

**VALLEY SANITARY DISTRICT
MINUTES OF REGULAR BOARD MEETING**

June 14, 2022

A regular Board Meeting of the Governing Board of Valley Sanitary District (VSD) was held on Tuesday, June 14, 2022, at 45-500 Van Buren St., Indio, CA 92201.

1. CALL TO ORDER

President Sear called the meeting to order at 1:02 p.m.

1.1 Roll Call

Directors Present:

Debra Canero, Dennis Coleman, Mike Duran, Scott Sear, William Teague

Staff Present:

Beverli Marshall, Holly Gould, Jeanette Juarez, Dave Commons, Ron Buchwald, Tino Tijerina, Matthew Pittelli, Bob Hargreaves, Best Best & Krieger, and Craig Hayes, Best Best & Krieger

1.2 Pledge of Allegiance

1.3 June Employee Anniversaries

- Andy Boyd, Wastewater Operator III – 13 years
- Nick Castaneda, Collections System Tech II – 8 years
- Beverli Marshall, General Manager – 3 years

The Board of Directors thanked Andy, Nick, and Beverli of their years of service and continued commitment to Valley Sanitary District.

2. PUBLIC COMMENT

This is the time 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.

None.

3. CONSENT CALENDAR

**3.1 Approve Minutes for May 24, 2022, Regular Meeting
Approve Revised Minutes from October 12, 2021 Regular Meeting**

3.2 Approve Warrants for May 18, 2022, through June 8, 2022

3.3 Receive Quarterly Investments Report for Period Ending March 31, 2022

ACTION TAKEN:

MOTION:

Director Duran motioned to approve the consent calendar as presented. Director Teague seconded the motion. Motion carried by the following roll call vote:

AYES: Canero, Coleman, Duran, Sear, Teague

NOES: None

MINUTE ORDER NO. 2022-3201

PUBLIC COMMENT

This is the time set aside for public comment on any item discussed in Closed Session.

None.

4. PUBLIC HEARING ITEMS

4.1 Adopt Resolution No. 2022-1164 Establishing Fees & Charges for District Services for Fiscal Year Ending June 30, 2023

4.2 Adopt Resolution No. 2022-1165 Establishing the Gann Appropriations Limit for Fiscal Year Ending June 30, 2023

President Sear asked Ms. Marshall to give a brief summary of the actions leading up to the Public Hearing. Ms. Marshall stated that in pursuant to Government Code Section 6062a, a notice of the Public Hearing was published in the Desert Sun newspaper on May 19, 2022 and May 26, 2022. President Sear read the procedures to be followed during the hearing and asked Ms. Marshall to summarize any written communications regarding proposed Resolutions 2022-1164 and 2022-1165. Ms. Marshall informed the Board that no written communication had been received. President Sear declared the Public Hearing open at 1:18 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, President Sear declared the Public Hearing closed at 1:22 p.m. Discussion took place on amending the fees and charges for District services and establishing the Gann appropriations limits for fiscal year 2022/23. It was the consensus of the board to adopt Resolution No. 2022-1164, Establishing Fees & Charges for District Services for Fiscal Year 2022-1164 and to adopt Resolution No. 2022-1165, Establishing the Gann Appropriations Limit for Fiscal Year 2022/23.

**“A RESOLUTION OF THE BOARD OF DIRECTORS OF VALLEY SANITARY DISTRICT
AMENDING FEES AND CHARGES FOR DISTRICT SERVICES FOR FISCAL YEAR 2022/23”**

**“A RESOLUTION OF THE BOARD OF DIRECTORS OF VALLEY SANITARY DISTRICT
ESTABLISHING THE ANNUAL APPROPRIATIONS LIMIT FOR FISCAL YEAR 2022/23”**

ACTION TAKEN:

MOTION:

Secretary/Treasurer Coleman made a motion to adopt Resolution 2022-1164 establishing fees and charges for District Services for Fiscal Year 2022/23.

