

WESA

AGENDA

THE WATER EMPLOYEE SERVICES AUTHORITY (“WESA”)
BOARD OF DIRECTORS
REGULAR MEETING
November 10, 2022
4:00 PM

CALL TO ORDER AND ROLL CALL– Edmondson, Burke, Morris, Ryan, Williams

PLEDGE OF ALLEGIANCE AND INVOCATION

ADD-ON ITEMS

APPROVAL OF AGENDA

PUBLIC COMMENT

Any person may address the Board at this time upon any subject not identified on this Agenda, but within the jurisdiction of Water Employee Services Authority; however, any matter that requires action will be referred to staff for a report and action at a subsequent Board meeting. As to matters on the Agenda, an opportunity will be given to address the Board when the matter is considered.

Members of the public may make comments in-person, virtually, or submit a Public Comment Request Form located at <https://www.evmwd.com/wesa-publiccomment> no less than one hour prior to the posted start time of the meeting. Comments shall be made in an orderly manner and profanity, slanderous, or abusive language will not be tolerated. Please note, individuals have a limit of three (3) minutes to make comments and will have the opportunity when called upon by the presiding officer.

I. CONSENT CALENDAR

Consent Calendar items are expected to be routine and non-controversial, to be acted upon by the Board at one time without discussion. If any Board member, staff member, or interested person requests that an item be removed from the Calendar, it shall be removed so that it may be acted upon separately.

A. Approval of:

1. Minutes of the Special Board Meeting of October 27, 2022 (Posted on October 20, 2022)
2. Minutes of the Special Board Meeting of October 27, 2022 (Posted on October 25, 2022)
3. Payment Ratification Report
4. Adoption of Resolution Reaffirming and Extending Findings and Determinations Under AB 361 for Continued Virtual Meetings

II. REPORTS

Reports are placed on the Agenda to provide information to the Board and the public. There is no action called for in these items. The Board may engage in discussion on any report upon which specific subject matter is identified, but may not take any action other than to place the matter on a subsequent Agenda.

- A. General Manager's Report
- B. Legal Counsel's Report

III. DIRECTOR'S COMMENTS AND REQUESTS

Directors' Comments concern Water Employee Services Authority business which may be of interest to the Board. They are placed on the Agenda to enable individual Board members to convey information to the Board and the public. There is no discussion or action required, other than to place the matter on a subsequent Agenda.

IV. CLOSED SESSION

- A. CONFERENCE WITH LABOR NEGOTIATOR; Agency designated representative: Greg Thomas, Employee Organization: Water Employee Services Authority Management Team Association
- B. Public Employee Performance Evaluation
Title: General Manager

V. ADJOURNMENT

In the interest of public health and safety, this meeting will be conducted in accordance with provisions of the Brown Act and Assembly Bill 361. Participants who would like to join this meeting remotely can do so in one of the following ways:

For Online Participation:

Go to: www.zoom.us
Select Join a Meeting
Enter Meeting ID: 833 5839 8863
Meeting Password: 92530

For Call-in Only:

Call: (720) 707 2699
Enter Meeting ID: 833 5839 8863
Meeting Password: 92530

31315 Chaney Street, Lake Elsinore, CA
Board Room

11/2/22 5:07 PM To request a disability-related modification or accommodation regarding agendas or attendance, contact Terese Quintanar, at (951) 674-3146, extension 8223 at least 48 hours before the meeting.

**MINUTES OF SPECIAL MEETING
WATER EMPLOYEE SERVICES AUTHORITY (“WESA”)
BOARD OF DIRECTORS
THURSDAY, OCTOBER 27, 2022
3:00 P.M.**

The Special Meeting of the Board of Directors of Water Employee Services Authority was held at its principal offices at 31315 Chaney Street, Lake Elsinore, California with a remote public participation option (teleconference, through a call-in number clearly noted on the meeting Agenda) posted in accordance with the Brown Act.

Directors Present

Darcy M. Burke, President
Andy Morris, Vice President
Chance Edmondson
Phil Williams

Director Absent

Harvey Ryan

Staff Present

Greg Thomas, General Manager
Steve Anderson, General Counsel
Terese Quintanar, Secretary
Christy Gonzalez, Deputy Board Secretary/Executive Assistant
Jason Dafforn, Director of Engineering and Water Resources
Matt Bates, Engineering Manager
Susie Evans, Sr. Executive Assistant

Others Present

None

CALL TO ORDER

The meeting was called to order by President Burke at 4:24 p.m.

