DESERT WATER AGENCY NOVEMBER 21, 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: 814 4805 9662 Passcode: 761240 or Via Computer:

https://dwa-org.zoom.us/j/81448059662?pwd=3PlaI4VnjIMJo6DcypPOqQDG8ppbw1.1

Meeting ID: 814 4805 9662

Members of the public who wish to comment on any item within the jurisdiction of the Agency or any item on the agenda may submit comments by emailing sbaca@dwa.org or may do so during the meeting. Comments will become part of the Board meeting record.

*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: 814 4805 9662 código de acceso: 761240 o a través de la computadora:

https://dwa-org.zoom.us/j/81448059662?pwd=3PlaI4VnjIMJo6DcypPOqQDG8ppbw1.1

ID de reunión: 814 4805 9662

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.

CALL TO ORDER/PLEDGE OF ALLEGIANCE

ORTEGA

2. ROLL CALL BACA

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

- 5. CONSENT CALENDAR ITEMS: Items listed under the Consent Calendar are considered to be routine and will be acted upon by one motion of the Board without discussion. There will be no separate discussion on these items unless a Board Member requests a specific item to be discussed and/or removed from the Consent Calendar for separate action.
 - A. Approve Minutes of the November 7, 2023 Regular Board Meeting
 - B. Receive and File Minutes of the November 16, 2023 Executive Committee Meeting
 - C. Receive and File October Outreach & Conservation Activities & Events
 - D. Reguest Authorization to Continue Emergency Repair Work at DWA Facilities Under Resolution No. 1312

6. ACTION ITEM:

A. Request Authorization for General Manager to Execute Quitclaim of the Whitewater Mutual Water Company and Palm Springs Water Company Right-of-Way's of APN 504-260-024

JOHNSON

7. GENERAL MANAGER'S REPORT

JOHNSON

- DIRECTORS REPORTS ON MEETINGS/EVENTS ATTENDED ON BEHALF OF THE AGENCY
- 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: Debra Duncan v. City of Palm Springs, et al

B. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

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

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

C. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

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

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

D. CONFERENCE WITH LEGAL COUNSEL - POSSIBLE INTERVENTION IN EXISTING LITIGATION

Pursuant to Government Code Section 54956.9 (d) (4)

Name of Case: Southern California Edison vs. California State Board of Equalization, et al One Case

F. 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

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.

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

November 7, 2023

Board: Paul Ortega, President

Jeff Bowman, Vice President

Gerald McKenna, Secretary-Treasurer

Kristin Bloomer, Director Steve Grasha, Director

DWA Staff: Mark Krause, General Manager

Steve Johnson, Assistant General Manager

Esther Saenz, Finance Director

Sylvia Baca, Asst. Secretary of the Board Kris Hopping, Human Resources Director Melinda Weinrich, Outreach & Conserv. Mgr. Jamie Hoffman, Senior Admin. Assistant Eddie Gonzalez, Facilities & Safety Officer David Tate, Operations & Engineering Manager

Consultants: Michael T. Riddell, Best Best & Krieger

> Ashley Metzger, Regional Government Services Bob Reeb, Reeb Government Relations, LLC

Pledge of Allegiance President Ortega opened the meeting at 8:00 a.m. and asked Director Grasha to lead the Pledge of Allegiance.

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

Present: Grasha, Bloomer, McKenna, Bowman, Ortega

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

Public Comment on Items Not Listed on the Agenda

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

President Ortega opened the meeting for public comment for Public Comment on items listed on the Agenda.

Items Listed on the Agenda

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

President Ortega called for approval of the Consent Calendar. He noted that Consent Calendar Items 5-A through 5-G are expected to be routine and to be acted upon by the Board of Directors at one time without discussion. If any Board member requests that an item be removed from the consent calendar, it will be removed so that it may be presented separately.

- A. Receive and File Minutes of the October 16, 2023 Conservation & **Public Affairs Committee Meeting**
- B. Approve Minutes of the October 17, 2023 Regular Board Meeting
- C. Receive and File Minutes of the October 31, 2023 Conservation & **Public Affairs Committee Meeting**
- D. Receive and File Minutes of the November 2, 2023 Executive Committee Meeting
- E. Receive and File Memo on October 19, 2023 State Water Contractors' Meeting
- F. Request Authorization to Publish Notice of Disposition of Accumulated Unclaimed Money and Transfer Unclaimed Monies to the Operating Fund
- G. Request Authorization to Continue Emergency Repair Work at DWA Facilities Under Resolution No. 1312

Director Grasha requested Item 5F to be pulled for separate discussion.

In response to Director Grasha, Director Saenz explained the process staff completes before determining checks are stale dated.

Director Grasha moved for approval of Consent Calendar Items 5A through 5G. After a second by Director Bloomer, the motion carried by the following roll call vote:

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

NOES: None ABSENT: None ABSTAIN: None

Assistant General Manager Johnson presented the staff report. He stated that Charles Potter is appealing his September water bill due to only on Customer Appeal – living here part time and not using that amount of water. He went on to state that staff has followed the Agency policies regarding customer disputes and has informed the appellant about the adopted Resolution No. 1224, "Policy on Discontinuation of Residential Water Service for Nonpayment", Section 5. Based on results of re-reads and the field flow test by the Field Services Supervisor, staff recommends that Board of Directors deny the appeal of Charles Potter.

Approval of the **Consent Calendar**

- A. Receive & File Minutes of the 10/16/23 Conservation & **Public Affairs** Committee Meeting
- B. Approve Minutes of the 10/17/23 Regular Board Meeting
- C. Receive & File Minutes of 10/31/23 Conservation & **Public Affairs** Committee Meeting
- D. Receive & File Minutes of the 11/02/23 Executive Committee Meeting
- E. Receive & File Memo on 10/19/23 State Water Contractors' Meeting
- F. Request Authorization to Publish Notice of Disposition of Accumulated Unclaimed Money & Transfer Unclaimed Monies to the Operating Fund
- G. Request Authorization to Continue **Emergency Repair** Work at DWA Facilities Under Res. No. 1312

Action Item:

Request Board Action Charles Potter

Mr. Potter stated that he did not use that amount of water and Action Item: believes that it could possibly be water theft for both him and the Agency and does not feel he should be held responsible for the bill. Mr. Potter also stated on Customer Appeal – that he believes DWA should have preventative measures to help with keeping the water secure while customers are away for extended periods of time.

