DESERT WATER AGENCY AUGUST 15, 2023



BOARD OF DIRECTORS REGULAR MEETING AGENDA

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

This meeting will be held virtually and in person. The link and the telephone option provided is for the convenience of the public.

Toll Free: (253) 215-8782 Meeting ID: 823 0498 1804 Passcode: 510361 or Via Computer: 040919042putd=aC0aSm00XVV

https://dwa-org.zoom.us/j/82304981804?pwd=aG9oSm90YVNiOXgybG5pK29QNnUwUT09 Meeting ID: 823 0498 1804

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 <u>sbaca@dwa.org</u> or may do so during the meeting. Comments will become part of the Board meeting record.

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

Esta reunión se llevará a cabo virtualmente y en persona. El enlace y la opción telefónica proporcionada es para la comodidad del público.

Número gratuito: (253) 215-8782 ID de reunión: 823 0498 1804 código de acceso: 510361 o a través de la computadora:

https://dwa-org.zoom.us/j/82304981804?pwd=aG9oSm90YVNiOXgybG5pK29QNnUwUT09 ID de reunión: 823 0498 1804

Los miembros del público que deseen comentar sobre cualquier tema dentro de la jurisdicción de la Agencia o cualquier tema en la agenda pueden enviar comentarios por correo electrónico a <u>sbaca@dwa.org</u> o pueden hacerlo durante la reunión. Los comentarios pasarán a formar parte del registro de la reunión de la Junta.

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

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

ORTEGA

BACA

- 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. Receive and File Minutes of the August 10, 2023 Executive Committee Meeting
 - B. Receive and File July Outreach & Conservation Activities & Events
 - C. Receive and File June Secretary-Treasurer's Report

6. ACTION ITEMS:

- A. Request Board Authorization to Execute Quitclaim Terminating Easement Interest within Property **TATE** Owned by the City of Cathedral City
- B. Request Board Action Regarding Claim Filed by Aiman-Smith & Marcy Law Firm
- RIDDELL

JOHNSON

7. GENERAL MANAGER'S REPORT

8. DIRECTORS REPORTS ON MEETINGS/EVENTS ATTENDED ON BEHALF OF THE AGENCY

9. DIRECTORS COMMENTS/REQUESTS

10. CLOSED SESSION

- A. CONFERENCE WITH LEGAL COUNSEL EXISTING LITIGATION Pursuant to Government Code Section 54956.9 (d) (1) Name of Case: Agua Caliente Band of Cahuilla Indians vs. Coachella Valley Water District, et al Two Cases
- B. CONFERENCE WITH LEGAL COUNSEL EXISTING LITIGATION Pursuant to Government Code Section 54956.9 (d) (1) Name of Case: Mission Springs Water District vs. Desert Water Agency
- C. CONFERENCE WITH LEGAL COUNSEL EXISTING LITIGATION Pursuant to Government Code Section 54956.9 (d) (1) Name of Case: AT&T vs. County of Riverside

11. RECONVENE INTO OPEN SESSION – REPORT FROM CLOSED SESSION

12. ADJOURN

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

DECLARATION OF POSTING

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

Sylvia Baca, MMC, Assistant Secretary of the Board

Executive Committee Meeting Minutes

August 10, 2023

Directors Present: Paul Ortega, Jeff Bowman Staff Present: Mark Krause, Steve Johnson, Esther Saenz, Sylvia Baca, Jamie Hoffman

Call to Order

- 1. Public Comments None
- 2. Discussion Items
 - A. <u>Review Agenda for August 15, 2023 Regular Board Meeting</u> The proposed agenda for the August 15, 2023 meeting was reviewed.
 - B. DWA Late Fees

Staff provided the Committee with information on the current late fees process. Chair Ortega will respond to the customer who had an inquiry regarding Agency late fees.

- C. <u>Building Industry Association of Southern California(BIASC) Membership and</u> <u>Desert Valley Builder's Association (DVBA) Membership</u> This was a continued item from July 27. It was noted that the Agency has not been a member of BIA since 2009 and was recently a DVBA member in 2020. The Committee decided to rejoin DVBA and not join BIASC at this time.
- D. <u>Expense Reports</u> The July expense reports were reviewed.
- E. Board Conference/Event Schedule Update

Staff presented the Committee with upcoming ACWA Region events for September and October. The Committee approved travel days for the following: 1). Region 5 (Fremont) September 21 and September 23, 2). Region 4 (Byron) October 3 and October 5. Once there is more information on the October 11 event for Regions 6 & 7 (Fresno) Staff will bring back to the Committee for travel date approval.

Adjourn

DESERT WATER AGENCY

OUTREACH & CONSERVATION ACTIVITIES

JULY 2023

Activities

- 7/06 Ashley Metzger was on a live segment with KESQ.
- 7/10 Staff attended a weekly State Legislative check in meeting with Bob Reeb.
- 7/11 Staff attended a DWA/Delta Conveyance Project Communications meeting.
- 7/11 Melinda Weinrich attended the ONE-PS monthly meeting.
- 7/12 Staff attended a CVRWMG Business meeting.
- 7/12 Staff attended a Meet and Greet at Palm Springs City Hall.
- 7/13 Melinda Weinrich was on a live segment with KESQ.
- 7/17 Staff attended a weekly State Legislative check in meeting with Bob Reeb.
- 7/18 Staff attended a CV Water Counts monthly meeting.
- 7/18 Melinda Weinrich virtually attended the Sustainability meeting with the City of Palm Springs.
- 7/20 Clark Elliott was on a live segment with KESQ.
- 7/25 Staff attended and conducted a tour of the Mission Creek Groundwater Replenishment Facility, during the Special Joint Board meeting with MSWD.
- 7/26 Staff attended a CVRWMG conservation study kickoff meeting.
- 7/26 Staff attended a CV-SNMP monthly meeting.
- 7/26 Staff launched the additional \$1 per square foot from City of Palm Springs.
- 7/27 Staff attended the California Data Collaborative AMI workshop.
- 7/27 Xochitl Pena was on a live segment with KESQ.
- 7/27 Xochitl Pena recorded a radio interview with Joey English.
- 7/31 Staff attended a weekly State Legislative check in meeting with Bob Reeb.

Public Information Releases/eblasts/Customer Notifications

7/05 Nextdoor – Desert Water Agency – E. Via Vaquero Road Water Construction

- 7/05 Latest News DWA Board approves property tax rate reduction
- 7/31 Latest News DWA hosts blood drive

Upcoming Events

8/23 Cielo Vista Charter Back to School Night

9/20 Business Expo & Taste of Palm Springs

Legislative Outreach

7/24 - President Ortega and staff met with Assemblymember Eduardo Garcia

Conservation Programs

Grass Removal:

- 44 Inspections
- 19 Projects pre-approved
- 22 Projects given final approval

Devices:

- 14 Washing machine rebates requested
- 10 Washing machine rebates approved
- 17 Smart controller rebates requested
- 13 Smart controller rebates approved
- 59 Nozzles requested for rebate
- 0 Nozzles approved for rebate
- 0 Toilet rebates requested (commercial only)
- 1 Toilet rebates approved (commercial only)

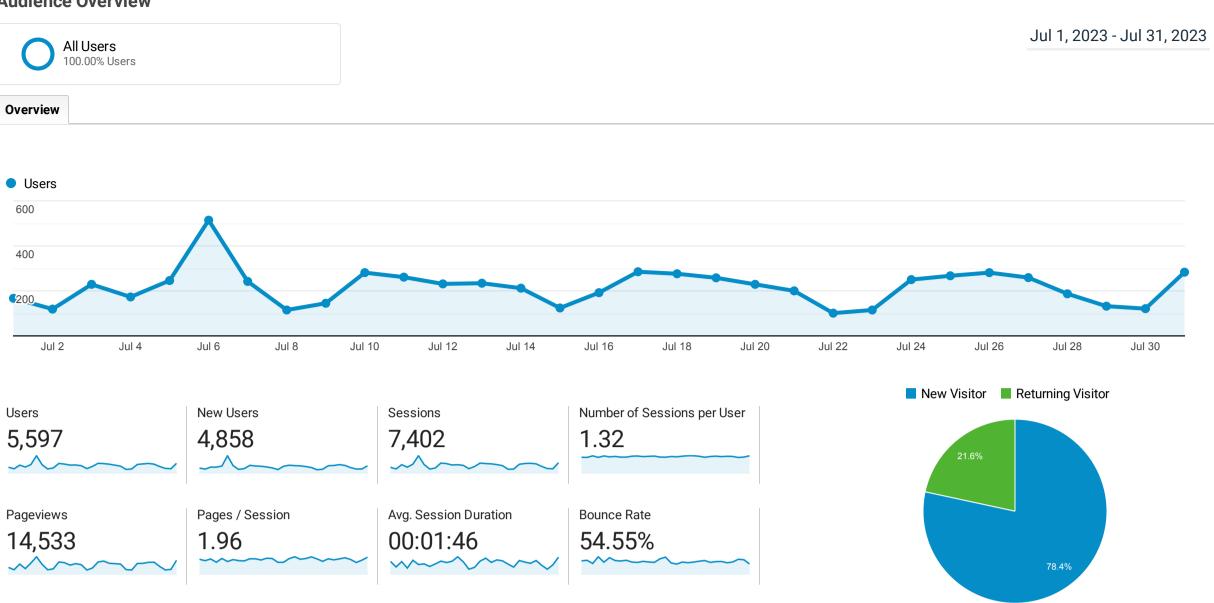
Water waste:

- 61 Total complaints submitted
- 5 Contacts to customers
- 43 Site inspections scheduled
 - 1 Citations
 - 0 Citation waived

Analytics All Web Site Data

Go to report

Audience Overview



	Language	Users	% Users	
	en-us	5,321		95.07%
2.	zh-cn	59	1.05%	
3.	en	50	0.89%	
	en-ca	50	0.89%	
5.	en-gb	48	0.86%	
	es-419	10	0.18%	
	es-us	10	0.18%	
8.	en-au	6	0.11%	
9.	de-de	4	0.07%	
10	0. en-in	4	0.07%	

facebook



DESERT WATER Desert Water Agency 1.3K likes + 1.5K followers

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Desert Water Agency Facebook & Instagram Analytics July 2023

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Brandon Hall is our Construction Inspector for all	Boost reel Post	Mon Jul 24, 3:49pm	306 Accounts Center accou	50 Likes			3 Comments	8 Shares
If you or someone you know needs help paying B	oost post Post	Fri Jul 21, 6:00pm	126 Accounts Center accou	6 Likes			0 Comments	1 Shares
boost ur	navailable Post	Fri Jul 21, 6:00pm	45 Accounts Center accou	3 Reactions			0 Comments	0 Shares
This post has no text estimates and the second sec	navailable Story	Tue Jul 18, 7:09pm	125 Accounts Center accou		-			0 Shares
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We take pride in serving every inch of ou Boost un	navailable Post	Tue Jul 18, 2:45pm	909 Accounts Center accou	20 Likes			2 Comments	23 Shares
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If you're looking to improve your yard's e — Desert Water Agency Boost ur	aavailable Post	Mon Jul 17, 6:00pm	114 Accounts Center accou	5 Reactions			0 Comments	0 Shares
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Did you know that your body is roughly Boost un	navailable Post	Fri Jul 14, 6:00pm	77 Accounts Center accou	7 Reactions		с.,	0 Comments	0 Shares
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July is smart irrigation month and we wa Tesert Water Agency	available Post	Tue Jul 11, 6:00pm	45 Accounts Center accou	5 Reactions			0 Comments	0 Shares
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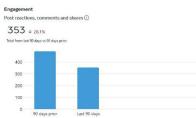
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Median post reach per content format ③ For posts created in the last 90 days

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Images

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419



Desert Water Agency

1200 S Gene Autry Trl, Palm Springs

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

nextdoor

() mapbox Ð **Desert Water Agency** 38,975 members Invite 25,936 claimed households 144 neighborhoods

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Desert Water Agency

Public Affairs & Water Planning Coordinator Ernye Valenciano • Edited 5 Jul

Desert Water Agency - E. Via Vaquero Rd. Water Construction

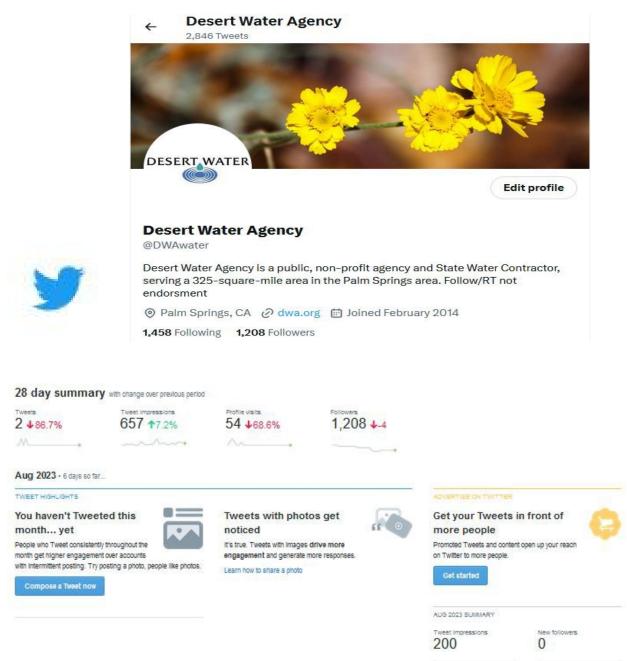
See more...

