

WESA

AGENDA

THE WATER EMPLOYEE SERVICES AUTHORITY (“WESA”)
BOARD OF DIRECTORS
ADJOURNED REGULAR MEETING
December 16, 2021
9:00 AM

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

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. ELECTION OF OFFICERS

- A. Election of Board Officers for 2022

II. 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 23, 2021
2. Payment Ratification Report
3. Adoption of a Resolution Reaffirming and Extending Findings and Determinations Under AB 361 For Continued Virtual Meetings
4. Adoption of a Resolution Amending the Timing of the Employer Contribution Under the Authority’s 401(A) Plan

III. 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

VI. 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.

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: 834 2390 6099
Meeting Password: 92530

For Call-in Only:

Call: (720) 707 2699
Enter Meeting ID: 834 2390 6099
Meeting Password: 92530

31315 Chaney Street, Lake Elsinore, CA
Board Room

12/9/21 4:58 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.

DATE: December 16, 2021
TO: Board of Directors
FROM: General Manager
SUBJECT: ELECTION OF BOARD OFFICERS FOR 2022

BACKGROUND

Article II, Section 6 of the Joint Powers Agreement creating WESA states that the Board shall elect a President and Vice-President from among the Directors, and shall appoint a Secretary who may, but need not, be a Director. The Assistant General Manager of Business Services, Robert Hartwig is appointed as Treasurer through the Agreement and performs the duties set forth. Previously, Terese Quintanar has been appointed as Secretary for WESA.

The officers shall perform the duties normal to such offices.

RECOMMENDATION

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

1. Nominate and Elect a President of the Board to serve until December 2022;
2. Nominate and Elect a Vice President of the Board to serve until December 2022; and,
3. Appoint a Secretary.

ENVIRONMENTAL WORK STATUS

Not applicable.

FISCAL IMPACT

Not applicable.

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

Attachments:

None.

**MINUTES OF SPECIAL MEETING
WATER EMPLOYEE SERVICES AUTHORITY (“WESA”)
BOARD OF DIRECTORS
TUESDAY, NOVEMBER 23, 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

Phil Williams, President
Darcy M. Burke, Vice President
Harvey Ryan, Treasurer
Chance Edmondson

Directors Absent

Andy Morris

Staff Present

Bob Hartwig, Treasurer
Steve Anderson, General Counsel
Terese Quintanar, District Secretary/Administrative Services Supervisor
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
Darryn Flexman, Interim Director of Information Technology
Tim Collie, Water Operations Manager
Matt Bates, Engineering Manager
Bonnie Woodrome, Community Affairs Supervisor
Jessie Arellano, Wastewater Operations Manager
Haley Munson, Water Efficiency Specialist
Kaitlyn Wu, Water Education Specialist
Kelia Jones, Engineering Project Coordinator

Others Present

Public

CALL TO ORDER

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

APPROVAL OF AGENDA

A motion was made by Vice President Burke, seconded by Director Edmondson, 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

Resolution No. 2021-03

- 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. 2021-03*)

This item was opened to public comment and there were none.

A motion was made by Vice President Burke, seconded by Director Edmondson, and carried unanimously to:

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

ITEM II. REPORTS

- A. General Manager’s Report
Mr. Hartwig 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 4:04 p.m.

Phil Williams, 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 11/11/2021 through 12/02/2021