(Cont.) Request Board Action Charles Potter

After a brief discussion, Secretary-Treasurer McKenna made a motion to approve staff's recommendation and deny the appeal for Charles Potter. After a second by Director Grasha, the motion carried by the following roll call vote:

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

NOES: ABSENT: None ABSTAIN: None

President Ortega asked Mr. Reeb to present his 2023 Annual Legislative Report.

Discussion Item: Legislative Annual Report

Mr. Reeb provided a highlight of his report and discussed the following items: 1) State Budget, 2) District Activity on the Legislative Front, and 3) Looking Ahead to 2024.

In response to Secretary-Treasurer McKenna's inquiry on the Delta Conveyance project, Mr. Reeb stated that the projected timeline looks to be as late as 2040.

Assistant General Manager Johnson provided an update on the Agency Strategic Planning Update Agency's Strategic Planning.

Director Grasha expressed his concern with beginning this process and feels that it would be best to put this on hold.

Directors Bloomer, McKenna, Bowman, and Ortega all concurred that it is important for the Agency to move forward.

Senior Advisor Metzger presented the newly updated version of the Water Use Reduction Figures report.

September Water Use Reduction Figures

Secretary-Treasurer McKenna provided the financial highlights Report for (August for August 2023.

Secretary-Treasurer's 2023)

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

Director Grasha noted his attendance at the October 19 DVBA event, October 24 CVWD Board meeting, October 24 ACWA Webinar, and October 31 Conservation & Public Affairs committee meeting

Directors Reports on Mtgs/Events Attended on Behalf of the Agency

Director Bloomer noted her attendance at the October 17 Palm Springs State of the City event, and October 19 DVBA event.

Secretary-Treasurer McKenna noted his attendance at the October 17 Palm Springs State of the City event, and October 24 DWA Technology Transformation Ad Hoc Committee meeting,

Vice President Bowman noted his attendance at the October 24 DWA Technology Transformation Ad Hoc Committee meeting, October 25 GCVCC event, October 27 Tribal meeting with CVWD, and November 6 Legislative Ad Hoc Committee meeting.

President Ortega noted his attendance at the October Region 9 ACWA Board meeting, October 21 CV Water Counts Garden Day, and November 6 Legislative Ad Hoc Committee meeting.

At 9:35 a.m., President Ortega convened into Closed Session for the purpose of Conference with Legal Counsel, (A) Existing Litigation, Pursuant to Government Code Section 54956.9 (d) (1), Debra Duncan v. City of Palm Springs, et al; (B) Existing Litigation, Pursuant to Government Code Section 54956.9 (d) (1), Aqueous Film-Forming Foams Products Liability Litigation Case No. 2:18-mn-2873-RMG; (C) Existing Litigation, Pursuant to Government Code Section 54956.9 (d) (1), Mission Springs Water District vs. Desert Water Agency; (D) Existing Litigation, Pursuant to Government Code Section 54956.9 (d) (1), AT&T vs. County of Riverside; (E) Conference with Legal Counsel, Possible Intervention in Existing Litigation, Pursuant to Government Code Section 54956.9 (d) (4), Southern California Edison vs. California State Board of Equalization, et al; and (F) Existing Litigation, Pursuant to Government Code Section 54956.9 (d) (1), Agua Caliente Band of Cahuilla Indians vs. Coachella Valley Water District, et al (Two Cases).

Closed Session:

- A. Existing LitigationDebra Duncan v.City of PS
- B. Existing LitigationAqueous Film-Forming FoamsProduct LiabilityLitigation
- C. Existing LitigationMSWD vs. DWA,et al
- D. Existing Litigation AT&T vs. County of Riverside
- E. Possible
 Intervention in
 Existing Litigation
 So. Cal. Edison
 vs. CA State Board
 of Equalization, et
- F. Existing Litigation
 ACBCI vs.
 CVWD, et al. (2
 Cases)

At 11:07 a.m., President Ortega reconvened the meeting into open session and announced there was reportable action.

Reconvene – Reportable Action: Item 12B Aqueous Film-Forming Foams Products Liability Litigation, Case No. 2:18-mn-2873-RMG

Director Grasha made a motion to opt out of the settlement class Item 12B, Aqueous Film-Forming Foams Products Liability Litigation, Case No. 2:18-mn-2873-RMG, and authorize the General Manager to sign and file the necessary documents. After a second by Director Bloomer, the motion carried by the following roll call vote:

AYES: Grasha, Bloomer, McKenna, Bowman, Ortega

NOES: None ABSENT: None ABSTAIN: None

In the absence of any further business, President Ortega Adjournment adjourned the meeting at 11:08 a.m.

Sylvia Baca

Assistant Secretary of the Board

Executive Committee Meeting Minutes

November 16, 2023

Directors Present: Paul Ortega, Jeff Bowman

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

Call to Order

1. Public Comments

A. Jim Gray, local resident, inquired about the Agency's water conservation efforts. The Committee directed Staff to reach out to the Outreach & Conservation department and have them follow up with Mr. Gray.

2. Discussion Items

A. Expense Reports

The September expense reports were reviewed.

B. Review Agenda for November 21, 2023 Board Meeting

The proposed agenda for the November 21, 2023 meeting was reviewed.

Adjourn

DESERT WATER AGENCY

OUTREACH & CONSERVATION ACTIVITIES

OCTOBER 2023

Activities

10/2	Ashley Metzger attended an ACWA/WUE WG meeting.
10/3	Staff attended Palm Springs Police Department (PSPD) National Night out.
10/5	Ashley Metzger was on a live segment with KESQ, promoting the New water year.
10/9	Staff conducted a tour of DWA facilities with ESRI.
10/10	Melinda Weinrich attended a ONE-PS monthly meeting.
10/11	Staff attended the 19th annual CVEP Economic report.
10/11	Staff attended a CVRWMG Business meeting.
10/12	Ashley Metzger was on a live segment with KESQ, promoting Water Professionals Appreciation Week.
10/17	Staff attended a CV Water Counts monthly meeting.
10/17	Staff attended a weekly State Legislative check in meeting with Bob Reeb.
10/19	Ashley Metzger was on a live segment with KESQ, promoting Garden Days – CV Water Counts and DWA speakers.
10/25	Staff attended a CV-SNMP monthly meeting.
10/26	Ernye Valenciano was on a live segment with KESQ, promoting nozzles.
10/26	Xochitl Pena recorded a radio interview with Joey English.
10/28	Staff attended the DAP Health Equity Walk.
10/30	Ashley Metzger attended an ACWA Climate change workgroup meeting.