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Posted to Subscribers of Desert Water Agency in 4 neighborhoods Be the first to react ♥ Like Q Comment Share

Desert Water Agency Twitter Analytics July 2023



INVESTED

DESERT WATER AGENCY STATEMENT OF CASH RECEIPTS AND EXPENDITURES

OPERATING ACCOUNT

JUNE 2023

				RESERVE FUNDS
BALANCE	JUNE 1, 2023	(\$2,070,894	l.91)	\$54,404,852.68
WATER SAL	_ES	\$3,804,580.74		
RECYCLED	WATER	107,669.72		
WASTEWA1	FER RECEIPTS	100,361.18		
POWER SAI	LES	791.91		
METERS, SE	ERVICES, ETC.	91,985.00		
REIMBURSE	EMENT – GENERAL FUND	1,606,301.17		
REIMBURSE	EMENT – WASTEWATER FUND	8,181.10		
ACCOUNTS	RECEIVABLE – OTHER	11,793.04		
CUSTOMER	DEPOSITS – SURETY	7,820.00		
CUSTOMER	DEPOSITS – CONST.	0.00		
LEASE REV	ENUE	4,007.58		
INTEREST F	RECEIVED ON INV. FDS.	52,076.67		
FRONT FOC	DTAGE FEES	0.00		
BOND SERV	/ICE & RESERVE FUND INT	0.00		
MISCELLAN	EOUS	52,772.69		
ТОТ	TAL RECEIPTS	\$5,848,340	0.80	
PAYMENTS				
PAYROLL C	HECKS	\$472,168.92		
PAYROLL T	AXES	209,030.51		
ELECTRONI	IC TRANSFERS	174,175.58		
CHECKS UN	IDER \$10,000.00	417,300.72		
CHECKS OV	/ER \$10,000.00 – SCH. #1	1,892,970.81		
CANCELLE	CHECKS AND FEES	4,811.64		
ТОТ	TAL PAYMENTS	<u>\$3,170,458</u>	<u>8.18</u>	
NET INCOME		\$2,67	77,882.62	
BOND SERVICE	E ACCOUNT			
MONTHLY V	VATER SALES	\$0.00		
EXCESS RE	TURNED BY B/A	\$0.00		
BON	ND SERVICE FUND		\$0.00	
INVESTED RES				
FUNDS MAT		\$3,339,548.33		
-	ESTED – SCH. #3	4,029,500.00		
		+,023,000.00		
NET	T TRANSFER		(\$689,951.67)	\$689,951.67

(\$82,963.96) \$55,094,804.35

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

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			June 2023
Check #	Name	Description	Amount
134555	US Postmaster	Postage -Water quality report	\$ 12,338.45
134556	Cardmember Service	Credit card purchases	\$ 21,493.84
.34582	Basger Meter Inc	Water service supplies	\$ 58,041.80
134583	Beck Oil Inc	Fuel purchase	\$ 12,635.06
134595	Cpc Systems Inc	Purafil AOC1 installation	\$ 10,612.80
134603	Fiesta For Lincoln Corp	Vechicle maintenance	\$ 74,656.40
134611	Krieger & Stewart Inc.	Engineering services	\$ 21,351.25
.34643	Regional Government Services	Consulting services -April 2023	\$ 13,350.00
.34645	Riggs & Riggs Inc	Land appraisal -Cecil Rd & Whitewater Cyn Rd	\$ 17,500.00
34658	Z&L Paving	Paving	\$ 15,128.25
L34659	Zafar Shalizi	Grass removal rebate	\$ 11,928.00
134673	ACWA-JPIA	Medical, dental & vision insurance premiums - July 2023	\$ 209,137.59
34688	Desert Water Agency - Wastewater	Wastewater Revenue billing / April 2023	\$ 95,784.88
.34724	Desert Water Agency - Wastewater	Wastewater Revenue billing / May 2023	\$ 69,115.77
34735	Baja Construction Inc	Employee parking expansion carport	\$ 31,244.23
34736	Best Best & Krieger LLP	Legal fees	\$ 85,862.71
34752	Core & Main LP	Water service supplies	\$ 58,855.67
.34757	Down to Earth Landscaping	Landscape maintenance	\$ 39,879.69
134758	Dudek	Fema Project #147524 & #147525	\$ 64,527.84
L34765	Ferguson Waterworks #1083	Water service supplies	\$ 10,094.00
134766	Fiesta For Lincoln Corp	Purchase -Unit #26 & Unit # 38	\$ 60,771.71
134777	J & R concrete Products Inc	Concrete vault	\$ 26,465.82
134780	Landmark Consultants inc	Consulting services -soil testing	\$ 22,928.00
34783	Mckeever Waterwell & pump inc	Maintenance - Well #17	\$ 28,267.00
134800	Proforma socal Inc	Stationary supplies	\$ 20,655.33
134804	Regional Government services	Consulting services -July 2023	\$ 11,498.80
134808	Southern Calif Edison	Power	\$ 312,960.98
L34813	Sulzer Electro -MS	Switchboard replacement	\$, 51,975.62
134814	Sulzer Electro -MS	Maintenance & labor -Well #17	\$ 38,127.48

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

June 2023

			-	
134815	Thatcher Company of California	Water service supplies	\$	96,194.06
134817	Tyler Technologies	Tyler Software (W/O #20-178-M73)	\$	11,149.20
134826	Western Water Works Supply co	Water service supplies	\$	18,636.33
134828	WSO/E Source Company LLC	Meter maintenance	\$	15,300.00
134829	Z&L Paving	Paving	\$	35,046.25
134830	Mark Neveu	Grass removal rebate	\$	16,119.00
134839	Sundial Homeowners Association	Grass removal rebate	\$	68,175.00
134840	Plaza Villas	Grass removal rebate	\$	17,718.00
134842	Christopher Scelfo	Grass removal rebate	\$	17,576.00
134844	Villas De Las Flores	Grass removal rebate	\$	55,127.00
134846	Garden Villas East HOA	Grass removal rebate	\$	19,964.00
134847	Villa Alegria HOA	Grass removal rebate	\$	14,777.00
al			\$ 1	892,970.81

A N A L Y T I C S.

Monthly Investment Portfolio Report

As of 06/30/2023

Dated: 08/02/2023

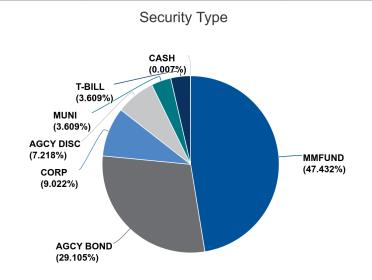


Chart calculated by: PAR Value

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			06/30/2023	06/30/2023	26,287,022.79	26,287,022.79	26,287,022.79	
LAIF Money Market Fund LAIF - OP			06/30/2023	06/30/2023	26,287,022.79	26,287,022.79	26,287,022.79	

AGCY BOND

Market Value Yield to Maturity 919,764.00 5.272%
937,618.00 5.638%
888,445.00 4.765%
1,064,953.81 5.381%
1,895,668.00 4.569%
1,904,394.00 4.654%
1,931,260.00 5.224%
910,447.00 5.097%
1,945,264.00 5.523%
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A N A L Y T I C S.

Monthly Investment Portfolio Report As of 06/30/2023

AGG- Operating Fund (213426)

Dated: 08/02	2/2023
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As of 06/30/2023								Dated: 08/02/2023
Description, Broker	Settle Date	Next Call Date	Effective Maturity	Final Maturity	PAR Value	Original Cost	Market Value	Yield to Maturity
FEDERAL NATIONAL MORTGAGE ASSOCIATION	06/30/2020	09/30/2023	06/30/2025	06/30/2025	1,000,000.00	1,000,000.00	916,223.00	5.194%
FEDERAL NATIONAL MORTGAGE ASSOCIATION	08/12/2020	08/12/2023	08/12/2025	08/12/2025	1,000,000.00	1,000,000.00	909,660.00	5.117%
FEDERAL NATIONAL MORTGAGE ASSOCIATION UnionBanc OP	12/16/2020	09/14/2023	06/14/2024	06/14/2024	1,000,000.00	1,000,500.00	951,396.00	5.672%
UnionBanc OP			10/02/2025	10/02/2025	16,130,000.00	16,125,513.90	15,175,092.81	5.134%
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	1,904,448.00	4.691%
JPMORGAN CHASE BANK, NATIONAL ASSOCIATION UnionBanc OP	06/22/2021		12/23/2024	12/23/2024	1,000,000.00	1,000,000.00	917,610.00	6.338%
MASSMUTUAL GLOBAL FUNDING II UnionBanc OP	06/14/2023		06/14/2028	06/14/2028	2,000,000.00	2,021,800.00	1,986,024.00	5.211%
 UnionBanc OP			04/30/2027	04/30/2027	5,000,000.00	5,008,840.00	4,808,082.00	5.218%
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	03/21/2023		09/06/2023	09/06/2023	2,000,000.00	1,957,750.00	1,981,682.00	4.962%
FEDERAL HOME LOAN BANKS UnionBanc OP	03/21/2023		08/25/2023	08/25/2023	2,000,000.00	1,960,401.11	1,985,184.00	4.864%
FEDERAL HOME LOAN BANKS UnionBanc OP	03/21/2023		08/31/2023	08/31/2023	4,000,000.00	3,918,151.11	3,966,866.00	4.913%
T-BILL								
Description,	Settle Date	Next Call Date	Effective Maturity	Final Maturity	PAR Value	Original Cost	Market Value	Yield to Maturity
Broker UNITED STATES TREASURY	05/16/2023		10/12/2023	10/12/2023	2,000,000.00	1,959,356.11	1,970,850.28	5.205%
UnionBanc OP UNITED STATES TREASURY	05/16/2023		10/12/2023	10/12/2023	2,000,000.00	1,959,356.11	1,970,850.28	5.205%
UnionBanc OP								
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	1,789,320.00	4.296%
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	1,789,320.00	4.296%
CASH								
Description, Broker	Settle Date	Next Call Date	Effective Maturity	Final Maturity	PAR Value	Original Cost	Market Value	Yield to Maturity
Cash UnionBanc OP			06/30/2023	06/30/2023	3,650.00	3,650.00	3,650.00	0.000%
Cash UnionBanc OP			06/30/2023	06/30/2023	3,650.00	3,650.00	3,650.00	0.000%
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A N A L Y T I C S₀

Monthly Investment Portfolio Report

AGG- Operating Fund (213426)

Dated: 08/02/2023

Summary								
Description, Broker	Settle Date	Next Call Date	Effective Maturity	Final Maturity	PAR Value	Original Cost	Market Value	Yield to Maturity
			08/10/2024	08/10/2024	55,420,672.79	55,098,453.91	54,000,883.88	5.067%

* 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

JUNE 2023

INVESTED

BALANCE	JUNE 1, 2023	(\$388,8	838.49)	RESERVE FUNDS \$239,625,990.98		
* INTERES GROUNI REIMBU REIMBU STATE V REIMB - POWER	RIVERSIDE COUNTY ST EARNED - INV. FUNDS DWATER REPLEN. ASSESSMENT RSEMENT - OPERATING FUND RSEMENT - CVWD MGMT AGRMT VATER PROJECT REFUNDS CVWD - WHITEWATER HYDRO SALES - WHITEWATER _ANEOUS	15,394.92 179,375.59 266,520.27 0.00 196,005.00 338,524.00 8,901.38 43,124.76 195.00				
	TOTAL RECEIPTS	\$1,048	,040.92			
CHECKS CANCEL	S UNDER \$10,000.00 S OVER \$10,000.00 - SCH. #1 LED CHECKS AND FEES	8,842.24 2,849,428.55 0.00	070.70			
	TOTAL PAYMENTS	<u>\$2,858,270.79</u> (\$1,810,229.87)				
NET INCOM	1E	(\$1				
FUNDS I	RESERVE FUNDS MATURED NVESTED – SCH. #2	16,702,643.50 14,316,460.00				
	NET TRANSFER		\$2,386,183.50	(\$2,386,183.50)		
BALANCE	JUNE 30, 2023	-	\$187,115.14	\$237,239,807.48		
* INCLUSI	VE TO DATE		TAXES	INTEREST		
	TS IN FISCAL YEAR TS IN CALENDAR YEAR		\$44,938,825.59 \$36,596,225.58	\$2,481,455.31 \$1,303,317.50		

DESERT WATER AGENCY

General Fund

Schedule #1 - Checks Over \$10,000

DESERT WATER

June 2023

Check #	Name	Description	Amount		
9766	State of California Department of Water Resources	State Water Project - Variable Transportation charge - March	\$!	535,261.00	
9767	Coachella Valley Water District	Whitewater spreading basin agreement costs	\$ 2	260,225.69	
9769	State of California Department of Water Resources	State Water Project - Monthly Billing	\$ 9	908,866.00	
9771	Desert Water Agency - Operating Fund	Operating Fund Reimbursement for May 2023	\$ 1,2	145,075.86	
Total			\$ 2,8	849,428.55	

A N A L Y T I C S.

Monthly Investment Portfolio Report

As of 06/30/2023

Chart calculated by: PAR Value

Security Type Other (0.013%) CD (0.723%) US GOV (2.521%) MUNI (3.046%) T-BILL (3.361%) MMFUND AGCY BOND (5.155%) (63.104%) CORP (22.077%)

AGCY BOND

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	958,959.00	5.025%
FEDERAL AGRICULTURAL MORTGAGE CORP Piper Sandler	02/23/2022	08/23/2023	02/23/2027	02/23/2027	3,000,000.00	3,000,000.00	2,735,481.00	4.761%
FEDERAL FARM CREDIT BANKS FUNDING CORP Alamo Capital	08/04/2020	07/21/2023	08/04/2025	08/04/2025	3,000,000.00	3,000,005.00	2,737,479.00	5.129%
FEDERAL FARM CREDIT BANKS FUNDING CORP Alamo Capital	10/15/2020	07/21/2023	10/15/2024	10/15/2024	3,000,000.00	2,995,500.00	2,807,844.00	5.609%
FEDERAL FARM CREDIT BANKS FUNDING CORP Alamo Capital	01/05/2021	07/21/2023	04/05/2024	04/05/2024	3,000,000.00	3,000,000.00	2,880,207.00	5.685%
FEDERAL FARM CREDIT BANKS FUNDING CORP Alamo Capital	02/12/2021	07/21/2023	11/12/2024	11/12/2024	3,000,000.00	3,000,000.00	2,793,513.00	5.601%
FEDERAL FARM CREDIT BANKS FUNDING CORP UnionBanc GF	12/22/2020	07/21/2023	12/22/2025	12/22/2025	3,000,000.00	3,000,000.00	2,687,346.00	4.994%
FEDERAL FARM CREDIT BANKS FUNDING CORP Piper Sandler	10/15/2020	07/21/2023	10/15/2024	10/15/2024	3,000,000.00	3,000,000.00	2,808,939.00	5.610%
FEDERAL FARM CREDIT BANKS FUNDING CORP Piper Sandler	12/28/2020	07/21/2023	12/21/2023	12/21/2023	3,000,000.00	3,000,000.00	2,927,163.00	5.453%
FEDERAL FARM CREDIT BANKS FUNDING CORP Piper Sandler	11/05/2021	07/21/2023	10/20/2026	10/20/2026	3,000,000.00	2,988,000.00	2,671,953.00	4.753%
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	2,739,477.00	4.416%
FEDERAL FARM CREDIT BANKS FUNDING CORP Piper Sandler	06/26/2023		06/21/2028	06/21/2028	4,000,000.00	3,963,160.00	3,922,500.00	4.312%
FEDERAL FARM CREDIT BANKS FUNDING CORP Stifel	10/16/2020	07/21/2023	03/28/2024	03/28/2024	3,000,000.00	3,000,000.00	2,884,131.00	5.671%
FEDERAL HOME LOAN BANKS Alamo Capital	04/09/2021	08/18/2023	11/18/2024	11/18/2024	3,000,000.00	2,989,263.00	2,791,473.00	5.592%

ANALYTICS.

