DESERT WATER AGENCY JANUARY 17, 2023



BOARD OF DIRECTORS REGULAR MEETING AGENDA

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

Pursuant to Government Code §54953(e), 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: 876 6252 8913 Passcode: 602510

or Via Computer:

https://dwa-org.zoom.us/j/87662528913?pwd=OS94aytWWEo5bDd5OW9BeCttOGs2dz09 Meeting ID: 876 6252 8913

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 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 código de gobierno §54953(e), 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: 876 6252 8913 código de acceso: 602510

o a través de la computadora: https://dwa-org.zoom.us/j/87662528913?pwd=OS94aytWWEo5bDd5OW9BeCttOGs2dz09 ID de reunión: 876 6252 8913

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 <u>sbaca@dwa.org</u> 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.

CALL TO ORDER/PLEDGE OF ALLEGIANCE

ORTEGA

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 December 20, 2022 Board Meeting
 - B. Approve Minutes of the January 3, 2023 Board Meeting
 - C. Receive and File Minutes of the January 12, 2023 Executive Committee Meeting
 - D. Receive and File December 2022 Outreach & Conservation Activities & Events
 - E. Request Authorization to Continue Virtual Board and Committee Meetings for Another 30 Days Based Upon a Determination that In-Person Meetings Would Pose a Risk to Public Health (Per Government Code §54953(e))
 - F. Request Adoption of Resolution No. 1291 Updating Signers for U.S. Bank Accounts
 - G. Reguest Adoption of Resolution No. 1292 1295 Updating Signers for Investment Accounts
 - H. Request Adoption of Board Payroll Policy

6. ACTION ITEM:

A. Request to Change Board Meetings Day and Time

KRAUSE

7. GENERAL MANAGER'S REPORT

KRAUSE

8. DISCUSSION ITEMS:

A. Sites Reservoir Financial Planning

KRAUSE

B. DWA Public Meeting Access – In person, Hybrid, Archived to Website/YouTube

KRAUSE

C. Report on Attendance at Irrigation Leaders Workshop

BLOOMER, MCKENNA

D. Report on Attendance at ACWA Region 9 Board Event

ORTEGA

9. DIRECTORS COMMENTS/REQUESTS

10. 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

11. RECONVENE INTO OPEN SESSION - REPORT FROM CLOSED SESSION

12. 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 and at the Agency's main office, 1200 South Gene Autry Trail, Palm Springs, CA.

MINUTES OF THE REGULAR MEETING OF THE DESERT WATER AGENCY BOARD OF DIRECTORS

December 20, 2022

DWA Board Teleconference	,	
DWA Staff vi Teleconference	,	
Consultants v Teleconference	,	
Public:	David Freedman, Palm Springs Sustainability Comm.) Robert Griffith, Mission Springs Water District) Russell Betts, City of DHS Council Member)	
	President Bloomer opened the meeting at 8:00 a.m. and asked in her in the Pledge of Allegiance.	Pledge of Allegiance
	President Bloomer called upon Assistant Secretary of the Board act the roll call:	Roll Call
	Present: Bowman, Grasha, McKenna, Ortega, Bloomer	
		New Board Member Introduction
	resident bloomer opened the meeting for public comment for	Public Comment on Items Not on the Agenda
turf rebate pro	The tree and provided an apartic on the City of Family Springs	David Freedman
	Mr. Griffith congratulated the newly elected Board Members.	Robert Griffith

19586. President Bloomer opened the meeting for public comment for items listed on the Agenda.

Public Comment on Listed Agenda Items

There was no one from the public wishing to address the Board for items listed on the Agenda.

19587. President Bloomer called for approval of the Consent Calendar. She noted that Consent Calendar Items 6-A through 6-H are expected to be routine and to be acted upon by the Board of Directors at one time without discussion. If any Board member requests that an item be removed from the consent calendar, it will be removed so that it may be presented separately.

Approval of the Consent Calendar

- A. Approve Minutes of the November 15, 2022 Board Meeting
- B. Approve Minutes of the December 2, 2022 Special Board Meeting
- C. Receive and File Minutes of the November 16, 2022 State Water Contractors Meeting
- D. Receive and File Minutes of the November 17, 2022 Conservation & C. Receive & File Public Affairs Committee Meeting
- E. Receive and File Minutes of the December 15, 2022 Executive Committee Meeting
- F. Receive and File October Water Use Reduction Figures
- G. Receive and File November 2022 Outreach & Conservation Activities & Events
- H. Request Authorization to Continue Virtual Board and Committee Meetings for Another 30 Days Based Upon a Determination that In-Person Meetings Would Pose a Risk to Public Health (Per Government Code §54953(e))

Directors Bowman, McKenna, and Ortega all requested Item 6-H be pulled. Additionally, Director Ortega asked for Item 6-G be pulled as well.

Director McKenna requested item 6-H be pulled for a separate vote.

Directors Ortega and McKenna voiced concerns about Item 6-G. Senior Advisor Metzger explained DWA's process for qualifying and approving rebates.

Directors Bowman, Grasha, McKenna and Ortega all voiced their concerns over Item 6-H. Director Ortega asked Assistant General Manager Johnson if there was any way to have the meetings in person during the Board Room renovation and added that he would like to suggest changing the time of the Board Meetings.

Assistant General Manager Johnson explained the process during the renovation stating that is a possibility, however it may be more of a distraction.

- A. Approve Minutes of the 11/15/22 Board Meeting
- B. Approve Minutes of the 12/2/22 Special Board Meeting
- C. Receive & File 11/16/22 State Water Contractors Meeting
- D. Receive & File Minutes of the 11/17/22 Conservation & Public Affairs Comm. Meeting
- E. Receive & File Minutes of the 12/15/22 Executive Comm. Meeting
- F. Receive & File October Water Use Reduction Figures
- G. Receive & File November 2022 Outreach & Conservation Activities & Events
- H. Request Authorization to Continue Virtual Board Mtgs. For Another 30 Days

President Bloomer stated that she felt it would be best to wait to hold in-person meetings until after renovations are made.

Approval of the Consent Calendar (Cont.)

Director Grasha moved for approval of Consent Calendar Items 6-A thru 6-G. After a second by Director Bowman, the motion carried unanimously by the following roll call vote:

AYES: Bowman, Grasha, McKenna, Ortega, Bloomer

NOES: None ABSENT: None ABSTAIN: None

Director Grasha moved for approval of Consent Calendar Item 6-H. After a second by Director Ortega, the motion carried by the following roll call vote:

AYES: Bowman, Grasha, Ortega, Bloomer

NOES: McKenna ABSENT: None ABSTAIN: None

Mr. Betts offered the use of the City of Desert Hot Springs Russell Betts Council Chambers, during the renovation, if needed.

19588. President Bloomer called upon Finance Director Saenz to present staff's request for acceptance of Vasquez & Company LLP Annual Audit for 2021-2022 Fiscal Year.

Action Items: Request Acceptance of

Vasquez & Co., LLP Annual Audit for 2021-2022

Mrs. Saenz noted Elisa Stilwell, Emer Fabro, and Roger Martinez of Vasquez & Company LLP are all in attendance at today's meeting, at which time they will present their report on the Audit of Desert Water Agency's financial activities for Fiscal Year 2021-2022.

Vasquez & Company, LLP provided a report on the following:

1) Financial Position, 2) Audit Opinion, 3) Required Auditor Communications, 4) Audit Adjustments, and 5) Significant Estimates.

Staff recommends the Board of Directors accept the Vasquez & Company LLP Annual Audit for 2021-2022 Fiscal Year.

Director Bowman moved for approval of staff's recommendation. After a second by Director McKenna, the motion carried unanimously by the following roll call vote:

Action Items: (Cont.) Request Acceptance of Vasquez & Co., LLP Annual Audit for 2021-2022

AYES: Bowman, Grasha, McKenna, Ortega, Bloomer

NOES: None ABSENT: None ABSTAIN: None

19589. President Bloomer Called upon Finance Director Saenz to present staff's request for Authorization to Execute Service Provider Master Services Agreement with Lync Consulting.

Request Authorization for Finance Director to Execute Service Provider Master Services Agreement with Lync Consulting

Finance Director Saenz gave a brief overview of the Service Agreement with Lync Consulting and why it is crucial for the successful implementation of the DWA 2.0 Technology Transformation Project. Mrs. Saenz stated that Staff recommends the Board of Directors authorize the Finance Director to Execute the Service Provider Master Services Agreement with Lync Consulting.

Director Grasha moved for approval of staff's recommendation. After a second by Director Bowman, the motion carried unanimously by the following roll call vote:

AYES: Bowman, Grasha, McKenna, Ortega, Bloomer

NOES: None ABSENT: None ABSTAIN: None

19590. President Bloomer called upon Finance Director Saenz to present an overview of financial activities for the months of October & November 2022.

Secretary-Treasurer's Report (October & November)

Finance Director Saenz reported that the Operating Fund received \$3,472,500 in Water Sales Revenue Receipts, \$78,675 in Reclamation Sales Revenue Receipts, and \$12,992 in Power Sales Revenue from Southern California Edison for Snow Creek Hydro. \$86,924 included in Lease Revenue from the City of Palm Springs for the annual lease payment for the 'Option Property' lease. \$50,395 was included in Miscellaneous cash receipts for FEMA reimbursement for the 2019 Winter Storm. \$3,661,494 was paid out in Accounts Payable. Year-to-date Water Sales are 2% under budget, Year-to-date Total Revenues are 2% under budget; and Year-to-date Total Expenses are 8% under budget. There was a total of 23,459 active services as of October 31, compared to 23,440 active services as of September 30.

