

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

April 25, 2023

A regular Board Meeting of the Governing Board of Valley Sanitary District (VSD) was held on Tuesday, April 25, 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, Dave Commons and Robert Hargreaves, Best Best & Krieger

Guests Present:

Shari Green, Indio Resident

Rod Duncan, Indio Resident

Ellen Fassler, Indio Resident

Fredrick Saunders, Indio Resident

3. PLEDGE OF ALLEGIANCE

4. PUBLIC COMMENT

Shari Green, Rod Duncan, Ellen Fassler, and Fredrick Saunders gave public comments on their opposition to the proposed sewer rate increase.

5. CONSENT CALENDAR

5.1 Approve Board Meeting Minutes of April 7, 2023, Special Meeting, April 11, 2023, Special Meeting, and April 11, 2023, Regular Board Meeting

5.2 Approve Warrants for April 25, 2023

5.3 Receive and File Credit Card Report for March 31, 2023

5.4 Monthly Revenue & Expense Report for the Period Ending March 31, 2023

ACTION TAKEN:

MOTION: Director Teague 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. 2023-3288

6. NON-HEARING ITEMS

6.1 Discussion of the City Council Meeting Presentation by VSD on April 19, 2023

See item 6.2.

6.2 Review and Discuss the Proposition 218 Notice, Public Outreach and Provide Direction to Staff

President Canero requested that items 6.1, 6.2, and 6.3 be consolidated into one discussion. The Board each voiced their opinions and concerns regarding the proposed rate increase. The consensus was to not move forward with the proposed increases, cancel the Public Hearing for May 23, 2023. The Board thanked the public for their input during this process. Vice President Duran read a letter from City of Indio Mayor Oscar Ortiz into the record. Ron Buchwald, Interim General Manager, informed the Board that halting the increase would involve a severe cut to the Capital Improvement Projects budget and that the District would no longer be able to apply for the \$44 million Water Infrastructure Finance and Innovation Act (WIFIA) loan. The Board directed Andrea Carter, Andrea Carter & Associates, to continue public outreach and change the messaging. The Board reminded the public that there is still a 5-year rate increase in effect passed in 2021 under Resolution 2021-1142.

ACTION TAKEN:

MOTION: Secretary/Treasurer Sear motioned to stop the rate increase, cancel the Public Hearing for May 23, 2023, and give direction on public outreach messaging. Director Teague seconded the motion. Motion carried by the following roll call vote:
AYES: Barnum, Canero, Duran, Sear, Teague
NOES: None
MINUTE ORDER NO. 2023-3289

6.3 Discuss Operational Logistics in Preparation for the Public Hearing on May 23, 2023

See item 6.2.

6.4 Discussion on Proposed Updates to the Valley Sanitary District Procurement Policy

Jeanette Juarez, Chief Administrative Officer, presented the Draft Purchasing Policy for review and discussion. She also compared spending limits from similar agencies and different options. The Board discussed changing the spending limits of the General Manager. The Board gave staff direction on how to proceed. This item will be brought back for approval at a future meeting. If adopted, the revised policies will go into effect on July 1, 2023.

7. **GENERAL MANAGER'S ITEMS**

Ron Buchwald reminded the Board of the Special Meeting on April 26, 2023, for the General Manager recruitment. He also said he would bring a revised CIP budget for the May 9, 2023, meeting.

8. **COMMITTEE REPORTS** - None

9. **DIRECTOR'S ITEMS**

The Board thanked everyone who submitted letters and commented on the Proposition 218 notice. They also thanked the staff for handling all the phone calls and answering questions from the public.

10. **INFORMATIONAL ITEMS**

10.1 Senate Appropriations Update

On April 19, 2023, VSD received notice from Innovative Federal Strategies that Senators Feinstein and Padilla have submitted the District's request to the Senate Appropriations Committee for consideration in the Interior Appropriations bill. This is only the first step in the process and needs to be approved by Congress before it is official.

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

President Canero called for a short recess at 1:59 p.m. The Board of Directors reconvened at 2:07 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 Conference with Legal Counsel – Anticipated Litigation Pursuant to Paragraph (2) or (3) of Subdivision (d) of Government Code Section 5496.9 (one potential case – circumstances need not be disclosed pursuant to paragraph (1) of subdivision (e) of Government Code Section 5496.9)

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

The Board adjourned to Closed Session at 2:07 p.m. Director Barnum recused herself from Item 12.1. Director Barnum returned to Closed Session at 2:24 p.m.

13. CONVENE IN OPEN SESSION

Report out on Closed Session items.

The Board reconvened in open session at 2:30 p.m. President Canero stated there was nothing to report.

14. ADJOURNMENT

There being no further business to discuss, the meeting was adjourned at 2:31 p.m. The next regular Board meeting will be on May 9, 2023.

Respectfully submitted,

Holly Gould, Clerk of the Board
Valley Sanitary District