

**MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE
BISHOP AREA WASTEWATER AUTHORITY
HELD ON
Tuesday, July 21, 2020
Via Zoom Teleconferencing**

In order to minimize the spread of the COVID-19 virus Governor Newsom had issued Executive Orders that temporarily suspended certain requirements of the Brown Act, and this Board Meeting was held Via Zoom Teleconferencing. The Board Members and Staff were provided with a call-in number, computer link and meeting number to be able to attend this meeting. The Public was able to view the webcast live on the City of Bishop's web link.

CALL TO ORDER

Chair Pachucki called the meeting to order at 8:04 a.m.

PLEDGE OF ALLEGIANCE

Chair Pachucki led the Pledge of Allegiance.

ROLL CALL

PRESENT:

Chair Walt Pachucki
Vice-Chair Stephen Muchovej
Board Member Chris Costello
Board Member Ron Stone

ABSENT:

None

OTHERS PRESENT:

Ron Phillips, Authority Treasurer/Auditor-Controller
Deston Dishion, Authority Administrator
Jennifer Krafcheck, Authority Interim Secretary
Steve Nixon, Eastern Sierra Community Service District Chief Plant Operator
Anita Johnson, Eastern Sierra Community Service District Assistant Office Manager
Robin Picken, City of Bishop Clerk

PUBLIC COMMENT

There was no public comment.

CLOSED SESSION

In accordance with Government Code Section 54957 the Authority Board may adjourn to a closed session regarding Public Employee Appointment, Title: Authority General Counsel.

8:07 a.m. The Authority Board Members adjourned to closed session by leaving the open Zoom meeting and adjourning to a Zoom Breakout Room. Treasurer/Auditor-Controller Phillips and Administrator Dishion also attended the closed session in the Zoom Breakout Room.

8:16 a.m. The Authority Board and Staff reconvened to open session via Zoom.

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CLOSED SESSION – Continued

Report out of Closed Session

Chair Pachucki reported that during the closed session a motion was made by Board Member Stone and seconded by Board Member Costello to have the Bishop Area Wastewater Authority appoint the legal firm of Best, Best, and Krieger, LLC as the Authority's legal counsel effective upon the approval of an agreement for legal services with Best, Best, and Krieger. The vote was as follows: Vice-Chair Muchovej-aye; Board Member Stone-aye; Board Member Costello-aye; Chair Pachucki-aye. The motion carried unanimously: 4-0.

APPROVAL OF LEGAL SERVICES AGREEMENT

The Board reviewed a legal services agreement (Agreement) submitted by Best, Best, and Krieger, LLC. Discussion followed.

Motion

Vice-Chair Muchovej moved to accept the Agreement for Legal Services with Best, Best, and Krieger, LLC. Board Member Costello seconded. Motion carried unanimously: 4-0.

Board Member Costello-aye; Vice-Chair Muchovej-aye; Chair Pachucki-aye;
Board Member Stone-aye.

Administrator Dishion will contact Best, Best, and Krieger to let them know the Agreement was approved, and Administrator Dishion will be the primary point of contact for the Authority.

CONSENT ITEMS:

A. Approval of Minutes of Authority Formation Meeting on June 30, 2020.

B. Sample results from Monitor Wells, 2nd quarter 2020.

There was brief discussion regarding Administrator Dishion graphing the laboratory results for the City's monitoring wells and the District's monitoring wells quarterly for internal review and use.

Motion

Vice-Chair Muchovej moved to approve the Consent Calendar as presented. Board Member Stone seconded. Motion carried unanimously: 4-0.

Board Member Costello-aye; Vice-Chair Muchovej-aye; Chair Pachucki-aye;
Board Member Stone-aye.

UPDATE ON RESOURCE CONCEPTS WORK AND POTENTIAL ADDENDUM TO AGREEMENT / UPDATE ON TIMING OF POTENTIAL ACQUISITION OF PROPERTY FROM LADWP. (Farm Management Plan): Discussion Only.

