

DIVISION 1
Patrick O'Dowd
Director

DIVISION 2
Anthony Bianco
Director

DIVISION 3
John Powell
President

DIVISION 4
Peter G. Nelson
Director

DIVISION 5
Castulo Estrada
Vice President



CVWD's Coachella
Office Forbes
Auditorium

51501 Tyler Street □
Coachella

www.cvwd.org

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

April 24, 2018

1. CALL TO ORDER/PLEDGE OF ALLEGIANCE

President Powell called the regular meeting of the Board of Directors of the Coachella Valley Water District to order at 8:00 a.m., Tuesday, April 24, 2018, at the office of the District in Coachella, California. President Powell led the Pledge of Allegiance.

2. ROLL CALL

Present: President John P. Powell, Jr.
Vice President Cástulo R. Estrada
Director Anthony Bianco
Director G. Patrick O'Dowd
Director Peter Nelson

Absent: None

Staff Present: Jim Barrett, General Manager
Jeff Ferre, Counsel
Maricela Cabral, Board Administrative Assistant II

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

Director O'Dowd, requested item 5.F. be pulled for discussion.

On a motion by Director O'Dowd, seconded by Director Nelson, approved the remainder of the Consent Calendar.

Approved by the following vote:

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

NOES: None

ABSENT: None

Motion Passed: 5-0

- A. Approved Minutes of the April 10, 2018 Coachella Valley Water District Board of Directors Meeting
- B. Accepted and Filed the General Manager's Report of Activities during the month of March 2018
- C. Accepted and Filed the General Manager's Report of Authorizations, Executions, and Acceptances of Documents during the month of March 2018
- D. Accepted and Filed the Secretary's Record of Written Instruments Accepted and Recorded during March 2018
- E. Approved and authorized the General Manager to execute Change Order No. 3 to VISTAM, Inc., in the amount of \$58,795 for the Replacement of Cooling Oils for the Medium Voltage Transformers at Water Reclamation Plant No. 7.
- F. (***PULLED***) Authorized the General Manager to Execute a Professional Services Agreement with WSP in the amount of \$22,250 to develop a Revised Riparian Habitat Work Plan for the Constructed Habitat Project
- G. Authorized the General Manager to Execute Well Site Exchange Agreement with DBP Ventures, LLC and DBP Partners, LLC
- H. Authorized Purchase of Computer Server Hardware from Dell Inc. in the Amount of \$139,138.03 for the New SCADA System Network at the Coachella Facility
- I. Authorized Purchase of Network gear for the Scada Master Plan (SMP) Coachella HMI Pilot in the amount of \$128,512.30.
- J. Authorized General Manager to Send Letter in Support of Bard Water District's Proposed Pilot System Conservation Program

6. DISCUSSION OF ITEMS PULLED FROM CONSENT CALENDAR

- 5.F. Authorized the General Manager to Execute a Professional Services Agreement with WSP in the amount of \$22,250 to develop a Revised Riparian Habitat Work Plan for the Constructed Habitat Project

Prior to consideration of this matter, Director Bianco announced that he would be recusing himself from this matter. He stated that he is employed at, and derives a salary from, Anthony Vineyards which has properties that may be located in proximity to the area under consideration for the habitat work plan. Although the contract under consideration has nothing to do with the extent to which the properties would be impacted, out of abundance of caution, Director Bianco announced that he would be

recusing himself and at that point, Director Bianco left the dais and the Board room.

Following a presentation by Dan Charlton, Director of Facilities and Maintenance, the Board discussed executing a Professional Services Agreement with WSP to develop a revised Riparian Habitat Work Plan for the Constructed Habitat Project.

On a motion by Director Nelson, seconded by Director O'Dowd, the Board approved and authorized the Professional Services Agreement with WSP in the amount of \$22,250 to develop a Revised Riparian Habitat Work Plan for the Constructed Habitat Project.

Approved by the following vote:

AYES: Powell, Estrada, O'Dowd, Nelson

NOES: None

ABSTAINED: Bianco

Motion Passed: 4-0-1

7. INFORMATIONAL REPORTS

- A. Written Communications - none received

8. ACTION ITEMS

- A. Award Construction Contract to Gateway Pacific Contractors, Inc., for Reservoir 4605-1 (Sky Mountain Pressure Zone), Specification No. 2018-3, and additional expenditures for a total request of \$11,000,000,

Following a presentation by Dan Ruiz, Engineer Manager, the Board discussed the construction contract for Reservoir 4605-1 (Sky Mountain Pressure Zone).

On a motion by Director O'Dowd, seconded by Director Estrada, the Board approved the following:

- Awarded a construction contract to Gateway Pacific Contractors, Inc., (GPC), in the amount of \$9,586,623 for Reservoir 4605-1 (Sky Mountain Pressure Zone), Specification No. 2018-3
- Authorized the General Manager to execute Task Order with Krieger & Stewart, in the amount of \$276,000 for construction support and inspection services
- Authorized the General Manager to execute Task Order with RMA GeoScience (CVWD On-Call), in the amount of \$50,000 for soils testing
- Approved additional expenditures in the amount of \$1,087,377, for a total request of \$11,000,000.

Approved by the following vote:

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

NOES: None

ABSENT: None

Motion Passed: 5-0

- B. Approve Water Supply Assessment and Water Supply Verification for the Oxford Properties Cultivation Center Project, presentation by Michael Nusser, Water Resources Associate

Following a presentation by Michael Nusser, Water Resources Associate, the Board discussed approving the Water Supply Assessment and Water Supply Verification for the Oxford Properties Cultivation Center Project.

