

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

July 26, 2022

A regular Board Meeting of the Governing Board of Valley Sanitary District (VSD) was held on Tuesday, July 26, 2022, at 45-500 Van Buren St., Indio, CA 92201.

**1. CALL TO ORDER**

President Sear called the meeting to order at 1:00 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, Diego Rivera, Craig Hayes, Best Best & Krieger, and Bob Hargreaves, Best Best & Krieger

**1.2 Pledge of Allegiance**

**1.3 New Employee Introduction**

- Diego Rivera, Collection System Technician-in-Training

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The Board welcomed the District's newest employee, Diego Rivera, Collections System Technician-in-Training.

**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.*

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None.

**3. CONSENT CALENDAR**

3.1 Approve Minutes for July 12, 2022, Regular Meeting, and Minutes for July 20, 2022, Special Meeting

3.2 Approve Warrants for July 6, 2022, through July 19, 2022

3.3 Monthly Financial Report for June 30, 2022

### 3.4 Receive and File Credit Card Report for June 30, 2022

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**ACTION TAKEN:**

**MOTION:** Director Teague motioned to approve the consent calendar as presented. Director Duran seconded the motion. Motion carried by the following roll call vote:  
AYES: Canero, Coleman, Duran, Sear, Teague  
NOES: None  
**MINUTE ORDER NO. 2022-3218**

## 4. PUBLIC HEARING

### 4.1 Adopt a Resolution No. 2022-1167 Declaring Certain Accounts to be Delinquent and Directing Staff to Place These Accounts on the Property Tax Rolls for Collection

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President Sear asked Beverli Marshall, General Manager, 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 2022-1167 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. 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. President Sear declared the Public Hearing open at 1:13 p.m. and asked Ms. Marshall to give a brief staff report followed by any public testimony. Jeanette Juarez, Chief Administrative Officer, reported that there were eight delinquent accounts to be placed on the County Property Tax Rolls for a total of \$4,580.55. Being no comments from the public, President Sear declared the Public Hearing closed at 1:16 p.m.

**“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 FOR COLLECTION.”**

**ACTION TAKEN:**

**MOTION:** Secretary/Treasurer Coleman motioned to adopt Resolution 2022-1167 Declaring Certain Accounts to be Delinquent and Directing Staff to Place These Accounts on the Property Tax Rolls for Collection. Vice President Canero seconded the motion. Motion carried by the following roll call vote:  
AYES: Canero, Coleman, Duran, Sear, Teague  
NOES: None  
**RESOLUTION NO. 2022-1167**

## **5. NON-HEARING ITEMS**

### **5.1 Introduction and Presentation by Townsend Public Affairs, Inc.**

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On June 28, 2022, the Board of Directors approved a contract with Townsend Public Affairs to provide stage legislative advocacy services. Eric O'Donnell of Townsend Public Affairs introduced himself to the Board and presented a company overview, status update from Sacramento, and strategy for the next 12 months.

### **5.2 Request for Approval of Budget Adjustment of \$8,200 for Legal Services for Fiscal Year 2021-22**

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The original amount for legal services with BB&K for Fiscal Year 2021-22 was \$50,625. Due to unanticipated events, which included contract reviews, risk of litigation, review of boilerplate documents, and contract disputes, the District experienced higher costs for the year. The additional services resulted in a cost overage of \$8,200. Increasing the General Manager's authority will allow the District to pay pending invoices through June 30, 2022.

#### **ACTION TAKEN:**

##### **MOTION:**

Vice President Canero motioned to approve the increase to the General Manager's authority to pay invoices for \$8,200 from BB&K for necessary legal services over the previously authorized amount for fiscal year 2021-22. Director Teague seconded the motion. Motion carried by the following roll call vote:

AYES: Canero, Coleman, Duran, Sear, Teague

NOES: None

**MINUTE ORDER NO. 2022-3219**

### **5.3 Award Contract to Dudek Activated Sludge Plant Secondary Water Line**

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Dudek prepared the design and provided construction management for Phase 1 of the Activated Sludge Plant Watermain Replacement project, which was a success. Phase 2 of this project includes replacing two and 4-inch water mains within the deteriorated aeration basins at the end of their useful life. Most of these water mains were installed when the activated sludge plant was constructed in the early 1970s. The second phase will be more challenging due to some water mains existing within the aeration basins. Construction work will need to be synchronized with taking the basins out of use during construction. Dudek recently was awarded an Engineering Services Contract by the Board through the Request for Proposals (RFP) process. Due to the success and knowledge gained during Phase1, Dudek can efficiently deploy for Phase 2. The amount of Task Order 22-01 with Dudek to provide design and construction management on Phase 2 of the Activated Sludge Plant Watermain Replacement Project is not to exceed \$64,625.

#### **ACTION TAKEN:**

**MOTION:** Director Duran motioned to authorize the General Manager to execute Task Order No. 22-01 with Dudek to provide design and construction management on Phase 2 of the Activated Sludge Plant Watermain Replacement Project in an amount not to exceed \$64,625. Secretary/Treasurer Coleman seconded the motion. Motion carried by the following roll call vote:

AYES: Canero, Coleman, Duran, Sear, Teague

NOES: None

**MINUTE ORDER NO. 2022-3220**

5.4 Request for Feedback and Direction Regarding the Valley Sanitary District Investment Policy

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California Government Code Section 53646 requires that all public agencies adopt an investment policy and that the policy be reviewed and approved annually. On August 10, 2021, the District adopted Resolution No. 2021-1151, adopting the District's Investment Policy, and no amendments have been executed. Local Agency Investment Guidelines recommend that the internal treasury staff conduct annual reviews. Staff has reviewed the policy and determined the only updated need for this year is a title change for the Chief Administrative Officer. The updated Investment Policy will be presented for adoption in August.

**6. GENERAL MANAGER'S ITEMS**

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Beverli Marshall reported that she is working with the Coachella Valley History Museum on securing a date for the State of the District Event. The dates available are November 29, 2022, and December 1, 2022. The Board requested staff to find out when the Tamale Festival is scheduled and to consider that when deciding on a date.

**7. COMMITTEE REPORTS**

7.1 Community Engagement Committee – June 29, 2022

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President Sear and Vice President Canero reported to the Board on the Community Engagement Committee meeting held July 19, 2022. The committee discussed the different types of events that the District could attend for outreach, who is the target audience and how to budget for these events.

**8. DIRECTOR'S ITEMS**

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Director Duran requested staff to survey employees on health and wellness services. He also suggested placing someone in the wellness role on a month-to-month basis. He asked that staff bring this to the next board meeting.

**Director Teague left the meeting at 2:12 p.m.**

**9. INFORMATIONAL ITEMS**

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None.

**10. PUBLIC COMMENT -**

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

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None.

**President Sear called for a short recess at 2:14 p.m. The Board of Directors reconvened at 2:22 p.m. Roll call was taken, and all Directors Canero, Coleman, Duran, and Sear were present. Director Teague was absent.**

**11. CONVENE IN CLOSED SESSION**

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

11.1 PUBLIC EMPLOYEE CONTRACT  
Pursuant to Government Code Section 54957(b)(1)  
Title: General Manager

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The Board adjourned to Closed Session at 2:22 p.m.

**11. CONVENE IN OPEN SESSION**

*Report out on Closed Session items*

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The Board reconvened in open session at 2:59 p.m. President Sear stated nothing to report.

**12. ADJOURNMENT**

There being no further business to discuss, the meeting adjourned at 2:59 p.m. The next regular Board meeting will be on August 9, 2022.

Respectfully submitted,

Holly Gould, Clerk of the Board  
Valley Sanitary District