Public Information Releases/eblasts/Customer Notifications

- Oct. 10: Latest News It's Water Professionals Appreciation Week!
- Oct. 10: Nextdoor Road Closure Alert!
- Oct. 18: Nextdoor Desert Water Agency Andreas Hills Service Improvements.
- Oct. 18: Nextdoor Desert Water Agency Terrace Road and Mountain Shadow Lane Service Improvements.

Upcoming Events

- Nov. 24: Palm Springs Wild Turkey Trot 5K.
- Dec. 2: Palm Springs Festival of Lights Parade DWA will have a float.
- Dec. 12: Master Gardener Webinar in conjunction with CV Water Counts.

Legislative Outreach

Oct. 17: Comment letter to State Water Resources Control Board on water use objective regulation.

Conservation Programs

Grass Removal:

- 52 Inspections
- 35 Projects pre-approved
- 18 Projects given final approval

Devices:

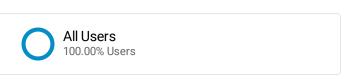
- 13 Washing machine rebates requested
 - 9 Washing machine rebates approved
- 14 Smart controller rebates requested
- 26 Smart controller rebates approved
- 0 Nozzles requested for rebate
- 0 Nozzles approved for rebate
- 0 Toilet rebates requested
- 0 Toilet rebates approved

Water waste:

- 70 Total complaints submitted
- 27 Contacts to customers
- 24 Site inspections scheduled
 - 4 Citations
 - 0 Citations Waived