Director Teague seconded the motion. Motion carried by the following roll call vote:

AYES: Canero, Coleman, Duran, Sear, Teague

NOES: None

RESOLUTION NO. 2022-1164

ACTION TAKEN:

MOTION:

Secretary/Treasurer Coleman made a motion to adopt Resolution 2022-1165 establishing the Gann annual appropriations limit for Fiscal Year 2022/23.

Director Teague seconded the motion. Motion carried by the following roll call vote:

AYES: Canero, Coleman, Duran, Sear, Teague

NOES: None

RESOLUTION NO. 2022-1165

5. NON-HEARING ITEMS

5.1 Adopt Resolution 2022-1166 Approving the Comprehensive Budget for Fiscal Year 2022/23

The action for approval and adoption of the annual budget is completed in June of each calendar year. On April 19, 2022, the District held a detailed budget workshop and presentation for the Board of Directors to review and allow for modifications. The proposed Operating and Capital budgets for fiscal year 2022/23 are \$16,189,077 and \$33,545,663 respectively. The Operating budget encompasses such costs as salaries, operating supplies, loan payments, insurance premiums, and other overhead costs to run day-to-day operations. The Capital budget incorporates key projects to further advance the District's Capital Improvement Program (CIP). There are 20 capital projects requested in the fiscal year 2022/23 that include the Recycled Water Project Phase I Design Build, the Influent Pump Station Rehabilitation Project and the Collection System Sewer Main Rehabilitation and Replacement Program. Staff believes the budget reflects a concentrated effort of fiscal responsibility while continuing the operating and capital requirements necessary to move the district forward in its mission of treating and recycling wastewater to ensure a healthy environment and sustainable water supply. Secretary Canero requested a change to a job title. Vice President Coleman commended staff on the hard work and process of producing the budget.

**"A RESOLUTION OF THE BOARD OF DIRECTORS OF VALLEY SANITARY DISTRICT
ADOPTING THE OPERATION BUDGET AND CAPITAL BUDGET FOR FISCAL YEAR 2022/23"**

ACTION TAKEN:

MOTION: Vice president Canero made a motion to adopt Resolution No. 2022-1166 approving the Operating and Capital Budget for Fiscal Year 2022/23. Director Duran seconded the motion. Motion carried by the following roll call vote:
AYES: Canero, Coleman, Duran, Sear, Teague
NOES: None
RESOLUTION NO. 2022-1166

5.2 Set a Public Hearing Date for July 26, 2022 – Determining Certain Accounts be Delinquent and Directing the Placement of these Accounts on the Property Tax Rolls for Collection

Annually, District staff review the outstanding invoices of all properties that have not paid their invoices for various fees. To collect the unpaid charges and to ensure adequate procedural due process is provided, a Public Hearing date is required, and notice is sent to each specific property and posted on the district website. At the Public Hearing, recommended for July 26, 2022 the Board of Directors will adopt a resolution allowing the delinquent invoices to be placed on the property tax roll for collection.

ACTION TAKEN:

MOTION: Director Duran made a motion to approve a public hearing date for July 26, 2022, to consider placing delinquent service charges on the county tax rolls. Vice President Coleman seconded the motion. Motion carried by the following roll call vote:
AYES: Canero, Coleman, Duran, Sear, Teague
NOES: None
MINUTE ORDER NO. 2022-3202

5.3 Authorize General Manager to Execute Task Order No. 22-01 with Birdseye Planning Group for CEQA Requirements on the Westward Ho Sewer Siphon Replacement Project for a Total Not to Exceed Amount of \$23,915

In July 2018, the Board awarded a 5-year contract to Birdseye Planning Group to provide environmental and planning services to VSD for various as needed projects. Staff solicited a proposal from Birdseye Planning Group to perform an Initial Study / Mitigated Negative Declaration for the Westward Ho Sewer Siphon Replacement Project, a requirement to meet the CEQA regulatory process prior to going to construction. This project design has been finalized and permitted through CVWD and is awaiting approval from FEMA prior to going through the bidding and award process. Staff has reviewed the proposal and determined it meets the needs of this project and the CEQA requirements. Staff recommends authorizing Task Order No. 22-01 with Birdseye Planning Group for an amount not to exceed \$23,915.

