



Tuesday, April 11, 2023 at 1:00 PM
Valley Sanitary District Board Room
45500 Van Buren Street, Indio, CA 92201

**BOARD OF DIRECTORS
REGULAR SESSION
AGENDA**

Valley Sanitary District is open to the public and board meetings will be conducted in person. In addition to attending in person, members of the public may view and participate in meeting via the following:

Zoom Link: <https://us06web.zoom.us/j/81108836821>

Meeting ID: 811 0883 6821

To address the Board of Directors during the virtual live session via zoom, please email the Clerk of the Board at hgould@valley-sanitary.org or, alternatively, during the specific agenda item or general comment period (i.e. non-agenda items), please use the "raise your hand" function in zoom in order to be recognized by the Clerk of the Board in order to provide comments in real time.

The Clerk of the Board will facilitate to the extent possible any email requests to provide oral testimony that are sent during the live meeting. Members of the public may provide Oral testimony in person or during the virtual live session and are limited to three minutes each. To address the Board in person please complete speaker request card located at in the Board Room and give it to the Clerk of the Board.

If you are unable to provide comments during the meeting, written public comments on agenda or non-agenda items may be submitted by email to the Clerk of the Board at hgould@valley-sanitary.org. Written comments must be received by the Clerk of the Board no later than 11:00 a.m. on the day of the meeting.

1. CALL TO ORDER
2. ROLL CALL
3. PLEDGE OF ALLEGIANCE
4. APRIL EMPLOYEE ANNIVERSARIES
 - *Andrew Sorenson, Wastewater Operator III - 2 years*
5. PUBLIC COMMENT

6. CONSENT CALENDAR

Consent calendar items are expected to be routine and noncontroversial, 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 acted upon separately.

6.1 Approve Minutes of March 28, 2023, Regular Board Meeting

Recommendation: Approve

6.2 Approve Warrants for April 11, 2023

Recommendation: Approve

6.3 Accept Sewer Main Improvements and Authorize the Interim General Manager to Sign a Certificate of Acceptance for K. Hovnanian's Four Seasons at Tarra Lago Tracts.

Recommendation: Approve

6.4 Accept Sewer Main Improvements and Authorize the Interim General Manager to Sign a Certificate of Acceptance Spectrum Sewer Extension

Recommendation: Approve

7. NON-HEARING ITEMS

7.1 Presentation by Innovative Federal Strategies

Recommendation: Discuss

7.2 Approve Budget Adjustment for Rotary Thickener in the Amount of \$505,000.

Recommendation: Approve

7.3 Approve Resolutions 2023-1176 and 2023-1177 Allowing Valley Sanitary District to Apply for Grant Funding from the State Water Board

Recommendation: Approve

7.4 Discussion of Proposed Updates to the Valley Sanitary District Procurement Policy

Recommendation: Discussion

7.5 Approve the Interim General Manager to Accept Conditional Settlement Offer No. R7-2023-0021: Offer To Participate In The Expedited Payment Program Relating To Alleged Violations Of Order No. R7-2020-0007, NPDES NO. CA0104477

Recommendation: Approve

8. GENERAL MANAGER'S REPORT

8.1 Receive Monthly General Managers Report - March 2023

Recommendation: Review

9. COMMITTEE REPORTS

9.1 Draft Minutes of the Operations Committee Meeting - April 4, 2023

Recommendation: Discuss

10. DIRECTOR'S ITEMS

11. INFORMATIONAL ITEMS

12. PUBLIC COMMENT

This is the time set aside for public comment on any item to be discussed in Closed Session. Please notify the Secretary at the beginning of the meeting if you wish to speak on a Closed Session item.

13. CONVENE IN CLOSED SESSION

13.1 Public Employment Recruitment Pursuant to Government Code Section 54957 Title: General Manager

14. CONVENE IN OPEN SESSION

15. ADJOURNMENT

POSTED April 6, 2023
Holly Gould
Clerk of the Board
Valley Sanitary District

PUBLIC NOTICE

In compliance with the Americans with Disabilities Act, access to the Board Room and Public Restrooms has been made. If you need special assistance to participate in this meeting, please contact Valley Sanitary District (760) 235-5400. Notification 48 hours prior to the meeting will enable the District to make reasonable arrangements to ensure accessibility to this meeting (28 CFR 35.102-35.104 ADA TITLE II). All public records related to open session items contained on this Agenda are available upon request at the Administrative Office of Valley Sanitary District located at 45-500 Van Buren Street, Indio, CA 92201. Copies of public records are subject to fees and charges for reproduction.



Valley Sanitary District

DATE: April 11, 2023
TO: Board of Directors
FROM: Holly Gould, Clerk of the Board
SUBJECT: Approve Minutes of March 28, 2023, Regular Board Meeting

Suggested Action

Approve

Strategic Plan Compliance

GOAL 6: Improve Planning, Administration and Governance

Fiscal Impact

None

Environmental Review

This does not qualify as a project for the purposes of CEQA.

Background

The meeting minutes for the Board of Directors Regular Meeting held March 28, 2023.

Recommendation

Approve

Attachments

[28 Mar 2023 Meeting Minutes.edited.docx](#)

**VALLEY SANITARY DISTRICT
MINUTES OF REGULAR BOARD MEETING
March 28, 2023**

A regular Board Meeting of the Governing Board of Valley Sanitary District (VSD) was held on Tuesday, March 28, 2023, at 45-500 Van Buren St., Indio, CA 92201.

1. CALL TO ORDER

President Canero called the meeting to order at 1:00 p.m.

2. ROLL CALL

Directors Present:

Jacky Barnum, Debra Canero, Mike Duran, Scott Sear, William Teague

Staff Present:

Ron Buchwald, Holly Gould, Jeanette Juarez, Anna Bell, and Craig Hayes, Best Best & Krieger

Guests Present:

Gloria Franz, Coachella Valley History Museum

3. PLEDGE OF ALLEGIANCE

4. PUBLIC COMMENT – None

5. CONSENT CALENDAR

5.1 Approve Board Meeting Minutes of March 1, 2023, Special Meeting, and March 14, 2023, Regular Meeting

5.2 Approve Warrants for March 28, 2023

5.3 Monthly Revenue & Expense Report for the Period Ending February 28, 2023

5.4 Receive and File Credit Card Report for February 28, 2023

5.5 Disposition of Laboratory Equipment & Supplies

ACTION TAKEN:

MOTION:

Secretary/Treasurer Sear motioned to approve the consent calendar as presented. Vice President Duran seconded the motion. Motion carried by the following roll call vote:

AYES: Barnum, Canero, Duran, Sear, Teague

NOES: None

MINUTE ORDER NO. 2023-3283

6. NON-HEARING ITEMS

6.1 Presentation by Coachella Valley History Museum

Gloria Franz of the Coachella Valley History Museum gave an update on the installation of the VSD exhibit. Gloria stated that additional signage for the exhibit had been completed. She also suggested that the District provide rack cards instead of a letter-size handout. The exhibit will be added to the docent tour and handbook, and she would like to do a practice run with Staff and the Board before the exhibit goes live. Once the exhibit is ready to be open to the public, the Coachella Valley History Museum website will do a formal launch, including an introduction on its website. The Museum feels it is essential to capture the story of the Valley Sanitary District, including its history and future.

6.2 Update on Wastewater Epidemiology-Based (WBE) Surveillance

Anna Bell, Lab & Environmental Compliance Supervisor, gave a presentation to the Board. She stated that in April 2022, Biobot Analytics was selected as the contract laboratory for the second phase of the 2022 CDC-NWSS program for SARS-Cov-2 (COVID-19) wastewater surveillance. As this program is fully funded through CDC-NWSS grants and federal funding, it was originally projected through mid-January 2023. As the project approached the deadline, the CDC NWSS commercial contract for wastewater sampling was officially extended for an additional six months for COVID-19 and Monkeypox (Mpox) testing. All costs related to the sampling and shipping are covered through the commercial contract of the program. Departments of Public Health continue to have access to the data via CDC's DCIPHER Portal. In August 2022, VSD joined the Stanford-based initiative "WastewaterSCAN" to monitor wastewater epidemiology. Initially, the program was testing for COVID-19, Monkeypox (Mpox), Influenza A, and RSV genetic markers. In December 2022, the program included testing for Influenza B, Norovirus, and Human Metapneumovirus. Philanthropic funding covers the total cost of sampling materials, shipping, and stipends for up to 18 months. Staff continues to provide our stakeholders and community with weekly updates on the VSD website with the results from the CDC NWSS and WastewaterSCAN programs.

6.3 Approve Additional Funds to be Applied to Blanket Purchas Orders for Single Contract Laboratory Vendors

Shortages in laboratory staff and increased sampling requests from operations due to violations for bioassay, cyanide, and elevated copper results used for regulatory and monitoring purposes required

additional samples. Many tests must be performed by an outside laboratory and cannot be done in-house. The additional testing led to purchases from a single vendor (contract laboratory) exceeding this fiscal year's preapproved purchase order expenses. Staff requests a budget adjustment of funds directed towards Caltest for \$15,000 and Enthalpy for \$10,000 to continue services for regulatory sample compliance requests.

ACTION TAKEN:

MOTION:

Director Teague motioned to authorize the Interim General Manager to increase the purchase order funding to complete the compliance requirements for the remainder of the fiscal year. Director Barnum seconded the motion. Motioned carried by the following roll call vote:

AYES: Barnum, Canero, Duran, Sear, Teague

NOES: None

MINUTE ORDER NO. 2023-3284

- 6.4 Authorize the Interim General Manager to Submit a Revised Invoice for Sewer Service Fee to the Forager Project, LLC for the Month of December 2022 Based on the Average Annual Equivalent Dwelling Unit (EDU) Equation

Forager samples Chemical Oxygen Demand (COD), Suspended Solids (SS), and flow monthly as part of the self-monitoring report. Forager is billed quarterly, and for Q4 2022, they submitted significantly elevated lab results in COD and SS, resulting in an invoice amount for December of \$285,910.52. Once Forager received their quarterly bill, they immediately contacted the District to request a reevaluation of the submitted results and the charges. Forager provided a technical memo to help support the cause of the high-bias results. Due to the reporting period window, they indicated they could not retest to verify the results. After reviewing the last two (2) years of data, the District agrees that the evidence submitted supports the possibility of the deviation. Staff is requesting to use the previous calendar year of data as a weighted average for December from \$285,910.52 to \$51,864.78, which is more representative of projected conditions. Staff acknowledges Forager's efforts in maintaining compliance with reporting and submissions and their corrective actions to demonstrate that this is an anomaly.

ACTION TAKEN:

MOTION:

Secretary/Treasurer Sear motioned to authorize the Interim General Manager to submit a revised invoice for sewer service fees to the Forager Project, LLC, for the month of December 2022 based on the average annual Equivalent Dwelling Unit (EDU) equation. Director Teague seconded the motion. Motioned carried by the following roll call vote:

AYES: Barnum, Canero, Duran, Sear, Teague

NOES: None

MINUTE ORDER NO. 2023-3285

- 6.5 Discuss Proposition 218 Notice and Additional Opportunities to Educate Ratepayers of Proposed Rate Changes

Staff requested guidance from the Board regarding public outreach for the rate study, proposed rates, Proposition 218 notices, and upcoming public hearings. The Board discussed performing the marketing and outreach in-house versus hiring a consultant. The Board authorized staff to obtain three quotes for a special marketing project, not to exceed \$30,000.

6.6 Nominate a Representative from VSD to the CSDA Board of Directors – Seat C Southern Network

At this time, the Board did not wish to nominate a VSD representative for the CSDA Board of Directors – Seat C Southern Network.

6.7 Discussion of Proposed Letter to Indian Palms Residents Regarding Proposed Rate Increase for Sewer Services and Provide Direction to Staff

At the March 14, 2023, Board Meeting, Director Teague shared a letter he drafted to the residents of Indian Palms Country Club regarding the proposed rate increase for sewer services. Director Teague requested approval from the Board to email the letter, Notice of Public Hearing for the proposed rates scheduled for May 23, 2023, and a copy of the Proposition 218 notice to the residents of the country club. The letter outlines why the rate changes are necessary and allows customers to provide feedback. After review, the Board approved the letter to be sent out.

7. GENERAL MANAGER'S ITEMS

Ron Buchwald, District Engineer, gave an update on the \$500,000 planning grant that the District received from the State Water Board. The monies will be used for the studies for the Recycled Water Project and future projects. The District is also applying for a \$15 million construction grant for the Recycled Water Project Phase III. The District has been experiencing vandalism. The phone lines have been cut on four separate occasions. Staff is looking into alternatives to landlines for the telephone.

8. COMMITTEE REPORTS

8.1 Draft Minutes of the Community Engagement Meeting – March 21, 2023

Chairperson Scott Sear gave an overview of the Community Engagement Committee meeting held on March 21, 2023. The Committee had a presentation from Gloria Franz of the Coachella Valley History Museum and a presentation from Andres Coronel from the Desert Recreation Foundation. The Committee also discussed talking points for the trip to meet with legislators in Sacramento and marketing and outreach for the Proposition 218 notice.

9. DIRECTOR'S ITEMS

President Canero and Secretary/Treasurer Sear gave an update on their trip to Sacramento to meet with legislators. They both stated it was very eye-opening. They also thanked Dave Commons, Chief Operations Officer, for accompanying them on the trip. Secretary/Treasurer Sear congratulated Assemblyman Eduardo Garcia on opening his new office. Vice President Duran asked if there was a District policy on donations and if there was anything budgeted. If not, he requested that some be set aside in the next budget.

10. INFORMATIONAL ITEMS

Ron reminded the Board of the upcoming Desert Recreation Foundation Bowling Tournament at Fantasy Lanes on March 29, 2023.

11. PUBLIC COMMENT – CLOSED SESSION – None

President Canero called for a short recess at 2:49 p.m. The Board of Directors reconvened at 2:55 p.m. Roll call was taken. Directors Barnum, Canero, Duran, Sear, and Teague were present.

12. CONVENE IN CLOSED SESSION

Items discussed in Closed Session comply with the Ralph M. Brown Act.

- 12.1 Public Employment Recruitment Pursuant to Government Code Section 54957
Title: General Manager
-

The Board adjourned to Closed Session at 2:55 p.m.

13. CONVENE IN OPEN SESSION

Report out on Closed Session items

The Board reconvened in open session at 3:05 p.m. President Canero stated there was nothing to report.

14. ADJOURNMENT

There being no further business to discuss, the meeting adjourned at 3:06 p.m. The next regular Board meeting will be on April 11, 2023.

Respectfully submitted,

Holly Gould, Clerk of the Board
Valley Sanitary District



Valley Sanitary District

DATE: April 11, 2023
TO: Board of Directors
FROM: Jeanette Juarez, Chief Administrative Officer
SUBJECT: Approve Warrants for April 11, 2023

Suggested Action

Approve

Strategic Plan Compliance

GOAL 5: Long-Term Financial Strength

Fiscal Impact

The total charges incurred for the warrants from March 21, 2023, through April 3, 2023, are \$499,510.61.

Environmental Review

This does not qualify as a project for the purposes of CEQA.

Background

The attached warrants list shows all disbursements from March 21, 2023, through April 3, 2023.

Recommendation

Staff recommends that the Board of Directors approve the warrants for April 11, 2023.

Attachments

[Warrants for April 11, 2023.pdf](#)

DISBURSEMENTS
Approved at the Board Meeting of
April 11, 2023

41410 Andy Boyd	Grade 3 advanced water treatment test reimbursement	\$250.00
41411 United Way of the Desert	PR 03/03/2023 - 03/16/2023 PD 03/24/2023	\$20.00
41412 Caltest Analytical Laboratory	Monthly samples - 3/21/2023	\$1,225.50
41412 Caltest Analytical Laboratory	Weekly samples npdes - 3/14/2023	\$353.40
41412 Caltest Analytical Laboratory	Weekly samples npdes - 3/17/2023	\$353.40
41412 Caltest Analytical Laboratory	Weekly samples NDPES - 3/29/2023	\$353.40
41413 Certified Laboratories Division	Bearing purge, lithioplex	\$823.62
41414 Charter Communications	Spectrum services - 03/26/2023-04/25/2023	\$1,170.70
41415 Cintas Corp	Uniforms, mats, towels etc - 3/16/2023	\$539.09
41415 Cintas Corp	Uniforms, Mats, towels, etc - 3/23/2023	\$582.14
41416 Consolidated Electrical Distributors, Inc.	600V RK5 TD Fuse	\$114.09
41417 Dave Commons	Reimbursement of trip to Sacramento - 03/23/2023	\$91.23
41418 Desert Hose & Supply	3/4 ghm x 3/4 mpt	\$35.03
41419 Diamond Environmental Services, LP	Portable restroom services - 03/20/2023-04/16/2023	\$268.33
41420 Eric Schwabel	Photography services for Board 4/11/2023	\$2,405.00
41421 High Tech Mailing Services	Mailing of prop 218 notices - March 2023	\$17,116.89
41422 Indio Water Authority	EVRA Contribution - 2022/2023 - replacement check	\$200,000.00
41423 Linde Gas & Equipment Inc.	Tank rental - 2/20/2023-3/20/2023	\$144.21
41424 Mario Luna	CWEA lab tech 1 exam fee reimbursement	\$185.00
41425 McMaster-Carr Supply Co.	Antistatic slippery sheets	\$68.40
41426 Polydyne, Inc.	Polymer delivery - 3/24/2023	\$4,271.63
41427 Rauch Communication Consultants, Inc.	Consulting svcs - Strategic Plan Board Workshop - Feb 2023	\$353.10
41428 Superior Protection Consultants	Security services - March 2023	\$9,672.00
41429 Tops 'N Barricades Inc.	Decals	\$24.85
41430 Univar Solutions	Sodium hypo - 3/29/2023	\$13,722.80
41430 Univar Solutions	Sodium bisulfite - 3/24/2023	\$6,320.88
41430 Univar Solutions	Sodium hypo - 3/20/2023	\$12,912.58
41431 Willdan Financial Services	Demand letter(s) 2021-22 ph 3 - batch 44364	\$35.63
202303291 SoCal Gas	Natural gas - March 2023	\$562.61
202303292 UPS	Shipping charges - 03/11/2023	\$14.66
202303311 Pitney Bowes, Inc.	Lease c series postage machine - 01/01/2023-03/31/2023	\$170.37
202303312 Domino Solar LTD	Electricity - February 2023	\$8,794.97
202303313 De Lage Landen Financial Services, Inc	Sharp copier lease - March 2023	\$212.07
202304011 Standard Insurance Company	Life and disability insurance - April 2023	\$1,535.90
202304031 Imperial Irrigation District	Electricity - February 2023	\$56,914.17
202304032 Colonial Life	PR 02/17/2023 - 03/02/2023 PD 03/10/2023	\$1,154.17
202304032 Colonial Life	PR 03/03/2023 - 03/16/2023 PD 03/24/2023	\$1,097.73
202304041 Verizon Wireless	Cell phones - March 2023	\$1,005.67
202304051 Associated Time On Demand	Service labor, front panel display	\$485.99
202304101 City of Coachella	Water - March 2023	\$72.19
202304102 Indio Water Authority	Water - February 2023	\$1,016.89
202304071 Paychex - Direct Deposit	PR 03/17/2023 - 03/30/2023 PD 04/07/2023	\$87,097.53
202304072 Paychex - Fee	PR 03/17/2023 - 03/30/2023 PD 04/07/2023	\$191.58
202304073 Paychex - Garnishment	PR 03/17/2023 - 03/30/2023 PD 04/07/2023	\$210.46
202304074 Paychex - Tax	PR 03/17/2023 - 03/30/2023 PD 04/07/2023	\$39,509.65
202304075 Mission Square (formerly ICMARC / Vantage Point)	PR 03/17/2023 - 03/30/2023 PD 04/07/2023	\$1,470.00
202304076 Empower (formerly Mass Mutual)	PR 03/17/2023 - 03/30/2023 PD 04/07/2023	\$10.00
202304077 Nationwide Retirement Solution	PR 03/17/2023 - 03/30/2023 PD 04/07/2023	\$1,875.00
202304078 CalPERS 457	PR 03/17/2023 - 03/30/2023 PD 04/07/2023	\$870.00
202304079 CalPERS Retirement	PR 03/17/2023 - 03/30/2023 PD 04/07/2023	\$21,826.10
	Total	\$499,510.61



Valley Sanitary District

DATE: April 11, 2023
TO: Board of Directors
FROM: Ron Buchwald, Interim General Manager
SUBJECT: Accept Sewer Main Improvements and Authorize the Interim General Manager to Sign a Certificate of Acceptance for K. Hovnanian's Four Seasons at Tarra Lago Tracts.

Suggested Action

Approve

Strategic Plan Compliance

GOAL 6: Improve Planning, Administration and Governance

Fiscal Impact

There is no fiscal impact from the recommended action.

Environmental Review

This is not a project as defined by CEQA.

Background

VSD entered into three Development – Sanitation System Installation Agreements (Installation Agreement) for K. Hovnanian’s Four Seasons at Tarra Lago; Tract 32341-8 on May 24, 2018, Tract 32341-10 on August 13, 2018, and Tract 32341-11 on January 18, 2019, with Tarra Lago Indio, LLC (Developer) for the installation of sewer mains, manholes and appurtenances. This work was completed and approved by VSD in March 2020. The Installation Agreement was recorded and is now tied to the property. This Certificate of Acceptance is being approved and recorded to the property to show that the Installation Agreement has been satisfied and that VSD accepts ownership of the sewer mains, manholes and appurtenances installed within these Tracts.

Recommendation

Staff recommends that the Board of Directors authorize the Interim General Manager to sign the

Certificate of Acceptance for the sewer main improvements.

Attachments

[Certificate of Acceptence 23241-8.pdf](#)

[Certificate of Acceptence 32341-10.pdf](#)

[Certificate of Acceptence 23241-11.pdf](#)

**RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:**

**VALLEY SANITARY DISTRICT
45-500 VAN BUREN
INDIO, CA 92201**

SPACE ABOVE THIS LINE FOR RECORDER'S USE

**VALLEY SANITARY DISTRICT
CERTIFICATE OF ACCEPTANCE**

VALLEY SANITARY DISTRICT
CERTIFICATE OF ACCEPTANCE

RJ Ventures-Indio, LLC, a limited liability company ("**Developer**"), constructed certain improvements pursuant to the terms and conditions of that certain Development-Sanitation System Installation Agreement ("**Installation Agreement**") between Developer and Valley Sanitary District ("**VSD**") dated May 24, 2018, relating to the development of the K. Hovnanian's Four Seasons at Terra Lago on that certain real property described on Exhibit "A" (also known as 32341-8), attached hereto and incorporated herein by reference. The Installation Agreement was recorded in the Official Records of the County of Riverside on June 8, 2018, as Instrument No. 2018-0234492. This is to certify that the work has been accepted by VSD, and the Installation Agreement is terminated, released and removed of record.

IN WITNESS WHEREOF, the parties have executed this Certificate of Acceptance as of this ____ day of _____, 2023.

"DEVELOPER"

Terra Lago Indio, LLC

By: 

Name: Steve Scherbarth

Title: Area President

Dated: 3/23/23

"VSD"

VALLEY SANITARY DISTRICT

By: _____

Name: _____

Title: General Manager

Dated: _____

(Proper Notarization of signatures is required and will be attached).

CALIFORNIA ACKNOWLEDGMENT

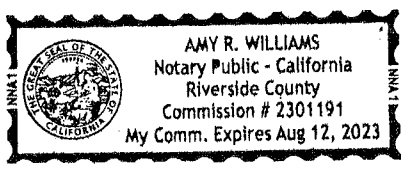
CIVIL CODE § 1189

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 March 23, 2023 before me, Amy R. Williams, Notary Public
Date Here Insert Name and Title of the Officer
personally appeared Steve Scherbarth
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.

Place Notary Seal and/or Stamp Above

Signature [Handwritten Signature]
Signature of Notary Public

OPTIONAL

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document. VSD

Description of Attached Document

Title or Type of Document: T 32341-8 Certificate of Acceptance
Document Date: _____ Number of Pages: _____
Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____ Signer's Name: _____
 Corporate Officer – Title(s): _____ Corporate Officer – Title(s): _____
 Partner – Limited General Partner – Limited General
 Individual Attorney in Fact Individual Attorney in Fact
 Trustee Guardian or Conservator Trustee Guardian or Conservator
 Other: _____ Other: _____
Signer is Representing: _____ Signer is Representing: _____

EXHIBIT "A"
LEGAL DESCRIPTION

That certain parcel of land situated in the City of Indio, County of Riverside, State of California, lying within Section 17, Township 5 South, Range 8 East, San Bernardino Meridian, being a portion of Lot "GG" of Amended Tract No. 32341-1, as per Map filed in Book 414, Pages 86 through 95, inclusive, of Maps, in the Office of the County Recorder of said County and State; more particularly described as follows:

Beginning at the most northwesterly corner of said Lot "GG";

thence along the northerly and easterly line of said lot, the following two (2) courses:

South 74°45'07" East, 451.42 feet to the beginning of a tangent curve concave southwesterly and having a radius of 632.00 feet;

thence southeasterly along said curve an arc distance of 893.95 feet through a central angle of 81°02'36", said point also being the beginning of a non-tangent curve concave southwesterly and having a radius of 30.00 feet, a radial line of said curve from said point bears South 20°08'09" West;

thence leaving said easterly line, and northwesterly along said curve an arc distance of 2.56 feet through a central angle of 04°53'16";

thence North 74°45'07" West, 62.36 feet to the beginning of a tangent curve concave southeasterly and having a radius of 30.00 feet;

thence southwesterly along said curve an arc distance of 45.56 feet through a central angle of 87°00'19" to the beginning of a reverse curve concave northwesterly and having a radius of 917.50 feet, a radial line of said curve from said point bears North 71°45'26" West;

thence southwesterly along said curve an arc distance of 5.60 feet through a central angle of 00°20'59";

thence North 71°24'27" West, 39.00 feet to the beginning of a non-tangent curve concave southwesterly and having a radius of 30.00 feet, a radial line of said curve from said point bears North 71°24'27" West;

thence northwesterly along said curve an arc distance of 48.88 feet through a central angle of 93°20'40";

thence North 74°45'07" West, 157.33 feet to the beginning of a tangent curve concave southeasterly and having a radius of 30.00 feet;

thence southwesterly along said curve an arc distance of 44.97 feet through a central angle of 85°53'42" to the beginning of a reverse curve concave northwesterly and having a radius of 661.50 feet, a radial line of said curve from said point bears North 70°38'49" West;

thence southwesterly along said curve an arc distance of 7.93 feet through a central angle of 00°41'14";

thence North 69°57'35" West, 39.00 feet to the beginning of a non-tangent curve concave southwesterly and having a radius of 30.00 feet, a radial line of said curve from said point bears North 69°57'35" West;

thence northwesterly along said curve an arc distance of 49.63 feet through a central angle of 94°47'32";

thence North 74°45'07" West, 159.76 feet to the beginning of a tangent curve concave southeasterly and having a radius of 30.00 feet;

thence southwesterly along said curve an arc distance of 43.69 feet through a central angle of 83°26'36" to the beginning of a reverse curve concave northwesterly and having a radius of 403.50 feet, a radial line of said curve from said point bears North 68°11'43" West;

thence southwesterly along said curve an arc distance of 13.76 feet through a central angle of 01°57'12";

thence North 66°14'31" West, 39.00 feet to the beginning of a non-tangent curve concave southwesterly and having a radius of 30.00 feet, a radial line of said curve from said point bears North 66°14'31" West;

thence northwesterly along said curve an arc distance of 51.58 feet through a central angle of 98°30'36";

thence North 74°45'07" West, 160.36 feet to the beginning of a tangent curve concave southeasterly and having a radius of 30.00 feet;

thence southwesterly along said curve an arc distance of 38.65 feet through a central angle of 73°49'16" to the westerly line of said Lot "GG" and the beginning of a non-tangent curve concave southwesterly and having a radius of 147.50 feet, a radial line of said curve from said point bears North 58°33'37" West;

thence along the westerly line of said Lot "GG" the following ten (10) courses:

 northwesterly along said curve an arc distance of 273.38 feet through a central angle of 106°11'35";

thence North 74°45'07" West, 41.09 feet;

thence North 29°45'00" West, 42.42 feet;

thence North 15°14'53" East, 157.00 feet to the beginning of a tangent curve concave southeasterly and having a radius of 30.00 feet;

thence northeasterly along said curve an arc distance of 47.12 feet through a central angle of 90°00'00";

thence North 21°06'26" East, 39.20 feet;

thence North 74°45'07" West, 4.00 feet to the beginning of a tangent curve concave northeasterly and having a radius of 30.00 feet;

thence northwesterly along said curve an arc distance of 47.12 feet through a central angle of 90°00'00";

thence North 15°14'53" East, 74.00 feet;

thence North 60°14'53" East, 9.19 feet to the **Point of Beginning**.

As shown on **EXHIBIT "B"** attached and by this reference made a part hereof.

CONTAINS: 10.73 Acres, more or less.

SUBJECT TO all Covenants, Rights, Rights-of-Way and Easements of Record.

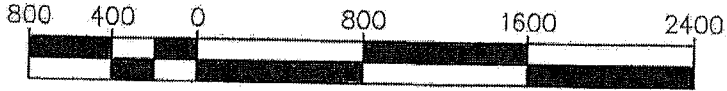
This description was prepared by
me or under my direction.



Christopher L. Alberts, P.L.S. 8508

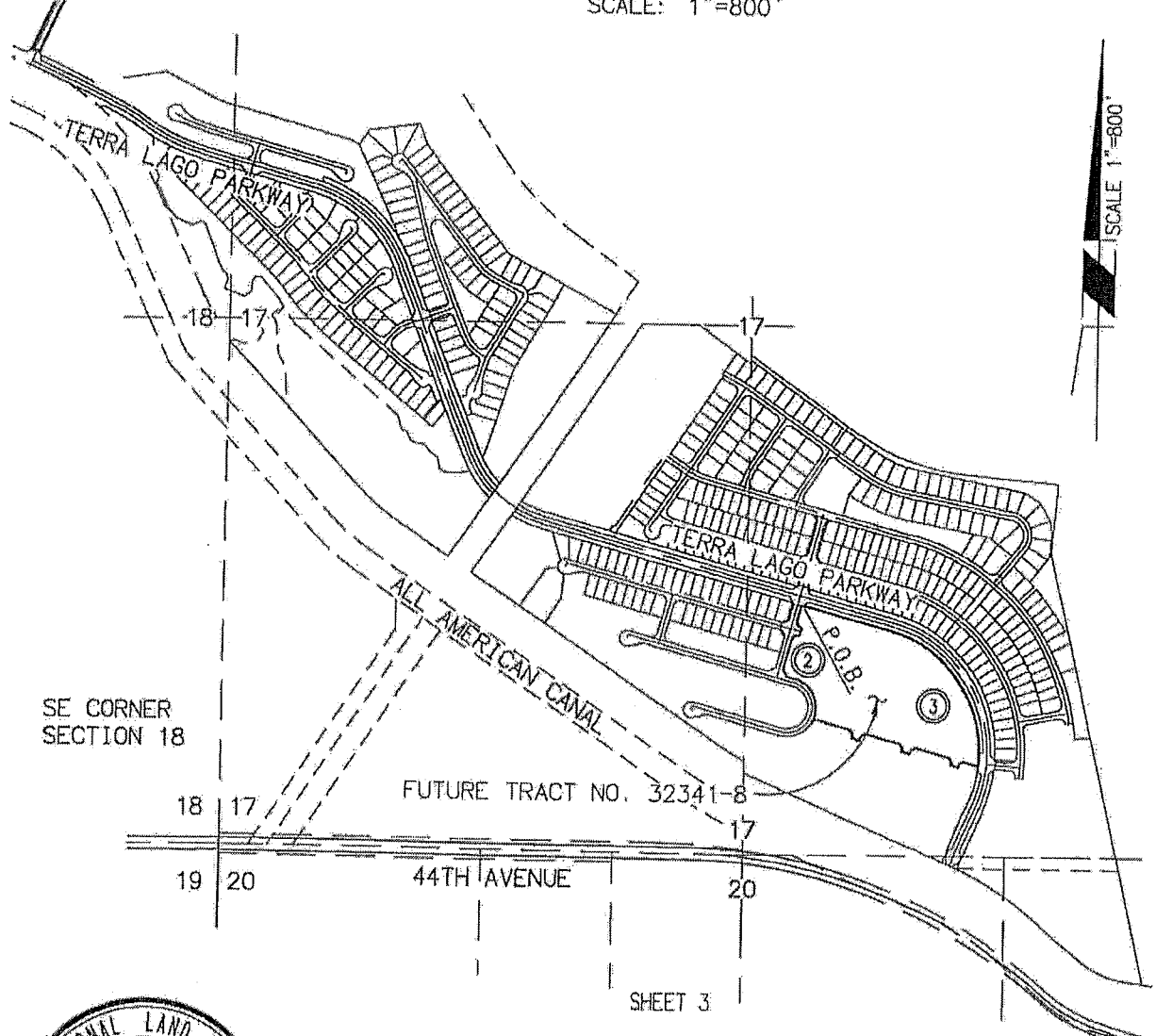


2-14-2018
Date



SCALE: 1"=800'

SCALE 1"=800'



SE CORNER SECTION 18

FUTURE TRACT NO. 32341-8

SHEET 3



AREA WITHIN DISTINCTIVE BORDER = 10.73 ACRES

② INDICATES SHEET NUMBER

SHEET 1 OF 3

Michael Baker

INTERNATIONAL
 75410 Gerald Ford Drive, Suite 100
 Palm Desert, CA 92211
 ☎ 760-341-7481 www.mbakernl.com

JN: 132447-EX-032

EXHIBIT "B"
 PLAT TO ACCOMPANY A LEGAL DESCRIPTION.
 LOCATED IN THE SOUTH HALF OF SECTION 17, T.5S., R.8E., S.B.M.



