

DIVISION 1  
*Patrick O'Dowd*  
Director



*Steve Robbins Administration*  
*Building Board Chambers*

DIVISION 2  
*Anthony Bianco*  
Director

75515 Hovley Ln. East  
Palm Desert

DIVISION 3  
*John Powell*  
*President*

OFFICIAL MINUTES  
REGULAR MEETING OF THE  
COACHELLA VALLEY WATER DISTRICT  
BOARD OF DIRECTORS

[www.cvwd.org](http://www.cvwd.org)

DIVISION 4  
*Peter G. Nelson*  
Director

DIVISION 5  
*Castulo Estrada*  
*Vice President*

April 11, 2017

1. CALL TO ORDER/PLEDGE OF ALLEGIANCE  
The regular meeting of the Board of Directors of the Coachella Valley Water District was called to order by President John Powell at 8:00 a.m., Tuesday, April 11, 2017, at the office of the District in Palm Desert, California. President Powell led the Pledge of Allegiance.
2. ROLL CALL
  - Present:* President John P. Powell, Jr.  
Vice President Cástulo R. Estrada  
Director G. Patrick O'Dowd  
Director Anthony Bianco  
Director Peter Nelson
  - Absent:* None
  - Staff Present:* Jim Barrett, General Manager  
Jeff Ferre, Counsel  
Sylvia Bermudez, Clerk of the Board
3. ADDITIONS/DELETIONS/ADJUSTMENTS TO THE AGENDA
  - A. No items removed or continued from the Agenda
  - B. No emergency items added to the Agenda
  - C. No changes to the order of the Agenda
4. PUBLIC COMMENT  
No public comment received.

## 5. APPROVAL OF THE CONSENT CALENDAR

President Powell pulled item 5F for discussion. On a motion by Director Nelson, seconded by Director O'Dowd, the Board approved the Consent Calendar, with the exception of 5F.

**AYES:** Powell, Estrada, O'Dowd, Bianco, Nelson

**NOES:** None

**ABSENT:** None

**Motion Passed: 5-0**

- A. MINUTES - March 28, 2017 Regular Meeting of the Coachella Valley Water District Board of Directors.
- B. Approve payment of invoice for 2017 NWRA Irrigation Caucus dues, in the amount of \$300.
- C. Authorize Mailing of Replenishment Assessment Program Notice for West Whitewater River Subbasin, Mission Creek Subbasin, and East Whitewater River Subbasin Areas of Benefit.
- D. Authorize the Release of Funds from Community Facilities District No. 102 to Complete Repairs to the Flood Control System at the Reserve.
- E. Approve and Authorize the General Manager to Execute Renew Nonpotable Water Agreement with City of Palm Desert for Desert Willow Golf Resort.
- F. (PULLED) Five-Year Review of Adjustable Interest Rate on Interfund Loan from the Sanitation Fund to the Nonpotable Fund.

## 6. ITEMS PULLED FROM CONSENT CALENDAR

5.F. The Board discussed the Five-Year Review of Adjustable Interest Rate on Interfund Loan from the Sanitation Fund to the Nonpotable Fund.

On a motion by Director Powell, seconded by Director Nelson, the Board approved the following actions:

- 1) modified the terms of the variable interest rate on the interfund loan from the Sanitation Fund to the Nonpotable Fund
- 2) approved the terms of the loan carry a variable interest rate commensurate with the District's average monthly return on investments, plus ten percent on the monthly return, making it consistent with other interfund loans
- 3) modified the loan to calculate the interest monthly as opposed to every five years

**AYES:** Powell, Estrada, O'Dowd, Bianco, Nelson

**NOES:** None

**ABSENT:** None

**Motion Passed: 5-0**

## 7. INFORMATIONAL REPORTS

- A. Written Communications - On file

## 8. ACTION ITEMS

- A. Approval to Prepare and Mail Proposition 218 Notices to Customers and Affected Property Owners Regarding Sanitation Rate Restructuring, presentation by Teri Vorster, Financial Analyst.

After discussion by the Board, on a motion by Director O'Dowd seconded by Director Powell, the Board authorized staff to prepare and mail Proposition 218 Notices to customers and affected property owners regarding Sanitation rate restructuring and approved the hearing to be held on June 27, 2017 at CVWD's Palm Desert Office.

**AYES:** Powell, Estrada, O'Dowd, Nelson

**NOES:** Bianco

**ABSENT:** None

**Motion Passed: 4-1-0**

- B. Authorize Amendment No. 1 to Utility Agreement No. 503 with Cathedral City for the Relocation of Date Palm Drive Bridge Conflicting Facilities Project, presentation by Dan Ruiz, Engineer Manager.