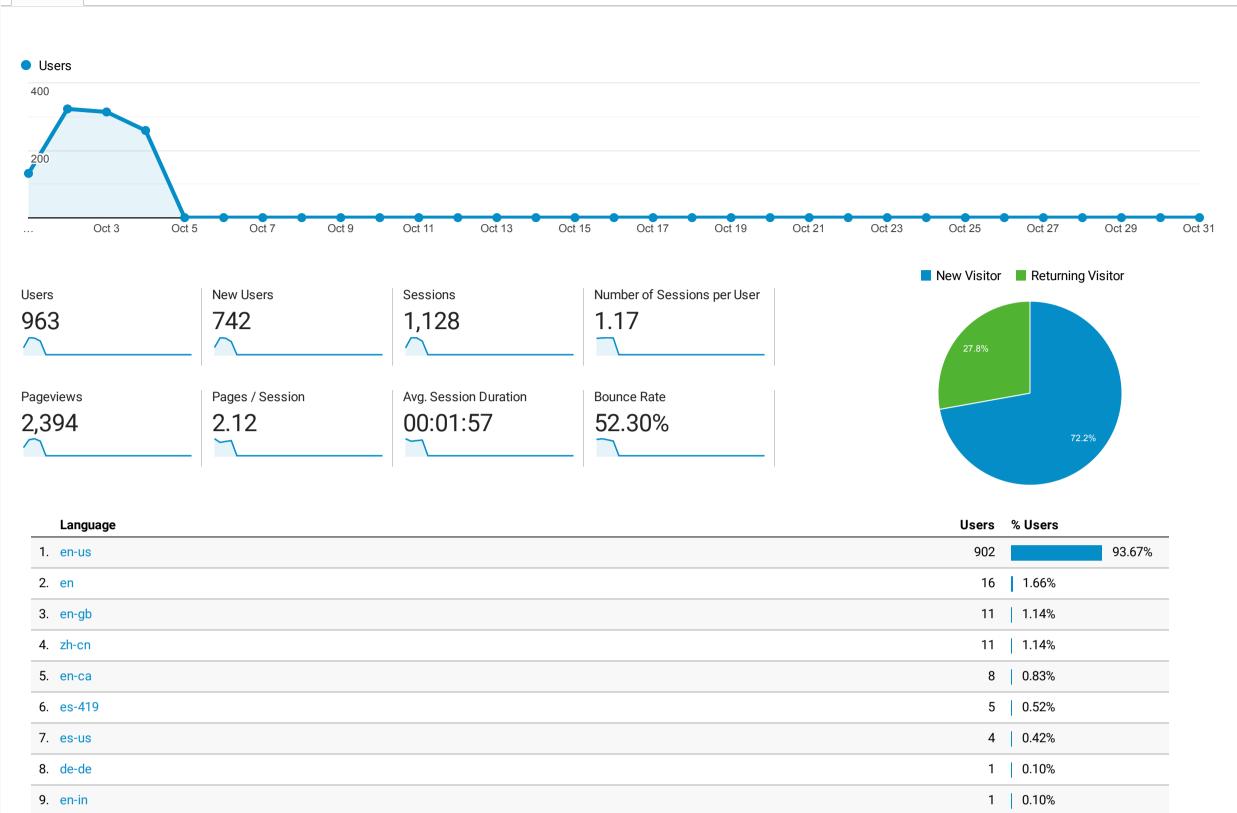


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Overview

10. es-mx

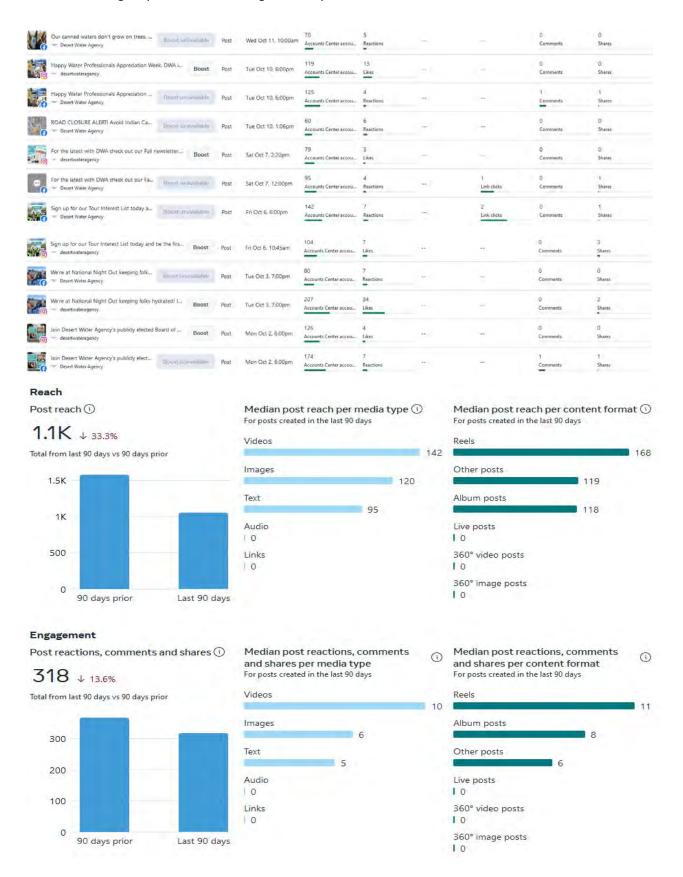




Desert Water Agency Facebook & Instagram Analytics October 2023

W _G	Happy Halloween from your friends at D — Desert Water Agency	Rost Post	Tue Oct 31, 2:30pm	251 Accounts Center accou	10 Reactions			0 Comments	D Share
W ₁	Happy Halloween from your friends at Desert Water A. Boo desertwateragency	st Post	Tue Oct 31, 2:30pm	194 Accounts Centes accou	36 Likes			1 Comments	1 Shares
	Thanks to DAP and all who stopped by our booth dur Boo desenwateragency	st. Post	Tue Oct 31, 9:02am	115 Accounts Center accou	22 Likes		÷	0 Comments	0 Shares
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17/	More hixes = more water! Hydrate throu Desert Water Agency	Post	Wed Oct 25, 6:00pm	70 Accounts Center accou	5 Reactions		~	0 Comments	O Shares
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Lo	Would you walk outside to water your pl — Desert Water Agency	Post	Mon Oct 23, 3:00pm	202 Accounts Center accou	7 Reactions	Э	2 Link elicks	0 Comments	2 Shares
	Garden Day is just around the corner! 🎜 Join us on Box described eaglery	sst Post	Fri Oct 20. 10:01am	131 Accounts Center account	13 Likes	iù,	14	0 Comments	O Shares
10	Garden Day is just around the corner!	tile Post	Fri Oct 20, 10:00am	320 Accounts Center accou	16 Reactions		4 Link clicks	1 Comments	3 Shares
	How different would your day be without water? Start — desertwateragency	ust Post	Thu Oct 19, 6:00pm	78 Accounts Center accou	7 Likes	-	-	0 Comments	0 Shares
Mo	How different would your day be without. — Boset Water Agency	Post	Thu Oct 19, 6:00pm	94 Accounts Center accou	S Reactions	-	-	Comments	0 Shares
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Desert Water Agency Facebook & Instagram Analytics October 2023





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



Desert Water Agency 40,560 members 26,839 claimed households

145 neighborhoods

Invite



nextdoor

Desert Water Agency 2

Public Affairs & Water Planning Coordinator Ernye Valenciano • 18 Oct

Desert Water Agency - Andreas Hills Service Improvements

See more...



Posted to Subscribers of Desert Water Agency in 1 neighborhood

Be the first to react







Share



Desert Water Agency

Public Affairs & Water Planning Coordinator Ernye Valenciano • 18 Oct

Desert Water Agency - Terrace Rd. & Mountain Shadow Ln. Service Improvements

See more...



Posted to Subscribers of Desert Water Agency in 1 neighborhood

Be the first to react









Desert Water Agency

Outreach and Conservation Manager Melinda Weinrich • 10 Oct

ROAD CLOSURE ALERT! Avoid Indian Canyon and San Rafael Drive - the intersection is closed. A contractor not affiliated with Desert Water Agency (DWA) hit a water main See more...



Posted to Subscribers of Desert Water Agency





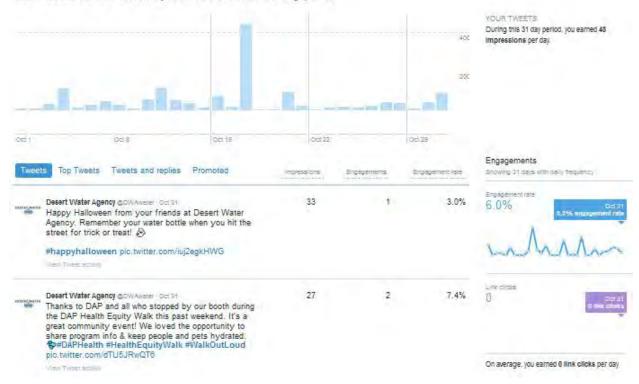




Desert Water Agency Twitter Analytics October 2023



Your Tweets earned 1.5K impressions over this 31 day period



entra pentra della	Desert Water Agency @D/NA/word Oct 30 Desert Water Agency has some of the most knowledgeable and friendly customer service people around. Thank you all for your dedication to our customers, rain or shine! pic.twitter.com/X13NOfekVo	91	10	11.0%
esser auto	Desert Water Agency grownwaser Det 17 The DAP Health Equity Walk is this Saturday at Ruth Hardy Park from 7 a.m. to 1 p.m. Make sure to stop by and visit our booth, we can't wait to see you there!	40	0	0.0%
ear, son	Desert Water Agency @D//Awater Oct 25 More hikes = more water! Hydrate throughout the day to keep yourself healthy and at peak performance.	31	Ó	0.0%
esseri, monto	Desert Water Agency didWAWARER - Oct 23 Would you walk outside to water your plants in the middle of a storm? Yeah, neither would we. Smart irrigation controllers shut off automatically when it rains. You can get up to \$250 for the purchase and installation of qualifying models. Apply today - dwa.org/controllers pic.twitter.com/WoP88RShAU	30	0	0.0%
DOMESTIN	Desert Water Agency grown water occ 20 Garden Day is just around the corner! Join us on Saturday, October 21 from 9 a.m. to 2 p.m. at the UCR campus in Palm Desert. Visit the link to learn more. deserthorticulturalsociety.org/garden-day/pic.twitter.com/bcjfE3xGy8VV	36	0	0.0%
angam.	Desert Water Agency dicVillander Oct 19 How different would your day be without water? Starting off with no coffee, no tooth brushing and no showerno thanks! Take a moment today to appreciate the essential role water plays in your life.	85	t	1.2%
DOM: BOTH	Desert Water Agency add/Alliaster Oct 16 You've probably come across beautiful Bougainvillea! This plant's resilient nature makes it an excellent choice for hot-season applications, and its drought tolerance keeps maintenance low. These plants do have thorns, so please be careful when handling. pio.twitter.com/FYvkz1ChUe	53	0	0.0%
eser-wors	Desert Water Agency @D/MAinster Oct 15 It's Global Handwashing Day - another reminder about how important water is to our health.	51	Ó	0.0%