SCALE: 1"=100'

TRACT MAP NO. 32341-5
MB 447/99-102

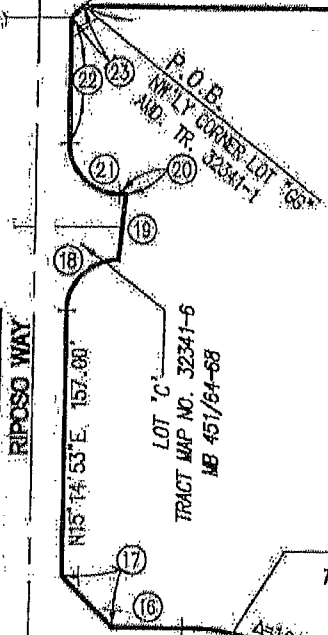
TERRA LAGO PARKWAY

LOT "A" - AMD. TR. 32341-1 - MB 414/86-95

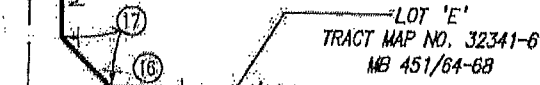
LOT "L" - AMD. TR. 32341-1 - MB 414/86-95

S74°45'07"E 451.42'

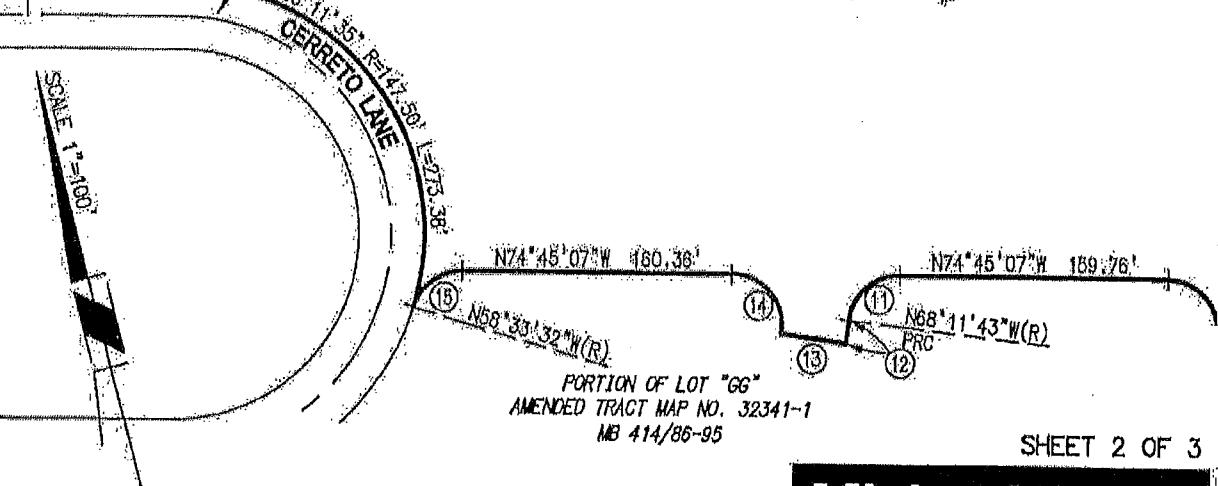
A=81°02'38" R=832.00' L=893.95'



LINE/CURVE DATA TABLE			
(NO)	BEARING/DELTA	RADIUS	LENGTH
11	83°28'36"	30.00'	43.89'
12	01°57'12"	403.50'	13.76'
13	N66°14'31"W(R)	---	39.00'
14	98°30'38"	30.00'	51.58'
15	73°48'25"	30.00'	38.65'
16	N74°45'07"W	---	41.09'
17	N29°45'00"W	---	42.42'
18	90°00'00"	30.00'	47.12'
19	N21°06'28"E	---	39.20'
20	N74°45'07"W	---	4.00'
21	90°00'00"	30.00'	47.12'
22	N15°14'53"E	---	74.00'
23	N60°14'53"E	---	9.19'



PORTION OF LOT "GG"
AMENDED TRACT MAP NO. 32341-1
MB 414/86-95



SEE SHEET 3

SCALE 1"=100'

SHEET 2 OF 3

EXHIBIT "B"

PLAT TO ACCOMPANY A LEGAL DESCRIPTION.

LOCATED IN THE SOUTH HALF OF SECTION 17, T.5S., R.8E., S.B.M.

Michael Baker

INTERNATIONAL

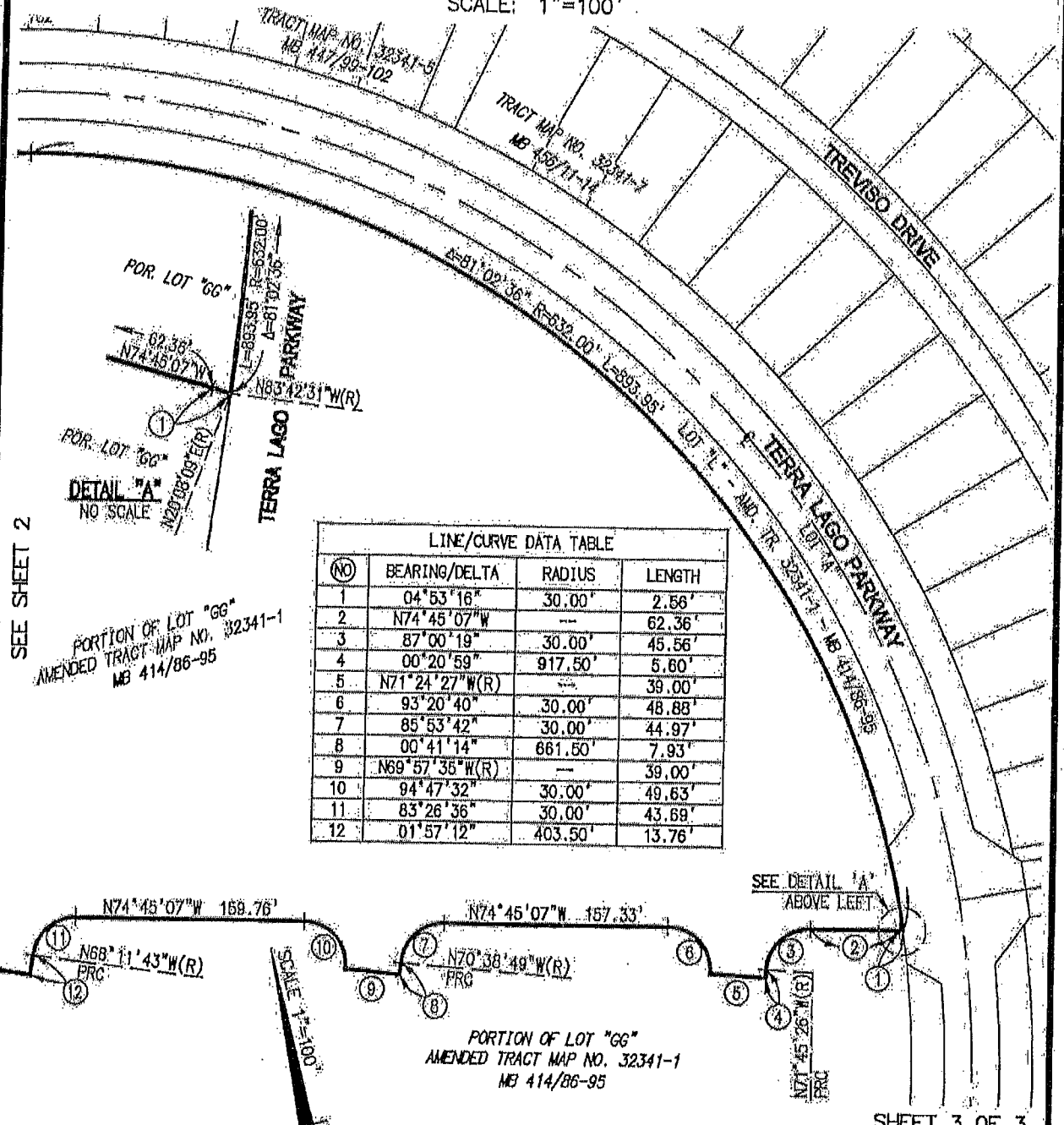
75410 Gerald Ford Drive, Suite 100
Palm Desert, CA 92211
o: 760-341-7481 www.mbakerial.com

JN: 132447-EX-033

H:\PDATA\FOUR SEASONS IND\GADD\MAPPING\E\1818\132447-E\--032.DWG TAQY.GOUTHARD 7/14/17 10:53.dwg



SCALE: 1"=100'



LINE/CURVE DATA TABLE			
(NO)	BEARING/DELTA	RADIUS	LENGTH
1	04°53'16"	30.00'	2.56'
2	N74°45'07"W	---	62.36'
3	87°00'19"	30.00'	45.56'
4	00°20'59"	917.50'	5.60'
5	N71°24'27"W(R)	---	39.00'
6	93°20'40"	30.00'	48.88'
7	85°53'42"	30.00'	44.97'
8	00°41'14"	661.50'	7.93'
9	N69°57'35"W(R)	---	39.00'
10	94°47'32"	30.00'	49.63'
11	83°26'36"	30.00'	43.68'
12	01°57'12"	403.50'	13.76'

SEE SHEET 2

SHEET 3 OF 3

EXHIBIT "B"
 PLAT TO ACCOMPANY A LEGAL DESCRIPTION.

LOCATED IN THE SOUTH HALF OF SECTION 17, T.5S., R.8E., S.B.M.

Michael Baker

INTERNATIONAL

75410 Gerald Ford Drive, Suite 100
 Palm Desert, CA 92211
 o: 760-341-7481 www.mbakintl.com

JN: 132447-EX-033

H:\DATA\FOUR SEASONS INC\GADD\WAPPING\EXHIBITS\132447-EX-033.DWG TACY,SOUTHARD 7/14/17 10:53 am

**RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:**

**VALLEY SANITARY DISTRICT
45-500 VAN BUREN
INDIO, CA 92201**

SPACE ABOVE THIS LINE FOR RECORDER'S USE

**VALLEY SANITARY DISTRICT
CERTIFICATE OF ACCEPTANCE**

VALLEY SANITARY DISTRICT
CERTIFICATE OF ACCEPTANCE

RJ Ventures-Indio, LLC, a limited liability company ("**Developer**"), constructed certain improvements pursuant to the terms and conditions of that certain Development-Sanitation System Installation Agreement ("**Installation Agreement**") between Developer and Valley Sanitary District ("**VSD**") dated August 13, 2018, relating to the development of the K. Hovnanian's Four Seasons at Terra Lago on that certain real property described on Exhibit "A" (also known as 32341-10), attached hereto and incorporated herein by reference. The Installation Agreement was recorded in the Official Records of the County of Riverside on August 15, 2018, as Instrument No. 2018-0326987. This is to certify that the work has been accepted by VSD, and the Installation Agreement is terminated, released and removed of record.

IN WITNESS WHEREOF, the parties have executed this Certificate of Acceptance as of this ___ day of _____, 2023.

"DEVELOPER"

Terra Lago Indio, LLC

By: Steve Scherbarth

Name: Steve Scherbarth

Title: Area President

Dated: 3/23/23

"VSD"

VALLEY SANITARY DISTRICT

By: _____

Name: _____

Title: General Manager

Dated: _____

(Proper Notarization of signatures is required and will be attached).

CALIFORNIA ACKNOWLEDGMENT

CIVIL CODE § 1189

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 }

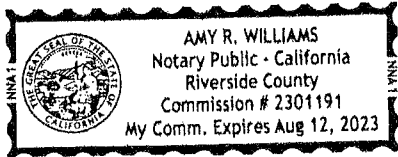
On March 13, 2023 before me, Amy R. Williams, Notary Public,
Date Here Insert Name and Title of the Officer

personally appeared Steve Scherbarth
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.



Place Notary Seal and/or Stamp Above

Signature [Handwritten Signature]
Signature of Notary Public

OPTIONAL

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: T32341-10 Cert of Acceptance-VSD
Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____
 Corporate Officer – Title(s): _____
 Partner – Limited General
 Individual Attorney in Fact
 Trustee Guardian or Conservator
 Other: _____
Signer is Representing: _____

Signer's Name: _____
 Corporate Officer – Title(s): _____
 Partner – Limited General
 Individual Attorney in Fact
 Trustee Guardian or Conservator
 Other: _____
Signer is Representing: _____

EXHIBIT "A"
LEGAL DESCRIPTION

That certain parcel of land situated in the City of Indio, County of Riverside, State of California, lying within Section 17, Township 5 South, Range 8 East, San Bernardino Meridian, being a portion of Lot "A" of Lot Line Adjustment No. 2013-08, recorded August 1, 2013 as Instrument No. 2013-0374650, Official Records of said County and State; more particularly described as follows:

Beginning at the most northerly corner of Lot 1 of Tract No. 32341-3, as filed in Book 439 of Maps, Pages 96 through 100, inclusive, in the office of the County Recorder of Riverside County, California;

thence along the southeasterly line of said Lot "A", the following three (3) courses:

South 34°50'53" West, 128.00 feet;

thence South 55°08'51" East, 10.46 feet;

thence South 34°50'06" West, 517.11 feet to the southwestery corner of Lot A of said Tract No. 32341-3;

thence along the southwestery line of said Lot "A" of said Lot Line Adjustment No. 2013-08, the following seven (7) courses:

North 56°09'54" West, 29.99 feet to the beginning of a tangent curve concave southwestery and having a radius of 108.50 feet;

thence northwestery along said curve an arc distance of 19.50 feet through a central angle of 10°17'42";

thence North 66°27'36" West, 41.00 feet to the beginning of a tangent curve concave northeastery and having a radius of 57.50 feet;

thence northwestery along said curve an arc distance of 59.09 feet through a central angle of 58°52'38";

thence North 56°09'54" West, 156.88 feet;

thence South 89°09'53" West, 72.95 feet;

thence North 56°09'54" West, 125.00 feet to the most westerly corner of Lot "A" of said Lot Line Adjustment No. 2013-08;

thence along the westerly line of said Lot "A" of said Lot Line Adjustment No. 2013-08, North 33°50'06" East, 522.86 feet to the center section line of said Section 17;

thence along said center section line, South 89°59'29" East, 285.12 feet;


thence leaving said center section line, along the northeasterly line of said Lot "A" of said Lot Line Adjustment No. 2013-08, South 55°08'51" East, 239.99 feet to the **Point of Beginning**.

As shown on **EXHIBIT "B"** attached and by this reference made a part hereof.

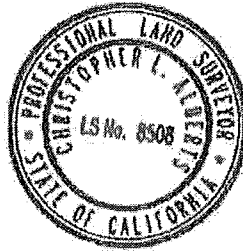
CONTAINS: 6.85 Acres, more or less.

SUBJECT TO all Covenants, Rights, Rights-of-Way and Easements of Record.

This description was prepared by
me or under my direction.



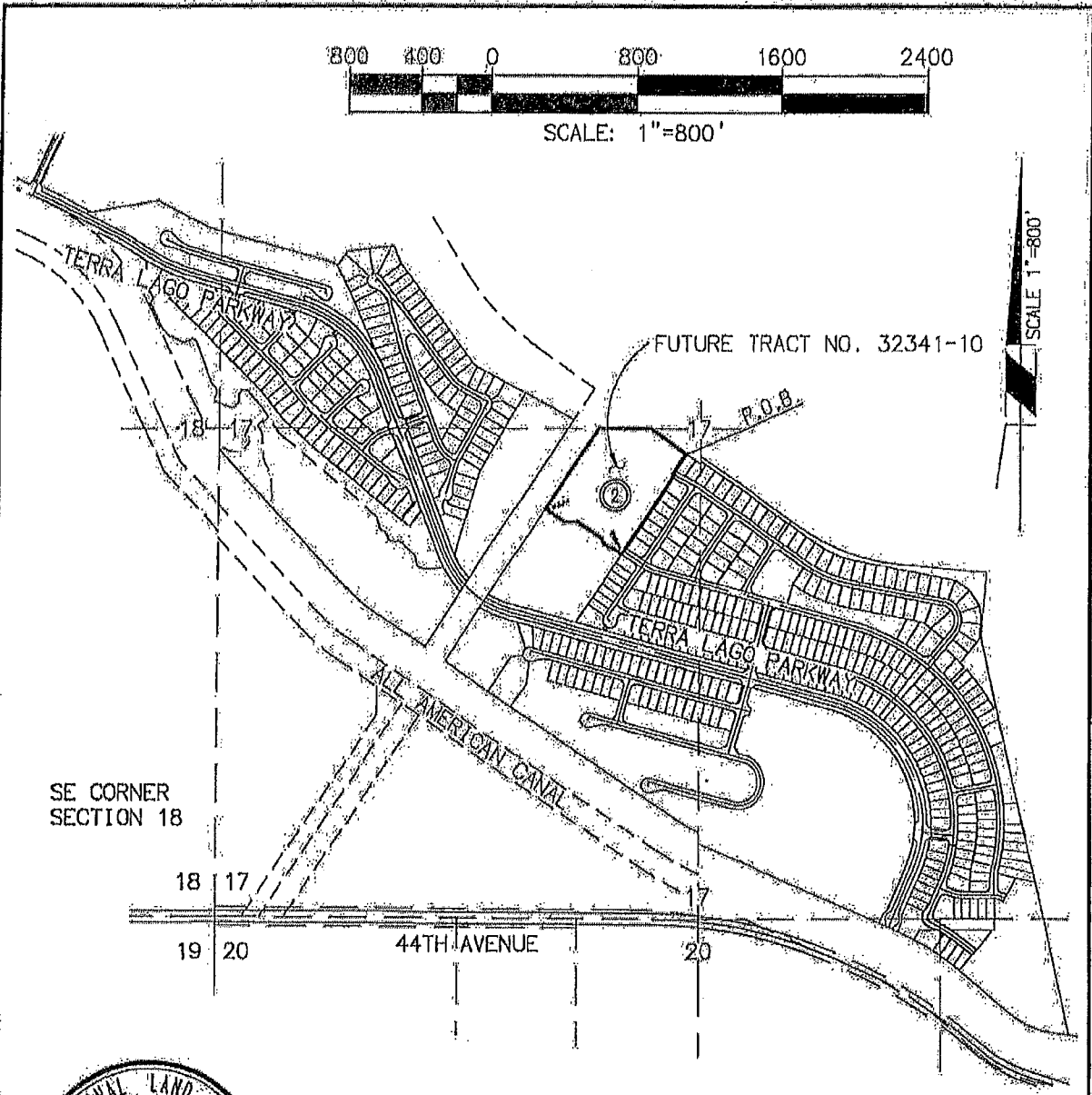
Christopher L. Alberts, P.L.S. 8508



7-20-2018
Date



SCALE: 1"=800'






FUTURE TRACT NO. 32341-10

SE CORNER SECTION 18



LEGEND

-  AREA WITHIN DISTINCTIVE BORDER = ±6.85 ACRES
-  INDICATES SHEET NUMBER
-  INDICATES RECORD DATA PER MB 439/96-100

SHEET 1 OF 2

Michael Baker

INTERNATIONAL

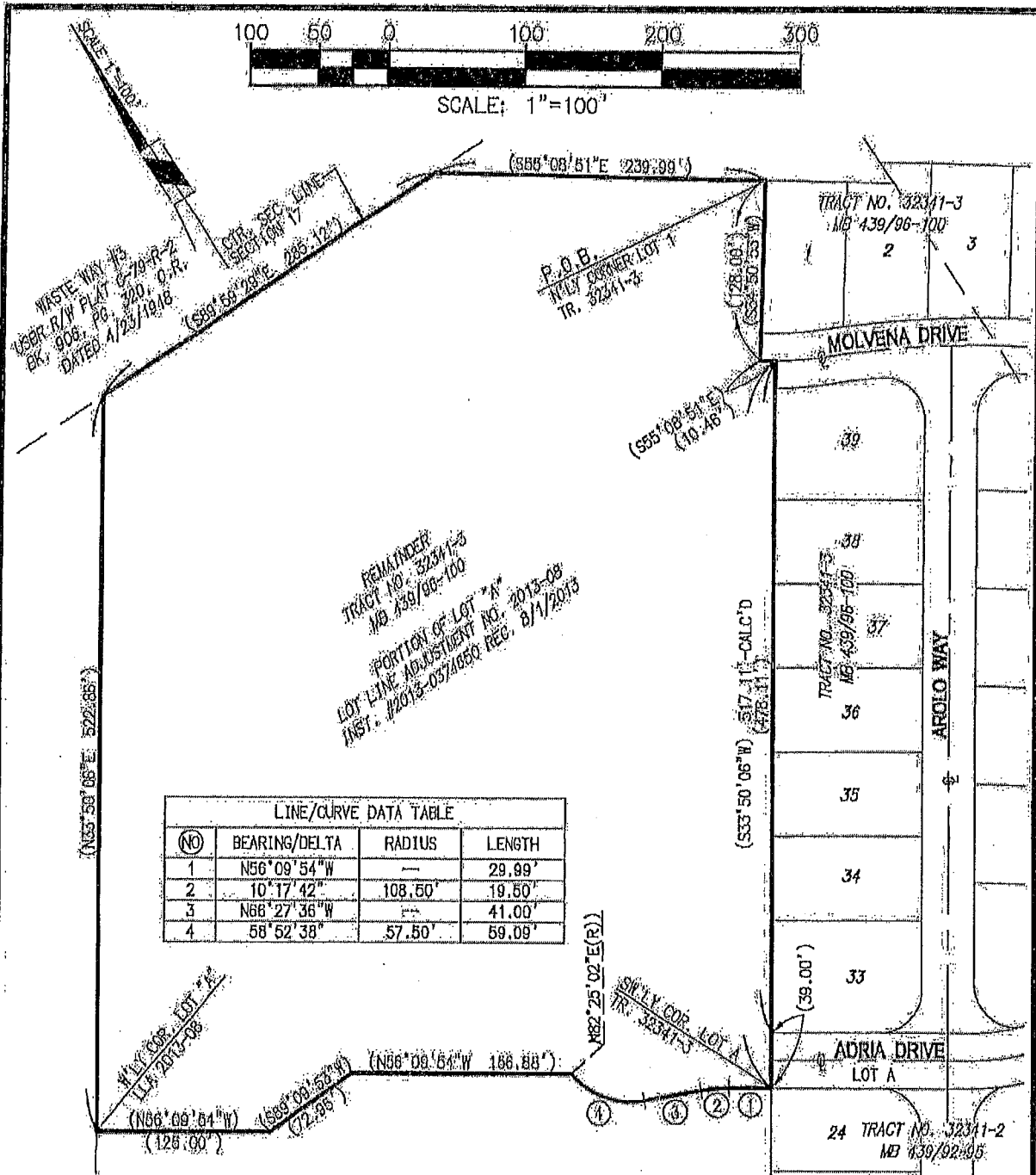
75410 Gerald Ford Drive, Suite 100
Palm Desert, CA 92211
☎ 760-841-7481 www.mbakerial.com

EXHIBIT "B"
PLAT TO ACCOMPANY A LEGAL DESCRIPTION.

LOCATED IN THE SOUTH HALF OF SECTION 17, T.5S., R.8E., S.B.M.

JN: 132447-EX-035

H:\DATA\FOUR SEASONS\IN\CA\MAPPI\Q\EXHIBITS\132447-E\4-035.DWG 7A0Y.SQU.PHARD 3/19/19 2:03 pm



SHEET 2 OF 2

Michael Baker

INTERNATIONAL

75410 Gerald Ford Drive, Suite 100
Palm Desert, CA 92211

or 760-841-7481 www.mbakerial.com

JN 132447-EX-036

EXHIBIT "B"

PLAT TO ACCOMPANY A LEGAL DESCRIPTION.

LOCATED IN THE SOUTH HALF OF SECTION 17, T.5S., R.8E., S.B.M.

**RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:**

**VALLEY SANITARY DISTRICT
45-500 VAN BUREN
INDIO, CA 92201**

SPACE ABOVE THIS LINE FOR RECORDER'S USE

**VALLEY SANITARY DISTRICT
CERTIFICATE OF ACCEPTANCE**

VALLEY SANITARY DISTRICT
CERTIFICATE OF ACCEPTANCE

RJ Ventures-Indio, LLC, a limited liability company ("**Developer**"), constructed certain improvements pursuant to the terms and conditions of that certain Development-Sanitation System Installation Agreement ("**Installation Agreement**") between Developer and Valley Sanitary District ("**VSD**") dated January 28, 2019, relating to the development of the K. Hovnanian's Four Seasons at Terra Lago on that certain real property described on Exhibit "A" (also known as 32341-11), attached hereto and incorporated herein by reference. The Installation Agreement was recorded in the Official Records of the County of Riverside on January 30, 2019, as Instrument No. 2018-0033328. This is to certify that the work has been accepted by VSD, and the Installation Agreement is terminated, released and removed of record.

IN WITNESS WHEREOF, the parties have executed this Certificate of Acceptance as of this ____ day of _____, 2023.

"DEVELOPER"

Terra Lago Indio, LLC

By: Steve Scherbarth

Name: Steve Scherbarth

Title: Area President

Dated: 3/23/23

"VSD"

VALLEY SANITARY DISTRICT

By: _____

Name: _____

Title: General Manager

Dated: _____

(Proper Notarization of signatures is required and will be attached).

CALIFORNIA ACKNOWLEDGMENT

CIVIL CODE § 1189

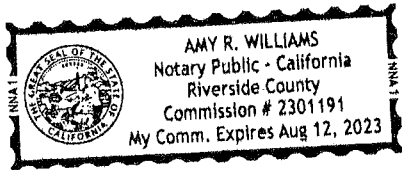
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California }
County of Riverside

On March 23, 2023 before me, Amy R. Williams, Notary Public
Date Here Insert Name and Title of the Officer

personally appeared Steve Scherbarth
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.

Place Notary Seal and/or Stamp Above

Signature [Handwritten Signature]
Signature of Notary Public

OPTIONAL

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: 132341-11 Cert of Acceptance - VSD

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

- Signer's Name: _____
- Corporate Officer – Title(s): _____
- Partner – Limited General
- Individual Attorney in Fact
- Trustee Guardian or Conservator
- Other: _____
- Signer is Representing: _____

- Signer's Name: _____
- Corporate Officer – Title(s): _____
- Partner – Limited General
- Individual Attorney in Fact
- Trustee Guardian or Conservator
- Other: _____
- Signer is Representing: _____

EXHIBIT "A"
LEGAL DESCRIPTION

That certain parcel of land situated in the City of Indio, County of Riverside, State of California, lying within Sections 17 and 20, Township 5 South, Range 8 East, San Bernardino Meridian, being a portion of Lot "CC" of Amended Tract No. 32341-1, filed in Book 414, Pages 86 through 95, Inclusive, of Maps, in the office of the County Recorder of said County and State; more particularly described as follows:

Beginning at the southeast corner of said Lot "CC", said point being the beginning of a curve concave southwesterly and having a radius of 2060.08 feet, a radial line of said curve from said point bears South 07°49'37" West;

thence along the southwesterly line of said Lot "CC", the following five (5) courses:

northwesterly along said curve an arc distance of 60.77 feet through a central angle of 01°41'25";

thence North 83°51'48" West, 26.53 feet to the beginning of a tangent curve concave northeasterly and having a radius of 422.96 feet;

thence northwesterly along said curve an arc distance of 248.42 feet through a central angle of 33°39'05";

thence North 50°12'43" West, 352.68 feet to the beginning of a tangent curve concave southwesterly and having a radius of 1582.39 feet;

thence northwesterly along said curve an arc distance of 21.14 feet through a central angle of 00°45'55" to the southeast corner Lot 14 of Tract No. 32341-9, filed in Book 462, Pages 82 through 85, Inclusive, of Maps, in the office of the County Recorder of Riverside County, California;

thence along the easterly line of Lot 14, Lot B (Burano Place) and Lot 15 of said Tract No. 32341-9, the following three (3) courses:

North 39°47'17" East, 108.51 feet;

thence North 43°22'08" East, 39.11 feet;

thence North 39°47'17" East, 127.32 feet;

thence North 40°28'48" West, 11.72 feet to the northeast corner of said Lot 15;

thence along the south line of Lot F of said Tract No. 32341-9, North 89°47'16" East, 24.71 feet to the southeast corner of said Lot F;

thence along the east line of said Lot F and Lot 21 of said Tract No. 32341-9, North 00°12'44" West, 167.05 feet to the northeast corner of said Lot 21, said point being the beginning of a non-tangent curve concave southwesterly and having a radius of 130.50 feet, a radial line of said curve from said point bears South 06°41'18" West;

thence along the south line of Lot C (Bardolino Way) of said Tract No. 32341-9, and southeasterly along said curve an arc distance of 50.01 feet through a central angle of 21°57'24" to the southeast corner of said Lot C;

thence along the east line of said Lot C and Lot 43 of said Tract No. 32341-9, North 28°38'42" East, 146.48 feet to the northeast corner of said Lot 43;

thence along the south line of Lot 44 of said Tract No. 32341-9, South 77°54'38" East, 104.67 feet to the southeast corner of said Lot 44;


thence along the east line of Lot "CC" of said Amended Tract No. 32341-1, South 12°42'09" East, 842.74 feet to the **Point of Beginning**.

As shown on **EXHIBIT "B"** attached and by this reference made a part hereof.

CONTAINS: 6.07 Acres, more or less.

SUBJECT TO all Covenants, Rights, Rights-of-Way and Easements of Record.

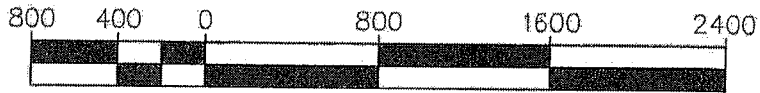
This description was prepared by
me or under my direction.



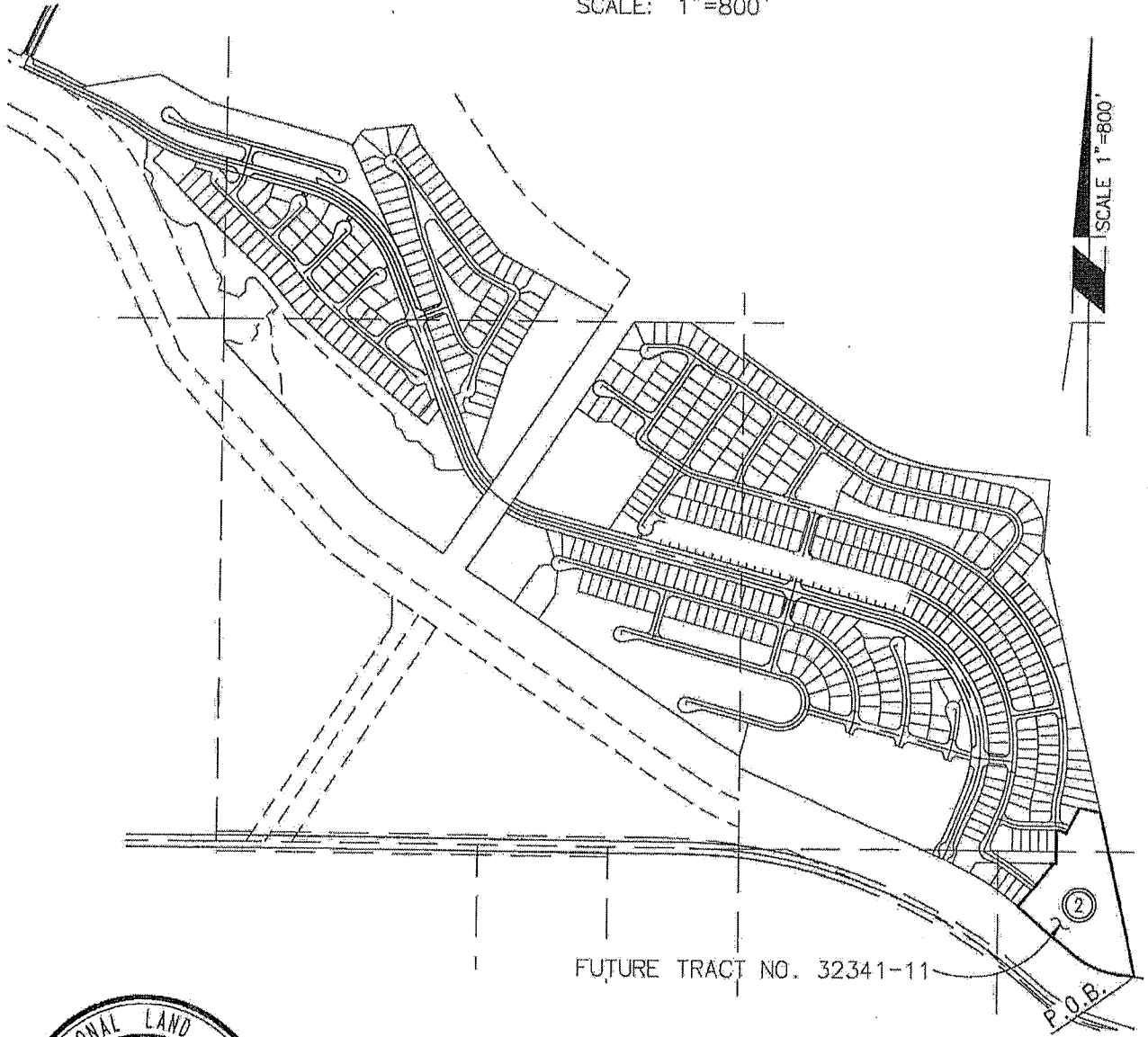
Christopher L. Alberts, P.L.S. 8508



12-11-2018
Date

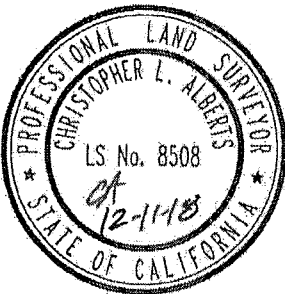


SCALE: 1"=800'







FUTURE TRACT NO. 32341-11

P.O.B.