APPROVAL OF AGENDA

A motion was made by Vice President Morris, seconded by Director Williams, and carried unanimously to approve the Agenda as presented.

PUBLIC COMMENT

The meeting was opened to public comment and there were none. Opportunity for the public to relay interest in making a public comment was offered throughout the meeting.

ITEM I. CONSENT CALENDAR

Minute Order #164-165

- A. Approval of:
 - 1. Minutes of the Regular Board Meeting of October 13, 2022
 - 2. Payment Ratification Report
 - 3. Approval of Extension of Emergency Paid Sick Leave Benefits for COVID-19 Related Leaves Through December 31, 2022 **(MO# 164)**
 - 4. Amendment to the General Manager Employment Agreement **(MO# 165)**

Pertaining to Consent Calendar Item A.4, and as required by the Brown Act, Steve Anderson reported that the Board is considering action to approve an increase in the General Manager’s Salary to \$297K and car allowance to \$900 per month.

A motion was made by Vice President Morris, seconded by Director Williams, and carried unanimously to:

- 1. Approve the Consent Calendar as presented.**

ITEM II. REPORTS

- A. General Manager’s Report
Mr. Thomas had nothing to report.
- B. Legal Counsel’s Report
Mr. Anderson had nothing to report.

ITEM III. DIRECTOR’S COMMENTS AND REQUESTS

There were none.

ITEM IV. ADJOURNMENT

There being no further business, the meeting was adjourned at 4:27 p.m.

Darcy M. Burke, President of the
Board of Directors of the
Water Employee Services Authority

ATTEST:

Terese Quintanar, Board Secretary
to the Board of Directors of the
Water Employee Services Authority

DRAFT

**MINUTES OF SPECIAL MEETING
WATER EMPLOYEE SERVICES AUTHORITY (“WESA”)
BOARD OF DIRECTORS
THURSDAY, OCTOBER 27, 2022
3:00 P.M.**

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Directors Present

Darcy M. Burke, President
Andy Morris, Vice President
Chance Edmondson
Phil Williams

Director Absent

Harvey Ryan

Staff Present

Greg Thomas, General Manager
Steve Anderson, General Counsel
Terese Quintanar, Secretary
Christy Gonzalez, Deputy Board Secretary/Executive Assistant
Bonnie Woodrome, Community Affairs Supervisor
Christina Henry, Community Relations Manager
Darryn Flexman, Interim Director of Information Technology
David Smith, Maintenance Manager
Ganesh Krishnamurthy, Assistant General Manager – Eng. and Operations
Jase Warner, Director of Operations
Jason Dafforn, Director of Engineering and Water Resources
Jennifer Dancho, Director of Human Resources
Jessie Arellano, Wastewater Operations Manager
Junior Olivo, Field Maintenance CM
Margie Armstrong, Director of Strategic Programs
Matt Bates, Engineering Manager
Parag Kalaria, Water Resources Manager
Scott Thompson, Accounting Manager
Susie Evans, Sr. Executive Assistant
Tim Collie, Water Operations Manager
Robert Hartwig, Treasurer

Others Present

Jeff Thornbury, Carollo Engineers, Inc.
Andrew Frost, Carollo Engineers, Inc.

CALL TO ORDER

The meeting was called to order by President Burke at 3:13 p.m.

APPROVAL OF AGENDA

A motion was made by Vice President Morris, seconded by Director Williams, and carried unanimously to approve the Agenda as presented.

PUBLIC COMMENT

The meeting was opened to public comment and there were none. Opportunity for the public to relay interest in making a public comment was offered throughout the meeting.

ITEM I. CLOSED SESSION

The Board adjourned to Closed Session at 3:13 p.m. to discuss:

- A. Public Employee Performance Evaluation
Title: General Manager

The Board reconvened to open session at 4:23 p.m., with no reportable actions.

ITEM II. ADJOURNMENT

There being no further business, the meeting was adjourned at 4:24 p.m.

