

**VALLEY SANITARY DISTRICT  
MINUTES OF REGULAR BOARD MEETING**

October 23, 2018

A regular Board Meeting of the Governing Board of Valley Sanitary District (VSD) was held at the District offices, 45-500 Van Buren Street, Indio, California, on Tuesday, October 23, 2018.

**CALL TO ORDER, ROLL CALL**

1. PRESIDENT YORK called the meeting to order at 1:01 p.m. Those in attendance were as follows:

DIRECTORS PRESENT: Douglas A. York, Mike Duran, Merritt Wiseman, William Teague, and Dennis Coleman

DIRECTORS ABSENT: None

STAFF PRESENT: Joseph Glowitz, General Manager, Holly Gould, Ron Buchwald, Joanne Padgham, Branden Rodriguez, and Ryan Williams

GUESTS: Bob Hargreaves, Best Best and Krieger  
Brian Macy, Indio Water Authority  
Haki Dervishi, One Stop Shoppe

**CONSENT ITEMS**

- a. Consideration of the October 9, 2018 Special Board Meeting Minutes
- b. Approval of Summary of Cash & Investments for September, 2018
- c. Approval of Expenditures for October 3, 2018 to October 17, 2018

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Check numbers 36588 to 36616 totaling \$53,195.34 and payroll & electronic transfers of \$145,027.70 were issued.

**ACTION TAKEN:**

**MOTION:** DIRECTOR TEAGUE made a motion to approve the minutes for the Regular Board Meeting held October 9, 2018, to approve the Summary of Cash & Investments for September, 2018 and to pay the disbursement items as presented. DIRECTOR WISEMAN seconded the motion. Motion carried by the following vote: 5 yes

**MINUTE ORDER NO. 2018-2825**

**PUBLIC COMMENTS**

*This is the time set aside for public comment on any item not appearing in the agenda. Please notify the Secretary in advance of the meeting if you wish to speak on a non-hearing item.*

Brain Macy, General Manager of Indio Water Authority (IWA) informed the Board that his last day at IWA will be November 5, 2018 and he has accepted a position at Elsinore Valley Municipal. He thanked the Board for their continued support of IWA and the East Valley Reclamation Authority (EVRA). DIRECTOR WISEMAN stated that it was a pleasure working with him as part of EVRA and appreciates his devotion to

Rotary and community service. DIRECTOR COLEMAN stated that the Coachella Valley was lucky to have Mr. Macy and thanked him for the opportunity he provided him with IWA. DIRECTOR DURAN thanked Mr. Macy for his efforts and wished him luck on his future endeavors.

## **PUBLIC HEARING**

### 2. Public Hearing regarding an appeal of the Construction and Sewer Ordinance, Section 506

DIRECTOR COLEMAN opened the Public Hearing at 1:03 p.m. DIRECTOR WISEMAN recused himself from the proceedings. DIRECTOR COLEMAN called on the General Manager to give a brief summary of the actions leading up to hearing. MR. GLOWITZ stated the appellant, Linda Sue Dervishi of One Stop Shoppe, 84051 Indio Blvd., Indio CA 92201, is challenging Ordinance Section 506, which is any person so required by the General Manager shall install and maintain a gravity separation interceptor. Sanitary wastewater shall not be allowed to pass through the interceptor. The interceptor shall conform to approved District standards. This is an appeal of administrative citation #2018-0001 in the amount of \$315. The hearing does not pertain to the Construction & Sewer Use Ordinance, which was duly adopted by the Board on November 9, 2010. Due to medical reasons Linda Sue Dervishi could not attend the public hearing. DIRECTOR COLEMAN called upon the appellant's representative, Haki Dervishi to present his testimony. Mr. Dervishi feels they are being treated differently by the General Manager of Valley Sanitary District. He stated that he was illegally charged for sewer use fees and has contacted an attorney and the Public Utilities Commission. He feels that One Stop Shoppe is being charged fees without proper research to confirm they are grease generators. Mr. Dervishi presented to the Board a copy of his water usage from Indio Water Authority. Mr. Dervishi stated they are prepared to fight this. DIRECTOR COLEMAN opened the meeting up to the board members for discussion or comments. DIRECTOR COLEMAN thanked Mr. Dervishi for coming. DIRECTOR TEAGUE stated that the Board will meet with staff on the findings of the site inspection. DIRECTOR DURAN commented that the Board does not micro- manage staff and that the General Manger does not have any animosity towards One Stop Shoppe. He stated that all restaurants are required to have a grease interceptor. DIRECTOR COLEMAN declared the public hearing closed at 1:15 p.m. DIRECTOR COLEMAN informed Mr. Dervishi that the Board will render a decision in 30 days.

DIRECTOR WISEMAN rejoined the meeting. Mr. Hargreaves of Best Best and Krieger informed the Board that direction needed to be taken in open session as to how the Board wished to proceed. DIRECTOR TEAGUE asked when the last time the lateral was televised. Ron Buchwald stated that it was inspected a year ago however One Stop Shoppe's lateral is unique because it ties into a truck sewer and is a chimney style lateral. The inspection did show grease inside the lateral. DIRECTOR COLEMAN asked staff to review the Construction and Sewer Use Ordinance to be sure it's still in line with industry standards.

#### **ACTION TAKEN:**

**MOTION:** DIRECTOR TEAGUE made a motion to reject the appeal of Administrative Citation No. 2018-0001 in the amount of \$315. DIRECTOR DURAN seconded the motion.

