



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 estés hablando.***

- |  |        |
|--|--------|
| 1. CALL TO ORDER/PLEDGE OF ALLEGIANCE  | ORTEGA |
| 2. ROLL CALL   | BACA   |
| 3. <b>PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA:</b> 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. <b>PUBLIC COMMENT ON ITEMS LISTED ON THE AGENDA:</b> 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

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

**January 17, 2023**

DWA Board via Paul Ortega, President )  
Teleconference: Jeff Bowman, Vice President )  
Gerald McKenna, Secretary-Treasurer )  
Kristin Bloomer, Director )  
Steve Grasha, 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 )  
Melinda Weinrich, Outreach & Conservation Manager )  
Jamie Hoffman, Senior Administrative Assistant )

Consultants via Michael T. Riddell, Best Best & Krieger )  
Teleconference: Ashley Metzger, Regional Government Svcs. )

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

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

Present: Grasha, Bloomer, McKenna, Bowman, Ortega

President Ortega opened the meeting for public comment for items not listed on the Agenda. **Public Comment on Items Not Listed 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 items listed on the Agenda. **Public Comment on Items Listed on the Agenda**

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 5-A through 5-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.

- 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. Request Adoption of Resolution No. 1292 – 1295 Updating Signers for Investment Accounts
- H. Request Adoption of Board Payroll Policy

Director Bloomer requested Item 5C be pulled for separate discussion and requested clarification on Agenda Item 2E, Board Member Request for Agenda Items. General Manager Krause provided the list for review.

Director Grasha and Secretary-Treasurer McKenna agreed that Board Members should be allowed to add items to the agenda if they wish to have an item discussed. Vice President Bowman concurred with the other Directors but suggested a majority vote ruling. Legal Counsel Riddell stated that if three Board Members expressed their support during the Directors Comments portion of the meeting that it can be done that way rather than outside of a Board Meeting. Mr. Riddell also stated that Staff is working on revisions to Ordinance No.74.

Vice President Bowman requested Item 5H be pulled for separate discussion and asked if this policy falls in line with how staff completes their payroll. Finance Director Saenz stated this policy closely mirrors how staff completes their time.

#### **Approval of the Consent Calendar**

- A. Approve Minutes of the 12/20/22 Board Meeting
- B. Approve Minutes of the 1/3/23 Board Meeting
- C. Receive & File Minutes of the 1/12/23 Executive Committee Meeting
- D. Receive & File December 2022 O & C Activities & Events
- E. Request Authorization to Continue Virtual Board & Comm. Mtgs for Another 30 Days
- F. Request Adoption of Resolution No. 1291 Updating Signers for U.S. Bank Accounts
- G. Request Adoption of Resolution No. 1292-1295 Updating Signers for Investment Accounts
- H. Request Adoption of Board Payroll Policy

Director Grasha moved for approval of Consent Calendar Items 5A, B, D, E, F and G. After a second by Secretary-Treasurer McKenna, the motion carried unanimously by the following roll call vote:

**Approval of the  
Consent Calendar  
(Cont.)**

AYES: Grasha, Bloomer, McKenna, Bowman, Ortega  
 NOES: None  
 ABSENT: None  
 ABSTAIN: None

Director Bloomer moved for approval of Consent Calendar Item 5C. After a second by Director Grasha, the motion carried unanimously by the following roll call vote.

AYES: Grasha, Bloomer, McKenna, Bowman, Ortega  
 NOES: None  
 ABSENT: None  
 ABSTAIN: None

Vice President Bowman moved for approval of Consent Calendar Item 5H. After a second by Director Bloomer, the motion carried by the following roll call vote.

AYES: Grasha, Bloomer, McKenna, Bowman, Ortega  
 NOES: None  
 ABSENT: None  
 ABSTAIN: None

President Ortega asked General Manager Krause to present the report for Request to change Board meetings day and time.

**Action Item:**

General Manager Krause gave a brief presentation on other Agencies meetings day and time. He also presented cost impact information for non-salary and security staff to attend any after hour meetings.

Request to Change  
Board Mtg Day and  
Time

Director Grasha and Secretary-Treasurer McKenna both expressed preference for afternoon meeting times.

Director Bloomer stated her preference for the current time and has seen no conflicts in the past that would warrant a change.

Vice President Bowman and President Ortega both expressed support of keeping the current time, however, they would like to revisit the discussion in the future.

Director Bloomer moved for approval to continue with the current meetings date and time. After a second by Vice President Bowman, the motion carried by the following roll call vote.

**Action Item:  
(Cont.)**

Request to Change  
Board Mtg Day and  
Time

AYES: Bloomer, Bowman, Ortega  
NOES: Grasha, McKenna  
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.

President Ortega called upon General Manager Krause to present the Sites Reservoir Financial Planning report.

**Discussion Items:**

General Manager Krause presented a PowerPoint on the Sites Reservoir project. He explained the importance for the Agency to be involved in as well as how it would impact water rates and taxes.

A. Sites Reservoir  
Financial Planning

President Ortega called upon General Manager Krause to present staff's report for DWA public meeting access, in person, hybrid, archived to website/YouTube.

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

General Manager Krause stated that there has been a desire to investigate how DWA processes Board meeting recordings. He stated that currently we do not use YouTube or post videos on the website. He explained that the Agency is in the process of renovating the Board Room with an estimated time frame of mid-February for the renovation completion and the ability to conduct hybrid meetings as well as having the audio and video accessibility.

There was a consensus by the Board regarding hybrid meetings and uploading to YouTube and concurred it's a valuable resource for the public to have the ability to view meetings at any time.

President Ortega had questions regarding audio and video viewing ability when meetings return to the Board Room.

General Manager Krause stated that it would be just like a zoom meeting and the ability to see everyone attending the meetings.

In response to President Ortega, General Manager Krause stated staff will bring this item back to the Board at a future date for action.

Director Bloomer and Secretary-Treasurer McKenna noted their attendance at the Irrigation Leaders Workshop held in Phoenix, AZ.

C. Report on  
Attendance at  
Irrigation Leaders  
Workshop

President Ortega noted his attendance at ACWA Region 9 Board event.

At 10:30 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.

At 12:04 p.m., General Manager Krause reconvened the meeting into open session and announced there was no reportable action taken.

In the absence of any further business, General Manager Krause adjourned the meeting at 12:05 p.m.

**Discussion Items:**  
(Cont.)

D. Report on  
Attendance at  
ACWA Region 9  
Board Event

**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

**Reconvene** – No  
Reportable Action

**Adjournment**

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Sylvia Baca  
Assistant Secretary of the Board



**Minutes**  
**Executive Committee Meeting**  
February 2, 2023

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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 Board of Directors Meeting Expense Reimbursement Policy

Staff provided the Committee with a draft Board meeting expense reimbursement policy. The Committee requested minor revisions. This item will be presented to the full Board for approval at the February 21, 2023 meeting.

B. Review agenda for February 7, 2023 Board meeting

The proposed agenda for the February 7, 2023 meeting was reviewed.

C. Review Board Meeting/Event Compensation Policy

Mrs. Metzger provided the Committee with the draft Board Meeting and Board Event Compensation policies and list of meetings and events. The Committee requested a consistent per diem for all compensated attendance but to evaluate the existing per diem amount. The Committee also directed staff to include the City of Cathedral City on the public events-community section. This item will be presented to the full Board for approval at the February 21, 2023 meeting.

D. Update 2023 Board Conference Schedule

Staff provided the Committee with the following changes to the schedule:

1. Added February CSDA Leadership Academy
2. Added April 16 travel date for the NWRA D.C. conference
3. Added May 8 and May 12 travel dates for the ACWA Spring conference

As the agenda/schedules are added to the current list, Staff will bring back additional travel dates to the Committee for approval.

E. Director's Request for all ACWA events to be on approved list (MWDOC)

The Committee reviewed the agenda for the Metropolitan Water District's Orange County Water Policy Forum dinner. It was noted that although this event is listed on ACWA's website, it is not an ACWA event. The Committee decided that the content of this dinner does not justify approval for board attendance compensation. Further requests for ACWA events will be accepted on an individual basis.

F. 2023 Special District Selection Committee Call for Nomination

Staff informed the Committee that LAFCO is now seeking nominations for the vacant Eastern portion position and noted that a Director expressed interest in the position. It was also noted that CVWD recently nominated their Vice President for the position. Chair Ortega noted that he would like to discuss further with General Manager Krause.

3. Customer Appeal

A. Water Waste Appeal Filed by Krikor Tutunjian

Mrs. Metzger provided the Committee with Mr. Tutunjian's appeal.

The property owners appealed this third violation because they believe the photo was taken prior to a repair made in November – additionally, they noted that some photos showed areas that did not abut their property. It was noted that DWA waived the first violation fee for this customer. The Committee voted to deny this appeal. Per Ordinance No. 72, the Committee's decision is final. Staff will inform the customer of the denial.

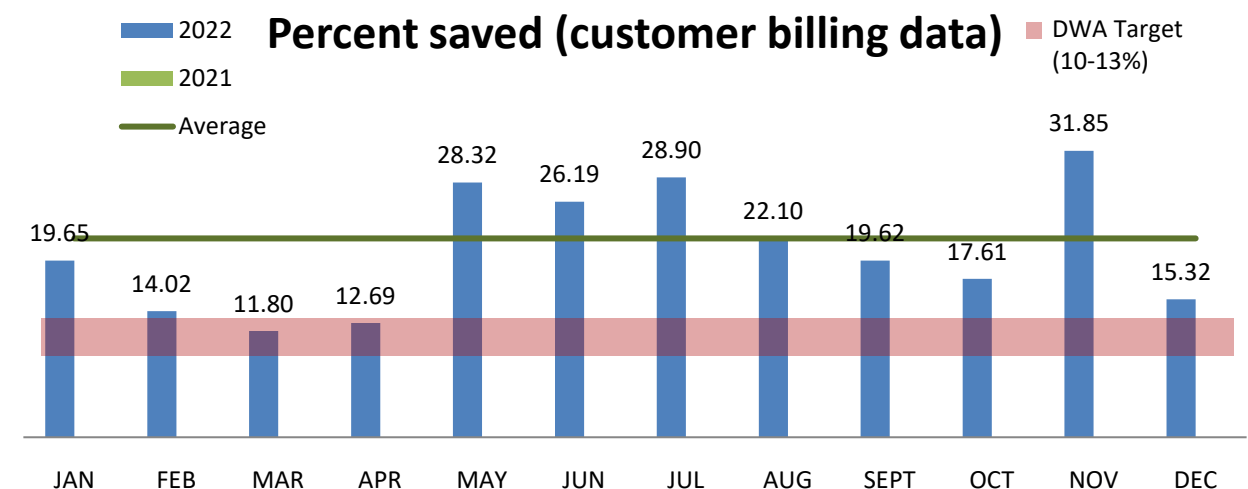
Adjourn

# STAFF REPORT TO DESERT WATER AGENCY BOARD OF DIRECTORS

FEBRUARY 7, 2023

## RE: DECEMBER 2022 WATER USE REDUCTION FIGURES

Desert Water Agency customers reduced water consumption per meter by 15.32% during December 2022 compared to the same month in 2013 – the baseline year the State Water Resources Control Board (State Water Board) used to measure statewide conservation achievements during the last drought.



Over the past 12 months, consumption per meter is trending 22.1% lower compared to 2013. DWA is asking its customers to voluntarily save 10-13% compared to 2013 to help achieve long-term sustainability.

The State Water Board has voted for water suppliers to implement Level 2 of their Water Shortage Contingency Plans to reduce water use by up to 20% with the Governor specifically requesting 15%. Water production (water from well and stream sources) was down 20.4% in December 2022 compared to December 2020 (the State's baseline). DWA is encouraging and incentivizing conservation to reach State water use reduction goals.

December 2022 conservation per meter percentage	15.32%
December 2022 consumption per meter	36.38 HCF
December 2013 consumption per meter	42.96 HCF
December 2022 gross consumption conservation percentage	8.77%
December 2022 metered potable consumption	2004.21 AF
December 2013 metered potable consumption	2196.86 AF
The percentage of the Total Monthly Potable Water Production going to residential use only for the reporting month	80.74%
Population (projected based on number of active residential meters and inclusive of seasonal residents)	73,960
Estimated R-GPCD	212.99
Number of public complaints of water waste or violation of conservation rules received during the reporting month.	66
Number of contacts with customers for actual/alleged water waste or for a violation of conservation rules.	24
Number of field visits for water waste follow up.	40
Number of citations for violation of conservation rules.	13

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

**FEBRUARY 7, 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 Government Code Section 54953(e).

The Board of Directors may elect to continue conducting virtual meetings if it makes 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**

**FEBRUARY 7, 2023**

**RE: AUTHORIZE STAFF TO EXECUTE DATA SHARING AGREEMENT  
WITH COACHELLA VALLEY WATER DISTRICT AND AGUA  
CALIENTE BAND OF CAHUILLA INDIANS**

As part of the Coachella Valley Salt and Nutrient Management Plan (CV-SNMP) update, agencies are looking to fill some data gaps outlined in the CV-SNMP Workplan that the Regional Water Quality Control Board (RWQCB) approved in 2021.

To keep this project as affordable as possible, the CV-SNMP Agencies (which include Coachella Valley Water District and DWA) are currently seeking to use existing third-party wells where possible. The alternative would be to pay to drill new wells to use for sampling.

The Agua Caliente Band of Cahuilla Indians (ACBCI) has three wells that the CV-SNMP Agencies are interested in collecting data to use for CV-SNMP modelling purposes. The attached Data Sharing Agreement would cover those three wells and any other ACBCI wells that ACBCI elects to share data from. ACBCI will collect and transmit the data annually to CVWD and DWA. The ACBCI Tribal Council has reviewed and authorized their staff to sign the agreement as written.

As part of the agreement, DWA and CVWD will also share data collected as part of the annual reporting to the RWQCB (as required by the CV-SNMP Workplan). CVWD also plans to take this agreement to its Board of Directors in February.

Data to be exchanged includes:

- Groundwater Levels
- Total Dissolved Solids (TDS)
- Nitrates (as Nitrogen)
- Major Cations
- Major Anions, and
- Total Alkalinity

If authorized, DWA staff hopes to exchange data with ACBCI in advance of the April 1 deadline for the report to the RWQCB. Any party may exit the agreement with written notice.

Fiscal Impact:

If any party does not sign or execute the agreement, CV-SNMP Agencies would be required to drill three new monitoring wells within DWA's jurisdiction at a rough cost of \$800,000 each. If DWA is required to incur any costs associated with drilling new monitoring wells, these costs would be budgeted for in a future fiscal year. Finance Director Saenz has reviewed this report.

Legal Review:

Legal Counsel has reviewed this agreement.

Recommendation:

Staff requests Board authorization for staff to enter into the attached Data Sharing Agreement with Coachella Valley Water District and Agua Caliente Band of Cahuilla Indians.

Attachments

Attachment #1 - Data Sharing Agreement



AGREEMENT TO SHARE WELL LEVELS  
AND WATER QUALITY INFORMATION

This AGREEMENT is executed by and between the Desert Water Agency, Coachella Valley Water District, and the Agua Caliente Band of Cahuilla Indians, referred to herein collectively as “Parties” and individually as “Party,” as follows:

WHEREAS, the Parties hereto have a joint interest in protecting groundwater quantities and quality in the Coachella Valley Groundwater Basin;

WHEREAS, for purposes of collaborating on the implementation of the Coachella Valley Salt Nutrient Management Plan (“CV-SNMP”) Groundwater Monitoring Workplan, which requires CV-SNMP Agencies to submit reports to the Regional Water Quality Control Board, Colorado River Region (“RWQCB”), the Parties wish to share groundwater quality and groundwater level data with each other; and

WHEREAS, the Agua Caliente Band of Cahuilla Indians (“ACBCI”) operates groundwater production and monitoring wells and collects data from wells on the ACBCI Reservation;

NOW, THEREFORE,

1. To ensure that all Parties are fully apprised of all such data and information submitted to the RWQCB, the Parties agree that copies of all groundwater quality and groundwater level data and information provided to the RWQCB in support of the CV-SNMP Groundwater Monitoring Workplan for the Coachella Valley Groundwater Basin shall be transmitted to each of the Parties hereto.

2. ACBCI agrees to share with the other Parties the following data and information for wells identified by State well ID numbers 04S04E35A01S, 03S03E10P01S, 03S03E10P02S and any other wells ACBCI elects to include, for each calendar year going back historically as long as records exist and for each year into the future.

A. Groundwater level data, as often as such data and information become available.

B. No later than the end of February each year, water quality test results for at least the following constituents: Total Dissolved Solids (TDS); Nitrates as Nitrogen; major cations; major anions; and total alkalinity. ACBCI agrees to test for at least these constituents at each selected production well operated by or under the control of ACBCI at least once every three years with the first samples being collected and analyzed no later than December 31, 2023, and shared with the Parties by February 1, 2024.

3. Any Party shall have the right to terminate the Agreement by providing written notice of termination to the other Parties.

**Agua Caliente Band of Cahuilla Indians**

By: \_\_\_\_\_  
Margaret E. Park, Chief Planning Officer

**Desert Water Agency**

By: \_\_\_\_\_  
Mark Krause, General Manager

**Coachella Valley Water District**

By: \_\_\_\_\_  
Jim M. Barrett, General Manager

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

**FEBRUARY 7, 2023**

**RE: REQUEST DETERMINATION OF BOARD OF DIRECTORS  
MEETINGS FORMAT AND RECORDING PRACTICES**

Desert Water Agency Board will meet in-person again starting at its February 21, 2023 meeting. From March 20, 2020 until present, meetings have been conducted remotely pursuant to the Covid-19 emergency declaration and temporary provisions in State law using tools like GoToMeeting and Zoom.

During this period, DWA saw more attendance and engagement during many of these virtual meetings. DWA's Board of Directors expressed interest in allowing for continued and expanded access to its public meetings.

DWA has a project nearing completion to modernize its Board Room. This project includes the addition of monitors for each Board Member at their seat and large monitors for staff and attendees. Upgrades include cameras and microphones to capture and transmit the meeting. The upgrades allow for the Agency to conduct hybrid meetings in which members of the public, consultants, Board Members or staff can attend, comment and engage in real time from any location with phone or internet connection.

Staff plans to begin final testing on the system the week of February 13 to ensure that the hybrid capabilities are fully functional.

The Board may elect to hold traditional in-person only meetings or hybrid meetings.

Regardless of the meeting type (in-person only or hybrid), DWA's Board Room and Board Conference Room will be capable of video recording. Staff could post any meeting recording on YouTube and include the YouTube link on the DWA website by the end of the next business day after the Board or Committee meeting.

YouTube allows for free publishing and doesn't currently limit meetings archival.

Fiscal Impact: None

Recommendation:

Staff recommends that the Board of Directors make a determination on meeting format (in-person only or hybrid); whether to post meeting recordings; which meetings to post; and how long meetings should be archived on YouTube.

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

**FEBRUARY 7, 2023**

**RE: REQUEST ADOPTION OF UPDATED BOARD OF DIRECTORS  
HANDBOOK AND ORDINANCE NO. 75**

Desert Water Agency Directors expressed an interest in updating the Board of Directors Handbook (Board Handbook) and its accompanying ordinance to align with the current Board's direction, values and priorities.

Board Members, General Manager Mark Krause, General Counsel Michael Riddell (partner with Best, Best & Krieger) and Ashley Metzger (Senior Advisor with Regional Government Services Authority, JPA) reviewed Ordinance No. 74 and the Board Handbook that was adopted in 2022 and made recommended changes.

The Board of Directors held a workshop open to the public to review the documents on February 1. All Board Members were present and had an opportunity to suggest changes to the document. No members of the public provided comments.

Key substantive changes include:

- Terms for Board officers changed from two years to one year
- Empowering a majority of Board Members to agendaize any issue for a future meeting
- Clarification that Rosenberg's Rules of Order are a guide that does not supersede DWA Law, DWA ordinances, the Brown Act, the Board of Directors Handbook or other laws current or to come
- Facilitation of Board compensation policies in development
- Acknowledgement of multiple alternates for Executive Committee
- Clarify that a simple majority vote is needed to limit debate

Staff made additional clerical changes and included clarifying language throughout the Board Handbook and in developing Ordinance No. 75 to supersede Ordinance No. 74.

Fiscal Impact: None

Legal Review:

Legal Counsel has reviewed this report and the proposed changes to the Board Handbook and Ordinance.

Recommendation:

Staff recommends that the Board of Directors adopt the updated Board Handbook and Ordinance No. 75 to replace Ordinance No. 74.

Attachments:

Attachment #1 – Board of Directors Handbook

Attachment #2 – Ordinance No. 75

## **ORDINANCE NO. 75**

### **AN ORDINANCE OF DESERT WATER AGENCY ESTABLISHING RULES AND REGULATIONS FOR THE BOARD AND ITS OFFICERS, THE CONDUCT OF ITS MEETINGS AND THE AFFAIRS OF THE BOARD**

WHEREAS, Desert Water Agency was created by an act of the California Legislature in 1961 codified as Chapter 100 of the California Water Code Appendix, identified therein as the “Desert Water Agency Law”; and

WHEREAS, Section 100-5 of the Desert Water Agency Law provides that the Agency shall be governed by a Board of Directors consisting of five members; and

WHEREAS, on April 1, 1980, the Agency’s Board of Directors adopted Ordinance No. 25 establishing rules and regulations for the Board and its officers, the conduct of its meetings, and the affairs of the Board, which was thereafter replaced by Ordinance No. 74; and

WHEREAS, the Board of Directors wishes to amend and replace Ordinance No. 74;

NOW, THEREFORE, BE IT ORDAINED by the Board of Directors of the Desert Water Agency as follows:

#### **Section 1. GOVERNING BODY OF AGENCY**

A. Authority of Board. The Board of Directors, acting as a Board is the governing body of the Agency. The Board shall act only at its regular, regularly adjourned or special meetings, or at emergency meetings when authorized by the Ralph M. Brown Act.

