

**VALLEY SANITARY DISTRICT  
MINUTES OF REGULAR BOARD MEETING  
March 28, 2023**

A regular Board Meeting of the Governing Board of Valley Sanitary District (VSD) was held on Tuesday, March 28, 2023, at 45-500 Van Buren St., Indio, CA 92201.

**1. CALL TO ORDER**

President Canero called the meeting to order at 1:00 p.m.

**2. ROLL CALL**

Directors Present:

Jacky Barnum, Debra Canero, Mike Duran, Scott Sear, William Teague

Staff Present:

Ron Buchwald, Holly Gould, Jeanette Juarez, Anna Bell, and Craig Hayes, Best Best & Krieger

Guests Present:

Gloria Franz, Coachella Valley History Museum

**3. PLEDGE OF ALLEGIANCE**

**4. PUBLIC COMMENT – None**

**5. CONSENT CALENDAR**

5.1 Approve Board Meeting Minutes of March 1, 2023, Special Meeting, and March 14, 2023, Regular Meeting

5.2 Approve Warrants for March 28, 2023

5.3 Monthly Revenue & Expense Report for the Period Ending February 28, 2023

5.4 Receive and File Credit Card Report for February 28, 2023

5.5 Disposition of Laboratory Equipment & Supplies

**ACTION TAKEN:****MOTION:**

Secretary/Treasurer Sear motioned to approve the consent calendar as presented. Vice President Duran seconded the motion. Motion carried by the following roll call vote:

AYES: Barnum, Canero, Duran, Sear, Teague

NOES: None

**MINUTE ORDER NO. 2023-3283**

**6. NON-HEARING ITEMS****6.1 Presentation by Coachella Valley History Museum**

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Gloria Franz of the Coachella Valley History Museum gave an update on the installation of the VSD exhibit. Gloria stated that additional signage for the exhibit had been completed. She also suggested that the District provide rack cards instead of a letter-size handout. The exhibit will be added to the docent tour and handbook, and she would like to do a practice run with Staff and the Board before the exhibit goes live. Once the exhibit is ready to be open to the public, the Coachella Valley History Museum website will do a formal launch, including an introduction on its website. The Museum feels it is essential to capture the story of the Valley Sanitary District, including its history and future.

**6.2 Update on Wastewater Epidemiology-Based (WBE) Surveillance**

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Anna Bell, Lab & Environmental Compliance Supervisor, gave a presentation to the Board. She stated that in April 2022, Biobot Analytics was selected as the contract laboratory for the second phase of the 2022 CDC-NWSS program for SARS-Cov-2 (COVID-19) wastewater surveillance. As this program is fully funded through CDC-NWSS grants and federal funding, it was originally projected through mid-January 2023. As the project approached the deadline, the CDC NWSS commercial contract for wastewater sampling was officially extended for an additional six months for COVID-19 and Monkeypox (Mpox) testing. All costs related to the sampling and shipping are covered through the commercial contract of the program. Departments of Public Health continue to have access to the data via CDC's DCIPHER Portal. In August 2022, VSD joined the Stanford-based initiative "WastewaterSCAN" to monitor wastewater epidemiology. Initially, the program was testing for COVID-19, Monkeypox (Mpox), Influenza A, and RSV genetic markers. In December 2022, the program included testing for Influenza B, Norovirus, and Human Metapneumovirus. Philanthropic funding covers the total cost of sampling materials, shipping, and stipends for up to 18 months. Staff continues to provide our stakeholders and community with weekly updates on the VSD website with the results from the CDC NWSS and WastewaterSCAN programs.

**6.3 Approve Additional Funds to be Applied to Blanket Purchas Orders for Single Contract Laboratory Vendors**

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Shortages in laboratory staff and increased sampling requests from operations due to violations for bioassay, cyanide, and elevated copper results used for regulatory and monitoring purposes required

additional samples. Many tests must be performed by an outside laboratory and cannot be done in-house. The additional testing led to purchases from a single vendor (contract laboratory) exceeding this fiscal year's preapproved purchase order expenses. Staff requests a budget adjustment of funds directed towards Caltest for \$15,000 and Enthalpy for \$10,000 to continue services for regulatory sample compliance requests.

**ACTION TAKEN:**

**MOTION:** Director Teague motioned to authorize the Interim General Manager to increase the purchase order funding to complete the compliance requirements for the remainder of the fiscal year. Director Barnum seconded the motion. Motioned carried by the following roll call vote:

AYES: Barnum, Canero, Duran, Sear, Teague

NOES: None

**MINUTE ORDER NO. 2023-3284**

- 6.4 Authorize the Interim General Manager to Submit a Revised Invoice for Sewer Service Fee to the Forager Project, LLC for the Month of December 2022 Based on the Average Annual Equivalent Dwelling Unit (EDU) Equation

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Forager samples Chemical Oxygen Demand (COD), Suspended Solids (SS), and flow monthly as part of the self-monitoring report. Forager is billed quarterly, and for Q4 2022, they submitted significantly elevated lab results in COD and SS, resulting in an invoice amount for December of \$285,910.52. Once Forager received their quarterly bill, they immediately contacted the District to request a reevaluation of the submitted results and the charges. Forager provided a technical memo to help support the cause of the high-bias results. Due to the reporting period window, they indicated they could not retest to verify the results. After reviewing the last two (2) years of data, the District agrees that the evidence submitted supports the possibility of the deviation. Staff is requesting to use the previous calendar year of data as a weighted average for December from \$285,910.52 to \$51,864.78, which is more representative of projected conditions. Staff acknowledges Forager's efforts in maintaining compliance with reporting and submissions and their corrective actions to demonstrate that this is an anomaly.