Monthly Investment Portfolio Report

As of 06/30/2023

AGG- General Fund (213428)

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	09/30/2021	09/30/2023	09/30/2026	09/30/2026	3,000,000.00	3,000,000.00	2,663,583.00	4.765%
FEDERAL HOME LOAN BANKS Alamo Capital	12/30/2021		12/30/2024	12/30/2024	3,000,000.00	3,000,005.00	2,837,877.00	5.295%
FEDERAL HOME LOAN BANKS Alamo Capital	09/13/2022		06/14/2024	06/14/2024	1,190,000.00	1,182,431.60	1,164,594.69	5.446%
FEDERAL HOME LOAN BANKS UnionBanc GF	12/30/2020	07/21/2023	12/30/2025	12/30/2025	3,000,000.00	3,000,000.00	2,690,055.00	4.965%
FEDERAL HOME LOAN BANKS UnionBanc GF	06/28/2021	09/30/2023	09/30/2024	09/30/2024	3,000,000.00	3,000,000.00	2,812,854.00	5.638%
FEDERAL HOME LOAN BANKS UnionBanc GF	09/30/2021	09/30/2023	09/30/2026	09/30/2026	3,000,000.00	3,000,000.00	2,665,335.00	4.765%
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	2,843,502.00	4.569%
FEDERAL HOME LOAN BANKS UnionBanc GF	06/23/2022	07/21/2023	06/23/2026	06/23/2026	3,000,000.00	3,000,000.00	2,905,800.00	5.364%
FEDERAL HOME LOAN BANKS UnionBanc GF	02/28/2023	02/28/2025	02/28/2028	02/28/2028	3,000,000.00	2,999,250.00	2,950,092.00	5.407%
FEDERAL HOME LOAN BANKS UnionBanc GF	03/08/2023		03/06/2024	03/06/2024	5,000,000.00	4,998,650.00	4,991,700.00	5.488%
FEDERAL HOME LOAN BANKS UnionBanc GF	06/23/2023		06/09/2028	06/09/2028	5,000,000.00	4,986,500.00	4,931,075.00	4.312%
FEDERAL HOME LOAN BANKS Piper Sandler	01/28/2021	07/21/2023	03/28/2024	03/28/2024	3,000,000.00	3,000,000.00	2,883,492.00	5.671%
FEDERAL HOME LOAN BANKS Piper Sandler	02/26/2021	08/26/2023	11/26/2024	11/26/2024	3,000,000.00	3,000,000.00	2,788,737.00	5.579%
FEDERAL HOME LOAN BANKS Piper Sandler	02/17/2021	08/17/2023	02/17/2026	02/17/2026	3,000,000.00	3,000,000.00	2,685,504.00	4.922%
FEDERAL HOME LOAN BANKS Piper Sandler	04/22/2021	07/29/2023	04/29/2024	04/29/2024	3,000,000.00	3,000,000.00	2,873,040.00	5.662%
FEDERAL HOME LOAN BANKS Piper Sandler	09/30/2021	09/30/2023	09/30/2026	09/30/2026	3,000,000.00	3,000,000.00	2,663,583.00	4.765%
FEDERAL HOME LOAN BANKS Piper Sandler	09/30/2021	09/30/2023	09/30/2026	09/30/2026	3,000,000.00	3,000,000.00	2,666,211.00	4.765%
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	2,912,361.00	5.242%
FEDERAL HOME LOAN BANKS Stifel	02/25/2021	08/25/2023	11/25/2024	11/25/2024	3,000,000.00	3,000,000.00	2,791,062.00	5.581%
FEDERAL HOME LOAN BANKS Stifel	03/30/2021	09/30/2023	09/30/2024	09/30/2024	2,000,000.00	2,000,000.00	1,878,968.00	5.589%
FEDERAL HOME LOAN BANKS Stifel	06/28/2021	09/28/2023	02/28/2024	02/28/2024	3,000,000.00	3,000,000.00	2,895,972.00	5.669%
FEDERAL HOME LOAN BANKS Stifel	04/24/2023	04/24/2024	04/24/2028	04/24/2028	3,000,000.00	3,000,000.00	2,916,375.00	5.535%
FEDERAL HOME LOAN MORTGAGE CORP Alamo Capital	09/30/2020	09/30/2023	09/30/2025	09/30/2025	3,000,000.00	3,000,000.00	2,706,276.00	5.058%
FEDERAL HOME LOAN MORTGAGE CORP Alamo Capital	05/12/2022	08/12/2023	11/12/2024	11/12/2024	3,000,000.00	3,000,000.00	2,902,164.00	5.507%
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	2,731,341.00	5.097%
FEDERAL HOME LOAN MORTGAGE CORP Piper Sandler	06/25/2020	06/25/2024	06/25/2025	06/25/2025	3,000,000.00	3,000,000.00	2,749,305.00	5.182%
FEDERAL HOME LOAN MORTGAGE CORP	08/26/2020	08/26/2023	08/26/2024	08/26/2024	3,000,000.00	3,000,000.00	2,829,888.00	5.637%
FEDERAL HOME LOAN MORTGAGE CORP Stifel	10/28/2020	07/28/2023	10/28/2024	10/28/2024	3,000,000.00	3,000,000.00	2,803,884.00	5.586%
FEDERAL HOME LOAN MORTGAGE CORP Stifel	11/30/2020		05/30/2024	05/30/2024	3,000,000.00	3,000,000.00	2,865,888.00	5.425%
FEDERAL HOME LOAN MORTGAGE CORP Stifel	05/26/2022	08/26/2023	05/26/2027	05/26/2027	3,000,000.00	3,000,000.00	2,913,048.00	5.396%
FEDERAL HOME LOAN MORTGAGE CORP Stifel	05/03/2023	11/03/2023	05/03/2027	05/03/2027	3,000,000.00	3,000,000.00	2,966,787.00	5.672%

ANALYTICS.

Monthly Investment Portfolio Report

As of 06/30/2023

AGG- General Fund (213428)

Description, Broker	Settle Date	Next Call Date	Effective Maturity	Final Maturity	PAR Value	Original Cost	Market Value	Yield to Maturity
FEDERAL NATIONAL MORTGAGE ASSOCIATION Alamo Capital	08/25/2020		08/25/2025	08/25/2025	3,000,000.00	2,985,965.00	2,727,597.00	4.869%
FEDERAL NATIONAL MORTGAGE ASSOCIATION UnionBanc GF	07/15/2020	10/15/2023	07/15/2025	07/15/2025	3,000,000.00	3,000,000.00	2,744,919.00	5.172%
FEDERAL NATIONAL MORTGAGE ASSOCIATION	08/12/2020	08/12/2023	08/12/2025	08/12/2025	3,000,000.00	3,000,000.00	2,728,980.00	5.117%
FEDERAL NATIONAL MORTGAGE ASSOCIATION UnionBanc GF	12/16/2020	09/14/2023	06/14/2024	06/14/2024	3,000,000.00	3,001,500.00	2,854,188.00	5.672%
FEDERAL NATIONAL MORTGAGE ASSOCIATION Piper Sandler	12/14/2020	09/14/2023	06/14/2024	06/14/2024	3,000,000.00	3,000,000.00	2,854,188.00	5.672%
			09/23/2025	09/23/2025	150,190,000.00	150,066,915.60	141,136,690.69	5.241%
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	2,851,086.00	5.598%
APPLE INC Alamo Capital	09/16/2019	08/11/2024	09/11/2024	09/11/2024	1,000,000.00	990,552.00	961,690.00	5.138%
APPLE INC UnionBanc GF	01/27/2021	08/11/2024	09/11/2024	09/11/2024	3,000,000.00	3,150,000.00	2,885,070.00	5.138%
APPLE INC Stifel	09/24/2020	04/11/2025	05/11/2025	05/11/2025	2,000,000.00	2,055,740.00	1,860,956.00	5.081%
APPLE INC Stifel	03/26/2021	01/08/2026	02/08/2026	02/08/2026	1,000,000.00	986,200.00	901,475.00	4.765%
APPLE INC Stifel	06/21/2022	11/09/2026	02/09/2027	02/09/2027	3,000,000.00	2,953,920.00	2,879,958.00	4.564%
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	937,509.00	5.250%
BERKSHIRE HATHAWAY FINANCE CORP Stifel	02/24/2023	02/15/2027	03/15/2027	03/15/2027	3,000,000.00	2,778,750.00	2,801,181.00	4.250%
CATERPILLAR FINANCIAL SERVICES CORP Alamo Capital	12/17/2020		09/14/2023	09/14/2023	3,000,000.00	3,012,276.47	2,966,016.00	6.021%
CHEVRON CORP Stifel	07/08/2020	01/03/2024	03/03/2024	03/03/2024	3,000,000.00	3,239,700.00	2,947,044.00	5.589%
CITIBANK NA Stifel	06/24/2020	12/23/2023	01/23/2024	01/23/2024	3,000,000.00	3,297,000.00	2,965,398.00	5.753%
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	2,867,352.00	4.827%
EXXON MOBIL CORP Stifel	12/15/2022	12/01/2025	03/01/2026	03/01/2026	2,000,000.00	1,928,640.00	1,911,568.00	4.827%
GUARDIAN LIFE GLOBAL FUNDING UnionBanc GF	03/03/2023		11/19/2027	11/19/2027	3,000,000.00	2,522,160.00	2,550,195.00	5.109%
JOHN DEERE CAPITAL CORP Alamo Capital	02/08/2021		01/15/2026	01/15/2026	3,000,000.00	3,000,000.00	2,697,666.00	4.970%
JOHN DEERE CAPITAL CORP Alamo Capital	04/18/2023		03/09/2027	03/09/2027	2,000,000.00	1,829,101.63	1,795,100.00	4.811%
MICROSOFT CORP Stifel	02/10/2021	08/03/2025	11/03/2025	11/03/2025	3,000,000.00	3,337,530.00	2,883,906.00	4.892%
PROCTER & GAMBLE CO UnionBanc GF	02/24/2023		01/26/2028	01/26/2028	3,000,000.00	2,951,160.00	2,940,894.00	4.430%
TOYOTA MOTOR CREDIT CORP Alamo Capital	10/21/2019		10/07/2024	10/07/2024	1,500,000.00	1,499,994.00	1,436,766.00	5.480%
TOYOTA MOTOR CREDIT CORP Alamo Capital	07/18/2022		04/14/2025	04/14/2025	2,044,000.00	2,035,824.00	1,980,499.05	5.239%
TOYOTA MOTOR CREDIT CORP Alamo Capital	04/18/2023		04/06/2028	04/06/2028	2,000,000.00	1,799,880.37	1,748,586.00	4.888%
WALMART INC Stifel	06/18/2020	10/15/2024	12/15/2024	12/15/2024	2,000,000.00	2,173,300.00	1,926,298.00	5.308%

A N A L Y T I C S.

Monthly Investment Portfolio Report As of 06/30/2023

AGG- General Fund (213428)

AS 01 00/30/2023								Dated. 00/02/2023
Description, Broker	Settle Date	Next Call Date	Effective Maturity	Final Maturity	PAR Value	Original Cost	Market Value	Yield to Maturity
			11/03/2025	11/03/2025	52,544,000.00	52,796,033.46	49,696,213.05	5.093%
MMFUND								
Description,	Settle Date	Next Call Date	Effective Maturity	Final Maturity	PAR Value	Original Cost	Market Value	Yield to Maturity
Broker LAIF Money Market Fund LAIF - GF			06/30/2023	06/30/2023	12,268,375.75	12,268,375.75	12,268,375.75	
LAIF Money Market Fund LAIF - GF			06/30/2023	06/30/2023	12,268,375.75	12,268,375.75	12,268,375.75	
T-BILL								
Description, Broker	Settle Date	Next Call Date	Effective Maturity	Final Maturity	PAR Value	Original Cost	Market Value	Yield to Maturity
UNITED STATES TREASURY Piper Sandler	02/22/2023		08/17/2023	08/17/2023	3,000,000.00	2,929,600.00	2,980,481.25	4.980%
UNITED STATES TREASURY Piper Sandler	05/16/2023		10/12/2023	10/12/2023	5,000,000.00	4,897,562.50	4,927,125.70	5.205%
UNITED STATES TREASURY Piper Sandler			09/21/2023	09/21/2023	8,000,000.00	7,827,162.50	7,907,606.95	5.120%
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	888,190.00	4.805%
EL CAJON CALIF UnionBanc GF	02/08/2021		04/01/2024	04/01/2024	300,000.00	302,583.00	289,203.00	5.882%
MONTEREY PK CALIF PENSION OBLIG UnionBanc GF	02/16/2021		06/01/2025	06/01/2025	400,000.00	403,156.00	366,164.00	5.596%
MONTEREY PK CALIF PENSION OBLIG UnionBanc GF	02/16/2021		06/01/2024	06/01/2024	550,000.00	552,255.00	524,040.00	5.978%
UNIVERSITY CALIF REVS Alamo Capital	06/23/2023	03/15/2027	05/15/2027	05/15/2027	5,000,000.00	4,486,800.00	4,473,300.00	4.296%
			10/24/2026	10/24/2026	7,250,000.00	6,654,384.00	6,540,897.00	4.643%
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	2,944,218.75	5.305%
UNITED STATES TREASURY Piper Sandler	05/15/2023		05/31/2027	05/31/2027	3,000,000.00	2,901,780.00	2,819,062.50	4.314%
UNITED STATES TREASURY			08/09/2025	08/09/2025	6,000,000.00	5,906,936.25	5,763,281.25	4.820%
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	233,519.30	4.834%
Capital One Bank (USA), National Association Piper Sandler	06/08/2022		06/08/2027	06/08/2027	245,000.00	245,000.00	231,483.84	4.698%

A N A L Y T I C S_®

Monthly Investment Portfolio Report

AGG- General Fund (213428)