LEGEND

-  AREA WITHIN DISTINCTIVE BORDER = ±6.07 ACRES
-  INDICATES SHEET NUMBER
-  INDICATES RECORD DATA PER MB 414/86-95
-  INDICATES RECORD DATA PER MB 462/82-85

SHEET 1 OF 2

Michael Baker

INTERNATIONAL

75410 Gerald Ford Drive, Suite 100
Palm Desert, CA 92211

o: 760-341-7481 www.mbakerial.com

JN: 132447-EX-038

EXHIBIT "B"

PLAT TO ACCOMPANY A LEGAL DESCRIPTION.

LOCATED IN PORTIONS OF SECTIONS 17 AND 20, T.5S., R.8E., S.B.M.

H:\DATA\FOUR SEASONS INDIO\CADD\Wapping\Exhibits\132447-E/-038.dwg

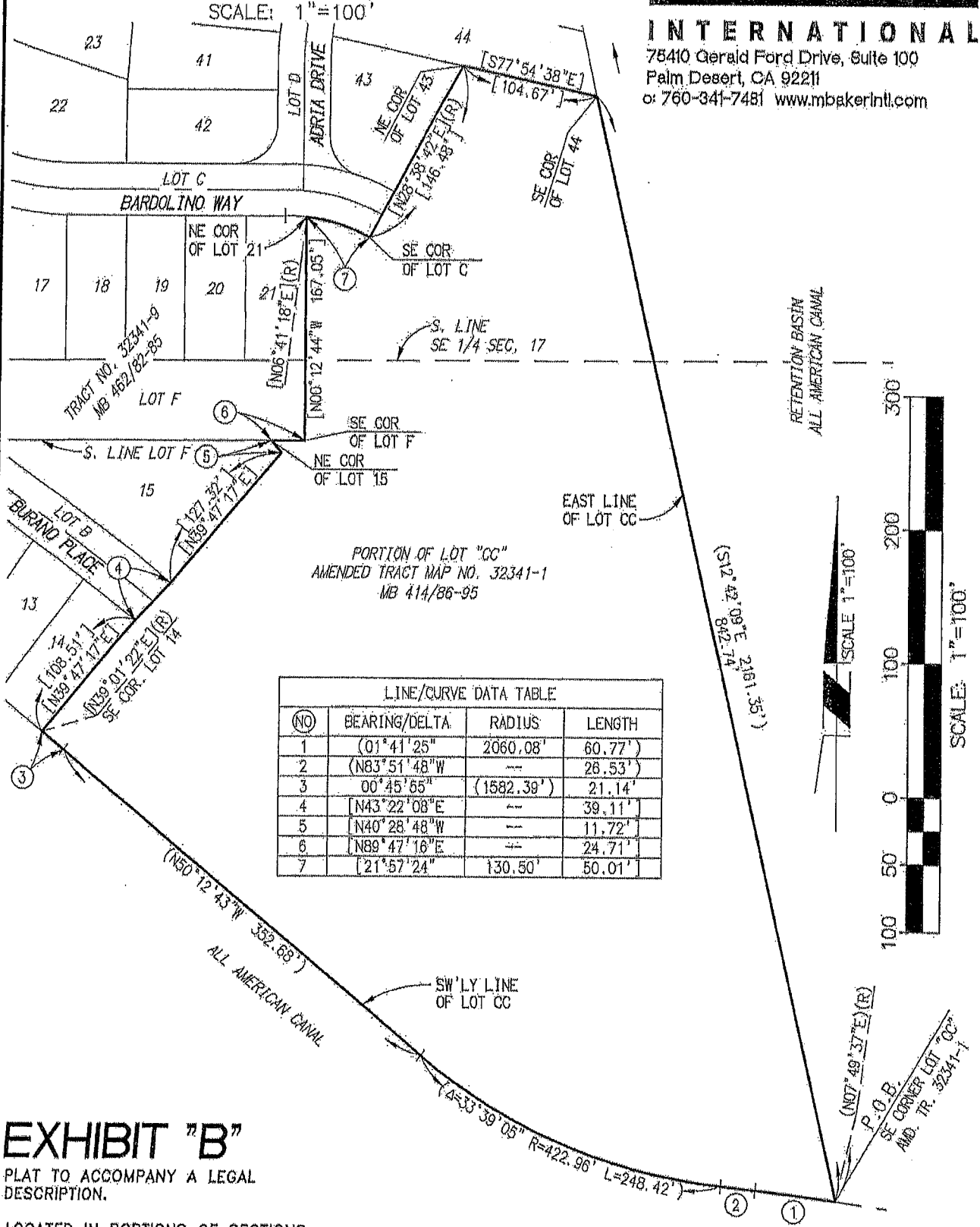


SCALE: 1" = 100'

Michael Baker

INTERNATIONAL

75410 Gerald Ford Drive, Suite 100
 Palm Desert, CA 92211
 o: 760-341-7481 www.mbakintl.com



LINE/CURVE DATA TABLE			
(NO)	BEARING/Delta	RADIUS	LENGTH
1	(01°41'25"	2060.08'	60.77'
2	(N83°51'48"W	--	26.53'
3	00°45'65"	(1582.39')	21.14'
4	(N43°22'08"E	--	39.11'
5	(N40°28'48"W	--	11.72'
6	(N89°47'16"E	--	24.71'
7	(21°57'24"	130.50'	50.01'

EXHIBIT "B"

PLAT TO ACCOMPANY A LEGAL DESCRIPTION.

LOCATED IN PORTIONS OF SECTIONS 17 AND 20, T.5S., R.8E., S.B.M.

SHEET 2 OF 2
 JN: 132447-EX-038

H:\DATA\FOUR SEASONS IN\10\CADD\mapping\Exhibits\132447-E7-038.dwg



Valley Sanitary District

DATE: April 11, 2023
TO: Board of Directors
FROM: Ron Buchwald, Interim General Manager
SUBJECT: Accept Sewer Main Improvements and Authorize the Interim General Manager to Sign a Certificate of Acceptance Spectrum Sewer Extension

Suggested Action

Approve

Strategic Plan Compliance

GOAL 6: Improve Planning, Administration and Governance

Fiscal Impact

There is no fiscal impact from the recommended action.

Environmental Review

This is not a project as defined by CEQA.

Background

VSD entered a Development -Sanitation System Installation Agreement for The Palms at Indio on July 13, 2020, with RJ Ventures-Indio, LLC, a limited Liability company (Developer) for the installation of a sewer main, a manhole and appurtenances. This work was completed and approved by VSD in December 2022. The Installation Agreement was recorded and is now tied to the property. This Certificate of Acceptance is being signed and recorded to the property to show that the Installation Agreement has been satisfied and that VSD accepts ownership of the sewer main, manhole and appurtenances installed within this project.

Recommendation

Staff recommends that the Board of Directors authorize the Interim General Manager to sign the

Certificate of Acceptance for the sewer main improvements.

Attachments

[Certificate of Acceptance Spectrum.pdf](#)

**RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:**

**VALLEY SANITARY DISTRICT
45-500 VAN BUREN
INDIO, CA 92201**

SPACE ABOVE THIS LINE FOR RECORDER'S USE

**VALLEY SANITARY DISTRICT
CERTIFICATE OF ACCEPTANCE**


VALLEY SANITARY DISTRICT
CERTIFICATE OF ACCEPTANCE

RJ Ventures-Indio, LLC, a limited liability company (“**Developer**”), constructed certain improvements pursuant to the terms and conditions of that certain Development-Sanitation System Installation Agreement (“**Installation Agreement**”) between Developer and Valley Sanitary District (“**VSD**”) dated July 13, 2020, relating to the development of The Palms at Indio on that certain real property described on Exhibit “A “, attached hereto and incorporated herein by reference. The Installation Agreement was recorded in the Official Records of the County of Riverside on August 05, 2020, as Instrument No. 2020-0352952. This is to certify that the work has been accepted by VSD, and the Installation Agreement is terminated, released and removed of record.

IN WITNESS WHEREOF, the parties have executed this Certificate of Acceptance as of this 10 day of March, 2023.

“DEVELOPER”

RJ Ventures-Indio, LLC

By:  _____

Name: Stanley Rothbart Title: Manager

Dated: 3/10/23 _____

“VSD”

VALLEY SANITARY DISTRICT

By: _____

Name: _____

Title: General Manager

Dated: _____

(Proper Notarization of signatures is required and will be attached).

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 Los Angeles)

On March 10, 2023 before me, Phoebe Aiken, Notary Public
(insert name and title of the officer)

personally appeared Stanley Rothbart,
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  (Seal)

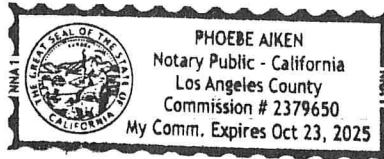


EXHIBIT 'A'

LEGAL DESCRIPTION
LLA NO. 2018-02
CITY OF INDIO, CA

PARCEL 'A'

A PARCEL OF LAND LOCATED IN A PORTION OF THE NORTHWEST ONE-QUARTER OF SECTION 14, TOWNSHIP 5 SOUTH, RANGE 7 EAST, S.B.M., IN THE CITY OF INDIO, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

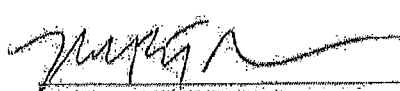
ALL THAT PORTION OF PARCELS 19, 20 AND 21 OF PARCEL MAP NO. 36716, IN THE CITY OF INDIO, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN BY MAP ON FILE IN BOOK 238 PAGES 98 THROUGH 104 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY, LYING NORTHERLY OF THE FOLLOWING DESCRIBED LINE.

BEGINNING AT A POINT ON THE WEST LINE OF SAID PARCEL 20, FROM WHICH THE NORTHWEST CORNER OF SAID PARCEL 20 BEARS NORTH 02°32'27" WEST, A DISTANCE OF 262.64 FEET;

THENCE NORTH 89°12'54" EAST, A DISTANCE OF 420.04 FEET;
THENCE SOUTH 00°50'14" EAST, A DISTANCE OF 136.05 FEET;
THENCE NORTH 89°33'36" EAST, A DISTANCE OF 95.82 FEET;
THENCE SOUTH 01°09'11" EAST, A DISTANCE OF 15.18 FEET;
THENCE NORTH 88°50'49" EAST, A DISTANCE OF 227.90' MORE OR LESS TO THE POINT OF TERMINATION ON THE EAST LINE OF SAID PARCEL 19.

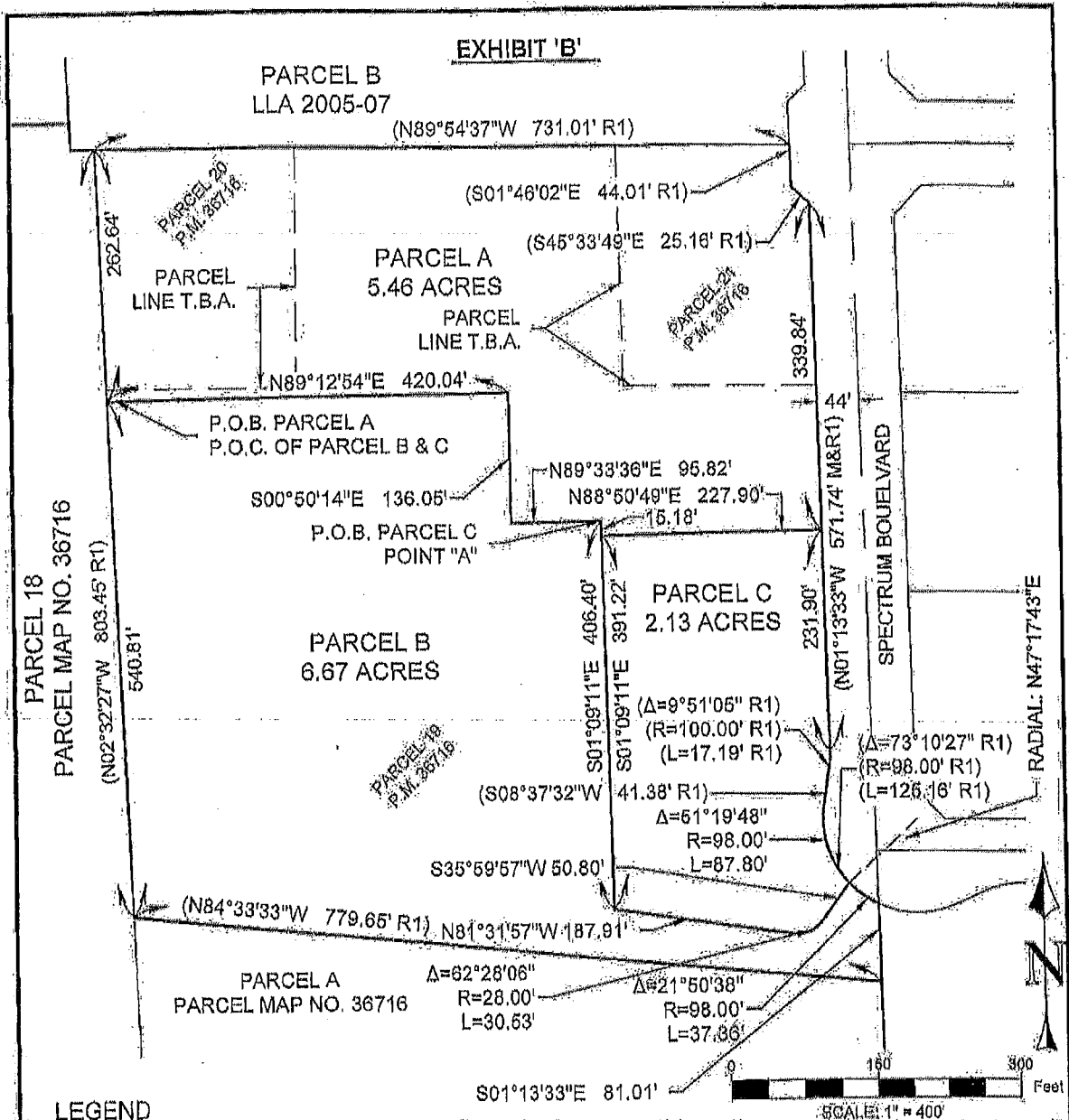
THE ABOVE DESCRIBED PARCEL CONTAINS 5.46 ACRES, MORE OR LESS.

PREPARED BY:
BASE CONSULTING GROUP, INC.


NEIL E. THONESEN
P.L.S. 8656 LIC. EXP. 12/31/2019

12/14/2017
DATE





LEGEND

—	LOT LINE	— — —	CENTERLINE	T.B.A.	TO BE ADJUSTED
P.O.B.	POINT OF BEGINNING	P.O.C.	POINT OF COMMENCEMENT	O.R.	OFFICIAL RECORDS OF RIVERSIDE COUNTY

NOTE: NO EXISTING BUILDINGS ON PARCELS A, B, & C

PREPARED BY:



16463 E. MANNING AVE.
REEDLEY, CA 93004
PH: (569) 637-1844

LOT LINE ADJUSTMENT

2018-02

AN ADJUSTMENT OF PARCEL 19, 20, AND 21 OF PARCEL MAP NO. 36716

(R1) RECORD AND CALCULATED DIMENSIONS FROM PARCEL MAP NO. 36716, FILED IN BOOK 238 OF PARCEL MAPS, AT PAGE(S) 98-104, O.R.

DATE: 01/22/2018	DRAWN BY: JDK	JOB NO.: 17023	PAGE: 1 OF 1
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Valley Sanitary District

DATE: April 11, 2023
TO: Board of Directors
FROM: Ron Buchwald, Interim General Manager
SUBJECT: Presentation by Innovative Federal Strategies

Suggested Action

Discuss

Strategic Plan Compliance

GOAL 6: Improve Planning, Administration and Governance

Fiscal Impact

There is no fiscal impact with this report.

Environmental Review

This is not a project according to CEQA guidelines.

Background

Letitia White of Innovative Federal Strategies will provide an update to the Board on what is happening in Washington, D.C.

Recommendation

It is recommended that the Board receive and file the information.



Valley Sanitary District

DATE: April 11, 2023
TO: Board of Directors
FROM: Ron Buchwald, Interim General Manager
SUBJECT: Approve Budget Adjustment for Rotary Thickener in the Amount of \$505,000.

Suggested Action

Approve

Strategic Plan Compliance

GOAL 2: Increase Recycling, Reuse, and Sustainability

Fiscal Impact

The fiscal impact to this report is \$505,000. Staff is requesting to move \$505,000 from the Collection System Rehabilitation and Replacement Project Construction fund to the Recycled Water Project - Phase 1. This will pay for the required bonds and insurance for the Rotary Screw Thickener as well as completion of the design for the project.

Environmental Review

This is not a project according to CEQA guidelines.

Background

On February 14, 2023, the Board approved the Amendment #2 to the Schneider Electric Contract which approved the Guaranteed Maximum Price for the Rotary Screw Thickener (RST). Approval of the Amendment #2, authorized Schneider Electric to proceed with acquiring the Performance and Payment Bonds as well as the required insurance for the project. Supplying the required bonds and insurance cost Schneider Electric \$243,312 which they would like to invoice the District for. Completing the 100% design plans is the next step in the process. The design is expected to be completed by June of this year and needs to be completed by then so that it keeps in line with the rest of the project's construction schedule. Design costs are expected to be about \$260,235. The total initial cost for the RST is \$503,547.

As stated in the February 14, 2023, Board Meeting, the RST needs to be financed in order to pay for this portion of the project. Staff plans to acquire funding options for the Board if and after the

District's rate increase is approved. The financing process will begin in June. Financing is not expected to be completed until September. Staff is requesting to pay for the initial costs for the RST using CIP funds from the Collection System Rehab and Replacement Construction fund. The construction of the RST will be paid through financing if the rate increase is approved, or through the Collection System Rehab and Replacement Fund if the rate increase is not approved.

Recommendation

Staff recommends that the Board of Directors approve the budget adjustment for the Rotary Thickener in the amount of \$505,000.



Valley Sanitary District

DATE: April 11, 2023
TO: Board of Directors
FROM: Ron Buchwald, Interim General Manager
SUBJECT: Approve Resolutions 2023-1176 and 2023-1177 Allowing Valley Sanitary District to Apply for Grant Funding from the State Water Board

Suggested Action

Approve

Strategic Plan Compliance

GOAL 2: Increase Recycling, Reuse, and Sustainability

Fiscal Impact

There is no fiscal impact by adopting these resolutions. Once the resolutions are adopted, the District can complete the application for the grant. If approved by the State Water Board, VSD would enter into an agreement where any fiscal impact will be stated. The agreement will be brought to the Board for approval to enter into the agreement.

Environmental Review

This is not a project as defined by CEQA.

Background

VSD is applying for a construction grant through the State of California's Water Recycling Funding Program. This is the same funding program that awarded VSD a \$500,000 planning grant. In order to complete the application process for the construction grant, the attached resolutions need to be adopted by the Board of Directors. Resolution 2023-1176 authorizes staff to apply for the grant. Resolution 2023-1177 states the reimbursement requirements of the grant.

Recommendation

It is recommended that the Board adopt Resolutions 2023-1176 and 2023-1177 to allow Valley Sanitary District to complete the grant application process.

Attachments

Resolution No. 2023-1176 Authorizing Water Board Application.docx

Resolution No. 2023-1177 Reimbursement Resolution.docx

RESOLUTION NO. 2023-1176

RESOLUTION OF THE BOARD OF DIRECTORS OF THE VALLEY SANITARY DISTRICT AUTHORIZING THE SUBMISSION OF A FINANCIAL ASSISTANCE APPLICATION TO THE STATE WATER RESOURCES CONTROL BOARD FOR A RECYCLED WATER CONSTRUCTION GRANT

WHEREAS, the Valley Sanitary District (the “District”) and the City of Indio (the “City”) formed the East Valley Reclamation Authority, a joint powers authority (the “JPA”), for the purposes of planning, programming, financing, designing, and operating a reclaimed water facility (the “Facility”) to create a sustainable water supply and manage the water resources within the City and District service areas; and

WHEREAS, the District is in the process of implementing a multi-phased project to expand the Facility’s treatment capacity and to implement tertiary treatment capabilities known as the Reclaimed Water Project (the “Reclaimed Water Project”); and

WHEREAS, the District is in the process of developing feasibility studies for groundwater recharge and direct non-potable reuse opportunities (the “Groundwater Recharge Project”) within the City service area; and

WHEREAS, the District has committed some of its resources along with the City, through the JPA, to construct Phase I of the Reclaimed Water Project and fund various feasibility studies to determine optimum beneficial use opportunities; and

WHEREAS, the total cost of constructing Phase II and Phase III of the Reclaimed Water Project and the Groundwater Recharge Project is beyond the available resources of the District without obtaining grants or other financial assistance; and

WHEREAS, the Board of Directors of the District (the “Board”) now desires to approve the submission of a Financial Assistance Application (the “Application”) with the California State Water Resources Control Board (the “Water Board”) in order to obtain funds for Phase II and Phase III of the Reclaimed Water Project and the Groundwater Recharge Project.

NOW THEREFORE, the Board of Directors of the Valley Sanitary District hereby resolves, declares, and determines as follows:

Section 1. Recitals. The above recitals are true and correct and the Board so finds and determines.

Section 2. Approval of Submission of Application. The General Manager of the District and the Business Services Manager (each, an “Authorized Representative”), or either of their designee, are hereby authorized and directed to execute, file, and submit, for and on behalf of the District, the Application for a financing agreement from the Water Board for the planning, design,

and construction of the Reclaimed Water Project – Phase II and III and the Groundwater Recharge Project.

Section 3. Other Actions. An Authorized Representative is authorized and directed to provide the assurances, certifications, commitments, and all other actions required for submission of the Application, including executing a financial assistance agreement from the Water Board and any amendments or changes thereto, and to carry out the District’s responsibilities under said financing agreement, including certifying disbursement requests on behalf of the District and compliance with applicable state and federal laws.

Section 4. Effective Date. This Resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED by the Board of Directors of the Valley Sanitary District this 11th day of April, 2023, by the following vote:

AYES:
NAYS:
ABSENT:
ABSTAIN:

Debra A. Canero,
President of the Board

ATTEST:

Scott Sear,
Secretary/Treasurer

RESOLUTION NO. 2023-1177

RESOLUTION OF THE BOARD OF DIRECTORS OF THE VALLEY SANITARY DISTRICT DECLARING ITS INTENT TO ISSUE AND/OR OBTAIN TAX-EXEMPT OBLIGATIONS TO BE USED TO REIMBURSE THE VALLEY SANITARY DISTRICT FOR EXPENDITURES TO BE MADE PRIOR TO THE ISSUANCE OF SUCH OBLIGATIONS

WHEREAS, the Valley Sanitary District (the “District”) desires to finance the construction of its Reclaimed Water Facility Phases II, III and Groundwater Recharge (the “Project”); and

WHEREAS, in connection therewith, the District anticipates financing the construction and/or reconstruction of the Project, or portions thereof, with certain moneys (“Project Funds”) provided by the State of California, acting by and through the State Water Resources Control Board (“State Water Board”); and

WHEREAS, the State Water Board may fund the Project Funds with proceeds from the sale of obligations, the interest upon which is to be excluded from gross income for federal income tax purposes (the “Obligations”); and

WHEREAS, pursuant to Treasury Regulations Section 1.150-2, the District may reimburse amounts advanced by the District for the Project if, not later than sixty (60) days after payment of the original expenditure of an amount advanced by the District, the Board of Directors of the District (the “Board”) adopts an official intent to reimburse the original expenditure, and such reimbursement occurs not later than eighteen (18) months after the later of the date the original expenditure is paid or the date the Project is placed in service, but in no event more than three (3) years after the original expenditure is paid; and

WHEREAS, the District expects to incur certain expenditures relating to the Project and to pay for such expenditures from available moneys of the District prior to the issuance of the Obligations and/or the approval of the Project Funds by the State Water Board; and

WHEREAS, the District reasonably expects and intends to use a portion of the proceeds of the Obligations and/or Project Funds to reimburse the District for expenditures made prior to the date the Obligations are entered into and issued and the Project Funds are approved.

NOW, THEREFORE, the Board of Directors of the Valley Sanitary District hereby resolves, declares, and determines as follows:

SECTION 1. Recitals. The above recitals are true and correct and the Board so finds and determines.

SECTION 2. Declaration of Official Intent to Reimburse. The Board hereby declares its official intent to reimburse the District for amounts advanced by the District from its General Fund for the design, construction, acquisition, installation, and equipping of the Project from proceeds of the sale of the Obligations and/or Project Funds. It is intended that this Resolution shall

constitute a declaration of “official intent” within the meaning of Treasury Regulations Section 1.150-2 promulgated under Section 150 of the Internal Revenue Code of 1986, as amended.

SECTION 3. Expected Maximum Principal Amount. The Project Funds shall be approved in the expected maximum principal amount of \$127,200,000. The Obligations are expected to be issued, in part, and the Project Funds approved for the purpose of providing tax-exempt financing for the Project.

SECTION 4. Other Approvals. The adoption of this Resolution shall not bind the District to proceed with execution and delivery of any documents related to the Project Funds until and unless all other necessary actions and approvals are taken or received in accordance with all applicable laws.

SECTION 5. Effective Date. This Resolution shall take effect upon its adoption.

PASSED AND ADOPTED by the Board of Directors of the Valley Sanitary District this 11th day of April, 2023, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

Debra A. Canero,
President of the Board

ATTEST:

Scott Sear,
Secretary/Treasurer



Valley Sanitary District

DATE: April 11, 2023
TO: Board of Directors
FROM: Ron Buchwald, Interim General Manager
SUBJECT: Discussion of Proposed Updates to the Valley Sanitary District Procurement Policy

Suggested Action

Discussion

Strategic Plan Compliance

GOAL 6: Improve Planning, Administration and Governance

Fiscal Impact

There is no fiscal impact to this report.

Environmental Review

Not applicable, this is not a project as defined by the California Environmental Quality Act (CEQA).

Background

Under California Government Code 54202 “Every local agency shall adopt policies and procedures, including bidding regulations, governing purchases of supplies and equipment by the local agency. Purchases of supplies and equipment by the local agency shall be in accordance with said duly adopted policies and in accordance with all provisions of law governing same. No policy, procedure, or regulation shall be adopted which is inconsistent or in conflict with the statute”.

The purpose of the District’s Procurement Policy is to guide District staff in the procurement of goods and services needed for the District. The revised draft policy introduces new limits for informal and formal procurement processes. Staff obtained procurement documents and thresholds for four (4) neighboring agencies for the Board of Directors to compare. Additionally, staff included the Blanket PO list approved at the beginning of the fiscal year 2022/23 budget and a list of expenditures for

vendors year to date. Staff requests guidance from the Board of Directors on how to proceed with the proposed edits to the procurement policy.

Recommendation

Staff recommends that the Board of Directors review the proposed updates to the procurement policy and provide staff with direction as to how to proceed.

Attachments

[VSD - Draft Purchasing Policy \(2023\) \(4.3.23\)-c1.docx](#)

[6.1 2022-2023 Final Blanket Purchase Order list of Vendors - BOARD.pdf](#)

[Vendor Activity Report FY23.xlsx](#)

[Purchasing Policy Comparison.pdf](#)



**VALLEY
SANITARY
DISTRICT**
INDIO, CALIFORNIA

Giving Water Another Chance

DRAFT

**PURCHASING AND
CONTRACTING POLICY
AND PROCEDURES GUIDE**

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DRAFT

1. INTRODUCTION.

(a) **Purpose.** The Valley Sanitary District (“District”) is a California Special District established in 1925 and is governed by the Sanitary Act of 1923 (Section 6400 *et seq.* of the Health and Safety Code). This Purchasing and Contracting Policy and Procedures Guide (“Policy”) provides uniform procedures for procuring, among other things, goods, services, and public projects, in accordance and consistent with Health and Safety Code section 6400 *et seq.*, Public Contract Code section 20800 *et seq.*, and Government Code section 54201 *et seq.* This Policy shall apply to the District. This Policy is intended to establish a system of controls for the efficient use and expenditure of public funds. To the extent permitted by law, the District encourages purchasing from, or contracting with, vendors located within the District’s jurisdiction and Riverside County. Revisions to the Policy may occur from time to time. Revisions will be presented to the District Board for review and approval.

(b) **Definitions.**

(i) Approval Authority means the Department Manager, General Manager, or District Board with the authority to approve a particular contract or purchase.

(ii) District Board means the Valley Sanitary District Board of Directors.

(iii) Emergency means a sudden, unexpected occurrence that poses a clear and imminent danger, requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, or essential public services.

(iv) General services mean non-professional services as the District may, from time to time, find necessary and proper for the functioning of the District. Examples include, but are not limited to, janitorial, uniform cleaning, software services, and other services which do not require any unique skill, special background or training.

(v) Goods mean any and all supplies, materials, articles, equipment, apparatus, vehicles, things, or property, other than real property, furnished to be used by the District.

(vi) Maintenance services means the following:

- Routine, recurring, and usual work for the preservation or protection of a publicly owned, or publicly operated facility for intended purposes;
- Minor repainting;
- Resurfacing streets and highways at less than one inch;
- Landscape maintenance, including mowing, watering, trimming, pruning, planting, replacement of plants, and servicing of irrigation and sprinkler systems; and
- Other similar services that are generally classified as maintenance and not public projects.

(vii) Professional services mean services provided by a person, company, corporation, or firm engaged in a profession based on a generally recognized special knowledge,

skill, license, and/or certification to perform the work including, but not limited to, the professions of accountant, attorney, artist, architect, landscape architect, construction manager, engineer, environmental consultant, dentist, physician, training or educational consultant, or land surveyor, and whose services are considered distinct and unique.

(viii) Public project means any construction, reconstruction, alteration, enlargement, renewal, or replacement of sewer facilities which the District is authorized to do, including, but not limited to, the furnishing of supplies or materials for any such work..

(ix) Request For Proposal (“RFP”) is a document that solicits firms to submit a proposal to perform the scope of work associated with a proposed project. Cost is not the sole basis for selection in an RFP; other qualifications including experience, turnaround time and approach to work are important factors when evaluating proposals. RFPs are project specific and preparation requires general knowledge of the project. It is expected that interested parties would do a limited amount of work to develop a quality proposal.

(x) Request For Qualification (“RFQ”) is a document that solicits firms to submit information about their qualification and capabilities to perform the type of work associated with a proposed project. The preparation of an RFQ generally does not require specific project knowledge or scope. An RFQ may be used as a pre-qualification step to engaging a service provider. If an RFQ is required, only those candidates who successfully respond to it and meet the qualification criteria will be included in the subsequent RFP process. An RFQ will contain specific reference to selection criteria.

(xi) Services mean either general services, maintenance services, or professional services.

2. PURCHASING POLICY PROCEDURES.

(a) **Purchasing Approval Authority.** The bidding and purchasing methods for goods, services, and public projects are outlined in Section 3 of this Policy. The Approval Authority applicable for the purchase of goods, services, and public projects shall be delegated as follows:

(i) Award by Department Manager. A Department Manager may award contracts for goods, services, and public projects in an amount not to exceed \$5,000.

(ii) Award by General Manager. The General Manager may award contracts for goods, services, and public projects in an amount not to exceed \$10,000.

(iii) Award by District Board. The District Board shall award contracts for goods, services, and public projects that exceed \$10,000.

(b) **Development of Bid Specifications; Review and Approval.** Accurate and clear specifications shall be developed for the procurement of goods, services, and public projects. The District Board or District Engineer shall adopt and approve plans, specifications, and working details for all public projects, including emergency and change order work, which may affect the design or operation of public improvements and which may bring into question the

District's liability for dangerous conditions of public property. This authority may be delegated if the nature of the specifications warrants such an action.

(c) **Master Agreements.** The District may enter into master agreements, under which District staff purchases goods and services, including, but not limited to, on-call services. Master Agreements shall have a not-to-exceed cost limit and be subject to the procurement requirements of this Policy based on the not-to-exceed value.

(d) **Petty Cash.** The purpose of a petty cash procedure and policy is to support "day-to-day" small immediate demands of the District that cannot be met through other established procedures for obtaining required goods. These demands are generated for items that are within the goals and objectives of the District and are provided for in the District's operating budget. The maximum petty cash monetary limit is \$100 per transaction. In order to be reimbursed, the employee must complete a petty cash form, have it approved (signed) by the General Manager, or their designee. Approval signature on the petty cash form is mandatory.

(e) **Purchase Orders; Contracts.**

(i) Unauthorized Purchases. Unless otherwise allowed by this Policy, no officer or employee of the District shall request a vendor to deliver goods, services, or public projects to the District without prior authorization by the Approval Authority. Such purchases are void and not considered an obligation of the District.

(ii) Appropriations Requirement. No purchase order or contract shall be approved unless the General Manager, or their designee, shall have first confirmed that there is an unencumbered appropriation in the fund against which such expenditure is to be charged sufficient to cover the amount of purchase order or contract, unless in cases of emergency.