Darcy M. Burke, President of the
Board of Directors of the
Water Employee Services Authority

ATTEST:

Terese Quintanar, Board Secretary
to the Board of Directors of the
Water Employee Services Authority

Payment Ratification Report

Cash Disbursements for 10/14/2022 through 11/10/2022

Check or Reference #	Payment Date	Paid to Vendor	Payment Description	Pmt Type	Payment Amount
ACH					
2542	10/20/2022	BIO-ACOUSTICAL CORPORATION	AUDIOMETRIC TESTING	ACH	180.00
2543	10/20/2022	EMPLOYEE ASSOCIATION	EMPLOYEE ASSOCIATION DUES PPE 10-14-2022	ACH	1,692.00
2544	10/20/2022	EMPLOYMENT SCREENING SERVICES	SCREENING SERVICES	ACH	20.00
2545	10/20/2022	ISOLVED BENEFIT SERVICES	EE FSA MEDICAL PPE 10-14-2022	ACH	4,401.37
2546	10/20/2022	MANAGEMENT TEAM ASSOCIATION	MANAGEMENT TEAM ASSOCIATION DUES PPE 10-14-2022	ACH	300.00
2547	10/20/2022	SAFETYNET INC.	HAZWOPER TRAINING	ACH	11,834.25
2548	10/20/2022	US BANK	VIRTUAL PAYMENT PROGRAM OCT 2022	ACH	16,086.22
2549	10/27/2022	COMPLETE GYM SOLUTIONS LLC	EQUIPMENT RENTAL OCT 2022	ACH	1,201.69
2550	10/27/2022	ISOLVED BENEFIT SERVICES	FBA MONTHLY ADMIN: ADMINISTRATIVE SERVICE SEPT 2022	ACH	244.85
CHECKS					
139188	10/20/2022	AFLAC INSURANCE GROUP	AFLAC PRETAX GROUP INSURANCE PPE 10-14-2022	CHECK	203.57
139189	10/20/2022	AFLAC	AFLAC PRETAX GROUP INSURANCE PPE 10-14-2022	CHECK	995.80
139190	10/20/2022	VOID PAYMENT	VOID PAYMENT	CHECK	0.00
139191	10/20/2022	VOID PAYMENT	VOID PAYMENT	CHECK	0.00
139192	10/20/2022	VOID PAYMENT	VOID PAYMENT	CHECK	0.00
139193	10/20/2022	ELSINORE VALLEY MWD	HR RENT SEPT & OCT 2022	CHECK	1,264.00
139194	10/20/2022	EMPLOYMENT DEVELOPMENT DEPT	CONFIDENTIAL GARNISHMENT	CHECK	75.00
139195	10/20/2022	ENERGAGE, LLC	BRANDING & INSIGHTS ANNUAL SUBSCRIPTION FEES	CHECK	5,512.50
139196	10/20/2022	PERSONAL DISBURSEMENT	CONFIDENTIAL GARNISHMENT	CHECK	763.20
139197	10/20/2022	HENRY, CHRISTINA	TRAVEL EXPENSE REIMBURSEMENT	CHECK	42.49
139198	10/20/2022	LEGALSHIELD	PRE PAID LEGAL SERVICES PPE 10-14-2022	CHECK	14.72
139199	10/20/2022	LINCOLN FINANCIAL GROUP	EMPLOYEE 457 CONTRIBUTIONS PPE 10-14-2022	CHECK	550.00
139200	10/20/2022	LINCOLN NATL LIFE INS COMP	VOLUNTARY LIFE INSURANCE PPE 10-14-2022	CHECK	1,656.06
139201	10/20/2022	MUNSON, HALEY	TRAVEL EXPENSE REIMBURSEMENT	CHECK	175.00
139202	10/20/2022	NATIONWIDE	EMPLOYEE 457 CONTRIBUTIONS PPE 10-14-2022	CHECK	2,134.86
139203	10/20/2022	STATE DISBURSEMENT UNIT	CONFIDENTIAL GARNISHMENT	CHECK	197.53
139204	10/20/2022	STATE DISBURSEMENT UNIT	CONFIDENTIAL GARNISHMENT	CHECK	222.00
139205	10/20/2022	STATE DISBURSEMENT UNIT	CONFIDENTIAL GARNISHMENT	CHECK	222.11
139206	10/20/2022	STATE DISBURSEMENT UNIT	CONFIDENTIAL GARNISHMENT	CHECK	111.69
139207	10/20/2022	STATE DISBURSEMENT UNIT	CONFIDENTIAL GARNISHMENT	CHECK	110.76
139208	10/20/2022	STATE DISBURSEMENT UNIT	CONFIDENTIAL GARNISHMENT	CHECK	76.91
139209	10/27/2022	INSKEEP, AARON	CERTIFICATION RENEWAL	CHECK	180.00
139210	10/27/2022	PETTY CASH	REPLENISH PETTY CASH SEPT 2022	CHECK	192.14