Dated: 08/02/2023

							241041 00/02/2020
Settle Date	Next Call Date	Effective Maturity	Final Maturity	PAR Value	Original Cost	Market Value	Yield to Maturity
06/08/2022		06/08/2027	06/08/2027	245,000.00	245,000.00	231,483.84	4.698%
06/07/2022		06/07/2027	06/07/2027	245,000.00	245,000.00	231,492.17	4.698%
02/08/2021	10/16/2023	01/16/2026	01/16/2026	250,000.00	250,000.00	223,888.00	4.986%
06/09/2022		06/09/2027	06/09/2027	245,000.00	245,000.00	230,611.64	4.697%
06/09/2022		06/09/2027	06/09/2027	245,000.00	245,000.00	230,611.64	4.697%
		02/04/2027	02/04/2027	1,720,000.00	1,720,000.00	1,613,090.43	4.757%
Settle Date	Next Call Date	Effective Maturity	Final Maturity	PAR Value	Original Cost	Market Value	Yield to Maturity
		06/30/2023	06/30/2023	22,500.00	22,500.00	22,500.00	0.000%
		06/30/2023	06/30/2023	7,800.00	7,800.00	7,800.00	0.000%
		06/30/2023	06/30/2023	30,300.00	30,300.00	30,300.00	0.000%
Settle Date	Next Call Date	Effective Maturity	Final Maturity	PAR Value	Original Cost	Market Value	Yield to Maturity
		08/05/2025	08/05/2025	238,002,675.75	237,270,107.56	224,956,455.12	5.168%
	06/08/2022 06/07/2022 02/08/2021 06/09/2022 06/09/2022 Settle Date	06/08/2022 06/07/2022 02/08/2021 10/16/2023 06/09/2022 06/09/2022 06/09/2022 06/09/2022 06/09/2022 06/09/2022 06/09/2022 06/09/2022 06/09/2022 06/09/2022 06/09/2022 06/09/2022 06/09/2022 06/09/2022 06/09/2022 06/09/2022 06/09/2022 06/09/2024 01/06/2025 02/07/2024 02/08/2024 02/08/2024 02/08/2024 02/08/2024 02/08/2024 02/08/2024 02/08/2024 02/08/2024 02/08/2024 <t< td=""><td>06/08/2022 06/08/2027 06/07/2022 06/07/2027 02/08/2021 10/16/2023 01/16/2026 06/09/2022 06/09/2027 06/09/2022 06/09/2027 06/09/2022 06/09/2027 06/09/2022 06/09/2027 06/09/2022 06/09/2027 06/09/2022 06/09/2027 06/09/2022 06/09/2027 06/09/2022 06/09/2027 06/09/2022 06/09/2027 1 06/09/2027 1 06/09/2027 1 06/30/2023 1 06/30/2023 1 06/30/2023 1 06/30/2023 1 06/30/2023 1 06/30/2023 1 06/30/2023 1 06/30/2023</td><td>06/08/2022 06/08/2027 06/08/2027 06/07/2022 06/07/2027 06/07/2027 02/08/2021 10/16/2023 01/16/2026 01/16/2026 06/09/2022 06/09/2027 06/09/2027 06/09/2022 06/09/2027 06/09/2027 06/09/2022 06/09/2027 06/09/2027 06/09/2022 06/09/2027 06/09/2027 06/09/2022 02/04/2027 06/09/2027 06/09/2022 06/09/2027 06/09/2027 06/09/2022 06/09/2027 06/09/2027 06/09/2024 06/09/2027 06/09/2027 Settle Date Next Call Date Effective Maturity Final Maturity 06/30/2023 06/30/2023 06/30/2023 06/30/2023 06/30/2023 06/30/2023 06/30/2023 06/30/2023 06/30/2023 Settle Date Next Call Date Effective Maturity Final Maturity</td><td>06/08/2022 06/08/2027 06/08/2027 245,000.00 06/07/2022 06/07/2027 06/07/2027 245,000.00 02/08/2021 10/16/2023 01/16/2026 01/16/2026 250,000.00 06/09/2022 06/09/2027 06/09/2027 245,000.00 06/09/2022 06/09/2027 06/09/2027 245,000.00 06/09/2022 06/09/2027 06/09/2027 245,000.00 06/09/2027 06/09/2027 06/09/2027 1,720,000.00 02/04/2027 02/04/2027 1,720,000.00 Settle Date Next Call Date Effective Maturity Final Maturity PAR Value 06/30/2023 06/30/2023 30,300.00 06/30/2023 06/30/2023 30,300.00 06/30/2023 06/30/2023 30,300.00</td><td>Normalization Normalization Normalinstation Normalization Normal</td><td>No. No. No.</td></t<>	06/08/2022 06/08/2027 06/07/2022 06/07/2027 02/08/2021 10/16/2023 01/16/2026 06/09/2022 06/09/2027 06/09/2022 06/09/2027 06/09/2022 06/09/2027 06/09/2022 06/09/2027 06/09/2022 06/09/2027 06/09/2022 06/09/2027 06/09/2022 06/09/2027 06/09/2022 06/09/2027 06/09/2022 06/09/2027 1 06/09/2027 1 06/09/2027 1 06/30/2023 1 06/30/2023 1 06/30/2023 1 06/30/2023 1 06/30/2023 1 06/30/2023 1 06/30/2023 1 06/30/2023	06/08/2022 06/08/2027 06/08/2027 06/07/2022 06/07/2027 06/07/2027 02/08/2021 10/16/2023 01/16/2026 01/16/2026 06/09/2022 06/09/2027 06/09/2027 06/09/2022 06/09/2027 06/09/2027 06/09/2022 06/09/2027 06/09/2027 06/09/2022 06/09/2027 06/09/2027 06/09/2022 02/04/2027 06/09/2027 06/09/2022 06/09/2027 06/09/2027 06/09/2022 06/09/2027 06/09/2027 06/09/2024 06/09/2027 06/09/2027 Settle Date Next Call Date Effective Maturity Final Maturity 06/30/2023 06/30/2023 06/30/2023 06/30/2023 06/30/2023 06/30/2023 06/30/2023 06/30/2023 06/30/2023 Settle Date Next Call Date Effective Maturity Final Maturity	06/08/2022 06/08/2027 06/08/2027 245,000.00 06/07/2022 06/07/2027 06/07/2027 245,000.00 02/08/2021 10/16/2023 01/16/2026 01/16/2026 250,000.00 06/09/2022 06/09/2027 06/09/2027 245,000.00 06/09/2022 06/09/2027 06/09/2027 245,000.00 06/09/2022 06/09/2027 06/09/2027 245,000.00 06/09/2027 06/09/2027 06/09/2027 1,720,000.00 02/04/2027 02/04/2027 1,720,000.00 Settle Date Next Call Date Effective Maturity Final Maturity PAR Value 06/30/2023 06/30/2023 30,300.00 06/30/2023 06/30/2023 30,300.00 06/30/2023 06/30/2023 30,300.00	Normalization Normalinstation Normalization Normal	No. No.

* 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

JUNE 2023

		JOINE 2020		
BALANCE	JUNE 1, 2023	\$1	127.45	INVESTED RESERVE FUNDS \$1,594,505.75
ACCOUNTS R	ECEIVABLE - OTHER	\$0.00		
CUSTOMER D	EPOSITS - CONSTRUCTION	0.00		
INTEREST EA	RNED - INVESTED FUNDS	0.00		
WASTEWATE	R REVENUE	164,900.65		
SEWER CAPA	CITY CHARGES	0.00		
MISCELLANEO	ous	0.00		
TOTA	L RECEIPTS	\$164,9	900.65	
PAYMENTS				
CHECKS UND	ER \$10,000.00	\$18,271.52		
CHECKS OVE	R \$10,000.00 - SCH. #1	124,389.78		
CANCELLED C	CHECKS AND FEES	0.00		
TOTA	L PAYMENTS	\$142,6	661.30	
NET INCOME			\$22,239.35	
INVESTED RESE				
FUNDS MATU		\$1,700.00		
	TED – SCH. #2	24,000.00		
FUNDS INVES		24,000.00		
NET T	RANSFER		(\$22,300.00)	\$22,300.00
BALANCE JUN	IE 30, 2023	-	\$66.80	\$1,616,805.75

DESERT WATER AGENCY

Wastewater Fund

Schedule #1 - Checks Over \$10,000

DESERT WATER

June 2023

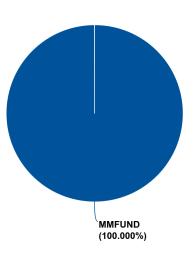
Check #	Name	Description	Amount
3459	Coachella Valley Water District	Wastewater Revenue billing for April 2023	\$ 62,285.87
3460	Coachella Valley Water District	Wastewater Revenue billing for May 2023	\$ 62,103.91
Total			\$ 124,389.78

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Monthly Investment Portfolio Report

As of 06/30/2023

Security Type



MMFUND

Chart calculated by: PAR Value

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 - WW			06/30/2023	06/30/2023	1,616,805.75	1,616,805.75	1,616,805.75	
LAIF Money Market Fund LAIF - WW			06/30/2023	06/30/2023	1,616,805.75	1,616,805.75	1,616,805.75	

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

DESERT WATER AGENCY

Investment Portfolio Reporting Requirements

as required by DWA Resolution 1301, Section VII & California Government Code Section 53646

> as of June 30, 2023

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 1301.

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 that 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

A N A L Y T I C S_®

Effective Maturity Distribution Summary

As of 06/30/2023

Effective Maturity Distribution 70,000,000 _____ 63,074,000.00 61,040,000.00 60,000,000 _____ 57,225,000.00 50,000,000 ____ 48,495,000.00-**PAR Value** 40,172,204.29 40,000,000 30,000,000 25,000,000.00 20,000,000 10,000,000 0 0 (Liquid) 0-1 Years 2-3 Years 4-5 Years 1-2 Years 3-4 Years

0 (Liquid)

DWA Fund	Account	Identifier	Description	Security Type	PAR Value Ending Effecti Maturity	ve Final Maturity
General Fund	LAIF - GF	LAIFMMF	LAIF Money Market Fund	MMFUND	12,268,375.75 06/30/2023	06/30/2023
Operating Fund	LAIF - OP	LAIFMMF	LAIF Money Market Fund	MMFUND	26,287,022.79 06/30/2023	06/30/2023
Wastewater Fund	LAIF - WW	LAIFMMF	LAIF Money Market Fund	MMFUND	1,616,805.75 06/30/2023	06/30/2023
		LAIFMMF	LAIF Money Market Fund	MMFUND	40,172,204.29 06/30/2023	06/30/2023

0-1 Years

DWA Fund	Account	Identifier	Description	Security Type	PAR Value	Ending Effective Maturity	Final Maturity
General Fund					54,040,000.00	02/12/2024	02/12/2024
Operating Fund	UnionBanc OP				7,000,000.00	10/22/2023	10/22/2023
					61,040,000.00	01/30/2024	01/30/2024

1-2 Years

DWA Fund	Account	Identifier	Description	Security Type	PAR Value	Ending Effective Maturity	Final Maturity
General Fund					54,944,000.00	12/10/2024	12/10/2024
Operating Fund	UnionBanc OP				8,130,000.00	12/21/2024	12/21/2024
					63,074,000.00	12/12/2024	12/12/2024

AGG-ALL (219610)

A N A L Y T I C S₀

Effective Maturity Distribution Summary

As of 06/30/2023

05/23/2025

295,006,204.29 05/23/2025

Dated: 08/02/2023

2-3 Years						
DWA Fund	Account	Identifier	Description	Security Type	PAR Value Ending Effe Maturity	ctive Final Maturity
General Fund					45,495,000.00 11/17/2025	11/17/2025
Operating Fund	UnionBanc OP			AGCY BOND	3,000,000.00 07/31/2025	07/31/2025
					48,495,000.00 11/11/2025	11/11/2025
3-4 Years						
DWA Fund	Account	Identifier	Description	Security Type	PAR Value Ending Effe Maturity	ctive Final Maturity
General Fund					48,225,000.00 02/10/2027	02/10/2027
Operating Fund	UnionBanc OP				9,000,000.00 04/12/2027	04/12/2027
					57,225,000.00 02/20/2027	02/20/2027
4-5 Years						
DWA Fund	Account	Identifier	Description	Security Type	PAR Value Ending Effe Maturity	ctive Final Maturity
General Fund					23,000,000.00 04/05/2028	04/05/2028
Operating Fund	UnionBanc OP	57629W6H8	MASSMUTUAL GLOBAL FUNDING II	CORP	2,000,000.00 06/14/2028	06/14/2028
					25,000,000.00 04/11/2028	04/11/2028
Summary						
Account	Identifier	Description		Security Type	PAR Value Ending Effective Maturity	Final Maturity

* 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						
AGCY BOND	US Agency Obligation 1					
AGCY DISC	Discounted US Agency Obligation 1 & 8					
CORP	Medium Term Notes (Corporate Notes) 2					
MMFUND	Local Agency Investment Fund (LAIF) ₃ & Cash Funds in Transit ₄					
MUNI	Municipal Bonds/Local Agency Bonds ₅					
CD	Negotiable Certificates of Deposit $_6$					
US GOV	U.S. Treasury notes, bills bonds or other certificates of indebtedness $_7$					

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

NOTES:

- 1 DWA Investment Policy, Resolution 1301, Schedule 1, Item 2
- 2 DWA Investment Policy, Resolution 1301, Schedule 1, Item 14
- 3 DWA Investment Policy, Resolution 1301, Schedule 1, Item 9
- 4 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 1301, Schedule 1, Item 15
- 5 DWA Investment Policy, Resolution 1301, Schedule 1, Item 3
- 6 DWA Investment Policy, Resolution 1301, Schedule 1, Item 10
- 7 DWA Investment Policy, Resolution 1301, Schedule 1, Item 1
- 8 US Agency Obligation that does not bear an interest rate, but purchased at a discount, held to maturity and redeemed at PAR.