On a motion by Director Nelson, seconded by Director Estrada, the Board approved the Water Supply Assessment and Water Supply Verification for the Oxford Properties Cultivation Center Project.

Approved by the following vote:

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

NOES: None

ABSENT: None

Motion Passed: 5-0

- C. Receive 2018-2019 Engineer's Report on Water Supply and Replenishment Assessment for the Mission Creek Subbasin, West Whitewater River Subbasin, and East Whitewater River Subbasin Areas of Benefit, presentation by Zoe Rodriguez Del Rey, Water Resources Associate.

Following a presentation by Zoe Rodriguez Del Rey, Water Resources Associate, the Board discussed the 2018-19 Engineer's Report on Water Supply and Replenishment Assessment for Mission Creek Subbasin, West Whitewater River Subbasin and East Whitewater River Subbasin Areas of Benefit.

On a motion by Director O'Dowd, seconded by Director Nelson, the Board acknowledged receipt of the 2018-2019 Engineer's Report on Water Supply and Replenishment Assessment for the Mission Creek Subbasin, West Whitewater River Subbasin, and East Whitewater River Subbasin Areas of Benefit and confirmed May 22, 2018 as the date for the Public Hearing to consider the proposed increases to the Mission Creek Subdivision Area of Benefit, West Whitewater River Subbasin Area of Benefit, and East Whitewater River Subbasin Area of Benefit Replenishment Assessment Charges (RACs).

Approved by the following vote:

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

NOES: None

ABSENT: None

Motion Passed: 5-0

9. BOARD COMMENTS AND REPORTS

A. Board Member General Comments

- Director Nelson commented on the recent Upper basin letter sent to Arizona; and on the newspaper article addressing Greg Burton's leave from the Desert Sun to the Arizona Republic.
- Director O'Dowd expressed his gratitude for CVWD staff who repaired a recent geyser quickly and effectively.
- Director Bianco had no report.
- Director Estrada thanked staff for the recent press releases, helps the effort to present story to the State to receive funding for areas of need.
- Director Powell had no report.

B. Meetings and Conference Reports

- i April 9, 2018 to April 11, 2019 National Water Resources Association's 2018 Federal Water Issues Conference (Director O'Dowd)
- ii April 12, 2018 CVAG Energy and Environmental Resources Committee Meeting (Director Bianco)
- iii April 12, 2018 Desert Valleys Builders Association Meeting (Director Powell) **Did not attend*
- iv April 13, 2018 Association of California Water Agencies State Legislative Committee Meeting (Director O'Dowd)
- v April 16, 2018 Board Study Session (Directors Powell, O'Dowd, Bianco, Estrada)
- vi April 17, 2018 Meeting with District staff on Reserve Policy and RAC Funds (Director O'Dowd)
- vii April 17, 2018 Disadvantaged Communities Infrastructure Task Force Meeting (Directors Powell and Estrada)
- viii April 19, 2018 City of Coachella/CVWD Triannual Meeting (Directors Powell and Estrada)
- ix April 20, 2018 26th Annual Senior Inspiration Awards (Directors O'Dowd and Estrada)
- x April 23, 2018 Imperial Dam Advisory Board Meeting (Director Bianco) ** Did not attend*
- xi April 23, 2018 California Farm Water Coalition Meeting by teleconference (Director Nelson)

Additional Meetings Reported

- March 30, 2018 Assemblymember Garcia's Press Conference on AB 2060 (Director Estrada)
- April 19, 2018 Salton Sea Authority Finance Committee Meeting (Director O'Dowd)

C. Approval of per diem for meetings reported

On a motion by Director Nelson, seconded by Director O'Dowd, the Board approved per diem for meetings reported.

Approved by the following vote:

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

NOES: None

ABSENT: None

Motion Passed: 5-0

- D. Reports Oversight Boards of the Successor Agencies of the Redevelopment Agencies
No meetings reported.

10. STAFF REPORTS

- A. General Manager
B. Counsel, Jeff Ferre reported on AB1912 regarding potential changes to the liability of member agencies of JPAs..
C. Departments
- Katie Evans, Director of Communication and Conservation introduced Jennifer Shimmin, new Conservation Manager.

11. CLOSED SESSION AGENDA

- A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code Section 54956.9
One potential case
- B. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Pursuant to Paragraph (1) of subdivision (d) of Government Code Section 54956.9
Name of Case: Worker's Compensation - Settlement Authority Request for Compromise and Release
Claim Numbers: CV-18-001043; (WCAB ADJ11233101)
- C. CONFERENCE WITH LEGAL COUNSEL- EXISTING LITIGATION
Pursuant to Government Code § 54956.9 (a) Name of Case: Agua Caliente Band of Cahuilla Indians v. Coachella Valley Water District, et al., Case No. EDCV 13-883 JGB

12. RECONVENE

- A. Report out of Closed Session
President Powell reconvened the meeting back into Open Session and announced there were no reportable actions and that the Board did not meet in regard to Item 11(C).

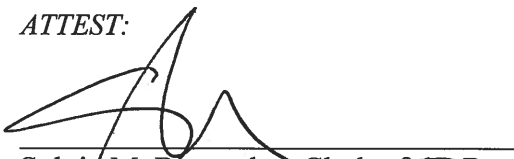
13. ADJOURNMENT

There being no further business to discuss, President Powell adjourned the meeting at 10:36 a.m. The next regular meeting is scheduled for Tuesday, May 8, 2018 in Palm Desert, California.



John P. Powell, President
Coachella Valley Water District

ATTEST:



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

