



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: 849 2883 0042**  
**Passcode: 814169**

**or Via Computer:**

**<https://dwa-org.zoom.us/j/84928830042?pwd=ZEIhVXcwOERSVIRsAkF2b0dBbWpNUT09>**  
**Meeting ID: 849 2883 0042**

*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 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: 849 2883 0042**  
**código de acceso: 814169**

**o a través de la computadora:**

**<https://dwa-org.zoom.us/j/84928830042?pwd=ZEIhVXcwOERSVIRsAkF2b0dBbWpNUT09>**  
**ID de reunión: 849 2883 0042**

*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 estás hablando.***

- 1. 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 January 17, 2023 Board Meeting
- B. Receive and File Minutes of the February 2, 2023 Executive Committee Meeting
- C. Receive and File – December Water Use Reduction Figures
- D. 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))

**6. ACTION ITEMS:**

- A. Request Authorization for General Manager to Execute Agreement with Coachella Valley Water District & Agua Caliente Band of Cahuilla Indians to Share Well Levels and Water Quality Information **KRAUSE**
- B. Request Determination of Board of Directors Meetings Format and Recording Practices **KRAUSE**
- C. Request Adoption of the Updated Board of Directors Handbook and Ordinance No. 75 **METZGER**

**7. DISCUSSION ITEM:**

- A. Director's Report on Attendance at January 31 ACWA Region 9 Board Meeting (Virtual) **ORTEGA**

**8. SECRETARY-TREASURER'S REPORT**

**MCKENNA**

**9. GENERAL MANAGER'S REPORT**

**KRAUSE**

**10. DIRECTORS COMMENTS/REQUESTS**

**11. 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 LEGAL COUNSEL – ANTICIPATED LITIGATION  
Pursuant to Government Code Section 54956.9(d)(2)  
One Case
- E. CONFERENCE WITH REAL PROPERTY NEGOTIATORS  
Pursuant to Government Code Section 54956.8  
Property: APN# 516-051-001  
Agency Negotiators: Mark S. Krause, General Manager and Steve Johnson Asst. General Manager  
Negotiating Parties: Dale and Brookelyn Fox  
Under Negotiations: Price and Terms

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

**13. 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 office located at 1200 South Gene Autry Trail, Palm Springs, CA.

Sylvia Baca, MMC, Assistant Secretary of the Board