**AYES:** Director(s) Coleman, Duran, Teague, York  
**NOES:** None  
**ABSENT:** None  
**ABSTAIN:** Wiseman

**ADJOURN TO CLOSED SESSION**

- 3. The Board shall adjourn to Closed Session -
  - Potential Litigation pursuant to Government Code 54956.9 (b)
  - Consider Public Employment pursuant to Government Code Section 54957 for an Employee Review – General Manager

The Board adjourned to closed session at 1:34 p.m.

**RECONVENE TO OPEN SESSION**

The Board reconvened to open session at 2:28 p.m. VICE PRESIDENT DURAN took over the meeting and stated there was nothing to report.

**NON-HEARING ITEMS**

- 4. Award of Contract – Secondary Security Fence Panels Project to Tremblay Iron Works, Inc.

Staff reviewed all five (5) bid packages that were received to verify compliance with bid instructions and requirements. Unfortunately, all five (5) bidders did not follow the bid instructions completely and missed providing some required documentation. The two (2) lowest bidders (NR Development and Red Hawk Services) failed to submit Addendum No. 1 signed by them; a significant document that has an effect on the total bid price and deemed necessary to the bid package. The third lowest bidder provided the signed Addendum but did not include documentation demonstrating their construction experience of at least five (5) years on projects similar to this project, which does not have an effect on the total bid price and deemed not necessary to the bid package. Based on consultation with legal counsel, Tremblay Iron Works is considered the lowest responsive and responsible bidder at \$143,640.

**ACTION TAKEN:**

**MOTION:**

DIRECTOR COLEMAN made a motion to award the Secondary Security Fence Panels Project to Tremblay Iron Works and authorize the General Manager to execute a construction contract not to exceed \$158,000. DIRECTOR TEAGUE seconded the motion. Motion carried by the following roll call vote:

**MINUTE ORDER NO. 2018-2826**

AYES: Director(s) Coleman, Duran, Teague, Wiseman, York  
 NOES: None  
 ABSENT: None  
 ABSTAIN: None

- 5. Purchase Authorization – Two (2) Model 1600 Series Floating Brush Aerators

The District has budgeted for the purchase of two (2) replacement aerators for Pond II. The District has chosen to sole source the aerators from S&N Airoflo to maintain consistency in the aeration ponds which will allow for the exchange and salvage of spare parts. The District has used S&N Airoflo aerators for many years with mostly positive results.

**ACTION TAKEN:**

**MOTION:**

DIRECTOR TEAGUE made a motion to authorize the General Manager to purchase two (2) Model 1600 Series Floating Brush Aerators from S&N Airoflo for a total cost of \$46,533.00 (including tax and delivery). DIRECTOR WISEMAN seconded the motion. Motion carried by the following roll call vote:

**MINUTE ORDER NO. 2018-2827**

AYES: Director(s) Coleman, Duran, Teague, Wiseman, York  
NOES: None  
ABSENT: None  
ABSTAIN: None

6. Purchase Authorization – Building for Ferric Chloride Pumps

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The District purchased new ferric chloride pumps in 2016. The pumps were placed into service and soon after staff noted damage to the display from the sun. Staff recommends purchasing a building to place over the pumps to protect them from further damage. This building would also allow for uniformity within the district as all the other chemical dosing pumps and piping are housed and protected inside an enclosed building.

**ACTION TAKEN:**

**MOTION:**

DIRECTOR COLEMAN made a motion to authorize the General Manager to purchase a building to enclose the ferric chloride pumps from D and H Water Systems for the total cost of \$27,722.00 (including tax and delivery). DIRECTOR TEAGUE seconded the motion. Motion carried by the following roll call vote:

**MINUTE ORDER NO. 2018-2828**

AYES: Director(s) Coleman, Duran, Teague, Wiseman, York  
NOES: None  
ABSENT: None  
ABSTAIN: None

7. Purchase Authorization – Ferric Chloride Tank

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The current ferric chloride tank has been in use for over ten (10) years and has become weathered, showing signs of cracks. This tank was repurposed from its original intended use of pumping magnesium hydroxide and put back into use as part of the latest plant expansion in 2013. The cost includes a ten (10) foot ladder as part of the tank unit.

**ACTION TAKEN:**

**MOTION:**

DIRECTOR COLEMAN made a motion to authorize the General Manager to purchase a new 2,500 gallon ferric chloride tank from D and H Water Systems for the total cost of \$18,484.78 (including tax and delivery). DIRECTOR WISEMAN seconded the motion. Motion carried by the following roll call vote:

**MINUTE ORDER NO. 2018-2829**

AYES: Director(s) Coleman, Duran, Teague, Wiseman, York  
NOES: None

ABSENT: None

ABSTAIN: None

8. General Manager's Report

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Innovative Federal Strategies is moving forward with the Planning Grant with the Bureau of Reclamation. The Pun Group will be at the November 13, 2018 board meeting to give the audit report and present the Comprehensive Annual Financial Report. The draft agendas for the next three (3) board meetings were distributed. A recommendation to cancel the December 25, 2018 board meeting will come before the board at the next meeting.

**DIRECTORS' ITEMS**

*Directors' items not listed are for discussion only; no action will be taken without an urgency vote pursuant to State law.*

DIRECTOR WISEMAN inquired whether a nominating committee will be formed for the December board officer elections. It was decided that nominations would be made from the floor. DIRECTOR COLEMAN commended staff for a job well done on the District's AA+ rating.

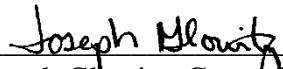
**INFORMATIONAL ITEMS**

The Board received and acknowledged the copy of the Combined Monthly Account Summary for expenses incurred by the District in September, 2018.

**ADJOURNMENT**

There being no further business to discuss, the meeting was at 2:50 p.m., and the next Regular Board Meeting will be held November 15, 2018.

Respectfully submitted,

  
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Joseph Glowitz, General Manager  
Valley Sanitary District