Operating Fund (October)

Reporting on the General Fund, Mrs. Saenz stated \$1,566,544 was received in Groundwater Assessments from private pumpers, \$1,544,847 from DWA Operating Fund, \$21,697 from private pumpers, \$457,854 in State Water Project refunds \$66,788 from Metropolitan Water District was included in the Miscellaneous cash receipts for the Yuba Component 4 water cost share agreement. \$904,038 was paid out in State Water Project charges. (YTD, \$8,540,246).

Secretary-Treasurer's Report (Cont.)

General Fund (October)

Reporting on the Wastewater Fund, Mrs. Saenz reported wastewater Fund \$81,625 was received in Wastewater Revenue Receipts. \$80,928 was paid out in Accounts Payable.

(October)

Finance Director Saenz reported that the Operating Fund received \$3,748,857 in Water Sales Revenue Receipts, \$77,037 in Reclamation Sales Revenue Receipts, and \$6,521 in Power Sales Revenue from Southern California Edison for Snow Creek Hydro. \$5,161 was included in the miscellaneous cash receipts for recycling meters. \$1,847,794 was paid out in Accounts Payable. Year-to-date Water Sales are 3% under budget, Year-to-date Total Revenues are 2% under budget; and Year-to-date Total Expenses are 8% under budget. There was a total of 23,425 active services as of November 30, compared to 23,459 active services as of October 31.

Operating Fund (November)

Reporting on the General Fund, Mrs. Saenz stated \$846,209 was received in property taxes, \$105,746 in Groundwater Replenishment Assessments from private pumpers, \$130,301 from Coachella Valley Water District for State Water Project cost share agreement; and \$6,145 in State Water Project refunds. \$1,021,102 was paid out in State Water Project charges. (YTD, \$9,561,348).

General Fund (November)

Reporting on the Wastewater Fund, Mrs. Saenz reported \$60,056 was received in Wastewater Revenue Receipts. \$209,473 was paid out in Accounts Payable.

Wastewater Fund (November)

President Bloomer called upon Assistant General Manager 19591. Johnson to provide an update on Agency operations.

General Manager's Report

Assistant General Manager Johnson provided an update on Agency operations for the past several weeks.

19592. President Bloomer called upon Legal Counsel Riddell to present the report on Procedure of Electing Board Officers.

Discussion Items: Discussion on Procedure of Electing **Board Officers**

Legal Counsel Riddell gave a brief overview of the rules on Electing Board officers and stated that Desert Water Agency has its own law. titled "Desert Water Agency Law." He explained some of the practices and procedures the Board is required to follow.

Directors Grasha, McKenna, and Ortega all expressed their concerns on the procedure and how it relates to Ordinance No. 74.

Discussion Items (Cont.) Discussion on Procedure of Electing Board Officers

Director McKenna stated his preference for the office of President be for one year rather than the current two years. He then suggested forming a subcommittee to work on revisions to Ordinance No. 74.

19593. President Bloomer and Director Ortega noted their attendance at the ACWA Fall conference recently held in Indian Wells.

Report on Attendance at ACWA Fall Conference

19594. President Bloomer noted her attendance at the Colorado River Water Users Association Conference held in Las Vegas.

Report on Attendance at the CRWUA Conference

19595. At 11:00 a.m., President Bloomer convened into a Teleconference Closed Session for the purpose of Conference with Legal Counsel, (A) Existing Litigation, pursuant to Government Code Section 54956.9 (d) (1), Agua Caliente Band of Cahuilla Indians vs. Coachella Valley Water District, et al (Two Cases); (B) Existing Litigation, pursuant to Government Code Section 54956.9 (d) (1), Mission Springs Water District vs. Desert Water Agency; et al; and (C) Existing Litigation, Pursuant to Government Code Section 54956.9 (d) (1), AT&T vs. County of Riverside.

Closed Session:

A. Existing Litigation – ACBCI vs. CVWD, et al. (2 Cases)
B. Existing Litigation – MSWD vs. DWA
Agency et al
C. Existing Litigation - AT&T vs. County of Riverside

19596. At 12:35 p.m., Assistant General Manager Johnson reconvened the meeting into open session and announced there was no reportable action taken.

Reconvene – No Reportable Action

19597. In the absence of any further business, Assistant General Adjournment Manager Johnson adjourned the meeting at 12:36 p.m.

Sylvia Baca Assistant Secretary of the Board

MINUTES OF THE REGULAR MEETING OF THE DESERT WATER AGENCY BOARD OF DIRECTORS

January 3, 2023

DWA Board via	Kristin Bloomer, President)			
Teleconferencias:	Paul Ortega, Director)			
	Jeff Bowman, Director)			
	Steve Grasha, Director)			
	Gerald McKenna, Director)			
DWA Staff via	Mark Krause, General Manager)			
Teleconference:	Steve Johnson, Assistant General Manager)				
	Esther Saenz, Finance Director				
	Sylvia Baca, Asst. Secretary of the Board)			
	Kris Hopping, Human Resources Director)			
	Jamie Hoffman, Senior Administrative Assistant)			
Consultants via	Michael T. Riddell, Best Best & Krieger)			
Teleconference:	Ashley Metzger, Regional Government Svcs.)			

President Bloomer opened the meeting at 8:00 a.m. and asked everyone to join her in the Pledge of Allegiance.

Pledge of Allegiance

President Bloomer called upon Assistant Secretary of the Board Roll Call Baca to conduct the roll call:

Present: Bowman, Grasha, McKenna, Ortega, Bloomer

President Bloomer opened the meeting for nominations of Board President, Vice President, and Secretary-Treasurer. She asked if anyone has any questions or comments on the subject.

Election of Board Officers

Director Bowman stated that this is an historic change for the Agency, bringing the three new Board Members in and that it's critical for the Agency to stay focused on what's important. He expressed his opinion on one existing Board Member and one new Board Member as newly appointed officers so they can grow together bringing old and new ideas to the forefront.

Director McKenna expressed how important the arrival of the three new Board Members from Desert Hot Springs is. He concurs with Director Bowman that there should be representation from both old and new Board Members as officers. Mr. McKenna also expressed his concern with Ord. 74 and wants to revisit that again.

Director Ortega stated that he concurs with Director Bowman and would like to see a good balance on the Board. Mr. Ortega expressed his intent with regard to Ord. 74 and would also like to revisit it again.

Election of Board Officers (Cont.)

President Bloomer expressed her interest continuing in a leadership role on the Board and would like to bring all the new Board Directors up to speed on Agency operations.

President Bloomer asked for a nomination for Board President.

Director Bowman thanked President Bloomer for her time serving as President and made a motion to nominate Director Ortega as President. After a second by Director McKenna, the motion carried by the following roll call vote:

President - Ortega

AYES: Bowman, McKenna, Ortega, Bloomer

NOES: None ABSENT: None ABSTAIN: Grasha

Director McKenna made a motion to nominate Director Grasha as Vice President. After a second from Director Grasha, the motion failed by the following roll call vote:

AYES: Grasha, McKenna

NOES: Bowman, Ortega, Bloomer

ABSENT: None ABSTAIN: None

Director Grasha made a motion to nominate Director McKenna as Vice President. After a second from Director McKenna, the motion failed by the following roll call vote:

 $\label{eq:Vote President - Vote Failed} Vice President - Vote Failed$

Vice President - Vote

Failed

AYES: Grasha, McKenna

NOES: Bowman, Ortega, Bloomer

ABSENT: None ABSTAIN: None

Director McKenna made a motion to nominate Director Vi Bowman as Vice President. After a second from President Ortega, the motion Bocarried by the following roll call vote:

Vice President – Bowman

AYES: Bowman, McKenna, Ortega, Bloomer

NOES: Grasha ABSENT: None ABSTAIN: None

Director Grasha made a motion to nominate Director McKenna as Secretary-Treasurer. After a second by Vice President Bowman, the motion carried unanimously by the following roll call vote:

Election of Board Officers

(Cont.)

Secretary-Treasurer McKenna

Bowman, Grasha, McKenna, Ortega, Bloomer AYES:

NOES: None ABSENT: None **ABSTAIN: None**

President Ortega opened the meeting for public comment for items not listed on the Agenda.

Public Comment on Items Not on the Agenda

There was no one from the public wishing to address the Board for items not listed on the Agenda.

President Ortega opened the meeting for public comment for Listed Agenda Items items listed on the Agenda.

Public Comment on

There was no one from the public wishing to address the Board for items listed on the Agenda.

President Ortega called for approval of the Consent Calendar. He noted that Consent Calendar Items 6-A through 6-C are expected to be routine and to be acted upon by the Board of Directors at one time without discussion. If any Board member requests that an item be removed from the consent calendar, it will be removed so that it may be presented separately.

Approval of the **Consent Calendar**

- A. Receive and File Minutes of the December 15, 2022 State Water **Contractors Meeting**
- B. Receive and File Minutes of the December 29, 2022 Executive **Committee Meeting**
- C. Receive and File November Water Use Reduction Figures
- A. Receive & File Minutes of the 12/15/22 State Water Contractors Meeting
- B. Receive & File Minutes of the 12/29/22 Executive Committee Meeting
- C. Receive & File -Nov. Water Use Reduction Figures

Director Bloomer moved for approval of Consent Calendar Items 6-A thru 6-C. After a second by Vice President Bowman, the motion carried unanimously by the following roll call vote:

> **AYES**: Bowman, Grasha, McKenna, Ortega, Bloomer

NOES: None ABSENT: None ABSTAIN: None

President Ortega called upon General Manager Krause to provide an update on Agency operations.

