

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



Steve Robbins
Administration Building
Board Chambers

75515 Hovley Ln. East
Palm Desert

www.cvwd.org

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

June 12, 2018

1. CALL TO ORDER/PLEDGE OF ALLEGIANCE

President John Powell called the regular meeting of the Board of Directors of the Coachella Valley Water District to order at 8:00 a.m., Tuesday, 12, 2018, 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 Anthony Bianco
Director G. Patrick O'Dowd
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 were removed or continued from the Agenda
- B. No emergency items were added to the Agenda
- C. No changes were made to the order of the Agenda

4. PUBLIC COMMENT

Steve Vogelsang of Cathedral City commented on the quality of his drinking water.

5. APPROVAL OF THE CONSENT CALENDAR

Director Bianco pulled item 5D for discussion.

On a motion by Director Bianco, seconded by Director O'Dowd, the Board approved the Consent Calendar, with the exception of item 5D, which was pulled for discussion.

Approved by the following vote:

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

NOES: None

ABSENT: None

Motion Passed: 5-0

- A. Approved Minutes of the May 22, 2018 Regular Meeting of the Coachella Valley Water District Board of Directors.
- B. Approved and authorized the General Manager to Purchase Property and Liability Insurance Coverage for Fiscal Year 2018-2019
- C. Approved and authorized the General Manager to execute Task Order No. 3 to the Professional Services Agreement with WSP for Additional Engineering Services for the Coachella Valley Stormwater Channel Improvement Project
- D. PULLED - Approve and authorize the General Manager to award a Contract to Probolsky Research for Customer Engagement and Impact Research Project
- E. Approved payment of the Urban Water Institute, Inc. dues for 2018-19, in the amount of \$1,250

6. DISCUSSION OF ITEMS PULLED FROM CONSENT CALENDAR

- 5 D Approve and authorize the General Manager to award a Contract to Probolsky Research for Customer Engagement and Impact Research Project.

Following a presentation by Katie Evans, Director of Communication & Conservation, the Board discussed the contract with Probolsky Research.

On a motion by Director Bianco, seconded by Director Nelson, the Board approved awarding of a contract with Probolsky Research and authorized the General Manager to execute a contract for customer engagement and impact research project.

Approved by the following vote:

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

NOES: None

ABSENT: None

Motion Passed: 5-0

7. PRESENTATIONS AND RECOGNITIONS

- A. Centennial Recognitions
 - i Gretchen Gutierrez, Chief Executive Officer of Desert Valleys Builders Association, presented CVWD Board President Powell, with a proclamation honoring CVWD's Centennial Celebration.

8. INFORMATIONAL REPORTS

- A. Written Communications – None

9. ACTION ITEMS

- A. Adopt the proposed Fiscal Year 2018-19 Operating and Capital Improvement Budget.

Following a presentation by Teri Vorster, Interim Finance Director, the Board discussed adoption of the FY 2018-19 Operating and Capital Improvement Budget.

On a motion by Director Nelson, seconded by Director O’Dowd, the Board approved the proposed FY 2018-19 Operating and Capital Improvement Budget.

Approved by the following vote:

AYES: O’Dowd, Powell, Nelson, Estrada

NOES: Bianco

ABSENT: None

Motion Passed: 4-1

10. ORDINANCES FOR ADOPTION

- A. Approval of Fiscal 2018-19 Canal Service and Construction Meter Rates and adopt Ordinances Authorizing No Increases in Rates for Canal Water Service and Construction Meter Charges.

Following a presentation by Teri Vorster, Interim Director of Finance, the Board discussed ordinances to not increase canal service and construction meter rates.

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

- Ordinance No. 1428.1, An Ordinance of the Coachella Valley Water District Board of Directors Authorizing Increases in the Rates for Canal Water Service Charges.
- Ordinance No. 1429.1, An Ordinance of the Coachella Valley Water District Board of Directors Authorizing Increases in the Canal Water Service Charges for Construction Meters.

Approve by the following roll call vote:

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

NOES: None

ABSENT: None

Motion Passed: 5-0

- B. Adopt Ordinance to Not Implement Authorized Rate Increases for Domestic Water Service Charges for Fiscal Year 2018-19.

Following a presentation by Teri Vorster, Interim Director of Finance, the Board discussed an Ordinance to Not Implement Authorized Rate Increases for Domestic Water Service Charges for Fiscal Year 2018-19.

On a motion by Director Bianco, seconded by Director O'Dowd, the Board approved Ordinance No. 1436, Ordinance of the Coachella Valley Water District Board of Directors Adopting Rates for Domestic Water Service Charges.