B. Authority of Individual Board Members. All powers of the Agency shall be exercised and performed by the Board as a body. Individual Board members, except as provided in this Ordinance or otherwise authorized by the Board, shall have no power to act for the Agency or the Board.

#### **Section 2. OFFICERS OF BOARD**

A. Board Officers. The officers of the Board shall consist of a President, a Vice-President, and a Secretary-Treasurer. No member of the Board shall hold more than one of

these offices. The Board may also assign any of the duties of the Secretary-Treasurer to Agency staff members who are qualified to perform those duties.

### Section 3. ELECTION OF BOARD OFFICERS

A. Date of Election. The officers of the Board shall be elected each year in January, or soon thereafter as possible. Their terms as officers of the Board shall be for one year, or until their successors are elected.

B. Vacancies in Board Offices. Vacancies in Board offices may be caused by death, resignation, or ceasing to be a member of the Board. In the event of a vacancy in the office of President, the Vice-President shall automatically succeed to the presidency, and shall serve out the remainder of the term. Vacancies in the other Board offices shall be filled by election for the balance of the term.

### Section 4. BOARD VACANCIES

A. Procedure for Appointment. Vacancies in the office of Director may be filled in accordance with Section 12 of the Agency's enabling act and the provisions of Section 1780 of the California Government Code. Such procedures permit the remaining members of the Board to fill the vacancy by appointment, provided that the appointment is made within 60 days after the effective date of the vacancy, and provided further that notice of the vacancy is given as provided by law. In lieu of making an appointment, the remaining members of the Board may call an election to fill the vacancy.

### Section 5. DUTIES OF PRESIDENT

A. Meetings. The President shall preside over and conduct all meetings of the Board and hearings before the Board. In so doing, the President shall have the following powers and responsibilities:

1. To follow the prepared agenda unless the Board concurs in any change.
2. To determine all questions of order and parliamentary procedure, unless the President chooses to submit any such question to the Board for decision.
3. To maintain order and to enforce reasonable rules of decorum.

4. To determine at meetings of the Board, other than public hearings, when members of the public should be heard on particular issues, or otherwise be permitted to address the Board.

5. At public hearings as well as other meetings of the Board, to set reasonable limits upon the length of time and the number of occasions on which a person may speak.

6. To restate where necessary, and to put to a vote, all questions properly before the Board.

7. To limit further debate after there has been reasonable opportunity for full discussion of any issue, and further debate would be needlessly repetitive or otherwise not useful, and where proper, to call for the vote on a motion that is on the floor. Three votes shall be sufficient to end discussion and act on any motion that is on the floor.

8. To rule out of order any comments not germane to the issue then before the Board.

9. To establish standing or ad hoc committees of the Board, and to appoint the members thereof.

10. To declare the meeting adjourned upon conclusion of all agenda items, or when in the President's judgment an emergency or other cause requires adjournment.

11. To authenticate by signature all acts, orders, and other proceedings of the Board.

Notwithstanding the delegation of such powers to the President, any action taken by a majority of the Board on any of the foregoing matters shall be determinative thereof.

B. Agenda for Meetings. The Executive Committee shall consult with the General Manager on the preparation of an agenda for each meeting, and such conference shall constitute a service requested by the Board for purposes of compensation. If a majority of Directors voice support during a meeting to place an item on a future agenda, it shall be agendaized.

C. Board Spokesman. The President shall generally act as spokesman for the Board with respect to its action and policies, and those of the Agency. This provision, however, shall not



preclude any other officer or employee of the Agency from making appropriate comments within the scope of this position or pursuant to policies of the Board, nor any Director from expressing individual views, or speaking for the Board when so authorized.

D. Staff Direction. The President shall work through the General Manager, Counsel or other office or consultant of the Agency, to obtain such information as may be necessary and appropriate to assist the Board in its deliberations, and may direct staff to implement the policies and decisions of the Board.

#### Section 6. DUTIES OF VICE PRESIDENT

A. Powers of Vice President. The Vice President shall act if the President is absent or unable to act, and shall exercise all of the powers of the President on such occasion.

#### Section 7. DUTIES OF SECRETARY-TREASURER

A. Board Matters. With respect to the affairs of the Board of Directors, the Secretary-Treasurer shall have the following duties:

1. To take minutes of all Board meetings, and to prepare a draft thereof.
2. To keep in appropriate books the original copies of all final minutes, ordinances and resolutions of the Board.
3. To keep on file all Board committee reports.
4. To attest to the minutes, ordinances, resolutions and other documents of the Board.
5. To present any Board record or document to any member of the Board upon request.
6. To provide notice as required by law of any special meeting, regularly adjourned meeting or emergency meeting.
7. To provide notice as required by law of any hearing before the Board.

8. In the absence of the President and Vice President, to call any meeting to order, and to preside as chairman pro-tem, exercising the powers of the President at such meeting.

9. To monitor the Agency's finances, including income, expenditures and fund balances, and provide reports thereof to the Board at such meetings as the Board may request.

B. Other Duties. The responsibilities enumerated in Section 7A are not intended to limit any other duties of the Secretary-Treasurer imposed by law or assigned from time to time by the Board. All such duties, except 7A(8), may be assigned to a designated Agency Secretary or Financial Officer, as determined by the Board.

#### Section 8. MEETINGS OF THE BOARD

A. Time and Place of Meetings. Meetings of the Board shall be held at the office of the Agency at 1200 South Gene Autry Trail, Palm Springs, California, at such day and hour as may be specified from time to time by resolution of the Board, or at such other location or time as the Board may determine from time to time.

B. Public Nature of Meetings. All meetings of the Board shall be open to the public, except when the Board is convened in closed session as authorized under provisions of law. Meetings of Board standing committees composed of not more than two members of the Board shall also be public meetings, unless also conducted in closed session in the manner authorized by law. Meetings of ad hoc committees need not be conducted as public meetings.

C. Quorum and Voting Requirements. A majority of the Board of Directors shall constitute a quorum for the transaction of business. However, no ordinance, resolution or motion shall be passed without at least three affirmative votes. An abstention has the same legal effect as a "no" vote though it will be recorded separately.

D. Board Action. The Board shall act only by ordinance, resolution or motion. All ordinances shall require a roll call vote in which the ayes and the noes are recorded in the minutes. An ordinance does not require two readings at separate meetings, and unless otherwise provided by its own terms, shall become effective upon adoption. Resolutions and other motions may be adopted by a voice vote, unless a roll call vote is required by law, but on demand of any member of the Board, the roll shall be called and the vote recorded. All motions, including a motion to

adopt an ordinance or to approve a resolution, shall require a second. If a second is not received, the motion shall die without the requirement of a vote. Any member of the Board, including the President, may make or second a motion, and the President shall vote on all motions unless the President is disqualified or abstains. The President shall not call for a vote on any motion until sufficient time has been allowed to permit any member of the Board to speak. Complex motions should generally be prepared in writing and read aloud to the members of the Board at the time the motion is made. Common motions may be stated in abbreviated form, and will be put into complete form in the minutes. Until the President states the question, the maker with the approval of the second may modify the motion or withdraw it completely. However, after the question has been stated by the President, the motion may be changed only by motion to amend which is seconded and carried. The vote on all motions, resolutions and ordinances must be recorded in the minutes for the meeting.

E. Parliamentary Procedures Affecting Motions. After a motion has been made and seconded, any member of the Board may make any of the following motions:

1. To continue the motion to a specific time.
2. To table the motion, the effect of which defers further discussion and a vote until the majority of the Board again wishes to resume consideration of the motion.
3. To commit or refer the motion to a committee, the effect of which is to defer further consideration until the committee has reported its findings to the Board.
4. To amend the motion to modify its wording before adoption, provided the suggested amendment is germane to the original motion.
5. To propose a substitute motion, which has the effect of disposing of the motion before the Board and eliminating the necessity of a vote on the original motion.
6. To call for the question, which in fact is a motion to terminate further debate, and requires a second and an affirmative vote of the Board.

F. Routine Business. Matters of routine business such as approval of the minutes, and approval of non-controversial matters, may be placed on the consent calendar of any agenda,

for approval along with other such agenda items. However, upon the request of any member of the Board, an item shall be removed from the consent calendar for discussion and individual action.

G. Closed Sessions. Except as required by law, all proceedings in closed sessions shall remain confidential.

## Section 9. PUBLIC HEARINGS

A. Order of Procedure. Public hearings shall be called to order by the President at or as soon as practical after the time for which the hearing has been noticed. The President shall interrupt at a reasonable point any business before the Board in order to proceed with such noticed public hearing. The procedure for public hearings shall generally be as follows:

1. The Secretary shall report upon the notice of the hearing which has been given.
2. The Secretary shall indicate or summarize all protests or correspondence which has been received on the issue to be heard.
3. The staff shall present such information, exhibits and recommendations as may be appropriate.
4. The President shall call upon such members of the public as may wish to be heard.
5. Board members and staff shall attempt to answer such questions from members of the public as may be germane to the issues of the hearing.
6. Board members and staff may also ask questions of members of the public who speak.
7. Discussion of the issues among Board members shall generally be reserved until all of the testimony has been heard and the hearing has been closed.
8. If the nature of the hearing requires sworn testimony, the President shall require that all persons giving testimony do so under oath. The oath may be administered by the President or by the Secretary-Treasurer.

9. Any member of the public may, at their own expense, record or transcribe the proceedings of the hearing.

Section 10. ROSENBERG’S RULES OF ORDER

A. Applicability. As a further guide in conducting its meetings, the Board of Directors shall use the most recent version of Rosenberg’s Rules of Order. However, in the event of a conflict between Rosenberg’s Rules of Order and this Ordinance or any applicable requirement of law, this Ordinance or the applicable requirement of law shall control. A failure to comply with Rosenberg’s Rules of Order shall not invalidate any action by the Board of Directors that otherwise complies with legal requirements.

Section 11. SUPERSEDEENCE

A. Ordinance No.75. This Ordinance shall supersede Ordinance No. 74 and the provisions of any previously adopted ordinances, resolutions or motions that are inconsistent with the provisions of this Ordinance.

Section 12. EFFECTIVE DATE

This Ordinance shall take effect immediately upon adoption.

ADOPTED this 7th day of February, 2023.

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Paul Ortega, President

ATTEST:

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Gerald McKenna, Secretary-Treasurer



Desert Water Agency  
Board of Directors' Handbook

Presented February 7, 2023

Board President – Paul Ortega  
Board Vice President – Jeff Bowman  
Board Secretary-Treasurer – Gerald McKenna  
Board Member – Kristin Bloomer  
Board Member – Steve Grasha  
General Manager – Mark S. Krause



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This handbook is a resource for the Agency, its Board of Directors, staff, and members of the public. It outlines how Desert Water Agency's (DWA's) five publicly elected Board shall conduct Agency business. The Board will update the handbook as the need arises.

For the purposes of this document the following terms will be used:

- General Manager – GM
- Full Board of Directors – Board
- Individual Board members – Board Members
- Desert Water Agency – DWA and Agency
- Employees of the Desert Water Agency - staff

## **Introduction**

The public we serve expects and deserves a transparent, fair, ethical, competent and accountable Board of Directors. The Board Members of the Desert Water Agency should:

- Value community, customers, one another, the Agency and Agency staff
- Act in the best interest of the public and the Agency
- Respect and adhere to Agency processes and guidelines; and shall
- Follow all State and Federal laws, codes of conduct and requirements

Complying with both the letter and the spirit of the laws and policies affecting the Agency, the Board shall:

- Exercise independent, impartial, thoughtful, prudent judgment and actions
- Serve the public good, not the personal gain
- Conduct public deliberations and processes civilly, respectfully and politely with robust transparency.

The Board has adopted this 2023 Board of Directors' Handbook to support the DWA's organizational infrastructure, policymaking and culture.



## **Chapter 1 – Roles and Authority**

### **1.1 - The Agency (DWA)**

Desert Water Agency (DWA) is an independent special district created by an act of the State Legislature as set forth in Chapter 100 of the appendix to the California Water Code, called “The Desert Water Agency Law.” DWA is responsible for long-range water supply management. This includes importing supplemental water and executing a groundwater replenishment program that includes the collection of a Replenishment Assessment Charge (RAC) for groundwater pumping. DWA is the Groundwater Sustainability Agency (GSA) responsible for managing the groundwater basins within its boundaries as provided in the Sustainable Groundwater Management Act. DWA also provides domestic water service and recycled water service in Palm Springs and parts of Cathedral City, and sewer conveyance in parts of Cathedral City and elsewhere.

### **1.2 - Board of Directors (Board)**

The Board of Directors consists of five members from five geographically separate areas called divisions. Each Board Member is elected by voters in the geographic division and serves the entire DWA service area. Board Members must make decisions based on the interest of the entire public served by Desert Water Agency.

Board Members must reside in the geographic division in which they serve and are either:

1. elected by voters within the division where they reside to hold a four-year term
2. appointed in lieu to hold a four-year term
3. appointed by a vote of the Board to fill the remainder of the term of office for the Board Member that they are replacing, or until the next general Agency election

The primary role of the Board is to establish policies that guide the Agency.

Board Members have no individual authority. As individuals, Board Members are prohibited from committing the Agency to any policy, act, expenditure, obligation, affiliation or any other particular or circumstance that might arise.

Elected and appointed officials are bound to uphold the Constitution and laws and regulations of the United States and the State of California, and localities. They are bound to observe and comply with both the letter and the spirit of the law in their official acts, with the highest standards of integrity and honesty, and to discharge faithfully the duties of their office regardless of personal considerations. Their conduct in matters related to the Agency should be above reproach at all times.

As State law requires, no one who holds office, or who is seeking election or appointment to any office with the Agency shall, directly or indirectly, use, promise, threaten, or attempt to use, any office, authority, or influence for personal gain or objective. Board Members should make every effort to avoid even the appearance of impropriety.

The officers of the Board include the President, Vice- President, and Secretary-Treasurer. Officers of the DWA are selected every year in January or soon thereafter.

Board Members are responsible to know and follow DWA Law, the Board Handbook and Rosenberg's Rules of Order.

The Board has four (4) major responsibilities:

1. **Representing the public interest** – Each Board Member is a representative of the community DWA serves and shall be generally available for public feedback, concerns and questions, often relying on staff for resolution and community affairs. Board Members should be engaged in the community.
2. **Policymaking** – The Board establishes and oversees policies that support the vision and mission of the Agency and oversees the implementation of those policies. Policies include the governing principles, plans, and a course of action for the organization. Policymaking is the process of long-term goal setting and development of broad principles that provide parameters within which staff can operate. Policymaking sets the overall direction for the Agency
3. **Financial oversight** - The Board shall establish policies that ensure fiscal stability and the effective use of funds and are revised from time to time as the mission of the Agency evolves. In order to achieve this, each fiscal year the Board adopts a budget covering the anticipated revenues and expenditures of the Agency and reviews monthly and quarterly budget reports throughout the year. Additionally, from time to time, the Board reviews and/or acts on DWA's reserves, investments, and other financial policies.
4. **Oversee GM** – The Board directs the GM to oversee the day-to-day operations and staffing of the DWA. The Board holds the GM accountable for the effective management of the Agency. Collectively, the Board shall evaluate the performance of the GM annually, make determinations on compensation, employment contract, and organizational structure. The GM is responsible for overseeing all day-to-day operations and managing DWA staff.

In order to fulfill these responsibilities, the Board shall adhere to the following basic policy guidelines:

1. The Board provides policy direction and leadership for DWA.
2. The Board exercises authority only collectively as a Board, and individual Board Members shall not act on their own volition. For the purpose of this guideline, a “Board” is made up of five (5) members that make decisions by majority.
3. The Board respects the role of the GM and does not direct, assign or task any DWA staff. The GM may authorize Board Members to contact certain DWA staff for specific purposes to facilitate DWA business.
4. The Board respects the role of stakeholders and ratepayers in the governance of DWA and encourages their participation.
5. The Board maintains a high level of communication with the GM. When a Board Member is going to be unavailable, that Board Member shall inform the GM and Assistant Secretary to the Board in a timely manner.
6. The Board is aware that all written and electronic documentation and communication is legally considered in the public domain, unless exempted by law from public disclosure such as the attorney-client privilege.
7. Board Members shall not share items discussed in Closed Session, in mediation or under attorney-client privilege with other parties privately or publicly. Public disclosure of such items could result in ethics-related punitive actions.

### **1.3 - Board compensation**

Board Members are compensated in several ways. DWA pays Board Members a “per diem” rate for every day that they attend a DWA Board meeting, a Committee meeting or attendance at a pre-approved conference. Regardless of how many meetings a Member attends in one day or the length of the meetings, the rate of pay is the same. The Board may adopt a compensation policy to cover other pre-approved meetings and events. There is a maximum payment of ten per diems each month though Board Members may elect to attend additional meetings without compensation.

Additionally, Board Members may opt into health, vision and dental coverage. Board Members may be responsible for a share of the premiums, which will be deducted from Board Member payment disbursements. Board Members may also elect to pay into a deferred compensation account, though there are no DWA contributions on Board Members behalf.

### **1.4 - President of the Board**

The President of the Board is responsible for:

- Approving the meeting agendas drafted by staff and directing the GM to place items on future agendas, including items requested by a majority of the Board.

- Chairing and presiding over meetings including calling meetings to order, calling for Board Member input, determining when additional discussion will be permitted prior to requesting a motion, repeating motions, and putting motions to a vote (mastery of Rosenberg's Rules of Order).
- During meetings, the Board President may direct the Assistant Secretary to the Board to mute any participant that the President determines to be out of order.
- Determining if a member of the public, staff or another Board Member is out of order.
- Acting as the ceremonial head and spokesperson of the Agency at civic functions, delegating this role when necessary.
- Creating and eliminating committees, including standing and ad hoc committees.
- Making committee assignments and establishing alternates.
- Signing documents on behalf of the Board.
- Leading the Board and mentoring new Board Members.
- Regularly communicating with the GM.
- Regularly communicating with other Board Members, in compliance with the Ralph M. Brown Act.

Board Members who wish to have an item placed on the agenda for a Board meeting shall contact the Board President or request it for consideration at a Board meeting.

### **1.5 - Vice President of the Board**

The Vice President of the Board will act as President, including all of the responsibilities above, if the President is temporarily unavailable or vacates office. The Vice President shall serve on the Executive Committee.

### **1.6 - Secretary-Treasurer of the Board**

The Secretary-Treasurer of the Board reviews Agency financial statements and attests to Board resolutions and ordinances. This Board Member serves as Finance Committee Chair.

### **1.7 - Executive Committee**

The Board President and Vice President, or alternates, comprise the Executive Committee. The Executive Committee reviews the agenda for Board meetings and also reviews expense reports from the Board and GM. The Executive Committee may advise the GM and Legal Counsel in emergencies or as urgent issues arise. The Executive Committee can create limited-term ad hoc committees to handle critical, time-sensitive issues.

### **1.8 - Standing and Ad hoc Committees**

Committees are made of up of Board Members and may recommend to the full Board action on items placed on the agenda. Committees may provide the GM with direction on some specific items and also recommend staff to confer with other committees on issues that may span subject matter.

## **Chapter 2 – Board Values**

The DWA Board recognizes the following guiding operational values.

### **2.1 - Guiding Operational Values of the Agency**

1. Ensuring an available, affordable, secure supply of high-quality water today and in the future.
2. Providing a safe, efficient and well-maintained water delivery system.
3. Designing and operating water facilities and water programs to benefit the community, at large.
4. Delivering service fairly, professionally, promptly and respectfully.
5. Informing and educating the community on water and DWA.
6. Attracting, developing, and retaining a competent, creative and motivated workforce.
7. Maintaining public trust and confidence.
8. Behaving always in a respectful, civil, polite and professional manner.
9. Following the letter and spirit of the law and best practices for public entities.

## Chapter 3 – Board Interactions

The efficient and effective delivery of services to DWA customers is a collaborative effort between the elected members of the Board of Directors, the GM and DWA employees.

### 3.1 - Board Interactions

Mutual respect and trust are the foundation of an effective productive board.

In order to conduct business in accordance with legal requirements and public expectation, Board Members are required to:

1. **Be knowledgeable about and, unless otherwise noted herein or in conflict with the Brown Act, DWA Law or other laws, follow Rosenberg's Rules of Order** related to the governance of a meeting. (see Appendix 4)
2. **Understand and follow Ralph M. Brown Act requirements** related to communication among members of the Board and the public. Board Members acknowledge that they understand communication includes electronic, written and verbal methods are subject to legal openness requirements. (see Appendix 2)
3. **Defer to the President of the Board** as the leader of meetings and Board relations.
4. **Work collaboratively** and strive to operate as a unit. A high-functioning Board has members that are open, civil and respectful of one another. Strong Boards seek solutions that reinforce the Agency's shared and stated objectives and vision.
5. **Disagree respectfully.** When people can disagree with one another and express their dissent respectfully, organizations are healthier. Disagreements often result in a more thorough study of options and better decisions and better outcomes. Board Members have the right to openly and respectfully address and debate all proposed actions and/or issues that come before the Board according to the Board meeting rules. Disagreements may occur and should be used to, in good faith, broaden subject matter perspective and understanding. Board Members who disagree in point or in principle, shall do so with professionalism, respect and dignity. Board Members shall likewise treat DWA staff in a professional and collegial manner. According to the rules of order, the Board President may call any Board Member out of order and/or remove any Board Members to maintain order.