General Manager's Report

General Manager Krause provided an update on Agency operations for the past several weeks.

Discussion Items: President Ortega opened the meeting for Discussion Items A through E.

Director Grasha expressed interest on more information regarding the project. General Manager Krause stated he will comprise a report to present to the Board.

A. East Branch Extension

President Ortega stated that he recalls a presentation from the State Water Project Board on this specific project and believes it would be very informative and helpful to gain a better understanding. General Manager Krause concurs and will put together a few slides for presentation.

B. Sites Reservoir Financial Planning

Secretary-Treasurer McKenna expressed that he would like to see Ord. 74 as an Action Item on the next agenda and does not see a need for a committee meeting or a study session. Legal Counsel Riddell stated that there were several reasons as to why there were revisions made to Ord. 74. The most important was that the Ordinance was adopted over 40 years ago, and the Board felt it was necessary to have it updated to match the Agencies current procedures.

C. Study Session to Review Ord. No. 74

President Ortega asked Legal Counsel Riddell what steps it would take to change Ord. 74 if they decided to move forward with an immediate change. General Manager Krause explained the process to complete changes and stated that he feels a workshop would be a better solution at this point.

Director Bloomer, Director Grasha, Vice President Bowman, and President Ortega are all in favor of a Workshop. General Manager Krause stated that he will work with Assistant Secretary of the Board Baca to find a time that works with everyone.

> D. Board Mtgs. Date and Time Change

President Ortega called upon General Manager Krause to provide his recommendation on how to proceed with potential new dates and time change for Board Meetings. General Manager Krause proposed putting it on the next agenda and will compile a staff report that will summarize how other Agencies operate their meetings in this area.

Vice President Bowman expressed how important it is to be transparent to the public and provide exceptional customer service but would also like to know the statistics on public attendance at in-person Board meetings.

Director Grasha stated that he would like to have the meetings uploaded to YouTube so the public can be aware of all the topics discussed during the meetings.

Secretary-Treasurer McKenna expressed his support of conducting the meetings in person as quickly as possible. He noted that he would like to see 6 p.m. meetings. He also stated that he feels it's important

to have better outreach to the public and raise DWA's profile and feels that occasional remote locations would be beneficial. He concurred with Director Grasha about uploading meetings to YouTube.

Discussion Items: (Cont.)

Board Mtgs. Date and Time Change (Cont.)

Director Bloomer stated that we should consider what it will do to the budget, staff time and scheduling. She noted that she has never experienced a scenario where the meetings posed a conflict with the public attending. She stated that she feels the date and time is fine and proposed looking into how other agencies are conducting their meetings and consider possibly having one meeting in the morning and one in the evening.

President Ortega stated that he is open to the date and time change for future Board meetings. He concurs with Secretary-Treasurer McKenna that remote locations would be a good opportunity for outreach. He then asked General Manager Krause if he has enough time to bring this to the next meeting as an Action Item. Mr. Krause stated he will be able to address most issues that have been brought to his attention and he will do his best to present it at the next Board meeting.

President Ortega stated that Board Payment Frequency will be considered at the next Board meeting.

E. Board Payment Frequency – Scheduled for 01/17/23 Board Agenda

Vice President Bowman thanked Director Bloomer for her leadership and stated that he looks forward to working together on the Board in supporting DWA and its customers.

Directors
Comments/Requests:

Director Grasha thanked President Ortega for a well lead meeting and stated that he looks forward to more meetings ahead. He then thanked all his constituents for their support.

Secretary-Treasurer McKenna thanked all the Board Members for putting their confidence in him and looks forward to serving DWA and its customers.

Director Bloomer stated she looks forward to working with everyone. Ms. Bloomer expressed that she would like everyone to keep a professional demeanor and respect for one another while working together.

President Ortega concurred with Director Bloomer; keeping a professional and respectful environment is important to a well-run Board.

At 9:20 a.m., President Ortega convened into a Teleconference Closed Session for the purpose of Conference with Legal Counsel, (A) Existing Litigation, pursuant to Government Code Section 54956.9 (d) (1), Agua Caliente Band of Cahuilla Indians vs. Coachella Valley Water District, et al (Two Cases); (B) Existing Litigation, pursuant to Government Code Section 54956.9 (d) (1), Mission Springs Water District vs. Desert Water Agency; et al; and (C) Existing Litigation, Pursuant to Government Code Section 54956.9 (d) (1), AT&T vs. County of Riverside.

Closed Session:
A. Existing Litigation –

ACBCI vs. CVWD, et al. (2 Cases) B. Existing Litigation – MSWD vs. DWA Agency et al

C. Existing Litigation - AT&T vs. County of Riverside

At 11:01 p.m., General Manager Krause reconvened the meeting into open session and announced there was no reportable action taken.

Reconvene – No Reportable Action

In the absence of any further business, General Manager Krause adjourned the meeting at 11:02 p.m.

Adjournment

Cylvia Daga

Sylvia Baca Assistant Secretary of the Board

Minutes Executive Committee Meeting

January 12, 2023

Directors Present: Paul Ortega, Jeff Bowman

Staff Present: Mark Krause, Steve Johnson, Esther Saenz, Sylvia Baca

Jamie Hoffman

Consultant Present: Ashley Metzger

Call to Order

1. Public Comments - None

2. Discussion Items

A. Review agenda for January 17, 2023 Board meeting

The proposed agenda for the January 17, 2023 meeting was reviewed.

B. 2023 Committee Assignments

Chair Ortega presented the new committee assignments and directed Assistant Secretary of the Board Baca to distribute to the full Board.

C. 2023 Special District Selection Committee Election (eastern portion)

Assistant Secretary of the Board Baca provided the Committee with Riverside LAFCO's memo regarding the 2023 Special District Selection Committee Election for the eastern portion. Information for the election will be sent to the Board. Any Directors interested in the position should contact Ms. Baca.

D. Board Meeting/Event Compensation Policy

Mrs. Metzger presented options for Board compensation at various events and meetings.. The Committee requested changes and directed Mrs. Metzger to bring this item back to a future Executive Committee meeting for discussion.

E. <u>Discuss potential agenda items to be considered for the Board meeting agenda</u>
Staff provided an update on items requested to be placed on future Board agendas.

Adjourn

DESERT WATER AGENCY

OUTREACH & CONSERVATION ACTIVITIES

DECEMBER 2022

Activities

12/29

12/29

12/1 DWA launches City of Palm Springs-sponsored grass removal program. 12/8 Xochitl Pena was on a live segment with KESQ. 12/12 Staff attended a SGM Implementation Grant Package review meeting. 12/13 Xochitl Pena attended ONE-PS meeting and provided a DWA update. 12/14 Staff attended an ACBCI/ACWA annual meeting. 12/14 Staff attended the CVRWMG Business meeting. 12/15 Xochitl Pena was on a live segment with KESQ. 12/15 Ashley Metzger reviewed the MSWD study session. 12/15 Ashley Metzger attended a CV-SNMP Stakeholder Engagement meeting. 12/16 Ashley Metzger attended a Delta Conveyance Communications Planning meeting. 12/20 Staff attended the CV Water Counts monthly meeting. 12/22 Ashley Metzger was on a live segment with KESQ. 12/28 Staff attended a CV-SNMP Monthly Meeting.

Public Information Releases/eblasts/Customer Notifications

Xochitl Pena was on a live segment with KESQ.

12/1 – Latest News on website – Get more money to convert your lawn TODAY!

Xochitl Pena recorded a radio interview with Joey English.

- 12/7 Latest News on Website Director Paul Ortega to Represent Arid Region on Water Industry Board.
- 12/7 Nextdoor Saturnino Road Water Construction.
- 12/9 Nextdoor Water Construction Notice.
- 12/12 Nextdoor Desert Water Agency Construction.
- 12/14 Nextdoor Free Funding for Grass Removal.
- 12/19 Latest News on website New program helps low-Income locals remove grass.
- 12/20 Latest News on website DWA hosts vaccine clinic.
- 12/21 Latest News on website DWA holds water restrictions steady.
- 12/29 Nextdoor Desert Water Agency Construction.

Upcoming Events

1/26 – TENTATIVE City of Palm Springs Council to review additional funding for grass removal

1/28 - Palm Springs Health Run & Wellness Festival.