Approve by the following roll call vote:

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

NOES: None

ABSENT: None

Motion Passed: 5-0

11. BOARD COMMENTS AND REPORTS

A. Board Member General Comments

- Director Nelson reported on Metropolitan Water District's vote on Cal Water Fix and the Board's re-vote on the twin tunnels; congratulated Katie Evans, Director of Communication & Conservation on being named one of the CV's up and coming under 40; also reported on President Powell's editorial in Sunday's Desert Sun.
- Director O'Dowd had no report.
- Director Bianco, asked staff for an informational item relating to the water conservation and planning legislation recently signed by the Governor.
- Director Estrada had no report.
- President Powell, reported on the Public Records Act requested submitted by a local Desert Sun reporter relating to customer data.

B. Meetings and Conference Reports

- i May 23, 2018 Golf and Water Task Force meeting (Director O'Dowd)
- ii May 24, 2018 Salton Sea Authority Board of Directors meeting (Director O'Dowd)
- iii May 25, 2018 Lake Cahuilla Regional Veterans Park Monuments Dedication (Directors Powell, Nelson, O'Dowd and Estrada)
- iv May 29, 2018 Association of California Water Agencies (ACWA) DAC Drinking Water initiative Task Force conference call (Director O'Dowd)
- v May 29, 2018 Desert Willow Project meeting (Directors Powell and Bianco)
- vi May 30, 2018 Board Study Session on Fiscal Year Operating Budget (All Directors present)
- vii May 30, 2018 Meeting with Graham Brownstein of Global Water Farms (Director O'Dowd)
- viii May 31, 2018 Conference call discussion with Phil Rosentrater and Phillip Johnson (Salton Sea Authority) regarding Farm Bill strategy (Director O'Dowd)

- ix May 31, 2018 ACWA LIVE Online Webinar: GDE Guidance for Preparing Groundwater Sustainability Plans (Director Nelson)
- x June 1, 2018 ACWA Executive Committee meeting (Director O'Dowd)
- xi June 1, 2018 ACWA Board of Directors meeting (Director O'Dowd)
- xii June 1, 2018 Legislative Committee meeting (Directors Bianco and Estrada)
- xiii June 4, 2018 Board Study Session - SCADA Master Plan (Directors Powell, Nelson and O'Dowd)
- xiv June 5, 2018 City of Cathedral City/CVWD Triannual meeting (Directors Powell and O'Dowd)
- xv June 6, 2018 BIA Legislative Affairs Luncheon (Director O'Dowd)
- xvi June 8, 2018 ACWA State Legislative Committee meeting (Director O'Dowd)
- xvii June 11, 2018 Salton Sea Science Committee meeting (Director O'Dowd)

C. Approval of per diem for meetings reported

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

Approved by the following vote:

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

NOES: None

ABSENT: None

Motion Passed: 5-0

D. Reports Oversight Boards of the Successor Agencies of the Redevelopment Agencies

- Director O'Dowd reported the Rancho Mirage Oversight Board of the Successor Agency held its final meeting to approve the dissolution and turned over all responsibilities to the County of Riverside.

12. STAFF REPORTS

- A. General Manager – No Report
- B. Counsel, Jeff Ferre reported on the recently adopted water conservation and planning legislation and focused on the new requirements for Urban Water Management Plans.
- C. Departments – No Report

13. CLOSED SESSION AGENDA

- A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Paragraph (1) of subdivision (d) of Government Code Section 54956.9
Name of case: Potential intervention in litigation challenging County of Riverside's levying of possessory interest tax

Cases: Agua Caliente Band of Cahuilla Indians v. County of Riverside, Case No. 14-0007; Herpel v. County of Riverside, Case No. 1404764; Albrecht v. County of Riverside, Case No. 1501100; Abbey v. County of Riverside, Case No. 1719093


- B. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Government Code Section 54956.9
Names of case: CDWR Environmental Impact Cases, Sacramento Superior Court Case No. JCCP 4942.
- C. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (Paragraph (1) of subdivision (d) of Government Code Section 54956.9
Names of case: CDWR Environmental Impact Cases, Sacramento Superior Court Case No. JCCP 4942.
- D. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code Section 54956.9
One Potential Case

14. RECONVENE

- A. Report out of Closed Session
President Powell reconvened the meeting into Open Session and stated that there was no reportable action in regard to items B, C, and D. In regard to item A, legal counsel reported that on a motion by Director Nelson seconded by Director Estrada and a vote of 5-0, the Board authorized legal counsel to proceed with the procedures for intervention in the applicable cases in regard to the issue of the levying of the possessory interest tax by the County and related issues.

15. ADJOURNMENT

There being no further business to discuss, President Powell adjourned the meeting at 11:28 AM. The next regular meeting is scheduled for Tuesday, June 26, 2018 in Coachella, California.



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



John P. Powell, President
Coachella Valley Water District