### 3.2 - The Board's Relationship with the GM

The GM is the Chief Executive Officer for DWA and is the one whom the Board appoints to manage, operate and administer DWA's daily operations in accordance with approved policies. This makes the Board/GM relationship the most vital for overall DWA success. The Board requires a GM who has the skills to effectively implement the mission of the Agency, the vision of the Board and management of the staff team.

The GM has two roles: Chief Executive Officer and serving as the chief advisor to the Board.

The Board and GM will not always agree on every action taken by the GM and vice versa. Implementation of these policies naturally leaves room for interpretation. The GM's perspective, while very important, may not always be in alignment with what the Board decides. The Board and GM must consciously focus on maintaining a shared sense of purpose, open communication, transparency, honesty, trust and mutual support. While the GM is hired to carry out Board policy directives, the Board also looks to the GM for professional guidance and leadership.

One of the most important decisions a Board will make is the selection of a GM. The Board must grant the GM authority to manage, operate and administer DWA in the day-to-day implementation of programs and policies approved by the Board. This is critical for building the GM's credibility with the staff and the community.

It is the GM's responsibility to ensure that the Board have all the information they need to make policy decisions and that all Board Members are provided the same information. The Board expects the GM to make a recommendation on every (action) before the Board, except those that are strictly reserved to the Board. Additionally, if Board Members have questions to the GM and/or staff, the GM/staff will deliver responses to all Board Members to ensure equitable access to information.

The following are guidelines which are intended to help define the relationship between the Board and the GM:

1. **Develop goals.** The Board shall provide the GM with an annual list of goals and/or projects that will be the basis for an annual performance review. The Board and GM should collaboratively establish clarity regarding the culture and management style intended for the Agency.
2. **Evaluate performance.** The Board shall provide the GM with a performance evaluation annually that fulfills the needs of both the Board and the GM. The Board's evaluation of the performance of the GM is confidential and should be respected as such.
3. **Communicate directly.** Board Members are encouraged to contact the GM about any subject related to the operations of DWA. Similarly, the GM may discuss any DWA related issue with any member of the Board.
4. **Don't bypass.** Concerns regarding overall DWA operations or specific department issues or department heads are addressed with the GM. The GM may refer a Board Member to work with staff on a limited time or limited subject basis.
5. **Stay in touch.** Critical information will be provided to all Board Members by the GM, whether verbal, written, or electronic in nature.

6. **Avoid staff issues.** The GM has authority over staff and interdepartmental issues that may arise.
7. **Work with Acting GM.** The GM shall advise the Board when he/she is unavailable and may designate the individual who will perform delegated responsibilities during that time.

### 3.3 - Board Interactions with Staff

DWA staff ultimately report to the GM and serve the entire Board and community. Consequently, the Board should adhere to the following guidelines in its interaction with the staff:

1. **Do not direct staff.** A Board Member shall be aware of the influence they carry. A Board Member shall not direct staff to initiate any action, change a course of action, or prepare any report without the approval of the GM and/or the Board. A Board Member shall not attempt to pressure or influence discussions, recommendations, workloads, schedules, or priorities for any staff. Board Members may ask questions to an individual member of the staff (requesting a copy of a document or report) and shall include the GM on questions and requests.
2. **Get GM guidance on who to contact.** Before contacting staff directly on an issue, a Board Member shall ask the GM which staff member with which to confer. Board Members shall limit subject contact with that staff person to the issue discussed with the GM.
3. **Provide questions in advance.** When preparing for Board and Committee meetings, Board Members should review materials and direct questions in advance to the GM allowing staff to provide the desired information. Questions asked impromptu during the meeting are not discouraged as open dialogue may help aid understanding and decision making.
4. **Let GM handle critique and discipline.** Any concerns regarding the behavior or work of an employee shall be directed to the GM privately to ensure that the concern is addressed. Board Members shall not reprimand employees, nor shall they communicate concerns to anyone other than the GM.
5. **Don't ask staff to get involved in campaigns.** Soliciting political support from staff (e.g., financial contributions, display of posters or lawn signs, name on support list, etc.) is prohibited.



### **3.4 - Board Interactions with the Public**

#### *Customer Concerns and Complaints*

1. All significant customer and ratepayer concerns and inquiries received by DWA shall be referred to the GM. All concerns and complaints are processed in accordance with applicable laws and may result in formal disputes or appeals.
2. Staff will provide the Board with a written or verbal report of a customer concern or inquiry that cannot be handled as a routine matter or items that include a formal appeal. Staff will also provide the Board with the correspondence with the customer.
3. The Board will be informed of significant, politically sensitive, urgent and/ or repetitive telephone or electronic communication inquiries. Staff will research the request as soon as possible, and provide the GM with the appropriate follow-up and response. The GM will review the communication prior to dissemination to the Board.
4. Copies of any written or electronic responses to customer concerns provided by a Member shall be provided to the other members of the Board.
5. Information that may expose the DWA to litigation will be shared with the Board at a properly noticed, closed session meeting in accordance with the requirements of the Ralph M. Brown Act.

#### *Public Input during Meetings*

1. Public comment shall be part of every regular meeting of the Board and shall take place as early as possible in the Board meeting out of respect for attendees' time and to streamline the meeting. The Board President may ask staff to provide additional information based on public input.
2. A majority of Board Members shall not express their position on any item not appearing on the agenda, including any raised during public comment. Due to Brown Act requirements, the Board cannot take up any item not listed on the agenda unless the Board determines there is an emergency or immediate action is necessary.
3. Items placed on the agenda for a public hearing will follow procedures as outlined by DWA's legal counsel.
4. Unless otherwise noted or required, public comments are to be kept under three minutes in length. The Board President may allow any speaker additional time.
5. If a member of the public asks a question during public comment, staff will attempt to follow up with that commenter after the close of the meeting.
6. The President is responsible for maintaining an orderly progression of the business before the Board.

### *Representing an Official Agency Position*

In order to ensure that they are properly representing their positions as elected officials of DWA, Board Members shall adhere to the following guidelines:

1. Board Members may use their title only when conducting official DWA business, or for informational purposes.
2. Board Members shall relay all media interviews, media requests and presentation requests regarding DWA business or policy to the GM or designee. As a rule, these requests are managed by staff and the Board President may be requested to act as a spokesperson.
3. Once the Board has taken a position on an issue, Board Members can share the Board's adopted position.
4. If a member of the Board appears before another government agency or organization to give a statement on an issue affecting DWA, the Board Member shall indicate the majority position or opinion of the Board, and only to the extent authorized by the Board. (NOTE: Board Members shall report on any public remarks at the next DWA Board meeting).
5. No Board Member is permitted to attend a meeting of any outside agency or organization as an official representative of DWA without prior Board President authorization. Meetings of outside agencies and organizations that are included on the Agency's list of Representative Assignments are to be attended by the designated Board Member and/or alternate. Other Board Members are not prohibited from attending but may not participate or request compensation.
6. Personal opinions and comments contrary to adopted policy may be expressed with clarification that the statements do not reflect the official position of the Board or DWA. This applies to statements to media and any online or public discussion forums.
7. When two Board Members are authorized/assigned by the Board to attend a meeting as official representatives, other Board Members may not participate at the meeting as a DWA representative or discuss the matter with the other Board Members who are there in order to avoid violations of the Ralph M. Brown Act. There are exceptions for attendance at Board approved conferences and other similar events so long as Agency business is not discussed by a majority of the Board attending the event.

### *Electronic Media Communications by the Board and its members (Social Media)*

The Ralph M. Brown Act requires public officials to conduct Agency business at properly noticed public meetings. There are strict and emerging State rules and laws regarding the use of electronic communications of public officials. Board Members should consider all communications, including electronic and/or any type of social media as public records that must be disclosed upon request pursuant to the California Public Records Act. Communications between Board Members are carefully controlled and such is the case with electronic media and social media. These rules/laws relate to communications related to Agency business on both DWA and personal accounts. Included are communications between Board Members, staff and the public. Use of all electronic devices for emails, texts, social media posts, re-posts, sharing or even indicative likes, emojis or other type responses such as likes, thumbs-up and dislikes, etc., may violate the Brown Act.

## **Chapter 4 – Governance & Meetings**

### **4.1 - Election of Officers**

Annually, the Board shall elect one Board Member President, another Board Member Vice President and a third member Secretary-Treasurer. These offices are held for one year or until after the next election cycle unless the Board Member serving as an officer resigns or is no longer in office. If the President resigns or vacates office, the Vice President will automatically assume the role of President and the Board shall elect a Vice President and Secretary-Treasurer.

The Board selects the GM, a non-elected position, as its chief advisor.

### **4.2 - Time and Place for Regular Meetings**

The regular monthly meetings of the Board are normally held on the first and third Tuesday of each month commencing at 8:00 a.m. at the Agency Operations Center, 1200 South Gene Autry Trail, Palm Springs, CA and/or virtually as California law allows. The Board of Directors may, by a majority vote, change the date or time of its regular meetings. The Board may also elect to conduct some of its meetings at alternate locations.

### **4.3 - Meeting Notifications**

The Assistant Secretary to the Board will email the Board when the meeting agenda and packet are posted to the DWA website.

The meeting agenda and packet will be posted physically at the Agency and online at least 72 hours in advance of regular Board Meetings and Standing Committee Meetings in accordance with the Ralph M. Brown Act. Special Meetings will be posted 24 hours in advance. Ad Hoc Committee Meetings do not require notice. Meeting notices will also be emailed to parties who have submitted a written request to receive them.

### **4.4 - Quorum Requirements**

Three members of the Board will constitute a quorum for the transaction of business. However, no ordinance, resolution or motion shall be passed without at least three affirmative votes. An abstention has the same legal effect as a “no” vote though it will be recorded separately.

### **4.5 - Board Meeting Protocol**

1. All meetings of the Board shall be conducted using Rosenberg’s Rules of Order, unless otherwise noted herein or unless required by law. Rosenberg’s Rules provide

for constructive and democratic meetings and are intended to help the business of the Board.

2. Public comment shall be received pursuant to the Ralph M. Brown Act. Members of the public will have three minutes to express their concerns. By adopted motion of the Board or upon approval by the President, the time limit for individual speakers may be extended. The Board shall treat members of the public with courtesy and respect.
3. When possible, proposed corrections to official minutes of the Board meetings should be provided to the Assistant Secretary of the Board and/or GM in advance for consideration at the next regular Board meeting. This, however, does not prohibit a Board Member from making a request during a meeting to make a correction to the minutes before they are approved.
4. The Executive Committee shall meet with the GM prior to the Board meetings to review and prepare for the upcoming Board meeting agenda.
5. At the direction of the GM, other members of the management team, department heads or appropriate staff will be present at meetings if they have an item on the agenda.
6. Some items will be presented on the agenda on a Consent Calendar to be approved or denied with a slate of other items. Any Board Member can pull a Consent Calendar item for discussion. The President will allow all Board Members to make a comment on pulled items. The item then may be acted upon with the other items or separately.
7. Board Members should refrain from using electronic devices communications, such as emails, texting or any type of social media, during a Board meeting.
8. The time during the Board Members' Comments and Requests portion of the agenda shall be utilized for suggestions but should not be interpreted as direction to the GM since direction to the GM should come from the entire Board. Board Members' Comments and Requests shall inform decisions regarding items to be placed on future agendas. Any item requested by a Board majority shall be placed on an upcoming agenda.
9. Board Members acknowledge that Board Members' Comments and Requests at regular Board Meetings are not the ideal time to ask staff for studies and reports or to express complaints. Board workshops or individual conversations with the GM are preferable.

#### **4.6 - Voting**

Voting in a public meeting is the format for decision making. A majority of all members of the Board will be required to adopt any ordinance, resolution or motion, unless a different voting requirement to approve a particular action is specified by law.

1. Each Board Member may speak on an item prior to voting on a motion.

2. Roll call votes are required on all ordinances and on all actions taken by the Board during teleconferenced meetings. On other items, a voice vote may suffice. A roll call vote may be requested by any Board Member for any action item.
3. Once an agenda item has been voted on, the disposition is considered as the "action" of the Board and the DWA's policy. Individual Board Members that did not support the action shall not seek to undermine the success of that decision.

#### **4.7 - Closed Session**

1. Closed Session meetings may be held at times other than the regular meetings of the Board so long as an agenda of the meeting is posted pursuant to the applicable open meeting (Ralph M. Brown Act) rules.
2. All Closed Session discussions and materials are considered confidential and may not be disclosed by any person present at the meeting, unless disclosure is authorized by a majority of the Board. Following conclusion of the Closed Session a report of actions taken may be required by law, except for reportable action, Board Members shall not share meeting details outside of the meeting.
3. Closed Session staff reports are strictly confidential and shall not be shared outside the meeting.
4. The GM shall recommend which members of the Staff management team are required for any Closed Session meeting. The GM shall request of the Board President any additional attendees. The Board President, however may request more limited attendance.
5. GM performance may be addressed in Closed Session with or without the GM present.
6. Other employee performance matters will be discussed in Closed Session fully at the discretion of the GM with only the GM and such other staff present as may be designated by the GM.
7. Board Members shall not use electronic devices communications, such as emails or texting, during a closed session meeting.
8. A Board Member shall refer a request for information regarding a Closed Session item to the GM who, in concert with DWA's legal counsel, will prepare an appropriate response.

## Chapter 5 – Board Member Requirements

In order to promote the public's trust in Board policies and to ensure the most effective and efficient delivery of DWA services, members of the Board shall abide by a Board of Director's Code of Conduct which includes provisions relating to decorum, conflicts of interest, the handling of legal matters, ethics and sexual harassment training and enforcement.

### 5.1 - Oath of Office

Signed copies of the Oath of Office taken by each Board Member are maintained by the Assistant Secretary to the Board. DWA officials shall never exceed their authority, violate the law or ask others to do so. They should work in full cooperation with other public officials and employees unless prohibited from doing so by law or by legally required or recommended confidentiality of their responsibilities or work.

### 5.2 – Code of Conduct

When the members of the Board are elected to office, they bring a body of personal experience, knowledge and judgment to develop good public policy. Each individual shall strive to work with fellow Board Members and DWA staff as part of a team to address challenges and opportunities. Board Members agree to display decorum and:

1. **Represent the public.** Board Members' allegiance and primary responsibility is to the community within the DWA jurisdiction.
2. **Put community first.** Create, demonstrate and foster a DWA culture that puts community first.
3. **Act professionally.** Board Members should always behave professionally. When Board Members fail in this regard, Board Members, staff or the public may report this to the Board President. If the Board President is the member failing in this regard, Board Members should report it to the Vice President. Board Members who engage in unprofessional behavior shall first meet with the Board President, and where appropriate, be offered professional counseling. As a second step, the Board President may offer uncompensated group counseling to the full Board.
4. **Consider rules.** Board Members must comply with Ralph M. Brown Act rules and restrictions when using social media, even with personal accounts.
5. **Lead by example.** Board Members lead by example in their interaction and communication with tone, style and patience.

### 5.3 - Conflicts of Interest

Exercising independence and impartiality on behalf of the public good is a fundamental goal of any elected body. State law prohibits Board Members from using their official positions to influence government decisions in which they have a financial interest or where they have an organizational responsibility or a personal relationship that would present a conflict of interest. Accordingly, the Political Reform Act requires every State and local agency to adopt a conflict-of-interest code that identifies all officials and employees within DWA who make governmental decisions or recommendations based on the positions they hold. The individuals in the designated positions must disclose their financial interests for public review as specified in DWA's conflict of interest code. DWA's current adopted Conflict of Interest Code is included in Appendix 2 of this Handbook.

In accordance with applicable State laws, the following provisions shall apply to all Board Member actions:

1. A Board Member will not have a financial interest in a contract with the Agency or be a purchaser at a sale by the Agency or a vendor at a purchase made by the Agency, unless the Board Member's participation was authorized under Government Code sections 1091 or 1091.5, or other applicable provisions of law.
2. A Board Member will not participate in the discussion, deliberation or vote on a matter before the Board, or in any way attempt to use his or her official position to influence a decision of the Board, if he or she has a prohibited interest with respect to the matter, as defined in the Political Reform Act, Government Code sections 81000, and following, relating to conflicts of interest. Generally, a Board Member has a financial interest in a matter if it is reasonably foreseeable that the Board decision would have a material financial effect (as defined by the Fair Political Practices Commission's ["FPPC"] regulations) that is distinguishable from the effect on the public generally on:
  - a. A business entity in which the Board Member is a Director, officer, partner, trustee, employee, or manager and has a direct or indirect investment in the amount specified in the then-effective FPPC regulations;
  - b. Real property in which the Board Member has a direct or indirect investment interest, with a worth in the amount specified in the then-effective FPPC regulations;
  - c. A source of income of the Board Member in the amount specified in the then-effective FPPC regulations, within twelve months before the Board decision;
  - d. A source of gifts to the Board Member in an amount specified in the then-effective FPPC regulations within twelve months before the Board decision;
  - e. The Board Member's personal expense, income, assets or liabilities, and those of his or her immediate family, are likely to go up or down as a result of the decision by the amount specified in the then-effective FPPC regulations.



3. If a Board Member believes that he or she may be disqualified from participation in the discussion, deliberations or vote on a particular matter due to a conflict of interest, the following procedure will be followed:
  - a. If the Board Member becomes aware of the potential conflict of interest before the Board meeting at which the matter will be discussed or acted on, the Board Member will notify the GM and the Agency's legal counsel of the potential conflict of interest, so that a determination can be made whether it is a disqualifying conflict of interest;
  - b. If it is not possible for the Board Member to discuss the potential conflict with the GM and the Agency's legal counsel before the meeting, or if the Board Member does not become aware of the potential conflict until during the meeting, the Board Member will immediately disclose the potential conflict during the Board meeting, so that there can be a determination whether it is a disqualifying conflict of interest;
  - c. Upon a determination that there is a disqualifying conflict of interest, the Board Member: (1) will not participate in the discussion, deliberation or vote on the matter for which a conflict of interest exists, which will be so noted in the Board minutes; and (2) leave the room until after the discussion, vote and any other disposition of the matter is concluded, unless the matter has been placed on the portion of the agenda reserved for uncontested matters (i.e., the consent calendar), in which case the Board Member will identify the nature of the conflict and abstain from the vote on the specified item on the consent calendar. If the item is on the agenda for discussion and possible action, the Board Member may speak on his or her personal interests in the matter during the time that the general public speaks on the issue but must leave the room during Board discussion and action on that item.
4. A Board Member will not recommend the employment by DWA of a relative, even if such employment would not constitute a technical violation of the Conflict of Interest laws. A Board Member will not recommend contracting with or professional services of a relative.

#### **5.4 - Handling of Legal Matters**

The Board appoints the Agency's legal counsel to provide a wide range of professional legal services, assistance, and legal advice to the Board, GM and all Agency departments and offices.

1. The following guidelines shall be employed by Board Members when dealing with legal and/or other confidential matters:
  - a. All written materials and verbal information provided to Board Members on matters that are confidential and/or privileged under State law shall be kept in complete confidence to ensure that DWA's position in the matter is not compromised. No disclosure or mention of any information in these

materials may be made to anyone other than fellow Board Members, the GM or DWA's legal counsel.

- b. Confidential materials provided to Board Members outside of closed sessions must be destroyed, deleted, or returned to staff within thirty (30) days of their receipt.
  - c. Board Members may not request confidential written information from staff that has not been provided to all Board Members.
2. All Board Members who are desirous of contact with DWA's legal counsel, his or her staff, and/or attorney(s) contracted to work on behalf of the Agency shall first consult with the GM or in the event that the Board Member's concern relates to the GM, consult with the Board President. Board Members cannot enjoy or establish an attorney-client relationship with said attorney(s), as a Board Member, by consulting with or speaking to same. Any attorney-client relationship established belongs to DWA, acting through the Board, and as may be allowed in State law for purposes of defending DWA and/or the Board in the course of litigation and/or administrative procedures, etc.

## **5.5 - Ethics Training**

AB 1234 requires elected or appointed officials who are compensated for their service or reimbursed for their expenses to take two hours of training in ethics principles and laws every two years. Those who enter office after January 1, 2006 must receive the training within a year of starting their service. They must then receive the training at least once every two years after that.

The training must cover general ethics principles relating to public service and ethic laws including:

1. Laws relating to personal financial gain by public officials (including bribery and conflict of interest laws);
2. Laws relating to office-holder perks, including gifts and travel restrictions, personal and political use of public resources, and prohibitions against gifts of public funds;
3. Governmental transparency laws, including financial disclosure requirements and open government laws (the Brown Act and Public Records Act);
4. Laws relating to fair processes, including fair contracting requirements, common law bias requirements, and due process.

## 5.6 - Sexual Harassment Training

Pursuant to AB 1825, Board Members must take a sexual harassment prevention course every two years. DWA will provide course options to Board Members for consideration. Sexual harassment by Board Members will not be tolerated. Any sexual harassment observed by Board Members whether by other Board Members or DWA staff shall be reported immediately to the GM or Board President.