Conservation Programs

Grass Removal:

123 Inspections

50 Projects pre-approved

25 Projects given final approval

Devices:

- 14 Washing machine rebates requested
- 11 Washing machine rebates approved
- 9 Smart controller rebates requested
- 9 Smart controller rebates approved
- 12 Nozzles requested for rebate
- 0 Nozzles approved for rebate
- 0 Toilet rebates requested (commercial only)
- 0 Toilet rebates approved (commercial only)

Water waste:

- 66 Total complaints submitted
- 24 Contact to customer
- 40 Site inspections scheduled
- 13 Citations

Audience Overview

All Users
100.00% Users

Dec 1, 2022 - Dec 31, 2022

Overview



Users	% Users	
4,652		94.61%
68	1.38%	
60	1.22%	
57	1.16%	
16	0.33%	
13	0.26%	
8	0.16%	
7	0.14%	
4	0.08%	
4	0.08%	
	4,652 68 60 57 16 13 8 7	68 1.38% 60 1.22% 57 1.16% 16 0.33% 13 0.26% 8 0.16% 7 0.14% 4 0.08%

facebook

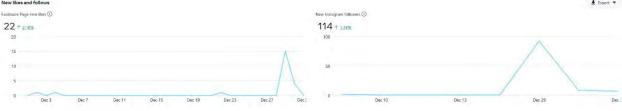






DESERT WATER Desert Water Agency

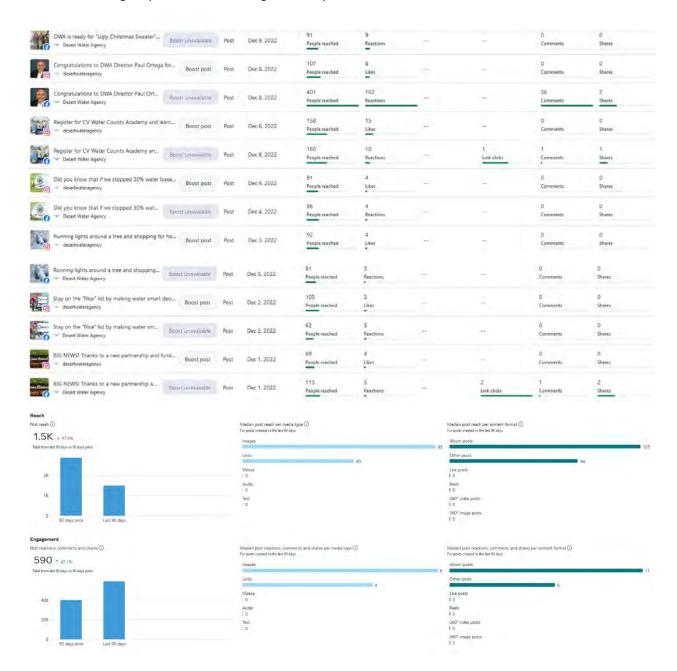




Desert Water Agency Facebook & Instagram Analytics December 2022

40	GIVEAWAY! • Desert Water Agency, the P — Desert Water Agency	Boost unaversable	Post	Dec 29, 2022	116 People reached	15 Reactions	**	1 Link clicks	9 Comments	1 Shares
	GIVEAWAYI & Desert Water Agency; the Palm desertwaleragency	Sp. Boost post	Post	Dec 29, 2022	373 People reached	69 Likes		-	35 Comments	6 Shares
	Happy Holidays from your friends at Desert Wa desertwateragency	ste Boost post	Post.	Dec 27, 2022	103 People reached	8 Likes		-	1 Comments	D Shares
0	Happy Holidays from your friends at Deser Desert Water Agency	Boost unavailable	Post	Dec 24, 2022	100 People reached	8 Reactions	**	-	D Comments	0 Shares
	Do the NICE thing and make sure your sprinkle deserthaleragency	ers Boost post	Post	Dec 22, 2022	88 People reached	9 Likes	- 2	186	0 Comments	Ó Shares
	Do the NICE thing and make sure your spr — Desert Water Agency	Boosi unavailable	Post	Dec 22, 2022	96 People reached	S Reactions			D Comments	0. Shares
₩,	December is dynamic. Northern California saw — deserwateragency	a la. Boost post	Post	Dec 21, 2022	90 People reached	3 Likes	94		D Comments	C Shares
EAVE	December is dynamic. Northern California — Desert Water Agency	Boost unavailable	Post	Dec 21, 2022	89 People reached	5 Reactions			0 Comments	1 Shares
	DWA is hosting a Riverside County COVID-19 desenwateragency	va Boost post	Post	Dec 20, 2022	50 People reached	Z Likes	_	-	0 Comments	O Shares
	DWA is hosting a Riverside County COVID — Desert Water Agency	Boost unavailable	Post	Dec 20, 2022	153 People reached	3 Reactions	-	1 Link sticks	0 Comments	1 Shares
LANG WATER	What tips and tricks do you have that help you desertwaleragency	J S Boost post	Post	Dec 20. 2022	57 People resched	3 Likes	-	-	0 Comments	O Shares
DOM SHALL	What tips and tricks do you have that help — Deset Water Agency	Boost unavailable	Post	Dec 20, 2022	61 People reached	3 Reactions	-	-	D Comments	D Shares
	Avoid being on the naughty list this year by us desertwateragency	Sn_ Boost post	Post	Dec 18, 2022	200 People reached	13 Likes	-		0 Comments	O Shares
	Avoid being on the naughty list this year b — Desert Water Agency	Boott unavailable	Post	Dec 18. 2022	57 People reached	7 Reactions	-	i e	0 Comments	0 Shares
10	Cheers to all the Santas & pups at the ann — Desert Water Agency	Boast unavallable	Post	Dec 17, 2022	143 People reached	14 Reactions	-	-	D Comments	Ö Shares
Ji.	Cheers to all the Santas & pups at the annual sed deservateragency	San Boost post	Post	Dec 17, 2022	122 People reached	18 Likes	-	-	0 Comments	1 Shares
	Purchase an EnergyStar washing machine and desertwateragency	yo Boost post	Post	Dec 16, 2022	89 People reached	5 Likes	-	-	0 Comments	0 Shares
	Purchase an EnergyStar washing machine Desert Water Agency	Boost unavelable	Post	Dec 16, 2022	141 People reached	5 Réactions			0 Comments	1 Shares
	Keep an eye out! Whether you're working in the deserweteregency	ne Boost post	Post	Dec 13, 2022	187 People reached	15 Likes	н	100	0 Comments	1 Shares
	Don't forget to turn off your sprinklers and	Boost unavallable	Post	Dec 12, 2022	69 People reached	5 Reactions	-	44	0 Comments	0 Shaces
6	Don't forget to turn off your sprinklers and kee - desertweteragency	ep Boost post	Post	Dec 12, 2022	109 People reached	7 Likes	-	-	0 Comments	0 Shares
	Looking for a good read? DWA's Little Free Lib	Far Boost post	Post	Dec 10, 2022	110 People reached	6 Likes	-	100	0 Comments	0 Shares
-0	Looking for a good read? DWA's Little Free	Boott unavailable	Post	Dec 10, 2022	56 People reached	5 Reactions			0 Comments	0 Shares
	DWA is ready for "Ugly Christmas Sweater" we desertwateragency	ath Boost post	Post	Dec 9, 2022	179 People reached	22 Likes			1 Comments	1 Shares

Desert Water Agency Facebook & Instagram Analytics December 2022





Desert Water Agency

1200 S Gene Autry Trl, Palm Springs

Desert Water Agency is the water utility for the Palm Springs area including outlying county areas, Desert Hot Springs, part of Cathedral City and Palm Springs. It is our responsibility to provide a safe, reliable water supply to the area we serve while protecting



143 neighborhoods

nextdoor

Desert Water Agency 🦭

Public Affairs & Water Planning Coordinator Ernye Valenciano • 29 Dec



Desert Water Agency - Water Construction. Starting/ending on January 3rd (7am -4pm). Desert Water Agency crews will be performing service line improvements along a portion of the sidewalk on 225. W Baristo Rd. (Map Attached)

See more...

Posted to Subscribers of Desert Water Agency in 9 neighborhoods

Be the first to react













Free Funding for Grass Removal. You may qualify for up to \$8 per square foot to replace your grass with drought friendly landscaping. That could cover the entire cost to upgrade your yard, which can save water & money on your monthly water bill.

See more...



Desert Water Conservation Incentive Programs programs.dwa.org

Posted to Subscribers of Desert Water Agency in 1 area

Be the first to react







Share



Desert Water Agency 👽

Public Affairs & Water Planning Coordinator Ernye Valenciano • Edited 14 Dec

Desert Water agency Water Construction - 432 S. Indian Canyon Dr. Starting/Ending on December 15th (7am - 4pm). Desert Water Agency crews will be performing service line improvements on a small portion of S. Indian Canyon Dr. DWA will be working in the shoulder area of the roadway in front of Castaneda's Mexican Food, Palm Springs See more...

Posted to Subscribers of Desert Water Agency in 2 areas









Charo





Desert Water Agency - Dec. 14th Water Construction. Desert Water Agency - Water Construction Notice

Starting/ending on December 14th (7am - 4pm). Desert Water Agency crews will be performing service line improvements along S. Hermosa Dr. as indicated on attached See more...

Posted to Subscribers of Desert Water Agency in 5 neighborhoods

Be the first to react











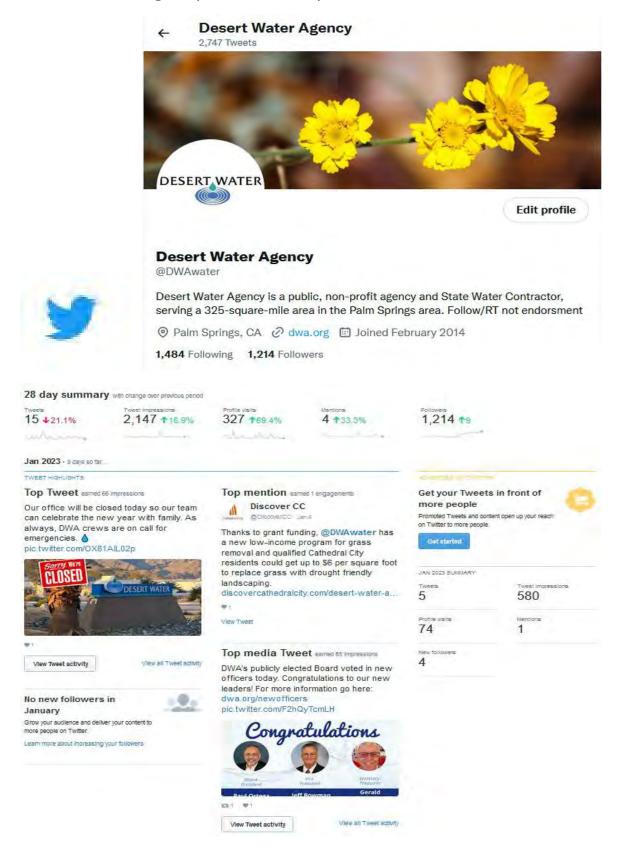
Water Construction Notice. Desert Water Agency Construction. Starting/ending on December 13th (7am - 4pm). Desert Water Agency crews will be performing service line improvements along S. Sunrise Way as indicated on attached map.