Check or Reference #	Payment Date	Paid to Vendor	Payment Description	Pmt Type	Payment Amount
ACH					
2388	11/18/2021	EMPLOYEE ASSOCIATION	EMPLOYEE ASSOCIATION DUES	ACH	1,674.00
2389	11/18/2021	ISOLVED BENEFIT SERVICES	EMPLOYEE FSA MEDICAL	ACH	3,523.22
2390	11/18/2021	ISOLVED BENEFIT SERVICES	FBA MONTHLY ADMIN - NOV 2021	ACH	217.25
2391	11/18/2021	MANAGEMENT TEAM ASSOCIATION	MANAGEMENT TEAM ASSOCIATION DUES	ACH	270.00
2392	11/18/2021	US BANK	VIRTUAL PAYMENT PROGRAM - NOV 2021	ACH	6,896.66
2393	11/24/2021	ISOLVED BENEFIT SERVICES	COBRA NOTICES	ACH	1,209.60
2394	12/02/2021	COMPLETE GYM SOLUTIONS LLC	EQUIPMENT RENTAL - DEC 2021	ACH	1,201.69
2395	12/02/2021	EMPLOYEE ASSOCIATION	EMPLOYEE ASSOCIATION DUES	ACH	1,674.00
2396	12/02/2021	EMPLOYMENT SCREENING SERVICES	EMPLOYMENT SCREENING SERVICES	ACH	396.00
2397	12/02/2021	ISOLVED BENEFIT SERVICES	EMPLOYEE FSA MEDICAL	ACH	3,523.22
2398	12/02/2021	MANAGEMENT TEAM ASSOCIATION	MANAGEMENT TEAM ASSOCIATION DUES	ACH	270.00
CHECKS					
138528	11/18/2021	AFLAC INSURANCE GROUP	AFLAC PRETAX GROUP INSURANCE	CHECK	203.57
138529	11/18/2021	AFLAC	AFLAC PRETAX GROUP INSURANCE	CHECK	829.24
138530	11/18/2021	ARRIAGA, RAFAEL	CERTIFICATION REIMBURSEMENT	CHECK	105.00
138531	11/18/2021	EMPLOYMENT DEVELOPMENT DEPT	CONFIDENTIAL GARNISHMENT	CHECK	268.38
138532	11/18/2021	EMPLOYMENT DEVELOPMENT DEPT	CONFIDENTIAL GARNISHMENT	CHECK	75.00
138533	11/18/2021	ERIK REDMOND	DEPOSIT FOR SERVICES - ANNUAL AWARDS BANQUET	CHECK	411.25
138534	11/18/2021	GARCIA, ROSALINA	CONFIDENTIAL GARNISHMENT	CHECK	474.52
138536	11/18/2021	LEGALSHIELD	PRE PAID LEGAL SERVICE	CHECK	26.68
138537	11/18/2021	LINCOLN FINANCIAL GROUP	EMPLOYEE 457 CONTRIBUTIONS	CHECK	625.00
138538	11/18/2021	LINCOLN NATL LIFE INS COMP	VOLUNTARY LIFE INSURANCE	CHECK	1,409.04
138539	11/18/2021	NATIONWIDE	EMPLOYEE 457 CONTRIBUTIONS	CHECK	2,816.46
138540	11/18/2021	STATE DISBURSEMENT UNIT	CONFIDENTIAL GARNISHMENT	CHECK	197.53
138541	11/18/2021	STATE DISBURSEMENT UNIT	CONFIDENTIAL GARNISHMENT	CHECK	222.00
138542	11/18/2021	STATE DISBURSEMENT UNIT	CONFIDENTIAL GARNISHMENT	CHECK	222.11
138543	11/18/2021	STATE DISBURSEMENT UNIT	CONFIDENTIAL GARNISHMENT	CHECK	111.69
138544	11/18/2021	STATE DISBURSEMENT UNIT	CONFIDENTIAL GARNISHMENT	CHECK	110.76
138545	11/18/2021	TX CHILD SUPPORT SDU	CONFIDENTIAL GARNISHMENT	CHECK	287.54
138546	11/18/2021	VANTAGEPOINT TRANSFER AGENTS	RHS CONTRIBUTIONS – EA FOR PPE 2021-11-12	CHECK	2,423.40
138547	11/18/2021	VANTAGEPOINT TRANSFER AGENTS	RHS CONTRIBUTIONS – MTA FOR PPE 2021-11-12	CHECK	2,017.02
138548	11/24/2021	ACWA JOINT POWERS INS AUTH	MEDICAL COVERAGE - DEC 2021	CHECK	194,842.19
138549	11/24/2021	ARRIAGA, RAFAEL	BOOT PURCHASE	CHECK	253.36
138550	11/24/2021	CYPRESS DENTAL ADMINISTRATORS	DENTAL COVERAGE - DEC 2021	CHECK	20,218.19