DESERT WATER AGENCY OPERATING FUND WATER CONSUMPTION

				QUARTER E	2023	
	THIS	QUARTER		FISCAL	YEAR TO DATE	
	LAST YEAR	THIS YEAR	% UP (DOWN)	LAST YEAR	THIS YEAR	% UP (DOWN)
WATER REVENUE	\$10,872,942	\$9,676,789	(11)	\$39,412,065	\$38,983,355	(1)
TOTAL CONSUMPTION (100 CU FT)	3,527,396	3,003,538	(15)	13,578,222	12,222,785	(10)
AVERAGE CONSUMPTION PER CONSUMER (100 CU FT)	150	128	(16)	579	520	(10)
NUMBER OF CONNECTIONS	69	* 18		23,444	C 23,490	0

* = ADDED THIS QUARTER

C = TOTAL ACTIVE JUNE 2023

UNAUDITED

STAFF REPORT TO DESERT WATER AGENCY BOARD OF DIRECTORS

AUGUST 15, 2023

RE: REQUEST AUTHORIZATION TO EXECUTE QUITCLAIM TERMINATING EASEMENT INTEREST WITHIN PROPERTY OWNED BY THE CITY OF CATHEDRAL CITY

In the process of working with the City of Cathedral City and a developer for the Cathedral Cove Center Project, Cathedral City staff noticed an error in an easement given to Desert Water Agency in 2007 for sewer and water pipelines. The City of Cathedral City provided the easement, when the land underlying the easement was owned by the Cathedral City Redevelopment Agency (Attachment #1).

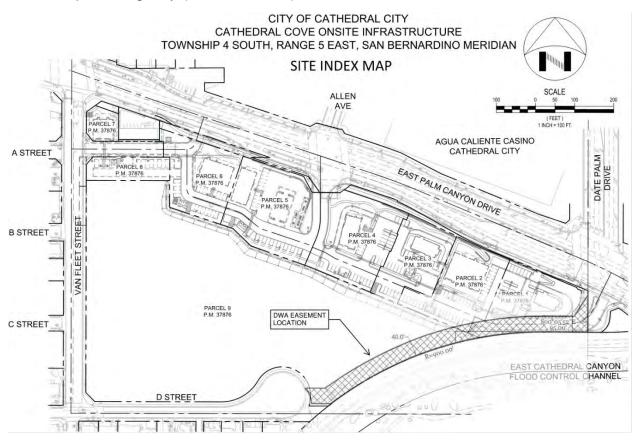


Figure 1: The Sewer and Water Easement. is located on the Southwest corner of the intersection of East Palm Canyon Drive and Date Palm Drive; the easement connects East Palm Canyon and D Street along the East Cathedral Canyon Flood Control Channel. The easement contains a 12" Sewer Pipeline and a 12" Water Pipeline.

The City of Cathedral City has since acquired the land under the name of City Urban Revitalization Corporation. Desert Water Agency requested and received a revised easement on 04/25/2023 (Attachment #2). To clear title to the land, the City of Cathedral City has requested that Desert Water Agency quitclaim the 2007 easement; a Quitclaim Deed will be required to vacate the 2007 easement (Attachment #3).

Fiscal Impact:

None. Finance Director Saenz has reviewed this report.

Legal Review: Legal Counsel has reviewed this report.

Recommendation:

Staff recommends Authorization to Execute Quitclaim Terminating Easement Interest within property owned by the City of Cathedral City, as depicted in the attached Quitclaim.

Attachments:

Attachment #1 – 2007 Easement from Cathedral City Attachment #2 – 2023 Easement from Cathedral City Attachment #3 – Proposed Quitclaim of 2007 Easement Attachment #1

4-5-33-J-1

na

DOC # 2007-0472200

DWA	GRANT	OF	EASEME
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RECORDING REQUESTED BY: WHEN RECORDED MAIL TO:	A GRANT OF EASEME 07/20/2007 08:00A Fee:NC Page 1 of 6 Recorded in Official Records County of Riverside Larry W. Ward Assessor, County Clerk & Recor									ords	
Desert Water Agency Exempt from filing fees per G.C.§ 6103	S	R	U	PAGE	SIZE	DA	MISC	LONG	RFD	COPY	
Post Office Box 1710	1	-	1	6					0		
Palm Springs, CA 92263-1710	M	А	L	465	426	PCOR	NCOR	SMF	NCHB	EXAM	
						T:		CTY	UNI	12	

GRANT OF EASEMENT (Non-Exclusive)

City of Cathedral City hereinafter called GRANTOR, does hereby grant and convey to DESERT WATER AGENCY, a public agency, its successors and assigns, hereinafter called GRANTEE, a perpetual easement and right-of-way to construct, reconstruct, alter, replace, use, operate, inspect, maintain, repair, and remove water and sewage pipelines and appurtenances and electrical and communication conduits and appurtenances, with all connections thereto, together with the right of ingress and egress, across, along, over, under, through, and within that certain real property in the County of Riverside, State of California, described as follows:

> See Exhibit "A" Attached See Exhibit "B" Attached

GRANTEE covenants to maintain the perpetual easement and right-of-way in good repair so that no unreasonable damage will result to the adjacent land of the GRANTOR, his successors and assigns, from its use. GRANTEE reserves the right to clear all brush, plants, shrubs, trees, trash, and other obstructions from the perpetual easement and right-of-way.

GRANTOR, his successors and assigns covenants that it will not erect, place, or maintain, or allow to be erected, placed, or maintained, within the boundaries of the said perpetual easement and right-of-way, any structure, without first securing permission of the GRANTEE, and that it will not plant or maintain or permit to be planted or maintained, any plants, shrubs, or trees that may interfere with the full and complete use of the perpetual easement and right-of-way. GRANTOR agrees that GRANTEE, its successors and assigns, and its agents and employees, may trim or remove any plants, shrubs, or trees that encroach on the permanent easement and right-of-way.

Any use hereinabove permitted to be made of the surface of said land by GRANTOR or its heirs or assigns, shall be exercised so as not to impair, endanger or interfere with the present or prospective exercise of any of the rights herein granted.

GRANTEE shall not be liable for the replacement of decorative concrete or other surface improvements except asphalt concrete surfacing which GRANTEE may be required to remove in the future to gain access to its pipelines and appurtenances.

GRANTOR hereby covenants on behalf of itself, its heirs, successors and assigns that if any type of gate or other structure is constructed which could restrict GRANTEE'S ingress and egress to said system, a utility access control box will be installed as part of the operating portion of said structure to ensure GRANTEE'S free access to its easement. Said box shall be of a type and style approved by GRANTEE and shall be supplied at the GRANTOR'S expense.

T-2-07 -58

4-5-33-J-1

EXHIBIT "A"

An easement 40.00 feet in width over a portion of Parcel 1, as recorded on Parcel Map No. 32932, Book 217, Pages 7-10, on file, Records of Riverside County, California, lying in Section 33 Township 4 South, Range 5 East, San Bernardino Meridian, described as follows:

A strip of land being 40.00 feet in width, with the easterly and southerly line of said 40.00 feet wide strip of land being described as follows:

COMMENCING at the intersection of East Palm Canyon Drive and Date Palm Drive, as shown on said Parcel Map, which lies on the East Line of said Section,

Thence South 00°05'52" West, along said East Line, a distance of 110.66 feet to the Point of Beginning,

Thence South 00°05'52" West, along said East Line, a distance of 106.36 feet,

Thence North 89°52'00" West, a distance of 110.63 feet to the beginning of a tangent curve concave southeasterly and having a radius of 900.00 feet,

Thence southerly along said curve an arc distance of 627.49 feet through a central angle of 39°56'49" to a point, a line radial to said curve at this point bears North 39°48'49" West,

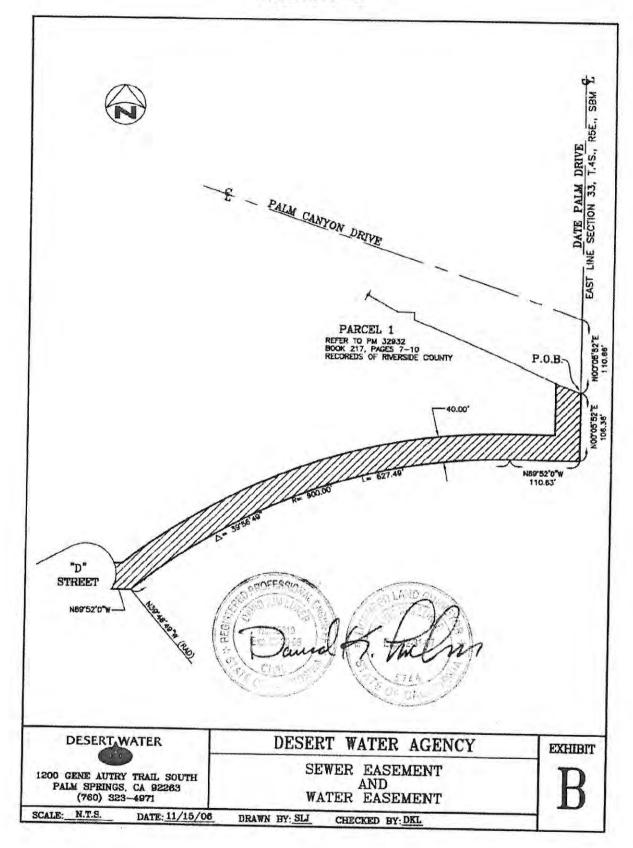
Thence, non-tangent to said curve, North 89°52'00"West to the right-of-way line of "D" Street.

The westerly and northerly line of said 40.00 feet wide strip of land shall be parallel to said described line and shall be prolonged or shortened as to terminate on the northerly line of said Parcel 1 as shown on said Parcel map, and shall be prolonged or shortened to terminate at the right-of-way of "D" Street.



4-5-33-J-1

EXHIBIT "B"



4-5-33-J-1

GRANT OF EASEMENT Page 2

The terms and covenants of this perpetual easement and right-of-way shall bind and inure to the benefit of the heirs, executors, administrators and assigns of GRANTOR and to the successors and assigns of GRANTEE.

	IN WITNESS	WHEREOF, this instrument is executed on this, the $\frac{1344}{2}$	day
of _	JUNE	, 2007	

	City of Cathedral City
	(Grantor)
By:	Joche Ale lasa
	Kathleen J. DeRosa
Title:	Mayor City of Cathedral City, California

NOTARY ACKNOWLEDGMENT

State of <u>California</u> County of <u>Riverside</u> }ss	
County of Riverside }ss	
On June 27, 2007, before me, Josefina Meza,	a Notary
Public, personally Kathlembe hosa a	ppeared
Aathleen De Rosa	
Personally known to or Proven to me on the basis of satisfactory	

to be the person(s) whose name(s) is/are subscribed to the attached instrument and acknowledged to me that he/she/they executed same in his/her/their authorized capacity(ies), and that, by his/her/their signature(s) on the instrument, the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal. Signature of Notary



Notary Seal

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AGENDA REPORT for consideration by the CATHEDRAL CITY CITY COUNCIL

M. 0 # 4282 4-5-33-J-1

SUBJECT: Grant of Easement to Desert Water Agency for Sewer and Water Purposes Parcel Map 32932 (BCN/Sheraton Project)

DEPARTMENT: Engineering		MEETING DATE: June 13, 2007
CONTACT PERSON: William O. Bayne, City Engineer	P.E.	DEADLINE FOR ACTION: N/A
APPROVED: BOB Bargare Afor	JuliBak	C Elus
Department	City Manager	Finance

RECOMMENDATION:

That the City Council take the following action:

- 1. Approve the attached Grant of Easement to Desert Water Agency for sewer and water purposes for Parcel Map 32932 (BCN Project)
- 2. Authorize the Mayor of Cathedral City to sign the attached Grant of Easement on behalf of the City of Cathedral City City Council.

EXECUTIVE SUMMARY:

As part of the Desert Water Agency (DWA) and City of Cathedral City Agreement for construction and maintenance of water and sewer improvements for the BCN Offsite Infrastructure Project, DWA requires a 40' sewer and water easement for maintenance and operation purposes within an area of the BCN site designated as a public utility easement. The BCN Site is now the Sheraton Desert Cove hotel site. The 40' DWA easement is within a planned area for public utilities.

BACKGROUND/ANALYSIS:

On August 10, 2005, the City of Cathedral City entered into an agreement with Desert Water Agency for sewer and water improvements to be constructed for the BCN (now Sheraton Desert Cove hotel) site. On the same date, the Cathedral City City Council approved Parcel Map 32932 for the BCN Project including a 40' foot public utility easement area (Resolution No. 2005-67).

The sewers serving the BCN/Sheraton site are substantially completed and provide a connection point for the 1st phase of the Cove Improvement District sewers that are now under construction. In order for DWA to accept the BCN project sewers into their system for maintenance and operations purposes, the requested DWA sewer and water easement is needed for the BCN/Sheraton site.

ENVIRONMENTAL ANALYSIS:

Environmental documentation has been previously completed for the BCN Project.

FISCAL IMPACT: None.

ATTACHMENT: DWA Grant of Easement

4-5-33-J-1

CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by the Grant of Easement dated June 13, 2007 from

CITY OF CATHEDRAL CITY, Grantor

to **DESERT WATER AGENCY**, a public agency, is hereby accepted by the undersigned officer on behalf of the Desert Water Agency pursuant to authority conferred by Resolution No. 130, adopted by the Desert Water Agency on April 16, 1968, and the grantee consents to the recordation thereof by its duly authorized officer.

DESERT WATER AGENCY

By:

2007 Dated: 7 4

David K. Luker General Manager

ATTEST:

Janis Tefteller, Executive Secretary Desert Water Agency

Attachment #2

4.5-33-J-8 (REFER TO 4-5-33-J-1)

1032

RECORDING REQUESTED BY: WHEN RECORDED MAIL TO: Desert Water Agency Exempt from filing fees per G.C.§ 6103 Post Office Box 1710 Palm Springs, CA 92263-1710 Palm Springs, CA 92263-1710

GRANT OF EASEMENT (Non-Exclusive)

CITY URBAN REVITALIZATION CORPORATION, A California Non-profit Public Benefit Corporation, hereinafter called GRANTOR, does hereby grant and convey to DESERT WATER AGENCY, a public agency, its successors and assigns, hereinafter called GRANTEE, a perpetual easement and right-of-way to construct, reconstruct, alter, replace, use, operate, inspect, maintain, repair, and remove water and sewage pipelines and appurtenances and electrical and communication conduits and appurtenances, with all connections thereto, together with the right of ingress and egress, across, along, over, under, through, and within that certain real property in the County of Riverside, State of California, described as follows:

See Exhibit "A" Legal Description, and Exhibit "B" Sketch, attached.

GRANTEE covenants to maintain the perpetual easement and right-of-way in good repair so that no unreasonable damage will result to the adjacent land of the GRANTOR, his successors and assigns, from its use. GRANTEE reserves the right to clear all brush, plants, shrubs, trees, trash, and other obstructions from the perpetual easement and right-of-way.