See more...

Posted to Subscribers of Desert Water Agency in 8 neighborhoods

Be the first to react

Desert Water Agency Twitter Analytics December 2022



STAFF REPORT TO DESERT WATER AGENCY BOARD OF DIRECTORS

JANUARY 17, 2023

RE: REQUEST AUTHORIZATION TO CONTINUE VIRTUAL BOARD AND COMMITTEE MEETINGS FOR ANOTHER 30 DAYS BASED UPON A DETERMINATION THAT IN-PERSON MEETINGS WOULD POSE A RISK TO PUBLIC HEALTH (PER GC §54953(E))

The Board of Directors has previously authorized the continuation of virtual Board and Committee meetings for another 30-day period in accordance with the provisions of AB 361, now in accordance with Government Code Section 54953(e).

The Board of Directors may elect to continue conducting virtual meetings if it makes its own specific findings that meetings in person would pose a health threat to those in attendance, or when other regulatory bodies having jurisdiction within the Agency's service area recommend social distancing for the protection of people who otherwise might attend those meetings in person. The Board must make that determination every thirty days in order for meetings to be conducted virtually.

Therefore, it is recommended that the Desert Water Agency Board of Directors authorize Board and Committee meetings to be conducted virtually for the next ensuing 30-day period based upon the following facts and determinations:

- The California Department of Public Health and the County of Riverside continue to recommend social distancing as a result of the COVID-19 state of emergency. They also strongly recommend wearing a mask for all individuals in most indoor settings.
- The Centers for Disease Controls and Prevention (CDC) recommends social distancing in high transmission areas.
- State officials have issued orders imposing or recommending social distancing measures for certain individuals and in certain situations.
- Due to the COVID-19 emergency, meeting in person would present risks to the health and safety of attendees.

Fiscal Impact:

None

Recommendation:

Staff recommends that the Board of Directors authorize the continuation of virtual Board and Committee meetings for another 30 days based upon a determination that in-person meetings would pose a risk to public health (Per Government Code Section 54953(e)).

STAFF REPORT TO DESERT WATER AGENCY **BOARD OF DIRECTORS**

JANUARY 17, 2023

RE: REQUEST ADOPTION OF RESOLUTION NO. 1291 UPDATING SIGNERS FOR US BANK ACCOUNTS

Attached for the Board's review is Resolution No. 1291, which updates authorized signers for U.S. Bank.

Due to the recent election of Directors Jeff Bowman, Steve Grasha, and Gerald McKenna, and resignation of Accountant Glendale Berdan, it is necessary to update signers on the Agency's bank accounts.

The updated bank account resolution includes the following individuals as authorized signers on the U.S. Bank accounts:

- Director Kristin Bloomer
- Director Steve Grasha

- President Paul Ortega
 Vice President Jeff Bowman
 Secretary-Treasurer Gerald McKenna
 General Manager Mark Krause
 Assistant General Manager Steve Johnson
 Finance Director Esther Saenz

 - Accounting Supervisor Jason Slough

Changes with regard to the addition of authorized signers require an update to the existing resolution.

Fiscal Impact:

None

Recommendation:

Staff recommends adoption of Resolution No. 1291. Upon adoption of the above referenced resolutions, a certified copy will be provided to U.S. Bank in order to update the Agency's bank accounts.

Attachment(s):

1. Resolution No. 1291 Updating Authorized Signers for U.S. Bank

A RESOLUTION OF THE BOARD OF DIRECTORS OF DESERT WATER AGENCY UPDATING AUTHORIZED SIGNERS FOR U.S. BANK

WHEREAS, on May 1, 2018, the Desert Water Agency Board of Directors adopted Resolution No. 1178 Confirming the Establishment of Checking Accounts with U.S. Bank for the purpose of handling receipts and disbursements for the Operating, General and Wastewater Accounts, further updated by Resolution No. 1288 (Updating Authorized Signers); and

WHEREAS, the Agency desires to change the designation of persons authorized to make such withdrawals;

NOW, THEREFORE, BE IT RESOLVED that the Agency does hereby authorize the following individuals; any two acting together, to withdraw funds from said accounts by checks, drafts or other items for and on behalf of this Agency. All checks of the Agency bearing the words, "Payroll Check" may be signed by any one of the following designated authorized signers.

Paul Ortega Mark Krause
Jeff Bowman Steven Johnson
Gerald McKenna Esther Saenz
Kristin Bloomer Jason Slough
Steve Grasha

BE IT FURTHER RESOLVED that the authority hereby conferred shall remain in force until U.S. Bank has received notification of revocation of such action by the Board of Directors of this Agency.

BE IT FURTHER RESOLVED that a certified copy of this resolution be transmitted to U.S. Bank and hereby updates Resolution No. 1288.

ADOPTED this 17th day of January 2023.		
	Paul Ortega, President	
ATTEST:		
Gerald McKenna, Secretary-Treasurer		

STAFF REPORT TO DESERT WATER AGENCY BOARD OF DIRECTORS

JANUARY 17, 2023

RE: REQUEST ADOPTION OF RESOLUTION NO. 1292, 1293, 1294, AND 1295 UPDATING SIGNERS FOR INVESTMENT ACCOUNTS

Attached for the Board's review are copies of Resolution No. 1292 thru 1295, which updates authorized signers for Alamo Capital Investment Services, Piper Sandler, Stifel, and Union Banc Investments.

Due to the newly appointed President Paul Ortega and Secretary-Treasurer Gerald McKenna and newly hired Accounting Supervisor, Jason Slough, it is necessary to update signers on these accounts.

As noted within the investment account resolutions, Board President Paul Ortega, Secretary-Treasurer Gerald McKenna, General Manager Mark S. Krause, Assistant General Manager Steve Johnson, Finance Director Esther Saenz and Accounting Supervisor Jason Slough will be the authorized signers on the accounts.

Changes with regard to signers require an update to the existing resolution.

Fiscal Impact:

None

Staff Recommendation:

Staff recommends adoption of Resolution No. 1292, 1293, 1294 and 1295. Upon adoption of the above referenced resolutions, certified copies will be provided to the respective investment brokers in order to update the Agency's accounts.

Attachments:

- 1. Resolution 1292 Updating Authorized Signers for Alamo Capital Investment Services
- 2. Resolution 1293 Updating Authorized Signers for Piper Sandler
- 3. Resolution 1294 Updating Authorized Signers for Stifel
- 4. Resolution 1295 Updating Authorized Signers for Union Banc Investments

A RESOLUTION OF THE BOARD OF DIRECTORS OF DESERT WATER AGENCY UPDATING AUTHORIZED SIGNERS FOR ALAMO CAPITAL INVESTMENT SERVICES

WHEREAS, on February 5, 2019, the Desert Water Agency Board of Directors adopted Resolution No. 1202 Authorizing the Establishment of Accounts with Alamo Capital Investment Services for Purposes of Investment (Operating Fund/General Fund), further updated by Resolution No. 1250 (Updating Authorized Signers); and

WHEREAS, the Agency desires to change the designation of persons authorized to make such investments on behalf of the Agency;

NOW, THEREFORE BE IT RESOLVED that the Board of Directors of Desert Water Agency does hereby authorize the following individuals to order the investment of money with or the liquidation of investments and withdrawal of monies from investment accounts with Alamo Capital Investment Services:

Paul Ortega - Board President
Gerald McKenna- Secretary-Treasurer
Mark S. Krause - General Manager
Steve Johnson - Assistant General Manager
Esther Saenz - Finance Director
Jason Slough - Accounting Supervisor

BE IT FURTHER RESOLVED that this resolution shall remain in effect until written notice of the revocation hereof shall be delivered to Alamo Capital Investment Services. This resolution hereby updates Resolution No. 1250.

ADOPTED this 17th day of January 2023.

Paul Ortega, President

ATTEST:

Gerald McKenna, Secretary-Treasurer

A RESOLUTION OF THE BOARD OF DIRECTORS OF DESERT WATER AGENCY UPDATING AUTHORIZED SIGNERS FOR PIPER SANDLER

WHEREAS, on June 19, 2018, the Desert Water Agency Board of Directors adopted Resolution No. 1191 Authorizing the Establishment of Accounts with Piper Sandler for Purposes of Investment (Operating Fund/General Fund), further updated by Resolutions No. 1249 (Updating Authorized Signers); and

WHEREAS, the Agency desires to change the designation of persons authorized to make such investments on behalf of the Agency;

NOW, THEREFORE BE IT RESOLVED that the Board of Directors of Desert Water Agency does hereby authorize the following individuals to order the investment of money with or the liquidation of investments and withdrawal of monies from investment accounts with Piper Sandler:

Paul Ortega - Board President
Gerald McKenna- Secretary-Treasurer
Mark S. Krause - General Manager
Steve Johnson - Assistant General Manager
Esther Saenz - Finance Director
Jason Slough - Accounting Supervisor

BE IT FURTHER RESOLVED that this resolution shall remain in effect until written notice of the revocation hereof shall be delivered to Piper Sandler. This resolution hereby replaces Resolution No. 1249.

