

**VALLEY SANITARY DISTRICT**  
**MINUTES OF REGULAR BOARD MEETING**  
September 10, 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, September 10, 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, and Holly Gould

Guests: Craig Hayes, Best Best & Krieger  
Bruce Underwood, Healthy Futures

b. Pledge of Allegiance

**2. PUBLIC COMMENT**

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

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None.

**3. CONVENE IN CLOSED SESSION**

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

- a. Conference with Legal Counsel – Existing Litigation  
Pursuant to Government Code Paragraph (1) of Subdivision (d) of Section 54956.9:  
(Valley Sanitary District v. One Stop Shoppe)

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The Board adjourned to closed session at 1:01 p.m.

**4. CONVENE IN OPEN SESSION**

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The Board reconvened to open session at 1:22 p.m. President Duran stated that there was nothing to report.

**5. PUBLIC COMMENT**

*This is the time set aside 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.

## **6. CONSENT CALENDAR**

- a. Consideration of the August 27, 2019 Regular Board Meeting Minutes
- b. Approval of Expenditures for August 22, 2019 to September 4, 2019
- c. Authorize the General Manager to Purchase Floating Dredge Pipe in an Amount Not to Exceed \$16,113.26

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Secretary Coleman had an inquiry on the disbursements regarding a payment to Liebert Cassidy Whitmore. Ms. Marshall explained that it is a fee to become a member of the Coachella Valley Employment Relations Consortium which offers training, advice, and access to forms

### **ACTION TAKEN:**

**MOTION:** Vice President Teague made a motion to approve the consent calendar as presented. Director Canero seconded the motion. Motion carried by the following vote: 5 ayes

### **MINUTE ORDER NO. 2019-2938**

## **7. NON-HEARING ITEMS**

- a. Adopt a Resolution Establishing Guidelines for Employer-Employee Relations and Repealing Resolution No. 1984-690

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### **RESOLUTION OF THE BOARD OF DIRECTORS OF THE VALLEY SANITARY DISTRICT ESTABLISHING GUIDELINES FOR EMPLOYER-EMPLOYEE RELATIONS AND REPEALING RESOLUTION 1984-690**

The resolution was put into place to manage employees if they wished to organize an employee association or union. The original resolution establishing guidelines for employer-employee relations was adopted in 1984. To comply with current legal requirements and best management practices, and as part of our mission to be more efficient and transparent, we have updated the employer-employee relations resolution. The wording in this resolution is based on the recommended language from the employment law firm of Liebert Cassidy Whitmore.

### **ACTION TAKEN:**

**MOTION:** Director Canero made a motion to adopt Resolution No. 2019-1122 establishing guidelines for employer-employee relations and repealing Resolution No. 1984-690. Secretary Coleman seconded the motion. Motion carried by the following roll call vote:

### **RESOLUTION NO. 2019-1122**

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

b. Reinstatement of the Laboratory Supervisor Position Effective September 21, 2019

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When the previous Laboratory Supervisor retired, the position was eliminated and the Laboratory Analyst/Coordinator was created, which does not include supervisory responsibilities. The adopted Fiscal Year 2019/20 Budget includes a second lab position, Laboratory Technician I, which needs to be supervised by a certified laboratory position. For internal parity with other positions performing supervisor responsibilities, the Laboratory Supervisor position needs to be reinstated. The classification is assigned pay range 16, which is the same as the other supervisory positions. The incumbent in the Laboratory Analyst/Coordinator position is qualified for the Laboratory Supervisor position. If the reinstatement is approved by the Board, the employee will be appointed to fill the position effective the start of the next pay period, which is September 21, 2019.