GRANTOR, his successors and assigns covenants that it will not erect, place, or maintain, or allow to be erected, placed, or maintained, within the boundaries of the said perpetual easement and right-of-way, any structure, without first securing permission of the GRANTEE, and that it will not plant or maintain or permit to be planted or maintained, any plants, shrubs, or trees that may interfere with the full and complete use of the perpetual easement and right-of-way. GRANTOR agrees that GRANTEE, its successors and assigns, and its agents and employees, may trim or remove any plants, shrubs, or trees that encroach on the permanent easement and right-of-way.

4-5-33-J-8

GRANT OF EASEMENT Page 2

Any use hereinabove permitted to be made of the surface of said land by GRANTOR or its heirs or assigns, shall be exercised so as not to impair, endanger or interfere with the present or prospective exercise of any of the rights herein granted.

GRANTEE shall not be liable for the replacement of decorative concrete or other surface improvements except asphalt concrete surfacing which GRANTEE may be required to remove in the future to gain access to its pipelines and appurtenances.

GRANTOR hereby covenants on behalf of itself, its heirs, successors and assigns that if any type of gate or other structure is constructed which could restrict GRANTEE'S ingress and egress to said system, a utility access control box will be installed as part of the operating portion of said structure to ensure GRANTEE'S free access to its easement. Said box shall be of a type and style approved by GRANTEE and shall be supplied at the GRANTOR'S expense.

The terms and covenants of this perpetual easement and right-of-way shall bind and inure to the benefit of the heirs, executors, administrators and assigns of GRANTOR and to the successors and assigns of GRANTEE.

IN WITNESS WHEREOF, this instrument is executed on this, the day of 2071, 2023.

CITY URBAN REVITALIZATION CORPORATION, A California Non-profit Public Benefit Corporation

(Grantor) By: Vevin J. Biersack

Title: Chief Financial Officer

GRANT OF EASEMENT Page 3

NOTARY ACKNOWLEDGMENT

A Notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California County of Riverside

On <u>April 16,2023</u>, before me, <u>Aura E Garcia</u>, a Notary Public, personally appeared <u>Koura Biereack</u>, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the attached instrument and acknowledged to me that he/she/they executed same in <u>his/her/their</u> authorized capacity(ies), and that, by his/her/their signature(s) on the instrument, the person(s), or the entity upon behalf of which the <u>person(s)</u> acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

UNA Signature of Notary

SS.



Notary Seal

EXHIBIT "A"

4-5-33- J-8

All those portions of Parcel 1 of Parcel Map No. 32932, as shown on the map filed in Book 217, at Pages 7 through 10, inclusive, of Parcel Maps, and those portions of Lots 213 and 214 of Cathedral City, as shown by map filed in Book 13, at Pages 24 through 26, inclusive, of Maps, both of Records of Riverside County, California, described as follows:

Commencing at the intersection of the East line of Section 33, Township 4 South, Range 5 East, San Bernardino Meridian, and the centerline of East Palm Canyon Drive, as shown on said Parcel Map;

Thence, South 00° 05' 52" West along the said East line of Section 33, a distance of 217.02 feet to the TRUE POINT OF BEGINNING, being a point on a Southerly line of said Parcel 1, and also being a point on the North line of the East Cathedral Canyon flood control channel, 200 feet wide, as described in the deed recorded on March 18, 1947, as Instrument No. 2446 in Book 826, at Page 140 of Official Records of Riverside County, California and as shown on the said map of Parcel Map 32932;

Thence, North 89° 52' 00" West, along said North line and along the South line of said Parcel 1, a distance of 110.63 feet to the beginning of a tangent curve concave Southeasterly and having a radius of 900.00 feet, said curve being the Northwesterly boundary of the said East Cathedral Canyon flood control channel, as shown on said Parcel Map No. 32932;;

Thence, Southwesterly along said curve through a central angle of 37° 55' 15" an arc distance of 595.66 feet to an angle point in the boundary of said Parcel 1, a radial of said curve through said point bears North 37° 47' 15" West,, said point also being on the North right of way line of "D" Street, as shown on said Parcel Map No. 32932;;

Thence, North 89° 52' 00" West along the South line of said Parcel 1, also being the North line of "D" Street, shown as Lot "T" on the said map of Cathedral City, a distance of 48.47 feet to the East line of Parcel "A" as shown on the said Parcel Map No. 32932, said East line of Parcel "A" being a non-tangent curve, conçave Westerly and having a radius of 47.00 feet, a radial of said 47.00 foot radius curve through said point bears South 86° 12' 25" East; .

Thence, Northerly along said curve through a central angle of 55° 35' 15", an arc distance of 45.60 to a line parallel with and 40.00 feet Northerly of the said South line of Parcel 1 and the said North line of "D" Street and Lot "T".

Thence, leaving said curve along said 40.00 foot parallel line, South 89° 52' 00" East, 52.82 feet to a point on a non-tangent curve, concave Southeasterly and having a radius of 940.00 feet, said curve being concentric with the above described Northwesterly boundary of the East Cathedral Canyon flood control channel as shown on said Parcel Map No. 32932, a radial of said 940.00 foot radius curve through said point bears North 36° 56' 35" West;;

45-33-J-8

Thence, Northeasterly and Easterly along said 940.00 foot radius curve, through a central angle of 37° 04' 35", an arc distance of 608.28 feet to a point on a line parallel with and distant Northerly 40.00 feet, measured at right angles, from the said North boundary of the East Cathedral Channel as shown on Parcel Map No. 32932;;

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Thence, South 89° 52' 00" East, along said parallel line 75.61 feet;

Thence, North 32° 34' 45" East, 65.17 feet to a point on the said East line of Section 33;

Thence, South 00° 05' 52" West, 95.00 feet along said East line to the TRUE POINT OF BEGINNING.

Containing 0.719 acres, more of less.

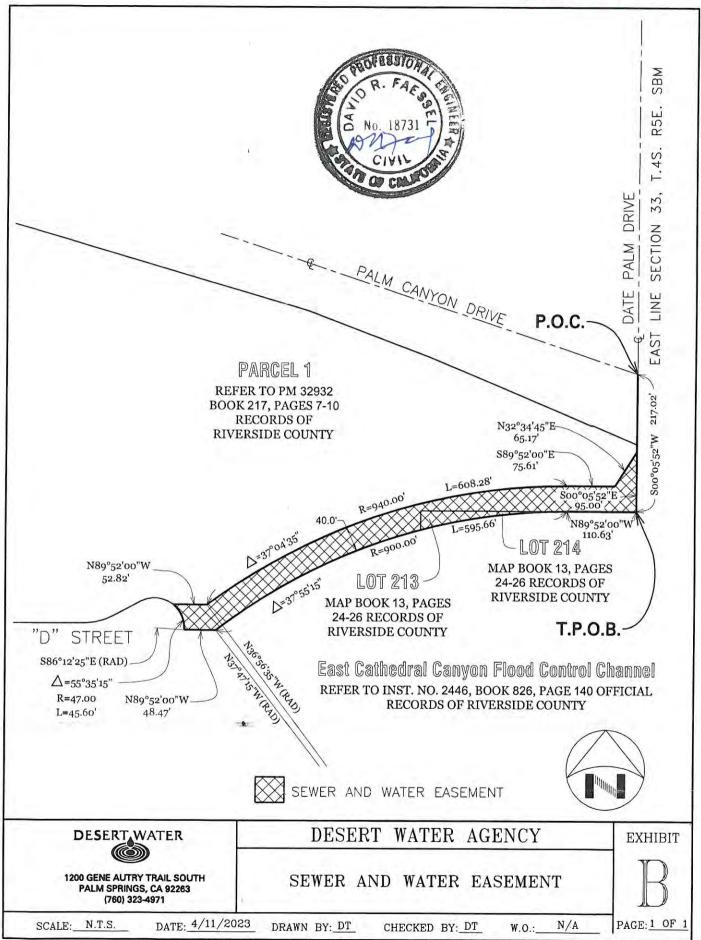
4-17-202 Prepared by:

David R. Faessel RCE 18731 Based upon record data.



4-7-2023

4-5-33-J-8



4-5-33-J-8

CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by the Grant of Easement dated April 18, 2023 from

CITY URBAN REVITALIZATION CORPORATION, Grantor

to **DESERT WATER AGENCY**, a public agency, is hereby accepted by the undersigned officer on behalf of the Desert Water Agency pursuant to authority conferred by Resolution No. 130, adopted by the Desert Water Agency on April 16, 1968, and the grantee consents to the recordation thereof by its duly authorized officer.

DESERT WATER AGENCY

By: Mart A. Krause

Mark S. Krause General Manager

Dated: 4/19/2023

ATTEST:

Sylvia Baca, Executive Secretary Desert Water Agency

Attachment #3

WHEN RECORDED MAIL TO:

Attn: Dave Faessel City of Cathedral City 68700 Avenida Lalo Guerrero Cathedral City, CA 92234

DOCUMENTARY TRANSFER TAX \$

.....Computed on the consideration or value of property conveyed; ORComputed on the consideration or value less liens or encumbrances

Remaining at time of sale.

Signature of Declarant or Agent determining tax - Firm Name

EASEMENT QUITCLAIM DEED TERMINATING GRANTS OF EASEMENT AND RIGHT-OF-WAY

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

The DESERT WATER AGENCY, a public agency, does hereby REMISE, RELEASE AND QUITCLAIM to City of Cathedral City, the following rights and interest:

All rights in and to the Grant of Easement recorded on July 20, 2007, Instrument/File #2007-0472200, Official Records, Riverside County, State of California.

In so far, and only in so far, as said rights and interest affect that certain real property in said County and State as legally described on Exhibit "A" and depicted on Exhibit "B", both of which are attached hereto and incorporated herein by reference.

This Instrument shall not operate to remise, release, or quitclaim a right, title or interest now held, or owned, by Desert Water Agency, other than the rights herein before specifically referred to.

DESERT WATER AGENCY

By:__

Mark S. Krause

Its: <u>General Manager – Chief Engineer</u>

		ertificate verifies only the identity of the individual who signed th not the truthfulness, accuracy, or validity of that document.
State of California)
County of		_)
On	before me,	
Date		Here Insert Name and Title of the Officer
personally appeared		
		Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature_

Signature of Notary Public

EXHIBIT "A"

An easement 40.00 feet in width over a portion of Parcel 1, as recorded on Parcel Map No. 32932, Book 217, Pages 7-10, on file, Records of Riverside County, California, lying in Section 33 Township 4 South, Range 5 East, San Bernardino Meridian, described as follows:

A strip of land being 40.00 feet in width, with the easterly and southerly line of said 40.00 feet wide strip of land being described as follows:

COMMENCING at the intersection of East Palm Canyon Drive and Date Palm Drive, as shown on said Parcel Map, which lies on the East Line of said Section,

Thence South 00°05'52" West, along said East Line, a distance of 110.66 feet to the Point of Beginning,

Thence South 00°05'52" West, along said East Line, a distance of 106.36 feet,

Thence North 89°52'00" West, a distance of 110.63 feet to the beginning of a tangent curve concave southeasterly and having a radius of 900.00 feet,

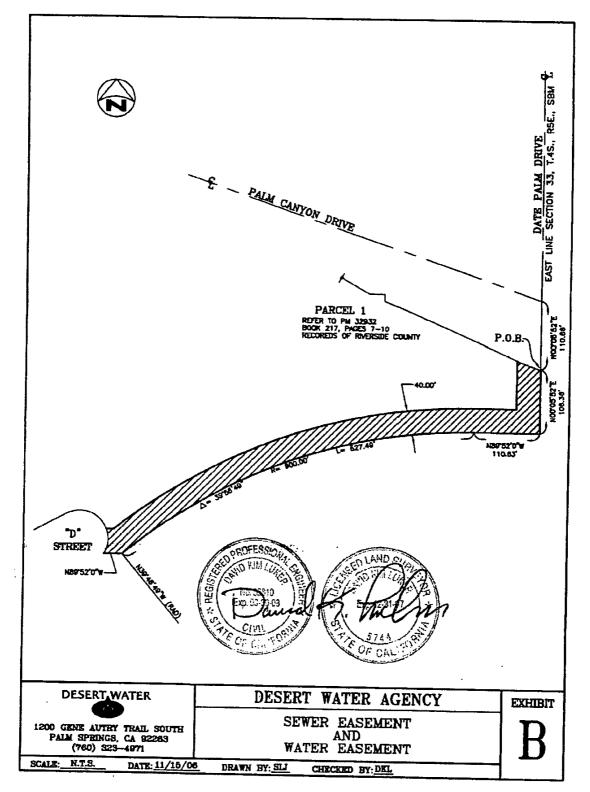
Thence southerly along said curve an arc distance of 627.49 feet through a central angle of 39°56'49" to a point, a line radial to said curve at this point bears North 39°48'49" West,

Thence, non-tangent to said curve, North 89°52'00"West to the right-of-way line of "D" Street.

The westerly and northerly line of said 40.00 feet wide strip of land shall be parallel to said described line and shall be prolonged or shortened as to terminate on the northerly line of said Parcel 1 as shown on said Parcel map, and shall be prolonged or shortened to terminate at the right-of-way of "D" Street.



EXHIBIT "B"



STAFF REPORT TO DESERT WATER AGENCY BOARD OF DIRECTORS

AUGUST 15, 2023

RE: REQUEST BOARD ACTION REGARDING A CLAIM FILED BY AIMAN-SMITH & MARCY

On July 31, the Agency received a claim by certified mail from the law firm of Aiman-Smith & Marcy submitted on behalf of its client, Cari McCormick, as a named plaintiff representing a much larger list of potential plaintiffs in a class of parties.

Ms. McCormick filed with the California Civil Rights Department, which previously was called the Department of Fair Employment and Housing, naming as respondents the California Public Employee's Retirement System, Lake County, and the State of California. This claim is regarding how certain pension benefits are calculated and paid through CalPERS. It is brought on behalf of a putative class of California public entity employees (Plaintiff Class).

Claimant's attorney believes DWA may have employed one or more members of the proposed Plaintiff Class, because DWA contracts to pay pension benefits through CaIPERS. The labor laws require claimants to first exhaust administrative remedies, which is why this claim has been filed.

Fiscal Impact:

If the Board takes the recommended action, there will be no fiscal impact at this point in time. If the Agency becomes the defendant in a future suit, the financial impact is not yet known. Finance Director Saenz has reviewed this report.

Legal Review:

Legal Counsel has reviewed and will be presenting this report.

