

**VALLEY SANITARY DISTRICT  
MINUTES OF REGULAR BOARD MEETING  
May 13, 2014**

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, May 13, 2014.

**CALL TO ORDER, ROLL CALL**

1. PRESIDENT YORK called the meeting to order at 12:30 p.m. Those in attendance were as follows:
- DIRECTORS PRESENT: Douglas A. York, Merritt Wiseman, Richard Friestad, Mike Duran, and William Teague
- DIRECTORS ABSENT: None
- STAFF PRESENT: Joseph Glowitz, General Manager, Holly Gould, Ron Buchwald, Tino Tijerina, and Anna Bell
- GUESTS: James Fortson, Oats Investments  
Greg Siemer, Alpha Technology Services  
Mike Doman, Alpha Technology Services  
Ronnie Andrawis, Alpha Technology Services

**MINUTES**

2. Consideration of the April 22, 2014 Regular Board Meeting Minutes

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DIRECTOR TEAGUE abstained from the vote due to his absence at the April 22, 2014 board meeting. DIRECTOR DURAN arrived at the meeting at 12:54 p.m., missing the vote.

**ACTION TAKEN:**

**MOTION:** DIRECTOR WISEMAN made a motion to approve the minutes for the Regular Board Meeting held April 22, 2014. DIRECTOR FRIESTAD seconded the motion. Motion carried by the following vote: 3 yes

**MINUTE ORDER NO. 2014-2277**

**PUBLIC COMMENTS**

James Fortson of Oats Investments made a request of the Board to consider a fee structure adjustment for the addition of two bathrooms to the property on 82855 Market Street in Indio, California.

**EMPLOYEE PRESENTATION**

3. Presentation of Employee Anniversary Pins
- Tino Tijerina – 24 years
  - Anna Bell – 1 year

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The Board of Directors presented Tino and Anna with their anniversary pins and thanked them for their contribution and years of service to the District.

**NON-HEARING ITEMS**

4. Solar Presentation by Alpha Technology Services

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Greg Siemer from Alpha Technology Services presented the Board with options for solar power at the Water Reclamation Plant facility.

5. Membership in the Coachella Valley Integrated Water Management Working Group

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In a letter dated April 21, 2014 the Coachella Valley Regional Water Management Group (CVRWMG) responded to the District's request to join the group as a formal voting member. After reviewing the seven criteria for membership it is recommended that the Board of Directors move forward with the District's membership into the CVRWMG.

**ACTION TAKEN:**

**MOTION:**

DIRECTOR TEAGUE made a motion to direct the General Manager to move forward with the membership in the Coachella Valley Integrated Water Management Working Group as a voting member. DIRECTOR WISEMAN seconded the motion. The motion carried by the following vote: 5 yes

**MINUTE ORDER NO. 2014-2278**

6. Valley Sanitary District – Audit Services Contract

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The District requested proposals from seven audit firms and received five responses. After interviewing three of the firms and based on experience with similar entities, quality control, planning, services provided and fee proposal, it is recommended awarding the Audit Services Contract to the Pun Group, LLP.

**ACTION TAKEN:**

**MOTION:**

DIRECTOR WISEMAN made a motion to award the Audit Services Contract to The Pun Group, LLP of Irvine, California and authorize the General Manager to execute a professional services contract in the amount of \$12,500. DIRECTOR DURAN seconded the motion. Motion carried by the following vote: 5 yes

**MINUTE ORDER NO. 2014-2279**

7. Reimbursement Agreement for "Excess Portion" of Off-Site Improvements, dated October 27, 1999, between Valley Sanitary District and S & D Indian Palms California, Ltd.

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It is recommended that the Board authorize the reimbursement to S & D Indian Palms California. Ltd., in care of Anchor Bank, in the amount of \$289,704 to close out the Reimbursement Agreement.