eseguens	Desert Water Agency @CWAWSER Dot 13 Who can say no to this cute dog? Listen to Lucy and upgrade your toilet to stop wasting water & money. You can get up to \$150 for ultra-efficient models. Go to dwa.org/toilets to learn more. pic.twitter.com/lwEE2MEeQ0	49	ī	2.0%
pisan aurus	Desert Water Agency grownwater Dot 11 Our canned waters don't grow on trees, but they can be found at local community events. Get involved and make sure to grab a water next time you see us! pic, twitter.com/59dz4uU1kg	88	8	11.8%
person waters	Desert Water Agency grown Awarer - Corno Happy Water Professionals Appreciation Week. DWA is grateful to have such an incredible team of experts. We appreciate your dedication to public service!	44	3	6.8%
distributed and the	Desert Water Agency @OWAMMER Oct 10 ROAD CLOSURE ALERT! Avoid Indian Canyon & San Rafael Drive. The intersection is closed. A contractor not affiliated with DWA hit a water main this morning (10/10/23). Crews are on site making repairs. Water is currently off in that area. Customers with outages have been notified. pic.twitter.com/49ToEh82UT	58	2	3.4%
HURS	Desert Water Agency GD/NAMSER COST For the latest with DWA check out our Fall newsletter. Read all about: Our new residential toilet incentive Our next facility four How to be prepared for emergencies And much more Go to dwa.org/newsletters to check it out.	53	ì	1.9%
HOSPI WATER	Desert Water Agency GDW/Awara Cods Sign up for our Tour Interest List today and be the first to know when any of our facility tours are available. Go to dwa.org/tours to learn more!	55	2	3,8%
beauty waters	Desert Water Agency gon/Awaser-Oct 3 We're at National Night Out keeping folks hydrated! It's a wonderful event that brings the community together to learn about public safety and our local Palm Springs Police Department. There's food, entertainment and WATER! Stop by!	119	5	4.2%
person well to	Desert Water Agency @DWAwater Dod 2 Join Desert Water Agency's publicly elected Board of Directors on the first and third Tuesday of the month at 8:00 a.m., through Zoom or in person. Visit dwa.org/organization/b for more details. pic.twitter.com/WxAYYmAV1P	40	- 1	2.5%

STAFF REPORT TO DESERT WATER AGENCY BOARD OF DIRECTORS

NOVEMBER 21, 2023

RE: REQUEST BOARD AUTHORIZATION TO CONTINUE EMERGENCY REPAIR WORK AT DWA FACILITIES UNDER RESOLUTION NO. 1312

On September 19, 2023, the Board adopted Resolution No. 1312 declaring a local emergency that requires emergency repairs to Agency facilities due to Tropical Storm Hilary. As required by the resolution, the following is an update on the repairs:

DWA crews have completed the following repair work:

- Removed debris and re-graded access road to Whitewater Headworks.
- Excavate and expose 4-inch wellhead at Whitewater facilities.
- Connected new electrical service to 4-inch well pump.
- Replaced damaged discharge pipeline from 4-inch well.
- Removed mud and debris and cleaned concrete settling structure at Whitewater Headworks.
- Completed aerial survey of Mission Creek Spreading Basin work zone area

The General Manager has determined that the damage to Agency facilities warrants the continuation of work under a Local Emergency, as outlined in Resolution No. 1312.

Fiscal Impact:

The declaration of work under a Local Emergency does not have a fiscal impact, rather, it allows the Agency to expedite repairs according to the Uniform Public Construction Cost Accounting Act.

Legal Review:

N/A

Attachments:

None

Recommendation:

Staff recommends, as required by Resolution No. 1312, the Board's concurrence that the continued work to repair Agency facilities shall occur under the Board's declaration of a Local Emergency.

STAFF REPORT TO DESERT WATER AGENCY BOARD OF DIRECTORS

NOVEMBER 21, 2023

RE: REQUEST AUTHORIZATION FOR THE GENERAL MANAGER TO QUITCLAIM THE WHITEWATER MUTUAL WATER COMPANY AND PALM SPRINGS WATER COMPANY RIGHT-OF-WAY'S OVER APN 504-260-024

Staff received a request from the Developer Gray1 DEL MAR, LLC to quitclaim two Right-of-Way's (ROW) over parcel with APN 504-260-024. The first ROW was granted to Whitewater Mutual Water Company for the purpose of pipelines as referred to in a Deed from Thomas A. O'Donnell and Winifred W. O'Donnell, his wife, recorded May 25, 1928, in Book 767, Page 232 of Deeds, records of Riverside County, California. The second ROW was granted to Palm Springs Water Company for pipeline purposes, as granted in the Deed recorded May 31, 1928, in Book 765, Page 504 of Deeds, records of Riverside County, California.

Currently, the developer is in the process of purchasing parcel APN 504-260-024 from the City of Palm Springs, and will be part of the new Art Colony development, similar to the Agency parcels APN 504-260-025, 026, 027, which the Agency is selling to the developer.

Staff has reviewed the need for the ROW's and has determined that the ROW's are not needed by the Agency.

Fiscal Impact: None

There are no costs associated with this action. Finance Director Saenz has reviewed this report.

