

**VALLEY SANITARY DISTRICT  
MINUTES OF REGULAR BOARD MEETING  
July 28, 2020**

**\*\*\*\*\*SPECIAL NOTICE – Telephonic Accessibility\*\*\*\*\***

*Pursuant to Paragraph 11 of Executive Order N-25-20, executed by the Governor of California on March 12, 2020, as a response to mitigating the spread of coronavirus known as COVID-19, during the July 28, 2020 regular meeting of Valley Sanitary District Board of Directors, members of the public will be allowed to attend and address the Board of Directors during the open session of the meeting telephonically.*

***Members of the public wanting to listen to the open session of the meeting were able to do so by calling (425) 436-6376 and when prompted, enter access code 166514. Members of the public wanting to address the Board, either during public comment or for a specific agenda item, or both, were requested to send an email notification no later than 12:30 p.m. on the day of the meeting to the Valley Sanitary District's Clerk of the Board at [hgould@valley-sanitary.org](mailto:hgould@valley-sanitary.org).***

A regular Board Meeting of the Governing Board of Valley Sanitary District (VSD) was held at the District offices, 45-500 Van Buren Street, Indio, California, on Tuesday, July 28, 2020.

**1. CALL TO ORDER**

Vice President Scott Sear called the meeting to order at 1:00 p.m.

**1.1 Roll Call**

Directors Present:

Debra Canero, Dennis Coleman (via telephone), Mike Duran, Scott Sear, William Teague

Staff Present:

Beverli Marshall, General Manager, Holly Gould, Jeanette Juarez, James Mills  
Via Telephone: Ron Buchwald, Robert Hargreaves, Best Best & Krieger

**1.2 Pledge of Allegiance**

**1.3 New Employee Introduction**

- Jeanette Juarez, Business Services Manager

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The Board welcomed the District's newest staff member, Jeanette Juarez, Business Services Manager.

**2. PUBLIC COMMENT**

*This is the time set aside for public comment on any item not appearing on the agenda. Please notify the Secretary in advance of the meeting if you wish to speak on a non-hearing item.*

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None.

### **3. CONSENT CALENDAR**

- 3.1 Approve July 14, 2020 Regular Meeting Minutes
- 3.2 Approve Warrants for July 9 to 22, 2020
- 3.3 Accept Summary of Cash and Investments for June 2020
- 3.4 Accept Combined Monthly Account Summary for June 2020
- 3.5 Accept Monthly Income Summary for June 2020

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#### **ACTION TAKEN:**

**MOTION:** President Duran a motion to approve the consent calendar as presented. Director Teague seconded the motion. Motion carried unanimously.

**MINUTE ORDER NO. 2020-3028**

### **4. PUBLIC HEARING**

- 4.1 Public Hearing to Determine Certain Accounts to be Delinquent and Directing the Placement of These Accounts on the Property Tax Rolls for Collection
  - ✓ General Notice and Call
  - ✓ President Announces Public Hearing Procedures
  - ✓ General Manager's Report
  - ✓ President Declares Public Hearing Open
  - ✓ Public Comments
  - ✓ President Declares Public Hearing Closed
  - ✓ Board Discussion

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Vice President Sear asked Ms. Marshall to give a summary of the actions leading up to the Public Hearing. Ms. Marshall stated that Pursuant to Government Code Section 6062a, a notice has been given of the Public Hearing, regarding the Resolution 2020-1135 Determining Certain Accounts to be Delinquent and Directing the Placement of these accounts on the County Property Tax Roll for Collection. The Property Owners were directly mailed a Notice of the Public Hearing and a Notice of Public Hearing was duly published on the Valley Sanitary District website. Vice President Sear read the procedures to be followed during the hearing and asked Ms. Marshall to summarize any written communications regarding the public hearing. Ms. Marshall informed the Board that there were none. Vice President Sear declared the Public Hearing open at 1:09 p.m. and asked Ms. Marshall to give a brief staff report which would be followed by any public testimony. Being no comments from the public, Vice President Sear declared the Public Hearing closed at 1:13 p.m. The board thanked staff for their hard work in keeping the delinquencies so low year after year.

**"A RESOLUTION OF THE BOARD OF DIRECTORS OF VALLEY SANITARY DISTRICT DETERMINING CERTAIN ACCOUNTS TO BE DELINQUENT AND**

**DIRECTING THE PLACEMENT OF THESE ACCOUNTS ON THE COUNTY PROPERTY TAX ROLL FRO COLLECTION.”**

**ACTION TAKEN:**

**MOTION:** Director Teague made a motion to approve Resolution No. 2020-1135, Determining Certain Accounts to be Delinquent and Directing the Placement of These Accounts on the County Tax Rolls. Director Teague seconded the motion. Motion carried by the following roll call vote:  
AYES: Canero, Coleman, Duran, Sear, Teague  
NOES: None  
ABSENT: None  
ABSTAIN: None  
**RESOLUTION NO. 2020-1135**

**5. NON-HEARING ITEMS**

**5.1 Authorize the Purchase of a Solar Bee Mixer in an Amount Not to Exceed \$47,767**

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The purchase of the Solar Bee Mixer will allow staff to remove at least one 25hp aerators that run 24 hours a day which will result in an annual saving of approximately \$20,367. Due to the District's lowered TSS effluent limits for the pond treatment system in the new NPDES permit, the purchase and installation of the mixer will allow for a complete mix of pond 3 and mitigate the growth of unwanted excessive algae, odors associated with algae blooms, and BOD. It is recommended to purchase a SB10000 v20 Solar Bee Mixer from IXOM for a not to exceed amount of \$47,767.