(iii) Purchase Orders. Unless otherwise allowed by this Policy or the General Manager, or their designee, a purchase order is required when goods, services, and public projects are purchased and cost more than \$2,000. The purchase order request shall be submitted by the supervisor against whose budget account the expenditure shall be charged. The request must contain sufficient information to insure acquisition of the correct item(s). Requisitions must indicate the account number to be charged. Requisitions will not be made utilizing accounts that are unrelated to the type of item or service being purchased. Original quotes or bids, specifications and other documentation are to accompany the request, if applicable. After the review of the purchase order request for completeness and accuracy and subsequent approval by the General Manager or designee, a purchase order is generated by the Finance Department.

(iv) Blanket Purchase Orders. Blanket purchase orders may be used with vendors that are expected to supply repetitive-use goods or services to the District on an ongoing and/or regular basis throughout the year. Blanket purchase orders are closed at the conclusion of each fiscal year. Examples of open purchase orders may include services such as maintenance, landscaping, janitorial services, uniforms or supplies and materials including sodium hypochlorite chemicals and similar items. Blanket purchase orders shall include: a description of the goods or services that may be incurred; the period of time the order will remain open (not to exceed one fiscal year); the maximum total amount which may be charged on the purchase order

and/or agreed upon prices or pricing structure; and items excluded from the purchase, if applicable.

(v) Purchase Order Exceptions. The following allowable exemptions do not require purchase orders:

(1) Utilities such as water, garbage, telephone, gas, electricity, and similar services.

(2) Medical, dental, vision, life, workers compensation, and similar health insurances, liability, property, and other insurance premiums, and insurance claims.

(3) Medical payments for physicians, lab, etc.

(4) Petty cash replenishments.

(5) Miscellaneous charges such as advertisements and notices, taxes, memberships and dues, postage, shipping, delivery and messenger services, subscriptions, trade circulars or books, and other similar items.

(6) Items that utilize other forms of District authorization such as travel expenses, claim expenses, and tuition reimbursement.

(7) Purchases where petty cash or a District credit card are utilized.

(vi) Charge Accounts with Local Vendors. The General Manager, or their designee, must approve all requests to establish charge accounts with local vendors. Once the accounts are approved and established, employees may purchase items on account with local vendors. A paid invoice or receipt shall be obtained, and the employee shall acknowledge receipt of the items by signing the invoice. A valid account number(s) shall be included on the receipt indicating where the item(s) will be charged. The receipt shall be forwarded to Accounting. Authorization is required by the supervisor against whose budgetary account the expenditure shall be charged. A blanket purchase order may be established each fiscal year for such accounts.

(vii) Execution of Contracts. The District General Counsel shall approve, in writing, District's standard contract form. If District's standard contract form is not applicable, the General Manager, at their discretion, may direct District's General Counsel to review and approve any other contract form. All contracts shall be executed on behalf of District by the General Manager, or their designee, unless otherwise directed by the Board. The General Manager, or their designee, shall work with the District General Counsel to establish when a contract is necessary for a purchase. The District may execute and accept contracts utilizing digital signatures, pursuant to Government Code section 16.5, or electronic signatures, pursuant to the California Uniform Electronic Transactions Act (Civil Code sections 1633.1, et seq.). Unless otherwise prohibited by law, all District contracts may be executed in multiple counterparts, which shall constitute a single integrated document.

(f) **Request for Check and Payment of Invoices.** If a check is needed for an advance payment, the requesting employee shall forward the completed Request for Check form,

with appropriate attachments, to their supervisor. Requests for Checks for up to \$5,000 may be authorized by a Department Manager. Requests for checks for up to \$10,000 must be authorized by the General Manager or their designee. All invoices shall be approved with the signature of a supervisor. Upon receipt of the approved vendor's invoice, including packing slips showing receipt of materials, accounting will prepare vendor checks for payment of invoices. The Chief Administrative Officer, or their designee, shall electronically approve all accounts payable packets. The General Manager, or their designee, shall approve all wire transfers, regardless of authority level established in this Policy. The Chief Administrative Officer shall report to the District Board a list of checks issued, including the check date, check number, vendor, description of services and check amount, at each regular board meeting. The Chief Administrative Officer shall report to the District Board at each regular board meeting, details of recurring claims and other invoices that the District Board desires to review.

(g) **Change Orders/Amendments.** Contracts may be amended by the issuance of a change order or amendment, provided the change is reasonably related to the scope of the original contract. All requests for change orders/amendments must be reviewed by the General Manager to ensure available budget and/or identify need for an additional appropriation.

(i) Change Order/Amendments Authority

(1) General Manager. The cumulative value (original + change order/amendment) of the change order or amendment shall not exceed \$10,000. Notwithstanding the foregoing, if an award is approved by the District Board (i.e., value is over \$10,000), it is recommended that the General Manager request delegation to the General Manager to approve change orders or amendments within 10% of the awarded price. Additional contingency may be approved depending on the nature of the project and the potential for unpredictability of costs.

(2) District Board. All change orders and amendments as required.

(3) Exceptions. Notwithstanding the foregoing, change orders or amendments are not required if the additional amount payable is for taxes and shipping and handling charges in connection with the furnishing of goods. If the amount payable is more than the contract amount, but does not exceed 10% of the original contract amount, a change order is not required for the furnishing of goods or services. Change orders are not required if completed contracts are less than face value of contract.

(h) **Credit Card Purchases.**

(i) Under certain circumstances, the use of a District credit card may be the most appropriate method for certain purchases such as:

(1) Authorized travel expenses and hotel charges covered under District's Travel Policy.

(2) Authorized meals and incidental expenses under District's Travel Policy when required in the conduct of official business. Employees shall not use District credit card for meals and incidental expenses covered under District's Per Diem Policy.

(3) Purchase for goods only when vendors will not accept District purchase orders or when there is an emergency, as defined in this Policy.

(4) Purchases for goods and services when it is not practical to use other authorized District purchasing methods (i.e. car rental, registration for seminars, internet purchasing, etc.).

(ii) Notwithstanding anything in this Policy, various staff positions are eligible to receive a District credit card. The credit card is authorized for District expenditures only. Card holders are prohibited from charging non-District expenditures. Employees receiving District credit cards will be required to sign an acknowledgement form which acknowledges the credit card is authorized for District expenditures only.

(iii) The General Manager, or their designee, shall review all charges and approve District credit card payment to the vendor. Employees must obtain a detailed receipt for all credit card purchases. A valid account number(s) shall be included on the receipt indicating where the item(s) will be charged. The receipt shall be forwarded to the accounting. If a charge on the credit card has been made and it is not possible to obtain a receipt from the vendor, the employee must complete a Credit Card Receipt Form and forward to accounting.

(iv) Because of Internal Revenue Service (IRS) tax reporting requirements, except for emergency purchases, District credit cards may not be used to purchase services provided by vendors who are doing business as partnerships or sole proprietors. Examples of this include, but are not limited to, labor charges for auto repair, plumbers and construction contractors.

(i) **Insurance Pertaining to Employees.** The General Manager, or their designee, is authorized to renew, negotiate, renegotiate and enter into contracts with various insurance carriers for current plans of coverage or replacement plans of coverage consistent with the system of insurance for various types of employee group insurance plans approved by the District Board as part of the negotiation process.

(j) **Real Property.** The General Manager, or their designee, shall have the authority to accept, on behalf of the District, easements and other real property rights and interest granted to the District for effective performance of the District's operations and functions. The District Board reserves to itself the sole authority to convey real property or real property rights.

(k) **Environmentally Preferable Purchasing.** The following guidelines provides direction to ensure that products purchased by the District include recycled content, reduced toxicity and increased durability. Employees are required, when feasible, to select products according to these guidelines.

(i) General Office Supplies

(1) Printer/Copier Paper. Buy with at least 30% post-consumer content and no chlorine bleach. Reduce overall paper use by: using duplex printing, printing on previously used paper, scanning (rather than faxing) documents to send, using smaller fonts and

margins that are within ADA recommended guidelines, reusing office paper as scratch paper, and using central or master hard copy files, not multiple personal copies.

(2) Stationery. Buy with at least 30% post-consumer content or be Forest Stewardship Council (FSC) certified. Use vegetable inks for printing.

(3) Notepads. Buy with at least 30% post-consumer content.

(4) Binders and dividers. Buy items made from biodegradable materials. Employees are encouraged to reuse binders from project to project.

(5) Pens and Pencils. District will purchase and require the use of refillable instead of one-time use items, whenever practical. For situations where refillable items are not appropriate, District will buy disposable items made from plant-based or other renewable or recycled content.

(6) Toner Cartridges. Buy remanufactured items and recycle after use. Refill cartridges whenever possible.

(7) Miscellaneous Office Supplies. File folders, manila folders, post-it notes, paperclips, etc., will be purchased with the highest recycled content and no/low levels of VOCs as are available and reasonably priced.

(ii) Office Equipment.

(1) Purchase equipment (computers, monitors, copiers, printers & faxes) with the following features: consume as little power as possible during operation, have the function of automatically switching into low-power or power-off mode (for all machines, the "Energy Star" logo helps indicate the machine has such a function), be Energy Star and preferably EPEAT rated (for computers/monitors), have the capacity for upgrading or expanding functions for long use, and reuse equipment by giving to local schools and organizations.

(2) Employees are encouraged to help save energy by: turning off equipment and printers at night and enabling all equipment with sleep mode capability, and reducing the interval used to trigger sleep mode.

(iii) Break room Supplies.

(1) Dishes and Utensils. Use disposable dishes and utensils with recycled content, no chlorine bleaching, or from alternative, such as plant-based, materials.

(2) Paper products. Buy products with recycled content and no chlorine bleach. Buy paper towels with smaller sheets.

(3) Water. Single use bottles of water, preferably made from plant-based or other biodegradable material, may be purchased for special events use only. Staff and the District Board will use pitchers and cups. Plant-based or biodegradable will be provided for the public or visitors.

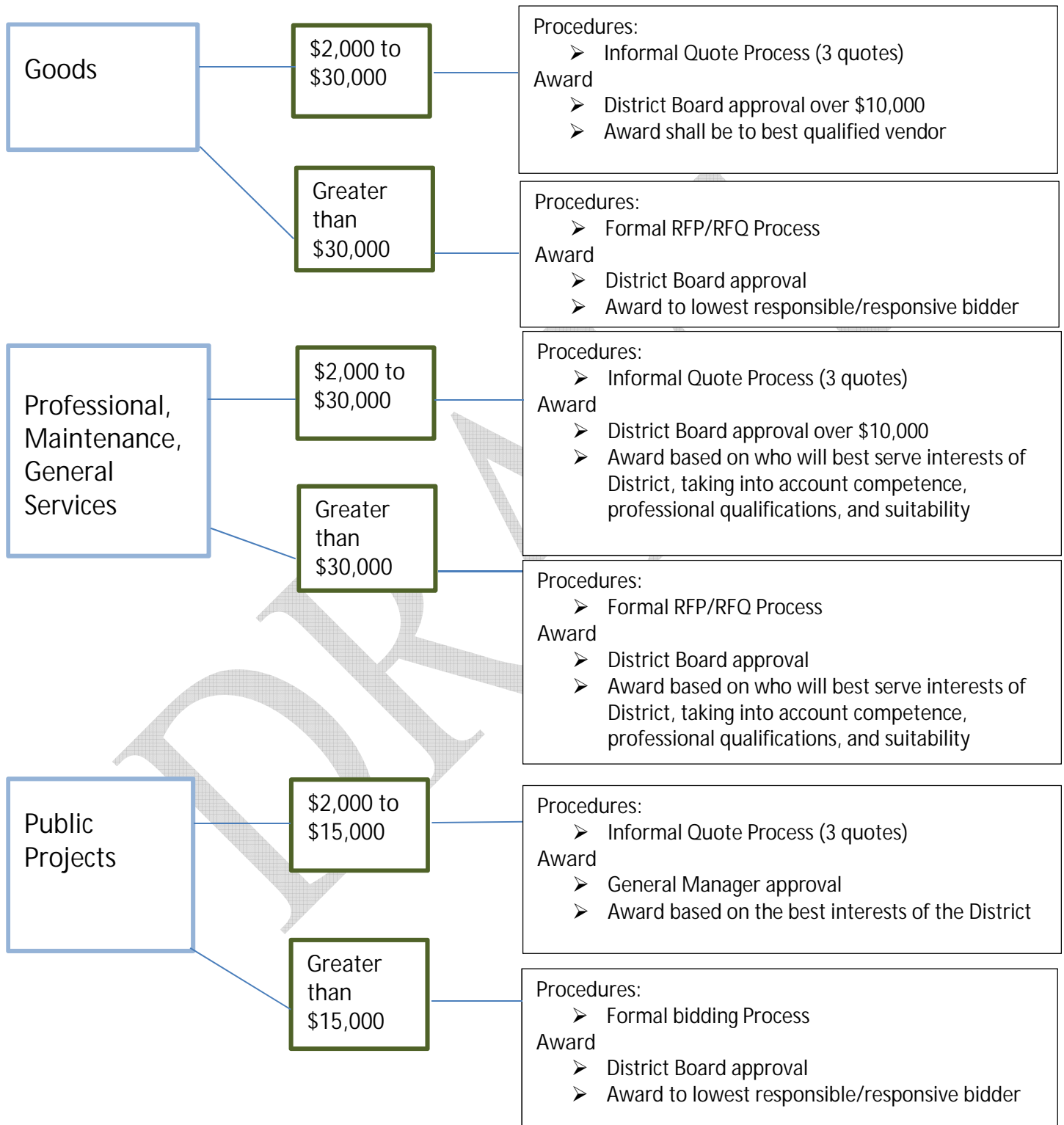
(iv) Cleaning Supplies.

- Use green cleaners: look for environmental certifications.
- Limit cleaners to one multi-purpose cleaner, and necessary specialty cleaners.
- When possible, use concentrated cleaner and use proper dilution rates.
- Limited use of anti-bacterial products.
- Use disinfectants minimally.
- Aerosols only when non-aerosol alternative is not available.

(v) District Vehicles. Purchase vehicles that have a lower environmental impact such as hybrid cars, CNG cars, etc. District vehicles shall be maintained according to carmaker's suggestions to maximize fuel/energy economy.

3. BIDDING AND PURCHASING METHODS.

The following summarizes the bidding and purchasing methods for goods, services, and public projects described in depth in this Section 3 of the Policy and should be used for reference only.



(a) **Type of Purchase.**

(i) Goods.

(1) Less than \$2,000. Goods of less than \$2,000 may be procured in the best interest of the District without having to follow a designated procurement process.

(2) \$2,000 to \$30,000. Goods of \$2,000 to \$30,000 may be procured by the Informal Quote Process or any exception consistent with this Policy.

(3) Over \$30,000. Goods over \$30,000 shall be procured by the Formal RFP/RFQ Process or any exception consistent with this Policy.

(ii) Professional, Maintenance, and General Services.

(1) Less than \$2,000. Services of less than \$2,000 may be procured in the best interest of the District without having to follow a designated procurement process.

(2) \$2,000 to \$30,000. Services of \$2,000 to \$30,000 may be procured by the Informal Quote Process or any exception consistent with this Policy.

(3) Over \$30,000. Services over \$30,000 shall be procured by the Formal RFP/RFQ Process or any exception consistent with this Policy.

(iii) Public Projects.

(1) Less than \$2,000. Public projects of less than \$2,000 may be procured in the best interest of the District without having to follow a designated procurement process.

(2) \$2,000 to \$15,000. Public projects of \$2,000 to \$15,000 may be procured by the Informal Quote Process or any exception consistent with this Policy.

(3) Over \$15,000. Public projects over \$15,000 shall be procured by the Formal Bid Process or any exception consistent with this Policy.

(4) Performance and Payment Bonds. Every public project more than \$15,000 and any other contract as determined by the authorized agent shall be accompanied by separate performance and payment bonds executed by a corporate surety authorized to do business in California, approved by the General Manager or their designee.

(5) Prequalification. The District may prequalify prime contractors and/or subcontractors for public projects pursuant to Public Contract Code section 20101.

(b) **Informal Quotes Process.**

(i) Soliciting Quotes or Proposals. District staff shall solicit via posted notice, telephone request, mail, email, or any other reasonable solicitation method, price quotes or

proposals documented in writing. If unable to obtain a minimum of three (3) price quotes, staff shall document that reasonable efforts were made to obtain price quotes or proposals including, that there were no other vendors to solicit price quotes or proposals from or that they solicited to other vendors and one or more declined to provide a quote or proposal.

(ii) Award of Purchase. Award shall be made to the best qualified vendor presenting a quote or proposal that is in the District's best interests. Contracts for the purchase of professional services shall be awarded to the best qualified vendor on the basis of demonstrated competence and professional qualifications. While a reasonable price is always a consideration in selecting a vendor, it cannot be the sole factor in selecting a vendor for professional services.

(c) **Formal RFP/RFQ Process.**

The RFP or RFQ process shall be utilized to engage services on the basis of demonstrated competence and qualifications for the types of services to be performed and at fair and reasonable prices to the District. The following minimum guidelines and procedures shall be implemented.

(i) Notice Inviting RFQs or RFPs. At a minimum, the notice inviting RFQs or RFPs shall: (1) describe the project; (2) state how to obtain more detailed information about the project; (3) state the date, time and place for the submission of qualifications or proposals; (4) describe general parameters for evaluation and selection; and (5) include any other information required by state or local law.

(ii) Published Notice. District staff shall solicit RFQs or RFPs via the District's website before the date for receiving qualifications or proposals, unless exigent circumstances call for a shorter time.

(iii) Review of Qualifications or Proposals. The District will receive qualifications or proposals at the date, time and place of submission on the notice inviting RFQs/RFPs. Any proposals received after the proposal opening time will be returned unopened to the proposer. The District will review and evaluate qualifications or proposals based on the evaluation and selection criteria in the RFQs/RFPs and rank proposals based on factors listed in the RFQ/RFP.

(iv) Negotiation. Once proposals are ranked, the District may negotiate a contract with the highest ranked proposer only, may negotiate with multiple proposers, or may attempt to reach an agreement with the highest ranked proposer before negotiating with other proposers in order of ranking. The District may also dispense with negotiations and recommend an award based on the proposals.

(v) Award. Award for professional services contracts shall be to the best qualified vendor who will best serve the District interests taking into account the demonstrated competence, professional qualifications and suitability for the project. Award for other contracts shall to the vendor offering the best value to the District, in the District's sole and absolute discretion.

(vi) Rejection of Proposals. The District Board may, in its sole and absolute discretion, reject all proposals presented and re-advertise.

(d) **Formal Bidding Process.**

(i) Required Process. The formal bidding procedures shall comply with all aspects of state and local law governing formal competitive bidding, including, but not limited to, the Public Contract Code, Government Code, Labor Code, resolutions of the District Board as may be adopted from time to time, and this Policy.

(ii) Notice Inviting Formal Bids. Notice inviting formal bids shall be provided. Notices shall state the time and place for the receiving and opening of bids and distinctly describe the project. At a minimum, the notice inviting formal bids shall: (1) describe the project; (2) state how to obtain more detailed information about the project; (3) state the date, time and place for the submission of sealed bids; and (4) include any other information required by state or local law.

(iii) Published Notice. The notice shall first be published at least ten (10) calendar days before the date of opening the bids. Notice shall be published at least twice, not less than five days apart, in a newspaper of general circulation, circulated within the District, or if there is none, it shall be posted in at least three public places in the District that have been designated by resolution as the places for posting public notices.

(iv) Bidder's Security. All bids shall be presented under sealed cover accompanied by one of the following forms of bidder's security: (a) cash; (b) cashier's or certified check made payable to the District; or (c) a bidder's bond executed by an admitted surety insurer made payable to the District. Such security shall be an amount at least equal to ten percent of the bid amount.

(v) Forfeiture of Security. If the successful bidder fails to execute the contract, the bidder's security shall be forfeited to the District. The District Board may on refusal or failure of the successful bidder to execute such contract award the contract to the next lowest responsible bidder. If the District Board awards the contract to the second lowest bidder, the amount of the lowest bidder's security shall be applied by the District to the difference between the low bid and the second low bid. The surplus, if any, shall be utilized to offset any and all costs of preparation and printing of plans, specifications, estimates of cost, publication of notices, and any surplus remaining shall be returned to the lowest bidder who fails to execute the contract.

(vi) No Bids. If no bids are received, the District Board may have the project done in any manner that the District Board may direct without further complying with this Section.

(vii) Award of Contract. If awarded, the contract shall be awarded to the lowest responsible bidder. If two or more bids received are the same amount, the District Board may decide which bid to accept and award.

(viii) Rejection of Bids. The District Board may, in its sole and absolute discretion, reject any and all bids or waive any irregularities or informalities in the bids or bidding process if deemed to best serve the interests of the District.

(e) **Prevailing Wages.**

(i) As a general rule, the definition of public work under state prevailing wage law in the Labor Code is broader than the corresponding definition under the Public Contract Code and other public procurement statutes. It is important for the District to recognize that simply because a project is not subject to competitive bidding under the Public Contract Code does not necessarily mean that the project is not subject to state prevailing wage law.

(ii) California Labor Code Sections 1720 et seq. and 1770 et seq., as well as California Code of Regulations Title 8, Section 16000, et seq. (“Prevailing Wage Laws), require the payment of prevailing wage rates and the performance of other requirements on certain “public works” and “maintenance” projects. If the services are being performed as part of an applicable “public works” or “maintenance” project, as defined by the Prevailing Wage Laws, and if the total compensation is \$1,000 or more, the District must make vendors aware of these requirements and vendors must fully comply with such Prevailing Wage Laws.

(iii) On projects of \$25,000 for new construction, alteration, installation, demolition or repair and \$15,000 for maintenance, all contractors and subcontractors that wish to bid on, be listed in a bid proposal, or enter into a contract for that work must be registered with the Department of Industrial Relations and the District must register the project with the Department of Industrial Relations.

(f) **Exceptions to Procurement Methods.**

(i) Use of Exceptions. This Section contains exceptions to the District’s general procurement requirement. The Approval Authority may determine that use of an exception is most beneficial under the circumstances. Exceptions should only be used where the particular exception provides a greater public benefit than adhering to standard procurement requirements.

(ii) Emergency.

(1) In the case of an emergency which requires the immediate procurement of services or goods, the General Manager may procure these items without regard to the provisions of this Policy. The action shall only be to take any directly related and immediate action required by that emergency. Award shall be made to the vendor offering the lowest acceptable quotation that best meets the needs of the District. The General Manager shall at their earliest opportunity inform the District Board of the emergency and provide a written public record showing the nature of the emergency and expenditures incurred.

(2) In the case of an emergency which requires the immediate procurement of a public project, the District Board, by a four-fifths vote may procure these items without regard to the provisions of this Policy. The action shall only be to repair or replace a public facility, take any directly related and immediate action required by that emergency, or

procure the necessary equipment, services, and supplies for those purposes. Award shall be made to the vendor offering the lowest acceptable quotation that best meets the needs of the District. The District Board shall terminate the emergency action at the earliest possible date that conditions warrant. If the District Board meeting cannot be convened in a timely manner, then the District Board President may approve the emergency expenditure or if the District Board meeting cannot be convened in a timely manner and the District Board President cannot be contacted, then the General Manager, or their designee, may authorize the emergency expenditure subject to the General Manager, or their designee, reporting to the District Board not later than its next regularly scheduled meeting the details of the emergency and reasons justifying the actions taken pursuant the provisions of this Policy and Public Contract Code section 22050.

(iii) No Competitive Market. When the District Board determines that a competitive market does not exist or that the District will not gain a competitive advantage by using the formal bidding procedure, the District may use any other procurement method.

(iv) Competitive Bidding Already Completed. When the General Manager or District Board determines that: (1) a competitive bid procedure has been conducted by another public agency, including, but not limited to, another local agency, the State through the California Multiple Award Schedule (CMAS), the federal government through the General Services Administration (GSA), or a joint powers agency, authority or alliance that procures competitive contracts; and (2) the price to the District is equal to or better than the price to that public agency.

(v) State Purchase. When the purchase is made on behalf of the District by the State Department of General Services.

(vi) County Purchase. When the purchase is made on behalf of the District by the County of Riverside.

(vii) Mandated Expenditures. When expenditures are mandated by law or regulation, such as county booking fees, utilities, postage, waste disposal fees or other non-negotiable permit, use or application fees.

(viii) Shared Services. When the District Board or General Manager authorizes the award and execution of contracts for services, subject to the dollar limits consistent with this Policy, that are provided by another government, public entity, joint powers authority, quasi-governmental entity, special district or non-profit entity that will maximize efficiency, increase cost effectiveness, increase range of services, minimize duplication, provide training or education encourage collaboration or standardize efforts, or leverage government resources.

(ix) Best Interest of District. When, except where otherwise prohibited by law, the District Board or General Manager authorizes the award and execution of contracts for services and goods subject to the dollar limits consistent with this Section, without following the required procurement methods, provided that the District Board or General Manager finds that such award is in the best interest of the District, or of the public health, safety, and welfare. For services, this includes, but is not limited to, cases where the project is a continuation of an earlier

assignment, the District has an ongoing relationship with the consultant, or the consultant has a special expertise.

(x) Sole Source. When the District Board or General Manager determines that there is only one source that provides the needed services or goods, or to ensure compatibility with other District products and equipment, the District shall work to procure these items in the best interest of the District.

(xi) Alternative Delivery Methods. The District may utilize any alternative delivery methods that are otherwise available under the law. Examples of alternative delivery methods include, but are not limited to, energy conservation projects (Government Code section 4217.10, *et seq.*) and public-private partnerships (Government Code section 5956, *et seq.*). The Approval Authority shall authorize use of alternative delivery methods either prior to release of a solicitation or prior to award of a contract.

(xii) Otherwise Authorized. When otherwise authorized by this Policy or applicable law.

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4. **PROTEST PROCEDURES.**

(a) **Right to Protest.** Prior to making the award, any responsible bidder or proposer in connection with the award of a contract may protest the award. A subcontractor of a bidder or proposer may not submit a protest. This Section shall apply to all contracts awarded by the District Board through a formal competitive process, including but not limited to a formal bid or formal request for proposal process. The protest procedure does not apply to contracts that are awarded at the staff level or through a non-competitive process (e.g., by sole source). The protest procedure is solely to serve the public interest and obtain finality of District contract awards.

(b) **Procedure.** The protest must:

(i) Be filed in writing within five (5) calendar days after the bid opening date relating to any bid or proposal. Any protest relating to a District determination or recommendation regarding the a bid or proposal must be submitted within five (5) calendar days after the District makes the determination or recommendation

(ii) Clearly identify the specific irregularity or accusation;

(iii) Clearly identify the specific District staff determination or recommendation being protested, if applicable;

(iv) Specify in detail the legal grounds for protest and the facts supporting the protest; and

(v) Include all relevant, supporting documentation with the protest at time of filing.

(c) **District Response.** Any grounds not raised in the written protest are deemed waived by the protesting bidder or proposer. If the protest does not comply with each of these requirements, the District may reject the protest without further review. If the protest is timely and complies with the above requirements, the District shall review the protest, any response from the challenged bidder(s), and all other relevant information. The District will provide a written decision to the protestor in a reasonable amount of time.

(d) **Effect of Failure to Comply with Protest Procedures.** The procedure and time limits set forth are mandatory and are the sole and exclusive remedy in the event of a bid protest. Failure to comply with these procedures shall constitute a failure to exhaust administrative remedies and a waiver of any right to further pursue the bid protest, including filing a Government Code Claim or legal proceeding.

(e) **Conflicts.** The protest procedure contained in this Section shall not apply if a particular procurement solicitation contains a different protest procedure.

5. **FIXED ASSETS; DISPOSITION OF SURPLUS GOODS.**

(a) **Fixed Assets.** In general, all fixed assets, including land, buildings, machinery and equipment, with an original cost of \$5,000 or more, will be subject to capitalization. All costs associated with the purchase or construction will be capitalized, including ancillary costs such as freight and transportation charges, site preparation expenditures, professional fees and legal claims directly attributable to asset acquisition. Specific capitalization requirements are described below.

(i) This capitalization threshold is applied to individual units of fixed assets. For example, five desks purchased through a single purchase order, each costing \$1,000, will not qualify for capitalization even though the total (\$5,000) exceeds the threshold. For purposes of capitalization, the threshold will generally not be applied to components of fixed assets. For example, the base, desk top and book shelf purchased as components of a modular desk unit will not be evaluated individually against the capitalization threshold. The entire modular unit will be treated as a single fixed asset.

(ii) Repairs to existing fixed assets will generally not be subject to capitalization unless it extends the useful life of the asset. If the repair extends the useful life of the fixed asset, it represents an improvement and is subject to the requirements described below.

(iii) Improvements to existing fixed assets will be presumed (by definition) to extend the useful life of the related fixed asset and will be subject to capitalization only if the cost of the improvement meets the fixed asset threshold.

(iv) Capital projects will be capitalized as “construction in progress” until completed. Costs to be capitalized include direct costs, such as labor and materials, as well as ancillary costs and any construction period interest costs as may be required.

(b) **Surplus Goods and Fixed Assets.** The Chief Administrative Officer, or their designee, is responsible for the transfer and disposition of surplus District goods. The District Board has the authority to declare fixed assets surplus. The General Manager, or their designee, has the authority to surplus goods and other items that do not qualify as fixed assets. Proceeds from the sale or trade-in of surplus goods or fixed assets shall be returned to the appropriate fund to offset the cost of the replacement property.

(i) **Disposing of Surplus.** All departments shall submit to the General Manager, when requested, reports showing all goods or fixed assets which are no longer used or which have become obsolete or worn out. The General Manager shall have authority to sell as surplus all goods which cannot be used by any department or which have become unsuitable for District use, or to exchange the same for, or trade in the same on, new goods. The sale of surplus goods shall be made pursuant to rules prescribed by the General Manager and only after authorization from the District Board as to any items of an estimated value of \$10,000 or more, or any fixed asset.

(ii) **District Officials and Staff.** District officials and employees and their immediate families, shall not be eligible to purchase such surplus goods or fixed assets.

6. ETHICAL STANDARDS AND FAIR PROCESSES.

(a) **Ethical Standards for Purchasing.** When placing District business with the business community, it is every employee's responsibility to follow good business and ethical practices and to adhere to the District's applicable law, policies, and procedures. This is a responsibility that should not be taken lightly as it is a duty under the law. All vendors shall be treated equally and fairly at all times by District personnel, with equal information given to each vendor who participates in a competitive situation. District employees must discharge their duties under this Policy in an impartial manner to foster the integrity of the District's purchasing function and to assure fair and open competition for District business and the selection of competent, responsible vendors.

(b) **Conflicts of Interest.** No employee, officer, or agent of the District may participate in the selection, award, or administration of a contract pursuant to this Policy he or she has a real or apparent conflict of interest. A conflict of interest would arise when the District employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a material benefit from a vendor considered for a contract. The officers, employees, and agents of the District may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts, subject to any applicable standards for determining whether a financial interest is not substantial or a gift is an unsolicited item of nominal value. California Government Code § 1090 prohibits District officers and employees from having a financial interest in any contract "made" by them or by any board or body of which they are members. Virtually all board members, officers, employees, and consultants of a public entity are considered public officials under Government Code §1090. In a case where a consultant is developing a scope of work for a future project, creation of that scope of work is considered part of the "making" of the contract and defined by Section 1090. As such the consultant would be prohibited from submitting a proposal and/or being awarded a contract for the work.

(c) **Communications Related to Solicitations.** For each solicitation, the General Manager shall designate a single point of contact (or, as appropriate, multiple specific points of contact) to communicate with the potential vendors about the solicitation. No District Board member, official, agent, or employee other than the designated District representative(s) shall communicate with potential vendors about a solicitation. The District Board and each District Board member shall not interfere with staff's performance of duties related to any solicitation or procurement process in any way. This prohibition does not prevent the District Board from forming a standing or ad hoc committee, or citizens' advisory committee, to review or provide input on any particular procurement or type of procurement, provided that such bodies only act in an advisory capacity and do not interfere with staff's duties.

7. **FEDERAL EMERGENCY AND GRANT PROCUREMENT PROCEDURES.**

(a) **Purpose.** The purpose of these Federal Emergency and Grant Procurement Procedures is to define the practices and policies governing the procurement of public projects, services, and goods (i) in preparation of, during, and after an emergency that may be subject to federal funding or reimbursement; or (ii) when using federal grant funds subject to the regulations set forth in the following sentence. These Federal Emergency and Grant Procurement Procedures are compliant with Title 2 of the Code of Federal Regulations Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (“Uniform Guidance”).

(b) **Federally Declared Emergencies and Federal Grants; Procurement and Contracting Requirements.** In the event of an emergency declared by the President of the United States, the District must comply with Federal procurement standards as a condition of receiving public assistance funding from the Federal Emergency Management Agency (FEMA) for contract costs for eligible work. In addition, most federal grant funding is also subject to the Uniform Guidance. Federal grant compliance requires the grantee to conduct procurements in accordance with written procurement policies and procedures that comply with the requirements set forth in the Uniform Guidance. These procurement procedures shall be complied with in connection with utilization of federal grant funding by the District, in addition to any other specific grant requirements. These procedures are in addition to and are not intended to replace or supersede the District’s other procurement requirements in this Policy or state law. In the case of a conflict between these procedures, the more stringent requirement shall govern, provided that the more stringent requirement would not violate a federal procurement requirement. In such case, for federally funded contracts, the federal requirement shall govern.

