

# WESA

## AGENDA

THE WATER EMPLOYEE SERVICES AUTHORITY (“WESA”)  
BOARD OF DIRECTORS  
SPECIAL MEETING  
November 23, 2021  
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> prior to the close of Public Comments. 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 November 9, 2021
2. Payment Ratification Report
3. Side Letter Agreement to Amend Section 22 of the Management Team Association's Memorandum of Understanding
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. ADJOURNMENT

*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](http://www.zoom.us)  
Select Join a Meeting  
Enter Meeting ID: 819 2273 2465  
Meeting Password: 92530

**For Call-in Only:**

Call: (720) 707-2699  
Enter Meeting ID: 819 2273 2465  
Meeting Password: 92530

31315 Chaney Street, Lake Elsinore, CA  
Board Room

11/17/21 1:33 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  
TUESDAY, NOVEMBER 9, 2021  
4:00 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, Vice President  
Harvey R. Ryan  
Andy Morris  
Chance Edmondson

Directors Absent

Phil Williams, President

Staff Present

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

Others Present

Adam Bauer, Fieldman & Rolapp  
Public

**CALL TO ORDER**

The meeting was called to order by Vice President Burke at 4:00 p.m.

**APPROVAL OF AGENDA**

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

**PUBLIC COMMENT**

The meeting was opened to public comment and there were none.

**ITEM I. CONSENT CALENDAR**

***Resolution No. 2021-02***

- A. Approval of:
  - 1. Minutes of the Regular Board Meeting of October 28, 2021
  - 2. Payment Ratification Report
  - 3. Adoption of a Resolution Making Findings and Determinations Under AB 361 for Continued Virtual Meetings (*Reso. No. 2021-02*)

A motion was made by Director Morris, seconded by Director Edmondson, 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**

Director Ryan and Vice President Burke extended their gratitude and appreciation to staff that served our country and included them in the Veterans’ Day and Marine Corps’ birthday celebration observed today at the District.

**ITEM IV. ADJOURNMENT**

There being no further business, the meeting was adjourned at 4:03 p.m.

\_\_\_\_\_  
Darcy M. Burke, Vice 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 10/29/2021 through 11/10/2021

Check or Reference #	Payment Date	Paid to Vendor	Payment Description	Pmt Type	Payment Amount
<b>DEMAND REGISTER</b>					
2380	11/04/2021	CIGNA HEALTH AND LIFE INSURANCE	HEALTH COVERAGE - NOV 2021	ACH	75,826.95
2381	11/04/2021	COMPLETE GYM SOLUTIONS LLC	EQUIPMENT RENTAL - NOV 2021	ACH	1,201.69
2382	11/04/2021	EMPLOYEE ASSOCIATION	EMPLOYEE ASSOCIATION DUES	ACH	1,674.00
2383	11/04/2021	ISOLVED BENEFIT SERVICES	EMPLOYEE FSA CONTRIBUTIONS	ACH	3,423.22
2384	11/04/2021	MANAGEMENT TEAM ASSOCIATION	MANAGEMENT TEAM ASSOCIATION DUES	ACH	270.00
2385	11/04/2021	QUINTANAR, TERESE	TRAVEL REIMBURSEMENT	ACH	176.34
2386	11/04/2021	US BANK	P CARD PURCHASES - OCT 2021	ACH	12,984.53
2387	11/10/2021	EMPLOYMENT SCREENING SERVICES	EMPLOYMENT SCREENING SERVICES	ACH	121.00
138507	11/04/2021	AFLAC INSURANCE GROUP	AFLAC PRETAX GROUP INSURANCE	CHECK	203.57
138508	11/04/2021	AFLAC	AFLAC PRETAX GROUP INSURANCE	CHECK	829.24
138509	11/04/2021	DEPARTMENT OF ENVIRONMENTAL HEALTH	CERTIFICATION RENEWAL	CHECK	155.00
138510	11/04/2021	EMPLOYMENT DEVELOPMENT DEPT	CONFIDENTIAL GARNISHMENT	CHECK	106.52
138511	11/04/2021	EMPLOYMENT DEVELOPMENT DEPT	CONFIDENTIAL GARNISHMENT	CHECK	25.14
138512	11/04/2021	EMPLOYMENT DEVELOPMENT DEPT	CONFIDENTIAL GARNISHMENT	CHECK	75.00
138513	11/04/2021	GARCIA, ROSALINA	CONFIDENTIAL GARNISHMENT	CHECK	474.59
138514	11/04/2021	LEGALSHIELD	PRE PAID LEGAL SERVICE	CHECK	26.68
138515	11/04/2021	LINCOLN FINANCIAL GROUP	EMPLOYEE 457 CONTRIBUTIONS	CHECK	625.00
138516	11/04/2021	LINCOLN NATL LIFE INS COMP	VOLUNTARY LIFE INSURANCE	CHECK	1,384.92
138517	11/04/2021	LINCOLN NATL LIFE INS COMP	LIFE/AD&D/LTD INSURANCE - NOV 2021	CHECK	10,480.77
138518	11/04/2021	NATIONWIDE	EMPLOYEE 457 CONTRIBUTIONS	CHECK	2,816.46
138519	11/04/2021	STATE DISBURSEMENT UNIT	CONFIDENTIAL GARNISHMENT	CHECK	197.53
138520	11/04/2021	STATE DISBURSEMENT UNIT	CONFIDENTIAL GARNISHMENT	CHECK	222.00
138521	11/04/2021	STATE DISBURSEMENT UNIT	CONFIDENTIAL GARNISHMENT	CHECK	222.11
138522	11/04/2021	STATE DISBURSEMENT UNIT	CONFIDENTIAL GARNISHMENT	CHECK	111.69
138523	11/04/2021	STATE DISBURSEMENT UNIT	CONFIDENTIAL GARNISHMENT	CHECK	110.76
138524	11/04/2021	TX CHILD SUPPORT SDU	CONFIDENTIAL GARNISHMENT	CHECK	287.54
138525	11/04/2021	VANTAGEPOINT TRANSFER AGENTS	RHS CONTRIBUTIONS - MTA PPE 2021-10-29	CHECK	2,017.02
138526	11/04/2021	VANTAGEPOINT TRANSFER AGENTS	RHS CONTRIBUTIONS - EA PPE 22021-10-29	CHECK	2,423.40
138527	11/10/2021	STATE WATER RESOURCES CONTROL	WASTEWATER TREATMENT OPERATOR CERTIFICATION RENEWAL	CHECK	150.00