Payment Ratification Report

Cash Disbursements for 10/14/2022 through 11/10/2022

Check or Reference #	Payment Date	Paid to Vendor	Payment Description	Pmt Type	Payment Amount
139211	10/27/2022	VILLAFUERTE, SERGIO	CERTIFICATION REIMBURSEMENT	CHECK	145.00
139212	10/27/2022	VOID PAYMENT	VOID PAYMENT	CHECK	0.00
WIRE TRANSFERS					
0012595424	10/19/2022	CALIF STATE TAXES	PAYROLL TAXES - PAY PERIOD 2022-10-14	WIRE	26,965.74
00125954242	10/19/2022	CALIF SDI TAXES	PAYROLL TAXES - PAY PERIOD 2022-10-14	WIRE	6,386.21
03507	10/19/2022	FEDERAL TAX PAYMENTS	PAYROLL TAXES - PAY PERIOD 2022-10-14	WIRE	64,286.24
035072	10/19/2022	FICA WITHHELD	PAYROLL TAXES - PAY PERIOD 2022-10-14	WIRE	19,537.71
1000016933160	10/21/2022	CALPERS SURVIVOR - EMPLOYEE	PERS CONTRIBUTIONS - PAY PERIOD 2022-10-14	WIRE	156.24
1000169331602	10/21/2022	CALPERS RETIREMENT CONTRIBUTIONS	PERS CONTRIBUTIONS - PAY PERIOD 2022-10-14	WIRE	115,412.29
1002225066	10/19/2022	PERS 457- ROTH CONTRIBUTIONS	PERS 457 CONTRIBUTIONS - PAY PERIOD 2022-10-14	WIRE	2,338.47
10022250662	10/19/2022	CALPERS 457 CONTRIBUTIONS	PERS 457 CONTRIBUTIONS - PAY PERIOD 2022-10-14	WIRE	23,830.56
13159	06/21/2022	FEDERAL TAX PAYMENTS	PAYROLL TAXES - PAY PERIOD 2022-06-17	WIRE	4,679.81
131592	06/21/2022	FICA WITHHELD	PAYROLL TAXES - PAY PERIOD 2022-06-17	WIRE	605.74
1581782368	06/21/2022	CALIF STATE TAXES	PAYROLL TAXES - PAY PERIOD 2022-06-17	WIRE	1,671.21
15817823682	06/21/2022	CALIF SDI TAXES	PAYROLL TAXES - PAY PERIOD 2022-06-17	WIRE	229.76
VIRTUAL PAYMENT PROGRAM					
220	10/20/2022	BOOT BARN INC.	BOOTS	VIRTUAL	743.81
221	10/20/2022	CINTAS CORPORATION	UNIFORMS	VIRTUAL	4,661.32

REVIEWED BY: 

DATE: 11/1/2022

DATE: November 10, 2022

TO: Board of Directors

FROM: General Manager

SUBJECT: RESOLUTION REAFFIRMING AND EXTENDING FINDINGS AND DETERMINATIONS UNDER AB 361 FOR CONTINUED VIRTUAL MEETINGS

BACKGROUND

The Ralph M. Brown Act (Gov. Code § 54950 et seq.) generally requires local agencies meeting via teleconference, including through other virtual or electronic means, to provide public access at each location in which members of the legislative body are teleconferencing. The Legislature enacted Assembly Bill 361 (AB 361), which amended Government Code section 54953 to allow local agencies to meet fully virtually during a proclaimed state of emergency if state or local officials have imposed or recommended measures to promote social distancing. Governor Newsom has issued a proclamation declaring a state of emergency due to the COVID-19 pandemic, pursuant to section 8625 of the California Emergency Services Act.