A DODTED this 17th day of January 2022

ADOPTED this 17 day of January 202.	3.	
	Paul Ortega, President	
ATTEST:		
Gerald McKenna, Secretary-Treasurer		

A RESOLUTION OF THE BOARD OF DIRECTORS OF DESERT WATER AGENCY UPDATING AUTHORIZED SIGNERS FOR STIFEL

WHEREAS, on November 5, 2013, the Desert Water Agency Board of Directors adopted Resolution No. 1080 Authorizing the Establishment of Accounts with Stifel for Purposes of Investment (Operating Fund/General Fund), further updated by Resolution No. 1248 (Updating Authorized Signers); and

WHEREAS, the Agency desires to change the designation of persons authorized to make such investments on behalf of the Agency;

NOW, THEREFORE BE IT RESOLVED that the Board of Directors of Desert Water Agency does hereby authorize the following individuals to order the investment of money with or the liquidation of investments and withdrawal of monies from investment accounts with Stifel:

Paul Ortega - Board President
Gerald McKenna- Secretary-Treasurer
Mark S. Krause - General Manager
Steve Johnson - Assistant General Manager
Esther Saenz - Finance Director
Jason Slough - Accounting Supervisor

BE IT FURTHER RESOLVED that this resolution shall remain in effect until written notice of the revocation hereof shall be delivered to Stifel. This resolution hereby replaces Resolution No. 1248.

ADOPTED this 17th day of January 2023.

Paul Ortega, President

ATTEST:

Gerald McKenna, Secretary-Treasurer

A RESOLUTION OF THE BOARD OF DIRECTORS OF DESERT WATER AGENCY UPDATING AUTHORIZED SIGNERS FOR UNION BANC INVESTMENTS

WHEREAS, on April 18, 2006, the Desert Water Agency Board of Directors adopted Resolution No. 925 Authorizing the Establishment of Accounts with Union Banc Investments, successor of Union Bank of California, for Purposes of Investment (Operating Fund/General Fund), further updated by Resolutions No. 1247 (Updating Authorized Signers); and

WHEREAS, the Agency desires to change the designation of persons authorized to make such investments on behalf of the Agency;

NOW, THEREFORE BE IT RESOLVED that the Board of Directors of Desert Water Agency does hereby authorize the following individuals to order the investment of money with or the liquidation of investments and withdrawal of monies from investment accounts with Union Banc Investments:

Paul Ortega - Board President
Gerald McKenna- Secretary-Treasurer
Mark S. Krause - General Manager
Steve Johnson - Assistant General Manager
Esther Saenz - Finance Director
Jason Slough - Accounting Supervisor

BE IT FURTHER RESOLVED that this resolution shall remain in effect until written notice of the revocation hereof shall be delivered to Union Banc Investments. This resolution hereby replaces Resolution No. 1247.

ADOPTED this 17 th day of January 2023.		
	Paul Ortega, President	
ATTEST:		
Gerald McKenna, Secretary-Treasurer		

STAFF REPORT TO DESERT WATER AGENCY BOARD OF DIRECTORS

JANUARY 17, 2023

RE: REQUEST BOARD APPROVAL OF BOARD OF DIRECTORS PAYROLL POLICY

Currently, the Board of Directors payroll is paid on a quarterly basis without a set payment date. Each month, all meeting attendance is compiled by the Assistant Secretary to the Board, verified by the Board of Directors, and approved by the General Manager, with the Accounting department processing Board payroll quarterly.

Upon request of the Board, staff investigated the processing requirements to switch Board payroll payments from quarterly to monthly.

To switch to monthly Board payroll periods, staff proposes establishing a fixed meeting attendance submittal date and a fixed pay date. This will allow staff to perform Board payroll processing activities as part of their monthly routines and will set clear expectations regarding the payment schedule.

Monthly payments will require staff and Board to submit timely attendance verifications. Currently, with the quarterly payment schedule, the Assistant Secretary to the Board prepares the meeting attendance summary from Agency records and submits to each Director for verification. Once verified and approved by each Director, the meeting attendance is submitted to the General Manager for review and approval. Though this requires significant effort and time to accomplish, there is some flexibility if delays occur. Presently, delays in the verification process only becomes an issue on the last month of every quarter. Any verification delays during the last month of the quarter will cause payment delays for all Directors. With a switch to a monthly payroll period, attendance verification will become a crucial factor each month; however, delays will only affect the payment of the individual Director who is late with their attendance submittal.

For the Accounting department, the amount of payroll runs processed will increase from four to twelve payroll batches per year for the Board. While this is an increase in the amount of payroll runs, this will be of minimal impact to the department as it is a task that does not take a significant amount of processing due to its small size.

The attached Board of Directors Payroll Policy has been prepared and addresses the needs of staff to switch from the current quarterly payroll period to a monthly payroll period

for the Board of Directors. The policy highlights provided below are changes from current operating procedures.

Policy Highlights:

- 1. Board Directors are responsible for compiling and submitting their meeting attendance.
- 2. Timelines are set for submission of meeting attendance.
- 3. There are two processing periods set for each month. If the first processing period deadlines for submission of time is missed, payment will be placed in the second processing period. Delayed meeting attendance submissions will only affect the Director that is late and will no longer delay payment for all Directors.
- 4. The Board of Directors pay date is fixed on the 15th of each month.

On October 4, 2022, Staff presented the attached Board of Directors Payroll Policy that would be necessary in order to facilitate the switch to a monthly payroll schedule. The Board of Directors did not approve the Board of Directors Payroll Policy and requested that the policy be brought back for consideration once the, soon to be elected, board of directors were in office.

The following revisions have been made to the Board of Directors Payroll Policy draft presented to the Board on October 4, 2022:

- 1. A limit provided for how many times the Assistant Secretary to the Board will have to initiate communication with a Board Director to request revisions to Meeting Attendance submission in order to bring submitted Meeting Attendance into agreement with Agency records (Section 4.B.ii)
- 2. "Meeting Attendance Form Submission" has been replaced with "Meeting Attendance Submission". The Agency recently implemented the Paycom payroll system which includes the ability to submit meeting attendance directly into the Paycom payroll system for review by Assistant Secretary to the Board and General Manager. This will help to streamline the Board Director Payroll process, removing the duplicate entry efforts currently performed by the Administrative and Accounting departments.

Fiscal Impact:

None.

Recommendation:

If the Board of Directors desires to switch from a quarterly payroll period to a monthly payroll period, Staff recommends the approval of the Board of Directors Payroll Policy.

Attachments:

1. Board of Directors Payroll Policy



DESERT WATER AGENCY

Board of Directors Payroll Policy

Adopted: [XX/XX/XXXX]

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2.	Frequency	. 1
3.	Responsibilities	. 1
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4.	Processing Procedure & Timeline	. 1
_	Method of Payment	_
ר	Method of Payment	



1. Purpose & Scope

The Agency's Board Payroll Policy has been established to outline the frequency, timeline and responsibilities for the activities required for the processing of Board payroll.

2. Frequency

The Board shall be paid each month for the preceding full calendar month.

3. Responsibilities

- A. Board Directors tracking and submission of meeting attendance
- B. General Manager review and approval of meeting attendance
- C. Assistant Secretary to the Board to collect, verify, obtain GM approval of and submit meeting attendance records to the Accounting Department for payment
- D. Accounting Department payroll processing and payment

4. Processing Procedure & Timeline

- A. There will be two Board Director payroll processing periods per month
 - i. <u>1st Processing Period</u>: For Meeting Attendance submitted by the 7th, payment will be on the 15th of the month
 - ii. <u>2nd Processing Period</u>: For Meeting Attendance submitted after the 7th and before the 17th, payment will be on the 25th of the month
 - iii. For Meeting Attendance submitted after the 17th but before the 7th of the following month, payment will be included in the 1st Processing Period of the following month

B. Meeting Attendance Submission

- i. By the seventh calendar day of each month, the Board Directors shall submit their completed Meeting Attendance to the Assistant Secretary to the Board
- ii. If the submitted Meeting Attendance does not agree with Agency records, the Assistant Secretary to the Board will notify the Board Director of the discrepancy and will provide the Agency's records. The Board Director will have an opportunity (1-2) to correct their Meeting Attendance submission. If not corrected, the Board Director's payment will be delayed into the next processing period to provide additional opportunity to correct
- C. The Assistant Secretary to the Board shall verify the Board Director submissions against Agency records and follow up with the Board Directors regarding discrepancies with Agency records
 - i. If discrepancies cannot be resolved by the 10th of the month, the director's paycheck will be placed in the 2nd Processing Period for the month
 - ii. If discrepancies cannot be resolved by the 20th of the month, the director's paycheck will be placed in the 1st Processing Period of the following month
- D. When the Directors' Meeting Attendance submission is in agreement with Agency attendance records, the Meeting Attendance will be provided to the General Manager for final approval