## Payment Ratification Report

Cash Disbursements for 10/29/2021 through 11/10/2021

Check or Reference #	Payment Date	Paid to Vendor	Payment Description	Pmt Type	Payment Amount
<b>WIRE TRANSFERS</b>					
1000016554604	11/05/2021	CALPERS RETIREMENT CONTRIBUTIONS	PERS CONTRIBUTIONS - PAY PERIOD 2021-10-29	WIRE	110,353.51
1000165546042	11/05/2021	CALPERS SURVIVOR - EMPLOYEE	PERS CONTRIBUTIONS - PAY PERIOD 2021-10-29	WIRE	150.66
1000016605293	11/04/2021	PERS 457- ROTH CONTRIBUTIONS	PERS 457 CONTRIBUTIONS - PAY PERIOD 2021-10-29	WIRE	1,000.00
1000166052932	11/04/2021	CALPERS 457 CONTRIBUTIONS	PERS 457 CONTRIBUTIONS - PAY PERIOD 2021-10-29	WIRE	25,851.97
1954160544	11/03/2021	CALIF STATE TAXES	PAYROLL TAXES - PAY PERIOD 2021-10-29	WIRE	23,584.28
19541605442	11/03/2021	CALIF SDI TAXES	PAYROLL TAXES - PAY PERIOD 2021-10-29	WIRE	5,939.85
32217	11/03/2021	FEDERAL TAX PAYMENTS	PAYROLL TAXES - PAY PERIOD 2021-10-29	WIRE	58,901.08
322172	11/03/2021	FICA WITHHELD	PAYROLL TAXES - PAY PERIOD 2021-10-29	WIRE	17,733.01
<b>VIRTUAL PAYMENT PROGRAM</b>					
154	11/04/2021	BOOT BARN INC.	BOOT PURCHASE	VIRTUAL	533.37
155	11/10/2021	BOOT BARN INC.	BOOT PURCHASE	VIRTUAL	369.73
156	11/10/2021	CINTAS CORPORATION	UNIFORMS	VIRTUAL	2,201.96
157	11/10/2021	TOTAL CARE FAMILY MED CTR LE	PRE-EMPLOYMENT & EMPLOYEE TESTING	VIRTUAL	1,937.00

Reviewed By: 

Date: 11/16/2021

DATE: November 23, 2021

TO: Board of Directors

FROM: General Manager

**SUBJECT: SIDE LETTER AGREEMENT TO AMEND SECTION 22 OF THE  
MANAGEMENT TEAM ASSOCIATION'S MEMORANDUM OF  
UNDERSTANDING**

## **BACKGROUND**

Staff has met with the Board Representatives of the WESA Management Team Association (MTA) and both parties have agreed to and recommend revision of Section 22 of the current Memorandum of Understanding (MOU) in place between the Water Employee Services Authority (WESA) and the WESA MTA, as it pertains to Merit Increases.

