

**Borrego Water District Board of Directors**  
**Special Meeting**  
**October 22, 2024 @ 9:00 A.M.**  
**806 Palm Canyon Drive**  
**Borrego Springs, CA 92004**

The Borrego Water District Board of Directors meeting as scheduled will be conducted in person and in an electronic format please note BWD is providing remote attendance options solely as a matter of convenience to the public. BWD will not stop or suspend its in-person public meeting should a technological interruption occur with respect to the GoTo meeting or call-in line listed on the agenda. We encourage members of the public to attend BWD meetings in-person at the address printed on page 1 of this agenda. Anyone who wants to listen to or participate in the meeting remotely is encouraged to observe the GO TO MEETING at:

Join my meeting from your computer, tablet or smartphone.

<https://meet.goto.com/186736277>

You can also dial in using your phone.

United States: +1 (571) 317-3122

Access Code: 186-736-277

Get the app now and be ready when your first meeting starts:

<https://meet.goto.com/install>

**I. OPENING PROCEDURES -**

- A. Call to Order
- B. Pledge of Allegiance
- C. Directors' Roll Call: President Dice, Vice President Baker, Sec/Treas Johnson and Directors Duncan & Moran.
- 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. Consent Calendar
  1. Minutes
    - April 3, 2024 Town Hall Special Board Meeting
    - April 16, 2024 Regular Board Meeting
  2. Final Agreement: Wermers Water Bill Credit at The Mall/Palm Canyon Entrance Meter
  3. Final Amendment: D Bauer Agreement deferring 50% of October 2024 installment payment
- B. Legislative Update:
  1. Washington DC – Ana Schaub and Lowry Crook, BBK
  2. Sacramento – Syrus Deevers, SDA
- C. Remainder of 2024 BWD Board Meeting Schedule – 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

AGENDA: October 22, 2024: The Borrego Springs Water District complies with the Americans with Disabilities Act. Persons with special needs should call Geoff Poole, General Manager – 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.

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.

### 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

#### AD HOC:

- A. Prop 68 Implementation: Baker/Johnson
- B. Public Outreach: Dice/Johnson:
- C. Grants: Dice/Johnson
- D. Cyber Security/Risk Management: Baker
- E. Developer's Agreement: Baker/Duncan
- F. Finance/Prop 218: Baker/Moran
- H. Borrego Springs Basin Water Quality: Moran/Johnson
- I. Automated Metering Implementation: Baker/Moran

### IV. STAFF REPORTS

- A. Finance: September 2024
- B. WasteWater: September 2024
- C. Water Production: September 2024
- D. Admin - Verbal
- E. Legal Counsel - Verbal
- F. General Manager - Verbal
  - a. EPA #1 Funding Approved – ETA November 2024 @ \$3.4M - Verbal

### 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. 37-2020-0000577
- C. Conference with Legal Counsel – Existing Litigation (John Thomas Doljanin v. Reuben Ellis, et al., S.D. Cal. Case No. 24 CV1689 BEN SBC).
- D. CONFERENCE WITH REAL PROPERTY NEGOTIATORS
  - Property: Easement over APN 140-030-1100
  - Agency Negotiator: Geoff Poole
  - Negotiating Parties: Borrego Water District and Borrego Springs Watermaster
  - Under Negotiation: Price and Terms of Payment

### VI. CLOSING PROCEDURE:

- A. The next Board Meeting is scheduled for 9:00 AM on November 12, 2024, to be available online and in person at 806 Palm Canyon Drive. See Board Agenda at [BorregoWD.org](http://BorregoWD.org) for details, Agenda information available at least 72 hours before the meeting.

AGENDA: October 22, 2024: The Borrego Springs Water District complies with the Americans with Disabilities Act. Persons with special needs should call Geoff Poole, General Manager – 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.

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.