

VALLEY SANITARY DISTRICT
MINUTES OF REGULAR BOARD MEETING
August 13, 2019

A regular Board Meeting of the Governing Board of Valley Sanitary District (VSD) was held at the District offices, 45-500 Van Buren Street, Indio, California, on Tuesday, August 13, 2019.

1. CALL TO ORDER

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

a. Roll Call

Directors Present: Mike Duran, William Teague, Dennis Coleman, Debra Canero and Scott Sear

Staff Present: Beverli A. Marshall, General Manager, Holly Gould, Ron Buchwald, Jose Juarez, and Ryan Williams

Guests: Bob Hargreaves – Best, Best & Krieger

b. Pledge of Allegiance

2. CONSENT ITEMS

a. Consideration of the July 23, 2019 Special Board Meeting Minutes

b. Approval of Expenditures for July 18, 2019 to August 7, 2019

c. Authorize General Manager to Approve the Purchase of a New PLC Panel for the Headworks from Trimax Systems, Inc. in an Amount not to Exceed \$44,315

d. Accept Certificate of Acceptance for Sewer Main Improvements for the Walmart Development and Authorize the General Manager to have the Certificate Notarized for Recording Purposes

e. Provide 30-day Notice to Terminate and Authorize the General Manager to Execute a Contract with Superior Protection Consultants for Onsite Security

President Duran requested item 2e be removed from the consent calendar for discussion.

ACTION TAKEN:

MOTION: Secretary Coleman made a motion to approve items 2a through 2d of the consent calendar. Director Canero seconded the motion. Motion carried by the following vote: 5 ayes

MINUTE ORDER NO. 2019-2926

3. PUBLIC COMMENTS

This is the time set aside for public comment on any item not appearing in the agenda. Please notify the Secretary in advance of the meeting if you wish to speak on a non-hearing item.

Ms. Marshall requested a change of order to accommodate District staff. Jose Juarez, Operator III, took the opportunity to thank the Board for continuing to allow staff to attend the Tri-State Seminar. He stated it gives staff the opportunity to speak with people from other wastewater facilities and find out about their processes. Ryan Williams, Maintenance Supervisor, also thanked the board for the training. He shared how beneficial the courses at Tri-State are and how it enables him to bring the information back to the District. The Board thanked staff for their enthusiasm and dedication.

4. NON-HEARING ITEMS

Provide 30-day Notice to Terminate and Authorize the General Manager to Execute a Contract with Superior Protection Consultants for Onsite Security

Item 2e was removed from the consent calendar for further discussion. The Board desired more information about the incidents that occurred with the District's current security company. The security patrol services have been successful at preventing theft and vandalism, however over the past eight (8) months, staff has had issues with CSI including damaging District property by vehicle accident (twice) and finding the security officer asleep, sometimes utilizing pillows. CSI has paid VSD for the property damage it caused. When District staff reached out to their supervisor regarding these issues, they did not get a good response. The company that staff is recommending changing to uses a scanning system that requires the guards to scan at different parts of the plant within certain time limits. It is recommended to terminate the contract with Ceja Security International (CSI) and execute a contract with Superior Protection Consultants (SPC) to provide onsite security during the evenings, seven days a week.

ACTION TAKEN:

MOTION: Secretary Coleman made a motion to authorize the General Manager to provide a 30-Day notice to terminate VSD's contract with Ceja Security International (CSI) formerly known as Desert Resort Security, Inc. and award a contract with Superior Protection Consultants (SPC) to provide onsite security patrol during the evenings, seven days a week. Vice President Teague seconded the motion. Motion carried by the following roll call vote:

MINUTE ORDER NO. 2019-2927

AYES: Canero, Coleman, Duran, Sear, Teague
NOES: None
ABSENT: None
ABSTAIN: None

- a. Discuss and Authorize the General Manager to Execute a Contract with NBS to Perform a Rate Study and Assist with the Public Hearing Process in an Amount not to exceed \$70,000

Ms. Marshall explained to the Board that the rate study proposed by NBS would be a much more in-depth analysis than the one recently completed by Municipal Financial Services. It would be

looking at the classifications, how they are defined, and propose rates to fund future capital and capacity. A discussion took place regarding if this is the right time to revisit the rate analysis due to it not being a budgeted item this fiscal year and that the District had just completed one. Secretary Coleman feels this rate study is very important and should be done sooner rather than later.

ACTION TAKEN:

MOTION: Vice President Teague made a motion to include the rate study in the Fiscal Year 2020/2021 Budget and revisit it then. Director Sear seconded the motion. Motion carried by the following roll call vote:

MINUTE ORDER NO. 2019-2928

AYES: Canero, Duran, Sear, Teague
NOES: Coleman
ABSENT: None
ABSTAIN: None

6. ADJOURN TO CLOSED SESSION

- a. Conference with Legal Counsel – Anticipated Litigation Pursuant to Paragraph (2) 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)

At this time President Duran requested a change of order to accommodate District's legal counsel. The Board adjourned to closed session at 1:41 p.m.

RECONVENE TO OPEN SESSION

The Board reconvened to open session at 2:21 p.m. President Duran stated that there was nothing to report.