After discussion by the Board, on a motion by Director O'Dowd seconded by Director Nelson, the Board approved and authorized the General Manager to sign Amendment No. 1 to Utility Agreement No. 503 with Cathedral City in the amount of \$1,200,871 for the increased costs of \$336,402 to relocate water and sewer facilities for the Date Palm Drive Bridge Conflicting Facilities project; and approved additional contingency in the amount of \$53,598, for a total request of \$390,000.

**AYES:** Powell, Estrada, O'Dowd, Bianco, Nelson

**NOES:** None

**ABSENT:** None

**Motion Passed: 5-0**

## 9. BOARD COMMENTS AND REPORTS

- A. Board Member General Comments
- B. Meetings and Conference Reports
- i March 19, 2017 National Water Resource Association Capitol Hill Office Open House (Director O'Dowd)
  - ii March 30, 2017 Joint Water Policy Advisory Committee Meeting (Directors Nelson and Estrada)
  - iii March 30, 2017 Metropolitan Water District of Southern California Water Policy Forum & Dinner ( Director O'Dowd)
  - iv March 31, 2017 Association of California Water Agencies Board of Directors Meeting (Director O'Dowd)

- v April 3, 2017 Growers' Meeting (Directors Powell and Estrada)
- vi April 5, 2017 Integrated Regional Water Management Stakeholders Meeting (remove from per diem reporting, per Director O'Dowd)
- vii April 5, 2017 State of the City Address - Rancho Mirage (O'Dowd)
- viii April 6, 2017 Fiscal Year 2018 Strategic Planning Workshop (Director Powell)
- ix April 6, 2017 to April 7, 2017 California Water Policy Conference 26 (Director O'Dowd)
- x April 6, 2017 Water Communications Conference Call (Director Nelson)
- xi April 7, 2017 College of the Desert Roadrunner Farm Project Luncheon (Directors Powell and Nelson)

C. Approval of per diem for meetings reported as amended.

On a motion by Director Nelson, seconded by Director Estrada, the board unanimously approved payment of per diems for meetings reported.

**AYES:** Powell, Estrada, O'Dowd, Bianco, Nelson

**NOES:** None

**ABSENT:** None

**Motion Passed: 5-0**

D. Reports Oversight Boards of the Successor Agencies of the Redevelopment Agencies  
No reports.

10. STAFF REPORTS

- A. General Manager Jim Barrett, provided the Board an update on his upcoming surgery date; and reported on the April 6<sup>th</sup> Strategic Planning workshop.
- B. Counsel Jeff Ferre, reported on the lifting of the emergency drought declaration by the Governor and on a proposed bill that would re-arrange the duties of the State Board and DWR in regard to water rights hearings, the State Water Project, and implementation of SGMA.
- C. Departments
  - Conservation – Katie Evans, Conservation Manager, provided an update on the state's drought restrictions.
  - Administration – Robert Cheng, Assistant General Manager, provided the Board with an update on requested information contained in the monthly GM report.

11. CLOSED SESSION AGENDA

- A. CONFERENCE WITH REAL PROPERTY NEGOTIATORS  
Government Code Section 54956.8 -  
Property is described as: 669-040-009, 669-160-016, 669-220-004, 552-140-005,

552-130-005, 552-130-003, 552-130-002, 552-130-006, 552-120-002, 552-070-002, and 552-080-061

Agency Negotiator: Craig Parker, Director of Engineering

Negotiating Party: Bureau of Land Management

Under negotiation: Price and terms of payment

B. CONFERENCE WITH LEGAL COUNSEL-- EXISTING LITIGATION

Pursuant to Government Code § 54956.9 (a) Coachella Valley Water District vs. Imperial Irrigation District, County of Riverside Superior Court, Case No. INC 1208959

C. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Government Code section 54956.9 (d) (1)

Name of case: Mission Springs Water District v. Desert Water Agency and Coachella Valley Water District, Case No. PSC 1600676.

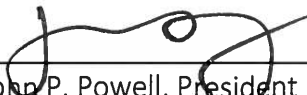
12. RECONVENE

A. Report out of closed session

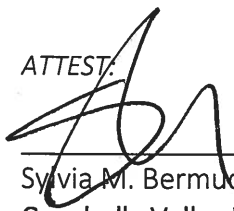
President Powell reconvened the meeting into open session; reported the Board had no reportable actions for Items 12 A, B and C.

13. ADJOURNMENT

There being no further business before the Board, President Powell adjourned the meeting at 11:03 AM.

  
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John P. Powell, President  
Coachella Valley Water District

ATTEST:

  
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Sylvia M. Bermudez, Clerk of the Board  
Coachella Valley Water District

