

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

June 13, 2023

A regular Board Meeting of the Governing Board of Valley Sanitary District (VSD) was held on Tuesday, June 13, 2023, at 45-500 Van Buren St., Indio, CA 92201.

1. CALL TO ORDER

President Canero called the meeting to order at 1:01 p.m.

2. ROLL CALL

Directors Present:

Jacky Barnum, Debra Canero, Mike Duran, William Teague

Directors Absent:

Scott Sear

Staff Present:

Ron Buchwald, Interim General Manager, Jeanette Juarez, Chief Administrative Officer, Dave Commons, Chief Operating Officer, Holly Gould, Clerk of the Board, James Mills, Operations Supervisor, Andy Boyd, Wastewater Operator, Michael Placencia and Craig Hayes, Best Best & Krieger

Guests Present:

Jason Dafforn

3. PLEDGE OF ALLEGIANCE

4. JUNE EMPLOYEE ANNIVERSARIES

- Andy Boyd, Wastewater Operator III – 14 years
- Nicholas Castaneda, Collections System Tech II – 9 years

The Board of Directors thanked Andy and Nick for their years of service and dedication to the District.

5. NEW EMPLOYEE INTRODUCTION

- Michael Placencia, Environmental Compliance Tech III

The Board of Directors welcomed Michael to the Valley Sanitary District team.

6. PUBLIC COMMENT – None.

7. CONSENT CALENDAR

- 7.1 Approve Minutes of May 23, 2023, Regular Board Meeting
 - 7.2 Approve Warrants for June 13, 2023
 - 7.3 Receive and File Credit Card Report for April 30, 2023
 - 7.4 Authorize Certification Reimbursement for Ron Buchwald, Interim General Manager, Per District Policy, in the Amount of \$270
 - 7.5 Quarterly Investment Report for the Period Ending March 31, 2023
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ACTION TAKEN:

MOTION: Vice President Duran motioned to approve the consent calendar as presented. Director Teague seconded the motion. Motion carried by the following roll call vote:
AYES: Barnum, Canero, Duran, Teague
NOES: None
ABSENT: Sear
MINUTE ORDER NO. 2023-3302

8. PUBLIC HEARING ITEMS

- 8.1 Adopt Resolution No. 2023-1180 Establishing Fees & Charges for District Services for Fiscal Year 2023/24
- 8.2 Adopt Resolution No. 2023-1181 Establishing the Gann Appropriations Limit for Fiscal Year 2023/24

President Canero asked Mr. Buchwald to summarize the actions leading to the Public Hearing. Mr. Buchwald stated that pursuant to Government Code Section 6062a, a notice of the Public Hearing was published in the Desert Sun newspaper on May 28, 2023, and May 31, 2023. President Canero read the procedures to be followed during the hearing and asked Mr. Buchwald to summarize any written communications regarding proposed Resolutions 2023-1180 and 2023-1181. Mr. Buchwald informed the Board that no written communication had been received. President Canero declared the Public Hearing open at 1:18 p.m. and asked Mr. Buchwald to give a brief staff report followed by any public testimony. Being no comments from the public, President Canero 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 the fiscal year 2023/24. It was the consensus of the Board to adopt Resolution No. 2023-1180, Establishing Fees & Charges for District Services for Fiscal Year 2023/24, and to adopt Resolution No. 2023-1181, Establishing the Gann Appropriations Limit for Fiscal Year 2023/24.

“A RESOLUTION OF THE BOARD OF DIRECTORS OF VALLEY SANITARY DISTRICT AMENDING FEES AND CHARGES FOR DISTRICT SERVICES FOR FISCAL YEAR 2023/24”

“A RESOLUTION OF THE BOARD OF DIRECTORS OF VALLEY SANITARY DISTRICT ESTABLISHING THE ANNUAL APPROPRIATIONS LIMIT FOR FISCAL YEAR 2023/24”

ACTION TAKEN:

MOTION:

Vice President Duran motioned to adopt Resolution 2023-1180, establishing fees and charges for District Services for Fiscal Year 2023/24, and Resolution 2023-1181, establishing the annual appropriations limit for Fiscal Year 2023/24. Director Teague seconded the motion. Motion carried by the following roll call vote:

AYES: Barnum, Canero, Duran, Teague

NOES: None

ABSENT: Sear

RESOLUTION NO. 2023-1180 and RESOLUTION NO. 2023-1181

9. NON-HEARING ITEMS

- 9.1 Approve an Employment Agreement Between Valley Sanitary District and Jason Dafforn to Perform Duties as General Manager, and Adopt Resolution 2023-1183 Establishing the Wage Schedule of the General Manager of the Valley Sanitary District

The Board of Directors has recently engaged in the recruitment of a new General Manager. The Board solicited applications from qualified persons and engaged in interviews, ultimately deciding that Mr. Jason Dafforn was the best candidate for the position. Pursuant to requirements of Government Code Section 54953(c)(3), before acting, it is stated publicly that the Employment Agreement becomes effective June 14, 2023; the term continues until June 13, 2026, unless sooner terminated or extended by the parties as outlined in the Employment Agreement; the compensation is at the rate of \$240,500 annually; and Mr. Dafforn would be entitled to paid time off and an automobile allowance, as well as benefits available to other management level employees under applicable District policies. To align with the Employment Agreement, the Board needs to establish by Resolution the bi-weekly rate wage schedule of the General Manager, which includes a ten (10) step-tiered salary system. Currently, the District does not have a tiered system for the Salary of the General Manager.

“A RESOLUTION OF THE BOARD OF DIRECTORS OF THE VALLEY SANITARY DISTRICT ESTABLISHING THE WAGE SCHEDULE OF THE GENERAL MANAGER”

ACTION TAKEN:

MOTION:

Director Teague motioned to approve an employment agreement between Valley Sanitary District and Jason Dafforn to perform duties as General Manager and adopt Resolution 2023-1183 establishing the wage schedule of the General Manager of the Valley Sanitary District. Vice President Duran seconded the motion. Motion carried by the following roll call vote:

AYES: Barnum, Canero, Duran, Teague

NOES: None

ABSENT: Sear

RESOLUTION NO. 2023-1183

9.2 Adopt Resolution No. 2023-1182 Approving the Operating and Capital Budget for the Fiscal Year 2023/24

The action for approval and adoption of the annual budget is completed in June of each calendar year. On April 18, 2023, 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 the fiscal year 2023/24 are \$18,622,984 and \$58,232,000, respectively. The operating budget encompasses personnel, California Public Employees' Retirement System (CalPERS), Unfunded Accrued Liability (UAL), debt service, insurance premiums, and other overhead costs to run day-to-day operations. The capital budget incorporates key projects to advance the District's Capital Improvement Program (CIP). There are 21 capital projects requested in the fiscal year 2023/24. The fiscal year 2023/24 CIP includes the Recycled Water Project Phase I, Amendment 1 & 2, Emergency Sewer Siphon Replacement Design and Construction, and the Collection System Sewer Main Rehabilitation and Replacement Program.

“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 Duran motioned to adopt Resolution 2023-1182 approving the Operating and Capital Budget for Fiscal Year 2023/24. Director Barnum seconded the motion. Motion carried by the following roll call vote:

AYES: Barnum, Canero, Duran, Teague

NOES: None

ABSENT: Sear

RESOLUTION NO. 2023-1182

9.3 Set Public Hearing Date for July 25, 2023, Determining Certain Accounts to be Delinquent and Directing the Placement of these Accounts on the Property Tax Rolls for Collection

Annually, District staff reviews 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 25, 2023, 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 Teague motioned to set a Public Hearing for July 25, 2023, to determine certain accounts to be delinquent and direct the placement of these accounts on the property tax rolls for collection. Director Barnum seconded the motion. Motion carried by the following roll call vote:

AYES: Barnum, Canero, Duran, Teague

NOES: None

ABSENT: Sear

MINUTE ORDER NO. 2023-3303

- 9.4 Authorize the Board President to Sign a Letter of Support for the Support to Rehydrate the Environment, Agriculture, and Municipalities Act (STREAM)

Valley Sanitary District has received a request from Senator Feinstein's Office through Innovative Federal Strategies (IFS) to provide a letter of support for Senator Feinstein's STREAM Act. The STREAM Act aims to expand water management, treatment, and storage cooperatively.