**ACTION TAKEN:**

**MOTION:**

DIRECTOR WISEMAN made a motion to authorize the General Manager to reimburse S & D Indian Palms California, Ltd. in care of Anchor Bank (S & D Indian Palms) in the amount of \$289,704 pursuant to the Reimbursement Agreement for “Excess Portion” of Off-Site Improvements (Reimbursement Agreement), dated October 27, 1999. It is also recommended that the Board of Directors authorize the General Manager to sign a Reimbursement Agreement “close-out” letter as reviewed by Robert Hargreaves of Best, Best & Krieger, LLP. DIRECTOR DURAN seconded the motion. Motion carried by the following vote: 5 yes

**MINUTE ORDER NO. 2014-2280**

8. Avenue 43 Pavement Repair Project

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Avenue 43 Pavement Repair Project is the result of poor compaction by Don Kelly Construction performing work in the Shadow Hills Interceptor for the District in 2006. Staff has put together a plan and specifications for the repair of Avenue 43 based on a Geocon geotechnical report prepared to address the pavement failure. Due to the ongoing negotiations being performed by Best, Best & Krieger on behalf of the District to secure the Bonds submitted by Don Kelly Construction it is recommended that all bids received for the Avenue 43 Pavement Repair Project be rejected and the project postponed until a later date.

**ACTION TAKEN:**

**MOTION:**

DIRECTOR DURAN made a motion to reject all bids received for the Avenue 43 Pavement Repair Project and postpone this project until a later date. DIRECTOR FRIESTAD seconded the motion. Motion carried by the following vote: 5 yes

**MINUTE ORDER NO. 2014-2281**

9. Requa Interceptor Design Project – Additional Design Services

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Ron Buchwald gave an update on the project. In addition to the most standard requirements typically required when crossing facilities such as the Canal, two items are required that were not part of HDR’s original scope of work. The requirements include preparing a legal description and survey plat legally describing the area needed by the Requa Interceptor when crossing the Canal. In addition, the BOR requires the most recent CEQA documentation to be current within 12 months of the BOR crossing application. The District adopted a Mitigated Negative Declaration (MND), a CEQA document, on October 23, 2007 and will need an addendum to the MND to be adopted by the Board prior to processing the application with the BOR/CVWD.

**ACTION TAKEN:**

**MOTION:**

DIRECTOR TEAGUE made a motion to authorize the General Manager to enter into an addendum to the Requa Interceptor Final Design Contract with HDR Engineering, Inc. for a not to exceed fee of \$9,700. DIRECTOR DURAN seconded the motion. Motion carried by the following vote: 5 yes

**MINUTE ORDER NO. 2014-2282**

10. Archer Western Contractors Payment of Retention and Filing of the Notice of Completion

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Archer Western Contractors have completed all project work and submitted the final releases for the Civil Wage & Penalty Assessment as well as the final Stop Notices. The project is ready to be closed. The amount currently held in the California Bank and Trust retention account is \$957,052.06. Archer Western Contractors have agreed to a reduced payment of \$757,052.06 to settle the liquidated damages that were due to not meeting the project deadlines.

**ACTION TAKEN:**

**MOTION:** DIRECTOR DURAN made a motion to authorize the General Manager to process a payment to Archer Western Contractors in the amount of \$757,052.06 as payment of retention and to authorize the General Manager to sign the Notice of Completion for recording with the County Recorder. DIRECTOR TEAGUE seconded the motion. Motion carried by the following vote: 5 yes

**MINUTE ORDER NO. 2014-2283**

11. Manager's Notes

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MR. GLOWITZ reported that the District received its certificate from the GFOA for our CAFR. The wetlands trimming is still moving ahead and making progress. The CASA Conference in Monterey will be August 20-22.

**DIRECTOR'S ITEMS**

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

**CONSENT ITEMS**

12. Approval of Expenditures for April 17, 2014 to May 7, 2014.

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Check numbers 31285 to 31343 totaling \$684,009.36 were issued. Payroll checks numbers 8726 to 8732 totaling \$4,682.56 and payroll transfers of \$70,070.45 were also issued.

**ACTION TAKEN:**

**MOTION:**

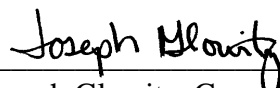
DIRECTOR WISEMAN made a motion to pay the disbursement items as presented. DIRECTOR TEAGUE seconded the motion. The motion carried by the following vote: 5 yes.

**MINUTE ORDER NO. 2014-2284**

**ADJOURNMENT**

There being no further business to discuss, the meeting was adjourned at 2:09 p.m., and the next Regular Board Meeting will be held May 27, 2014.

Respectfully submitted,



Joseph Glowitz, General Manager  
Valley Sanitary District