## 5.7 - Enforcement

Board Members shall refer any actual or perceived violation of DWA policies, including the Code of Conduct (Section 5.2), by another Board Member privately to the President of the Board, or the Vice President if it is the President that has committed the perceived violation. The President or Vice President may bring the matter to the full Board of Directors for investigation, and consideration of any appropriate action warranted. A violation of this policy may be addressed by the use of such remedies as are available by law to the DWA, including but not limited to:

1. **Admonishment.** This is an informal action that may be verbal or written and can be carried out by the Board President or the Vice President.
2. **Investigative process.** Before any formal action is taken, DWA will investigate claims against any of its Board Members. The Board must approve an action to undergo investigation. The investigation must include an opportunity for the accused Board Member to provide a statement and/or evidence.
3. **Censure.** At the conclusion of the investigation, the Board may adopt a resolution expressing disapproval of the conduct of the Board Member who has violated policies or principles outlined in this handbook. While there is no fine or suspension associated with this, the Board may elect to suspend a Board Member's committee appointments, and compensation or reimbursements for conference attendance or travel expenses.
4. **Injunctive relief.** In some cases, the Board may vote to prevent a Board Member from sharing confidential information. Due to the potential urgency, the Board may pursue an injunction prior to the completion of any investigation.
5. **Referral to the District Attorney.** The Board may direct DWA staff to refer a violation to the District Attorney's office.

## **Board Member handbook acknowledgement**

As a member of the Desert Water Agency Board of Directors, I have received and read the most recently adopted version of the DWA Board of Directors' Handbook. I understand the expectations placed on me as an elected official and representative of DWA. I am committed to upholding the public trust and representing the best interests of the DWA and its customers by complying with the Board Handbook. By signing this acknowledgement, I agree to comply with the terms of the Board of Directors Handbook, Board and DWA policies and all applicable laws and regulations. I further commit to conduct myself professionally as a Board Member and to carry out my duties with integrity and competence.

Name: \_\_\_\_\_ Date: \_\_\_\_\_

Title: \_\_\_\_\_ Division: \_\_\_\_\_

Signature: \_\_\_\_\_

Appendix 1  
Summary of the Ralph M. Brown Act

## **Appendix 1**

### **Summary of the Ralph M Brown Act**

The Ralph M. Brown Act (Brown Act) or “Open Meetings Law” is found in the California Government Code § 54950 et seq. It was enacted in 1953 to guarantee the public’s right to attend and participate in meetings of local legislative bodies, and as a response to growing concerns about local government officials’ practice of holding secret meetings that were not in compliance with advance public notice requirements. The Brown Act’s primary purpose is to insure public official accountability for their actions and to allow full public participation in the decision-making process.

#### **Scope of the Brown Act**

The Brown Act governs local agencies, legislative bodies of local government agencies such as city councils, county boards of supervisors, special districts, school boards, standing committees, and even some types of Home Owners Associations (if they were created by a public entity as a public district.)

#### **Meetings**

The Brown Act defines a meeting as “any congregation of a majority of the members of a legislative body at the same time and place to hear, discuss or deliberate upon any item that is within the subject matter jurisdiction of the legislative body”. In other words, when there is a quorum of the legislative body constituting a majority, the Brown Act considers that a meeting. This also applies to situations where a majority of the members of the legislative body are attending a social gathering (for which no meeting notice was given) and they start discussing business under their jurisdiction.

The key elements for a meeting are quorum and discussion, hearing or deliberation of issues; the meeting needs not to be formally convened in order to be subject to the Act. This would then include gathering which may be defined as informal, study, discussion, informational, fact-finding, or pre- council.

Some meetings are not covered by the Brown Act. Gatherings such as conferences and retreats, other public meetings, meetings of other legislative bodies, social or ceremonial events are exempt from the Brown Act provided that legislative members follow certain rules such as limiting the discussion to the agenda in the conference; or that legislative members do not discuss amongst themselves business of their legislative body. Also excluded from the application of the Brown Act are individual contacts or conversations between a member of a legislative body and any other person (i.e., non-staff or non-Member).

### **Serial Meetings**

The Brown Act explicitly prohibits the use of "...direct communication, personal intermediaries, or technological devices that are employed by a majority of the members of the legislative body to develop a collective concurrence as to action to be taken on an item by the members of the legislative body". Serial meetings involve communication between members of a legislative body that are less than a quorum, but when all participants are considered, it constitutes a majority. For example, a chain of communication involving contact from member A to member B who then communicates with member C would constitute a "serial meeting" ... Similarly, when a person acts as the hub of a wheel (member A) and communicates individually with the various spokes (members B and C), a serial meeting has occurred.

In addition, a serial meeting occurs when intermediaries for Members have a meeting to discuss issues. For example, when a representative of member A meets with representatives of members B and C to discuss an agenda item, the members have conducted a serial meeting.

It should also be noted that legal precedence has established that the use of email to create consensus among the legislative members might be in violation of the Brown Act.

### **Teleconference Meetings**

The Brown Act allows teleconference meetings if they comply with the following specifications:

- The teleconference location is accessible to the public and it is noted in the agendas.
- The meeting is useful to the public and the legislative body.
- All votes are taken by roll call.
- At least a quorum of the members of the legislative body are located within the boundaries of the territory over which it exercises jurisdiction.

### **Closed Session Meetings**

The Brown Act allows closed sessions under the scope of a regular meeting. It stipulates that they shall comply with agenda posting and be held within the jurisdiction of the legislative body, which shall include a description of the items to be discussed. In addition, prior to holding any closed session, the legislative body shall disclose, in an open meeting, the item or items to be discussed in the closed session. The Act provides an extensive description of specific items that can be discussed by the legislative body in closed session.

The legislative body should publicly report actions, along with the vote and abstention count, taken as result of a closed session. Documentation relative to the reports should be available to any person on the next business day following the meeting.

## **Special Meetings**

Either the presiding officer or the majority of members of the legislative body may call special meetings at any time by delivering each of its members a written notice and by notifying the media (which has previously requested notification of special meetings): the notice shall be received at least 24 hours in advance before the meeting. Special meetings notice shall be also posted at least 24 hours prior to the meeting and it should be held in a location that is freely accessible to members of the public. The discussions at the special meeting are limited to the issues posted in the agenda. No other business shall be considered.

## **Compliance**

In order to comply with the Brown Act, local agencies must adhere to the following rules:

- Hold open and public meetings. No legislative body shall conduct any meeting in a facility that prohibits the admittance of any person(s) on the basis of: race, religion, color, national origin, ancestry, sex; or that is inaccessible to disabled persons, or where the public, in order to gain access to the facility, needs to pay or purchase something.
- Vote publicly - no secret ballots are allowed.
- Comply with the protections and prohibitions of Section 202 of the Americans with Disabilities Act of 1990.
- Do not require public registration, as a condition for attendance; the public is not required to register, provide any other information, or fulfill any condition precedent to its attendance. If an attendance list is circulated, it shall clearly state that the signing, registering, or completion of the document is voluntary.
- Allow recording of the proceeding (video tape, audio tape) provided that recording is done in an undistruptive way.
- Do not prohibit or restrict broadcasting unless there is a finding that this would be disruptive to the proceedings.
- Post notice of meetings, information shall include specified time and location, except for advisory or standing committees.
- Post agendas at least 72 hours in advance of regular meetings. Such notice shall contain a brief general description of each item of business.
- Do not take action or discuss any item not appearing on the posted agenda except under certain conditions as provided by the Act.
- Hold meetings in the jurisdiction of the legislative body.
- Allow and honor any person's request to provide and mail a copy of the agenda at the time the agenda is posted (at least 72 hours in advance) or of all the documents of the agenda packet of any meeting.



- Provide an opportunity for comment from members of the public to directly address the legislative body on any item of interest to the public on every agenda for regular meetings.
- Allow public criticism of the legislative body.
- Hold at least one public hearing, allowing for public comment, before adopting any new or increased general tax or increased assessment.
- Do not charge fees for the attendance to a meeting or for carrying out any provision in the Brown Act. The only exception is when legislative bodies are allowed to charge a fee that covers the cost of mailing an agenda or agenda packet. The Act also prohibits meetings in a place where the public needs to pay or purchase something.
- Disclose to the public agendas of public meetings and any other writings, when distributed to all, or a majority of all, of the members of a legislative body of a local agency. In addition, under the California Public Records Act these documents shall be made available upon request and without delay.
- Preserve the order in meetings. Moreover, if a group willfully interrupts a meeting and the order can only be restored by the removal of disruptive individuals, then the legislative body may order the meeting room to be cleared. The session might be reinitiated and representatives of the media shall be allowed to stay and attend the session. The legislative body may also establish a procedure for readmitting individual(s) not responsible for the disruptive conduct that caused the meeting room to be cleared.

### **Violations of the Brown Act**

Each member of a legislative body who has taken action in violation of any provision of the Brown Act, and where there was willful deprivation of information to the public, is guilty of a misdemeanor. Civil remedies (injunction, mandamus, declaratory relief and voiding past actions of the body) are provided in case of violation of the Brown Act (that is, for violations to requirements for: general open meeting, agenda posting, closed sessions, tax and assessment, special meetings and, emergency meetings). A court may award court costs and reasonable attorney fees to the plaintiff in an action brought pursuant.

In order to correct a violation to the Brown Act, a complaint to cure and correct has to be filed by the interested party within 30 days of the date the action was taken during an open meeting and in violation of agenda requirements, or within 90 days of the date the action was taken for all other cases. Once the legislative body has received the complaint, it has 30 days to cure or correct the challenged action, if it fails to do so, a person then may file suit to void the action.

Appendix 2  
Rosenberg's Rules of Order

## **Appendix 2**

### **Summary of Rosenberg's Rules of Order**

Rosenberg's Rules of Order provides a set of common rules and procedures for deliberation and debate that allow Board Members' expression, ensure consistency in the manner and language used during the conduct of a meeting. The comportment of any business activity is controlled by the general will of those involved, based on a shared acceptance that decisions will be made by a deliberate majority.



# Rosenberg's Rules of Order

REVISED 2011

*Simple Rules of Parliamentary Procedure for the 21st Century*

*By Judge Dave Rosenberg*



## MISSION AND CORE BELIEFS

To expand and protect local control for cities through education and advocacy to enhance the quality of life for all Californians.

## VISION

To be recognized and respected as the leading advocate for the common interests of California's cities.

### About the League of California Cities

Established in 1898, the League of California Cities is a member organization that represents California's incorporated cities. The League strives to protect the local authority and autonomy of city government and help California's cities effectively serve their residents. In addition to advocating on cities' behalf at the state capitol, the League provides its members with professional development programs and information resources, conducts education conferences and research, and publishes Western City magazine.

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### ABOUT THE AUTHOR

Dave Rosenberg is a Superior Court Judge in Yolo County. He has served as presiding judge of his court, and as presiding judge of the Superior Court Appellate Division. He also has served as chair of the Trial Court Presiding Judges Advisory Committee (the committee composed of all 58 California presiding judges) and as an advisory member of the California Judicial Council. Prior to his appointment to the bench, Rosenberg was member of the Yolo County Board of Supervisors, where he served two terms as chair. Rosenberg also served on the Davis City Council, including two terms as mayor. He has served on the senior staff of two governors, and worked for 19 years in private law practice. Rosenberg has served as a member and chair of numerous state, regional and local boards. Rosenberg chaired the California State Lottery Commission, the California Victim Compensation and Government Claims Board, the Yolo-Solano Air Quality Management District, the Yolo County Economic Development Commission, and the Yolo County Criminal Justice Cabinet. For many years, he has taught classes on parliamentary procedure and has served as parliamentarian for large and small bodies.



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## INTRODUCTION

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The rules of procedure at meetings should be simple enough for most people to understand. Unfortunately, that has not always been the case. Virtually all clubs, associations, boards, councils and bodies follow a set of rules — *Robert's Rules of Order* — which are embodied in a small, but complex, book. Virtually no one I know has actually read this book cover to cover. Worse yet, the book was written for another time and for another purpose. If one is chairing or running a parliament, then *Robert's Rules of Order* is a dandy and quite useful handbook for procedure in that complex setting. On the other hand, if one is running a meeting of say, a five-member body with a few members of the public in attendance, a simplified version of the rules of parliamentary procedure is in order.

Hence, the birth of *Rosenberg's Rules of Order*.

What follows is my version of the rules of parliamentary procedure, based on my decades of experience chairing meetings in state and local government. These rules have been simplified for the smaller bodies we chair or in which we participate, slimmed down for the 21st Century, yet retaining the basic tenets of order to which we have grown accustomed. Interestingly enough, *Rosenberg's Rules* has found a welcoming audience. Hundreds of cities, counties, special districts, committees, boards, commissions, neighborhood associations and private corporations and companies have adopted *Rosenberg's Rules* in lieu of *Robert's Rules* because they have found them practical, logical, simple, easy to learn and user friendly.

This treatise on modern parliamentary procedure is built on a foundation supported by the following four pillars:

1. **Rules should establish order.** The first purpose of rules of parliamentary procedure is to establish a framework for the orderly conduct of meetings.
2. **Rules should be clear.** Simple rules lead to wider understanding and participation. Complex rules create two classes: those who understand and participate; and those who do not fully understand and do not fully participate.
3. **Rules should be user friendly.** That is, the rules must be simple enough that the public is invited into the body and feels that it has participated in the process.
4. **Rules should enforce the will of the majority while protecting the rights of the minority.** The ultimate purpose of rules of procedure is to encourage discussion and to facilitate decision making by the body. In a democracy, majority rules. The rules must enable the majority to express itself and fashion a result, while permitting the minority to also express itself, but not dominate, while fully participating in the process.

### Establishing a Quorum

The starting point for a meeting is the establishment of a quorum. A quorum is defined as the minimum number of members of the body who must be present at a meeting for business to be legally transacted. The default rule is that a quorum is one more than half the body. For example, in a five-member body a quorum is three. When the body has three members present, it can legally transact business. If the body has less than a quorum of members present, it cannot legally transact business. And even if the body has a quorum to begin the meeting, the body can lose the quorum during the meeting when a member departs (or even when a member leaves the dais). When that occurs the body loses its ability to transact business until and unless a quorum is reestablished.

The default rule, identified above, however, gives way to a specific rule of the body that establishes a quorum. For example, the rules of a particular five-member body may indicate that a quorum is four members for that particular body. The body must follow the rules it has established for its quorum. In the absence of such a specific rule, the quorum is one more than half the members of the body.


### The Role of the Chair

While all members of the body should know and understand the rules of parliamentary procedure, it is the chair of the body who is charged with applying the rules of conduct of the meeting. The chair should be well versed in those rules. For all intents and purposes, the chair makes the final ruling on the rules every time the chair states an action. In fact, all decisions by the chair are final unless overruled by the body itself.

Since the chair runs the conduct of the meeting, it is usual courtesy for the chair to play a less active role in the debate and discussion than other members of the body. This does not mean that the chair should not participate in the debate or discussion. To the contrary, as a member of the body, the chair has the full right to participate in the debate, discussion and decision-making of the body. What the chair should do, however, is strive to be the last to speak at the discussion and debate stage. The chair should not make or second a motion unless the chair is convinced that no other member of the body will do so at that point in time.

### The Basic Format for an Agenda Item Discussion

Formal meetings normally have a written, often published agenda. Informal meetings may have only an oral or understood agenda. In either case, the meeting is governed by the agenda and the agenda constitutes the body's agreed-upon roadmap for the meeting. Each agenda item can be handled by the chair in the following basic format:



**First**, the chair should clearly announce the agenda item number and should clearly state what the agenda item subject is. The chair should then announce the format (which follows) that will be followed in considering the agenda item.

**Second**, following that agenda format, the chair should invite the appropriate person or persons to report on the item, including any recommendation that they might have. The appropriate person or persons may be the chair, a member of the body, a staff person, or a committee chair charged with providing input on the agenda item.

**Third**, the chair should ask members of the body if they have any technical questions of clarification. At this point, members of the body may ask clarifying questions to the person or persons who reported on the item, and that person or persons should be given time to respond.

**Fourth**, the chair should invite public comments, or if appropriate at a formal meeting, should open the public meeting for public input. If numerous members of the public indicate a desire to speak to the subject, the chair may limit the time of public speakers. At the conclusion of the public comments, the chair should announce that public input has concluded (or the public hearing, as the case may be, is closed).

**Fifth**, the chair should invite a motion. The chair should announce the name of the member of the body who makes the motion.

**Sixth**, the chair should determine if any member of the body wishes to second the motion. The chair should announce the name of the member of the body who seconds the motion. It is normally good practice for a motion to require a second before proceeding to ensure that it is not just one member of the body who is interested in a particular approach. However, a second is not an absolute requirement, and the chair can proceed with consideration and vote on a motion even when there is no second. This is a matter left to the discretion of the chair.

**Seventh**, if the motion is made and seconded, the chair should make sure everyone understands the motion.

This is done in one of three ways:

1. The chair can ask the maker of the motion to repeat it;
2. The chair can repeat the motion; or
3. The chair can ask the secretary or the clerk of the body to repeat the motion.

**Eighth**, the chair should now invite discussion of the motion by the body. If there is no desired discussion, or after the discussion has ended, the chair should announce that the body will vote on the motion. If there has been no discussion or very brief discussion, then the vote on the motion should proceed immediately and there is no need to repeat the motion. If there has been substantial discussion, then it is normally best to make sure everyone understands the motion by repeating it.

**Ninth**, the chair takes a vote. Simply asking for the “ayes” and then asking for the “nays” normally does this. If members of the body do not vote, then they “abstain.” Unless the rules of the body provide otherwise (or unless a super majority is required as delineated later in these rules), then a simple majority (as defined in law or the rules of the body as delineated later in these rules) determines whether the motion passes or is defeated.

**Tenth**, the chair should announce the result of the vote and what action (if any) the body has taken. In announcing the result, the chair should indicate the names of the members of the body, if any, who voted in the minority on the motion. This announcement might take the following form: “The motion passes by a vote of 3-2, with Smith and Jones dissenting. We have passed the motion requiring a 10-day notice for all future meetings of this body.”

## Motions in General

Motions are the vehicles for decision making by a body. It is usually best to have a motion before the body prior to commencing discussion of an agenda item. This helps the body focus.

Motions are made in a simple two-step process. First, the chair should recognize the member of the body. Second, the member of the body makes a motion by preceding the member’s desired approach with the words “I move ...”

A typical motion might be: “I move that we give a 10-day notice in the future for all our meetings.”

The chair usually initiates the motion in one of three ways:

1. **Inviting the members of the body to make a motion**, for example, “A motion at this time would be in order.”
2. **Suggesting a motion to the members of the body**, “A motion would be in order that we give a 10-day notice in the future for all our meetings.”
3. **Making the motion**. As noted, the chair has every right as a member of the body to make a motion, but should normally do so only if the chair wishes to make a motion on an item but is convinced that no other member of the body is willing to step forward to do so at a particular time.

## The Three Basic Motions

There are three motions that are the most common and recur often at meetings:

**The basic motion.** The basic motion is the one that puts forward a decision for the body’s consideration. A basic motion might be: “I move that we create a five-member committee to plan and put on our annual fundraiser.”





**The motion to amend.** If a member wants to change a basic motion that is before the body, they would move to amend it. A motion to amend might be: “I move that we amend the motion to have a 10-member committee.” A motion to amend takes the basic motion that is before the body and seeks to change it in some way.

**The substitute motion.** If a member wants to completely do away with the basic motion that is before the body, and put a new motion before the body, they would move a substitute motion. A substitute motion might be: “I move a substitute motion that we cancel the annual fundraiser this year.”

“Motions to amend” and “substitute motions” are often confused, but they are quite different, and their effect (if passed) is quite different. A motion to amend seeks to retain the basic motion on the floor, but modify it in some way. A substitute motion seeks to throw out the basic motion on the floor, and substitute a new and different motion for it. The decision as to whether a motion is really a “motion to amend” or a “substitute motion” is left to the chair. So if a member makes what that member calls a “motion to amend,” but the chair determines that it is really a “substitute motion,” then the chair’s designation governs.

A “friendly amendment” is a practical parliamentary tool that is simple, informal, saves time and avoids bogging a meeting down with numerous formal motions. It works in the following way: In the discussion on a pending motion, it may appear that a change to the motion is desirable or may win support for the motion from some members. When that happens, a member who has the floor may simply say, “I want to suggest a friendly amendment to the motion.” The member suggests the friendly amendment, and if the maker and the person who seconded the motion pending on the floor accepts the friendly amendment, that now becomes the pending motion on the floor. If either the maker or the person who seconded rejects the proposed friendly amendment, then the proposer can formally move to amend.

## Multiple Motions Before the Body

There can be up to three motions on the floor at the same time. The chair can reject a fourth motion until the chair has dealt with the three that are on the floor and has resolved them. This rule has practical value. More than three motions on the floor at any given time is confusing and unwieldy for almost everyone, including the chair.

When there are two or three motions on the floor (after motions and seconds) at the same time, the vote should proceed *first* on the *last* motion that is made. For example, assume the first motion is a basic “motion to have a five-member committee to plan and put on our annual fundraiser.” During the discussion of this motion, a member might make a second motion to “amend the main motion to have a 10-member committee, not a five-member committee to plan and put on our annual fundraiser.” And perhaps, during that discussion, a member makes yet a third motion as a “substitute motion that we not have an annual fundraiser this year.” The proper procedure would be as follows:

**First**, the chair would deal with the *third* (the last) motion on the floor, the substitute motion. After discussion and debate, a vote would be taken first on the third motion. If the substitute motion *passed*, it would be a substitute for the basic motion and would eliminate it. The first motion would be moot, as would the second motion (which sought to amend the first motion), and the action on the agenda item would be completed on the passage by the body of the third motion (the substitute motion). No vote would be taken on the first or second motions.