Payment Ratification Report

Cash Disbursements for 11/11/2021 through 12/02/2021

Check or Reference #	Payment Date	Paid to Vendor	Payment Description	Pmt Type	Payment Amount
138551	11/24/2021	LA FITNESS INTERNATIONAL LLC	EMPLOYEE GYM MEMBERSHIP	CHECK	2,375.28
138552	11/24/2021	LEARN CPR 4 LIFE INC.	CPR/AED, FIRST AID & BLOODBORNE PATHOGEN TRAINING	CHECK	1,800.00
138553	11/24/2021	MORELOS, SHAWNELE	CERTIFIED CONSTRUCTION MANAGER CERTIFICATION	CHECK	600.00
138555	11/24/2021	TEAM BUILDERS PLUS	CONFLICT & CHAMELEON LEADERSHIP CERTIFICATIONS	CHECK	1,620.00
138556	12/02/2021	AFLAC INSURANCE GROUP	AFLAC PRETAX GROUP INSURANCE	CHECK	203.57
138557	12/02/2021	AFLAC	AFLAC PRETAX GROUP INSURANCE	CHECK	829.24
138558	12/02/2021	CINTAS CORPORATION	FIRST AID SUPPLIES	CHECK	567.96
138559	12/02/2021	ELSINORE VALLEY MWD	HR RENT - NOV 2021	CHECK	532.00
138560	12/02/2021	EMPLOYMENT DEVELOPMENT DEPT	CONFIDENTIAL GARNISHMENT	CHECK	243.62
138561	12/02/2021	EMPLOYMENT DEVELOPMENT DEPT	CONFIDENTIAL GARNISHMENT	CHECK	75.00
138562	12/02/2021	GARCIA, ROSALINA	CONFIDENTIAL GARNISHMENT	CHECK	1,077.47
138563	12/02/2021	LEGALSHIELD	PRE PAID LEGAL SERVICE	CHECK	26.68
138564	12/02/2021	LINCOLN FINANCIAL GROUP	EMPLOYEE 457 CONTRIBUTIONS	CHECK	625.00
138565	12/02/2021	LINCOLN NATL LIFE INS COMP	VOLUNTARY LIFE INSURANCE	CHECK	1,409.04
138566	12/02/2021	NATIONWIDE	EMPLOYEE 457 CONTRIBUTIONS	CHECK	2,816.46
138567	12/02/2021	SMITH, DAVID A.	TRAVEL EXPENSE REIMBURSEMENT	CHECK	108.17
138568	12/02/2021	STATE DISBURSEMENT UNIT	CONFIDENTIAL GARNISHMENT	CHECK	197.53
138569	12/02/2021	STATE DISBURSEMENT UNIT	CONFIDENTIAL GARNISHMENT	CHECK	222.00
138570	12/02/2021	STATE DISBURSEMENT UNIT	CONFIDENTIAL GARNISHMENT	CHECK	222.11
138571	12/02/2021	STATE DISBURSEMENT UNIT	CONFIDENTIAL GARNISHMENT	CHECK	111.69
138572	12/02/2021	STATE DISBURSEMENT UNIT	CONFIDENTIAL GARNISHMENT	CHECK	110.76
138573	12/02/2021	TX CHILD SUPPORT SDU	CONFIDENTIAL GARNISHMENT	CHECK	287.54
138574	12/02/2021	VANTAGEPOINT TRANSFER AGENTS	RHS CONTRIBUTIONS – EA PPE 2021-11-26	CHECK	2,400.32
138575	12/02/2021	VANTAGEPOINT TRANSFER AGENTS	RHS CONTRIBUTIONS – MTA PPE 2021-11-26	CHECK	2,017.02
138576	12/02/2021	WOODROME, BONNIE	TRAVEL EXPENSE REIMBURSEMENT	CHECK	51.07
WIRE TRANSFERS					
0050958432	12/01/2021	CALIF SDI TAXES	PAYROLL TAXES - PAY PERIOD 2021-11-26	WIRE	5,697.45
00509584322	12/01/2021	CALIF STATE TAXES	PAYROLL TAXES - PAY PERIOD 2021-11-26	WIRE	24,631.18
10016584036	11/17/2021	CALPERS RETIREMENT CONTRIBUTIONS	PERS CONTRIBUTIONS - PAY PERIOD 2021-11-12	WIRE	111,381.71
100165840362	11/17/2021	CALPERS SURVIVOR - EMPLOYEE	PERS CONTRIBUTIONS - PAY PERIOD 2021-11-12	WIRE	152.52
10016623765	11/17/2021	CALPERS 457 CONTRIBUTIONS	PERS 457 CONTRIBUTIONS - PAY PERIOD 2021-11-12	WIRE	25,972.06
100166237652	11/17/2021	PERS 457- ROTH CONTRIBUTION	PERS 457 CONTRIBUTIONS - PAY PERIOD 2021-11-12	WIRE	1,000.00
1114341472	11/17/2021	CALIF STATE TAXES	PAYROLL TAXES - PAY PERIOD 2021-11-12	WIRE	25,228.86
11143414722	11/17/2021	CALIF SDI TAXES	PAYROLL TAXES - PAY PERIOD 2021-11-12	WIRE	5,913.01