ACTION TAKEN:

MOTION: Director Teague motioned to authorize the General Manager to execute Task Order No. 22-01 with Birdseye Planning Group for a not to exceed amount of

\$23,915. Vice President Canero seconded the motion. Motion carried by the following roll call vote:

AYES: Canero, Coleman, Duran, Sear, Teague

NOES: None

MINUTE ORDER No. 2022-3203

- 5.4 Authorize Increase in Purchase Order to Alfa Laval Inc. for the Purchase of the Sludge Spiral Heat Exchanger for a Total Not to Exceed Amount of \$66,458

On February 22, 2022, the Board approved the purchase a Sludge Spiral Heat Exchanger for an amount not to exceed \$61,110. However, the quote submitted to the Board in February did not include sales tax. To maintain integrity and transparency, staff requests \$5,348 to cover the sales tax due on the purchase.

ACTION TAKEN:

MOTION:

Director Duran motioned to authorize an increase in the purchase order with Alfa Laval Inc. for the Sludge Spiral Heat Exchanger for a total Not to Exceed Amount of \$66,458. Vice President Canero seconded the motion. Motion carried by the following roll call vote:

AYES: Canero, Duran, Sear

NOES: Coleman, Teague

MINUTE ORDER NO. 2022-3204

6. GENERAL MANAGER'S ITEMS

- 6.1 Monthly General Manager's Report – April 2022

Beverli Marshall, General Manager, notified the Board that she had just received word that Senator Padilla has forwarded on the District's Recycled Water Master Plan on for considerations for Community Project Funding. Secretary/Treasurer Coleman thanked staff for streamlining the Development Services Report and the CIP Projects Update.

7. COMMITTEE REPORTS

- 7.1 Operations Committee Meeting – June 7, 2022

Director Duran and Ron Buchwald, Engineering Services Manager, gave a report on the Operations Committee Meeting held June 7, 2022. Committee discussed the Ammonia Removal Project, Influent Pump Station Project, and the Lift Station Assessment from Harris & Associates. Director Duran thanked James Mills, Operations Supervisor and Dave Commons, Facility Operations Manager for thorough explanation and helpful diagram for the Ammonia Removal Project.

8. DIRECTOR'S ITEMS

Secretary/Treasurer Coleman attended the new facility groundbreaking ceremony for Mission Springs Water District. President Sear wished Director Teague a happy birthday.

9. INFORMATIONAL ITEMS

None.

10. PUBLIC COMMENT

This is the time set aside for public comment on any item discussed in Closed Session.

None.

President Sear called for a short recess at 2:09 p.m. The Board of Directors reconvened at 2:19 p.m. Roll call was taken, and all Directors were present.

11. CONVENE IN CLOSED SESSION

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

11.1 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Pursuant to paragraph (2) or (3) of Subdivision (d) of Government Code Section 54956.9 (one potential case – circumstances need not be disclosed pursuant to paragraph (1) of subdivision (e) of Government Code Section 54956.9)

11.2 PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Pursuant to Government Code Section 54957(b)(1)

Title: General Manager

11.3 LABOR NEGOTIATIONS

Pursuant to Government Code Section 54957.6

Title: General Manager

The Board adjourned to Closed Session at 2:20 p.m.

12. CONVENE IN OPEN SESSION

Report out on Closed Session items

The Board reconvened in open session at 3:58 p.m. Legal counsel stated nothing to report. The Board of Directors requested a Special Board Meeting for June 21, 2022 for a Closed Session.

12. ADJOURNMENT

There being no further business to discuss, the meeting adjourned at 4:01 p.m. The next regular Board meeting will be on June 28, 2022.

Respectfully submitted,

Holly Gould, Clerk of the Board
Valley Sanitary District