**Second**, if the substitute motion *failed*, the chair would then deal with the second (now the last) motion on the floor, the motion to amend. The discussion and debate would focus strictly on the amendment (should the committee be five or 10 members). If the motion to amend *passed*, the chair would then move to consider the main motion (the first motion) as *amended*. If the motion to amend *failed*, the chair would then move to consider the main motion (the first motion) in its original format, not amended.

**Third**, the chair would now deal with the first motion that was placed on the floor. The original motion would either be in its original format (five-member committee), or if *amended*, would be in its amended format (10-member committee). The question on the floor for discussion and decision would be whether a committee should plan and put on the annual fundraiser.

## To Debate or Not to Debate


The basic rule of motions is that they are subject to discussion and debate. Accordingly, basic motions, motions to amend, and substitute motions are all eligible, each in their turn, for full discussion before and by the body. The debate can continue as long as members of the body wish to discuss an item, subject to the decision of the chair that it is time to move on and take action.

There are exceptions to the general rule of free and open debate on motions. The exceptions all apply when there is a desire of the body to move on. The following motions are not debatable (that is, when the following motions are made and seconded, the chair must immediately call for a vote of the body without debate on the motion):

**Motion to adjourn.** This motion, if passed, requires the body to immediately adjourn to its next regularly scheduled meeting. It requires a simple majority vote.

**Motion to recess.** This motion, if passed, requires the body to immediately take a recess. Normally, the chair determines the length of the recess which may be a few minutes or an hour. It requires a simple majority vote.

**Motion to fix the time to adjourn.** This motion, if passed, requires the body to adjourn the meeting at the specific time set in the motion. For example, the motion might be: “I move we adjourn this meeting at midnight.” It requires a simple majority vote.



**Motion to table.** This motion, if passed, requires discussion of the agenda item to be halted and the agenda item to be placed on “hold.” The motion can contain a specific time in which the item can come back to the body. “I move we table this item until our regular meeting in October.” Or the motion can contain no specific time for the return of the item, in which case a motion to take the item off the table and bring it back to the body will have to be taken at a future meeting. A motion to table an item (or to bring it back to the body) requires a simple majority vote.

**Motion to limit debate.** The most common form of this motion is to say, “I move the previous question” or “I move the question” or “I call the question” or sometimes someone simply shouts out “question.” As a practical matter, when a member calls out one of these phrases, the chair can expedite matters by treating it as a “request” rather than as a formal motion. The chair can simply inquire of the body, “any further discussion?” If no one wishes to have further discussion, then the chair can go right to the pending motion that is on the floor. However, if even one person wishes to discuss the pending motion further, then at that point, the chair should treat the call for the “question” as a formal motion, and proceed to it.

When a member of the body makes such a motion (“I move the previous question”), the member is really saying: “I’ve had enough debate. Let’s get on with the vote.” When such a motion is made, the chair should ask for a second, stop debate, and vote on the motion to limit debate. The motion to limit debate requires a two-thirds vote of the body.

**NOTE:** A motion to limit debate could include a time limit. For example: “I move we limit debate on this agenda item to 15 minutes.” Even in this format, the motion to limit debate requires a two-thirds vote of the body. A similar motion is a *motion to object to consideration of an item*. This motion is not debatable, and if passed, precludes the body from even considering an item on the agenda. It also requires a two-thirds vote.

## Majority and Super Majority Votes

In a democracy, a simple majority vote determines a question. A tie vote means the motion fails. So in a seven-member body, a vote of 4-3 passes the motion. A vote of 3-3 with one abstention means the motion fails. If one member is absent and the vote is 3-3, the motion still fails.

All motions require a simple majority, but there are a few exceptions. The exceptions come up when the body is taking an action which effectively cuts off the ability of a minority of the body to take an action or discuss an item. These extraordinary motions require a two-thirds majority (a super majority) to pass:

**Motion to limit debate.** Whether a member says, “I move the previous question,” or “I move the question,” or “I call the question,” or “I move to limit debate,” it all amounts to an attempt to cut off the ability of the minority to discuss an item, and it requires a two-thirds vote to pass.

**Motion to close nominations.** When choosing officers of the body (such as the chair), nominations are in order either from a nominating committee or from the floor of the body. A motion to close nominations effectively cuts off the right of the minority to nominate officers and it requires a two-thirds vote to pass.

**Motion to object to the consideration of a question.** Normally, such a motion is unnecessary since the objectionable item can be tabled or defeated straight up. However, when members of a body do not even want an item on the agenda to be considered, then such a motion is in order. It is not debatable, and it requires a two-thirds vote to pass.

**Motion to suspend the rules.** This motion is debatable, but requires a two-thirds vote to pass. If the body has its own rules of order, conduct or procedure, this motion allows the body to suspend the rules for a particular purpose. For example, the body (a private club) might have a rule prohibiting the attendance at meetings by non-club members. A motion to suspend the rules would be in order to allow a non-club member to attend a meeting of the club on a particular date or on a particular agenda item.

## Counting Votes

The matter of counting votes starts simple, but can become complicated.


Usually, it’s pretty easy to determine whether a particular motion passed or whether it was defeated. If a simple majority vote is needed to pass a motion, then one vote more than 50 percent of the body is required. For example, in a five-member body, if the vote is three in favor and two opposed, the motion passes. If it is two in favor and three opposed, the motion is defeated.

If a two-thirds majority vote is needed to pass a motion, then how many affirmative votes are required? The simple rule of thumb is to count the “no” votes and double that count to determine how many “yes” votes are needed to pass a particular motion. For example, in a seven-member body, if two members vote “no” then the “yes” vote of at least four members is required to achieve a two-thirds majority vote to pass the motion.

What about tie votes? In the event of a tie, the motion always fails since an affirmative vote is required to pass any motion. For example, in a five-member body, if the vote is two in favor and two opposed, with one member absent, the motion is defeated.

Vote counting starts to become complicated when members vote “abstain” or in the case of a written ballot, cast a blank (or unreadable) ballot. Do these votes count, and if so, how does one count them? The starting point is always to check the statutes.

In California, for example, for an action of a board of supervisors to be valid and binding, the action must be approved by a majority of the board. (California Government Code Section 25005.) Typically, this means three of the five members of the board must vote affirmatively in favor of the action. A vote of 2-1 would not be sufficient. A vote of 3-0 with two abstentions would be sufficient. In general law cities in



California, as another example, resolutions or orders for the payment of money and all ordinances require a recorded vote of the total members of the city council. (California Government Code Section 36936.) Cities with charters may prescribe their own vote requirements. Local elected officials are always well-advised to consult with their local agency counsel on how state law may affect the vote count.

After consulting state statutes, step number two is to check the rules of the body. If the rules of the body say that you count votes of “those present” then you treat abstentions one way. However, if the rules of the body say that you count the votes of those “present and voting,” then you treat abstentions a different way. And if the rules of the body are silent on the subject, then the general rule of thumb (and default rule) is that you count all votes that are “present and voting.”

Accordingly, under the “present and voting” system, you would **NOT** count abstention votes on the motion. Members who abstain are counted for purposes of determining quorum (they are “present”), but you treat the abstention votes on the motion as if they did not exist (they are not “voting”). On the other hand, if the rules of the body specifically say that you count votes of those “present” then you **DO** count abstention votes both in establishing the quorum and on the motion. In this event, the abstention votes act just like “no” votes.

*How does this work in practice?*

*Here are a few examples.*

Assume that a five-member city council is voting on a motion that requires a simple majority vote to pass, and assume further that the body has no specific rule on counting votes. Accordingly, the default rule kicks in and we count all votes of members that are “present and voting.” If the vote on the motion is 3-2, the motion passes. If the motion is 2-2 with one abstention, the motion fails.

Assume a five-member city council voting on a motion that requires a two-thirds majority vote to pass, and further assume that the body has no specific rule on counting votes. Again, the default rule applies. If the vote is 3-2, the motion fails for lack of a two-thirds majority. If the vote is 4-1, the motion passes with a clear two-thirds majority. A vote of three “yes,” one “no” and one “abstain” also results in passage of the motion. Once again, the abstention is counted only for the purpose of determining quorum, but on the actual vote on the motion, it is as if the abstention vote never existed — so an effective 3-1 vote is clearly a two-thirds majority vote.

Now, change the scenario slightly. Assume the same five-member city council voting on a motion that requires a two-thirds majority vote to pass, but now assume that the body **DOES** have a specific rule requiring a two-thirds vote of members “present.” Under this specific rule, we must count the members present not only for quorum but also for the motion. In this scenario, any abstention has the same force and effect as if it were a “no” vote. Accordingly, if the votes were three “yes,” one “no” and one “abstain,” then the motion fails. The abstention in this case is treated like a “no” vote and effective vote of 3-2 is not enough to pass two-thirds majority muster.

Now, exactly how does a member cast an “abstention” vote?

Any time a member votes “abstain” or says, “I abstain,” that is an abstention. However, if a member votes “present” that is also treated as an abstention (the member is essentially saying, “Count me for purposes of a quorum, but my vote on the issue is abstain.”) In fact, any manifestation of intention not to vote either “yes” or “no” on the pending motion may be treated by the chair as an abstention. If written ballots are cast, a blank or unreadable ballot is counted as an abstention as well.

Can a member vote “absent” or “count me as absent?” Interesting question. The ruling on this is up to the chair. The better approach is for the chair to count this as if the member had left his/her chair and is actually “absent.” That, of course, affects the quorum. However, the chair may also treat this as a vote to abstain, particularly if the person does not actually leave the dais.

## The Motion to Reconsider

There is a special and unique motion that requires a bit of explanation all by itself; the motion to reconsider. A tenet of parliamentary procedure is finality. After vigorous discussion, debate and a vote, there must be some closure to the issue. And so, after a vote is taken, the matter is deemed closed, subject only to reopening if a proper motion to consider is made and passed.

A motion to reconsider requires a majority vote to pass like other garden-variety motions, but there are two special rules that apply only to the motion to reconsider.

First, is the matter of timing. A motion to reconsider must be made at the meeting where the item was first voted upon. A motion to reconsider made at a later time is untimely. (The body, however, can always vote to suspend the rules and, by a two-thirds majority, allow a motion to reconsider to be made at another time.)

Second, a motion to reconsider may be made only by certain members of the body. Accordingly, a motion to reconsider may be made only by a member who voted in the majority on the original motion. If such a member has a change of heart, he or she may make the motion to reconsider (any other member of the body — including a member who voted in the minority on the original motion — may second the motion). If a member who voted in the minority seeks to make the motion to reconsider, it must be ruled out of order. The purpose of this rule is finality. If a member of minority could make a motion to reconsider, then the item could be brought back to the body again and again, which would defeat the purpose of finality.

If the motion to reconsider passes, then the original matter is back before the body, and a new original motion is in order. The matter may be discussed and debated as if it were on the floor for the first time.



## Courtesy and Decorum

The rules of order are meant to create an atmosphere where the members of the body and the members of the public can attend to business efficiently, fairly and with full participation. At the same time, it is up to the chair and the members of the body to maintain common courtesy and decorum. Unless the setting is very informal, it is always best for only one person at a time to have the floor, and it is always best for every speaker to be first recognized by the chair before proceeding to speak.

The chair should always ensure that debate and discussion of an agenda item focuses on the item and the policy in question, not the personalities of the members of the body. Debate on policy is healthy, debate on personalities is not. The chair has the right to cut off discussion that is too personal, is too loud, or is too crude.

Debate and discussion should be focused, but free and open. In the interest of time, the chair may, however, limit the time allotted to speakers, including members of the body.

Can a member of the body interrupt the speaker? The general rule is “no.” There are, however, exceptions. A speaker may be interrupted for the following reasons:

**Privilege.** The proper interruption would be, “point of privilege.” The chair would then ask the interrupter to “state your point.” Appropriate points of privilege relate to anything that would interfere with the normal comfort of the meeting. For example, the room may be too hot or too cold, or a blowing fan might interfere with a person’s ability to hear.

**Order.** The proper interruption would be, “point of order.” Again, the chair would ask the interrupter to “state your point.” Appropriate points of order relate to anything that would not be considered appropriate conduct of the meeting. For example, if the chair moved on to a vote on a motion that permits debate without allowing that discussion or debate.

**Appeal.** If the chair makes a ruling that a member of the body disagrees with, that member may appeal the ruling of the chair. If the motion is seconded, and after debate, if it passes by a simple majority vote, then the ruling of the chair is deemed reversed.

**Call for orders of the day.** This is simply another way of saying, “return to the agenda.” If a member believes that the body has drifted from the agreed-upon agenda, such a call may be made. It does not require a vote, and when the chair discovers that the agenda has not been followed, the chair simply reminds the body to return to the agenda item properly before them. If the chair fails to do so, the chair’s determination may be appealed.

**Withdraw a motion.** During debate and discussion of a motion, the maker of the motion on the floor, at any time, may interrupt a speaker to withdraw his or her motion from the floor. The motion is immediately deemed withdrawn, although the chair may ask the person who seconded the motion if he or she wishes to make the motion, and any other member may make the motion if properly recognized.

## Special Notes About Public Input

The rules outlined above will help make meetings very public-friendly. But in addition, and particularly for the chair, it is wise to remember three special rules that apply to each agenda item:

**Rule One:** Tell the public what the body will be doing.

**Rule Two:** Keep the public informed while the body is doing it.

**Rule Three:** When the body has acted, tell the public what the body did.



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Appendix 3  
Summary of the FPPC and Political Reform Act

### Appendix 3

#### Summary of the FPPC and Political Reform Act

In June 1974, the passage of Proposition 9 by California voters created the Political Reform Act (the Act) which sought to reign in the potential corruptive influence of special interests by imposing the most rigorous restrictions on fundraising and lobbying in the country. The Act regulates campaign financing, conflicts of interest, lobbying, and governmental ethics and is administered by the five-member Fair Political Practices Commission (FPPC) whose mission is to ensure that public officials act in a fair and unbiased manner in the governmental decision-making process, to promote transparency in government, and to foster public trust in the political system. The specific goals of the FPPC are:

1. To diligently prosecute serious violations of the law, ensuring that officials operate in a way that does not betray the public's confidence.
2. To increase transparency by utilizing technology to provide "smart disclosure," giving more people easy access to vital information about their public officials and campaign financing.
3. To concentrate on adopting meaningful reforms while maintaining the highest ethical standards.

The FPPC enacts regulations that implement the law, issues advice letters, and adopts advisory opinions that apply the Act as well as the regulations to particular circumstances.

#### Overview of Political Reform Act

The Political Reform Act is found in Title 9 of the Government Code, Sections 81000 to 91014. Its mission is to serve as the legal bedrock of governmental ethics in California. It regulates:

- **Financial Conflicts of Interest by Public Officials:** An elected official has a conflict of interest with regard to a particular government decision if it is sufficiently likely that the outcome of the decision will have an important impact on your economic interests, and a significant portion of your jurisdiction does not also feel the important impact on their economic interests. This law applies only to financial conflicts of interest; that is, conflicts of interest arising from economic interests. Whether an elected official has a conflict of interest that disqualifies him/her depends heavily on the facts of each governmental decision. The most important proactive step an elected official can take to avoid conflict of interest problems is learning to recognize the economic interests from which conflicts of interest can arise.
- **Campaign Finance:** The law requires detailed disclosure of the role of money in California politics. This includes the disclosure of contributions and expenditures in connection with campaigns supporting or opposing state and local candidates and ballot measures as well as the disclosure of expenditures made in connection with

lobbying the State Legislature and attempting to influence administrative decisions of state government.

- **Lobbyist Registration and Reporting:** The purpose of lobbyist regulation as stated in the Act is: "The activities of lobbyists should be regulated and their finances disclosed in order that improper influences will not be directed at public officials". The main provisions of the Public Records Act (the Act) related to lobbying govern the definition of who is a lobbyist, a lobbying firm and a lobbyist employer. These sections also provide for the registration of lobbyists, lobbying firms and their clients, called "lobbyist employers", and for quarterly reporting of specified activities and expenditures, including detailed information about what lobbyists are paid, by whom, and which bills or regulations they lobbied for or against. No other California professionals are required to provide such detailed information concerning their activities and finances.
- **Post-Governmental Employment:** The Act places several restrictions on the activities of public officials who are leaving governmental employment. After leaving a government job, state officials are restricted by both a "one-year" ban against certain types of activity, and a "permanent" ban against very specific types of activity. For certain local officials and air pollution control/air quality management district members, officers, or employees, post-employment activities are also restricted by a similar "one-year" ban. Additionally, all public officials who are anticipating leaving governmental service are restricted from attempting to influence their prospective employment opportunities while working for a government agency.
- **Political Mass Mailings:** A mailing is prohibited under the Act if each of the following criteria is met (subject to one or more exceptions as provided for in the law):
  - A tangible item, such as a newsletter or brochure, is delivered, by any means, including by transmission of a fax, to a person's residence, place of employment or business, or post office box. Note: Emails, website postings, text messages, and recorded telephone messages/robocalls are not considered tangible items and therefore, not subject to the Act's mass mailing at public expense restrictions.
  - The item sent either features an elected officer affiliated with the agency (by including the officer's photo or signature, or singling out the officer by the manner his or her name or office is displayed), or the item includes a reference to an elected officer affiliated with the agency and the item is prepared or sent in cooperation with the elected officer.
  - Any of the costs of distribution are paid for with public moneys, or if public funds are not used for the actual distribution, in excess of \$50 in public moneys is used to design, produce, or print the item and the design, production, or printing is done with the intent of sending the item other than as permitted by Regulation 18901.



- More than 200 substantially similar items are sent in a calendar month, excluding any item sent in response to an unsolicited request.
- **Gifts and Honoraria given to Public Officials and Candidates:** The Act imposes limits on gifts, prohibits honoraria payments, and imposes limits and other restrictions on the receipt of travel payments received by:
  - Local elected officers and other local officials specified in the Government Code, excluding judges.
  - Designated employees of local government agencies (i.e., individuals required to file statements of economic interests under a local agency's conflict of interest code).
  - Candidates for any of these offices or positions and judicial candidates.

The Act also imposes limits and other restrictions on personal loans received by certain local officials.

Appendix 4  
Form 700 – Statement of Economic Interest

## Appendix 4

### Form 700 – Statement of Economic Interest

The Political Reform Act (the Act) provides that public officials of local agencies such as city councils, county boards of supervisors, special districts, and school boards must disclose their "economic interests" periodically on forms provided by the Fair Political Practices Commission (FPPC). In addition, an agency is required to determine which of its other officials, commission members, and employees perform duties that involve potential conflicts of interest. The legislative body adopts a resolution outlining those positions, called "designated employees." These employees are required to disclose their economic interests.

Conflict of interest is a complex issue. Members should carefully consider and monitor "gifts" from any person or organization whether the gifts are financial support, loans, event tickets, meals, etc. Many of these gifts may need to be reported and may present a conflict of interest when considering and/or voting on projects or issues related to the person presenting the gift. Questions relating to conflict of interest should be directed to the Agency's legal counsel or the FPPC.

The Form 700 Statement of Economic Interests (SEI) annual filings, due in April, cover the previous calendar year or from the last filing period, as required.

There are five components to the Form 700 SEI:

- **Assuming Office Statement** - If you are a newly appointed official or are newly employed in a position designated, or that will be designated, in a state or local agency's conflict of interest code, your assuming office date is the date you were sworn in or otherwise authorized to serve in the position. If you are a newly elected official, your assuming office date is the date you were sworn in.  
Investments, interests in real property, and business positions held on the date you assumed the office or position must be reported. In addition, income (including loans, gifts, and travel payments) received during the 12 months prior to the date you assumed the office or position is reportable.
- **Annual Statement:** Generally, the period covered is January 1, through December 31. If the period covered by the statement is different than January 1 through December 31, (for example, you assumed office between October 1 and December or you are combining statements), you must specify the period covered.  
Investments, interests in real property, business positions held, and income (including loans, gifts, and travel payments) received during the period covered by the statement must be reported. Do not change the preprinted dates on Schedules A-1, A-2, and B unless you are required to report the acquisition or disposition of an interest that did not occur during the year.

- **Leaving Office Statement:** Generally, the period covered is January 1 through the date you stopped performing the duties of your position. If the period covered differs from January 1, through the date you stopped performing the duties of your position (for example, you assumed office between October 1 and December 31 or you are combining statements), the period covered must be specified. The reporting period can cover parts of two calendar years.

Investments, interests in real property, business positions held, and income (including loans, gifts, and travel payments) received during the period covered by the statement must be reported. Do not change the preprinted dates on Schedules A-1, A-2, and B unless you are required to report the acquisition or disposition of an interest that did not occur during the year.
- **Candidate Statement:** If you are filing a statement in connection with your candidacy for state or local office, investments, interests in real property, and business positions held on the date of filing your declaration of candidacy must be reported. In addition, income (including loans, gifts, and travel payments) received during the 12 months prior to the date of filing your declaration of candidacy is reportable. Do not change the preprinted dates on Schedules A-1, A-2, and B. Candidates running for local elective offices (e.g., county sheriffs, city clerks, school board trustees, or water district Members) must file candidate statements, as required by the conflict of interest code for the elected position. The code may be obtained from the agency of the elected position.
- **Amendments:** If you discover errors or omissions on any statement, file an amendment as soon as possible. You are only required to amend the schedule that needs to be revised; it is not necessary to refile the entire form. Obtain amendment schedules from the FPPC website at [www.fppc.ca.gov](http://www.fppc.ca.gov).