Recommendation:

It is recommended that the Board of Directors deny the claim filed on behalf of Cari McCormick and forward to ACWA-JPIA for their handling.

Attachments:

Attachment#1 – Notice of Filing of Discrimination Complaint

AIMAN-SMITH PROFESSIONAL CORPORATION

RECEIVED

JUL 312023 DESERT WATER AGENCY

June 28, 2023

To Whom It May Concern:

My firm represents Cari McCormick. Enclosed you will find an administrative charge, with exhibits, filed by Ms McCormick with the California Civil Rights Department, naming as respondents the California Public Employees' Retirement System, Lake County, and the State of California.

As the charge explains, Ms McCormick's claims concern how certain pension benefits are calculated and paid through CalPERS. Those claims are brought *on behalf of* a putative class of California public employees ("Plaintiff Class"). Those claims are brought *against* a putative class of California public entity employers who employed one or more members of the proposed plaintiff class ("Defendant Class"). Ms McCormick will propose that the State of California, as represented by the California Attorney General's Office, serve as class representative for the proposed Defendant Class.

We have reason to believe your public entity may have employed one or more members of the proposed Plaintiff Class, because your public entity contracts to pay pension benefits through CalPERS. For that reason, we are serving Ms McCormick's FEHA charge on your public entity pursuant to Government Code section 12962(b). In addition, to the extent the government claim presentation requirements may apply, we hereby present the enclosed charge as a government claim.

For more information, please see the enclosed charge.

Regards,

AIMAN-SMITH MARCY

/s/ Brent A. Robinson

Counsel for Plaintiff Cari McCormick <u>bar@asmlawyers.com</u>

Enclosures

STATE OF CALIFORNIA | Business, Consumer Services and Housing Agency

GAVIN NEWSOM, GOVERNOR

KEVIN KISH, DIRECTOR



Civil Rights Department 2218 Kausen Drive, Suite 100 | Elk Grove | CA | 95758 800-884-1684 (voice) | 800-700-2320 (TTY) | California's Relay Service at 711 calcivilrights.ca.gov | contact.cente@calcivilrights.ca.gov

June 8, 2023

Brent Robinson Aiman-Smith & Marcy, 7677 Oakport Street, Suite 1150 Oakland, California 94621

RE: Notice to Complainant's Attorney CRD Matter Number: 202306-20925508 Right to Sue: McCormick / California Public Employees' Retirement System et al.

Dear Brent Robinson:

Attached is a copy of your complaint of discrimination filed with the Civil Rights Department (CRD) pursuant to the California Fair Employment and Housing Act, Government Code section 12900 et seq. Also attached is a copy of your Notice of Case Closure and Right to Sue.

Pursuant to Government Code section 12962, CRD will not serve these documents on the employer. You must serve the complaint separately, to all named respondents. Please refer to the attached Notice of Case Closure and Right to Sue for information regarding filing a private lawsuit in the State of California. A courtesy "Notice of Filing of Discrimination Complaint" is attached for your convenience.

Be advised that the CRD does not review or edit the complaint form to ensure that it meets procedural or statutory requirements.

Sincerely,

Civil Rights Department

STATE OF CALIFORNIA | Business, Consumer Services and Housing Agency

GAVIN NEWSOM, GOVERNOR

KEVIN KISH, DIRECTOR



Civil Rights Department 2218 Kausen Drive, Suite 100 | Elk Grove | CA | 95758 800-884-1684 (voice) | 800-700-2320 (TTY) | California's Relay Service at 711 calcivilrights.ca.gov | contact.center@calcivilrights.ca.gov

June 8, 2023

RE: **Notice of Filing of Discrimination Complaint** CRD Matter Number: 202306-20925508 Right to Sue: McCormick / California Public Employees' Retirement System et al.

To All Respondent(s):

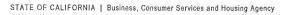
Enclosed is a copy of a complaint of discrimination that has been filed with the Civil Rights Department (CRD) in accordance with Government Code section 12960. This constitutes service of the complaint pursuant to Government Code section 12962. The complainant has requested an authorization to file a lawsuit. A copy of the Notice of Case Closure and Right to Sue is enclosed for your records.

Please refer to the attached complaint for a list of all respondent(s) and their contact information.

No response to CRD is requested or required.

Sincerely,

Civil Rights Department



GAVIN NEWSOM, GOVERNOR

KEVIN KISH, DIRECTOR



Civil Rights Department 2218 Kausen Drive, Suite 100 | Elk Grove | CA | 95758 800-884-1684 (voice) | 800-700-2320 (TTY) | California's Relay Service at 711 calcivilrights.ca.gov | contact.center@calcivilrights.ca.gov

June 8, 2023

Cari McCormick

,

RE: Notice of Case Closure and Right to Sue CRD Matter Number: 202306-20925508 Right to Sue: McCormick / California Public Employees' Retirement System et al.

Dear Cari McCormick:

This letter informs you that the above-referenced complaint filed with the Civil Rights Department (CRD) has been closed effective June 8, 2023 because an immediate Right to Sue notice was requested.

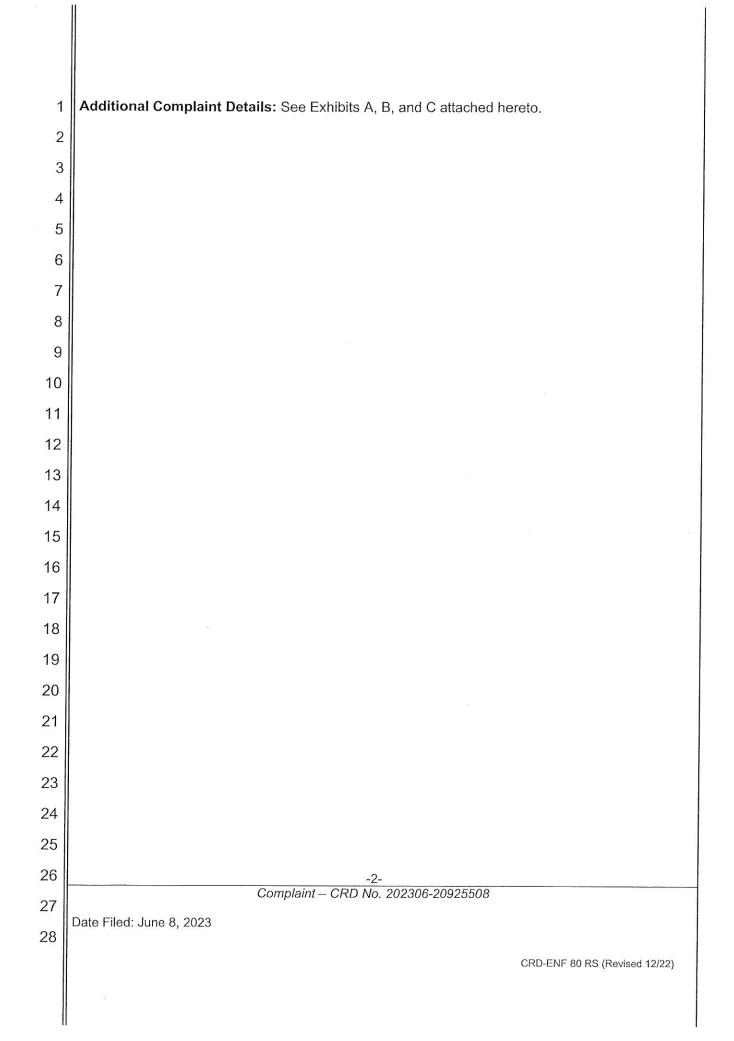
This letter is also your Right to Sue notice. According to Government Code section 12965, subdivision (b), a civil action may be brought under the provisions of the Fair Employment and Housing Act against the person, employer, labor organization or employment agency named in the above-referenced complaint. The civil action must be filed within one year from the date of this letter.

To obtain a federal Right to Sue notice, you must contact the U.S. Equal Employment Opportunity Commission (EEOC) to file a complaint within 30 days of receipt of this CRD Notice of Case Closure or within 300 days of the alleged discriminatory act, whichever is earlier.

Sincerely,

Civil Rights Department

1	COMPLAINT OF EMPLOYMENT DISCRIMINATION BEFORE THE STATE OF CALIFORNIA						
2	Civil Rights Department						
3	(Gov. Code, § 12900 et seq.)						
4	In the Matter of the Complaint of						
5	Cari McCormick CRD No. 202306-20925508						
6	Complainant,						
7	VS.						
8	California Public Employees' Retirement System Lincoln Plaza East 400 Q Street Room 1820 Sacramento, CA 95811						
9							
10	Lake County 255 North Forbes Street						
11	Lakeport, CA 95453						
12	State of California c/o Attorney General Rob Bonta, Department of						
13	Justice, P.O. Box 944255 Sacramento, CA 94244-2550						
14							
15	Respondents						
16							
17							
18	suit under the California Fair Employment and Housing Act (FEHA) (Gov. Code, § 12900 et seq.).						
19	2.Complainant is naming Lake County business as Co-Respondent(s).						
20	Complainant is naming State of California business as Co-Respondent(s).						
21	3. Complainant Cari McCormick, resides in the City of , State of .						
22	4. Complainant alleges that on or about June 1, 2023, respondent took the following						
23	adverse actions:						
24	Complainant was discriminated against because of complainant's age (40 and over) and						
25	as a result of the discrimination was denied equal pay, other.						
26	-1-						
27	Complaint – CRD No. 202306-20925508						
28	Date Filed: June 8, 2023						
	CRD-ENF 80 RS (Revised 12/22)						



1 VERIFICATION

4

5

I, Brent A. Robinson, am the Attorney in the above-entitled complaint. I have read the foregoing complaint and know the contents thereof. The matters alleged are based on information and belief, which I believe to be true.

On June 8, 2023, I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

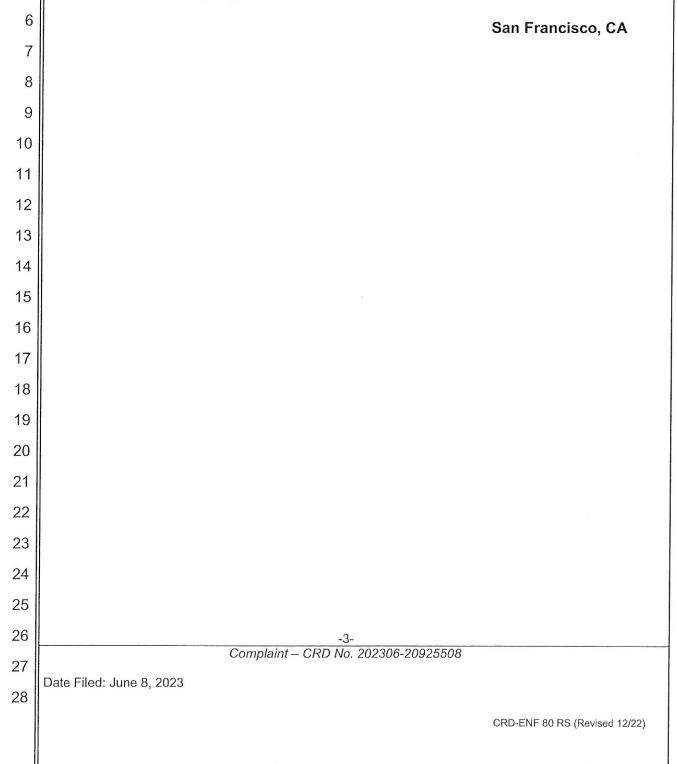


EXHIBIT A

AIMAN-SMITH PROFESSIONAL CORPORATION CARCY

Exhibit A – Claim Narrative

Plaintiff Cari McCormick is an individual.

Defendants California Public Employees' Retirement System ("CalPERS"), State of California, and County of Lake are California governmental entities.

Plaintiff is ignorant of the true names or capacities of defendants named herein as Does 1 through 3,000, inclusive, and therefore identifies these defendants by these fictitious names. Each of the defendants named herein or designated as a Doe, is liable or in some manner legally responsible for the events alleged herein.

Plaintiff seeks to have the State of California, represented by the California Attorney General's Office, appointed to represent a defendant class, which includes all public entities that both employed one or more Plaintiffs, and are liable for employer-side retirement contributions for one or more Plaintiffs. A list of public entities believed to potentially be included within that defendant class, based on their listing as employers within the 2021-2022 Annual Comprehensive Financial Report published by CalPERS, is attached as Exhibit C.

Plaintiff refers to all defendants here collectively as "Defendants."

Plaintiff seeks to represent a plaintiff class of similarly situated persons. The class includes all persons who were employed by Defendants; who were at or over age 40 at the time they became members of the CalPERS system; who applied for and were granted ordinary disability retirement; whose retirement benefits are administered by CalPERS; and either (1) who have ever received disability retirement benefit payments pursuant to Government Code section 21423, who were over age 41 at membership in CalPERS, and who at retirement were credited with 18.518 or fewer years of actual service; or (2) who have ever received disability retirement benefit payments pursuant to Government Code section 21098, and who at retirement were credited with 24.691 or fewer years of actual service; or (3) who have ever received disability retirement benefit payments pursuant to Government Code section 21424, and who at retirement were credited with 29.629 or fewer years of actual service.

Plaintiff was employed by County of Lake; was over age 40 at membership in CalPERS; applied for and was granted ordinary disability retirement; receives benefits administered by CalPERS; and presently receives monthly disability benefit payments pursuant to one of the sections listed above. See, generally, McCormick v. Public Employees' Retirement System (2019) 41 Cal.App.5th 428.

Plaintiff refers to herself and the proposed plaintiff class collectively as "Plaintiffs."

At all relevant times, each of the Defendants was the agent of each of the remaining Defendants and, in doing the things alleged herein, was acting with the course and scope of such agency.

Exhibit A Page 2

Each of the Defendants' actions or omissions as alleged herein was ratified by each of the remaining Defendants. Each of the acts or omissions of a Defendant's agents as alleged herein was ratified by that Defendant, as well as by each of the remaining Defendants. Each of the Defendants had knowledge of unlawful discrimination practiced upon its employees by the other Defendants, and failed to thereafter take all reasonable steps to prevent further discrimination against its employees. Each of the Defendants provided substantial assistance or encouragement to the other Defendants in the discrimination alleged here, and thereby caused harm to Plaintiff and the proposed class. Each of the Defendants had knowledge of the discrimination alleged here, each of the Defendants was a joint employer and engaged in a joint venture, including by engaging in a combination of resources to carry out a single undertaking, with each having separate ownership interests in the joint undertaking, joint control, and an agreement to share profits and losses of that joint undertaking.