Legal Review:

Legal Counsel has reviewed the documents.

Recommendation:

Staff recommends that the Board of Directors authorize the General Manager to sign the quitclaim for the Whitewater Mutual Water Company and Palm Springs Water Company Right-Of-Way's over APN 504-260-024.

Attachments:

Attachment #1 - Quitclaim of Whitewater Mutual Water Company ROW

Attachment #2 – Quitclaim of Palm Springs Water Company ROW

Attachment #3 – Map of parcel

RECORDING REQUESTED BY: Chicago Title Company	
Commercial Division	
Escrow No.: 00170345-004-RL1 Title No.: 00170345	
WHEN RECORDED MAIL DOCUMENT AND TAX STATEMENT TO:	
APN : 504-260-024	SPACE ABOVE THIS LINE FOR RECORDER'S USE
QL	JITCLAIM DEED
THE UNDERSIGNED GRANTOR(s) DECLARE(s)
DOCUMENTARY TRANSFER TAX is \$	CITY TAX \$
☐ computed on full value of interest or propert	•
□ computed on full value of items or encumbra	
☐ Unincorporated area x City of	Palm Springs , and
FOR A VALUABLE CONSIDERATION, receipt of	which is hereby acknowledged,
Desert Water Agency, successor to Whitewater M	utual Water Company
do(es) hereby REMISE, RELEASE AND FOREVE	ER QUITCLAIM to
GRAY1 DEL MAR, LLC, a California lim	ited liability company
the following real property in the city of Palm Spri	ngs, County of Riverside, State of CALIFORNIA:
SEE EXHIBIT A ATTACHED HERETO A	ND MADE A PART HEREOF.
Dated: November, 2023	
	erminating a right of way for pipelines as referred to in Deed from his wife, to Whitewater Mutal Water Company, recorded May 25, f Riverside County, California
Desert Water Agency	
Die	

 Quit Claim
 Last Saved: 11/16/2023 2:42 PM by KC4

 QUITCLAI (DSI Rev. 4/5/18)
 Escrow No.: 00170345-004-RL1

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	_)
On	before me,
a Notary Public, personally appeared	
the within instrument and acknowledged to	ry evidence to be the person(s) whose name(s) is/are subscribed to me that he/she/they executed the same in his/her/their authorized ture(s) on the instrument the person(s), or the entity upon behalf of trument.
I certify under PENALTY OF PERJURY und true and correct.	er the laws of the State of California that the foregoing paragraph is
WITNESS my hand and official seal.	
Signature	(Seal)

Last Saved: 11/16/2023 2:42 PM by KC4 Escrow No.: 00170345-004-RL1

EXHIBIT A

LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF PALM SPRINGS, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

PARCEL "B":

BEING A PORTION OF THE PARCEL DESCRIBED IN RESOLUTION NO. 2520 OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS RECORDED APRIL 18, 1949 IN BOOK 1069, PAGE 5 OF OFFICIAL RECORDS OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, LOCATED IN SECTION 3, TOWNSHIP 4 SOUTH, RANGE 4 EAST, SAN BERNARDINO BASE AND MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTERLINE INTERSECTION OF INDIAN CANYON DRIVE (30 FEET IN HALF WIDTH) AND VIA OLIVERA (30 FEET IN HALF WIDTH) AS SHOWN BY RECORD OF SURVEY ON FILE IN BOOK 146, PAGE 85, OF RECORDS OF SURVEYS, OFFICIAL RECORDS OF SAID COUNTY:

THENCE SOUTH 89° 55' 42" WEST, A DISTANCE OF 429.06 FEET ALONG SAID CENTERLINE OF VIA OLIVERA TO THE EASTERLY LINE OF SAID PARCEL, ALSO BEING THE WESTERLY LINE OF THE WHITEWATER MUTUAL WATER COMPANY'S RIGHT-OF-WAY;

THENCE NORTH 12°14'00"W WEST, A DISTANCE OF 21.05 FEET ALONG THE EASTERLY LINE OF SAID PARCEL;

THENCE NORTH 15°06'00" WEST, A DISTANCE OF 222.35 FEET ALONG THE EASTERLY LINE OF SAID PARCEL TO THE EAST PROLONGATION OF PARCEL 2 AS DESCRIBED IN DOCUMENT NO. 2015-0257244, RECORDED JUNE 17, 2015, OFFICIAL RECORDS OF SAID COUNTY, SAID POINT BEING THE TRUE POINT OF BEGINNING;

THENCE NORTH 15°06'00" WEST, A DISTANCE OF 44.46 FEET CONTINUING ALONG THE EASTERLY LINE OF SAID PARCEL;

THENCE NORTH 18°32'00" WEST, A DISTANCE OF 87.93 FEET ALONG THE EASTERLY LINE OF SAID PARCEL TO THE MOST NORTHEASTERLY CORNER THEREOF;

THENCE NORTH 89°38'00" WEST, A DISTANCE OF 143.28 FEET ALONG THE NORTH LINE OF SAID PARCEL TO MOST NORTHWESTERLY CORNER THEREOF;

THENCE SOUTH 00°11'00" WEST, A DISTANCE OF 50 FEET ALONG THE WESTERLY LINE OF SAID PARCEL;

THENCE SOUTH 89°38'00" EAST, A DISTANCE OF 128.53 FEET ALONG THE WESTERLY LINE OF SAID PARCEL;

THENCE SOUTH 18°32'00" EAST. A DISTANCE OF 44.45 FEET ALONG THE WESTERLY LINE OF SAID PARCEL:

THENCE SOUTH 15°06'00" EAST, A DISTANCE OF 35.25 FEET ALONG THE WESTERLY LINE OF SAID PARCEL TO THE NORTHEAST CORNER OF SAID PARCEL 2 DESCRIBED IN SAID DOCUMENT NO. 2015-0257244;

THENCE SOUTH 89°37'00" EAST, A DISTANCE OF 31.13 FEET ALONG THE EASTERLY PROLONGATION OF THE NORTH LINE OF SAID PARCEL 2 TO THE TRUE POINT OF BEGINNING.