DESERT WATER AGENCY  
STATEMENT OF CASH RECEIPTS AND EXPENDITURES

OPERATING ACCOUNT

DECEMBER 2022

INVESTED  
RESERVE FUNDS  
\$52,935,070.14

BALANCE	DECEMBER 1, 2022	(\$581,875.09)	
WATER SALES		\$3,603,104.99	
RECLAMATION SALES		75,561.99	
WASTEWATER RECEIPTS		135,037.59	
POWER SALES		9,297.73	
METERS, SERVICES, ETC.		13,420.00	
REIMBURSEMENT – GENERAL FUND		202,736.36	
REIMBURSEMENT – WASTEWATER FUND		0.00	
ACCOUNTS RECEIVABLE – OTHER		6,173.55	
CUSTOMER DEPOSITS – SURETY		5,062.00	
CUSTOMER DEPOSITS – CONST.		0.00	
LEASE REVENUE		3,899.11	
INTEREST RECEIVED ON INV. FDS.		7,625.00	
FRONT FOOTAGE FEES		0.00	
BOND SERVICE & RESERVE FUND INT		0.00	
MISCELLANEOUS		<u>62,669.18</u>	
TOTAL RECEIPTS		\$4,124,587.50	
PAYMENTS			
PAYROLL CHECKS		\$566,936.29	
PAYROLL TAXES		240,675.18	
ELECTRONIC TRANSFERS		103,078.15	
CHECKS UNDER \$10,000.00		366,718.10	
CHECKS OVER \$10,000.00 – SCH. #1		1,685,819.96	
CANCELLED CHECKS AND FEES		<u>29,447.56</u>	
TOTAL PAYMENTS		<u>\$2,992,675.24</u>	
NET INCOME		\$1,131,912.26	
BOND SERVICE ACCOUNT			
MONTHLY WATER SALES		\$0.00	
EXCESS RETURNED BY B/A		<u>\$0.00</u>	
BOND SERVICE FUND			\$0.00
INVESTED RESERVE FUNDS			
FUNDS MATURED		\$8,640,000.00	
FUNDS INVESTED – SCH. #3		<u>9,506,407.21</u>	
NET TRANSFER			<u>(\$866,407.21)</u>
BALANCE	DECEMBER 31, 2022	(\$316,370.04)	\$53,801,477.35

DESERT WATER AGENCY  
**Operating Fund**  
Schedule #1 - Checks Over \$10,000



**December 2022**

Check #	Name	Description	Amount
132902	Down To Earth	Landscape maintenance	\$ 42,500.09
132929	DLT Solutions LLC	Engineering Software renewal -AutoCAD	\$ 10,585.40
133028	Chase Credit Card	Agency Credit Card Purchases	\$ 24,158.97
132949	Best Best & Krieger LLP	Legal Services	\$ 25,262.50
132963	Dudek	Fema Project #147524	\$ 20,587.00
132970	Home Depot Credit Services	Toliet Rebate Program	\$ 11,916.73
132977	Launa Amanda Stewart	DWA 2.0	\$ 29,152.50
132998	Singer Lewak LLP	IT Governance	\$ 46,757.11
133001	Thatcher Company of California	Water service supplies	\$ 11,913.42
133003	United Water Works	Water service supplies	\$ 14,383.82
133009	XYLEM Water Solutions USA INC	Water service supplies-Cancelled to reissue	\$ 16,359.73
133010	Z&L Paving	Paving	\$ 23,799.25
133023	Best Best & Krieger LLP	Legal Services	\$ 54,623.58
133027	Desert Water Agency - Wastewater	Wastewater revenue billing - November 2022	\$ 70,490.74
132937	Chase Credit Card	Agency Credit Card Purchases	\$ 36,242.16
133029	City of Palm Springs -Lindsey Mccloy	Grant Reimbursement- Garden at Palm Springs Airport	\$ 60,000.00
133057	Backflow Apparatus & Valve	Water service supplies	\$ 21,110.69
133059	Badger Meter Inc	Water service supplies	\$ 54,245.36
133060	Beck Oil Inc	Fuel purchase	\$ 11,215.76
133061	Best Best & Krieger LLP	Legal Services	\$ 27,750.46
133095	Inland Water Works Supply Co	Water service supplies	\$ 207,502.22
133097	Krieger & Stewart Inc	Engineering Services	\$ 56,063.41
133101	Mckeever Waterwell & Pump Inc	Well # 37 pump/supplies	\$ 176,231.00
133117	RF Macdonald Co	Water service supplies	\$ 25,735.21
133124	Social and Enviromental Entp	CADC FY 22-23 Membership	\$ 10,000.00
133126	Southern Calif Edison	Power	\$ 234,521.03
133130	SWRCB Accouting Office	Annual Permit Fees	\$ 51,243.00
133132	Sulzer Electro -MS	Lift Station	\$ 13,259.56
133134	Thatcher Company of California	Water service supplies	\$ 68,270.03

133149	XYLEM Water Solutions USA INC	Water service supplies	\$	16,359.73
133150	Z&L Paving	Paving	\$	30,762.50
133153	Mountain Shadows HOA	Grass Removal Rebate	\$	37,506.00
133154	Palm Springs Air Musuem	Grass Removal Rebate	\$	41,082.00
133165	Country Club Estates of PS	Grass Removal Rebate	\$	51,573.00
133170	El Moro Villas	Grass Removal Rebate	\$	12,180.00
133172	East Valley Properties LLC	Grass Removal Rebate	\$	29,289.00
133175	Richard Norris	Grass Removal Rebate	\$	11,187.00
<b>Total</b>			<b>\$</b>	<b>1,685,819.96</b>

## Monthly Investment Portfolio Report

As of 12/31/2022

AGG- Operating Fund (213426)

Dated: 01/06/2023

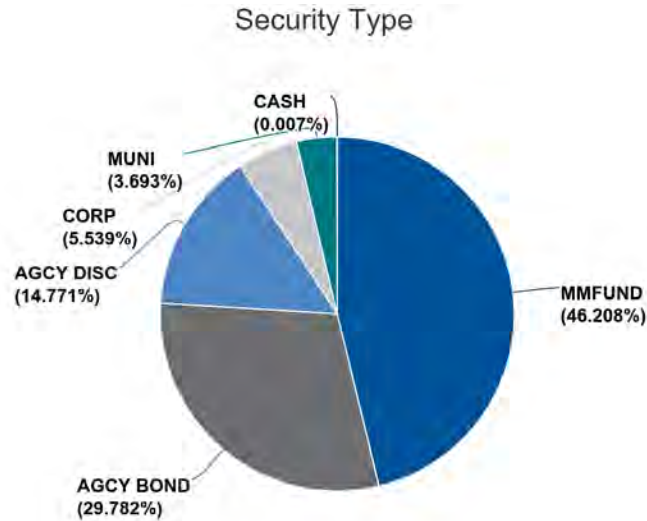


Chart calculated by: PAR Value

### MMFUND

Description, Broker	Settle Date	Next Call Date	Effective Maturity	Final Maturity	PAR Value	Original Cost	Market Value	Yield to Maturity
LAIF Money Market Fund LAIF - OP	---	---	12/31/2022	12/31/2022	25,025,696.24	25,025,696.24	25,025,696.24	---
<b>LAIF Money Market Fund LAIF - OP</b>	<b>---</b>	<b>---</b>	<b>12/31/2022</b>	<b>12/31/2022</b>	<b>25,025,696.24</b>	<b>25,025,696.24</b>	<b>25,025,696.24</b>	<b>---</b>

### AGCY BOND

Description, Broker	Settle Date	Next Call Date	Effective Maturity	Final Maturity	PAR Value	Original Cost	Market Value	Yield to Maturity
FEDERAL FARM CREDIT BANKS FUNDING CORP UnionBanc OP	04/29/2021	04/28/2023	04/28/2025	04/28/2025	1,000,000.00	999,500.00	913,739.00	4.562%
FEDERAL HOME LOAN BANKS UnionBanc OP	06/28/2021	03/30/2023	09/30/2024	09/30/2024	1,000,000.00	1,000,000.00	927,319.00	4.778%
FEDERAL HOME LOAN BANKS UnionBanc OP	09/30/2021	03/30/2023	09/30/2026	09/30/2026	1,000,000.00	1,000,000.00	883,899.00	4.413%
FEDERAL HOME LOAN BANKS UnionBanc OP	09/24/2021	---	09/13/2024	09/13/2024	1,130,000.00	1,125,513.90	1,052,100.06	4.639%
FEDERAL HOME LOAN BANKS UnionBanc OP	04/29/2022	04/29/2024	04/29/2027	04/29/2027	2,000,000.00	2,000,000.00	1,891,212.00	4.465%
FEDERAL HOME LOAN BANKS UnionBanc OP	05/24/2022	05/24/2024	05/24/2027	05/24/2027	2,000,000.00	2,000,000.00	1,902,374.00	4.536%
FEDERAL HOME LOAN BANKS UnionBanc OP	05/23/2022	02/23/2023	05/23/2025	05/23/2025	2,000,000.00	2,000,000.00	1,938,564.00	4.669%
FEDERAL HOME LOAN MORTGAGE CORP UnionBanc OP	08/20/2020	08/20/2023	08/20/2025	08/20/2025	1,000,000.00	1,000,000.00	904,551.00	4.505%
FEDERAL HOME LOAN MORTGAGE CORP UnionBanc OP	05/26/2022	02/26/2023	08/26/2024	08/26/2024	2,000,000.00	2,000,000.00	1,946,790.00	4.740%



### Monthly Investment Portfolio Report

As of 12/31/2022

AGG- Operating Fund (213426)

Dated: 01/06/2023

Description, Broker	Settle Date	Next Call Date	Effective Maturity	Final Maturity	PAR Value	Original Cost	Market Value	Yield to Maturity
FEDERAL NATIONAL MORTGAGE ASSOCIATION UnionBanc OP	06/30/2020	03/30/2023	06/30/2025	06/30/2025	1,000,000.00	1,000,000.00	910,903.00	4.540%
FEDERAL NATIONAL MORTGAGE ASSOCIATION UnionBanc OP	08/12/2020	02/12/2023	08/12/2025	08/12/2025	1,000,000.00	1,000,000.00	903,389.00	4.520%
FEDERAL NATIONAL MORTGAGE ASSOCIATION UnionBanc OP	12/16/2020	03/14/2023	06/14/2024	06/14/2024	1,000,000.00	1,000,500.00	937,460.00	4.887%
--- UnionBanc OP	---	---	10/02/2025	10/02/2025	16,130,000.00	16,125,513.90	15,112,300.06	4.606%

#### AGCY DISC

Description, Broker	Settle Date	Next Call Date	Effective Maturity	Final Maturity	PAR Value	Original Cost	Market Value	Yield to Maturity
FEDERAL HOME LOAN BANKS UnionBanc OP	12/15/2022	---	05/16/2023	05/16/2023	2,000,000.00	1,962,591.11	1,966,224.00	4.610%
FEDERAL HOME LOAN BANKS UnionBanc OP	12/15/2022	---	04/13/2023	04/13/2023	2,000,000.00	1,971,043.33	1,974,946.00	4.495%
FEDERAL HOME LOAN BANKS UnionBanc OP	12/15/2022	---	06/12/2023	06/12/2023	2,000,000.00	1,955,548.33	1,958,822.00	4.707%
FEDERAL HOME LOAN BANKS UnionBanc OP	12/15/2022	---	03/17/2023	03/17/2023	2,000,000.00	1,978,124.44	1,982,042.00	4.351%
FEDERAL HOME LOAN BANKS UnionBanc OP	12/15/2022	---	04/29/2023	04/29/2023	8,000,000.00	7,867,307.21	7,882,034.00	4.541%

#### CORP

Description, Broker	Settle Date	Next Call Date	Effective Maturity	Final Maturity	PAR Value	Original Cost	Market Value	Yield to Maturity
AMAZON.COM INC UnionBanc OP	05/16/2022	03/13/2027	04/13/2027	04/13/2027	2,000,000.00	1,987,040.00	1,901,894.00	4.573%
JPMORGAN CHASE BANK, NATIONAL ASSOCIATION UnionBanc OP	06/22/2021	---	12/23/2024	12/23/2024	1,000,000.00	1,000,000.00	905,500.00	5.523%
--- UnionBanc OP	---	---	07/17/2026	07/17/2026	3,000,000.00	2,987,040.00	2,807,394.00	4.878%

#### MUNI

Description, Broker	Settle Date	Next Call Date	Effective Maturity	Final Maturity	PAR Value	Original Cost	Market Value	Yield to Maturity
UNIVERSITY CALIF REVS UnionBanc OP	05/16/2022	03/15/2027	05/15/2027	05/15/2027	2,000,000.00	1,795,920.00	1,731,620.00	4.751%
UNIVERSITY CALIF REVS UnionBanc OP	05/16/2022	03/15/2027	05/15/2027	05/15/2027	2,000,000.00	1,795,920.00	1,731,620.00	4.751%

#### CASH

Description, Broker	Settle Date	Next Call Date	Effective Maturity	Final Maturity	PAR Value	Original Cost	Market Value	Yield to Maturity
Cash UnionBanc OP	---	---	12/31/2022	12/31/2022	3,650.00	3,650.00	3,650.00	0.000%
Cash UnionBanc OP	---	---	12/31/2022	12/31/2022	3,650.00	3,650.00	3,650.00	0.000%

#### Summary

Description, Broker	Settle Date	Next Call Date	Effective Maturity	Final Maturity	PAR Value	Original Cost	Market Value	Yield to Maturity
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Description, Broker	Settle Date	Next Call Date	Effective Maturity	Final Maturity	PAR Value	Original Cost	Market Value	Yield to Maturity
---	---	---	03/02/2024	03/02/2024	54,159,346.24	53,805,127.35	52,562,694.30	4.624%
---								

\* Grouped by: Security Type.   \* Groups Sorted by: Ending Market Value + Accrued.   \* Filtered By: Description ≠ "Receivable".   \* Weighted by: Ending Market Value + Accrued.

DESERT WATER AGENCY  
STATEMENT OF CASH RECEIPTS AND EXPENDITURES

GENERAL ACCOUNT

DECEMBER 2022

INVESTED  
RESERVE FUNDS  
\$203,105,636.18

BALANCE	DECEMBER 1, 2022	(\$639,908.02)	
* TAXES - RIVERSIDE COUNTY		6,566,562.41	
* INTEREST EARNED - INV. FUNDS		130,480.31	
GROUNDWATER REPLEN. ASSESSMENT		398,329.88	
REIMBURSEMENT - OPERATING FUND		0.00	
REIMBURSEMENT - CVWD MGMT AGRMT		0.00	
STATE WATER PROJECT REFUNDS		0.00	
REIMB - CVWD - WHITEWATER HYDRO		0.00	
POWER SALES - WHITEWATER		0.00	
MISCELLANEOUS		<u>200.00</u>	
TOTAL RECEIPTS		\$7,095,572.60	
PAYMENTS			
CHECKS UNDER \$10,000.00		21,255.75	
CHECKS OVER \$10,000.00 - SCH. #1		1,035,483.36	
CANCELLED CHECKS AND FEES		<u>0.00</u>	
TOTAL PAYMENTS		<u>\$1,056,739.11</u>	
NET INCOME		\$6,038,833.49	
INVESTED RESERVE FUNDS			
FUNDS MATURED		3,017,680.00	
FUNDS INVESTED - SCH. #2		<u>9,035,640.00</u>	
NET TRANSFER		(\$6,017,960.00)	\$6,017,960.00
BALANCE	DECEMBER 31, 2022	(\$619,034.53)	\$209,123,596.18
* INCLUSIVE TO DATE		TAXES	INTEREST
RECEIPTS IN FISCAL YEAR		\$8,342,600.00	\$1,178,137.81
RECEIPTS IN CALENDAR YEAR		\$37,964,167.79	\$1,937,733.76

DESERT WATER AGENCY  
**General Fund**  
Schedule #1 - Checks Over \$10,000  
**DESERT WATER**



**December 2022**

Check #	Name	Description	Amount
9720	State of California Department of Water Resources	State Water Project- Variable OMP & R-September 2022	\$ 15,859.00
9723	State of California Department of Water Resources	State Water Project - December 2022	\$ 816,888.00
9725	Desert Water Agency - Operating	Operating Fund Reimbursement	\$ 202,736.36
<b>Total</b>			<b>\$ 1,035,483.36</b>

### Monthly Investment Portfolio Report

As of 12/31/2022

AGG- General Fund (213428)

Dated: 01/06/2023

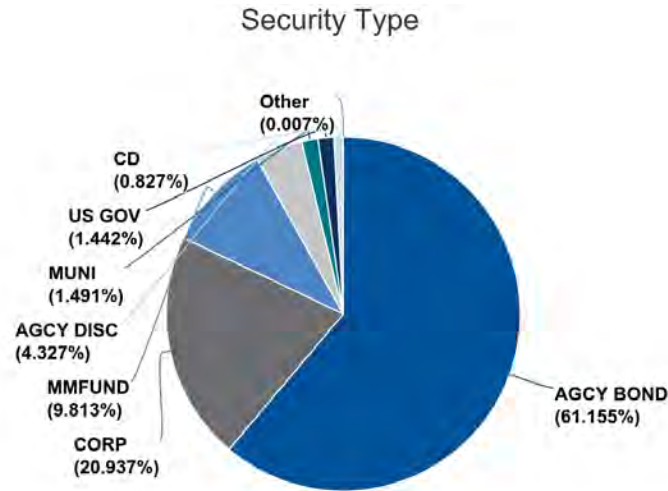


Chart calculated by: PAR Value

#### AGCY BOND

Description, Broker	Settle Date	Next Call Date	Effective Maturity	Final Maturity	PAR Value	Original Cost	Market Value	Yield to Maturity
FEDERAL AGRICULTURAL MORTGAGE CORP Alamo Capital	09/14/2022	---	04/21/2025	04/21/2025	1,000,000.00	977,400.00	960,424.00	4.449%
FEDERAL AGRICULTURAL MORTGAGE CORP Piper Sandler	02/23/2022	02/23/2023	02/23/2027	02/23/2027	3,000,000.00	3,000,000.00	2,746,311.00	4.351%
FEDERAL FARM CREDIT BANKS FUNDING CORP Alamo Capital	08/04/2020	01/09/2023	08/04/2025	08/04/2025	3,000,000.00	3,000,005.00	2,720,079.00	4.526%
FEDERAL FARM CREDIT BANKS FUNDING CORP Alamo Capital	10/15/2020	01/09/2023	10/15/2024	10/15/2024	3,000,000.00	2,995,500.00	2,777,862.00	4.767%
FEDERAL FARM CREDIT BANKS FUNDING CORP Alamo Capital	01/05/2021	01/09/2023	04/05/2024	04/05/2024	3,000,000.00	3,000,000.00	2,832,501.00	4.889%
FEDERAL FARM CREDIT BANKS FUNDING CORP Alamo Capital	02/12/2021	01/09/2023	11/12/2024	11/12/2024	3,000,000.00	3,000,000.00	2,765,445.00	4.732%
FEDERAL FARM CREDIT BANKS FUNDING CORP UnionBanc GF	12/22/2020	01/09/2023	12/22/2025	12/22/2025	3,000,000.00	3,000,000.00	2,668,866.00	4.474%
FEDERAL FARM CREDIT BANKS FUNDING CORP Piper Sandler	10/15/2020	01/09/2023	10/15/2024	10/15/2024	3,000,000.00	3,000,000.00	2,779,380.00	4.767%
FEDERAL FARM CREDIT BANKS FUNDING CORP Piper Sandler	11/05/2021	01/09/2023	10/20/2026	10/20/2026	3,000,000.00	2,988,000.00	2,659,917.00	4.410%
FEDERAL FARM CREDIT BANKS FUNDING CORP Piper Sandler	02/16/2022	---	02/16/2027	02/16/2027	3,000,000.00	2,999,286.00	2,733,858.00	4.162%
FEDERAL FARM CREDIT BANKS FUNDING CORP Piper Sandler	12/28/2020	01/09/2023	12/21/2023	12/21/2023	3,000,000.00	3,000,000.00	2,868,204.00	4.892%
FEDERAL FARM CREDIT BANKS FUNDING CORP Stifel	10/16/2020	01/09/2023	03/28/2024	03/28/2024	3,000,000.00	3,000,000.00	2,836,176.00	4.886%
FEDERAL HOME LOAN BANKS Alamo Capital	04/09/2021	02/18/2023	11/18/2024	11/18/2024	3,000,000.00	2,989,263.00	2,763,780.00	4.725%
FEDERAL HOME LOAN BANKS Alamo Capital	09/30/2021	03/30/2023	09/30/2026	09/30/2026	3,000,000.00	3,000,000.00	2,646,852.00	4.442%

# Monthly Investment Portfolio Report

As of 12/31/2022

AGG- General Fund (213428)