Board of Directors of the Water Employee Services Authority adopted Resolution No. 2021-04 on December 16, 2021 finding that the requisite conditions continue to exist for the legislative body of the Water Employee Services Authority to conduct remote teleconference meetings without compliance with paragraph (3) of subdivision (b) of section 54953. Subsequently, the determination intentions to continue to promote social distancing has been reconsidered and extended no less than every thirty days since the initial determination. On October 13, 2022 the Board made the determination to extend the virtual protocol, adopting a resolution extending the findings and determinations for continued virtual meetings through November 12, 2022. Staff recommends adoption of the attached resolution at this time, further extending the use of virtual meetings through December 10, 2022.

RECOMMENDATION

The General Manager and staff recommend that the Board of Directors:

1. Adopt a Resolution Reaffirming and Extending Findings and Determinations Under AB 361 For Continued Virtual Meetings.

ENVIRONMENTAL WORK STATUS

Not applicable.

FISCAL IMPACT

Not applicable.

Originated by: Christy Gonzalez – Administration
Reviewed by: Terese Quintanar – Administration

Attachments:

Draft Resolution

RESOLUTION 2022-13

RESOLUTION OF THE BOARD OF DIRECTORS OF
THE WATER EMPLOYEE SERVICES AUTHORITY REAFFIRMING AND EXTENDING
FINDINGS AND DETERMINATIONS
UNDER AB 361 FOR CONTINUED VIRTUAL MEETINGS

WHEREAS, the Ralph M. Brown Act (Gov. Code § 54950 *et seq.*) generally requires local agencies meeting via teleconference, including through other virtual or electronic means, to provide public access at each location in which members of the legislative body are teleconferencing; and

WHEREAS, the Legislature recently enacted Assembly Bill 361 (AB 361), which amended Government Code section 54953 to allow local agencies to meet fully virtually during a proclaimed state of emergency if state or local officials have imposed or recommended measures to promote social distancing; and

WHEREAS, the Board of Directors finds that the Governor issued a proclamation declaring a state of emergency on March 4, 2020 due to the COVID-19 pandemic, pursuant to section 8625 of the California Emergency Services Act; and

WHEREAS, the Board of Directors of the Water Employee Services Authority adopted Resolution No. 2021-04 on December 16, 2021 finding that the requisite conditions continue to exist for the legislative body of the Water Employee Services Authority to conduct remote teleconference meetings without compliance with paragraph (3) of subdivision (b) of section 54953, and has again reconsidered the circumstances of the state of emergency and finds that state or local officials continue to recommend measures to promote social distancing; and

WHEREAS, the Board of Directors has subsequently extended and reaffirmed the desires to continue to hold virtual meetings as directed by the Board pursuant to AB 361 and Government Code section 54953(e) since adopting Resolution No 2021-04 and desires to extend the provisions once again.

NOW THEREFORE BE IT RESOLVED, by the Board of Directors of the Water Employee Services Authority as follows:

1. The above recitals and true and correct and shall be the findings of the Water Employee Services Authority Board of Directors.
2. The Board of Directors shall be authorized to continue to meet virtually in accordance with Government Code section 54953(e) and without compliance with section 54953(b)(3).
3. This Resolution does not prevent or prohibit the Water Employee Services Authority from holding hybrid meetings (containing both virtual and in-person components) or from meeting in-person, provided such meetings comply with

AB 361 and with all state and local health orders. The Water Employee Services Authority shall comply with all rules established by the Board of Directors and/or the General Manger for attendance at meetings.

4. The Board of Directors shall take action to renew this Resolution every thirty days for as long as any state or local officials continue to recommend any measures to promote social distancing, but the Board of Directors may terminate the Resolution at any time. In the event that more than 30 days pass between regular Board meetings, the Board of Directors shall take action to renew this Resolution prior to taking any action or engaging in any deliberation or discussion in a virtual meeting; renewal of this Resolution may occur either at the beginning of the next regular meeting or at a special meeting called for such purposes. In the event this Resolution has lapsed, and the Board of Directors has not terminated it, any commission, committee or other Brown Act board of the Water Employee Services Authority shall be authorized to, and shall, make any required findings in order to meet virtually under AB 361.

APPROVED, ADOPTED AND SIGNED this 10th day of November 2022.

Darcy M. Burke, President of the Board of
Directors of the Water Employee Services
Authority

ATTEST:

Terese Quintanar, Secretary of the
Board of Directors of
Water Employee Services Authority