



8:00 A.M. OPERATIONS CENTER - 1200 SOUTH GENE AUTRY TRAIL – PALM SPRINGS – CALIFORNIA

*Pursuant to Assembly Bill 361, there will be no public location for attending in person. This meeting will be held virtually because state and local officials recommend measures to promote social distancing. Members of the public who wish to participate may do so by calling in at:*

**Toll Free: (253) 215-8782**  
**Meeting ID: 849 7761 5535**  
**Passcode: 225007**  
**or Via Computer:**

**<https://dwa-org.zoom.us/j/84977615535?pwd=RXRhbHBPWjM2T041aVJGN3JCN1FDdz09>**

**Meeting ID: 849 7761 5535**

*Members of the public who wish to comment on any item within the jurisdiction of the Agency or any item on the agenda may submit comments by emailing [sbaca@dwa.org](mailto:sbaca@dwa.org) or may do so during the meeting. Comments will become part of the Board meeting record. Board members and staff will be participating in this meeting via teleconference.*

***\*In order to reduce feedback, please mute your audio when you are not speaking.***

*De acuerdo con el proyecto de Ley de la Asamblea 361 (AB361), no habrá un lugar público para asistir en persona. Esta reunión se llevará a cabo virtualmente porque los funcionarios estatales y locales recomiendan medidas para promover el distanciamiento social. Los miembros del público que deseen participar pueden hacerlo llamando al:*

**Número gratuito: (253) 215-8782**  
**ID de reunión: 849 7761 5535**  
**código de acceso: 225007**

**o a través de la computadora:**

**<https://dwa-org.zoom.us/j/84977615535?pwd=RXRhbHBPWjM2T041aVJGN3JCN1FDdz09>**

**ID de reunión: 849 7761 5535**

*Los miembros del público que deseen comentar sobre cualquier tema dentro de la jurisdicción de la Agencia o cualquier tema en la agenda pueden enviar comentarios por correo electrónico a [sbaca@dwa.org](mailto:sbaca@dwa.org) o pueden hacerlo durante la reunión. Los comentarios pasarán a formar parte del registro de la reunión de la Junta. Los miembros de la junta y el personal participarán en esta reunión por teleconferencia.*

***\*Para reducir los comentarios, silencia el audio cuando no estés hablando.***

1. **CALL TO ORDER/PLEDGE OF ALLEGIANCE** **BLOOMER**
2. **ROLL CALL** **BACA**
3. **PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA:** Members of the public may comment on any item not listed on the agenda, but within the jurisdiction of the Agency. In addition, members of the public may speak on any item listed on the agenda as that item comes up for consideration. Speakers are requested to keep their comments to no more than three (3) minutes. As provided in the Brown Act, the Board is prohibited from acting on items not listed on the agenda.
4. **PUBLIC COMMENT ON ITEMS LISTED ON THE AGENDA:** Members of the public may also comment on items listed on the agenda that are not the subject of a public hearing, at this time. Again, speakers are requested to keep their comments to no more than three (3) minutes.

**5. CONSENT CALENDAR ITEMS:** Items listed under the Consent Calendar are considered to be routine and will be acted upon by one motion of the Board without discussion. There will be no separate discussion on these items unless a Board Member requests a specific item to be discussed and/or removed from the Consent Calendar for separate action.

- A. Approve Minutes of the September 20, 2022 Board Meeting
- B. Receive and File – Memo on September 15, 2022 State Water Contractors’ Meeting
- C. Receive and File - Minutes of the September 20, 2022 Finance Committee Meeting
- D. Receive and File – Minutes of the September 29, 2022 Executive Committee Meeting
- E. Request Authorization for General Manager to Execute Memorandum of Understanding for Regional Grant Funded Grass Removal Program
- F. Receive and File – August Water Use Reduction Figures

**6. ACTION ITEMS:**

- A. Request Approval of Debt Management Policy **SAENZ**
- B. Request Approval of Anti-Fraud Policy **SAENZ**
- C. Request Approval of Proposed Board of Directors’ Payroll Policy **SAENZ**
- D. Request Authorization for Grass Removal Program FY 2022-2023 Budget Augmentation **METZGER**
- E. Request Adoption of Ordinance No. 74 Establishing Rules and Regulations for the Board and its Officers, the Conduct of its Meetings and the Affairs of the Board **RIDDELL**

**7. GENERAL MANAGER’S REPORT**

**KRAUSE**

**8. DIRECTORS COMMENTS/REQUESTS**

**9. CLOSED SESSION**

**A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**

Pursuant to Government Code Section 54956.9 (d) (1)

Name of Case: Agua Caliente Band of Cahuilla Indians vs. Coachella Valley Water District, et al (Two Cases)

**B. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**

Pursuant to Government Code Section 54956.9 (d) (1)

Name of Case: Mission Springs Water District vs. Desert Water Agency

**C. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**

Pursuant to Government Code Section 54956.9 (d) (1)

Name of Case: AT&T vs. County of Riverside

**D. CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

Pursuant to Government Code Section 54956.8

APN No. 681-282-045

Agency Negotiators: Mark S. Krause, General Manager and Steve Johnson, Assistant General Manager

Negotiating Parties: Mark S. Krause, Steve Johnson and Habitat for Humanity

Under Negotiation: Possible Terms of Conveyance

**E. CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

Pursuant to Government Code Section 54956.8

APN No. 671-180-030

Agency Negotiators: Mark S. Krause, General Manager and Steve Johnson, Assistant General Manager

Negotiating Parties: Mark S. Krause, Steve Johnson, and Al Sesar

Under Negotiation: Possible Terms of Conveyance

**F. CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

APN No. 671-170-008

Agency Negotiators: Mark S. Krause, General Manager and Steve Johnson, Assistant General Manager

Negotiating Parties: Mark S. Krause, Steve Johnson, and Kevin and Randall Amos

Under Negotiation: Possible Terms of Conveyance

**G. PUBLIC EMPLOYEE PERFORMANCE EVALUATION**

Pursuant to Government Code Section 549547

Title: General Manager

**10. RECONVENE INTO OPEN SESSION – REPORT FROM CLOSED SESSION**

**11. ADJOURN**

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, as required by Section 202 of the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting is asked to contact Desert Water Agency's Assistant Secretary of the Board, at (760) 323-4971, at least 48 working hours prior to the meeting to enable the Agency to make reasonable arrangements. Copies of records provided to Board members that relate to any agenda item to be discussed in open session may be obtained from the Agency at the address indicated on the agenda.

**DECLARATION OF POSTING**

Pursuant to Government Code Section 54954.2, I certify that this agenda has been posted at least 72 hours prior to the meeting on the Agency's website at [www.dwa.org](http://www.dwa.org) and at the Agency's main office, 1200 South Gene Autry Trail, Palm Springs, CA.

Sylvia Baca, MMC  
Assistant Secretary of the Board