Dated: 01/06/2023

Description, Broker	Settle Date	Next Call Date	Effective Maturity	Final Maturity	PAR Value	Original Cost	Market Value	Yield to Maturity
FEDERAL HOME LOAN BANKS Alamo Capital	12/30/2021	---	12/30/2024	12/30/2024	3,000,000.00	3,000,005.00	2,829,666.00	4.500%
FEDERAL HOME LOAN BANKS Alamo Capital	09/13/2022	---	06/14/2024	06/14/2024	1,190,000.00	1,182,431.60	1,163,610.56	4.721%
FEDERAL HOME LOAN BANKS UnionBanc GF	12/30/2020	01/09/2023	12/30/2025	12/30/2025	3,000,000.00	3,000,000.00	2,673,342.00	4.436%
FEDERAL HOME LOAN BANKS UnionBanc GF	06/28/2021	03/30/2023	09/30/2024	09/30/2024	3,000,000.00	3,000,000.00	2,781,957.00	4.778%
FEDERAL HOME LOAN BANKS UnionBanc GF	09/30/2021	03/30/2023	09/30/2026	09/30/2026	3,000,000.00	3,000,000.00	2,651,697.00	4.413%
FEDERAL HOME LOAN BANKS UnionBanc GF	04/29/2022	04/29/2024	04/29/2027	04/29/2027	3,000,000.00	3,000,000.00	2,836,818.00	4.465%
FEDERAL HOME LOAN BANKS UnionBanc GF	06/23/2022	01/09/2023	06/23/2026	06/23/2026	3,000,000.00	3,000,000.00	2,930,760.00	4.940%
FEDERAL HOME LOAN BANKS Piper Sandler	01/28/2021	01/09/2023	03/28/2024	03/28/2024	3,000,000.00	3,000,000.00	2,835,108.00	4.886%
FEDERAL HOME LOAN BANKS Piper Sandler	02/17/2021	02/17/2023	02/17/2026	02/17/2026	3,000,000.00	3,000,000.00	2,657,616.00	4.583%
FEDERAL HOME LOAN BANKS Piper Sandler	02/26/2021	02/26/2023	11/26/2024	11/26/2024	3,000,000.00	3,000,000.00	2,761,554.00	4.716%
FEDERAL HOME LOAN BANKS Piper Sandler	04/22/2021	01/29/2023	04/29/2024	04/29/2024	3,000,000.00	3,000,000.00	2,827,437.00	4.902%
FEDERAL HOME LOAN BANKS Piper Sandler	09/30/2021	03/30/2023	09/30/2026	09/30/2026	3,000,000.00	3,000,000.00	2,652,705.00	4.413%
FEDERAL HOME LOAN BANKS Piper Sandler	09/30/2021	03/30/2023	09/30/2026	09/30/2026	3,000,000.00	3,000,000.00	2,646,852.00	4.442%
FEDERAL HOME LOAN BANKS Piper Sandler	04/25/2022	07/25/2023	07/25/2025	07/25/2025	3,000,000.00	3,000,000.00	2,907,063.00	4.740%
FEDERAL HOME LOAN BANKS Stifel	02/25/2021	02/25/2023	11/25/2024	11/25/2024	3,000,000.00	3,000,000.00	2,764,515.00	4.718%
FEDERAL HOME LOAN BANKS Stifel	03/30/2021	03/30/2023	09/30/2024	09/30/2024	2,000,000.00	2,000,000.00	1,858,580.00	4.769%
FEDERAL HOME LOAN BANKS Stifel	06/28/2021	03/28/2023	02/28/2024	02/28/2024	3,000,000.00	3,000,000.00	2,844,231.00	4.917%
FEDERAL HOME LOAN MORTGAGE CORP Alamo Capital	09/30/2020	03/30/2023	09/30/2025	09/30/2025	3,000,000.00	3,000,000.00	2,683,740.00	4.519%
FEDERAL HOME LOAN MORTGAGE CORP Alamo Capital	05/12/2022	02/12/2023	11/12/2024	11/12/2024	3,000,000.00	3,000,000.00	2,910,675.00	4.685%
FEDERAL HOME LOAN MORTGAGE CORP UnionBanc GF	08/20/2020	08/20/2023	08/20/2025	08/20/2025	3,000,000.00	3,000,000.00	2,713,653.00	4.505%
FEDERAL HOME LOAN MORTGAGE CORP Piper Sandler	06/25/2020	06/25/2023	06/25/2025	06/25/2025	3,000,000.00	3,000,000.00	2,731,815.00	4.548%
FEDERAL HOME LOAN MORTGAGE CORP Piper Sandler	08/26/2020	02/26/2023	08/26/2024	08/26/2024	3,000,000.00	3,000,000.00	2,796,702.00	4.814%
FEDERAL HOME LOAN MORTGAGE CORP Stifel	10/28/2020	01/28/2023	10/28/2024	10/28/2024	3,000,000.00	3,000,000.00	2,774,835.00	4.752%
FEDERAL HOME LOAN MORTGAGE CORP Stifel	11/30/2020	---	05/30/2024	05/30/2024	3,000,000.00	3,000,000.00	2,823,108.00	4.711%
FEDERAL HOME LOAN MORTGAGE CORP Stifel	05/26/2022	02/26/2023	05/26/2027	05/26/2027	3,000,000.00	3,000,000.00	2,922,066.00	5.049%
FEDERAL NATIONAL MORTGAGE ASSOCIATION Alamo Capital	08/25/2020	---	08/25/2025	08/25/2025	3,000,000.00	2,985,965.00	2,707,713.00	4.304%
FEDERAL NATIONAL MORTGAGE ASSOCIATION UnionBanc GF	07/15/2020	04/15/2023	07/15/2025	07/15/2025	3,000,000.00	3,000,000.00	2,729,172.00	4.534%
FEDERAL NATIONAL MORTGAGE ASSOCIATION UnionBanc GF	08/12/2020	02/12/2023	08/12/2025	08/12/2025	3,000,000.00	3,000,000.00	2,710,167.00	4.520%
FEDERAL NATIONAL MORTGAGE ASSOCIATION UnionBanc GF	12/16/2020	03/14/2023	06/14/2024	06/14/2024	3,000,000.00	3,001,500.00	2,812,380.00	4.887%
FEDERAL NATIONAL MORTGAGE ASSOCIATION Piper Sandler	12/14/2020	03/14/2023	06/14/2024	06/14/2024	3,000,000.00	3,000,000.00	2,812,380.00	4.887%
---	---	---	06/06/2025	06/06/2025	127,190,000.00	127,119,355.60	117,511,572.56	4.654%
---								

## Monthly Investment Portfolio Report

As of 12/31/2022

AGG- General Fund (213428)

Dated: 01/06/2023

### CORP

Description, Broker	Settle Date	Next Call Date	Effective Maturity	Final Maturity	PAR Value	Original Cost	Market Value	Yield to Maturity
3M CO Stifel	06/05/2020	03/15/2025	04/15/2025	04/15/2025	3,000,000.00	3,258,120.00	2,868,198.00	4.695%
APPLE INC Alamo Capital	09/16/2019	08/11/2024	09/11/2024	09/11/2024	1,000,000.00	990,552.00	952,155.00	4.771%
APPLE INC UnionBanc GF	01/27/2021	08/11/2024	09/11/2024	09/11/2024	3,000,000.00	3,150,000.00	2,856,465.00	4.771%
APPLE INC Stifel	09/24/2020	04/11/2025	05/11/2025	05/11/2025	2,000,000.00	2,055,740.00	1,843,402.00	4.665%
APPLE INC Stifel	03/26/2021	01/08/2026	02/08/2026	02/08/2026	1,000,000.00	986,200.00	889,328.00	4.566%
APPLE INC Stifel	06/21/2022	11/09/2026	02/09/2027	02/09/2027	3,000,000.00	2,953,920.00	2,873,763.00	4.483%
BANK OF NEW YORK MELLON CORP Alamo Capital	05/06/2020	03/24/2025	04/24/2025	04/24/2025	1,000,000.00	1,020,005.00	929,745.00	4.845%
CATERPILLAR FINANCIAL SERVICES CORP Alamo Capital	12/17/2020	---	09/14/2023	09/14/2023	3,000,000.00	3,012,276.47	2,905,728.00	5.057%
CHEVRON CORP Stifel	07/08/2020	01/03/2024	03/03/2024	03/03/2024	3,000,000.00	3,239,700.00	2,931,618.00	4.916%
CITIBANK NA Stifel	06/24/2020	12/23/2023	01/23/2024	01/23/2024	3,000,000.00	3,297,000.00	2,958,582.00	5.000%
EXXON MOBIL CORP UnionBanc GF	11/22/2019	01/14/2023	03/01/2023	03/01/2023	2,000,000.00	2,055,180.00	1,993,630.00	4.610%
EXXON MOBIL CORP UnionBanc GF	08/11/2022	12/01/2025	03/01/2026	03/01/2026	3,000,000.00	2,976,180.00	2,869,206.00	4.535%
EXXON MOBIL CORP Stifel	12/15/2022	12/01/2025	03/01/2026	03/01/2026	2,000,000.00	1,928,640.00	1,912,804.00	4.535%
JOHN DEERE CAPITAL CORP Alamo Capital	02/08/2021	---	01/15/2026	01/15/2026	3,000,000.00	3,000,000.00	2,665,194.00	4.683%
MICROSOFT CORP Stifel	02/10/2021	08/03/2025	11/03/2025	11/03/2025	3,000,000.00	3,337,530.00	2,901,912.00	4.361%
MICROSOFT CORP Stifel	12/20/2019	02/03/2023	05/01/2023	05/01/2023	2,000,000.00	2,034,620.00	1,985,272.00	4.600%
TOYOTA MOTOR CREDIT CORP Alamo Capital	10/21/2019	---	10/07/2024	10/07/2024	1,500,000.00	1,499,994.00	1,427,430.00	4.890%
TOYOTA MOTOR CREDIT CORP Alamo Capital	07/18/2022	---	04/14/2025	04/14/2025	2,044,000.00	2,035,824.00	1,983,272.76	4.785%
WALMART INC Stifel	06/18/2020	10/15/2024	12/15/2024	12/15/2024	2,000,000.00	2,173,300.00	1,928,780.00	4.574%
---	---	---	01/23/2025	01/23/2025	43,544,000.00	45,004,781.46	41,676,484.76	4.703%
---								

### MMFUND

Description, Broker	Settle Date	Next Call Date	Effective Maturity	Final Maturity	PAR Value	Original Cost	Market Value	Yield to Maturity
LAIF Money Market Fund LAIF - GF	---	---	12/31/2022	12/31/2022	20,408,909.99	20,408,909.99	20,408,909.99	---
RBC BANK DEPOSIT PROGRAM Alamo Capital	---	---	12/31/2022	12/31/2022	207.29	207.29	207.29	---
---	---	---	12/31/2022	12/31/2022	20,409,117.28	20,409,117.28	20,409,117.28	---
---								

### AGCY DISC

Description, Broker	Settle Date	Next Call Date	Effective Maturity	Final Maturity	PAR Value	Original Cost	Market Value	Yield to Maturity
FEDERAL HOME LOAN BANKS Piper Sandler	11/17/2022	---	02/22/2023	02/22/2023	3,000,000.00	2,966,292.50	2,982,060.00	4.143%

### Monthly Investment Portfolio Report

As of 12/31/2022

AGG- General Fund (213428)

Dated: 01/06/2023

Description, Broker	Settle Date	Next Call Date	Effective Maturity	Final Maturity	PAR Value	Original Cost	Market Value	Yield to Maturity
FEDERAL HOME LOAN BANKS Piper Sandler	11/17/2022	---	05/15/2023	05/15/2023	3,000,000.00	2,934,366.67	2,949,717.00	4.609%
FEDERAL HOME LOAN BANKS Piper Sandler	11/17/2022	---	04/20/2023	04/20/2023	3,000,000.00	2,944,175.00	2,959,698.00	4.518%
<b>FEDERAL HOME LOAN BANKS Piper Sandler</b>	<b>11/17/2022</b>	<b>---</b>	<b>04/09/2023</b>	<b>04/09/2023</b>	<b>9,000,000.00</b>	<b>8,844,834.17</b>	<b>8,891,475.00</b>	<b>4.423%</b>

#### US GOV

Description, Broker	Settle Date	Next Call Date	Effective Maturity	Final Maturity	PAR Value	Original Cost	Market Value	Yield to Maturity
UNITED STATES TREASURY UnionBanc GF	05/27/2021	---	11/15/2023	11/15/2023	3,000,000.00	3,005,156.25	2,884,687.50	4.798%
<b>UNITED STATES TREASURY UnionBanc GF</b>	<b>05/27/2021</b>	<b>---</b>	<b>11/15/2023</b>	<b>11/15/2023</b>	<b>3,000,000.00</b>	<b>3,005,156.25</b>	<b>2,884,687.50</b>	<b>4.798%</b>

#### MUNI

Description, Broker	Settle Date	Next Call Date	Effective Maturity	Final Maturity	PAR Value	Original Cost	Market Value	Yield to Maturity
CALIFORNIA ST UNIV REV Alamo Capital	09/09/2022	---	11/01/2026	11/01/2026	1,000,000.00	909,590.00	874,420.00	4.760%
EL CAJON CALIF UnionBanc GF	02/08/2021	---	04/01/2024	04/01/2024	300,000.00	302,583.00	284,271.00	5.317%
EL CAJON CALIF UnionBanc GF	02/08/2021	---	04/01/2023	04/01/2023	400,000.00	402,124.00	395,968.00	4.721%
MONTEREY PK CALIF PENSION OBLIG UnionBanc GF	02/16/2021	---	06/01/2025	06/01/2025	400,000.00	403,156.00	361,440.00	5.182%
MONTEREY PK CALIF PENSION OBLIG UnionBanc GF	02/16/2021	---	06/01/2024	06/01/2024	550,000.00	552,255.00	515,394.00	5.294%
MONTEREY PK CALIF PENSION OBLIG UnionBanc GF	02/16/2021	---	06/01/2023	06/01/2023	450,000.00	450,643.50	440,901.00	5.322%
---	---	---	<b>12/12/2024</b>	<b>12/12/2024</b>	<b>3,100,000.00</b>	<b>3,020,351.50</b>	<b>2,872,394.00</b>	<b>5.045%</b>
---								

#### CD

Description, Broker	Settle Date	Next Call Date	Effective Maturity	Final Maturity	PAR Value	Original Cost	Market Value	Yield to Maturity
Ally Bank Piper Sandler	06/02/2022	---	06/02/2026	06/02/2026	245,000.00	245,000.00	234,718.33	4.434%
Capital One Bank (USA), National Association Piper Sandler	06/08/2022	---	06/08/2027	06/08/2027	245,000.00	245,000.00	233,798.36	4.291%
Capital One, National Association Piper Sandler	06/08/2022	---	06/08/2027	06/08/2027	245,000.00	245,000.00	233,798.36	4.291%
Discover Bank Piper Sandler	06/07/2022	---	06/07/2027	06/07/2027	245,000.00	245,000.00	233,804.48	4.291%
JPMorgan Chase Bank, National Association Alamo Capital	02/08/2021	04/16/2023	01/16/2026	01/16/2026	250,000.00	250,000.00	221,998.50	4.558%
Morgan Stanley Bank, N.A. Piper Sandler	06/09/2022	---	06/09/2027	06/09/2027	245,000.00	245,000.00	232,820.56	4.290%
Morgan Stanley Private Bank, National Association Piper Sandler	06/09/2022	---	06/09/2027	06/09/2027	245,000.00	245,000.00	232,820.56	4.290%
---	---	---	<b>02/05/2027</b>	<b>02/05/2027</b>	<b>1,720,000.00</b>	<b>1,720,000.00</b>	<b>1,623,759.14</b>	<b>4.348%</b>
---								

#### CASH



Monthly Investment Portfolio Report

AGG- General Fund (213428)

As of 12/31/2022

Dated: 01/06/2023

Description, Broker	Settle Date	Next Call Date	Effective Maturity	Final Maturity	PAR Value	Original Cost	Market Value	Yield to Maturity
Cash Alamo Capital	---	---	12/31/2022	12/31/2022	7,500.00	7,500.00	7,500.00	0.000%
Cash UnionBanc GF	---	---	12/31/2022	12/31/2022	7,800.00	7,800.00	7,800.00	0.000%
Cash ---	---	---	12/31/2022	12/31/2022	15,300.00	15,300.00	15,300.00	0.000%

Summary

Description, Broker	Settle Date	Next Call Date	Effective Maturity	Final Maturity	PAR Value	Original Cost	Market Value	Yield to Maturity
---	---	---	12/24/2024	12/24/2024	207,978,417.28	209,138,896.26	195,884,790.24	4.659%

\* Grouped by: Security Type.   \* Groups Sorted by: Ending Market Value + Accrued.   \* Filtered By: Description ≠ "Receivable".   \* Weighted by: Ending Market Value + Accrued.

DESERT WATER AGENCY  
STATEMENT OF CASH RECEIPTS AND EXPENDITURES

WASTEWATER ACCOUNT

DECEMBER 2022

INVESTED  
RESERVE FUNDS  
\$1,578,516.81

BALANCE	DECEMBER 1, 2022	\$595.06		
ACCOUNTS RECEIVABLE - OTHER		\$0.00		
CUSTOMER DEPOSITS - CONSTRUCTION		0.00		
INTEREST EARNED - INVESTED FUNDS		0.00		
WASTEWATER REVENUE		70,490.74		
SEWER CAPACITY CHARGES		0.00		
MISCELLANEOUS		<u>0.00</u>		
TOTAL RECEIPTS		\$70,490.74		
PAYMENTS				
CHECKS UNDER \$10,000.00		\$16,857.10		
CHECKS OVER \$10,000.00 - SCH. #1		62,522.27		
CANCELLED CHECKS AND FEES		<u>0.00</u>		
TOTAL PAYMENTS		<u>\$79,379.37</u>		
NET INCOME		(\$8,888.63)		
INVESTED RESERVE FUNDS				
FUNDS MATURED		\$7,100.00		
FUNDS INVESTED – SCH. #2		<u>0.00</u>		
NET TRANSFER		.	\$7,100.00	(\$7,100.00)
BALANCE	DECEMBER 31, 2022		<u>(\$1,193.57)</u>	<u>\$1,571,416.81</u>

DESERT WATER AGENCY  
**Wastewater Fund**  
Schedule #1 - Checks Over \$10,000

DESERT WATER



**December 2022**

Check #	Name	Description	Amount
3447	Coachella Valley Water District	Wastewater Revenue Billing for November 2022	\$ 62,522.27
<b>Total</b>			<b>\$ 62,522.27</b>

DESERT WATER AGENCY

## **Investment Portfolio Reporting Requirements**

*as required by DWA Resolution 1273, Section VII  
& California Government Code Section 53646*

*as of*  
**December 31, 2022**

### Statement of Compliance

The Desert Water Agency portfolio is in compliance with the Agency's investment policy and guidelines for investment of Agency funds as outlined in DWA Resolution 1273.

### Statement of Agency's Ability to Meet Six-Month Expenditure Requirements

Desert Water Agency has the ability to meet its expenditure requirements for the next six months.

### Description of Investments

#### Agency Bonds

Securities issued by a government-sponsored enterprise or by a federal government department other than the U.S. Treasury.

#### Bank Deposits

Agency funds on deposit in the General Fund, Operating Fund and Wastewater Fund active checking accounts for use in meeting the daily cash flow requirements of the Agency.

#### Certificate of Deposits (CD)

Interest bearing time deposit. FDIC insured up to \$250,000 per depositor, per FDIC-insured bank.

#### Corporate Notes

Debt securities issued by a for-profit company.

#### Money Market Funds

High quality, short-term debt instruments, cash and cash equivalents. Utilized for overnight holding of investment proceeds prior to reinvesting or transferring to Agency checking accounts.

### Municipal Bonds

Fixed income securities issued by states, cities, counties, special districts and other governmental entities.

### Treasury Notes

Fixed income securities issued by the federal government with maturities between two and ten years backed by the full faith and credit of the United States government.

### Funds Managed by Contracted Parties - LAIF

The Desert Water Agency has contracted with the California Local Agency Investment Fund (LAIF) for investment of Agency funds. LAIF is a voluntary program created by Section 16429.1 et seq. of the California Government Code. LAIF is an investment alternative for California's local governments and special districts. This program offers local agencies the opportunity to participate in a major portfolio, which invests hundreds of millions of dollars, using the investment expertise of the state Treasurer's Office professional investment staff at no additional cost to the taxpayer or ratepayer. All Agency funds invested with LAIF are available for withdrawal upon demand and may not be altered, impaired or denied in any way (California Government Code Section 16429.4).

### Market Value Source

Current market values are provided by Clearwater Analytics for all investment types other than LAIF. LAIF market values are recorded at PAR value.