(c) **Conflicts of Interest.**

(i) **Standards of Conduct for Conflicts of Interest.** No employee, officer or agent of the District shall participate in selection, or in the award or administration of a contract supported by federal funds if a conflict of interest, real or apparent, would be involved. Such a conflict would arise when: The employee, officer or agent; any member of his immediate family; his or her partner; or an organization which employs, or is about to employ, any of the above, has a financial or other interest in the firm selected for award. The District’s officers, employees or agents will neither solicit nor accept gratuities, favors or anything of monetary value from contractors, potential contractors, or parties to sub-agreements. Such a conflict will not arise where the financial interest is not substantial or the gift is an unsolicited item of nominal intrinsic value. Employees must follow applicable laws, rules, and regulations in regard to conflicts of interest including, but not limited to, the Political Reform Act, the prohibition against contractual conflicts of interest, and guidelines in the California Code of Regulations regarding acceptance of gifts.

(ii) **Violations.** Disciplinary actions to be applied for violations of the above standards are as follows.

(1) The violation of these Standards of Conduct by District employees will subject the violator to any disciplinary proceedings or action deemed appropriate by the

General Manager. Employees may correct a violation in any manner provided for under the Political Reform Act, and its implementing regulations.

(2) The violation of any of these Standards of Conduct by District officers will require correction of the violation in any manner provided for under the Political Reform Act, and its implementing regulations.

(3) Contractors or subcontractors that violate these Standards of Conduct as relates to an active federally-funded procurement may be prohibited from bidding on the procurement, or may be subject to other action as deemed appropriate by the General Manager.

(4) Agents of the District that violate these Standards of Conduct as relates to federally-funded procurements may be prohibited from participation on behalf of the District on federally funded projects, or subject to other action as deemed appropriate by the General Manager.

(d) **Procurement Standards.**

(i) Oversight. The District shall maintain administrative oversight of contractors to ensure that contractors perform in accordance with the terms, conditions and specifications of their contracts or purchase orders.

(ii) Economical Approach. The District must avoid acquisition of unnecessary or duplicative items. Consideration should be given to consolidating or breaking out procurements to obtain a more economical purchase. Where appropriate, an analysis will be made of lease versus purchase alternatives, and any other appropriate analysis to determine the most economical approach. The District will enter into state and local intergovernmental agreements or inter-entity agreements where appropriate for procurement or use of common or shared goods and services. If feasible and it reduces project costs, the District will explore using federal excess and surplus property in lieu of purchasing new equipment and property. When appropriate, the District will investigate using value engineering clauses in contracts for construction projects of sufficient size to offer reasonable opportunities for cost reductions.

(iii) Detailed Records. The District shall maintain records sufficient to detail the history of each procurement. These records will include, but are not necessarily limited to the following: rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for the contract price.

(iv) Procurement Issues. The District alone shall be responsible, in accordance with good administrative practice and sound business judgment, for the settlement of all contractual and administrative issues arising out of procurements. These issues include, but are not limited to, source evaluation, protests, disputes and claims. Protest procedures or information on obtaining the procedures shall be included in the procurement documents.

(e) **Competition.**

(i) Full and Open Competition. In order to ensure objective contractor performance and eliminate unfair competitive advantage, contractors that develop or draft specifications, requirements, statements of work, or invitations for bids or requests for proposals must be excluded from competing for such procurements. Some of the situations considered to be restrictive of competition include but are not limited to:

- (1) Placing unreasonable requirements on firms in order for them to qualify to do business;
- (2) Requiring unnecessary experience and excessive bonding;
- (3) Noncompetitive pricing practices between firms or between affiliated companies;
- (4) Noncompetitive contracts to consultants that are on retainer contracts;
- (5) Organizational conflicts of interest, as further detailed herein;
- (6) Specifying only a “brand name” product instead of allowing “an equal” product to be offered and describing the performance or other relevant requirements of the procurement; and
- (7) Any arbitrary action in the procurement process.

(ii) Organizational Conflicts of Interest. An unfair competitive advantage could result if a contractor were allowed to submit a bid or proposal for work described in a specification or statement of work that the contractor itself developed. For the purpose of eliminating a potential unfair competitive advantage, and in compliance with applicable state and federal laws and regulations, a contractor that develops or assists in developing specifications, requirements, statements of work, invitation for bids, and/or request for proposals for District procurement is excluded from competing for the resultant procurement, unless an appropriate waiver is issued by the District. All waivers will be assessed by the District on a case-by-case basis.

(iii) Geographical Preference. The District shall conduct procurements in a manner that prohibits the use of statutorily or administratively imposed in-state or local geographical preferences in the evaluation of bids or proposals, except in those cases where applicable federal statutes expressly mandate or encourage geographic preference. When contracting for architectural and engineering (A/E) services, geographic location may be a selection criteria provided its application leaves an appropriate number of qualified firms, given the nature and size of the project, to compete for the contract.

(iv) Procurement Transactions. The District shall require the following information for procurement transactions:

(1) A clear and accurate description of the technical requirements for the material, product or service to be procured. Such description shall not, in competitive procurements, contain features which unduly restrict competition. The description may include a statement of the qualitative nature of the material, product or service to be procured, and when necessary, shall set forth those minimum essential characteristics and standards to which it must conform if it is to satisfy its intended use. Detailed product specifications should be avoided if at all possible. When it is impractical or uneconomical to make a clear and accurate description of the technical requirements, a brand name or equal description may be used as a means to define the performance or other salient requirements of procurement. The specific features of the named brand which must be met by offerors shall be clearly stated; and

(2) All requirements which the offerors must fulfill and all other factors to be used in evaluating bids or proposals.

(v) Prequalification Lists. The District shall ensure that all prequalified lists, if used, of persons, firms or products which are used in acquiring goods and services are current and include enough qualified sources to ensure maximum open and free competition. The District shall not preclude potential bidders from qualifying during the solicitation period.

(f) **Procurement Procedures.**

The thresholds below are federal thresholds. If District thresholds are lower, the more restrictive requirement shall govern, notwithstanding the provisions herein.

(i) Informal Procurement Methods. When the value of the procurement for property or services under a federal award does not exceed the simplified acquisition threshold (SAT) (e.g., currently set at purchases of \$250,000 or less) or a lower threshold established by a the District, formal procurement methods are not required. The District may use informal procurement methods to expedite the completion of its transactions and minimize the associated administrative burden and cost. The informal methods used for procurement of property or services at or below the SAT include:

(1) Micro-Purchases. Purchases within the micro-purchase threshold (e.g., currently set at purchases of \$10,000 or less but periodically adjusted for inflation) may be awarded without soliciting competitive quotations if the District considers the price to be reasonable. To the extent practicable, the District must distribute micro-purchases equitably among qualified suppliers.

(2) Small Purchases. Purchases within the SAT shall not be required to be formally bid. Price quotations must be received from no less than three (3) sources.

(ii) Formal Procurement Methods. When the value of the procurement for property or services under a federal financial assistance award exceeds the SAT, or a lower threshold established by the District, formal procurement methods are required. Formal procurement methods require following documented procedures. Formal procurement methods also require public advertising unless a non-competitive procurement can be used in accordance with below. The following formal methods of procurement are used for procurement of property or services above the SAT or a value below the SAT the District determines to be appropriate:

(1) Sealed Bids.

a. Bids are publicly solicited and a firm-fixed-price contract (lump sum or unit price) is awarded to the responsible bidder whose bid, conforming to all the material terms and conditions of the invitation for bids, is the lowest in price. Formal, sealed bidding is required for purchases greater than the simplified acquisition threshold, which is currently set at \$250,000, or as may be adjusted by the Federal Acquisition Regulation, pursuant to 48 CFR § 2.101.

b. This is the preferred method for procuring construction, if a complete, adequate, and realistic specification or purchase description is available; two or more responsible bidders are willing and able to compete effectively and for the business; and the procurement lends itself to a firm-fixed-price contract and the selection of the successful bidder can be made principally on the basis of price.

c. The District must publicly advertise the Invitation for Bids and publicly open all bids at the time and place prescribed in the invitation.

d. Any contracts awarded pursuant to this procedure shall be to the lowest responsible bidder submitting a responsive bid and shall be for a firm fixed price. Any or all bids may be rejected if there is a sound documented reason.

(2) Proposals.

a. Competitive Proposals. When the nature of a procurement does not lend itself to formal, sealed bidding, the District may solicit competitive proposals. The technique of competitive proposals is normally conducted with more than one source submitting an offer, and either a fixed-price or cost-reimbursement type contract is awarded.

i. A request for proposals (RFP) must be publicly advertised, and the District must solicit proposals from an adequate number of sources. The RFP must identify all evaluation factors and their relative importance; however, the numerical or percentage ratings or weights need not be disclosed. Evaluation factors that will be considered in evaluating proposals shall be tailored to each procurement and shall include only those factors that will have an impact on the selection decision.

ii. The District shall establish a formal evaluation committee, of at least two persons. The size of an evaluation committee should be based on the size and complexity of the goods or services being procured and well balanced and represented by individuals involved with the procurement and/or affected by the goods or services being

procured. The evaluation committee will be charged with responsibility for evaluating proposals in accordance with the evaluation criteria in the solicitation, short listing firms, establishing a competitive range, and/or recommending a firm or firms for contract award.

iii. Any contract awarded based on the competitive proposal procurement process cannot be based exclusively on price or price-related factors. If a contract is awarded, it shall be to the responsible firm whose proposal is most advantageous to the District (“best value”), with price and other factors considered.

(3) Proposals for A&E Services. The competitive proposal procedures above may be used for procurement of architect and engineering (A&E) services, provided that proposers must be evaluated based on competence and qualifications, without regard to price. For A&E procurements, price will not be used as a selection factor. The District will rank proposers based on qualifications only, and attempt to negotiate fair and reasonable compensation with the highest ranked proposer. If negotiations with the highest ranked proposer are unsuccessful, such negotiations will be terminated and the District will commence negotiations with the next highest ranked proposer. This process shall be continued with successive qualified proposers until agreement is reached that is determined to be fair and reasonable.

(iii) Noncompetitive Procurements.

(1) Contracts may be procured through a noncompetitive proposal only when:

- a. The item is only available from a single source;
- b. The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation;
- c. The Federal awarding agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request from the District; or
- d. Competition is deemed inadequate after the solicitation of a number of sources.

(iv) Public Projects. Public projects shall be procured by the District’s formal contract bid procedures, if any, and the formal, sealed bidding in this section. If there is conflict between the foregoing, the more restrictive requirements shall apply.

(v) Award.

(1) Responsible Contractor. The District shall award contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of a proposed procurement. Consideration will be given to such matters as contractor integrity, compliance with public policy, record of past performance, and financial and technical resources.

(2) Debarment and Suspension. In accordance with 2 CFR 200.213, in connection with the responsibility determination, a check of debarment and suspension using the System for Award Management (SAM), www.sam.gov, must be performed and documented in the procurement records prior to award.

(g) **Contracting with Small and Minority Firms, Women’s Business Enterprises, and Labor Area Surplus Firms.**

(i) The District must take all necessary affirmative steps to ensure the use of minority businesses, women’s business enterprises, and labor surplus area firms when possible, as set forth at 2 CFR § 200.321 and detailed below. The District shall:

(1) Place qualified small and minority businesses and women's business enterprises on solicitation lists;

(2) Assure that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources;

(3) Divide total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises;

(4) Establish delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises;

(5) Use the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce; and

(6) Require the prime contractor, if subcontracts are to be let, to take the affirmative steps listed in paragraphs (1) through (5) of this section.

(ii) The District shall document the steps above, and any relevant findings applicable to any of the steps above in its procurement file.

(h) **Cost and Price.**

(i) Cost or Price Analysis. The District shall perform a cost or price analysis in connection with every procurement action, including contract modifications, in excess of the simplified acquisition threshold. While the method and degree of analysis depend on the facts surrounding the particular procurement situation, the District must, at a minimum, make independent estimates before receiving bids or proposals.

(ii) Profit. The District shall negotiate profit as a separate element of the price for each contract in which there is no price competition and in all cases where a cost analysis is performed as required by 2 CFR § 200.323(b).

(iii) Estimated Costs. Costs or prices based on estimated costs for contracts are allowable only to the extent that costs incurred or cost estimates included in negotiated prices would be allowable for the District under 2 CFR 200.400 et seq.

(i) **Contracting Procedures.**

(i) Method of Contracting. Contracts entered into pursuant to these procedures shall utilize only fixed-price, cost-reimbursement, or, to a limited extent, time and materials payment methods.

(ii) Prohibited Methods of Contracting. The District shall not use the cost plus a percentage of cost or percentage of construction cost methods of contracting for any work for which federal reimbursement will be sought.

(iii) Time and Materials (“T&M”) Contracts.

(1) T&M contracts should be used rarely, and the use of T&M contracts should be limited to a reasonable time period (e.g., no more than 70 hours) based on circumstances during which the District cannot define a clear scope of work.

(2) The District shall only enter into a time and materials contract if all of the following apply:

a. The District has determined and documented in the project file that no other contract is suitable;

b. The contract has a guaranteed maximum price that the contractor exceeds at its own risk; and

c. The District provides a high degree of oversight to obtain reasonable assurance that the contractor is using efficient methods and effective cost controls.

(3) The District must define the scope of work as soon as possible to enable procurement of a more acceptable type of contract (i.e., non-T&M).

(iv) Separate Invoicing. All purchases made during a proclaimed emergency shall require separate invoicing from routine (i.e., non-emergency related) purchases. All invoices shall state the goods, services, or equipment provided and shall specify where the goods or services were delivered. All invoices shall specify the location(s) where the goods or services were used, if possible. Any invoice which fails to properly identify the emergency nature of the purchase and provide details as to the date(s) and location(s), as appropriate, shall not be paid until such errors are corrected by the vendor and re-submitted in correct form.

(j) **Bonding Requirements.** Construction or facility improvement contracts or subcontracts exceeding the simplified acquisition threshold (See 2 CFR 200.88), the District shall require at a minimum:

(i) A bid guarantee from each bidder equivalent to five percent of the bid price.

(ii) A performance bond on the part of the contractor for 100 percent of the contract price.

(iii) A payment bond on the part of the contractor for 100 percent of the contract price.

(k) **Contract Provisions.** The District's contracts shall contain the applicable provisions described in Appendix II to Part 200 – Contract Provisions for Non-Federal Entity Contracts Under Federal Awards.

DRAFT

Valley Sanitary District

Proposed Blanket Purchase Orders

FY 2022 / 2023

Vendor Name	Blanket PO	GL#	Description	Purchase	0	414-3	414-4	410-1	414-1	414-2	412-1	411-1	Total
	2022 / 2023			Order #	No Dept	Admin	Board	Coll	Eng	Lab	Maint	Ops	
Best, Best & Krieger	\$70,000	11-5552-414-0	Professional / Legal			\$40,000	\$30,000						\$70,000
Cintas Corp	\$24,220	11-5152-41#-#	Clothing					\$2,700	\$2,700	\$4,000	\$7,820	\$7,000	\$24,220
Cintas Corp	\$22,500	11-5450-4101	Mats, Shop Towels, Etc, and Fees								\$22,500		\$22,500
Enthalpy	\$40,000	11-5750-414-2	Research and testing							\$40,000			\$40,000
Indio Water Authority (EVRA JPA)	\$200,000	11-8660-000-0	Water Reuse Project (EVRA JPA)		\$200,000								\$200,000
NPDES Permit	\$52,000	11-5420411-1	Annual Permit Fee									\$52,000	\$52,000
Polydyne, Inc.	\$74,000	11-5450-411-1	Polymer									\$74,000	\$74,000
Southwest Networks, Inc.	\$7,859	11-5500-414-3	Backup/Disaster Recovery			\$7,859							\$7,859
Southwest Networks, Inc.	\$25,000	11-5553-414-3	Equipment and Other Services			\$25,000							\$25,000
Univar USA Inc.	\$90,920	11-5470-411-1	Ferric Chloride									\$90,920	\$90,920
Univar USA Inc.	\$307,200	11-5470-411-1	Sodium Hypochlorite									\$307,200	\$307,200
Univar USA Inc.	\$126,000	11-5470-411-1	Sodium Bisulfite									\$126,000	\$126,000
TOTAL	\$1,039,699				\$200,000	\$72,859	\$30,000	\$2,700	\$2,700	\$44,000	\$30,320	\$657,120	\$1,039,699

Vendor	Paid YTD FY23
Schneider Electric Buildings Americas,	\$2,851,786.53
Downing Construction, Inc:	\$1,908,470.11
Paychex - Direct Deposit:	\$1,881,927.04
CalPERS Retirement:	\$1,163,212.95
Banc of America Leasing:	\$1,073,875.00
Paychex - Tax:	\$901,886.11
Bank of New York	\$595,000.62
CalPERS Health:	\$495,535.88
Imperial Irrigation District:	\$487,178.13
Univar Solutions:	\$443,599.08
Desert Cornerstone Insurance Service,	\$354,876.00
Indio Water Authority:	\$214,426.77
Carollo Engineering, Inc:	\$169,443.88
Harris & Associates:	\$166,900.90
Umpqua Bank:	\$143,333.36
Todd Groundwater:	\$87,227.86
Superior Protection Consultants:	\$86,632.00
Calif. Sanitation Risk Mgmt	\$84,781.00
Southwest Networks, Inc.:	\$72,070.63
Bank of New York	\$68,343.75
Flo-Systems Inc.:	\$67,932.80
Standard Insurance Company:	\$59,892.72
SolarCity:	\$56,147.29
Innovative Federal Strategies LLC:	\$45,637.97
Townsend Public Affairs, Inc:	\$45,000.00
NBS Government Finance Group:	\$43,963.79
Nationwide Retirement Solution:	\$43,238.00
Tesco Controls, LLC:	\$42,546.00
JWC Environmental Inc.:	\$41,661.71
Grainger:	\$40,707.12
SC Fuels:	\$40,104.03
Best, Best & Krieger:	\$39,940.75
Golden Bell Products, Inc.:	\$38,665.12
South Coast A.Q.M.D:	\$38,517.95
Dudek & Associates, Inc.:	\$37,270.77
Quinn Company:	\$37,037.23
Desert Arc:	\$36,522.88
Mission Square (formerly ICMARC	\$35,594.73
Engineering Solutions Services, Inc:	\$34,987.50
Polydyne, Inc.:	\$34,173.06
Advanced Resources, LLC:	\$33,724.13
Xylem Dewatering Solutions USA,	\$32,574.48
Coachella Valley History Museum:	\$32,500.00
Caltest Analytical Laboratory:	\$32,273.52
OpenGov, Inc:	\$29,286.00
Promium, LLC:	\$27,914.20
Haaker Equipment Company:	\$27,692.28
CalPERS 19.0416666666667	\$26,000.00
Hach Company:	\$25,771.37
California Environmental Controls:	\$24,505.12
Cintas Corp:	\$24,140.56
Birdseye Planning Group:	\$23,415.00
Colonial Life:	\$20,192.78
Blackbaud, Inc.:	\$19,106.20

Davis Farr LLP:	\$18,920.00
Calif. Assoc. of Sanitation	\$18,625.00
State Water Resources Control	\$18,512.00
Aztec Containers:	\$18,383.10
Kaman Industrial Technologies:	\$18,228.40
High Tech Mailing Services:	\$17,116.89
Burrtec Waste & Recycling	\$16,720.27
Rockwell Solutions:	\$15,744.29
Granicus, LLC:	\$14,607.73
GPE Controls, Inc.:	\$13,793.81
Automation Pride:	\$13,008.24
Tritech Software Systems:	\$12,541.84
Gallagher Benefit Services, Inc:	\$12,500.00
MARCAB Company, Inc.:	\$11,892.26
Charter Communications:	\$11,714.85
Alfa Laval Inc.:	\$10,515.71
Leighton Consulting, Inc:	\$9,839.60
Stantec Consulting Services, Inc.:	\$9,823.87
Willdan Financial Services:	\$9,810.63
NeoGov:	\$9,769.23
FedEx:	\$9,759.14
Verizon Wireless:	\$9,589.26
MidAmerica:	\$9,510.00
Enthalpy Analytical, LLC:	\$9,500.00
Calif. Special District Association:	\$9,410.00
National Association of Clean	\$8,385.00
CV Strategies:	\$8,137.50
Facilities Protection Systems:	\$8,095.00
Rauch Communication Consultants, Inc.:	\$8,065.40
Plumbers Depot Inc.:	\$7,538.71
Lawson Products, Inc.:	\$7,371.17
Walters Wholesale Electric:	\$7,320.42
Parkhouse Tire Services, Inc.:	\$7,310.82
McMaster-Carr Supply Co.:	\$7,228.57
USA Blue Book:	\$6,456.97
Van Dyke Corporation:	\$6,454.00
Healthy Futures, Inc.:	\$6,000.00
SoCal Gas:	\$5,977.03
Mobile Modular Management Corp:	\$5,896.35
Swains Electric Motor Service:	\$5,796.25
Fulton Distributing Co.:	\$5,784.47
Desert Fire Extinguisher Co.,	\$5,726.92
Goldstreet Design Agency, Inc:	\$5,681.19
Geotab USA, Inc:	\$5,578.29
Industrial Filter Manufacturers, Inc.:	\$5,493.47
Basic:	\$5,375.65
Western Water Works:	\$5,236.42
CPS HR Consulting:	\$5,175.00
SCAP:	\$5,058.00
Staples Advantage:	\$4,986.13
Associated Time On Demand:	\$4,951.98
High Tech Irrigation Inc.:	\$4,639.37
Paychex - Fee:	\$4,556.98
CivicPlus LLC:	\$4,520.25
D & H Water	\$4,327.66

Paychex - Garnishment:	\$4,283.20
Master's Refreshment Services LLC:	\$4,275.28
Southern California Boiler, Inc.:	\$4,019.96
Raul Pena:	\$4,000.00
4imprint, Inc:	\$3,996.30
Superior Truck & Auto	\$3,872.71
E.S. Babcock & Sons,	\$3,794.00
Desert Hose & Supply:	\$3,793.12
WateReuse Association:	\$3,780.00
Trimax Systems. Inc. -	\$3,600.00
Ferguson Enterprises #1350:	\$3,594.14
Jim's Desert Radiator &	\$3,500.00
Anna Bell:	\$3,366.13
Frontier Communications:	\$3,235.63
County of Riverside, Auditor-Controller:	\$3,219.49
West Coast Arborists, Inc.:	\$3,045.00
White Cap, L.P.:	\$2,957.85
Fluid Components International LLC:	\$2,708.71
Diamond Environmental Services, LP:	\$2,683.30
Riverside County Clerk:	\$2,598.00
Desert Recreation Foundation:	\$2,500.00
Pipe Logix, Inc.:	\$2,500.00
Eric Schwabel:	\$2,405.00
Dept. of Environmental Health:	\$2,393.00
Underground Service Alert:	\$2,373.31
Consolidated Electrical Distributors, Inc.:	\$2,198.08
Bank of New York	\$2,182.20
Cart Mart, Inc.:	\$2,103.98
Foster-Gardner, Inc.:	\$2,093.44
Yellow Mart:	\$2,008.44
De Lage Landen Financial	\$2,001.09
Badger Meter, Inc:	\$1,943.39
Miguel Serna:	\$1,943.11
Alliance Protection:	\$1,853.91
United Refrigeration Inc.:	\$1,836.44
RACO Manufacturing & Engineering	\$1,800.00
Rudy's Pest Control:	\$1,800.00
Beck Oil, Inc.:	\$1,781.49
Royal Industrial Solutions:	\$1,671.76
Debra Canero:	\$1,629.39
Total Compensation Systems, Inc.:	\$1,620.00
Konecranes, Inc.:	\$1,560.00
CWEA/CORBS:	\$1,540.00
Tops 'N Barricades Inc.:	\$1,536.43
Harrell & Company Advisors,	\$1,500.00
International Accreditation Service, Inc:	\$1,500.00
Carquest Auto Parts:	\$1,475.83
Linde Gas & Equipment	\$1,473.56
Beverli Marshall:	\$1,430.98
Michele Austin:	\$1,426.70
Water Environment Federation:	\$1,410.00
DLT Solutions, LLC:	\$1,400.37
Desert Sewer Supply, Inc.:	\$1,397.38
Safety-Kleen Systems, Inc.:	\$1,374.43
City of Coachella:	\$1,353.25

Eisenhower Occupational Health:	\$1,295.00
Leadership Coachella Valley:	\$1,200.00
DKF Solutions Group, LLC:	\$1,130.00
Fisher Scientific:	\$1,128.90
Chavez Events Corp:	\$1,080.00
Chemco Products Co.:	\$1,050.47
Western Pump, Inc.:	\$995.17
Desert Sun Publishing Company:	\$961.40
Steven Shepard:	\$960.18
Scott Sear:	\$951.00
Kirk Pierce:	\$902.00
Daniels Tire Service, Inc.:	\$873.26
Certified Laboratories Division:	\$823.62
Superior Ready Mix Concrete,	\$780.93
Addiction Medicine Consultants:	\$770.00
Pyro-Comm Systems:	\$770.00
Ray Marroquin:	\$767.75
Valley Office Equipment, Inc:	\$756.44
Environmental Resource Associates:	\$754.84
Ivan Monroy:	\$748.32
Fleetcrew:	\$737.99
Thomas Scientific:	\$734.77
EOA, Inc.:	\$727.50
Alliance Integration:	\$725.00
JM Test Systems, LLC:	\$686.02
Analytical Technology, Inc.:	\$684.82
J.G. Tucker & Sons,	\$678.91
Northern Safety Co.:	\$664.95
Purchase Power:	\$661.76
HCI Systems, Inc:	\$639.00
Jeanette Juarez:	\$635.90
American Water Works Association:	\$622.00
IDEXX Distribution, Inc.:	\$614.95
Daniel Mills:	\$608.38
Israel Garcia:	\$601.50
Heberto Moreno:	\$580.25
Jimmy Garcia:	\$577.69
Calif. Water Environment Assn.:	\$576.00
Jacky Barnum:	\$531.40
Pitney Bowes, Inc.:	\$511.11
Nicholas Castaneda:	\$491.17
Andrew Sorensen:	\$443.50
Mark Wiseman:	\$411.50
Innovative Document Solutions:	\$404.19
United Way of the	\$400.00
The Sherwin-Williams Co.:	\$391.00
Donald Gavic:	\$333.20
Cole-Parmer:	\$328.95
Petty Cash:	\$320.82
CellGate:	\$314.00
Xpress Graphics:	\$311.01
Austin Lopanec:	\$295.00
Matthew Pittelli:	\$289.36
Andy Boyd:	\$250.00
Carlos Acevedo:	\$250.00

SPOK, Inc.:	\$247.75
James Mills:	\$241.50
Ronald Buchwald:	\$241.50
Scott Graham:	\$241.50
UPS:	\$234.57
Core & Main LP:	\$231.17
Eduardo Luna:	\$215.00
Uline Shipping Supply:	\$212.13
Paloma Air Conditioning:	\$210.00
State Water Resources Control	\$210.00
Empower (formerly Mass Mutual):	\$200.00
ICMA Membership Renewals:	\$200.00
United States Plastic Corp.:	\$197.82
Dave Commons:	\$193.19
Mario Luna:	\$185.00
NFPA:	\$175.00
Howden Roots LLC:	\$172.73
Mike Duran:	\$159.24
Custom Scale:	\$157.39
Occupational Health Centers of	\$155.50
Interstate All Battery Center:	\$141.58
Franklin Truck Parts, Inc.:	\$139.79
Benlo RV:	\$128.11
Deborah Mulle:	\$111.10
California Association of Mutual	\$100.00
RDO Equipment Company:	\$90.31
Grant Fournier:	\$85.00
Lock Shop:	\$51.23
Calif. Society of Municipal	\$50.00
Diego Rivera:	\$50.00
Dennis Coleman:	\$35.00
Smith Pipe & Supply	\$31.56
Fiesta Ford:	\$28.26
SA Recycling LLC:	\$12.12
Stotz Equipment:	\$5.43

EXHIBIT A
COACHELLA VALLEY WATER DISTRICT (CVWD)
PROCUREMENT AUTHORIZATION TABLE

Dollar Amount	Supervisor*	Manager	Assistant Director / Director	General Manager / Assistant GM	Board
\$5,000	X				
\$10,000		X			
\$25,000			X		
\$100,000				X	
\$100,001+					X

*Note: Supervisor to include Crew Chiefs. Spending limits of Supervisors are not automatic and must be approved by Department Head.



**CITY OF PALM SPRINGS
PROCUREMENT CHART**

Procurement of Non-Public Projects Supplies and Services (Including Professional Services)			
Level 1	Level 2	Level 3	
Informal Procurement Process <ul style="list-style-type: none"> • Pcard for <u>supplies only</u> up to cardholder limit • Up to 10k – 1 quote or proposal • 10k – 25k – 3 quotes or proposals, 	Informal or Formal Procurement Process <ul style="list-style-type: none"> • 25k – 75k – 3 quotes or proposals, or sole source documentation or emergency memo • Or contact Procurement and Contracting Department for formal bid/proposal 	Formal Procurement Process <ul style="list-style-type: none"> • Formal bid/proposal process through the Procurement and Contracting Department 	Department Award Up to \$25,000 Asst./Deputy City Manager up to \$50,000 City Manager Award up to \$75,000 City Council Award Over \$75,000
Procurement of Public Projects			
Level 1	Level 2	Level 3	
Informal Procurement Process <ul style="list-style-type: none"> • Work by Force account • Negotiated Contract 	Informal or Formal Procurement Process <ul style="list-style-type: none"> • Bid through use of a bidders List of qualified Contractors • IFB process 	Formal Procurement Process <ul style="list-style-type: none"> • Formal IFB process conducted by the Engineering Department 	Department Award Up to \$60,000 Asst./Deputy City Manager Up to \$50,000 City Manager Award Up to \$200,000 City Council Award Over \$200,000



ADMINISTRATIVE PROCEDURES City of Banning

ADoption DATE 06/27/17	FINANCE POLICIES	POLICY NO. B-30
APPROVED BY City Council	POLICY TITLE PROCUREMENT POLICIES & PROCEDURES	AMENDMENT DATE 10/08/2019 (Revision 2)

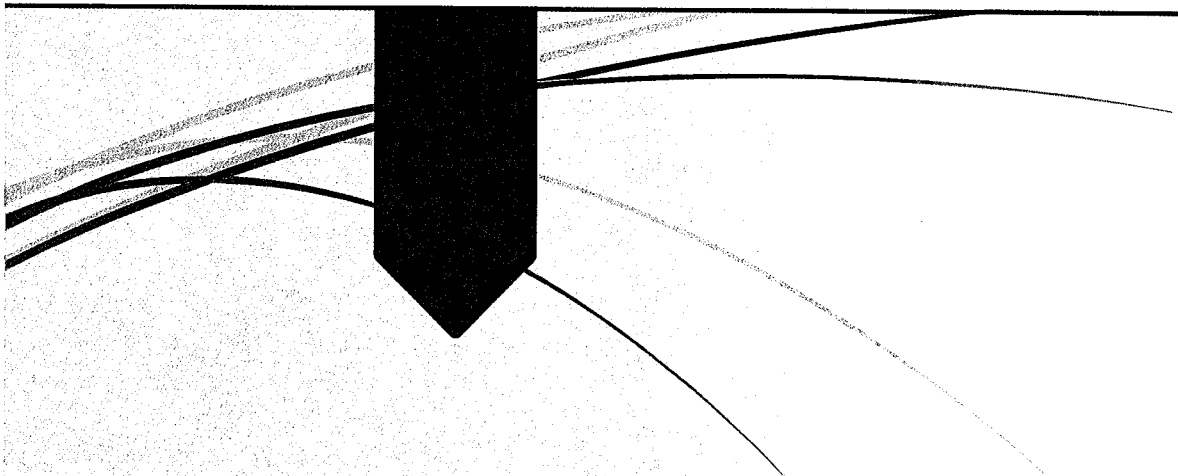
(3) The Authorization Table outlines who may approve contracts and legally binding agreements with external parties that obligate the City and shall apply to all purchases, including Capital Projects and Professional Services Contracts.