**ACTION TAKEN:**

**MOTION:** Director Sear made a motion to reinstate the Laboratory Supervisor position effective September 21, 2019. Vice President Teague seconded the motion. Motion carried by the following roll call vote:

**MINUTE ORDER NO. 2019-2939**

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

c. Adoption of Procurement Technician Classification and Amend the Staffing Range Assignments for Fiscal Year 2019/2020 Effective September 21, 2019

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In trying to be most efficient in how we operate it has become apparent that there is not enough work to sustain the position of Management Analyst I. In analyzing tasks that are time consuming and inefficient for the technical staff to perform, staff has identified that purchasing tasks and contract oversight is fractured and spread around the different District functions without a single point of responsibility and oversight. In creating the Procurement Technician position, these tasks and responsibilities can be centralized and given proper oversight for both efficiency and transparency. The incumbent Management Analyst I will be offered the newly created position as a lateral move and then the Analyst position will be left vacant and unfunded. The effective start date of the new position will be the next pay period, which is September 21, 2019. A brief discussion on procurement took place.

**ACTION TAKEN:**

**MOTION:** Vice President Teague made a motion to adopt the Procurement Technician classification and amend the staffing range assignments for Fiscal Year 2019/20, which also includes the change in the Laboratory staffing, effective September 21, 2019. Secretary Coleman seconded the motion. Motion carried by the following roll call vote:

**MINUTE ORDER NO. 2019-2940**

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

ABSENT: None  
ABSTAIN: None

d. Discuss Results of the Employee Wellness Program Survey

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After conversations with staff regarding the District's current Wellness Program, Ms. Marshall created an anonymous, electronic survey to help gauge staff's interest in a variety of wellness programs, including the District's current program. Out of 26 employees, 24 participated in the survey. Approximately one-third of the respondents utilized the current wellness program at least once. The survey showed that staff is interested in exploring other types of wellness events, such as Healthy Hobbies, Quarterly Wellness Days and/or Lunchtime Discussions. Ms. Marshall also informed the Board of an Employee Assistance Program (EAP) that is available to staff that offers legal, financial and mental health advice. Director Canero requested the EAP be promoted to staff. Secretary Coleman asked if CSRMA offers an EAP, which they do not. Vice President Teague stated the importance of developing a wellness program that appeals to the masses. It was the direction of the Board that Ms. Marshall and Dr. Underwood work together to revamp the District's current program. Ms. Marshall stated that Dr. Underwood's current contract would need to be revised to include a more detailed scope of services for legal purposes. The contract will be brought back to the Board for approval.

e. Discuss the California Association of Sanitation Agencies (CASA) Education Foundation and Authorize a Contribution in the Amount of \$5,000

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Each year the CASA Education Foundation awards competitive scholarships to students pursuing higher education in engineering, environmental science, public administration, or other related fields, and who show an interest in serving the wastewater (clean water) industry. The Foundation awards between three and four \$5,000 scholarships each year. The Education Foundation reaches out to CASA member agencies for contributions to generate a sustainable stream of income to support and possibly expand the scholarship program. Director Canero made a motion to change the contribution amount from \$5,000 to \$2,500 and the Board requested that Ms. Marshall double check with the attorney that this is not a gift of public funds.

**ACTION TAKEN:**

**MOTION:** Director Canero made a motion to authorize a contribution in the amount of \$2,500 to the California Association of Sanitation Agencies (CASA) Education Foundation for Fiscal Year 2019/20. Secretary Coleman seconded the motion. Motion carried by the following roll call vote:

**MINUTE ORDER NO. 2019-2941**

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

f. Staff Notes

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The California Special Districts Association Annual Conference is September 25-28, 2019 in Anaheim, California. Ms. Marshall met with Sudi Shoja of Engineering Solutions Services. She has

recently helped local public agencies secure grant money and would like to work with her on EVRA and District projects. Ms. Marshall asked the Board if they would like to continue to receive her email updates. Vice President Teague suggested they be sent on a bi-weekly basis.

**8. 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.*

President Duran requested that a discussion on having general counsel attend all board meetings be placed on the agenda for the next board meeting.

**9. ADJOURNMENT**

There being no further business to discuss, the meeting was adjourned at 2:51 p.m., and the next board meeting will be a Regular Meeting held September 24, 2019.

Respectfully submitted,

*Holly Gould*

Holly Gould, Clerk of the Board  
Valley Sanitary District