Esther Saenz  
Finance Director  
Desert Water Agency

### Effective Maturity Distribution Summary

As of 12/31/2022

AGG-ALL (219610)

Dated: 01/06/2023



#### 0 (Liquid)

DWA Fund	Account	Identifier	Description	Security Type	PAR Value	Ending Effective Maturity	Final Maturity
General Fund	---	---	---	MMFUND	20,409,117.28	12/31/2022	12/31/2022
Operating Fund	LAIF - OP	LAIFMMF	LAIF Money Market Fund	MMFUND	25,025,696.24	12/31/2022	12/31/2022
Wastewater Fund	LAIF - WW	LAIFMMF	LAIF Money Market Fund	MMFUND	1,571,416.81	12/31/2022	12/31/2022
---	---	---	---	<b>MMFUND</b>	<b>47,006,230.33</b>	<b>12/31/2022</b>	<b>12/31/2022</b>

#### 0-1 Years

DWA Fund	Account	Identifier	Description	Security Type	PAR Value	Ending Effective Maturity	Final Maturity
General Fund	---	---	---	---	22,850,000.00	06/29/2023	06/29/2023
Operating Fund	UnionBanc OP	---	FEDERAL HOME LOAN BANKS	AGCY DISC	8,000,000.00	04/29/2023	04/29/2023
---	---	---	---	---	<b>30,850,000.00</b>	<b>06/13/2023</b>	<b>06/13/2023</b>

#### 1-2 Years

DWA Fund	Account	Identifier	Description	Security Type	PAR Value	Ending Effective Maturity	Final Maturity
General Fund	---	---	---	---	74,540,000.00	08/03/2024	08/03/2024
Operating Fund	UnionBanc OP	---	---	---	6,130,000.00	09/11/2024	09/11/2024
---	---	---	---	---	<b>80,670,000.00</b>	<b>08/06/2024</b>	<b>08/06/2024</b>

Effective Maturity Distribution Summary  
As of 12/31/2022

AGG-ALL (219610)  
Dated: 01/06/2023

2-3 Years

DWA Fund	Account	Identifier	Description	Security Type	PAR Value	Ending Effective Maturity	Final Maturity
General Fund	---	---	---	---	42,444,000.00	08/09/2025	08/09/2025
Operating Fund	UnionBanc OP	---	---	AGCY BOND	6,000,000.00	06/22/2025	06/22/2025
---	---	---	---	---	48,444,000.00	08/03/2025	08/03/2025

3-4 Years

DWA Fund	Account	Identifier	Description	Security Type	PAR Value	Ending Effective Maturity	Final Maturity
General Fund	---	---	---	---	31,495,000.00	06/23/2026	06/23/2026
Operating Fund	UnionBanc OP	3130AP6M2	FEDERAL HOME LOAN BANKS	AGCY BOND	1,000,000.00	09/30/2026	09/30/2026
---	---	---	---	---	32,495,000.00	06/26/2026	06/26/2026

4-5 Years

DWA Fund	Account	Identifier	Description	Security Type	PAR Value	Ending Effective Maturity	Final Maturity
General Fund	---	---	---	---	16,225,000.00	03/29/2027	03/29/2027
Operating Fund	UnionBanc OP	---	---	---	8,000,000.00	05/05/2027	05/05/2027
---	---	---	---	---	24,225,000.00	04/10/2027	04/10/2027

Summary

Account	Identifier	Description	Security Type	PAR Value	Ending Effective Maturity	Final Maturity
---	---	---	---	263,690,230.33	10/18/2024	10/18/2024

\* Grouped by: Effective Maturity Distribution -> DWA Fund.   \* Groups Sorted by: Effective Maturity Distribution -> DWA Fund.   \* Filtered By: Security Type not in "CASH".   \* Weighted by: Ending Market Value + Accrued.

DESERT WATER AGENCY  
**Monthly Investment Portfolio Report**

Abbreviations & Definitions

Investment Type Abbreviations	
<b>AGCY BOND</b>	US Agency Obligation <sup>1</sup>
<b>CORP</b>	Medium Term Notes (Corporate Notes) <sup>2</sup>
<b>MMFUND</b>	Local Agency Investment Fund (LAIF) <sup>3</sup> & Cash Funds in Transit <sup>4</sup>
<b>MUNI</b>	Municipal Bonds/Local Agency Bonds <sup>5</sup>
<b>CD</b>	Negotiable Certificates of Deposit <sup>6</sup>
<b>US GOV</b>	U.S. Treasury notes, bills bonds or other certificates of indebtedness <sup>7</sup>

Definitions	
<b>Settle Date</b>	The date of original purchase
<b>Next Call Date</b>	The next eligible date for the issuer to refund or call the bond or note
<b>Effective Maturity</b>	The most likely date that the bond will be called based on current market conditions
<b>Final Maturity</b>	The date the bond matures, DWA receives the full PAR value plus the final interest payment
<b>PAR Value</b>	The principal amount DWA will receive when a bond is either called or matures
<b>Original Cost</b>	The original cost to purchase the bond (includes premium/discount)
<b>Market Value</b>	The current value of the bond at current market rates
<b>Yield to Maturity</b>	The total anticipated return on a bond if the bond is held to maturity

NOTES:

<sup>1</sup> DWA Investment Policy, Resolution 1273, Schedule 1, Item 2

<sup>2</sup> DWA Investment Policy, Resolution 1273, Schedule 1, Item 14

<sup>3</sup> DWA Investment Policy, Resolution 1273, Schedule 1, Item 9

<sup>4</sup> Cash funds in transit are a result of maturities/calls/coupon payments that are held in the Agency's money market account with the broker/custodian until transferred to the Agency's bank. DWA Investment Policy, Resolution 1273, Schedule 1, Item 15

<sup>5</sup> DWA Investment Policy, Resolution 1273, Schedule 1, Item 3

<sup>6</sup> DWA Investment Policy, Resolution 1273, Schedule 1, Item 10

<sup>7</sup> DWA Investment Policy, Resolution 1273, Schedule 1, Item 1



DESERT WATER AGENCY - OPERATING FUND COMPARATIVE EARNINGS STATEMENT								
MONTH 22-23 DECEMBER	/-----THIS MONTH-----/ THIS YEAR	LAST YEAR	BUDGET	/-----FISCAL YEAR TO DATE-----/ THIS YEAR	LAST YEAR	BUDGET	/--VARIANCE--/ YTD	PCT
OPERATING REVENUES								
WATER SALES	2,928,164.32	2,795,241.17	3,268,000.00	21,847,564.28	20,534,859.79	22,779,700.00	932,135.72-	4-
RECLAMATION SALES	75,561.99	109,323.07	79,700.00	557,140.16	715,643.96	541,100.00	16,040.16	3
POWER SALES	9,297.73	.00	9,250.00	29,553.69	27,067.72	55,500.00	25,946.31-	47-
OTHER OPER REVENUE	113,271.75	282,409.64	229,208.00	1,160,949.56	1,237,786.94	1,341,848.00	180,898.44-	13-
TOTAL OPER REVENUES	3,126,295.79	3,186,973.88	3,586,158.00	23,595,207.69	22,515,358.41	24,718,148.00	1,122,940.31-	5-
OPERATING EXPENSES								
SOURCE OF SUPPLY EXP	1,291,462.87	1,442,583.27	1,421,660.00	3,270,218.23	3,398,364.70	3,735,560.00	465,341.77-	12-
PUMPING EXPENSE	446,370.40	1,669,238.65	355,600.00	2,861,866.09	2,000,759.39	2,619,000.00	242,866.09	9
REGULATORY WATER TREAT	93,363.38	56,309.65	72,810.00	525,206.98	416,994.27	436,860.00	88,346.98	20
TRANS & DIST EXPENSE	308,856.98	258,627.89	359,770.00	1,696,794.36	1,383,912.93	2,158,620.00	461,825.64-	21-
CUSTOMER ACT EXPENSE	65,150.81	82,247.95	105,760.00	508,497.45	474,701.45	636,300.00	127,802.55-	20-
ADMIN & GEN EXPENSE	1,043,793.65	972,212.96	1,163,047.00	7,388,038.97	6,595,576.66	7,845,282.00	457,243.03-	6-
REGULATORY EXPENSE	93,994.13	59,990.14	35,530.00	195,183.03	162,324.00	213,180.00	17,996.97-	8-
SNOW CREEK HYDRO EXP	2,061.37	5,008.24	5,000.00	19,345.46	21,007.39	30,000.00	10,654.54-	36-
RECLAMATION PLNT EXP	130,717.62	90,853.84	114,080.00	495,750.23	414,572.71	684,480.00	188,729.77-	28-
SUB-TOTAL	3,475,771.21	4,637,072.59	3,633,257.00	16,960,900.80	14,868,213.50	18,359,282.00	1,398,381.20-	8-
OTHER OPER EXPENSES								
DEPRECIATION	518,925.81	527,838.52	553,900.00	3,144,192.34	3,110,199.59	3,323,400.00	179,207.66-	5-
SERVICES RENDERED	2,273.95	12,006.96	14,200.00	69,992.24	67,548.65	85,200.00	15,207.76-	18-
DIR & INDIR CST FOR WO	216,376.12-	212,530.25-	280,580.00-	1,470,527.14-	1,394,564.08-	1,683,480.00-	212,952.86	13-
TOTAL OPER EXPENSES	3,780,594.85	4,964,387.82	3,920,777.00	18,704,558.24	16,651,397.66	20,084,402.00	1,379,843.76-	7-
NET INCOME FROM OPERATIONS	654,299.06-	1,777,413.94-	334,619.00-	4,890,649.45	5,863,960.75	4,633,746.00	256,903.45	6
NON-OPERATING INCOME (NET)								
RENTS	3,899.11	16,792.57	15,775.00	35,721.66	89,210.42	94,650.00	58,928.34-	62-
INTEREST REVENUES	84,232.28	10,817.35	48,600.00	444,162.41	64,968.32	291,600.00	152,562.41	52
OTHER FUNDS	.00	.00	.00	40.50-	.00	.00	40.50-	0
OTHER REVENUES	60,100.00	420.00	.00	140,349.28	378,070.01	.00	140,349.28	0
GAINS ON RETIREMENT	.00	.00	6,310.00	.00	.00	25,240.00	25,240.00-	100-
DISCOUNTS	.00	47.34	33.00	1,390.30	221.90	198.00	1,192.30	602
PR. YEAR EXPENSES	.00	.00	.00	.01	1,229.84-	.00	.01	0
OTHER EXPENSES	.00	.00	4,630.00-	.00	161.62-	27,780.00-	27,780.00	100-
LOSS ON RETIREMENTS	.00	.00	9,000.00-	189.54-	35,269.77-	54,000.00-	53,810.46	100-
TOTAL NON-OPER INCOME	148,231.39	28,077.26	57,088.00	621,393.62	524,564.29	329,908.00	291,485.62	88
TOTAL NET INCOME	506,067.67-	1,749,336.68-	277,531.00-	5,512,043.07	6,388,525.04	4,963,654.00	548,389.07	11

## GENERAL MANAGER'S REPORT February 7, 2023

### Damaged Water Main at E. Vista Chino & N Via Negocio

On January 24th at approximately 1:00 p.m. Construction responded to a damaged 4-inch water main located on the NE corner of E. Vista Chino and N. Via Negocio. The water main was damaged by Cal Pro Max Engineering, working for Caltrans on the sidewalk approaches. The water main had to be throttled down to make a temporary repair. On January 25<sup>th</sup>, Staff replaced a 5 ½' section of the damaged water main and placed it back into service. A damage report was made. The water loss was from a fully open 2-inch hole which flowed for approximately 1 hour. The water loss was approximately 46,166 gallons (62 HCF).

Top of 4-inch operating nut.



Clamp covering damaged pipe.



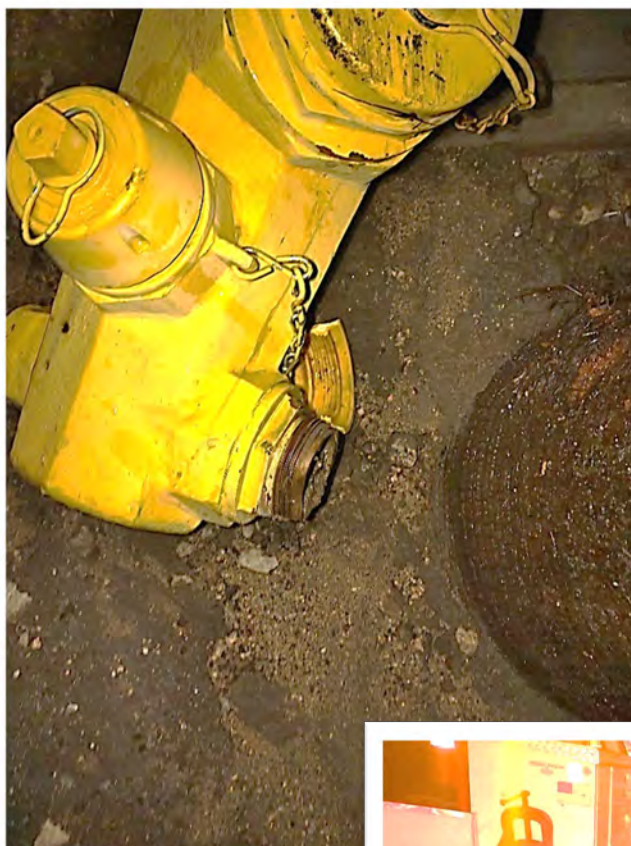
Picture upon arrival of  
damaged pipe  
flooded area.





### **Damaged Hydrant on S. Palm Canyon Dr.**

On January 27<sup>th</sup> at approximately 9:00 p.m. Construction Standby responded to a damaged fire hydrant on the west side of S. Palm Canyon Dr. between Camino Parocela and Sunny Dunes Rd. Staff replaced the hydrant and placed it back in service. The water loss was from a fully open 6-inch fire hydrant bury that flowed for approximately 20 minutes. A police report was filed. The water loss was approximately 164,149 gallons (215.4 HCF).



Damaged fire hydrant.



Fire hydrant and bury.

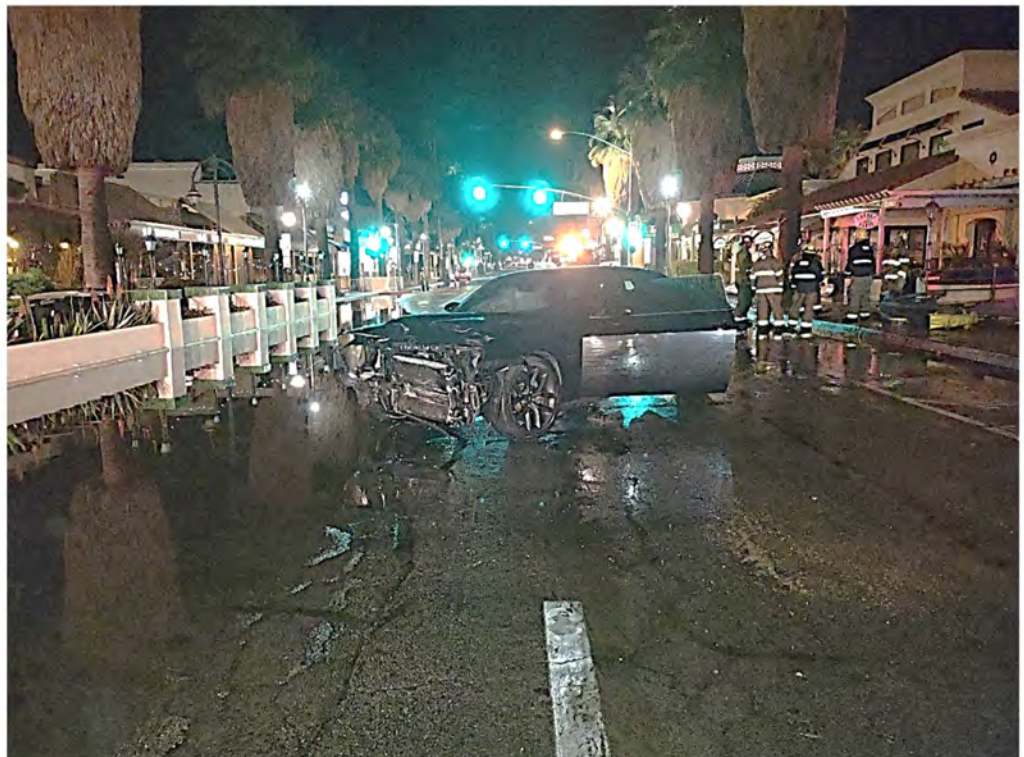
### Damaged Hydrant on S. Palm Canyon Dr.

On January 30<sup>th</sup> at approximately 12:50 a.m. Construction Standby responded to a damaged hydrant on the west side of S. Palm Canyon Dr. between Arenas Rd. and Baristo Rd. Staff was able to reinstall the hydrant and place it back in service. A police report was filed. The water loss was from a fully open 6-inch fire hydrant bury that flowed for approximately 20 minutes. The water loss was approximately 165,664 gallons (221.5 HCF).

Hit hydrant and fire hydrant bury flange.



Vehicle that caused the damage.





### **DWR Announces Increase 2023 Water Supply Allocation**

On January 26<sup>th</sup> , the California Department of Water Resources (DWR) announced an increase in the 2023 water supply allocation for public water agencies who receive water from the State Water Project (SWP). Up from the initial 5% allocation announced in December of last year, the 30% allocation (1.27 million acre-feet) comes on the heels of recent heavy storms and will certainly help to restore supplies in the state reservoirs that have been severely depleted as a result of the current drought.

DWA's full Table A amount is 55,750 acre-feet. This increased allocation increases our water delivery from 2,787.5 af to 16,725 af. If we include CVWD's Table A amount the total increase for the West Coachella Valley has gone from 9,705 af to 58,230 af.

### **Whitewater River Recharge Facilities BLM Permit Update**

DWA on January 26, 2023, that the Record of Decision (ROD) package is with the BLM Director and the new publish date is February 17<sup>th</sup>.

## New DWA Signs

The Agency's main entrance monument was showing signs of degradation caused by weather, earthquakes, and time. We contracted with Best Signs to redesign, demolish, remove, and replace the original concrete and tile monument with a modern, painted metal sign that keeps in style with the original architectural design of the Operations Center. They also designed and installed two new directional signs in our visitor parking area to assist the public in clearly identifying the main entrance of the Operations Center.





**New DWA Signs (Cont.)**



SYSTEM LEAK DATA					
(PERIOD BEGINNING JAN 10, 2023 THRU JAN 30, 2023)					
STREET NAME	NUMBER OF LEAKS	PIPE DIAMETER (INCHES)	YEAR INSTALLED	PIPE MATERIAL	PIPE CONSTRUCTION
ANDREAS RD	2	6	1958	STEEL	BARE/UNLINED
CALLE MARCUS	2	4	1945	STEEL	BARE/UNLINED
CAMINO PAROCELA	1	6	1951	STEEL	BARE/UNLINED
PICO RD	1	4	1947	STEEL	BARE/UNLINED
ALEJO RD	1	12	1960	STEEL	CML
CANTINA WY	1	4	1961	STEEL	BARE/UNLINED
CALLE ABRONIA	1	4	1953	STEEL	BARE/UNLINED
BUCHANAN ST	1	3	1955	STEEL	BARE/UNLINED
AMADO RD	1	4	1954	STEEL	BARE/UNLINED
PASEO EL MIRADOR	1	4	1945	STEEL	BARE/UNLINED
LOUELLA RD	1	6	1955	STEEL	BARE/UNLINED
WAYNE RD	1	4	1957	STEEL	BARE/UNLINED
ACACIA RD W	1	4	1955	STEEL	BARE/UNLINED
CALLE AJO	1	4	1953	STEEL	BARE/UNLINED
INDUSTRIAL PL	1	4	1948	STEEL	BARE/UNLINED
VIA NEGOCIO	1	4	1955	STEEL	BARE/UNLINED
PATENCIO LN	1	4	1951	STEEL	BARE/UNLINED
TERRY LN	1	4	1956	STEEL	BARE/UNLINED
CALLE SAN RAPHAEL	1	4	1946	STEEL	BARE/UNLINED
FRANCIS DR	1	8	1957	STEEL	BARE/UNLINED
VISTA CHINO	1	20	1949	STEEL	BARE/UNLINED
PALM CANYON DR S	1	10	1938	STEEL	BARE/UNLINED
INDIAN CANYON DR	1	10	1938	STEEL	BARE/UNLINED
TOTAL LEAKS IN SYSTEM:		25			

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
<b>TOTAL LENGTH OF PIPE IN SYSTEM OLDER THAN 70 YEARS (LINEAR FEET):</b>	<b>117,721</b>
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
<b>PROJECTED TIME FRAME FOR 100% REPLACEMENT OF PIPE OLDER THAN 70 YEARS:</b>	<b>9 YEARS</b>
YEAR AGENCY TRANSITIONED TO CEMENT LINED STEEL PIPE:	1960
<p><b>*PLEASE NOTE THIS FIGURE REPRESENTS THE AVERAGE LINEAR FOOTAGE OF PIPELINE REPLACED ANNUALLY GIVEN AN AVERAGE ANNUAL BUDGET OF \$3 MILLION.</b></p>	



# SYSTEM LEAKS

(PERIOD BEGINNING JAN 10, 2023  
THRU JAN 30, 2023)

2022/2023 REPLACEMENT PIPELINES - VISTA CHINO

SUNRISE VISTA CHINO

OLD LAS PALMAS

Palm Springs

DOWNTOWN PALM SPRINGS

BARISTO

2021/2022 REPLACEMENT PIPELINES - TERRY LN

2021/2022 REPLACEMENT PIPELINES - ANDREAS RD, LOUELLA RD

Google Earth



2 mi



## **General Manager's Meetings and Activities**

### **Meetings:**

01/17/23	DWA Bi-Monthly Board Meeting	Conf Call
01/18/23	DCP Coordination Meeting	Conf Call
01/18/23	DCP Update Meeting	Conf Call
01/18/23	SWC Monthly Meeting	Conf Call
01/18/23	Special SWC Board Meeting	Conf Call
01/19/23	DC Finance Committee Meeting	Conf Call
01/23/23	DWA/CVWD/MWD Coordination Mtg	Lake Perris
01/24/23	DWA Awards Breakfast Coordination	DWA
01/25/23	DWA Awards Breakfast	DWA
01/26/23	DWA Agenda Management Kick Off Meeting	Conf Call
01/26/23	DWA Whitewater River Diversion Property	DWA
01/30/23	SWC Class 8 Meeting	DWA
01/31/23	SWP – EBE Cost Allocation Methods Report Edits Meeting	Conf Call
01/31/23	Monthly Meeting with Ashley Metzger - Recap	Conf Call
02/01/23	DWA Board Workshop/Closed Session Special Meeting	Conf Call
02/02/23	Executive Committee Meeting	Conf Call
02/03/23	Meeting with Assemblyman Wallis	Palm Desert
02/06/23	DWA Weekly Staff Meetings	DWA
02/06/23	DWA IT Department Update	Conf Call
02/07/23	DWA Bi-Monthly Board Meeting	Conf Call

### **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)

Activities:  
(Cont.)

- 22) SWP 2023 Water Supply
- 23) ACBCI Water Rights Lawsuit
- 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