City of Banning Purchasing Authorization Table

Purchase Type	Purchase Amount	Procurement	Contract Type	Internal Approval	Vendor Requirements
Goods, Widgets, Equipment	\$0.00 - \$5,000.00	1 Quote	Purchase Order	1. Department Head/Manager or Above	N/A
	\$5,000.01 - \$25,000.00	3 Quotes	Purchase Order	1. Department Head/Manager or Above 2. City Manager if > 10k	N/A
	\$25,000.01 +	Formal Bidding	Purchase Order	1. Department Head/Manager or Above 2. City Manager 3. City Council	N/A
Services, including (non-public works)	\$0.00 - \$5,000.00	1 Quote	Purchase Order	1. Department Head/Manager or Above	1. Insurance 2. City Business Tax 3. CA Business License
	\$5,000.01 - \$25,000.00	3 Quotes	Formal Agreement & Purchase Order	1. Department Head/Manager or Above 2. City Manager if > 10k	
	\$25,000.01 +	Formal Bidding	Formal Agreement & Purchase Order	1. Department Head/Manager or Above 2. City Manager 3. City Council	
Services, Public Works only	\$0.00 - \$60,000.00	1 Quote	Purchase Order	1. Department Head/Manager or Above	1. Insurance 2. City Business Tax 3. CA Business License 4. CSLB 5. DIR
	\$60,000.01 - \$200,000.00	3 Quotes	Formal Agreement & Purchase Order	1. Department Head/Manager or Above 2. City Manager	
	\$200,000.01 +	Formal Bidding	Formal Agreement & Purchase Order	1. Department Head/Manager or Above 2. City Manager 3. City Council	

3-105 Notes and Exceptions

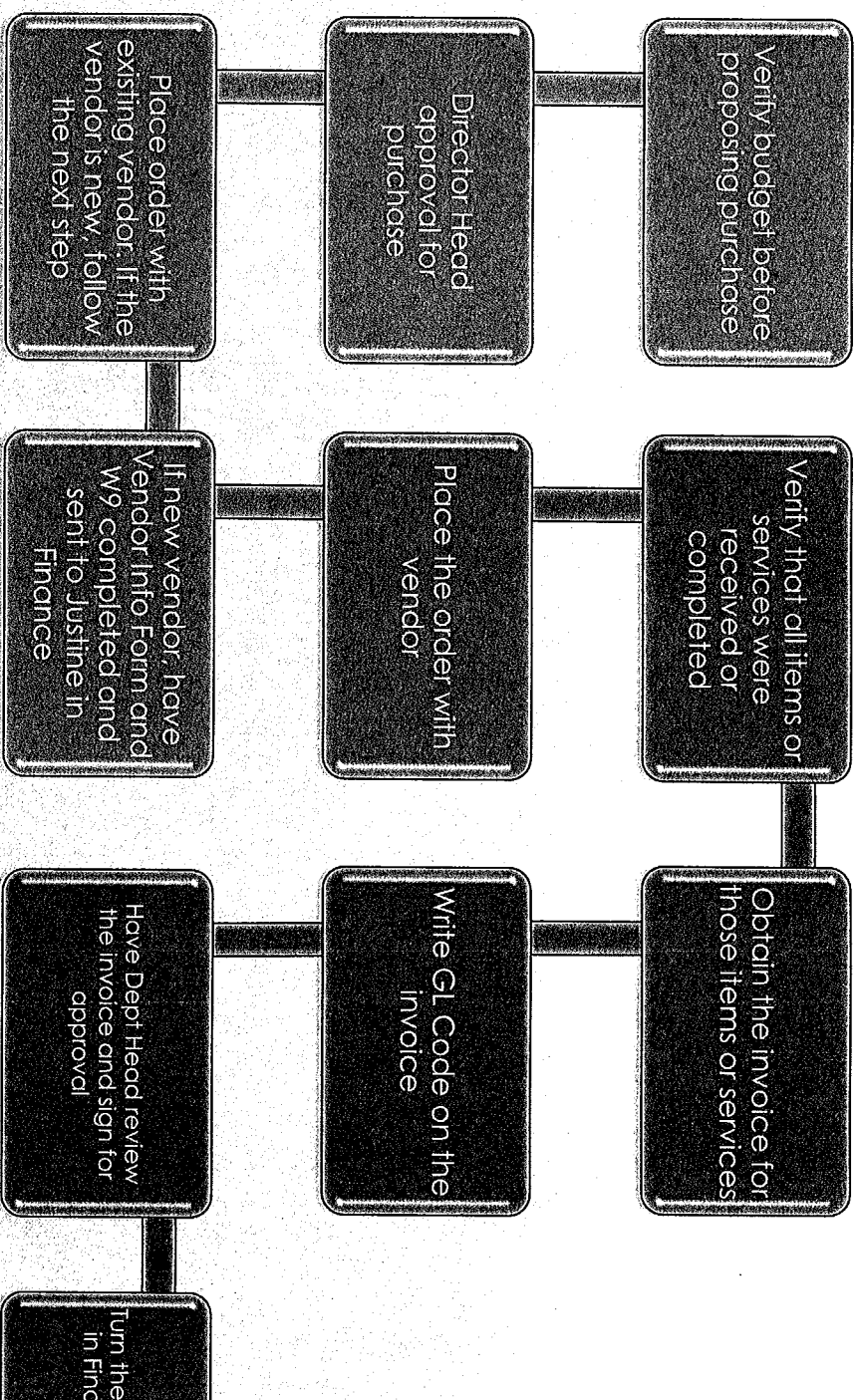
- (1) In the absence of the approver for a given request, authorization will be obtained by his/her appointee or the next highest authority in accordance with the Authorization Table.
- (2) At no time can purchases be "split" or otherwise billed separately to circumvent the spending authority.



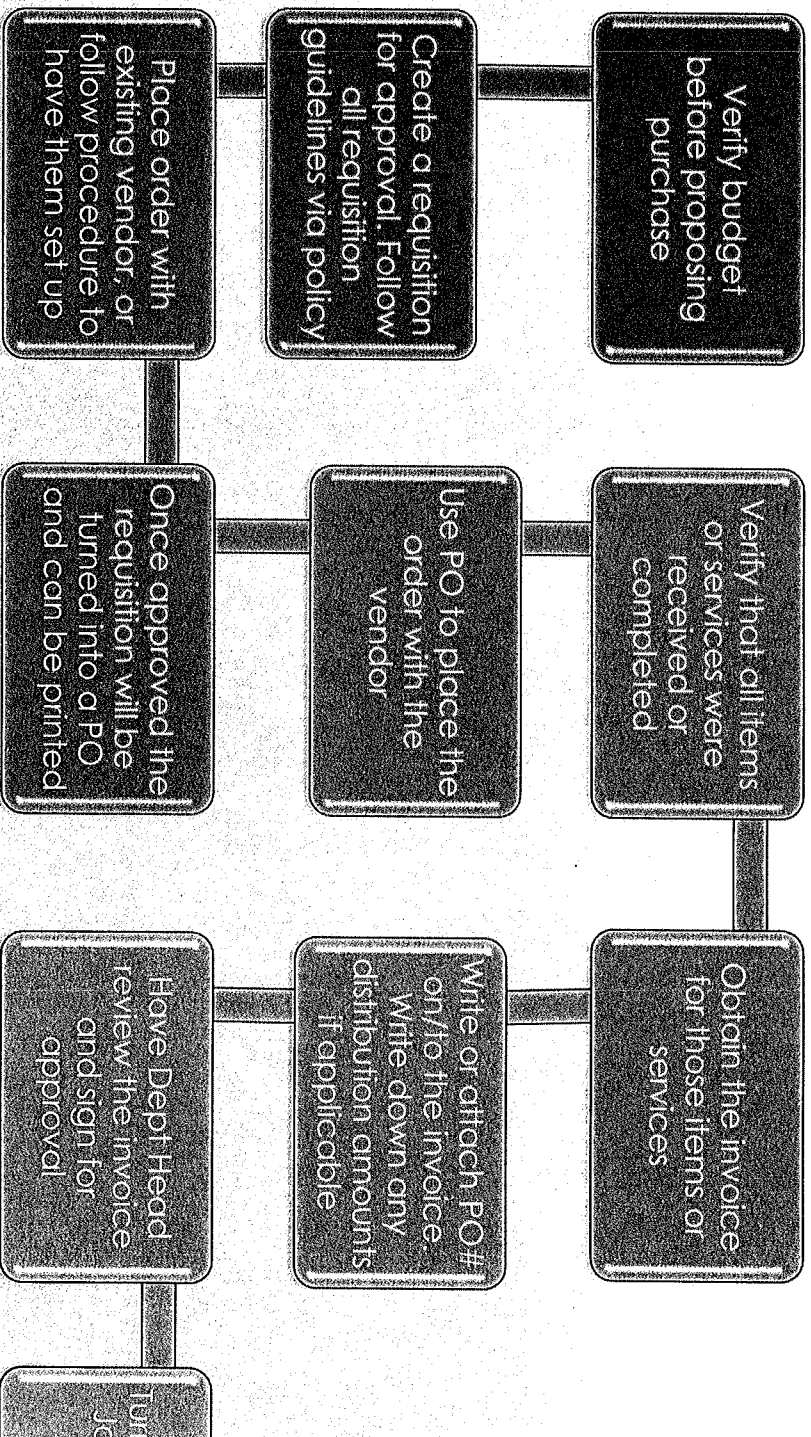
City of Beaumont

Purchasing Process

Process for purchases under \$



Process for Purchases over \$2,500 Under \$25,000

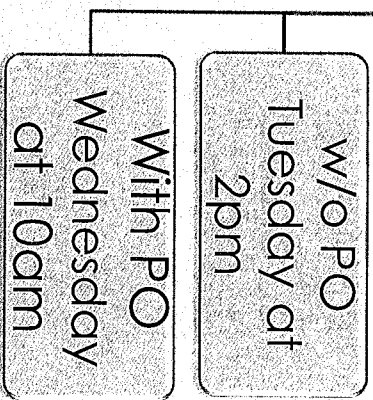


Processes for purchases over \$25

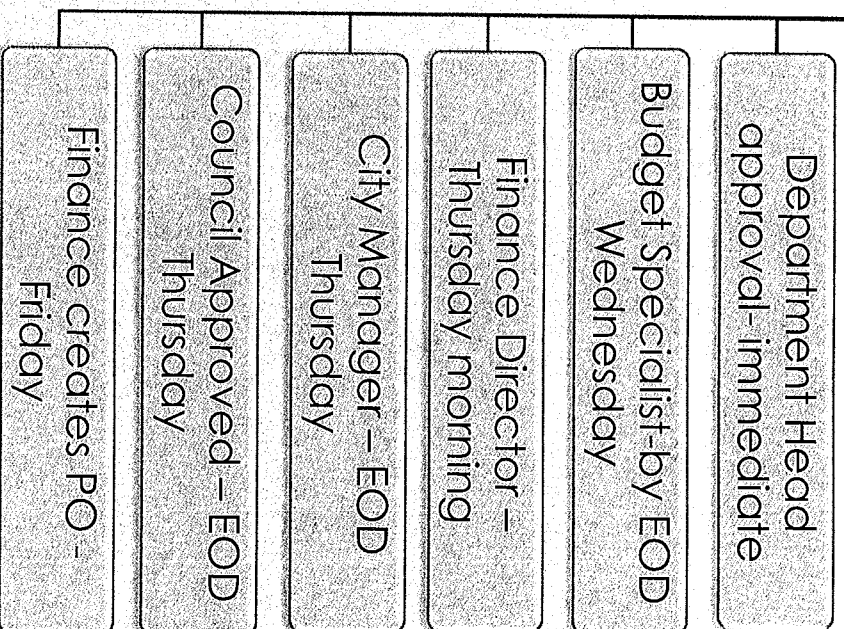
- ▶ Follow all policy and procedures in preparing a presentation for council

Important deadlines

Invoices
due by



Requisition
approval
path/
schedule



Who can help me?

Budget Analyst

- Budget
- Requisition approval
- Grants
- CFD payoff
- Project accounts

Jackie

- Accounts Payable
- Vendor History and Information
- Creates POs
- Legal accounts
- Amazon acct admin
- Simplifile account admin
- Public Purchase acct admin
- UPS Shipping

Jennifer

- Bonds
- Transit Accounting
- DIFs
- TUMF reporting
- MSHCP reporting
- Developer agreements
- Manages Budget Analyst

Justine

- Accounts Receivable
- New Vendor Setup
- Creates Invoices
- Weed Abatement
- Voyager Cards
- Credit Card Liaison
- Transit Stickers
- UPS Shipping



Date: October 16, 2018

Prepared By: Allison M. Edmisten, Chief Financial Officer

Subject: Consideration of an Updated Procurement Policy for the Yucaipa Valley Water District

Recommendation: That, by minute order, the Board adopts the proposed Procurement Policy.

During the most recent year-end financial audit, District staff became aware that our procurement policy was out of date and needed to be updated. Attached is a revised version of the District's current procurement policy that was adopted by the Board on June 20, 2007 [DM 07-070].

The changes to the procurement policy include:

- Definitions – “Formal Solicitation” (Page 1): clarified that all vendors should receive the same information regarding scope/specifications and all responses received must be kept in confidence until the bid is awarded.
- Section 1.9 (Page 3): Added “expenses, lodging and meals” to the Travel line item.
- Section 2.5 (Page 4): New language to clarify the first level of approval should ensure the quotes are in accordance with the procurement policy.
- Authorization Table (Page 4): Updated titles across the top and changed the Manager limit from \$10,000 maximum to \$25,000 which is in line with how the District has been operating.
- Section 3.1 Table (Page 5): Changed the lower limit to \$4,999 maximum and updated language to state “Solicit two informal (phone/written) quotes whenever practical.”
- Section 3.3: Clarified when it is appropriate to use a sole source vendor and how it should be documented.
- Section 3.4: Added language to address the new Department of Industrial Relations (DIR) requirements the District currently follows.

Legal counsel has reviewed the recommended policy as well as our auditors Vavrinek, Trine, Day & Company, LLP.

Financial Consideration

There is no financial impact to the District by updating the procurement policy.



PROCUREMENT POLICY

Purpose

The purpose of this policy is to provide uniform procedures for acquiring services and materials for the District, including bidding regulations, as required by Government Code, Section 54202 to assure purchases are accomplished in a manner providing maximum benefits and minimum costs to the District.

Scope

This policy applies to the purchase of all equipment, services and materials that have been budgeted by the Board of Directors ("Board") through the annual budget process.

From time-to-time the Board may provide direction that may create more restrictive purchasing definitions, methods of purchasing, delivery policy and authority limits. If this policy is ever in conflict with Board direction, the direction of the Board shall govern until this policy can be revised to be consistent with Board direction.

Definitions

"Budgeted" shall mean the amount of appropriations within a fund adopted for expenditure by the Board.

"Change Order and Amendment" shall mean any modification to an existing procurement or respective contractual document.

"Emergency Procurement" shall mean any procurement required for the prevention against imminent danger, or to mitigate the loss or impairment of: (1) life, health, or public safety of District employees, suppliers, contractors; or (2) public or private property; or (3) any other valid danger/situation which cannot reasonably be foreseen and would have a significant effect on the public's health/safety.

"Formal Bid Process" shall mean the public bidding process used for purchases of supplies, equipment or services having a value greater than fifty thousand dollars (\$50,000) not otherwise excluded from this policy. The process requires a public notice of intent to bid, availability of specifications and bid opening, public access to the results of the process, and Board approval of bid award.

"Formal Solicitation" shall mean the issuance of a written request for bids, proposals, or quotations. All vendors must receive the same information about specifications and requirements and requirements of the product or service, and all responses received must be kept in confidence until the bid is awarded.

"Informal Solicitation" shall mean the verbal or written request for a verbal or written bid, proposal, or quotation.

"Procurement" shall mean the purchase of otherwise compensatory securing of materials, supplies, services, leases, equipment, real property, or public works services.

"Professional Services" shall mean any specially trained and experienced person, firm or corporation, providing services and advice in financial, economic, accounting, engineering, information services, technical architectural, or administrative / professional matters.

"Public Works" shall mean the erection, construction, alteration, repair, or improvement of any public structure, building, road, or other improvement as specified in the California Public Contract Code; specifically, Article 40, sections 20640-20644, and Article 72, sections 21050-21051.

"Single Source" shall mean procurement where there is a compelling reason for only one source, a preferred brand, like material, etc., to be procured.

"Sole Source" shall mean procurement where only one viable source exists. This is usually due to legal restrictions of patent rights, a proprietary process, warranty issues, original equipment, copyrights, etc.

1.0 PROCUREMENT INSTRUMENTS

- 1.1 **Petty Cash** – Petty cash is available through the Administrative Services Department and may be used for emergency purposes, cash advances, and/or reimbursements for approved cash expenditures. Petty cash is generally limited to a maximum of \$50.00 per transaction. The use of petty cash for the purchases of goods, supplies, materials or equipment, except in the event of an immediate need or emergency, is discouraged and shall not be for the purpose of circumventing any provision of the procurement process. Authorization for the use of petty cash must be by the employee's supervisor. Additionally, an employee cannot approve their own use or receipt of petty cash.
- 1.2 **Credit Cards** – Credit cards are only to be used for materials, supplies and equipment, for travel related expenses to attend meetings, conferences, seminars and trips, and for single transactions less than or equal to \$2,000, unless authorized by the General Manager.
- 1.3 **Check Requests** – The check request method is used to request payment for items when a Purchase Order is not accepted by the Vendor, the amount exceeds Petty Cash limits, there is no ability to have an invoice submitted, and the purchase is not more than \$2,000. Some examples may include C.O.D. deliveries, education reimbursement, fees and permits, conference registration or subscriptions.
- 1.4 **Purchase Orders** – Purchase Orders are used to procure goods such as materials, equipment, parts and supplies.
- 1.5 **Task Orders** – Task Orders are used to identify specific work requirements authorized by a "General Services Agreement" (GSA) and is used for the procurement of services that will be performed over more than one fiscal year.

- 1.6 General Services Agreement (GSA) – A General Services Agreement (GSA) is used to set forth the terms and conditions when establishing a contractual relationship for services between the District and an Independent Contractor. All agreements must contain the signature of both the Contractor and the District representative in accordance with the Levels of Authority listed below. A Task Order detailing the scope of work, deliverables and performance requirements will accompany the GSA prior to the payment for such services.
- 1.7 Construction Contracts – Formal Notice Inviting Bids, boilerplate documents and specifications must be prepared in accordance with State law. All Construction Contracts equal or greater than \$35,000 must be administered in accordance with the State, Public Contract Code, Sections 20640, et seq. and be approved by the Board of Directors.
- 1.8 Change Orders – A change order is required for Task Orders or Construction Contracts when work performed will exceed the approved amount.
- 1.9 Invoices – There are occasions when invoices are the only document used to authorize expenditures. Examples include but are not limited to items listed in the table below.

Advertisements	Laboratory Services
Annexation Expenses	Legal Fees
Application Fees	Leases (Equipment & Vehicles)
Assessment District Expenses	Licenses and Permits
Association Fees	Medical Services
Audit and Accounting Charges	Memberships
Bank Charges and Fees	Meter / Copy Usage
Bond Transactions	Newspaper / Employment Ads
Claims	Notices
Computer Hardware / Software	Payroll
Conferences	Petty Cash
Contributions to Other Agencies	Postage
Court Reporting	Printing & Publishing
Credit Card Purchases	Public Relations
Certifications and Renewals	Refunds (Construction & Billing)
Debt Service	Regulatory Expenses
Director Fees and Expenses	Safety
Dues and Subscriptions	Seminars
Easements	Supplemental Water Purchases
Education Reimbursements	Subscriptions
Employee Benefits	Tax Collection Fees
Employee Reimbursements	Temporary Employment Agencies
Fees & Permits, Environmental	Training
Fees & Permits, General	Travel Expenses, Lodging and Meals
Insurance	Utilities

2.0 PURCHASING AUTHORIZATION & APPROVAL REQUIREMENTS

The Purchasing Agent (i.e, Supervisor, Executive Team Manager, Implementation Manager/CFO, General Manager or Board, as the case may be) has the authority set forth in the Standard Purchase Authorization Table below to purchase supplies, equipment and services subject to the limitations set forth in the Budget and hereafter stated to the

Purchasing Agent. The following limits do not apply to utility services or other amounts imposed by rates or charges of other agencies providing service.

- 2.1 Purchases, agreements, services, leases and/or contracts for materials, supplies, equipment, and other personal property shall be made in accordance with this policy.
- 2.2 Splitting or separating of material, supply, service, lease, and equipment orders or projects for the express purpose of evading the requirements of this policy, is strictly forbidden.
- 2.3 Unbudgeted expenditures for specific funds that remain within the District’s approved budget are at the General Manager’s discretion. Board approval will be required for transfer requests between funds (projects) or any increases to the overall District budget.
- 2.4 All purchase requests must be submitted on a Purchase Order Request (POR) form authorized by the appropriate signatory level as indicated in the table below.
- 2.5 The first level of approval should review any required quotes in accordance with this policy.

Standard Purchase Authorization Table					
Dollar Amount	Supervisor	Executive Team Manager	Implementation Manager/CFO	General Manager	Board of Directors
\$0 to \$2,500	X				
\$2,501 to \$25,000		X			
\$25,001 to \$40,000			X		
\$40,001 to \$100,000				X	
Greater than \$100,001					X

3.0 PROCUREMENT SOLICITATION & SELECTION

Solicitation of quotations, proposals and offers will be provided for each procurement effort. Selection will be performed in a fair process to provide the best value to the District for the available funding.

3.1 Competitive Solicitation

As a statement of policy and in accordance with the criteria specified in this policy, all purchases or contracts for materials, supplies, equipment and services will be based, whenever possible and practicable, on competitive solicitation. There may be

exceptions to the competitive process for emergency conditions, supply limitations, or other circumstances with justification for such waiver being documented with the acquisition.

Examples of exceptions to the competitive process may include:

- Emergency Conditions as defined in this policy;
- Sole source limitations; time constraints; or other circumstances where the General Manager is satisfied that the best price, terms and conditions for the procurement have been negotiated;
- Purchases listed in Section 1.9 above; and
- When the goods, services, materials or equipment required are of such a nature that specifications are not readily available and cannot be developed in a timely manner to meet the needs of the District, in which case the General Manager shall be authorized to negotiate the procurement for the price, terms and conditions deemed to be in the best interest of the District.

Purchase Amount	Bid Type
\$0 to \$4,999	Solicit two informal (phone/written) quotes whenever practical
\$5,000 to \$49,999	Solicit three informal (phone/written) quotes
\$50,000 to \$100,000	Solicit three formal quotes
\$100,001 +	Solicit three formal quotes/RFP/Bid Process

Upon completion of selection and purchase authorization, all documentation shall be forwarded to Administrative Services for input to the financial accounting and document management systems for processing.

3.2 Professional Services

Professional services are defined as any specially trained and experienced person, firm, or corporation specializing in financial, economic, accounting, engineering, technical, legal, architectural, or other specialized disciplines. Technical and maintenance services (e.g. janitorial services, landscape maintenance, etc.) differs from professional services in that they involve limited discretionary judgment and are primarily manual in nature.

Although there is no one absolute definition for professional services, the following elements shall be used as a guideline to determine whether or not a trade or occupation qualifies as a professional service:

- Is a license indicating sufficient qualification for a trade or occupation required?
- Are there general standards established and widely accepted for performance of this trade, occupation or service?
- Is advanced and prolonged academic study a prerequisite for practicing this trade, occupation or service?

- Does the trade or occupation involve specialized knowledge and experience beyond mere skill?
- Is work performed predominately mental rather than manual?

Due to the nature of these services, California law does not require competitive bidding for acquisition of professional services. As a matter of policy, competitive proposals will be solicited where practical and possible from more than one service provider at the recommendation of the General Manager and subject to the approval of the Board.

3.3 Sole Source Requests

District policy is to base the purchase of materials, supplies, equipment and services on competitive solicitation whenever possible and practicable.

A sole/single source purchase is necessary when the acquisition can be made from only one qualified supplier of a product or service. Similarly, a sole brand request is required when a given brand of product specifically meets the form, fit, and function of procurement; or is necessary to standardize certain parts, designs, or features in order to realize overall economics.

Sole source purchases may also include equipment which has been standardized by the District or items that have only one distributor authorized to sell in this area.

These purchases must be justified/documented in writing and approved by the appropriate approver from the authorization table.

3.4 Public Works

Public Works projects are limited to the new construction, reconstruction, erection, alterations, and improvements involving publicly owned or operated facilities have a value of \$100,000 or more. Public Works projects do not include routine, recurring, replacement, and usual maintenance work and repair performed on existing public facilities to keep them operational.

- Pursuant to Labor Code, Section 1725.5, all contractors have to register as a public works contractor with the Department of Industrial Relations (DIR) if the total value of the project exceeds \$15,000 for maintenance work or \$25,000 for new construction, alteration remodel, demolition or repair work.
 - Contractor must be registered at the time of the bid or the bidder will be declared unresponsive.

3.5 Emergency Purchases

While the occasional need for emergency or immediate acquisitions of supplies, materials, services, or equipment is recognized, the practice should be minimized in order to allow all functional areas to best perform their responsibilities in accordance with this policy and the systematic processing of work.

The definition of an "emergency" as defined in the Public Contracts Code, Section 1102, is a sudden, unexpected occurrence that poses a clear and imminent danger, requiring action to prevent or mitigate the loss or impairment of life, health, property or essential public service.

Emergency procurement shall be initiated by a Department Manager, approved by the General Manager and subsequently ratified by the Board. The General Manager has authority to procure goods, materials, services and equipment of over \$100,000 in

emergency situations, but ratification of the procurement must be brought to the next scheduled Board Meeting.

Emergency Conditions:

For the purposes of this procedure, emergency or immediate procurement action may be taken for the purchase of goods, materials, services and equipment under the following conditions:

- A great public calamity as described above, such as a sanitary sewer overflow.
- The breakdown of machinery or an essential function which requires immediate purchasing action to protect public health, welfare, safety, or service.
- Other conditions, which may not be considered essential for the protection of public health, safety, welfare, or service, but may significantly interrupt essential District functions.

4.0 VENDOR GIFTS & GRATUITIES

The receiving of gifts and/or other symbols of appreciation may compromise the integrity of professional relationships and can lead to inappropriate business practices.

All District employees are prohibited from accepting gifts offered by vendors, contractors, consultants, and any other person or organization that may receive financial reimbursement, contribution, or revenue from the District. Gifts shall include, without limitation, entertainment, meals, trips, or other notable gestures of appreciation aggregating \$50.00 or more from any one source in a calendar year. All gifts that are tendered or received should be disclosed to the Department Manager and returned.

5.0 ETHICAL PRACTICES

It is a policy of the District to maintain good working relationships with its vendors, contractors and suppliers, as well as the community at large. Every employee has the ability to influence the opinions of others through daily interaction with the business community. In personal contracts with vendors and suppliers, employees shall represent the best interests of the District by conducting business in a fair, equitable, open and ethical manner.

The following are suggested guidelines as recommended by the National Association of Purchasing Management (NAPM):

- Avoid the intent and appearance of unethical or compromising practice in relationships, actions and communications.
- Demonstrate loyalty to the employer by diligently following the lawful instructions of the employer, using reasonable care and only authority granted.
- Refrain from any private business or professional activity that would create a conflict between personal interests and the interests of the employer.
- Refrain from soliciting or accepting money, loans, credits, or prejudicial discounts, and the acceptance of gifts, entertainment, favors, or services from present or potential suppliers that might influence, or appear to influence, purchasing decisions.

- Handle confidential or proprietary information belonging to employers or suppliers with due care and proper consideration of ethical and legal ramifications and governmental regulations.
- Promote positive supplier relationships through courtesy and impartiality in all phases of the purchasing cycle.
- Refrain from reciprocal agreements that restrain competition.
- Know and obey the letter and spirit of laws governing the purchasing function and remain alert to the legal ramifications of purchasing decisions.
- Encourage all segments of society to participate by demonstrating support for small, disadvantaged, and minority-owned businesses.
- Discourage purchasing involvement in employer-sponsored programs of personal purchases that are not business related.
- Enhance the proficiency and structure of the purchasing profession by acquiring and maintaining current technical knowledge and the highest standards of ethical behavior.
- Conduct international purchasing in accordance with the laws, customs, and practices of foreign countries, consistent with the United States laws, your organizations policies, and these Ethical Standards and Guidelines.

6.0 DISPOSITION OF SURPLUS DISTRICT PROPERTY

From time to time, personal property formerly necessary for District operations becomes outmoded, spent, unnecessary and otherwise surplus. The Board hereby approves the following procedure for the disposition of such surplus property:

- The General Manager, after consultation with the Board, will seek informal letter bids from one or more potential purchasers of surplus property, and shall dispose of such property on terms and conditions that are in the best interest of the District. The Board shall be advised in advance of the exact terms and conditions of such disposal.
- Where, in the discretion of the General Manager, no potential purchaser is likely to be found or where no purchaser has been found, the General Manager may, after advising the Board, dispose of the property by the most efficient and economical means, including discard or donation.
- No sale or other disposition shall be made to a District employee, official, representative, consultant or to any member of the immediate family of any such persons.
- "Surplus property" shall include, but is not limited to, machinery, motor vehicles, furniture or other personal property owned by the District and carried on its accounts at a value less than \$500.00. Property valued at more than \$500.00 shall not be disposed of without prior approval by the Board.



Valley Sanitary District

DATE: April 11, 2023
TO: Board of Directors
FROM: Dave Commons, Chief Operating Officer
SUBJECT: Approve the Interim General Manager to Accept Conditional Settlement Offer No. R7-2023-0021: Offer To Participate In The Expedited Payment Program Relating To Alleged Violations Of Order No. R7-2020-0007, NPDES NO. CA0104477

Suggested Action

Approve

Strategic Plan Compliance

GOAL 6: Improve Planning, Administration and Governance

Fiscal Impact

The fiscal impact for this report is \$6,000. This will be paid out of the Operation's contingency budget.

Environmental Review

Not applicable, this is not a project as defined by the California Environmental Quality Act (CEQA).

Background

On March 30, 2023, the Valley Sanitary District's Interim General Manager, Ron Buchwald, received a certified letter from the Colorado River Basin Regional Water Quality Control Board concerning a conditional settlement offer to the District for alleged exceedances of effluent requirements to the District's RWQCB's Order No. R7-2020-0007, NPDES permit No. CA0104477. From June 2022 until December 2022, the District had a total of five alleged effluent exceedances of the regulatory requirements of its NPDES permit. The results were three E coli exceedances and two Total Cyanide exceedances. The District was only charged for the two Cyanide exceedances. After discussion with the District staff, the Interim General Manager recommends to the Board of Directors that it would be fair and prudent for the District to accept this conditional statement offer from the Regional Board.

After extensive evaluation and analysis, the District staff believes that these two Cyanide results are false positives caused by the sampling technique and extensive hold times under high pH conditions used to obtain the effluent samples and not the results of actual Cyanide in the facility effluent. One solution to this Cyanide issue is to have the District's laboratory perform the testing of Cyanide. This will require the District's Lab to obtain all the equipment and materials necessary to do the Cyanide testing in house, instead of using an outside laboratory. This will cut down on the sample holding time which will reduce the possibility of sample false positives. While the District's laboratory is acquiring the equipment and materials and getting certified by the State of California to do the testing, staff will be using a different outside laboratory who uses a different approved testing method which should eliminate the potential for false positives in our Cyanide test results. Other Districts and Municipalities have experienced this Cyanide false positive test results and the Regional Board is aware of this. However, it is up to the Districts and Municipalities to prove that they are false.

Recommendation

Staff recommends that the Board of Directors approve the conditional settlement offer NO. R7-2023-0021: offer to participate in the expedited payment program relating to alleged violations of order NO. R7-2020-0007, NPDES NO. CA0104477

Attachments

[3.29.2023_BMarshall_Conditional Settlement Offer_Valley Sanitary District_kd.pdf](#)



Colorado River Basin Regional Water Quality Control Board

CERTIFIED MAIL: 7021 1970 0002 0497 8173

March 29, 2023

Beverli Marshall, General Manager
Valley Sanitary District
45500 Van Buren Street
Indio, CA 92201
bmarshall@valley-saitary.org

SUBJECT: CONDITIONAL SETTLEMENT OFFER NO. R7-2023-0021: OFFER TO PARTICIPATE IN THE EXPEDITED PAYMENT PROGRAM RELATING TO ALLEGED VIOLATIONS OF ORDER NO. R7-2020-0007, NPDES NO. CA0104477

Dear Ms. Marshall:

This letter notifies Valley Sanitary District, Owner/Operator, Valley Sanitary District Wastewater Treatment Plant (Discharger) of alleged violation(s) of effluent limitations and provides the Discharger the opportunity to settle the violation(s) through payment of **\$6,000** in mandatory minimum penalties pursuant to California Water Code (Water Code) sections 13385 and/or 13385.1. Please reply to this Conditional Settlement Offer by **April 29, 2023**.

NOTICE OF VIOLATION

The Assistant Executive Officer alleges that the Discharger has violated the above-referenced National Pollutant Discharge Elimination System (NPDES) permit as identified in Exhibit A, attached hereto, and incorporated by reference. The Discharger can resolve the alleged violations as discussed below.

STATUTORY LIABILITY

Water Code section 13385, subdivisions (h) and (i), require the assessment of a \$3,000 mandatory minimum penalty for specified serious and chronic effluent limitation violations. The Discharger is also subject to discretionary administrative civil liability of up to \$10,000 per day for each violation, plus \$10 for each gallon discharged but not cleaned up in excess of 1,000 gallons. The Colorado River Basin Regional Water Quality Control Board (Regional Water Board) may assess mandatory minimum penalties or discretionary administrative civil liability beginning with the date on which the violations first occurred. The formal enforcement action that the Regional Water Board uses to assess such liability is an administrative civil liability complaint. Alternatively, the Regional Water Board may refer the matter to the Attorney General's Office for prosecution in the Superior Court.

EDWARD MUZIK, CHAIR | PAULA RASMUSSEN, EXECUTIVE OFFICER

The Superior Court may assess up to \$25,000 per day for each violation, plus \$25 per gallon discharged but not cleaned up in excess of 1,000 gallons.

OFFER TO PARTICIPATE IN EXPEDITED PAYMENT PROGRAM

The Discharger can avoid the issuance of a formal enforcement action and settle the alleged violation(s) identified in Exhibit A by participating in the Regional Water Board's Expedited Payment Program. The Discharger may accept this Conditional Settlement Offer, waive its right to a hearing, and pay the mandatory minimum penalty of **\$6,000** for the violation(s) described in Exhibit A. If the Discharger elects to do so, the Regional Water Board will execute the settlement offer subject to the conditions below. The Regional Water Board will accept the payment in settlement of any enforcement action that would otherwise arise out of the violation(s) identified in Exhibit A. Accordingly, the Regional Water Board will not issue a formal administrative civil liability complaint, will not refer the violation(s) to the Attorney General's Office, and will waive its right to seek additional discretionary civil liability for the violation(s) identified in Exhibit A.

This Conditional Settlement Offer does not address or resolve liability for any violation that is not specifically identified in Exhibit A.

DISCHARGER'S OPTIONS FOR RESPONSE TO OFFER

To accept this Conditional Settlement Offer, the Discharger must complete, sign, and return the enclosed "Acceptance of Conditional Resolution and Waiver of Right to Hearing" (Acceptance and Waiver) on or before **April 29, 2023 (30 days)**. The Acceptance and Waiver is provided as Exhibit B (enclosed).

