



AGENDA STAFF REPORT

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Agenda Number: C
File ID: 0426.0210

Section Name: Engineering
Project ID: DW2113

MEETING DATE: January 14, 2025

SUBJECT: Authorize Agreement for Acquisition of Real Properties with Edwin J. Neumeyer Revocable Trust dated June 9, 1999, with Sergio and Monica Duran, and with Empire Airport, LLC for the Valley View Water Consolidation Project (DW2113)

TO: BOARD OF DIRECTORS

FROM: ENGINEERING/DOMESTIC WATER/GENERAL DISTRICT, CARRIE OLIPHANT

**GENERAL MANAGER
RECOMMENDATION:**

RECOMMENDATION:

Authorize the General Manager to execute the attached Agreement for Acquisition of Real Property (Agreement) with Edwin J. Neumeyer Revocable Trust dated June 9, 1999 (Neumeyer), with Sergio and Monica Duran (Duran), and with Empire Airport, LLC (Empire) for the Valley View Water Consolidation Project.

It is also requested that the Board of Directors approve the following expenditures:

- Purchase price for Neumeyer's 1.88-acre temporary construction easement APN 763-340-008 and 763-350-025 - \$178,000
- Purchase price for Empire's 1.04-acre temporary construction easement APN 763-330-018 - \$87,000
- Purchase price for Duran's 64 square foot easement APN 757-100-013 - \$500
- Title, escrow, closing costs - \$5,000
- Contingency (5%) - \$13,200

The total cost of this request is \$283,700.

This request also authorizes the General Manager to execute any additional documents related to these acquisition transactions.

BUDGET IMPACT:

The total cost of this request is \$283,700. The Project (DW2113) is included in the Domestic Water Fund Fiscal 2024-25 in the amount of \$5,000,000. Easements and construction of the project will be funded by DWSRF and

EPA grants. Therefore, there will be no adverse impact to the Domestic Water Fund Fiscal 2024-25 Capital Improvement Budget.

PROCUREMENT METHOD:

X N/A

If other, please explain: .

BACKGROUND

The Project is generally located along Airport Boulevard, in the community of Thermal and will consolidate a total of eight (8) private small water systems consisting of approximately 127 connections with CVWD's water system to provide safe, reliable drinking water and fire protection to these mobile home parks.

Water system improvements include construction of 30-inch and 24-inch diameter water transmission mains in Airport Boulevard and 12-inch to 8-inch diameter distribution mains generally located along the adjacent roads to consolidate and serve the eight mobile home parks. The proposed 30-inch and 24-inch diameter water transmission mains will tie into CVWD's existing water system located at Palm Street and Grapefruit Boulevard on the west and at the intersection of Airport Boulevard and Pierce Street on the east.

An easement is required within a portion of Assessor Parcel No. (APN) 757-100-013, owned by Sergio and Monica Duran, for pipeline appurtenances to connect one of the private small water systems.

Two (2) 5-year temporary construction easements are required within a portion of Assessor Parcel Nos. (APN) 763-340-008 and 763-350-025, owned by the Edwin J. Neumeyer Revocable Trust dated June 9, 1999, and APN 763-330-018, owned by Empire Airport, LLC, for the staging of materials and equipment for the horizontal directional drilling to cross the Coachella Valley Stormwater Channel.

The properties have been formally appraised, or the value assessed. Neumeyer and Duran have agreed to the appraised value. Staff have reached a negotiated settlement with Empire. Staff recommends approval of this counteroffer as justified in the attached Administrative Settlement Memo for Empire.

The Agreement's key provisions are as follows:

- Neumeyer easement purchase price of \$178,000
- Empire easement purchase price of \$87,000
- Duran easement purchase price of \$500
- CVWD to pay for title and escrow costs (Neumeyer to have separate escrow instructions)
- Escrow to close within 30 days or sooner unless parties agree to change upon written notice
- Provides early access commencing date funds deposited into escrow

The Project will require the acquisition of one additional pipeline easement and one additional temporary construction easement.

PRIOR BOARD ACTION:

On April 12, 2022, the Board of Directors certified the Subsequent Initial Study/Mitigated Negative Declaration (IS/MND), adopted the Mitigation Monitoring and Reporting Plan (MMRP) for the East Coachella Valley Water Supply Project – Valley View Mobile Home Park Consolidation Phase IIIA-2 Transmission Main, and authorized staff to file a Notice of Determination.

On June 28, 2022, the Board authorized the General Manager to execute a Professional Services Agreement with Dokken Engineering for the Airport Boulevard/Valley View Water Transmission Main Project in the amount of \$987,039, execute a Task Order with Woodard and Curran in the amount of \$102,339, and approve additional expenditures for a total request of \$1,220,000.

On May 9, 2023, the Board authorized the General Manager to execute Amendment 1 to Task Order No. 2 under the Biennial Professional Services Agreement with Woodard and Curran in the amount of \$38,716 to provide professional engineering services for preparing an Addenda to the CEQA/Tier 2 IS/MND for the Airport

Boulevard/Valley View Water Transmission Main Project (Project).

On January 9, 2024, the Board authorized the General Manager to execute Task Order No. 2 to Dokken Engineering for Engineering Services in the amount of \$18,500 for the Airport Boulevard/Valley View Water Transmission Main Project for additional potholing to identify the location of existing irrigation laterals.

On September 24, 2024, the Board authorized the General Manager to execute an Agreement of Real Property with Sergio and Monica Duran to acquire an easement needed for the Valley View Water Consolidation Project.

DISTRICT STRATEGIC PLAN GOAL(S)/OBJECTIVES(S):

N/A

ENVIRONMENTAL IMPACT:

☒ Yes, attachments included:

☒ Mitigated Negative Declaration

Notice of Determination

PUBLIC NOTICE REQUIRED

N/A

LEGAL REVIEW

N/A

ATTACHMENTS

Att 1 - Purchase Agreement Neumeyer

Att 2 - Purchase Agreement Duran

Att 3 - Purchase Agreement Empire Airport

Att 4 - Appraisal Summary Neumeyer

Att 5 – Appraisal Summary Empire Airport

Att 6 – Administrative Settlement – Empire Airport

Att 7 - Waiver Valuation Duran

Att 8 – Map

Att 9 – Subsequent IS/MND East Coachella Valley Water Supply Project – Valley View Mobile Home Park Consolidation Phase IIIA-2 Transmission Main

Att 10 – Notice of Determination