**ACTION TAKEN:**

**MOTION:** Secretary Canero made a motion to approve the purchase a SB10000 v20 Solar Bee Mixer from IXOM for a not to exceed amount of \$47,767. Director Teague seconded the motion. Motion carried by the following roll call vote:  
AYES: Canero, Coleman, Duran, Sear, Teague  
NOES: None  
**MINUTE ORDER NO. 2020-3029**

**5.2 Approve First Amendment to Employment Agreement with Beverli A. Marshall, General Manager, Increasing the General Manager's Salary Pursuant to Employment Agreement, and Adopt the Amended VSD Wage Schedule**

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The current employment agreement with the General Manager includes language requiring an annual performance evaluation as well as a merit increase upon achievement of a satisfactory evaluation. The performance evaluation was completed on July 14, 2020, and the General Manager's performance was determined to be satisfactory. The Board authorized a 3% merit increase in addition to the COLA that was granted to all District employees, which is 1% as of July 1, 2020.

**ACTION TAKEN:**

**MOTION:** Director Teague made a motion to approve the first amendment to the employment agreement and adopt the amended VSD Wage

Schedule to reflect the updated General Manager salary. Secretary Canero seconded the motion. Motion carried by the following roll call vote:

AYES: Canero, Coleman, Duran, Sear, Teague

NOES: None

**MINUTE ORDER NO. 2020-3030**

- 5.3 Letter from Colorado River Basin Regional Water Quality Control Board Notifying of Order WQ-2020-0015-DWQ Requiring VSD to Submit Information on Per- and Polyfluoroalkyl Substances

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Staff received a letter from Colorado River Basin Regional Water Quality Control Board stating that the District is a potential receiver of per-and polyfluoroalkyl substances (PFAS) and requires the District to submit technical reports and analytical data to investigate PFAS as specified. This is an information only item.

- 5.4 Riverside LAFCO Confirming Spheres of Influence for Coachella Valley/Eastern County Regions Water and Wastewater Agencies

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At their April 23, 2020 meeting, the Riverside Local Agency Formation Commission reviewed and approved Resolution No. 06-20, confirming Valley Sanitary District's sphere of influence. This is an information only item.

**6. GENERAL MANAGER'S ITEMS**

*General Manager's items not listed are for discussion only; no action will be taken without an urgency vote pursuant to State law.*

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Ms. Marshall passed out the new VSD logo polo shirts to the directors. She informed the board that she will be a presenter at the ICMA virtual annual conference in September, presenting on Neurodiversity. She also informed the board that she emailed them a workplace profile assessment.

**7. DIRECTOR'S ITEMS**

*Director's items not listed are for discussion only; no action will be taken without an urgency vote pursuant to State law*

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Director Coleman updated the Board on the EVRA meeting of July 20, 2020, where the joint powers authority approved a contract with Geoscience to move forward with a study that will decide whether spreading or injection will be most efficient way to move forward with the Recycled Water Project.

**8. INFORMATIONAL ITEMS**

- 8.1 August is recognized as Water Quality Month. You can find out more information at <http://nationalwaterqualitymonth.org/> and <https://www.epa.gov/environmental-topics/water-topics>.

**9. PUBLIC COMMENT**

*This is the time set aside for public comment on any item to be discussed in Closed Session. Please notify the Secretary in advance of the meeting if you wish to speak on an item*

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None.

**10. CONVENE IN CLOSED SESSION**

*Items discussed in Closed Session comply with the Ralph M. Brown Act.*

10.1 Pursuant to Government Code Paragraph (1) of Subdivision (d) of Section 54956.9  
Conference with Legal Counsel – Existing Litigation  
Valley Sanitary District v. One Stop Shoppe

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The Board adjourned to closed session at 1:57 p.m.

**11. CONVENE IN OPEN SESSION**

*Report out on Closed Session items*

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The board reconvened to open session at 2:12 p.m. Vice President Sear stated there was nothing to report.

**12. ADJOURNMENT**

There being no further business to discuss, the meeting was adjourned at 2:13 p.m. The next regular board meeting will be held August 14, 2020.

Respectfully submitted,

Holly Gould, Clerk of the Board  
Valley Sanitary District