Administrator Dishion summarized the Staff Report dated July 15, 2020 that was submitted to the Authority Board in the Agenda Packet regarding the Resource Concepts, Inc. (RCI) work regarding irrigation alternatives, and the potential acquisition of property from the Los Angeles Department of Water and Power. Discussion followed. The Eastern Sierra Community Service District will continue working with RCI regarding a potential addendum to the existing agreement regarding a farm management plan and will continue to bill the City of Bishop for half the cost. No action was taken by the Authority Board.

INTERIM BUDGET DISCUSSION

The Authority Board reviewed the process for preparing and adopting the Interim Budget for the Authority. Section 6.2.1 of the JPA Agreement provides that the Authority Board shall, within

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INTERIM BUDGET DISCUSSION - Continued

one hundred and twenty (120) days of the Effective Date of the JPA Agreement, approve an interim budget, which shall constitute the operating budget until the Annual Budget is adopted. The JPA was effective on June 25, 2020. Accordingly, the Interim Budget must be adopted no later than October 23, 2020.

Administrator Dishion reviewed with the Authority Board items to be included in the 2020-2021 Interim Budget including testing, and professional services such as land appraisal, environmental efforts, legal services, and insurance. The proposed irrigation project and possible sewer diversion project were also considered. Discussion continued. No action was taken by the Authority Board.

Later in the meeting the Board discussed the timing of the interim budget adoption. The Board will meet for a Special Meeting on September 22, 2020 at 8:00 a.m. to discuss a draft interim budget

INFORMATIONAL ITEMS:

A. Maps of Discharge Areas and Irrigated Areas: The Authority Board reviewed the maps of the discharge areas, and current and future irrigation areas.

B. Plant overview of the Bishop Treatment Plant and the ESCSD Treatment Plant: Eastern Sierra Community Service District Chief Plant Operator Nixon and Authority Administrator/City of Bishop Public Works Director Dishion gave presentations regarding the District's and City's wastewater treatment plants and processes.

DISCUSSION REGARDING FUTURE ACTIONS - The Authority Board discussed the general purpose of the Authority and timing of and activities related thereto for purposes of identifying future Board actions as follows:

- Adoption of Bylaws
- Insurance Coverage: Liability coverage for property and operations, future bonding for Authority Officers and Treasurer/Auditor Controller
- Adoption of Conflict of Interest Code (within 180 days of the effective date of the JPA Agreement)
- Adoption of Policies and Procedures

The Authority Board determined that legal counsel should be able to provide the documents for approval by the Authority Board in time to meet the requirement deadlines. The Authority Board Members will submit their Statements of Economic Interests Form 700s to the Inyo County Clerk-Recorder.

FUTURE AGENDA ITEMS

The Authority Board discussed future agenda items including adoption of bylaws, insurance coverage, adoption of a Conflict of Interest Code, adoption of policies and procedures, adopting the interim budget, and a progress report regarding Resource Concepts, Inc. Earlier in the meeting Administrator Dishion had mentioned that City of Bishop Public Works Secretary Michele Rhew would be willing to serve as Secretary to the Bishop Area Wastewater Authority Board (which may be a future agenda item).

ADDITIONAL BOARD AND STAFF REPORTS

Administrator Dishion and District Chief Plant Operator Nixon reported they met with Jehiel Cass, Senior Water Resources Control Engineer for the State Water Resources Control Board-Lahontan Region.

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ADDITIONAL BOARD AND STAFF REPORTS - Continued

Administrator Dishion reported that there is a lot of funding available for water districts and may be available for wastewater agencies. Discussion followed regarding possible avenues of funding including the Bishop Paiute Tribe (a customer of the District) and Inyo-Mono Integrated Regional Water Management Program (IRWMP).

ADJOURNMENT

Chair Pachucki adjourned the meeting at 9:33 a.m. to the Special Meeting to be held on Tuesday, September 22, 2020 at 8:00 a.m. in the City of Bishop City Council Chambers unless it is held via Zoom Teleconferencing due to COVID-19 concerns. Information will be listed on the Special Meeting Agenda to be posted at least 24 hours prior to the Special Meeting.

Jennifer Krafcheck
Interim Secretary