4. NON-HEARING ITEMS

- b. Discuss and Authorize the General Manager to Execute a Contract with a Consultant to Facilitate and Develop a Strategic Plan

The District's current strategic plan was established several years ago under a mostly different Board of Directors. With the hiring of a new General Manager, three new Directors and the District getting back into the recycled water conversation now would be an excellent time to revisit the plan and update it to reflect the direction the District will go moving forward. The recommended consultant, Rauch Communications, will help to develop a strategic plan that articulates the mission, vision, and values of the District and provide direction to staff in a written document.

ACTION TAKEN:

MOTION: Vice President Teague made a motion to authorize the General Manager to execute a contract with Rauch Communications to facilitate and develop a strategic plan in an amount not to exceed \$25,000. Secretary Coleman seconded the motion. Motion carried by the following roll call vote:

MINUTE ORDER NO. 2019-2929

AYES: Canero, Coleman, Duran, Sear, Teague
NOES: None
ABSENT: None
ABSTAIN: None

- c. Discuss and Authorize the General Manager to Execute a Contract with EOA, Inc. to Provide NPDES Permit Reissuance Assistance

Every five years the District is required to renew its NPDES permit with the Regional Water Quality Control Board (Regional Board). The permit will expire May 2020, but the process starts approximately nine months before the expiration date. In the past, VSD staff completed the renewal process with no technical assistance. However, with a new Chief Plant Operator and new regulatory requirements being considered for the permit, staff strongly recommends that the District acquire the help of a consulting firm that specializes in the renewal process. Staff solicited three proposals from consultants who specialize in this work. After review, staff believes the best value for the scope of work is from EOA, Inc. EOA, Inc. is new to the District but has performed work for many different wastewater agencies all over the state. This is not a budgeted item and will use reserve funds.

ACTION TAKEN:

MOTION:

Director Canero made a motion to authorize the General Manager to execute a contract with EOA, Inc. to provide NPDES permit reissuance assistance in an amount not to exceed \$58,200 and use reserve funds because this cost is not included in the current fiscal year budget. Vice President Teague seconded the motion. Motion carried by the following roll call vote:

MINUTE ORDER NO. 2019-2930

AYES: Canero, Coleman, Duran, Sear, Teague
NOES: None
ABSENT: None
ABSTAIN: None

- d. Adoption of Policies: Brown Act; Nepotism; and Public Records

To comply with current requirements, and as part of our mission to be more efficient and transparent, we have updated or created the following policies: Brown Act, Nepotism, and Public Records. President Duran and Director Canero were worried that because the Board had recently adopted policies that included nepotism, it would have to be redacted from the document. Ms. Marshall informed them that the language in the new policy will state that it supersedes the previous document.

ACTION TAKEN:

MOTION:

Secretary Coleman made a motion to adopt the Brown Act Policy, Nepotism Policy, and Public Records Policy. Vice President Teague seconded the motion. Motion carried by the following roll call vote:

MINUTE ORDER NO. 2019-2931

AYES: Canero, Coleman, Duran, Sear, Teague
NOES: None
ABSENT: None
ABSTAIN: None

- e. Discuss and Authorize the General Manager to Execute a Contract with Circlepoint to Develop a Communications and Outreach Plan and Creation of Quarterly E-Newsletters not to exceed \$60,000

At the direction of the Board staff will put out an RFP to try to find a local company to provide these services. President Duran inquired whether the District does any outreach to the local high schools. Ms. Marshall stated that the District works with the community college to provide plant tours, but she would like to expand on this program to include the middle schools and high schools. This item will come back before the board at a later date.

- f. Authorize Reimbursement Costs of Moving Expenses for General Manager per Terms of Employment Contract Based on Obtained Quotes

Relocation expenses of the employment contract between the District and the General Manager requires that reimbursement of relocation expenses is "contingent on the District's approval of the scope of expenses prior to expenditure and will be based on the lowest of three (3) bids obtained by employee for rental or services." The General Manager was able to obtain two written quotes for relocation services at the time the board packet was assembled. A third quote from Mont-Rose Moving Systems was provided at the meeting.

ACTION TAKEN:

MOTION: Director Canero made a motion to authorize the General Manager to use Mont-Rose Moving Systems for a reimbursable cost of \$7,246.06 for moving costs associated with relocation. Vice President Teague seconded the motion. Motion carried by the following roll call vote:

MINUTE ORDER NO. 2019-2932

AYES: Canero, Coleman, Duran, Sear, Teague
NOES: None
ABSENT: None
ABSTAIN: None

- g. Staff Notes

Staff received a letter from Cal OES with initial approval of reimbursement costs from FEMA for the flood damage to the sewer main siphon. Staff is now in the process of applying for funds to help with the redesign. The auditors will be on site the week of August 26-30, 2019.

5. DIRECTOR'S ITEMS

Director's items not listed are for discussion only; no action will be taken without an urgency vote pursuant to State law.

Secretary Coleman stated that he would like to see a mid-year budget review implemented. Vice President Teague agreed. Ms. Marshall stated that she will take direction from the Board as how to proceed.

7. ADJOURNMENT

There being no further business to discuss, the meeting was adjourned at 3:11 p.m., and the next board meeting will be a Regular Meeting held August 27, 2019.

Respectfully submitted,

Holly Gould

Holly Gould, Clerk of the Board
Valley Sanitary District