APN: 504-260-024

RECORDING REQUESTED BY: Chicago Title Company	
Commercial Division	
Escrow No.: 00170345-004-RL1 Title No.: 00170345	
WHEN RECORDED MAIL DOCUMENT AND TAX STATEMENT TO:	
APN: 504-260-024	SPACE ABOVE THIS LINE FOR RECORDER'S USE
QU	JITCLAIM DEED
THE UNDERSIGNED GRANTOR(s) DECLARE(s) DOCUMENTARY TRANSFER TAX is \$	s) CITY TAX \$
☐ computed on full value of interest or property	y conveyed, or
□ computed on full value of items or encumbra□ Unincorporated area x City of	Palm Springs , and , and
, , , , , , , , , , , , , , , , , , ,	
FOR A VALUABLE CONSIDERATION, receipt of	
Desert Water Agency, successor to Palm Springs	
do(es) hereby REMISE, RELEASE AND FOREVE	
GRAY1 DEL MAR, LLC, a California lim	
the following real property in the city of Palm Sprii	
SEE EXHIBIT A ATTACHED HERETO A	ND MADE A PART HEREOF.
Dated: November, 2023	
	ing a right of way or easement for pipeline purposes, as granted to May 31, 1928, in Book 765, Page 504 of Deeds, records of Riverside
Desert Water Agency	
By:	

 Quit Claim
 Last Saved: 11/16/2023 2:42 PM by KC4

 QUITCLAI (DSI Rev. 4/5/18)
 Escrow No.: 00170345-004-RL1

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	_)
On	before me,
a Notary Public, personally appeared	
the within instrument and acknowledged to	ry evidence to be the person(s) whose name(s) is/are subscribed to me that he/she/they executed the same in his/her/their authorized ture(s) on the instrument the person(s), or the entity upon behalf of trument.
I certify under PENALTY OF PERJURY und true and correct.	er the laws of the State of California that the foregoing paragraph is
WITNESS my hand and official seal.	
Signature	(Seal)

Last Saved: 11/16/2023 2:42 PM by KC4 Escrow No.: 00170345-004-RL1

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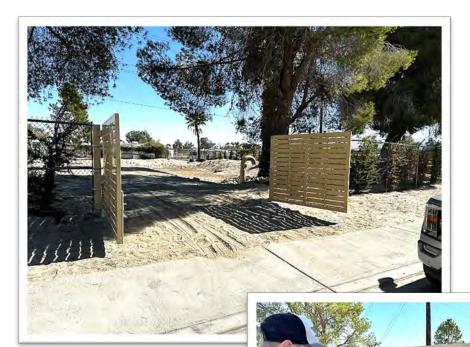
APN: 504-260-024



GENERAL MANAGER'S REPORT NOVEMBER 21, 2023

Well 25 Bar Gates Project

Last year, local community leaders within the well 25 neighborhood reached out to the Agency Board and asked if the Agency would invest in improving the appearance of wellsite 25. The Board authorized staff to plant shrubs along the chain-link fence, and the replacement of the vehicle and pedestrian gates to the site. New shrubs were planted last year, and DWA contracted with Red Hawk Fence Company to design, fabricate, and install new metal bar gates. The gate design matches other gates within the neighborhood. After several months of delay due to material issues, the new gates have been installed at well 25.



DWA Holds Public Facility Tours

On November 8th, DWA held two fall facility tours for the public. Nearly one hundred participated in the tours. The tour included visits to the Snow Creek Intake, the Snow Creek Filtration facility, the Whitewater Hydroelectric plant, as well as the Mission Creek groundwater recharge ponds. Each tour was approximately 3.5 hours with the morning tour starting at 7:30 a.m. and the afternoon tour at 12:30 p.m. Staff received positive feedback from attendees and sent out a Survey on November 14th for participants to provide their feedback.

The next public facility tour will be held in the spring of 2024. The tour will include visits to a well site, reservoir site, the Water Recycling plant, and the water quality laboratory.

In addition, DWA will host a special tour and luncheon for the Association of California Water Agencies (ACWA) Region 9 members on January 26, 2024. The tour will include a visit to the Snow Creek facilities followed by lunch. The ACWA Region 9 Board will also hold their Board Meeting at DWA, tentatively planned in the Board Room.



DWA Holds Public Facility Tours (Cont).





Thanksgiving Holiday - DWA Offices Closed

Reminder: DWA offices will be closed on Thursday, November 23rd and Friday, November 24th in observance of the Thanksgiving Holiday.



Human Resource's Meetings and Activities

M	eeti	ngs	•
	CCL	ngo	•

10/17/2023	DWA Board Meeting	DWA Offices
10/30/2023	DWA Staff Meeting	DWA Offices
11/06/2023	DWA Staff Meeting	DWA Offices
11/07/2023	DWA Board Meeting	DWA Offices
11/13/2023	DWA Staff Meeting	DWA Offices

Activities:

10/18/2023	End of Summer Luncheon for Staff	DWA Offices
10/19/2023	ACWA JPIA Webinar: Building Trust	Virtual Meeting
10/20/2023	PrimeGov General User Training	DWA Offices
10/24/2023	PIHRA Conference: 2023 California Employment Law	Virtual Meetings
	Update	_
10/26/2023	Safety Meetings	DWA Offices
10/26/2023	Webinar: The Employee Journey & Total Rewards	Virtual Meeting
11/01/2023	Benefits Fair	DWA Offices
11/13/2023	Presented at Palm Springs High School about careers at	PSHS
	Desert Water Agency	
11/15/2023	Attended Professionals in Human Resources	Offsite Meeting
	Association (PIHRA) Coachella Valley Meeting	
11/15/2023	Active Killer Prevention Training	DWA Offices
11/16/2023	Crisis Communications Training	DWA Offices
11/16/2023	ACWA JPIA Webinar: Accountability	Virtual Meeting
11/16/2023	Hosted Riverside County Vaccination Clinic	DWA Offices