**ACTION TAKEN:**

**MOTION:** Secretary/Treasurer Sear motioned to authorize the Interim General Manager to submit a revised invoice for sewer service fees to the Forager Project, LLC, for the month of December 2022 based on the average annual Equivalent Dwelling Unit (EDU) equation. Director Teague seconded the motion. Motioned carried by the following roll call vote:

AYES: Barnum, Canero, Duran, Sear, Teague

NOES: None

**MINUTE ORDER NO. 2023-3285**

- 6.5 Discuss Proposition 218 Notice and Additional Opportunities to Educate Ratepayers of Proposed Rate Changes

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Staff requested guidance from the Board regarding public outreach for the rate study, proposed rates, Proposition 218 notices, and upcoming public hearings. The Board discussed performing the marketing and outreach in-house versus hiring a consultant. The Board authorized staff to obtain three quotes for a special marketing project, not to exceed \$30,000.

6.6 Nominate a Representative from VSD to the CSDA Board of Directors – Seat C Southern Network

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At this time, the Board did not wish to nominate a VSD representative for the CSDA Board of Directors – Seat C Southern Network.

6.7 Discussion of Proposed Letter to Indian Palms Residents Regarding Proposed Rate Increase for Sewer Services and Provide Direction to Staff

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At the March 14, 2023, Board Meeting, Director Teague shared a letter he drafted to the residents of Indian Palms Country Club regarding the proposed rate increase for sewer services. Director Teague requested approval from the Board to email the letter, Notice of Public Hearing for the proposed rates scheduled for May 23, 2023, and a copy of the Proposition 218 notice to the residents of the country club. The letter outlines why the rate changes are necessary and allows customers to provide feedback. After review, the Board approved the letter to be sent out.

**7. GENERAL MANAGER'S ITEMS**

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Ron Buchwald, District Engineer, gave an update on the \$500,000 planning grant that the District received from the State Water Board. The monies will be used for the studies for the Recycled Water Project and future projects. The District is also applying for a \$15 million construction grant for the Recycled Water Project Phase III. The District has been experiencing vandalism. The phone lines have been cut on four separate occasions. Staff is looking into alternatives to landlines for the telephone.

**8. COMMITTEE REPORTS**

8.1 Draft Minutes of the Community Engagement Meeting – March 21, 2023

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Chairperson Scott Sear gave an overview of the Community Engagement Committee meeting held on March 21, 2023. The Committee had a presentation from Gloria Franz of the Coachella Valley History Museum and a presentation from Andres Coronel from the Desert Recreation Foundation. The Committee also discussed talking points for the trip to meet with legislators in Sacramento and marketing and outreach for the Proposition 218 notice.

**9. DIRECTOR'S ITEMS**

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President Canero and Secretary/Treasurer Sear gave an update on their trip to Sacramento to meet with legislators. They both stated it was very eye-opening. They also thanked Dave Commons, Chief Operations Officer, for accompanying them on the trip. Secretary/Treasurer Sear congratulated Assemblyman Eduardo Garcia on opening his new office. Vice President Duran asked if there was a District policy on donations and if there was anything budgeted. If not, he requested that some be set aside in the next budget.

#### **10. INFORMATIONAL ITEMS**

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Ron reminded the Board of the upcoming Desert Recreation Foundation Bowling Tournament at Fantasy Lanes on March 29, 2023.

#### **11. PUBLIC COMMENT – CLOSED SESSION – None**

**President Canero called for a short recess at 2:49 p.m. The Board of Directors reconvened at 2:55 p.m. Roll call was taken. Directors Barnum, Canero, Duran, Sear, and Teague were present.**

#### **12. CONVENE IN CLOSED SESSION**

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

- 12.1 Public Employment Recruitment Pursuant to Government Code Section 54957  
Title: General Manager

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The Board adjourned to Closed Session at 2:55 p.m.

#### **13. CONVENE IN OPEN SESSION**

Report out on Closed Session items

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The Board reconvened in open session at 3:05 p.m. President Canero stated there was nothing to report.

#### **14. ADJOURNMENT**

There being no further business to discuss, the meeting adjourned at 3:06 p.m. The next regular Board meeting will be on April 11, 2023.

Respectfully submitted,

Holly Gould, Clerk of the Board  
Valley Sanitary District