this 14th day of March 2023 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

STATE OF CALIFORNIA)
)
COUNTY OF SAN DIEGO)

I, Dave Duncan, Secretary of the Board of Directors of the Borrego Water District , do hereby Certify that the foregoing is a true and correct copy of a resolution passed and adopted by the Board of Directors of the Borrego Water District at a meeting of said Board held on the 14th day of March 2023.

Dave Duncan
Secretary Of The Board Of Directors
Of The Borrego Water District

BORREGO WATER DISTRICT
BOARD OF DIRECTORS MEETING
MARCH 14, 2023
AGENDA ITEM II.C

March 7, 2023

TO: Board of Directors
FROM: Geoffrey Poole, General Manager
SUBJECT: Discussion of Future Consulting Needs – G Poole

RECOMMENDED ACTION:

Provide staff with input regarding any unfilled Consulting needs as it plans for the future

ITEM EXPLANATION:

With the resignation of Mr Dale, BWD has a need to hire a CA Registered Civil Engineer to serve as the District Engineer and provide water and sewer line design and bidding services for future projects. In the past, BWD employed Dynamic Engineering to serve in this role and Carlos Beltran did a great job. Dynamic has expressed an interest in serving us again.

As part of this process, Staff would like some input from the Board on its opinion regarding the need for other Consulting services. Are there any other needs that the Board feels are not being met and if so, what are they? Staff will take this information and develop a Plan for addressing the Boards concerns. The need may exist to hire more than one to obtain the special skills necessary, depending upon what is identified. This discussion will also be useful as Jessica and the Budget Committee start to plan for next year.

NEXT STEPS

1. TBD

FISCAL IMPACT

1. TBD

ATTACHMENTS

1. None