E. 1st Processing Period

- By the 10th of each calendar month, the Assistant Secretary to the Board shall submit the GM approved Meeting Attendance to the Accounting Department for payroll processing
 - a. If the 10th occurs on a Saturday, submission will be due the preceding business day
 - b. If the 10th occurs on a Friday Holiday, submission will be due the preceding business day
 - c. If the 10th occurs on a Sunday, submission will be due the following business day
 - d. If the 10th occurs on a Monday Holiday, submission will be due the following business day
- ii. The Accounting Department will process payroll and directors will be paid on the 15th of the month
 - a. If the 15th occurs on a Saturday, payment will be on the preceding business day
 - b. If the 15th occurs on a Friday Holiday, payment will be on the preceding business day
 - c. If the 15th occurs on a Sunday, payment will be on the following business day
 - d. If the 15th occurs on a Monday Holiday, payment will be on the following business day

F. 2nd Processing Period

- i. By the 20th of each month, the Assistant Secretary to the Board shall submit the GM approved Meeting Attendance to the Accounting Department for payroll processing.
 - a. If the 20th occurs on a Saturday, submission will be due the preceding business day
 - b. If the 20th occurs on a Friday Holiday, submission will be due the preceding business day
 - c. If the 20th occurs on a Sunday, submission will be due the following business day
 - d. If the 20th occurs on a Monday Holiday, submission will be due the preceding business day
- ii. The Accounting Department will process payroll and directors will be paid on the 25th of the month
 - a. If the 25th occurs on a Saturday, payment will be on the preceding business day
 - b. If the 25th occurs on a Friday Holiday, payment will be on the preceding business day
 - c. If the 25th occurs on a Sunday, payment will be on the following business day
 - d. If the 25th occurs on a Monday Holiday, payment will be on the following business day



5. Method of Payment

- A. Board members may select from the following methods of payment
 - i. Physical payroll check
 - ii. Direct Deposit (ACH)

3 | Page Adopted: [XX/XX/XXXX]

STAFF REPORT TO DESERT WATER AGENCY BOARD OF DIRECTORS

JANUARY 17, 2023

RE: CHANGING BOARD MEETINGS DAY AND TIME

Desert Water Agency's regular bi-monthly Board meetings are scheduled for 8:00 a.m. on the first and third Tuesday of the month. This has been the schedule going back decades. On rare occasions the Board has scheduled its regular Board meetings in the evening trying to allow more public to attend. In each case, the attendance did not increase with the change in time so the Board continued with the 8:00 a.m. start time. The Board has also added evening start times when making important or unprecedented decisions to allow more opportunity for public attendance.

Staff conducted a small survey of local Agencies board meeting schedules. The survey results presented here are intended to give an idea of what other public Agencies are doing in our region.

Beaumont Cherry Valley WD		6:00 p.m.
*CVWD	2 nd & 4 th Tuesday	8:00 a.m.
Cucamonga Valley WD	2 nd & 4 th Tuesday	5:00 p.m.
East Valley WD	2 nd & 4 th Wednesday	5:30 p.m.
Eastern Municipal WD	1st and 3rd Wednesday	9:00 a.m.
Elsinore Valley WD	2 nd & 4 th Thursday	4:00 p.m.
Hi Desert WD	1 st & 3 rd Wednesday	4:00 p.m.
Inland Empire Utilities Agency	1 st & 3 rd Wednesday	10:00 a.m.
Jurupa CSD	2 nd & 4 th Monday	6:00 p.m.
MSWD	3 rd Monday	3:00 p.m.
Rancho California WD	2 nd Thursday	8:30 a.m.
San Bernardino Valley MWD	1 st & 3 rd Tuesday	2:00 p.m.
San Gorgonio Pass WA	2 nd & 4 th Tuesday	1:30 p.m.
Twentynine Palms WD	4 th Wednesday	4:00 p.m.
Western MWD	1 st & 3 rd Wednesday	9:30 a.m.
West Valley WD	1 st & 3 rd Thursday	6:00 p.m.

*CVWD 2nd Tuesday in Palm Desert location

4th Tuesday in Coachella location

March meetings in Coachella 6:00 p.m. October meetings in Palm Desert 6:00 p.m.

As shown, the Board Meeting start times range from 8:00 a.m. to 6:00 p.m. Eleven out of sixteen Agencies start their Board meetings between 8:00 a.m. and 5:00 p.m. None start their meetings start later than 6:00 p.m. CVWD moves its Board meeting location every other meeting and conducts meetings in the evening 2 months during the year.

Most DWA staff attending the Board meetings are exempt (salary employees). Two staff members who will attend are non-exempt (hourly employees). If the Agency chooses to schedule its monthly Board meetings after 3:00 p.m. or later it is likely that the non-exempt employees will have to work overtime to attend the meetings. If the average Board meeting lasts 3 hours the overtime could range from 1 to 3 hours per non-exempt staff member. Assuming 2 non-exempt employees are present, the range of cost would then be between \$165.09 to \$495.27 per Board meeting or \$3,962.16 to \$11,886.48 annually. Security has traditionally been provided for our meetings, the cost of providing this service outside the 8 am to 5 pm timeframe has not been determined yet.

GENERAL MANAGER'S REPORT January 17, 2023

<u>Damaged fire hydrant - Altera Rd. & Mission Peak</u>

On December 31st at approximately 2:20 p.m. Construction standby responded to a damaged fire hydrant located on Altera Rd. and Mission Peak inside the Mountain Gate Community. Staff replaced the fire hydrant and placed it back into service. A police report was filed. The water loss was from a fully open 6-inch fire hydrant bury which flowed for approximately 30 minutes. The water loss was approximately 238,971 gallons (320 HCF).

Damaged Vehicle and fire hydrant bury.



Damaged fire hydrant - 4151 Sadao Ct.

On January 3rd at approximately 1:20 p.m. Construction staff responded to a damaged fire hydrant located at 4151 Sadao Ct. Inside the Escena Community. A Palm Springs Disposal trash truck backed into the fire hydrant causing the damage. Staff replaced the bolts on the fire hydrant and placed it back into service. A police report was filed. The water loss was minimal from the small leak at the gasket and flange.

Fire hydrant gasket and flange leaking.



Trash truck and fire hydrant.



U.S. Bureau of Reclamation Selects DWA grass removal program for \$100,000 Grant

The U.S. Bureau of Reclamation (USBR) selected Desert Water Agency's Grass Removal Program application as one of 82 Water SMART Small-Scale Water Efficiency Projects (SWEP) in the nation for Fiscal Year 2022.

USBR allotted \$100,000 in Federal funds to DWA for its use to provide customers a financial incentive to remove grass – DWA's most popular and effective water-saving program. The funding comes with a 50% cost share (match) requirement. DWA can leverage state funding through Proposition 1 to meet this match requirement. Additionally, the Federal funds will satisfy some of the state Proposition 1 match requirement.

This is the second successful USBR SWEP grant application DWA has developed for grass removal. The first round was in 2019 in the amount of \$75,000 (the maximum award available at the time which has since been raised to \$100,000).

Staff will attend USBR SWEP meetings and get contract documents in place before allocating the funding to eligible projects requesting reimbursement.

Effective Date of the SWP Contract Extension Amendment

On January 9, 2023, the Department of Water Resources (DWR) notified all State Water Agency Contractors (SWC) that DWR and the required number of SWCs had executed the Contract Extension Amendment (Amendment) and waived the pending litigation clause to make the Amendment effective. The Amendment became effective on January 1, 2023, for those contractors that have signed the Amendment and the litigation waiver agreement with DWR. DWA has signed the Amendment and waiver.

The Amendment is subject to pending litigation in the Third District Court of Appeal. If the validity of the Amendment is challenged, the Amendment will not take effect until a final judgment has affirmed the validity. The SWP contract provides that DWR and 24 SWCs with an aggregate maximum annual Table A amount exceeding 3,950,000 acre-feet and waiving any limitation barring the Amendment from taking effect until final judgement can allow the Amendment to take effect as to such SWCs.

As of the date of this notice, DWR and twenty-five contractors with an aggregate Table A amount of 4,129,986 acre-feet having signed the Amendment and the waiver have permitted the Amendment to take effect on January 1, 2023.

The Amendment extends the term of the water supply contracts by 50 years to December 31, 2085

Desert Water Agency Annual January Employee Awards Breakfast

Each year Staff gathers to thank employees, share highlights of the past year, and recognize those workers who reached a safety milestone for safe driving and maintaining an accident free, safe work environment. This year's breakfast will be held on January 25th.

PE Service Replacement Statistics for Year 2022

The Agency has for several years had a program to replace all of the Polyethylene service runs installed in the 1970's due to the catastrophic material failures associated with these services. We have approximately 2,785-1" and 238-2" services remaining in the system.

Last year we had 8-1" PE service leaks and 2-2" PE service leaks. We replaced 39-1" PE services and 43-2" PE services. For comparison back in Year 2018 we had 33-1" leaks and 6-2" PE leaks.