ACTION TAKEN:

MOTION: Vice President Duran motioned to approve the Board President to sign a letter of support for the Support to Rehydrate the Environment, Agriculture, and Municipalities Act (STREAM). Director Barnum seconded the motion. Motion carried by the following roll call vote:

AYES: Barnum, Canero, Duran, Teague

NOES: None

ABSENT: Sear

MINUTE ORDER NO. 2023-3304

- 9.5 Accept the Water Recycling Funding Program Planning Grant from the California State Water Resources Control Board, Adopt Resolution 2023-1184, and Authorize the General Manager to Sign the Agreement

In February 2023, the District was notified by the State Water Quality Control Board (State Board) that VSD was awarded the Planning Grant from the Water Recycling Funding Program. In May, the District received the Planning Grant Agreement from the State Board for review and approval. The Planning Grant will evaluate the feasibility and efficiency of alternatives for using recycled water produced by the District's treatment operation to reduce reliance on imported water supplies from the Colorado River. It will also help to alleviate the overdraft condition of the Coachella Valley Groundwater Basin and improve water quality. The proposed feasibility study will evaluate alternatives for Non-potable Reuse, Indirect Potable Reuse, and Direct Potable Reuse.

“RESOLUTION OF THE BOARD OF DIRECTORS OF THE VALLEY SANITARY DISTRICT AUTHORIZING AND APPROVING AN AGREEMENT WITH THE STATE WATER RESOURCES CONTROL BOARD FOR A WATER RECYCLING FUNDING PROGRAM PLANNING GRANT”

ACTION TAKEN:

MOTION:

Vice President Duran motioned to adopt Resolution 2023-1184 authorizing and approving an agreement with the State Water Resources Control Board for a Water Recycling Funding Program Planning Grant and authorizing the General manager to sign the agreement. Director Teague seconded the motion. Motion carried by the following roll call vote:

AYES: Barnum, Canero, Duran, Teague

NOES: None

ABSENT: Sear

RESOLUTION NO. 2023-1184

10. GENERAL MANAGER'S ITEMS

10.1 Receive Monthly General Manager's Report for May 2023

11. COMMITTEE REPORTS

11.1 Draft Minutes for the Operations Committee Meeting – June 6, 2023

Chairperson Jacky Barnum reported on the June 6, 2023, Operations Committee meeting. Dave Commons, Chief Operating Officer, gave a presentation on the District's biosolids. He spoke about the biosolids hauling that would commence soon and updated the Committee on the feasibility study being conducted by Lystek. Adrian Contreras gave a presentation on the CIP projects.

12. DIRECTOR'S ITEMS

Vice President Duran attended a Memorial Day event at the Coachella Valley Public Cemetery District Veteran's Memorial. He stated it was a beautiful event and that different organizations presented wreaths to pay tribute to the fallen military personnel. He suggested that Valley Sanitary District present a wreath at next year's event. President Canero thanked the Staff for a great Employee Appreciation Luncheon. She was pleased to see Staff having a fun, relaxing time.

13. INFORMATIONAL ITEMS

13.1 Receive and File Digital Data Reports from Andrea Carter and Associates and their Subconsultant LocaliQ

Ron reported on the data provided by the digital messaging done by Andrea Carter and Associates and LocaliQ. Vice President Duran suggested that Andrea Carter make a presentation to the Board on the data of the public outreach efforts.

Eric O'Donnell from Townsend Public Affairs has provided two dates for meeting with the Board: August 22 and September 19, 2023. Ron showed the Board the new link on the VSD website for the Recycled Water Project that shows the project's status.

14. PUBLIC COMMENT – CLOSED SESSION – None

President Canero called for a short recess at 2:04 p.m. The Board of Directors reconvened at 2:10 p.m. Roll call was taken. Directors Barnum, Canero, Duran, and Teague were present. Director Sear is absent.

15. CONVENE IN CLOSED SESSION

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

- 15.1 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)

The Board adjourned to Closed Session at 2:10 p.m. Director Barnum recused herself from Item 15.1. Director Barnum returned to Closed Session at 2:31 p.m.

16. CONVENE IN OPEN SESSION

Report on Closed Session items.

The Board reconvened in open session at 2:31 p.m. District Counsel stated there was no reportable action.

17. ADJOURNMENT

There being no further business to discuss, the meeting was adjourned at 2:33 p.m. The next regular Board meeting will be on June 27, 2023.

Respectfully submitted,

Holly Gould, Clerk of the Board
Valley Sanitary District