If the Discharger chooses to contest any of the violations alleged in Exhibit A, please identify the specific violation(s) and the basis for the challenge (factual error, affirmative defense, etc.) on or before the due date specified above. Regional Water Board staff will evaluate the contested violation and take one of two actions:

- 1) Determine that the violation warrants dismissal, dismiss the alleged violation(s) in the California Integrated Water Quality System (CIWQS) database, notify the Discharger of the dismissal, and take no further action against the Discharger for the alleged violation(s); or
- 2) Determine that the alleged violation(s) is/are meritorious and notify the Discharger of that determination. The Discharger will then have 30 days from the date of the notice of determination to accept settlement for the violation by submitting a complete Acceptance and Waiver. If the Discharger chooses not to accept or makes no reply to the determination within 30 days, the Discharger will be contacted by the Regional Water Board staff regarding a formal enforcement proceeding for the contested violation(s). Information received by Regional Water Board staff during any formal investigation and assessment of the violation(s), as well as staff costs associated with pursuing the enforcement, may increase the liability beyond that set forth in this Conditional Settlement Offer.

CONDITIONS FOR REGIONAL WATER BOARD ACCEPTANCE OF RESOLUTION

Federal regulations require the Regional Water Board to publish and allow the public at least 30 days to comment on any settlement of an enforcement action addressing NPDES permit violations (40 C.F.R. section 123.27(d)(2)(iii)). Upon receipt of the Discharger's Acceptance and Waiver, Regional Water Board staff will publish a notice of the proposed resolution of the violation(s).

If Regional Water Board staff do not receive comments within the 30-day comment period and no new material facts become available to the Regional Water Board, the Executive Officer will execute the Acceptance and Waiver as a stipulated order assessing the uncontested mandatory minimum penalty amount pursuant to Water Code sections 13385 and/or 13385.1.

If, however, significant comments are received in opposition to the Settlement, the Offer may be withdrawn. In that case, the Discharger's waiver pursuant to the Acceptance and Waiver will also be treated as withdrawn and the violation(s) will be addressed in a liability assessment proceeding. At the liability assessment hearing the Discharger will be free to make arguments as to any of the alleged violations, and the Discharger's agreement to accept this conditional settlement offer will not in any way be binding or used as evidence against the Discharger. The Discharger will be provided with further information on the liability assessment proceeding.

In the event the Executive Officer executes the Acceptance and Waiver, full payment of the assessed amount shall be due within 30 calendar days from the date of the Executive Officer's signature. Funds collected for violations under Water Code sections 13385 and 13385.1 shall be deposited in the State Water Pollution Cleanup and Abatement Account. Accordingly, the **\$6,000** liability shall be paid by cashiers or certified check made out to the "State Water Pollution Cleanup and Abatement Account". Failure to pay the full penalty within the required time may subject the Discharger to further liability.

Please send your reply to the attention of Kai Dunn, either by email or U.S. mail. If you want to discuss or have questions regarding this Conditional Settlement Offer, please contact Kai Dunn at (760) 776-8986 or Kai.Dunn@waterboards.ca.gov.

Sincerely,



Cassandra Owens
Assistant Executive Officer
Colorado River Basin
Regional Water Quality Control Board

Enclosure: Exhibit A - Mandatory Penalty Administrative Civil Liability
Exhibit B - Acceptance of Conditional Resolution and Waiver of Right to Hearing

Beverli Marshall
Valley Sanitary District

- 4 -

March 29, 2023

cc: Ian Wilson, Valley Sanitary District, Chief Plant Operator
iwilson@valley-sanitary.org

File: WDID No. 7A 33 0122 021, Valley SD, R7-2020-0007

MANDATORY PENALTY ADMINISTRATIVE CIVIL LIABILITY

Valley Sanitary District
Valley SD WWTP

WDID No. 7A330122021 NPDES No. CA0104477
EX-HIBIT "A"

Effluent Limitation Violations Requiring Mandatory Minimum Penalties

Violation #	Violation Date	Constituent	Pollutant Group	Limitation Period	Limit	Result/Average	Units	% Over Limit	Date 180 Days Prior	Serious or Chronic Violation?	No. of Violations within 180 days	Mandatory Fine?	Water Code	Penalty
1	07/26/2022	E. coli	Other	Instantaneous	400	1096.3	MPN/100	N/A	01/27/2022	N/A	1	N		\$ 0
2	08/02/2022	E. coli	Other	Instantaneous	400	547.5	MPN/100	N/A	02/03/2022	N/A	2	N		\$ 0
3	08/31/2022	E. coli	Other	Instantaneous	400	648.8	MPN/100	N/A	03/04/2022	N/A	3	N		\$ 0
4	11/06/22	Cyanide, Total (as CN)	Group 2	Monthly Average	4.3	5.5	ug/L	28%	05/04/2022	C	4	Y	13385(i)	\$ 3,000
5	11/28/22	Cyanide, Total (as CN)	Group 2	Monthly Average	4.3	6.1	ug/L	42%	07/04/2022	C	5	Y	13385(i)	\$ 3,000

Total Penalty: \$ 6,000

1 - Violation occurs on sample date or last date of averaging period.

2 - For Group I pollutants, a violation is serious when the limit is exceeded by 40% or more

- For Group II pollutants, a violation is serious when the limit is exceeded by 20% or more

3 - When a serious violation occurs on the same day as a chronic, the serious violation is only assessed an MMP once and is counted last for the day when determining the number of chronic violations to be assessed a

Violation period ending the last day of December 2022

Group I Violations Assessed MMP: 0
Group II Violations Assessed MMP: 2
Other Effluent Violations Assessed MMP: 0
Violations Exempt from MMP: 0
Total Violations Assessed MMP: 2

Mandatory Minimum Penalty = (0 Serious Violations + 2 Non-Serious Violations) x \$3,000 = \$6,000

Exhibit B
ACCEPTANCE OF CONDITIONAL RESOLUTION
AND WAIVER OF RIGHT TO HEARING

Valley Sanitary District Owner/Operator
Valley Sanitary District Wastewater Treatment Plant
WDR Order No. R7-2020-0007 (NPDES No. CA0104477)

By signing below and returning this Acceptance of Conditional Resolution and Waiver of Right to Hearing (Acceptance and Waiver) to the California Regional Water Quality Control Board, Colorado River Basin Region (Regional Water Board), Valley Sanitary District, Owner/Operator, of the Valley Sanitary District Wastewater Treatment Plant (Discharger) hereby accepts the conditional settlement offer to settle the alleged violations through payment of mandatory minimum penalties and waives the right to a hearing before the Regional Water Board to dispute the alleged violations. The alleged violations are attached to this Acceptance and Waiver as 'Exhibit A' and incorporated by reference.

The Discharger agrees that 'Exhibit A' shall serve as a Complaint pursuant to Article 2.5 of the California Water Code and that no separate Complaint is required for the Regional Water Board to assert jurisdiction over the alleged violations through its Assistant Executive Officer. The Discharger agrees to pay the penalties required by California Water Code sections 13385 and/or 13385.1, in the sum of **\$6,000** (Expedited Payment Amount), which shall be deemed payment in full of any civil liability pursuant to Water Code section 13385 that otherwise might be assessed for the violation(s) described in 'Exhibit A'. The Discharger understands that this Acceptance and Waiver waives its right to contest the allegations in 'Exhibit A' and the amount of civil liability assessed for the violations.

The Discharger understands that this Acceptance and Waiver does not address or resolve liability for any violation that is not specifically identified in 'Exhibit A'.

Upon execution by the Discharger, the completed Acceptance and Waiver shall be returned to:

California Regional Water Quality Control Board, Colorado River Basin
Attention: Kai Dunn
73720 Fred Waring Drive, Suite 100
Palm Desert, CA 92260

The Discharger understands that federal regulations set forth at Code of Federal Regulations, title 40, section 123.27(d)(2)(iii) require the Regional Water Board to publish notice of and provide at least thirty (30) days for public comment on any proposed resolution of an enforcement action addressing NPDES permit violations. Accordingly, this Acceptance and Waiver will be published as required by law for public comment prior to the Executive Officer's execution.

The Discharger understands that if no comments are received within the public notice period that causes the Executive Officer to question the conditional settlement offer, the Executive Officer will execute this Acceptance and Waiver.

The Discharger understands that if significant comments are received in opposition to the conditional settlement offer, the offer may be withdrawn. In that circumstance, the Discharger will be advised of the withdrawal and an administrative civil liability complaint may be issued and the matter may be set for a hearing before the Regional Water Board. For such a liability hearing, the Discharger understands that its executed Acceptance and Waiver will be treated as a settlement communication and will not be used as evidence in that hearing.

The Discharger understands that once the Executive Officer executes this Acceptance and Waiver, the full payment required by the deadline set forth below is a condition of this Acceptance and Waiver.

The Discharger understands that funds collected for violations under Water Code sections 13385 and 13385.1 shall be deposited in the State Water Pollution Cleanup and Abatement Account. Accordingly, the liability shall be paid by a cashier's or certified check for **\$6,000** made out to the "State Water Pollution Cleanup and Abatement Account."

The Discharger understands that payment must be submitted to the State Water Resources Control Board no later than thirty (30) calendar days after the date on which the Executive Officer executes this Acceptance and Waiver.

The Discharger shall mail the check to:

State Water Resources Control Board
Division of Administrative Services, Accounting Branch
Attn: ACL Payment
PO Box 1888
Sacramento, CA 95812-1888

I hereby affirm that I am duly authorized to act on behalf of and to bind the Discharger in the making and giving of this Acceptance and Waiver.

Valley Sanitary District

By: _____
Signed Name Date

Printed or Typed Name Title

Note: Please return the signed Acceptance and Waiver with Exhibit A, together.

IT IS SO ORDERED PURSUANT TO WATER CODE SECTION 13385.

By: _____ Date _____
PAULA RASMUSSEN
Executive Officer



Valley Sanitary District

DATE: April 11, 2023
TO: Board of Directors
FROM: Ron Buchwald, Interim General Manager
SUBJECT: Receive Monthly General Managers Report - March 2023

Suggested Action

Review

Strategic Plan Compliance

GOAL 6: Improve Planning, Administration and Governance

Fiscal Impact

There is no fiscal impact from this report.

Environmental Review

This is not a project as defined by the California Environmental Quality Act (CEQA).

Background

The following data represents the activities and metrics for the month of March 2023.

Administrative Services

- Held one (1) special board meeting
- Held two (2) regular board meetings
- Held one (1) community engagement meeting
- Disaster recovery plan update
- Mailed Form 700's to the clerk of the board's office
- Mailed Proposition 218 Notices
- Hired Maintenance Technician in Training
- Hired Wastewater Operator in Training

Environmental Compliance Services

- Completed ELAP audit using IAS, a Third-party auditor contracted with ELAP, awaiting results for

renewal application for laboratory certification in fall 2023.

- Completed 1st round of Proficiency Testing with passing marks, a requirement for laboratory certification with ELAP and the NPDES
- Posted Environmental Compliance Technician position to back-fill vacancy.

Development Services

- Construction has begun on the new Indio Palms RV Storage on the Commerce Street South of Vin Deo Circle.
- Gallery Homes is starting the development of 82 homes in the Indian Palms Country Club on the corner of Odlum Drive and Barrymore Street.
- Construction will begin soon on the Texas Roadhouse Steak House East of Jackson Street and South of Avenue 43 in the Indio Town Center Shopping Center.
- Construction has begun on the new OES Gym on the corner of Highway 111 and Jefferson Street
- Construction has begun on the Arroyo Crossing I and II project, a 400-unit low-income apartment complex located on the west side of Jefferson Street, south of Hwy 111.
- Construction has begun on the Wood Springs Suites Extended Stay Hotel West of Jackson Street and South of Avenue 42.
- Construction has begun on the Indio Public Safety Campus Expansion on the corner of Jackson Street and Dr. Carreon Blvd.

Collection Services

- No-Spill report for the month of March will be submitted to the California Integrated Water Quality System, as required in the Waste Discharge Requirements Monitoring and Reporting Program. Due by the end of the month.
- State Water Resources Control Board adopted a reissued statewide General Order Waste Discharge Requirements (WDR), to become effective June 5, 2023. This requires updating elements of the Sewer System Management Plan (SSMP), currently the priority action to comply is to update Element 6, formerly titled Overflow Emergency Response Plan, to the now updated and titled Spill Emergency Response Plan, by June 4, 2023.
- Calhoun Lift Station had two (2) new non-clog pumps installed.
- CCTV inspection van is currently inoperable due to generator not working and need of replacement. Working on receiving quotes for replacement.
- Field Vector crew currently jetting trouble spot areas.

Capital Improvement Program

- The Reclaimed Water Project - Phase 1 was awarded to Schneider Electric / Stantec in June 2020. Construction costs will be determined during the design phase and will be awarded to Schneider Electric / Stantec upon approval of the Board. This project will replace an aging and capacity restricting grit chamber and provide redundancy by adding a second digester and expanding the bar screens. This project will also include replacement of the Main Switch Control Panel and the addition of a sludge thickener unit. Schneider has completed the 60% design submittal and has prepared the guaranteed maximum price based on the latest design plans. *Update: 100% design plans have been approved by staff. ECM #3 (the Rotary Screw Thickeners) is at the 60% design level. The Guaranteed Maximum Price (GMP) has been approved by the Board. Leighton was awarded the contract for specialty testing and inspection services. Walsh is*

currently trenching and installing a 12" filtrate return main that will connect Pump Station #3 at the North Cell to the headworks and installing shoring for the construction of the new digester.

- Westward Ho Drive Sewer Siphon Replacement project. This is a FEMA funded project to replace the damaged sewer siphon from the February 2019 storm. Staff and the consultant had a preliminary meeting with CVWD regarding requirements for crossing the channel. Staff reviewed the 50% design plans and the updated project cost schedule. Staff reviewed the 90% design plans and specifications and submitted comments for correction. Staff is finishing their review of the submitted 100% set of plans and specifications. Staff has met with both the City of Indio and La Quinta, and both have no revisions or concerns. Staff has sent plans to CVWD and IWA for review and VSD received comments back from both agencies for incorporation. Carollo will be performing additional potholing to verify IWA and other utilities. Potholing has revealed that an IWA water line is closer to the project alignment than indicated on record drawings and must be rerouted around the proposed siphon manhole. *Update: Permitted Plans have been signed by CVWD. Staff is currently filing an encroachment permit license application as required by CVWD for the permanent pipeline crossing of the channel. Once the contractor is selected, they will file for a construction permit and the encroachment permit will be processed. This project is currently being held up by FEMA. VSD needs FEMA approval before proceeding with bidding and construction which was expected by February 2023. The CEQA documentation for this project has been completed.*
- Collections System Rehabilitation and Replacement project. The first rehabilitation project on Indio Blvd. is complete. This was a good first project and lessons were learned on how to better the process for the next project. The CCTV inspection project is complete. Harris is currently developing plans for the downtown Indio rehabilitation and repair project. This is being done to rehabilitate and replace deficient sewer mains in the streets and allies of the downtown area. The 50% plans for the Downtown Indio Rehabilitation project have been reviewed and comments have been returned to Harris for revision. The 100% design plans have been reviewed by IWA and the City of Indio and both agencies returned comments for revision. *Update: The Board has awarded the Downtown Indio Rehabilitation Project to GRBCON. The City has approved the traffic control drawings and is reviewing the encroachment permit application. The City of Indio has allowed the contractor to perform non-invasive work during the festival month of April. The contractor is currently rehabilitating sewer mains in the Downtown area. Harris is currently working on the rehabilitation plans for the Calhoun lift station.*
- Influent Pump Station Rehabilitation Project. The Request for Proposal (RFP) was released on August 28 and was closed on September 28, 2020. The Board awarded the project to the DCI / Dudek team, and a pre-construction meeting was held on December 4th, 2020. The DCI / Dudek has developed a preliminary bypass plan for the initial inspection and shutdown of the influent pump station structure. The preliminary bypass and inspection were completed from February 22nd to February 26th. VSD has chosen the valves and gates that will be used for this project based on Dudek / DCI and Stantec's recommendations. Dudek and VSD are coordinating the ordering and purchasing of long, lead items. Dudek has submitted the Basis of Design Report which Stantec and VSD staff have reviewed. The Board has approved the guaranteed maximum price. The Notice of Award has been issued and Change Order No.2 signed. *Update: The contractor has completed the repair and coating of the interior of the pump station and is currently installing the new valves and piping inside and outside the pump station. This project is more than halfway complete and moving well. The bypass is set to operate through the second week of April and all work is expected to be completed by the end of April.*
- The above ground, steel waterline adjacent to the aeration basins is old and prone to leaks,

especially at the grooved joints, and has exceeded its useful life. The new steel waterline will have traditional joints that will provide a longer life. This project has been on the books for several years and has been a lower priority due to lack of leaks in recent years and the difficult nature of replacement. The project design was awarded to Dudek who has completed the project design and specifications. The construction portion of the project was put out to bid on February 7th, 2022. The project bid opening took place on March 16th, 2022, and VSD received six sealed bids for this project with Van Dyke Corporation being the lowest responsible bidder. The first phase of this project has been completed. *Update: The Board has approved the proposal from Dudek for the second phase of the project which consists of replacing the piping for the frost sprayers. The Board awarded the project to the Van Dyke Corporation. The preconstruction meeting is being held on April 11th.*

- VSD has chosen SGH Architects as the architectural firm for the preliminary design of a new single-story training/office building and new laboratory building. Staff has selected a new location for the training/office building that will allow the single-story building with minimal demolition. The architect has completed the schematic design and cost estimate for both the training/office building and laboratory building. An onsite survey was conducted on July 7th. SGH Architects is continuing with final design of both the Office & Training and Laboratory Buildings. *Update: SGH has submitted 50% design plans which include both buildings for staff review and comment in December 2021. This project has been delayed for a year or two to allow other priority projects to proceed and maintain our debt coverage.*

Recommendation

Staff recommends that the Board receive the Manager's Report for activities during the month of March 2023.

Attachments

[Attachment A Admin Services Report.pdf](#)

[Attachment B NPDES Report for Apr.pdf](#)

[Attachment C Collection Services Report.pdf](#)

[Attachment D Development Services Report March 2023.pdf](#)

[Attachment E Capital Improvement Program Report April 2023.pdf](#)

[Attachment F Environmental Compliance Summary for Apr.pdf](#)

[Attachment G Wastewater Surveillance Summary for Apr.pdf](#)

Administrative Services - Task Summary 2022

Task	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total To Date
Active Litigation Filed	-	-	-										-
Board Meeting	3	2	3										8
Budget/Finance Committee Meeting	1	-	-										1
Operations Committee Meeting	-	1	-										1
Community Engagement Committee Meeting	1	-	1										2
Employee Anniversaries	1	4	1										6
Employee Promotions	-	-	-										-
Facebook Postings	1	3	-										4
Insurance Claims Initiated	-	-	-										-
Lost Time Work Incidents	-	-	-										-
Media Coverage Items	-	-	-										-
New Hires	-	-	2										2
Press Release	-	-	-										-
Public Records Request	2	1	-										3
Resignations	-	-	1										1
Retirements	-	-	-										-

February 2023	Plant Influent		ASP Effluent			Pond Effluent		
	CBOD (mg/L)	TSS (mg/L)	Monthly Average Flow (MGD)	CBOD (mg/L)	TSS (mg/L)	Monthly Average Pond Effluent Flow (MGD)	CBOD	TSS
1								
2								
3								
4								
5								
6	307	322		13	7.8			
7								
8								
9								
10								
11								
12								
13	387	356		11	7			
14								
15								
16								
17								
18								
19								
20								
21	255	264		8.5	8.6			
22								
23								
24								
25								
26								
27	324	328		20	9			
28			5.71			0.000		
Average	318	318	5.71	13.1	8.1	0.000		
Minimum	255	264	5.71	8.5	7	0.000		
Maximum	387	356	5.71	20	9	0.000		
Exceedences	0	0	0	0	0	0	0	0
Permit LIMITS				25	30		40.0	49.0

Total Plant Discharge (Outfall) Grab								
EColi (MPN/100ml)	Oil and Grease (mg/L)	Copper (ug/L)	Di(2-ethylhexyl)phthalate (ug/L)	Cyanide (total) (ug/L)	Ammonia (total, as N) (mg/L)	Nitrate (as N) (mg/L)	Nitrite (as N) (mg/L)	Total Nitrogen (mg/L)
14.5								
10.5	< 1.4	3.0	< 0.5	3.1**	5.5	4.1	0.65	12
2.0								
6.3								
34.1								
9.2*	1.4	3.0	0.5	3.1	5.5	4.1	0.65	12
2.0	< 1.4	3.0	< 0.5	2.1	5.5	4.1	0.65	12
34.1	< 1.4	3.0	< 0.5	< 4.3	5.5	4.1	0.65	12
0	0	0	0	0	0	0	0	0
126(mo) / 400 (max)	25	9.0	5.9	4.3				

Collection Services Task Summary Report for 2023

Task	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total To Date
Customer Service Calls	6	1	3			-							10
F.O.G. Inspection - Completed													-
F.O.G. Inspection - Fail													-
F.O.G. Inspection - Pass													-
Hot spot cleaning (total)*	26	-	-		-	-	-				-	-	26
Lift station inspection	19	16	23										58
Manhole inspection	179	159	136										474
Sewer line CCTV (feet)	8,060	7,295	N/A										15,355
Sewer line cleaning (feet)	52,372	53,787	53,787										159,946
SSO Response - Cat 1	0	0	0										0
SSO Response - Cat 2	0	0	0										0
SSO Response - Cat 3	0	0	0										0
USA Markings	160	46	45										251
*Note: Hot spot cleaning is performed quarterly													



VALLEY SANITARY DISTRICT DEVELOPMENT SERVICES REPORT

11-Apr-23

Plan Check in Progress
Inspection in Progress
New Project

PROJECT NAME	STREET ADDRESS / CROSS STREET	CURRENT PROJECT STATUS	NEXT ACTION ITEM
7-Eleven Golf Center	44925 Golf Center/Avenue 45	Civil plans submitted for new 7-Eleven store approved. Arch. plans approved and returned to the applicant 10/26/20. Issued permit 3915 on 10/26/20. Finalized 3/28/23	No further action required
Add'l Dwelling Unit - Cebrosos Residence	83181 Blue Mountain Court	Plans submitted for additional dwelling unit. Plans approved and notified applicant 3/3/21. Permit 3967 7/26/2021	Inspect work improvements as scheduled.
Arroyo Crossing Phase 1 architectural plans	47555 Jefferson Steet/Highway 111	Architectural plans submitted for new apartment complex. Plans approved and notified applicant 12/22/21. Permit 3998 issued 1/6/22.	Inspect work improvements as scheduled.
Arroyo Crossing Phase 1 civil plans	47555 Jefferson Steet/Highway 111	Civil plans submitted for new apartment complex. Plan review completed. Plans approved and returned to applicant 12/22/21. Permit 3998	Inspect work improvements as scheduled.
Arroyo Crossing Phase 2 architectural plans	47777 Jefferson Steet/Highway 111	Architectural plans submitted for new apartment complex. Plans approved and notified applicant 1/21/22 Permit 4005 on 2/7/22.	Inspect work improvements as scheduled.
Arroyo Crossing Phase 2 civil plans	47777 Jefferson Steet/Highway 111	Civil plans submitted for new apartment complex. Plans approved and notified applicant 1/21/22. Permit 1005	Inspect work improvements as scheduled.
Autozone Jackson Street	41850 Jackson Street/aAvenue 42	Plans submitted for plan check. Sewer main relocation. Plans approved 1/21/21. Waiting for engineer to finalize easements docs. Permit 3954 issued 5/13/21.	10% warranty bond in place Reinspect and notice of acceptance Due 1/1/2023
Ave 42 Self Storage	82815 Ave 42/Showcase Blvd	Plans submitted, fee paid. Plans approved and notified applicant 3/2/23.	Waiting for owner to process permit paperwork.
Bliss & Oasis Apts Sewer Improv. Plan	NW Corner of Bliss Ave and Oasis St	Plans submitted for Civil Plans, fee paid with check. Completed 1st plan check and returned to the applicant 12/15/22.	Perform 2nd plan check upon plan resubmittal.
Buzzbox	42625 Jackson Street #112	Plans submitted existing building TI. Completed 1st plan check and returned to the City 2/22/19.	Perform 2nd plan check upon plan resubmittal.
Castro 80501 lot 50	Motorcoach CC 80501 Ave 48 Lot 50	Plans submitted, Permit 4056	Inspect work improvements as scheduled.
Chandi Plaza Building "B" Shell	81-971 Indio Blvd/Avenue 44	Plans submitted for plan check. Completed 1st check and returned to the applicant 10/13/20. Issued permit 3963 on 6/29/21.	Inspect work improvements as scheduled.
COD Child Development Center	45742 Oasis Street	Plans submitted for child development center. Plans approved and notified applicant 1/25/22. Permit 4025 4/21/22	Inspect work improvements as scheduled.
College of the Desert	45524 Oasis Street	Plans submitted for campus expansion. Plan review completed, plan approved and notified applicant 1/25/22. Permit 4026 4/22/22	Inspect work improvements as scheduled.
Community Valley Bank	81701 Hwy 111	Plans Submitted and fee paid for TI Improvement.	Plans in queue
Corso Residence	49491 Braley Court	Plans submitted for single family residence. Plans approved and notified applicant 9/2/20. Permit 3931 issued 1/5/21	Inspect work improvements as scheduled.
EOS Fitness Hwy 111	Highway/Jefferson Street	Plans submitted for construction of new gym facility. Plans approved and notified applicant 4/27/20. Permit 4049	Waiting for Development Agreement and Bonds before owner can process permit paperwork.
EOS Fitness Public Sewer Extension	SWC of Spectrum Street & Avenue 42	Mainline complete. Waiting on Maintenance Bond to release Performance Bond	Release Performance Bond when Maintenance Bond is received
Gabino's Creperie	82862 Miles Ave	Plans submitted, fee paid with credit card. Completed 1st plan check and returned to the applicant 9/14/22.	Perform 2nd plan check upon plan resubmittal.
Gallery at Indian Springs	Jefferson St/Westward Ho Drive	Tract is Complete. Warranty Bond received 8/25/2021.	Notice of acceptance after 12 month warranty bond release.
Grease Interceptor T.I. at 82707 Miles (Encore Coffee)	82707 Miles Avenue/ Corner of Miles and Oasis	Plans submitted for Plans and scope of work, fee paid with check. Completed 3rd plan check and notified applicant 3/16/23. Permit # 4095	Inspect work improvements as scheduled.
Hampton Inn Sewer Main Extension	North West Corner of Spectrum St and Atlantic Ave	Plans submitted for the extension of a public sewer main for Hampton Inn at Atlantic Ave. Plan check fees paid 7/11/18. Completed 2nd plan check and returned plans to the engineer 8/9/18. Plans approved and returned to engineer 8/27/18. Sewer Finalized 5/12/20.	Waiting for owner to submit Warranty Bond
Handels Ice Cream Shop	42225 Jackson Street/Avenue 42	Plans submitted for new suite TI. 2nd plan check completed and returned to the applicant 8/31/22. Permit 4064	Inspect work improvements as scheduled.
I-10 Monroe Conceptual Site Plans	SE Corner of Monroe and Ave 42	The Palms at Indio Sewer Plans submitted (Fee paid 8/19/22)	Waiting for owner to process permit paperwork.

PROJECT NAME	STREET ADDRESS / CROSS STREET	CURRENT PROJECT STATUS	NEXT ACTION ITEM
I-10 Monroe Conceptual Site Plans Pt. 2	SE Corner of Monroe and Ave 42	Plans Submitted and fee paid for Sewer Development.	Perform 2nd plan check upon plan resubmittal.
Indian Palms 32	Cochran Drive & Garland Road	Civil plans submitted for public sewer for 32 unit condo complex. 2nd plan check complete. 9/1/21. Plans approved 9/17/21.	Inspect work improvements as scheduled.
Indio Behavioral Health Hospital	81655 JFK Court	Civil plans submitted for new mental health facility. Completed 1st plan check and returned to the engineer 12/2/19. Plans approved 6/24/20. Issued permit 3900 on 8/29/20.	Inspect work improvements as scheduled.
Indio Juvenile Court	47671 Oasis St/ Ave 48	Plans submitted to demo existing juvenile court building and construct new building on the same site. Plans approved, notified applicant project ready to permit 9/30/21. Permit # 4004 1/25/22	Inspect work improvements as scheduled.
Indio Marketplace Architectural	82227 Highway 111/Rubidoux	Plans submitted for mall TI. Completed 2nd check and notified applicant 8/2/22.	Waiting for owner to process permit paperwork.
Indio Marketplace Civil	82227 Highway 111/Rubidoux	Plans submitted for mall TI, Completed second plan check and returned to the applicant 11/12/21.	Waiting for owner to process permit paperwork.
Indio Palms RV	45-755 Commerce Street	Civil plans submitted for Public Sewer & Plan Fee Paid. Completed 2nd plan check and returned to the applicant 2/14/23.	Perform 3rd plan check upon plan resubmittal.
Indio Plaza Sewer Relocation	82126 Hwy 111/Monroe St.	Plans submitted for sewer line and manhole relocation. Plans approved and notified applicant 7/28/22.	Waiting for owner to process permit paperwork.
Indio Public Safety Center	46867 Bristol Street/Dr Carreon	Plans submitted for public safety center. Plans approved and returned to applicant 4/12/22. Permit 4052	Inspect work improvements as scheduled.
Indio Self Storage	81161 Indio Blvd	Plans submitted and fee paid for sewer improvement plans	Plans in queue
Indio Taphouse TI	82851 & 82867 Miles Ave	Plans submitted for Taproom in Oldtown Indio, fee paid with check. Plans approved and notified applicant 1/26/23. Permit 4083	Inspect work improvements as scheduled.
Jacqueline & Oscar Lua Residence	80-555 Ridgeback Court	Plans submitted for single family residence. Completed 1st plan check and notified applicant 8/25/20. Issued permit 3953 on 5/12/21.	Inspect work improvements as scheduled.
JB Finish Building	42702 Caspian Street	Plans submitted for new warehouse with office building. Plans approved and notified applicant project ready to permit 5/2/22. Permit 4030 5/3/22	Inspect work improvements as scheduled.
Jersey Mike's	42211 Jackson St Ste. 102 / Corner of Ave 42	Plans Submitted and fee paid for Sandwich Restaurant. Plans approved and notified applicant 2/17/23. Permyty 4088	Inspect work improvements as scheduled.
John Nobles Apts civil plans	John Nobles Avenue/Rubidoux Street	Plans submitted for on-site private sewer. Completed 1st plan check and returned to applicant 7/12/22.	Perform 2nd plan check upon plan resubmittal.
Kings Castle Taco Architectural	82991 Bliss Avenue	Plans submitted for building TI for taco shop. Completed 2nd plan check. Civil plans submitted for review 7/21/22.	Waiting for owner to process permit paperwork.
Kings Castle Taco Civil Plans	82991 Bliss Avenue	Plans submitted for building TI for taco shop 7/21/22. Plans approved and notified the applicant 9/7/22.	Waiting for owner to process permit paperwork.
Las Plumas/Coco Palm Tract 38072	South East Corner of Avenue 49 and Jackson St	Plans submitted for 173 lot housing tract. Completed first plan check 4/27/21.	Plans are ready to sign after the City of Coachells Signs the Ave 49 sheets
Magical Estates Tenant Spaces	82490 Highway 111/Arabia Street	Plans submitted for tenant suite TI's. Completed 1st plan check and returned to applicant 4/28/22.	Perform 2nd plan check upon plan resubmittal.
Mattress Firm Indio Towne Center	42150 Jackson St	Plans submitted for Retail TI and plan check fee paid	Plans in queue
Nelson Chavez Accessory Dwelling Unit	43163 Deglet Noor	Plan submitted for new accessory dwelling unit, Plan approved and notified applicant 8/30/22	Waiting for owner to process permit paperwork.
New ADU for Abdullah Alwishah	46955 Arabia St	Plans submitted for accessory dwelling unit, fee paid with check. Permit 4062	Inspect work improvements as scheduled.
New Century Garage Doors	81740 Highway 111/Granada Dr.	Plans submitted for new sewer lateral connection. Completed 1st plan check and notified applicant 3/2/22.	Perform 2nd plan check upon plan resubmittal.
Octavio Rosales SFD	43645 Saguaro Street/Avenue 44	Plans submitted for new SFD. Completed 2nd plan check and returned to the City 8/26/19. Permit 4014 issued 3/18/22.	Inspect work improvements as scheduled.
Outdoor Resorts CC - Casita Addition	80394 Avenue 48, Lot 260	Plans submitted for casita addition and storage building. Plans approved and notified applicant 9/30/21	Waiting for owner to process permit paperwork.
Outdoor Resorts CC - Casita Addition	80394 Avenue 48, Lot 182	Plans submitted for casita addition and storage building. Plans approved and notified applicant 9/30/21	Waiting for owner to process permit paperwork.
Palmera Apartments	NE Corner of Monroe and Requa	Plans submitted for Sewer Developmet, fee paid. Completed 1st plan check and returned to the applicant 1/19/23	Perform 2nd plan check upon plan. In Queue
Paradiso Tract 31815	East of Monroe North of Ave 41	New model homes under construction. Warranty Bond received 8/25/2021.	Notice of acceptance after 12 month warranty bond release.