Payment Ratification Report

Cash Disbursements for 11/11/2021 through 12/02/2021

Check or Reference #	Payment Date	Paid to Vendor	Payment Description	Pmt Type	Payment Amount
11513	12/01/2021	FEDERAL TAX PAYMENTS	PAYROLL TAXES - PAY PERIOD 2021-11-26	WIRE	61,354.97
115132	12/01/2021	FICA WITHHELD	PAYROLL TAXES - PAY PERIOD 2021-11-26	WIRE	18,378.49
73129	11/17/2021	FICA WITHHELD	ER TAXES FOR 3RD PARTY SICK PAY PAYMENT	WIRE	25.38
73138	11/17/2021	FEDERAL TAX PAYMENTS	PAYROLL TAXES - PAY PERIOD 2021-11-12	WIRE	62,447.79
731382	11/17/2021	FICA WITHHELD	PAYROLL TAXES - PAY PERIOD 2021-11-12	WIRE	18,539.72
VIRTUAL PAYMENT PROGRAM					
158	11/18/2021	BOOT BARN INC.	BOOT PURCHASE	VIRTUAL	200.00
159	11/18/2021	CINTAS CORPORATION	UNIFORMS	VIRTUAL	952.61
160	11/24/2021	CINTAS CORPORATION	UNIFORMS	VIRTUAL	1,496.64
161	12/02/2021	CINTAS CORPORATION	UNIFORMS	VIRTUAL	969.22

Reviewed By: 

Date: Dec 7, 2021

DATE: December 16, 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 23, 2021, the Board of Directors of the Water Employee Services Authority (WESA) adopted Resolution No. 2021-02, reaffirming its need to continue to hold its Board Meetings virtually, pursuant to AB 361 and Government Code section 54953(e). Resolution No. 2021-02 established this protocol for 30 days, or through December 23, 2021. The need to determine and reaffirm intentions to continue to promote social distancing has again been reconsidered and the attached resolution is being presented would further extend the findings and determinations for continued virtual meetings through January 16, 2022. Being that the next regularly scheduled meeting is scheduled for January 13, 2022, staff recommends adoption of the resolution at this time.

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

None.

Originated by: Terese Quintanar – Administration

Reviewed by: Christy Gonzalez – Administration

Attachments:

Resolution

RESOLUTION 2021-xx

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 16th day of December , 2021.

, 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

DATE: December 16, 2021

TO: Board of Directors

FROM: General Manager

**SUBJECT: CONSIDER ADOPTION OF A RESOLUTION AMENDING
THE TIMING OF THE EMPLOYER CONTRIBUTION UNDER
THE AUTHORITY'S 401(A) PLAN**

BACKGROUND

In October of this year, the Board took action to approve amendments to the General Manager Employment Agreement. One of the amendments was the addition of a 401(a) supplemental retirement plan with specific terms and conditions, and an annual contribution established for the five years ahead. The contract for the 401(a) provision was reviewed by the Authority's Legal Counsel and it was determined that the contract can remain in place with one exception. A correction is required to update the contribution date of September 30th, paralleling the anniversary date in the current General Manager Employment Agreement. Legal Counsel and staff recommend adoption of the resolution in order to ensure timely that contributions are reported for this calendar year.

RECOMMENDATION

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

1. Adopt a Resolution Amending the Timing of the Employer Contribution Under the Authority's 401(A) Plan

ENVIRONMENTAL WORK STATUS

Not applicable.

FISCAL IMPACT

Within Budget.

Originated by: Jen Dancho – HR

Reviewed by: Terese Quintanar – Administration

Attachments:

Resolution

RESOLUTION NO. 21-xx

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
WATER EMPLOYEE SERVICES AUTHORITY AMENDING
THE TIMING OF THE EMPLOYER CONTRIBUTION UNDER
THE AUTHORITY'S 401(A) PLAN

WHEREAS, effective January 1, 2016, the Board of Directors of the Water Employee Services Authority established a 401(a) Plan for certain employees; and

WHEREAS, the Plan currently indicates that employer contributions shall be made on the first day of each year of participation, commencing February 25, 2016, and continuing on each anniversary thereafter; and

WHEREAS, the Plan is not clear as to whether the employer contribution for a newly participating employee shall be on the first day of each year of the respective employee's participation or on February 25 of each year; and

WHEREAS, the Board of Directors intends to clarify that the Authority's employer contribution shall be on the first day of each respective employee's participation and each annual anniversary thereafter; and

WHEREAS, the Board of Directors intends to further clarify that Authority's employer contribution on the first day of the participating year shall be for the entirety of the year and no amounts shall be prorated throughout the year.

NOW THEREFORE, the Board of Directors of the Water Employee Services Authority RESOLVES as that Section 5.2 of the 401(a) Plan is hereby amended to state:

5.2. Timing of Employer Contribution. Contributions made pursuant to Section 5.1 shall be made on the first day of each year participation, commencing with the date that an employee first participates and continuing on each anniversary thereafter. The contribution for each year shall constitute the full contribution for the entire year and no right to any contribution shall accrue until the contribution date.

BE IT FURTHER RESOLVED, that the initial participation date for employee Greg Thomas shall be deemed to be September 30, 2021, which is the anniversary date of his employment agreement with the Authority.

APPROVED, ADOPTED AND SIGNED this 16th day of December 2021.

, 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