California law governs Plaintiffs' retirement benefits, and provides for ordinary disability retirement benefits for certain public employees such as Plaintiff who are rendered unable to do their job by any non-industrial long-term disability.

California law calculates such ordinary disability retirement benefits in a way that discriminates based on advanced age at membership. Government Code sections 21098, 21424, and 21423 each provides for younger employees to receive an ordinary disability retirement benefit equal to at least 33.333% of their final compensation. By contrast, older employees receive significantly reduced benefits, because those benefits are based on imputed years of service through age 60. For example, assume two state miscellaneous first-tier employees are otherwise identical, except that one was hired at age 18, the other at age 49. Each puts in 10 years of actual credited service, and each is forced to retire due to disabilities. The 18-year-old-at-hire will receive a benefit equal to 33.333% of his final compensation, because the formula gives him service credit as if he had worked without interruption through age 60. By contrast, the 49-year-old-at-hire will receive a benefit equal to just 19.8% under section 21423, with the difference in benefit amounts solely due to the older employee's advanced age.

Defendants are liable for disparate treatment. Defendants are qualifying employers, and employed Plaintiffs. Plaintiffs were over age 40 at membership. Defendants paid Plaintiffs reduced retirement benefits compared to employees younger at membership. Plaintiffs' age over 40 at membership was a substantial motivating factor in Defendants' determination and payment of the amount of Plaintiffs' disability retirement benefits. Plaintiffs have been harmed. Defendants' payment of reduced benefits to Plaintiffs is a substantial factor in causing them harm.

Defendants are also liable for pattern-or-practice of intentional discrimination. Discrimination is Defendants' standard operating procedure, rather than an unusual practice, and that standard operating procedure is a substantial factor in harming Plaintiffs.

Exhibit A Page 3

Defendants are also liable for disparate impact. Defendants are qualifying employers, and employed Plaintiffs. Plaintiffs were over age 40 at membership. Defendants maintained a common policy or practice that has a disproportionate adverse effect on persons over age 40 at membership. Plaintiffs have been harmed. Defendants' policy or practice was a substantial factor in causing Plaintiffs' harm.

Defendants are also liable for their failure to prevent discrimination against Plaintiffs. Defendants knew or should have known of the above-alleged discrimination, and failed to take all reasonable steps necessary to prevent the same from occurring, thereby causing harm to Plaintiffs.

Defendants are also liable for breach of contract. At hiring, Defendants promised Plaintiffs future pay in exchange for present work, and Defendants' monthly retirement benefit payments are wages paid after the fact for Plaintiffs' years of labor. *See, e.g., Kern v. Long Beach* (1947) 29 Cal.2d 848, 850-852. The retirement benefit provisions at issue are contractual terms of class members' employment agreements: by those retirement provisions, Defendants promised class members future pay in exchange for present work, and once class members began performance, class members obtained a vested contractual right to the benefits Defendants had promised. *See, e.g., McGlynn v. State of California* (2018) 21 Cal.App.5th 548, 559.

Defendants maintained express written contractual terms of employment that provided for class members to be paid reduced retirement benefits based on their advanced ages at hiring. *See*, Gov. Code §§ 21098, 21424, 21423. Those terms of employment violate or are contrary to overriding state laws (*i.e.*, Gov. Code § 12940, subd. (a)) regulating such terms of employment, by providing for reduced compensation based solely on an employees' advanced age at hiring. To that extent, those terms of employment are contrary to superseding state law, they are illegal contractual terms, they are contrary to public policy, and they are therefore void. *See*, Civil Code § 1667. The unlawful terms of Plaintiffs' contracts with Defendants are severable, such that the illegal contract terms should be severed, and the balance of the contracts enforced. *Armendariz v. Found. Health Psychcare Servs., Inc.* (2000) 24 Cal.4th 83, 124. With illegal contractual terms severed, class members' contracts with the Defendants provide for class members to receive equal retirement benefits.

Alternately, FEHA's prohibition on age discrimination constitutes a contractual term of employment implied by operation of law into Plaintiffs' employment agreements with Defendants, such that Defendants were subject to a contractual duty to pay nondiscriminatory retirement benefits. *See, Castillo v. Express Escrow Company* (2007) 146 Cal.App.4th 1301, 1308 ("all laws in existence when the agreement was made become part of the contract"); *Anderson v. Time Warner Telecom of California* (2005) 129 Cal.App.4th 411, 418 ("All applicable laws are presumed to be known by the parties and to form a part of the agreement as if those laws were expressly referred to and incorporated."); *Coral Farms, L.P. v. Mahony* (2021) 63 Cal.App.5th 719, 731 ("The incorporation of current law into a contract is presumed and does not require a deliberate expression by the parties.").

Exhibit A Page 4

The terms of Plaintiffs' employment contracts were sufficiently clear that the parties could understand what each was required to do, the parties exchanged consideration, and the parties agreed to terms. Plaintiffs did all, or substantially all, of the significant things their contracts required of them. Defendants failed to pay non-discriminatory benefits under the contracts, or paid discriminatory benefits in violation of the contracts. Plaintiffs were harmed. Defendants' breaches of contract were a substantial factor in causing Plaintiffs' harm.

The harm to Plaintiffs includes the loss of retirement benefits, the loss of additional amounts of money each would have received had he or she not suffered such unlawful discrimination, and harm in the form of humiliation, mental anguish, and emotional distress.

Defendants are also liable for prospective relief for violations of California's Equal Protection clause. Such relief includes declaratory relief, injunctive relief, and issuance of writs of mandamus and/or prohibition.

Thus, Defendants' unlawful policies and practices as alleged adversely affect, in a similar manner, a class of persons of which Plaintiff is a member, and raise substantial questions of law and fact that are common to that class. For those reasons, Plaintiff files this charge on behalf of a class of all others similarly situated, and seeks to represent the same.

EXHIBIT B

AIMAN-SMITH & MARCY

Exhibit B – Required Claim Information (Gov. Code § 910)

Name of Claimant:	Cari McCormick
Address of Claimant, and Address Where	Cari McCormick
Notices re Claim Should Be Sent:	c/o Brent A. Robinson
	Aiman-Smith & Marcy, PC
	7677 Oakport Street, Suite 1150
	Oakland, CA 94621
Date, Place, and Other Circumstances of the	Following a decision in favor of Ms
Occurrence or Transaction which Gave Rise	McCormick by the First District Court of
to the Claim Asserted:	Appeal in 2019, CalPERS granted Ms
	McCormick ordinary disability retirement.
	For additional information about facts giving
	rise to claim asserted, see Exhibit A.
A General Description of the Loss Incurred:	See Exhibit A for detailed factual narrative.
The Name or Names of the Public Employees	Unknown.
Causing the Injury, Damage, or Loss, if	
Known:	
The Amount Claimed If Less than \$10k:	The amount claimed exceeds \$10k.

Note: This Claim is presented on behalf of a class of similarly situated persons. Claimant is the proposed representative claimant. The class description is provided in Exhibit A.

GENERAL MANAGER'S REPORT August 15, 2023

Human Resource's Meetings and Activities

Meetings:

07/18/2023 07/24/2023 07/31/2023 08/01/2023 08/07/2023	DWA Board Meeting Engineering/Operations Staff Meeting DWA Staff Meeting DWA Board Meeting DWA Staff Meeting	DWA Offices DWA Offices DWA Offices DWA Offices DWA Offices
Activities:		
07/19/2023	Webinar: Shifting Needs: The Vital Role of Wellbeing and	Virtual Meeting
	Recognition in Retaining and Engaging Employees	
07/20/2023	ACWA JPIA Webinar: FMLA and CFRA	Virtual Meeting
07/20/2023	Webinar: Freedom of Speech in the Workplace	Virtual Meeting
07/20/2023	Paycom Meeting Re: Performance Management Module	Virtual Meeting
07/25/2023	Lincoln Financial Representative on site visits	DWA Offices
07/25/2023	Demo of YouScience Employer Platform	Virtual Meeting
07/27/2023	Presented at Safety Meetings	DWA Offices
08/03/2023	Webinar: HR Tech 2023 Preview - AI and HR:	Virtual Meeting
	Implicationsand Opportunities	Ū
08/07/2023	New Employee Orientation	DWA Offices
08/09/2023	Hosted a Lifestream Blood Drive	DWA Offices

Blood Drive

The Agency hosted a very successful blood drive on August 9. A total of 20 donations were collected from staff and the public.

	SYSTEM LEAK DATA				
(PERIOD BEGINNING JULY 25, 2023 THRU AUG 7, 2023)					
PIPE DIAMETER PIPE					
STREET NAME	NUMBER OF LEAKS	(INCHES)	YEAR INSTALLED	PIPE MATERIAL	CONSTRUCTION
VISTA CHINO	6	20	1949	STEEL	BARE/UNLINED
EL PLACER RD	4	6	1983	STEEL	CML
INDIAN CANYON DR	3	6	1951	STEEL	BARE/UNLINED
RAMON RD	2	12	1956	STEEL	BARE/UNLINED
LOUELLA RD	2	6	1955	STEEL	BARE/UNLINED
CAMINO REAL	2	4	1948	STEEL	BARE/UNLINED
NICOLA RD W	2	4	1955	STEEL	BARE/UNLINED
BUCHANAN ST	2	3	1955	STEEL	BARE/UNLINED
AVENIDA CABALLEROS	1	14	1953	STEEL	BARE/UNLINED
INDIAN CANYON DR	1	8	1938	STEEL	BARE/UNLINED
JANIS WY & SANBORN WY	1	6	1958	STEEL	BARE/UNLINED
ANDREAS RD	1	6	1958	STEEL	BARE/UNLINED
WILLIAMS RD	1	6	1956	STEEL	BARE/UNLINED
CERRITOS RD	1	6	1955	STEEL	BARE/UNLINED
RAMON RD	1	6	1955	STEEL	BARE/UNLINED
PALM CANYON DR E	1	6	1955	STEEL	BARE/UNLINED
PALM CANYON DR E	1	6	1955	STEEL	BARE/UNLINED
MOUNTAIN VIEW PL	1	6	1953	STEEL	BARE/UNLINED
INDIAN CANYON DR	1	6	1952	STEEL	BARE/UNLINED
PATENCIO RD	1	6	1951	STEEL	BARE/UNLINED
TERRY LN	1	4	1956	STEEL	BARE/UNLINED
CANYON ROCK RD	1	4	1956	STEEL	BARE/UNLINED
VIA ALTAMIRA	1	4	1954	STEEL	BARE/UNLINED
PATENCIO RD	1	4	1954	STEEL	BARE/UNLINED
RIVERSIDE DR N	1	4	1948	STEEL	BARE/UNLINED
CALLE DE RICARDO	1	4	1946	STEEL	BARE/UNLINED
VIA DEL NORTE	1	4	1945	STEEL	BARE/UNLINED
BARISTO RD	1	4	1937	STEEL	BARE/UNLINED

Streets highlighted in green are included as part of the **2020/2021 Replacement Pipeline Project** Streets highlighted in blue are being proposed as part of the **2021/2022 Replacement Pipeline Project**

Streets highlighted in salmon are being proposed as part of the

2022/2023 Replacement Pipeline Project

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

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

SYSTEM LEAKS

(PERIOD BEGINNING JULY 25TH, 2023 THROUGH AUGUST 7THTH 2023)

2022/2023 REPLACEMENT PIPELINES - VISTA CHINO

2021/2022 REPLACEMENT PIPELINES - VIA ALTAMIRA

3 m

2021/2022 REPLACEMENT PIPELINES - TERRY LN 2021/2022 REPLACEMENT PIPELINES - LOUELLA 2020/2021 REPLACEMENT PIPELINES - AVENIDA CABALLEROS

Google Earth

General Manager's Meetings and Activities

Meetings:

08/02/23	DCP Coordination Meeting	Conf Call
08/03/23	CVWD & DWA: Tribal Mediation Tech Cmte Planning	Conf Call
08/03/23	EBE Recreation Component Meeting	Conf Call
08/03/23	SNMP Gap Monitoring Well Location Meeting (Johnson)	Conf Call
08/07/23	DWA Weekly Staff Meeting	DWA
08/07/23	Legislative Update	Conf Call
08/08/23	MWD & DWA Water Delivery Coordination Meeting	Conf Call
08/08/23	DWA Meeting with Assemblyman Wallis and Staff	Wallis Office
08/09/23	Discovery Call with Wendelstein Law Group	Conf Call
08/09/23	DCR Update Workshop (Krause)	Conf Call
08/09/23	CVRWMG Meeting (Krause)	Conf Call
08/10/23	DWA Executive Committee Meeting	DWA
08/10/23	WSIP Coordination Meeting (Krause)	Conf Call
08/11/23	Sites Joint Budget & Finance Committee Meeting (Krause)	Conf Call
08/14/23	DWA Weekly Staff Meeting	DWA
08/14/23	Legislative Update	Conf Call
08/15/23	DWA Bi-Monthly Board Meeting	DWA

DWA Bi-Monthly Board Meeting 08/15/23

Activities:

- **DWA Surface Water Rights** 1)
- 2) Water Supply Planning DWA Area of Benefit
- Sites Reservoir Finance 3)
- 4) DCP Financing
- 5) Lake Perris Seepage Recovery Project Financing
- **Recycled Water Supply Strategic Planning** 6)
- AQMD Rule 1196 7)
- 8) DWA Organizational Restructuring
- **DWA Tax Rate Analysis** 9)
- 10) DWA Remote Meter Reading Fixed Network
- 11) State and Federal Contractors Water Authority and Delta Specific Project Committee (Standing)
- 12) Whitewater River Surface Water Recharge
- 13) Replacement Pipelines Projects
- 14) DC Project Finance JPA Committee (Standing)
- 15) DWA/CVWD/MWD Operations Coordination/Article 21/Pool A/Pool B/Yuba Water (Standing)
- 16) DWA/CVWD/MWD Exchange Agreement Coordination Committee (Standing)
- 17) SWP 2023 Water Supply
- 18) ACBCI Water Rights Lawsuit
- 19) Whitewater Hydro Operations Coordination with Recharge Basin O&M
- 20) Whitewater Spreading Basins BLM Permits
- 21) Delta Conveyance Project Cost Allocation
- 22) MCSB Delivery Updates
- 23) SWP East Branch Enlargement Cost Allocation
- 24) RWQCB Update to the SNMP