## **RECOMMENDATION**

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

1. Approve Side Letter of Agreement No. 3 between the Water Employee Services Authority and the Water Employee Services Authority Management Team Association, Amending Section 22.A, as follows:

Effective January 1, 2022:

### Section 22. A. Merit Increases

Merit increases are determined based on performance of job duties within an employee's assigned classification as follows:

- 1) If the overall performance rating is determined to be satisfactory/competent (3.00-3.49), a merit increase of 2.5% will be recommended by the employee's supervisor or department head.
- 2) If the overall performance rating is determined to exceed satisfactory standards (3.50-3.99), a merit increase of 5% will be recommended by the employee's supervisor or department head.
- 3) If the overall performance rating is determined to be exceptional (4.00-4.49), a merit increase of 5%, will be recommended by the employee's supervisor or



department head. Additionally, a one-time, lump sum payment of 2.5% of the employee's annual compensation will be paid to the employee.

- 4) If the overall performance rating is determined to be superior/role model (4.50-5.00), a merit increase of 5% will be recommended by the employee's supervisor or department head. Additionally, a one-time, lump sum payment of 3% of the employee's annual compensation will be paid to the employee.

An employee who has attained the highest step within their classification range, if the overall rating of their annual performance evaluation is rated as an exceeds standards or higher, a one-time lump sum payment of 2.5% of the employee's current annual salary will be paid to the employee, subject to the approval of the General Manager.

Remove – Merit increases will not be given to an employee who has attained the highest step within their range.

#### **ENVIRONMENTAL WORK STATUS**

Not applicable.

#### **FISCAL IMPACT**

Within Budget

Originated by: Jennifer Dancho – Human Resources

Reviewed by: Terese Quintanar – Administration

Attachments:

Side Letter No. 3

**SIDE LETTER OF AGREEMENT NO. 3 BETWEEN WATER EMPLOYEE SERVICES AUTHORITY AND THE WATER EMPLOYEE SERVICES AUTHORITY MANAGEMENT TEAM ASSOCIATION**

This side letter is to the referenced Memorandum of Understanding (MOU), effective January 1, 2018, amended as follows:

Section 22. A. Merit Increases

*Merit increases are determined based on performance of job duties within an employee's assigned classification as follows:*

- 1) If the overall performance rating is determined to be satisfactory/competent (3.00-3.49), a merit increase of 2.5% will be recommended by the employee's supervisor or department head.*
- 2) If the overall performance rating is determined to exceed satisfactory standards (3.50-3.99), a merit increase of 5% will be recommended by the employee's supervisor or department head.*
- 3) If the overall performance rating is determined to be exceptional (4.00-4.49), a merit increase of 5%, will be recommended by the employee's supervisor or department head. Additionally, a one-time, lump sum payment of 2.5% of the employee's annual compensation will be paid to the employee.*
- 4) If the overall performance rating is determined to be superior/role model (4.50-5.00), a merit increase of 5% will be recommended by the employee's supervisor or department head. Additionally, a one-time, lump sum payment of 3% of the employee's annual compensation will be paid to the employee.*

*An employee who has attained the highest step within their classification range, if the overall rating of their annual performance evaluation is rated an exceeds standards or higher, a one-time lump sum payment of 2.5% of the employee's current annual salary will be paid to the employee, subject to the approval of the General Manager.*

*Remove – Merit increases will not be given to an employee who has attained the highest step within their range.*

This side letter agreement is being executed as an integral part of the MOU between the Water Employee Services Authority and the Water Employee Services Authority Management Team

Association, effective January 1, 2022. Except as herein modified, the aforesaid MOU shall remain in full force and effect during the remainder of its term.

\_\_\_\_\_  
William Graham  
President, WESA MTA

\_\_\_\_\_  
Phil Williams  
President, WESA Board of Directors

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

DATE: November 23, 2021

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 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. 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.

On November 9, 2021, Board of Directors of the Water Employee Services Authority (WESA) adopted Resolution No. 21-02, in order to continue to hold its Board Meetings held virtually, pursuant to AB 361 and Government Code section 54953(e). WESA has again reconsidered the circumstances of the state of emergency and in light of state or local officials' continued recommendations to promote social distancing, desires to continue the option to hold its meetings virtually, through December 23, 2021. The attached resolution being presented for the Board's consideration reaffirms and extends the findings and determinations made by Resolution No. 21-02, under AB 361 for continued virtual meetings. If necessary, the Board can renew the resolution every 30 days.

## **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: Terese Quintanar – Administration

Reviewed by: Christy Gonzalez – Administration

Attachments:

Draft Resolution

RESOLUTION 2021-03

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. 2021-02 on November 9, 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 desires to continue to hold virtual meetings as directed by the Board pursuant to AB 361 and Government Code section 54953(e).

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 23rd day of November, 2021.

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Phil Williams, President of the Board of  
Directors of the Water Employee Services  
Authority

ATTEST:

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