SYSTEM LEAK DATA 2023

Oct 31, 2023 - Nov 12, 2023

Street Name	Number of Leaks	Pipe Diameter (inches)	Install Date	Material	Coatling/Linning	Planned Replacement
ANDREAS RD	3	6"	1958	Steel - SP	UL	2021/2022
VISTA CHINO	3	12"	1983	Steel - SP	CMLC	
CALLE MARCUS	3	4"	1945	Steel - SP	UL	
VIA ALTAMIRA	2	4"-	1954	Steel - SP	UL.	2021/2022
BERNE DR	2	4"	1959	Steel - SP	UL	
CALLE DE CARLOS	1	4"	1946	Steel - SP	UL	2021/2022
STEVENS RD E	1	6"	1946	Steel - SP	UL	
INDIAN CANYON DR	1	6"	1951	Steel - SP	UL	
PALM CANYON DR S	1	10"	1954	Steel - SP	UL	
RAMON RD	4	6"	1955	Steel - SP	UL	
CAMINO REAL	1	12"	1953	Steel - SP	UL	
CAMINO PAROCELA	1	6"	1951	Steel - SP	UL	
VISTA ORO	(1)	4"	1958	Steel - SP	UL	
ARQUILLA RD	1	4"	1950	Steel - SP	UL	
ALEJO RD	1	8"	1991	Steel - SP	UL	
SAHARA RD	1	4"	1955	Steel - SP	UL	
SUNNY DUNES RD	1	6"	1946	Steel - SP	UL	
HIGH RD	1	4"	1953	Steel - SP	UL	
HIGHLAND DR	1	4"	1946	Steel - SP	UL	

Total Leaks In System 27

SYSTEM INFORAMTION

Oldest Pipe in the System (Year of Installation): 1935, 88 years old

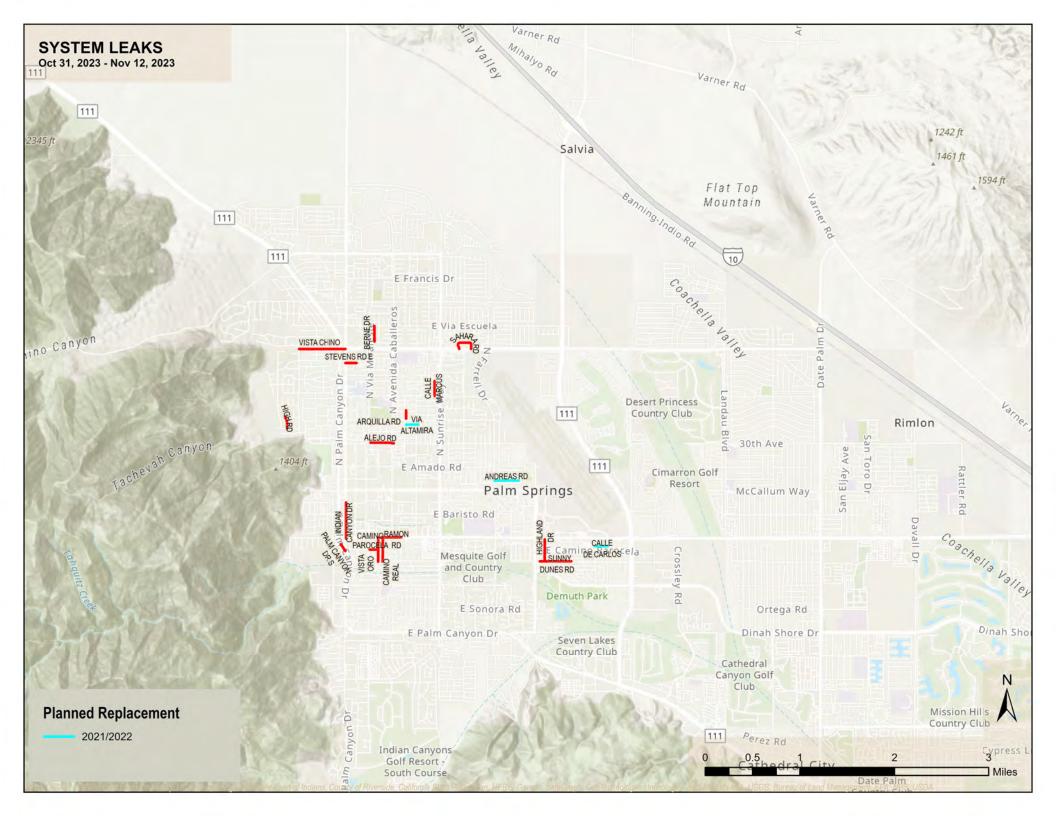
Average Year of Installation of Unlined Steel Pipe (Systemwide): 1954, 69 years old

Total Length of Unlined Pipe Systemwide (Linear Feet): 263,496 ft

*Average Length of Pipe Replaced Annually (Linear Feet): 15,000 ft

*Projected Time Frame for 100% Replacement of Unlined Steel Pipe: 16 years Year Agency Transitioned to Cement Lined Steel Pipe: 1960

*Please note this figure represents the average linear footage of pipeline replaced annually given an average annual budget of \$3 million



General Manager's Meetings and Activities

Meetings:

11/08/23	DWA Facility Tour (Johnson)	Field
11/08/23	DCP Partnering Session (Krause)	Sacramento
11/13/23	Tribal Mediation Meeting	Cultural Museum
11/14/23	Meeting with DWR Staff – Conservation (Johnson)	Conf Call
11/14/23	SWC OME Committee Meeting (Krause)	Conf Call
11/15/23	DWA Safety Meeting – Active Shooter	DWA
11/15/23	DCP Coordination Meeting	Conf Call
11/15/23	DCP Update Meeting	Conf Call
11/15/23	SWC Monthly Meeting	Conf Call
11/15/23	Staff Meeting - Groundwater Production	DWA
11/16/23	Executive Committee Meeting	DWA
11/16/23	SWC Board Meeting	Conf Call
11/16/23	DC Finance Authority Board Meeting	Conf Call
11/16/23	Crisis Communication Training	Conf Call
11/17/23	Sites Res Cmt & Authority Board Meeting (Krause)	Conf Call
11/17/23	MOC & Management Concept Meeting (Krause)	Redlands
11/20/23	ESRI GIS Management Meeting (Johnson)	Conf Call
11/20/23	Tribal Mediation Small Group Meeting	Conf Call
11/20/23	DWA/CVWD/MWD Coordination Meeting	DWA
11/21/23	DWA Bi-Monthly Board Meeting	DWA

Activities:

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