Human Resource's Meetings and Activities

Meetings:

12/20/2022	DWA Board Meeting	Virtual Meeting
12/20/2022	Paycom Implementation Meeting	Virtual Meeting
12/21/2022	Paycom Weekly Meeting	Virtual Meeting
12/27/2022	Paycom Implementation Meeting	Virtual Meeting
01/03/2023	DWA Board Meeting	Virtual Meeting
01/04/2023	Paycom Weekly Meeting	Virtual Meeting
01/09/2023	DWA Staff Meeting	DWA Offices
01/11/2023	Paycom Weekly Meeting	Virtual Meeting

Activities:

12/22/2022	Paycom Training on Applicant Tracking	Virtual Meeting
12/28/2022	Paycom Training on Applicant Tracking	Virtual Meeting
01/03/2023	Conducted New Employee Orientation	DWA Offices
01/09/2023	Conducted New Employee Orientation	DWA Offices
01/10/2023	Tyler Munis Kick-Off Training	DWA Offices
01/12/2023	Paycom Post-Payroll G/L Call	Virtual Meeting

SYSTEM LEAK DATA

(PERIOD BEGINNING DEC 27, 2022 THRU JAN 9, 2023)

		PIPE DIAMETER			PIPE
STREET NAME	NUMBER OF LEAKS	(INCHES)	YEAR INSTALLED	PIPE MATERIAL	CONSTRUCTION
AVENIDA EVELITA	1	6	1946	STEEL	BARE/UNLINED
VIA DEL NORTE	1	4	1945	STEEL	BARE/UNLINED
SAN LUCAS RD	1	4	1948	STEEL	BARE/UNLINED
ROGERS RD	1	4	1958	STEEL	BARE/UNLINED
RIVERSIDE DR S	1	4	1948	STEEL	BARE/UNLINED
ANZA DR	1	4	1956	STEEL	BARE/UNLINED
PARK DR	1	4	1946	STEEL	BARE/UNLINED
PARK VIEW DR	1	4	1955	STEEL	BARE/UNLINED
PATENCIO RD	1	6	1951	STEEL	BARE/UNLINED
DESERT WY	1	4	1946	STEEL	BARE/UNLINED

TOTAL LEAKS IN SYSTEM:

10

Streets highlighted in green are included as part of the

2020/2021 Replacement Pipeline Project

Streets highlighted in blue are being proposed as part of the

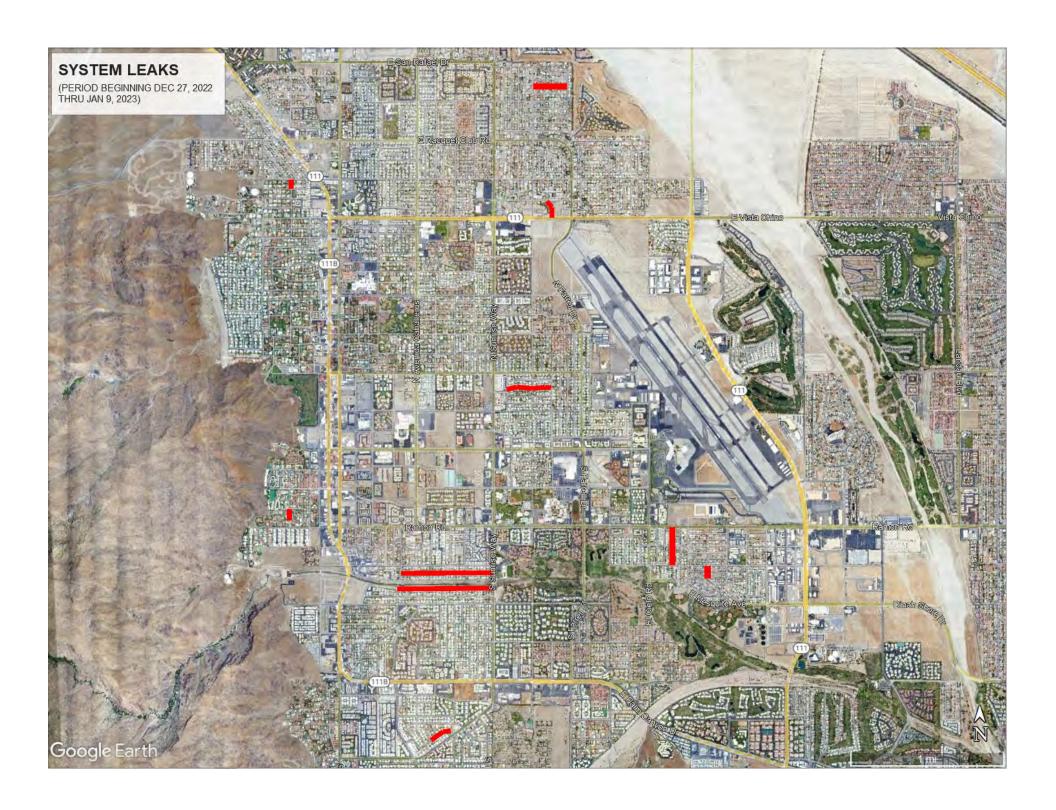
2021/2022 Replacement Pipeline Project

Streets highlighted in salmon are being proposed as part of the

2022/2023 Replacement Pipeline Project

SYSTEM INFORMATION:	
OLDEST PIPE IN THE SYSTEM (YEAR OF INSTALLATION):	1935
AVERAGE YEAR OF INSTALLATION OF UNLINED STEEL PIPE (SYSTEMWIDE):	1952
AVERAGE AGE OF UNLINED STEEL PIPE (SYSTEMWIDE):	66 YEARS
AVERAGE AGE OF PIPELINE AT THE TIME OF REPLACEMENT:	68 YEARS
TOTAL LENGTH OF PIPE IN SYSTEM OLDER THAN 70 YEARS (LINEAR FEET):	117,721
TOTAL LENGTH OF UNLINED PIPE SYSTEMWIDE (LINEAR FEET):	297,672
*AVERAGE LENGTH OF PIPE REPLACED ANNUALLY (LINEAR FEET):	15,000
PROJECTED TIME FRAME FOR 100% REPLACEMENT OF UNLINED STEEL PIPE:	16 YEARS
PROJECTED TIME FRAME FOR 100% REPLACEMENT OF PIPE OLDER THAN 70 YEARS:	9 YEARS
YEAR AGENCY TRANSITIONED TO CEMENT LINED STEEL PIPE:	1960

*PLEASE NOTE THIS FIGURE REPRESENTS THE AVERAGE LINEAR FOOTAGE OF PIPELINE REPLACED ANNUALLY GIVEN AN AVERAGE ANNUAL BUDGET OF \$3 MILLION.



General Manager's Meetings and Activities

Meetings:

DWA Bi-Monthly Board Meeting	Conf Call
Events/Meetings Policy Working Meeting	Conf Call
DWA/CVWD Operational Issues Meeting	Rancho Mirage
FEMA Projects Update	Conf Call
SWC Update Call	Conf Call
DWA Ordinance 74 Director Meeting	DWA
DWA Ordinance 74 Director Meeting	DWA
Tyler Munis Implementation Kick-Off Meeting	DWA
SWC Class 8 Agenda Development Meeting (Steve Johnson)	Conf Call
DWA Ordinance 74 Director Meeting	Conf Call
DWA Executive Committee Meeting	Conf Call
SWC Risk Tolerance for SWP Allocations	Conf Call
SWP - WSIP Coordination	Conf Call
Sites Joint Budget & Finance Committee	Conf Call
DWA Ordinance 74 Director Meeting	Conf Call
DWA Holiday	DWA
DWA/CVWD/MWD Coordination Meeting	Conf Call
DWA Bi-Monthly Board Meeting	Conf Call
	Events/Meetings Policy Working Meeting DWA/CVWD Operational Issues Meeting FEMA Projects Update SWC Update Call DWA Ordinance 74 Director Meeting DWA Ordinance 74 Director Meeting Tyler Munis Implementation Kick-Off Meeting SWC Class 8 Agenda Development Meeting (Steve Johnson) DWA Ordinance 74 Director Meeting DWA Executive Committee Meeting SWC Risk Tolerance for SWP Allocations SWP - WSIP Coordination Sites Joint Budget & Finance Committee DWA Ordinance 74 Director Meeting DWA Holiday DWA/CVWD/MWD Coordination Meeting

Activities:

- 1) DWA Board Handbook
- 2) DWA Rate Study
- 3) DWA Surface Water Rights
- 4) Water Supply Planning DWA Area of Benefit
- 5) Sites Reservoir Finance
- 6) DCP Financing
- 7) Lake Perris Seepage Recovery Project Financing
- 8) Recycled Water Supply Strategic Planning
- 9) AQMD Rule 1196
- 10) DWA Digital Transformation Project
- 11) DWA Organizational Restructuring
- 12) DWA Tax Rate Analysis
- 13) Palm Springs Aerial Tramway Water Supply 2023
- 14) SWP Contract Extension Amendment
- 15) DWA Remote Meter Reading Fixed Network
- 16) State and Federal Contractors Water Authority and Delta Specific Project Committee (Standing)
- 17) Whitewater River Surface Water Recharge
- 18) Replacement Pipelines 2021-2022
- 19) DC Project Finance JPA Committee (Standing)
- 20) DWA/CVWD/MWD Operations Coordination/Article 21/Pool A/Pool B/Yuba Water (Standing)
- 21) DWA/CVWD/MWD Exchange Agreement Coordination Committee (Standing)
- 22) SWP 2023 Water Supply
- 23) ACBCI Water Rights Lawsuit

Activities: (Cont.)

- 24) Whitewater Hydro Operations Coordination with Recharge Basin O&M
- 25) Whitewater Spreading Basins BLM Permits
- 26) Delta Conveyance Project Cost Allocation
- 27) MCSB Delivery Updates
- 28) Well 6 Meaders Cleaners RWQB Meetings
- 29) SWP East Branch Enlargement Cost Allocation
- 30) RWQCB Update to the SNMP