PROJECT NAME	STREET ADDRESS / CROSS STREET	CURRENT PROJECT STATUS	NEXT ACTION ITEM
Paradiso Tract 31815 & 31815-3	East of Monroe North of Ave 41	Plans submitted for new housing tract phases. Completed first plan check 2/25/21. Plans Approved 3/25/21.	Inspect work improvements as scheduled.
Parcel Map 36215	Dr. Carreon west of Van Buren	Civil plans submitted for 1st plan check. Plans approved and returned to the Engineer 1/18/18. Issued permit 3718 on 1/23/18.	Inspect work improvements as scheduled.
Pawley Pool Aquatic Facility	46350 Jackson Street/Date Ave.	Plans submitted for new Aquatic Center on existing public pool site. Project Expired in 2020. Resubmitted 10/25/21. Completed 3rd plan check and returned to the applicant 1/10/23.	Perform 3rd plan check upon plan resubmittal.
Private residence for Cristina Ayon	49115 Ridgeback Ct	Plans submitted, fee paid. Plans approved and notified applicant project ready to permit 12/22/22. Permit 4071 1/12/23	Inspect work improvements as scheduled.
Raising Canes Restaurant	Monroe Street/Showcase Parkway	Plans submitted for new restaurant building. Plans approved and notified the applicant 12/6/22.	Waiting for owner to process permit paperwork.
Ramon Chavez Accessory Dwelling Unit	43737 Oasis St / Ave 44	Plans submitted for plan check. Plans approved and notified applicant 10/13/20. Issued permit 3908 on 10/13/20.	Inspect work improvements as scheduled.
Ranch RV & self Storage	83734 Dr Carreon	Plans submitted, fee paid with check. Completed 2nd plan check and notified applicant 12/14/22. Permit 4090	Inspect work improvements as scheduled.
Residence for Mr and Mrs Job Lopez	49-134 Ridgeback Ct	Plans Submitted and fee paid for private residence. Plans approved and notified applicant 3/16/23. Permit 4093	Inspect work improvements as scheduled.
Rosa Rebolgar Accessory Dwelling Unit	81179 Helen Ave/Swingle Ave	Plan submitted for new accessory dwelling unit	Perform 2nd plan check upon plan resubmittal.
Showcase Indio Pad 4 Shell	42225 Jackson Street/Avenue 42	Plans submitted for new retail shell building. Plans approved and notified applicant 7/26/22. Permit 4055	Inspect work improvements as scheduled.
Solis Barber Shop	84119 Indio Blvd	Plans submitted for barber shop. Plans approved and notified applicant 2/18/22. Permit 4009 3/2/22	Inspect work improvements as scheduled.
Steven Saylor's Residence	49171 Braley Court	Architectural plans submitted for new SFR	Perform 2nd plan check upon plan resubmittal.
Sunburst RV Storage	43250 Sunburst Street/Oleander Avenue	Plans submitted for new RV storage facility. Completed 1st check and notified applicant 3/21/22. Permit 4020 4/7/22	Inspect work improvements as scheduled.
Tarra Lago 32341-12	North of Avenue 44 & East of Harrison	First Plan Complete 12/16/20. Plans Approved 2/19/21. Maintenance Bond in place 8/16/22.	Inspect work improvements as scheduled.
Terra Lago Four Seasons Tract 32287	North of Avenue 44 & East of Harrison	Civil plans submitted for plan check. Plans Approved 4/26/21.	Inspect work improvements as scheduled.
Terra Lago Four Seasons Tract 32288-1	North of Via Terra Lago and East of Golf Center Pkwy	Civil plans submitted for Public Sewer. 1st plan check complete and returned redlines 11/24/21 2nd plan check complete 1/18/22.	Inspect work improvements as scheduled.
Terra Lago Four Seasons Tract 32288-2	North of Via Terra Lago and East of Golf Center Pkwy	Civil plans submitted for Public Sewer. 1st plan check complete and returned redlines 3/29/22	Perform 2nd plan check upon plan resubmittal.
Terra Lago Four Seasons Tract 32288-F	North of Via Terra Lago and East of Golf Center Pkwy	Civil plans submitted for Public Sewer. Plans Approved 7/1/22	Waiting for information to draft Deveopment Agreement
Terra Lago Four Seasons Tract 32341-10	North of Avenue 44 & East of Harrison	Civil plans submitted for plan check. Plans approved and returned to the Engineer 4/3/18. Issued permit 3827 on 7/19/19. Payment and Performance Bonds Released 12/27/2019. Maintenance Bond in place 12/17/19.	Inspect work improvements as scheduled.
Terra Lago Four Seasons Tract 32341-11	North of Avenue 44 & East of Harrison	Civil plans submitted for plan check. Completed 1st plan check and returned to the Engineer 12/12/18. Plans Approved 1/23/19. Performance Bond Released Maintenance Bond in place 1/22/2021	Inspect work improvements as scheduled.
Terra Lago Four Seasons Tract 32341-8	North of Avenue 44 & East of Harrison	Civil plans submitted for plan check. Plans approved and returned to the Engineer 12/4/17. Payment and Performance Bonds Released 12/27/2019. Maintenance Bond in place 12/17/19.	Inspect work improvements as scheduled.
Terra Lago Four Seasons Tract 32341-F	North of Avenue 44 & East of Harrison	Civil plans submitted for plan check. Completed 1st plan check and notified applicant 5/1/20. Plans Approved 8/15/20. Maintenance Bond in place 8/16/22	Inspect work improvements as scheduled.
Terra Lago Four Seasons Tract 32462-2	North of Avenue 44 & East of Harrison	Plans approved from previous developer. Development agreement has been recorded. Bonds have been submitted. Construction work is in progress.	Inspect work improvements as scheduled.
Texas Roadhouse Restaurant	42790 Jackson Street	Plans submitted for Steakhouse, fee paid with check. Plans approved and notified the applicant 2/9/23. Permit 4092 3/7/23	Inspect work improvements as scheduled.
The Daily Grind Coffee - TI	45810 Fargo Street/Hwy 111	Plans submitted for tenant TI. Plans approved and returned to the City 1/24/18. Issued permit 3737 on 3/9/18.	Inspect work improvements as scheduled.

PROJECT NAME	STREET ADDRESS / CROSS STREET	CURRENT PROJECT STATUS	NEXT ACTION ITEM
Tim & Lois Eklund Site 105	Motorcoach CC 80501 Ave 48 Lot 105	Plans submitted, Permit 4068	Inspect work improvements as scheduled.
Timothy Venable Project	84221 Corregidor Avenue/Bataan Street	Plans submitted for connection of SFD to sewer lateral. Plan approved and notified applicant 5/3/22. Permit 4042 6/21/22	Inspect work improvements as scheduled.
Tower Market #965	Intersection Monroe Street/Dr Carreon	Plans submitted for Convenient Store/Gas Station, fee paid with check. Completed 1st plan check and notified applicant 11/17/22.	Perform 2nd plan check upon plan resubmittal.
Tower Market #965 Architectural	Intersection Monroe Street/Dr Carreon	Plans Submitted and fee paid for architectural plans for a gas station	Plans in queue
Woodsprings Suites Ext Stay Hotel	42-425 Jackson St.	Civil plans submitted for Public Sewer & Plan Fee Paid. Plans approved 2/14/23 and notified applicant	Waiting for owner to process permit paperwork.

	March	Fiscal Year
New Projects	4	24
Projects Permitted	1	21
Projects Finaled	1	21

Monthly Capital Improvement Project Update - April 2023

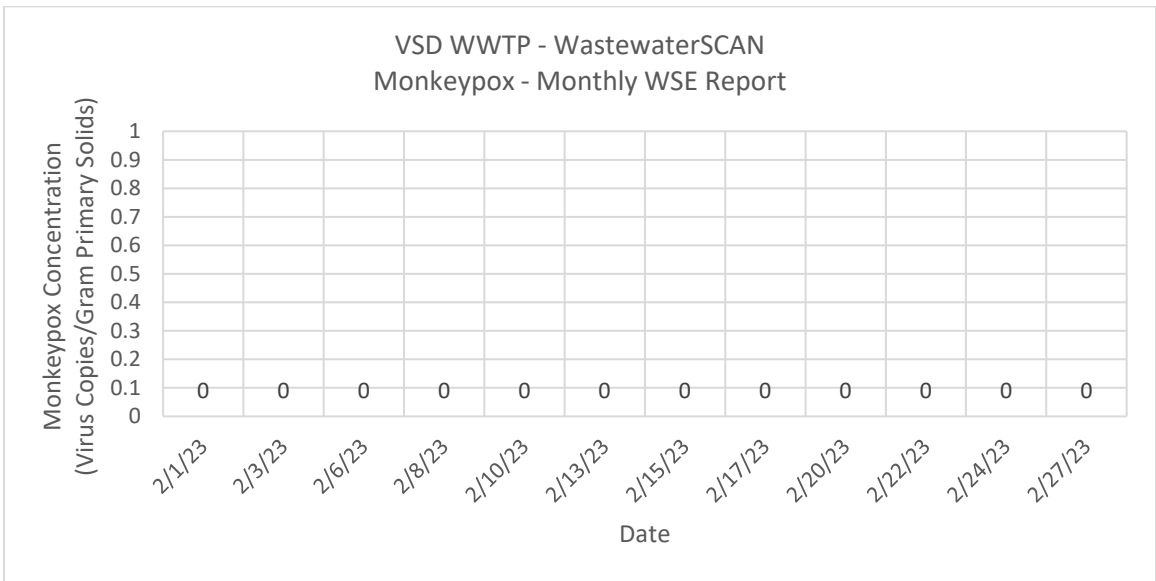
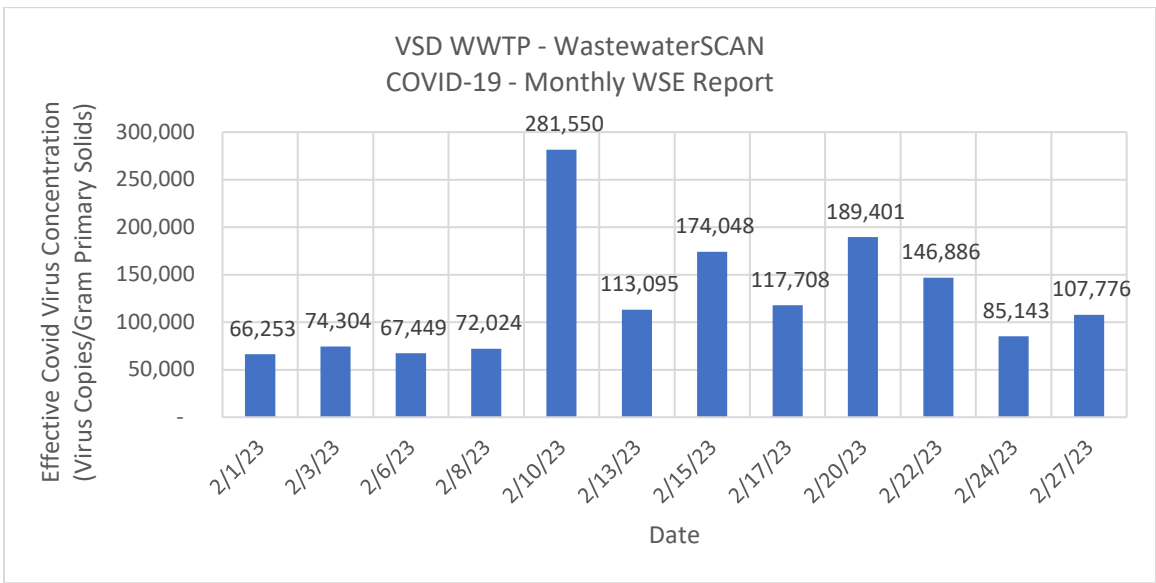
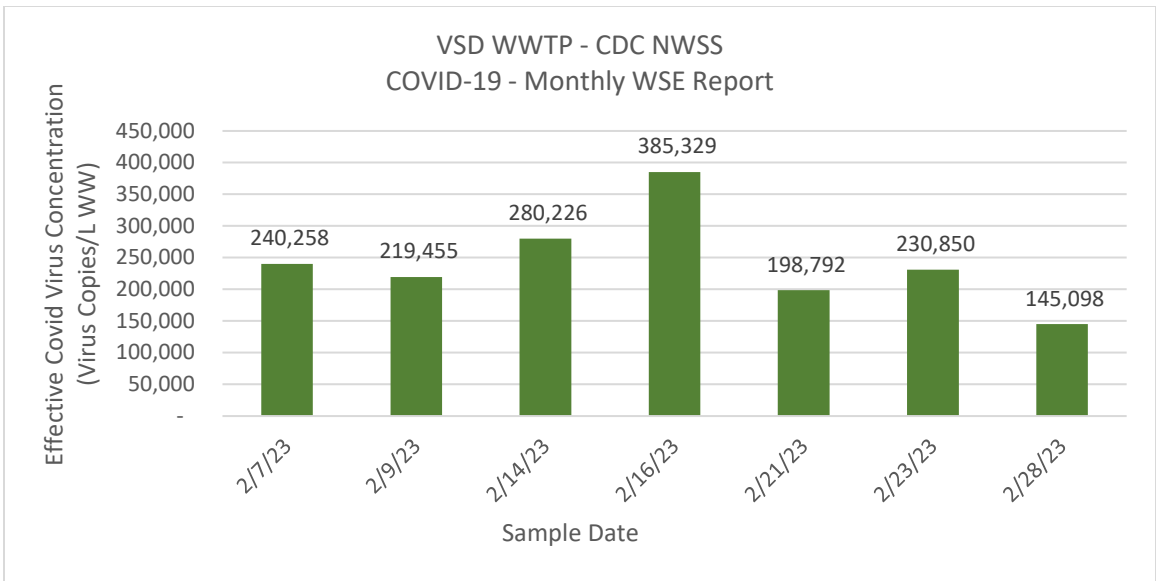
Project Title	Project Description	Current Status	Fiscal Year Budget	Total Spent to Date
Westward Ho Sewer Siphon Replacement Design and Construction	Due to the February 2019 rain event, the existing VSD sewer siphon that crosses the CVWD storm channel at Westward Ho Drive became exposed and was damaged. In order to prevent this from happening again in the future, Carollo Engineers is currently working with VSD on the final design of a new sewer that is to be constructed well below the new channel scour depth. The design being proposed would utilize horizontal directional drilling to create a new sewer siphon alignment under the channel and adjacent to the original siphon. Permit processing with at least CVWD and possibly other regulatory agencies may extend the design/permit period. Some or possibly all the project costs will be reimbursed by FEMA / CalOES.	Permitted Plans have been signed by CVWD. Staff is currently filing an encroachment permit license application as required by CVWD for the permanent pipeline crossing of the channel. Once the contractor is selected, they will file for a construction permit and the encroachment permit will be processed. This project is currently being held up by FEMA. VSD needs FEMA approval before proceeding with bidding and construction which is expected by February 2023. The CEQA documentation for this project has been completed.	\$5,102,000.00	\$29,924.50
Collections System Rehabilitation Projects	Harris & Associates is assisting the District in creating a 10-year rehabilitation and replacement program for the collections system. The purpose of this project is to repair, rehabilitate, replace and/or realign aging or defective pipelines and/or segments projected to reach capacity within the foreseeable future. Harris and the District have assigned a rating and priority to all of the pipes in the collection system and are splitting them up into projects for each fiscal year. The first project for this fiscal year will consist of the rehabilitation of approximately 2,300 feet of sewer located in Indio Boulevard and underneath the railroad near Cabazon Avenue using cured in place lining. The second project will consist of hiring a contractor to perform CCTV inspections of all pipes within the District that cannot be surveyed by collections staff due to high flows or pipe diameter. The third project is the downtown Indio rehabilitation and repair project. This project is being done to rehabilitate and replace deficient sewer mains in the streets and allies of the downtown area.	The Board has awarded the Downtown Indio Rehabilitation Project to GRBCON. The City has approved the traffic control drawings and is reviewing the encroachment permit application. The City of Indio has allowed the contractor to perform non-invasive work during the festival month of April. The contractor is currently rehabilitating sewer mains in the Downtown area. Harris is currently working on the rehabilitation plans for the Calhoun lift station.	\$4,895,007.00	\$166,900.90
Reclaimed Water Project Phase 1	The contract for this project was awarded to Schneider Electric / Stantec. The project design cost is \$2,200,000 and project schedule is approximately 460 days. Construction costs will be determined during the design phase and will be awarded to Schneider Electric / Stantec upon approval of the Board. The Reclaimed Water Project – Phase 1 will replace an aging and capacity restricting grit chamber and provide redundancy by adding a second digester and expanding the bar screens. This project will also include adding a biofilter, and a sludge thickener unit.	100% design plans have been approved by staff. ECM #3 (the Rotary Screw Thickeners) is at the 60% design level. The Guaranteed Maximum Price (GMP) has been approved by the Board. Leighton was awarded the contract for specialty testing and inspection services. Walsh is currently trenching and installing a 12" filtrate return main that will connect Pump Station #3 at the North Cell to the headworks and installing shoring for the construction of the new digester.	\$17,763,656.00	\$ 10,728,309.71
Influent Pump Station Rehabilitation	Stantec is assisting the District as an Owner's Representative and DCI / Dudek are acting as the design-build team for this project. The influent pump station structure is showing significant signs of deterioration. Proposed improvements to the pump station include: bypass of the pump station for inspection and repair, repair/replacement of leaking and broken gates, repair of interior concrete coating, installation of new valves for proper isolation/drainage, installation of a new jockey pump in the empty pump bay.	The contractor has completed the repair and coating of the interior of the pump station and is currently installing the new valves and piping inside and outside the pump station. This project is more than halfway complete and moving well. The bypass is set to operate through the second week of April and all work is expected to be completed by the end of April.	\$3,300,000.00	\$1,918,293.98

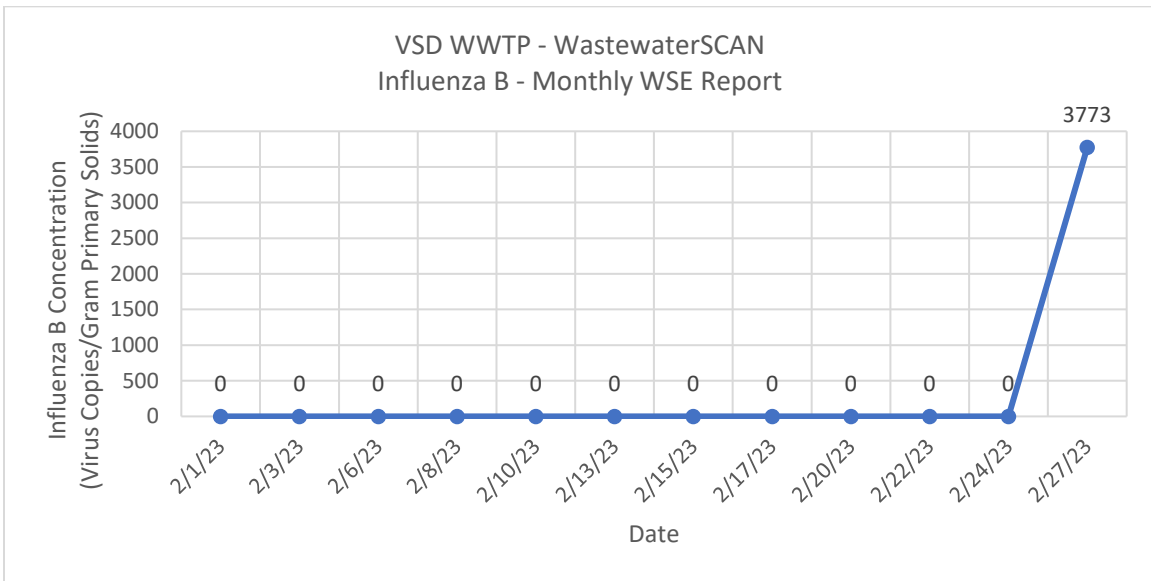
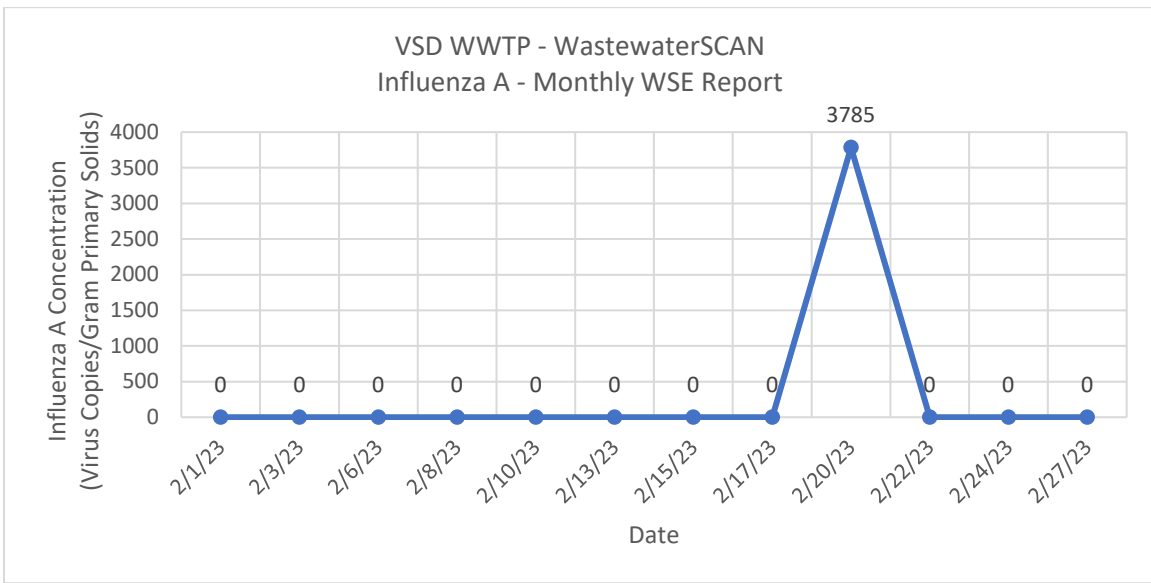
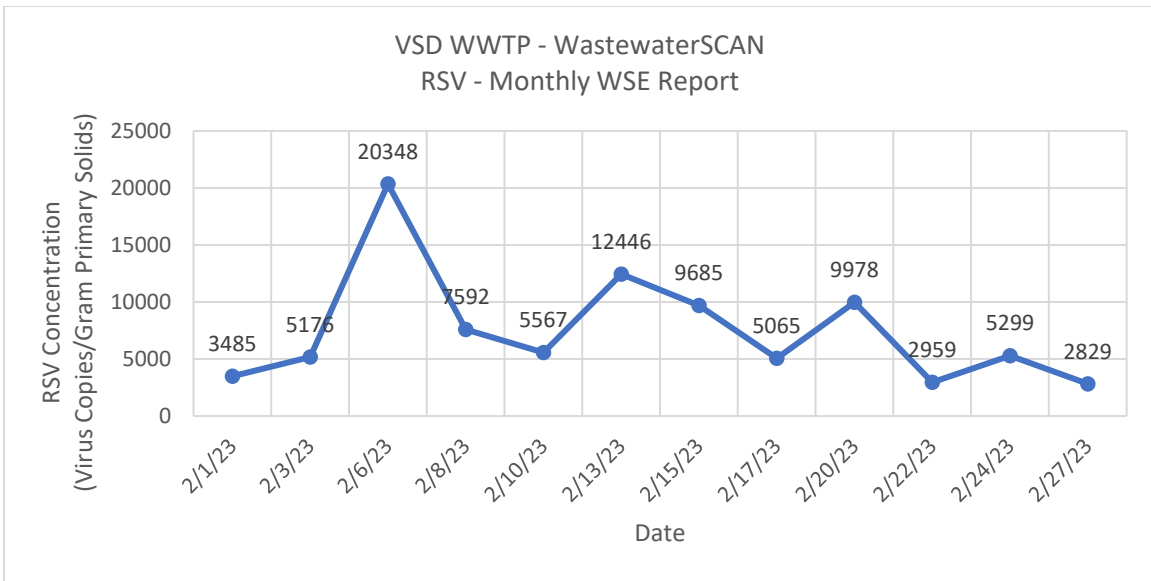
Monthly Capital Improvement Project Update - April 2023

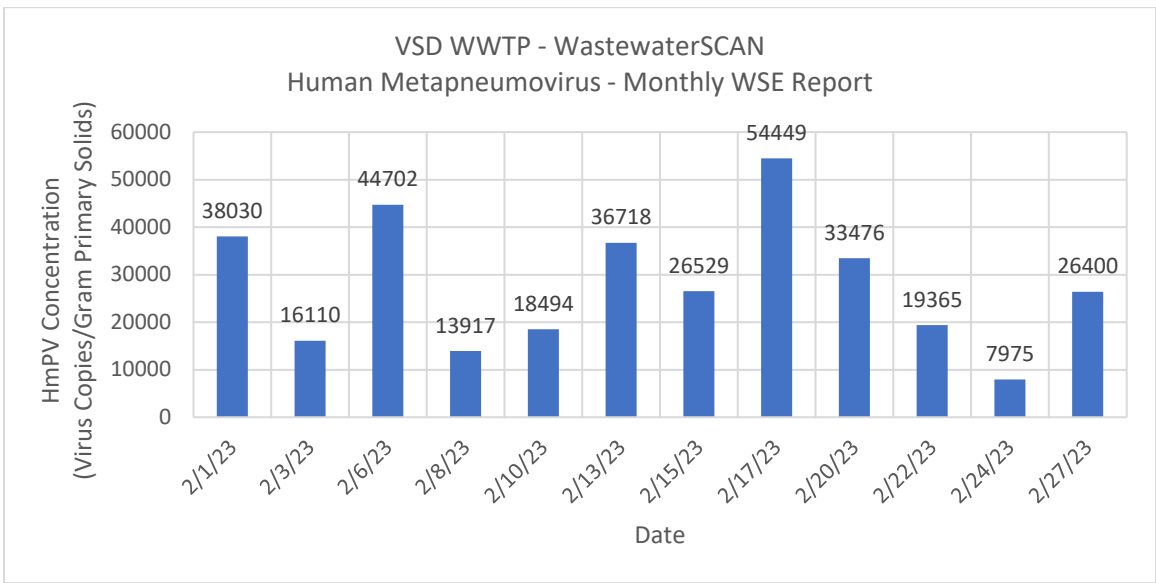
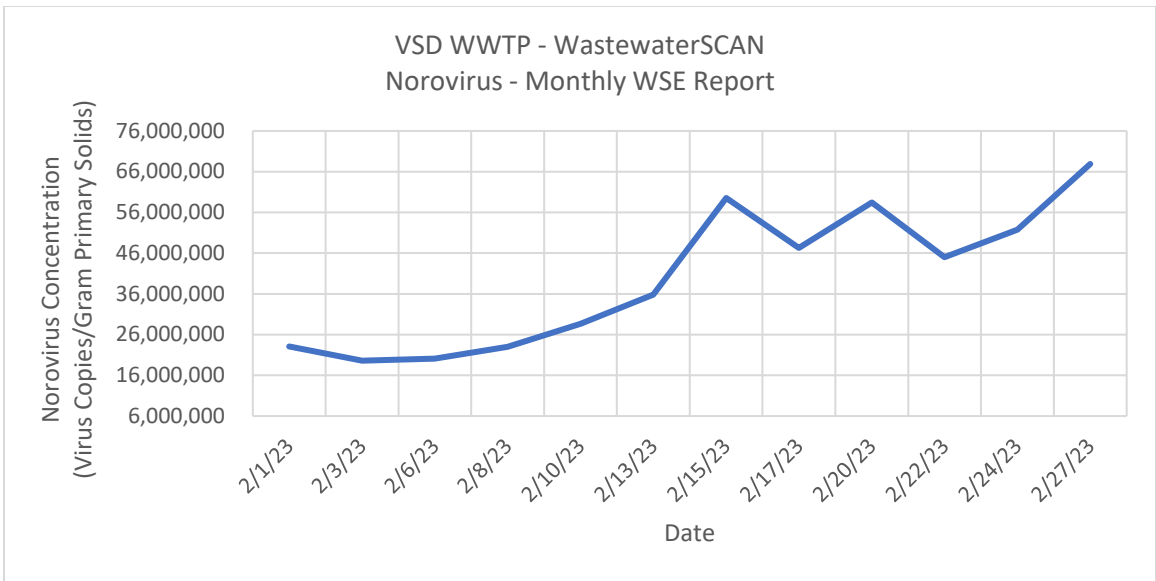
Project Title	Project Description	Current Status	Fiscal Year Budget	Total Spent to Date
Steel WaterLine Replacement	The above ground, steel waterline adjacent to the aeration basins is old and prone to leaks, especially at the grooved joints, and has exceeded its useful life. The new steel waterline will have traditional joints that will provide a longer life. This project has been on the books for several years and has been a lower priority due to lack of leaks in recent years and the difficult nature of replacement. The project was awarded to Dudek who has begun the development of the project design and specifications.	The Board has approved the proposal from Dudek for the second phase of the project which consists of replacing the piping for the frost sprayers. The Board awarded the project to the Van Dyke Corporation. The preconstruction meeting is being held on April 11th.	\$350,000.00	\$37,270.77
New Training and Office Building and Laboratory Building	The District and SGH Architects are developing the intital design for a new office / training building that will be located to the west of the existing Operations building. The purpose of this new building is to provide space for new offices for collections and maintenance personnel as well as a training area for company events and meetings. Also as part of this project, VSD has contracted SGH to develop designs for a new laboratory building to replace the existing lab due to the current issues lab staff are experiencing with the layout and air filtering system.	SGH has submitted 50% design plans which include both buildings for staff review and comment in December 2021. This project has been delayed for a year or two to allow other priority projects to proceed and maintain our debt coverage.	\$0.00	\$0.00
Additional Parking and Landscaping	The District is need of additional parking for employees and customers. Staff proposes to remove the lawn at the front of the property and replace it with parking and drought tolerant landscaping.	A preliminary design of the Project has been completed. In que for the next steps.	\$0.00	\$0.00

Environmental Compliance Summary Report for 2023

Task	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total YTD
Pretreatment													
Customer Service Calls	11	10											21
Commercial Approval Letters	4	3											7
Change of Ownership Inspection	3												3
SIU Permit Compliance	3	3											6
FOG-FSE Inspections Completed	22	14											36
Commercial Inspections Completed	4	5											9
Environmental & Collections investigations	3	4											7
Failed Inspections or NOV													0
Total # of Inspections	32	26	0	0	0	0	0	0	0	0	0	0	58
Laboratory													
# of Collected Samples	266	266											532
# of Tests (Analyses)	548	537											1,085
# of Samples sent to Contract Labs	40	41											81
# of Contracted Tests (Analyses)	73	142											215
% of Samples performed In-House	85.0%	84.6%											84.8%









Valley Sanitary District

DATE: April 11, 2023
TO: Board of Directors
FROM: Holly Gould, Clerk of the Board
SUBJECT: Draft Minutes of the Operations Committee Meeting - April 4, 2023

Suggested Action

Discuss

Strategic Plan Compliance

GOAL 6: Improve Planning, Administration and Governance

Fiscal Impact

There is no fiscal impact from this report.

Environmental Review

This does not qualify as a project for the purposes of CEQA.

Background

Attached are the draft minutes of the Operations Committee meeting held on April 4, 2023.

Recommendation

Staff recommends that the Board receive an update from the Operations Committee members.

Attachments

[4 Apr 2023 Meeting Minutes.edited.doc](#)

**VALLEY SANITARY DISTRICT
OPERATIONS COMMITTEE
REGULAR MEETING MINUTES**

April 4, 2023

A meeting of the Valley Sanitary District (VSD) Operations Committee was held at 45-500 Van Buren Street in Indio, California, on Tuesday, April 4, 2023.

1. CALL TO ORDER

Ron Buchwald, Interim General Manager, called the meeting to order at 1:02 p.m.

2. ROLL CALL

Directors Present:

Committee Member Jacky Barnum

Committee Member William Teague

Staff Present:

Ron Buchwald, Interim General Manager, and Holly Gould, Clerk of the Board

3. PLEDGE OF ALLEGIANCE

4. PUBLIC COMMENT

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

None.

5. DISCUSSION / ACTION ITEMS

5.1 Approve Minutes for the February 7, 2023, Operations Committee

Committee member Teague motioned to approve the minutes of the Operations Committee held on February 7, 2023. Chairperson Barnum seconded the motion.

5.2 Discuss Update on Capital Improvement Projects and Schedule

Ron Buchwald, Interim General Manager, gave an update on the Capital Improvement Projects. The sewer main bypass for the Influent Pump Station Rehabilitation Project is set to operate through the second week of April 2023. The project should be completed by the end of the month. The Indio Downtown District Sewer Improvement Project was awarded to GRBCON, Inc. Preliminary cleaning and CCTV of the sewer mains are underway. The rehabilitation of the sewer mains will begin the first week of April. The Recycled Water Project

– Phase 1 is under construction. The contractor is installing a 12” PDR pipe from the North Pond Cell to the Headworks. The backfilling, compaction, and shoring for the installation of the new digester is complete. The anticipated completion date for this project is May 2025. The ASP Plant Watermain Replacement Project – Phase 2 was awarded to the Van Dyke Corporation in March 2023. The bonds and insurance documents have been received, and staff is scheduling a preconstruction meeting that will include Dudek, who will assist and provide inspection during the project. Lastly, the Westward Ho Sewer Siphon Replacement Project is on hold. Staff is waiting for the final review from FEMA. The review was expected in February 2023. The project cannot move forward without it.

5.3 Operations Committee Tour of the Plant to Provide an Update on Two Construction Projects

Ron Buchwald, Interim General Manager, conducted a tour of the Capital Improvement Projects occurring onsite at the treatment plant. The Operations Committee saw the progress of the Influent Pump Station Rehabilitation Project and the Recycled Water Project – Phase 1.

6. ADJOURNMENT

There being no further business to discuss, the meeting adjourned at 1:52 p.m. The next regular committee meeting will be on June 6, 2023.

Respectfully submitted,
Holly Gould, Clerk of the Board
Valley Sanitary District