



DIVISION 1
Patrick O'Dowd
Director

Steve Robbins
Administration Building

DIVISION 2
Anthony Bianco
Director

Board Chambers

DIVISION 3
John Powell
President

75-515 Hovley Ln. East
Palm Desert

DIVISION 4
Peter G. Nelson
Director

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

www.cvwd.org

DIVISION 5
Castulo Estrada
Vice President

AUGUST 8, 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, August 8, 2017, at the office of the District in Palm Desert, California. President Powell led the Pledge of Allegiance

2. TELECONFERENCE

President Powell announced Director Patrick O'Dowd would be participating via teleconference pursuant to California Government Code Section 54953, in that Director O'Dowd would be participating from New Mexico, from the El Dorado Hotel & Spa

3. ROLL CALL

Present: President John P. Powell, Jr.
Vice President Cástulo R. Estrada arrived at 8:06
AM
Director Anthony Bianco
Director G. Patrick O'Dowd via teleconference
Director Peter Nelson

Absent: None

Staff Present: Jim Barrett, General Manager
Jeff Ferre, Counsel
Sylvia Bermudez, Clerk of the Board

4. ADDITIONS/DELETIONS/ADJUSTMENTS TO THE AGENDA

- A. No Item(s) to be removed or continued from the Agenda
- B. No Emergency Item(s) to be added to the Agenda
- C. No Changes to the order of the Agenda

5. PUBLIC COMMENT

No public comment received.

6. APPROVAL OF THE CONSENT CALENDAR

Item 6C was pulled by President Powell for discussion and separate action.

In regard to Item 6I, President Powell announced that in abundance of caution, and in order to avoid even the appearance of a conflict, he would be recusing himself from consideration of this item due to real property he owns in proximity to this project. .

On a motion by Director Nelson seconded by Director Bianco, the Board approved the Consent Calendar items 6A, 6B and 6D through 6P, as presented. Approved by roll call vote:

AYES: Powell, Bianco, O'Dowd, Nelson

NOES: None

ABSENT: Estrada

Motion Passed: 4-0-1

- A. Approved MINUTES - July 25, 2017 Regular Meeting of the Coachella Valley Water District Board of Directors
- B. Authorized the General Manager to execute letter agreement and approved reimbursement to the City of Cathedral City for 30th Avenue and McCallum Way Street Improvement projects (CVWD Project Nos. SA1305 and DW1319), in the amount of \$212,518.
- C. *(Item pulled for discussion)* Approve and authorize the General Manager to execute a Professional Services Agreement with Chris Kahn Consulting for legislative and advocacy services in Sacramento, at a cost of \$7,500 per month plus approve actual expenditures.
- D. Approved Assessor Parcel No. 628-192-022 to be deemed as Surplus Real Estate and authorized the General Manager to execute Quitclaim Deeds and any other documents necessary to transfer the parcel to the adjacent owners per the attached Coachella Valley Water District Disposal of Surplus Real Estate Policy dated August 2014.
- E. Authorized the General Manager to direct staff to remit the Fiscal year 2017 CalPERS employer net cash savings of \$1,246,248 to CalPERS in order to reduce the Coachella Valley Water District's ("CVWD")

unfunded pension liability.

- F. Authorized an increase in the amount of \$250,000 to the existing purchase order to MWH Constructors to bring the total authorized purchase order to \$450,000 to provide construction inspection services for developer projects.
- G. Authorized the General Manager to execute a Task Order to the Professional Services Agreement with GEI Consultants, Inc. related to the design of the Palm Desert Groundwater Replenishment Project for \$43,500.
- H. Authorized the General Manager to execute Task Order No. 32 with Krieger & Stewart, Inc. (K&S) in the amount of \$67,000 for the Water Reclamation Plant Nos. 4, 7, and 10 Chemical System Upgrade Projects.
- I. (*Powell recused from voting on this item*) Authorized the General Manager to execute Task Order No. 34 to the Professional Services Agreement (PSA) with Krieger and Stewart, Inc. (K&S) in the amount of \$94,400 for the following two Projects: (1) Avenue 59 Drain Pipeline Replacement and (2) Irrigation Lateral 101.3/Avenue 55-Fillmore Drain Improvement, and approved the following expenditures for a total request of \$125,000:
 - CVWD project management
 - Engineering - \$15,000
 - Contingency - \$15,600.
- J. Approved and authorized payment of \$8,125 for the Colorado River Authority (CRA) Invoice for CVWD's proportionate share of total contribution for FY 2017-2018 budget.
- K. Approved and authorized payment of \$341,250 to the Six Agency Committee for Fiscal Year 2017-2018 to cover CVWD's proportionate share of expenses related to the Colorado River Board.
- L. Authorized the General Manager to execute Change Order No. 1 with AMP United, LLC (AMP) in the amount of \$115,718.75 for additional work to remove chloride contamination from the interior of the welded steel Reservoir 1092-1 Rehabilitation Project, Specification No. 2016-16 and approved the following expenditures, for a total request of \$150,000:
 - Additional CVWD Project Management and Engineering - \$5,000
 - Task Order No. 16 with Harper and Associates Engineering, Inc. (Harper) for Additional Construction Support and Inspection Services - \$18,980

- Additional CVWD Inspection - \$7,500
 - Contingency - \$2,801.25
- M. Authorized payment of Coachella Valley Water District's Share of Local Agency Formation Commission Fees for Fiscal Year 2017-18 to the County of Riverside in the total amount of \$61,028.04.
- N. Authorized the General Manager to execute Change Order with Jones Bros. Construction in the amount of \$ 219,166 within the Indian Springs Golf Club Nonpotable Water Pipeline Connection project, specification no. 2016-33, to include the completion work needed on the Desert Falls Golf Club Non-Potable Water Pipeline Connection Project and Task Order No. 33, with Krieger & Stewart, Inc. in the amount of \$21,700; and approved the following additional expenditures in the amount of \$83,000, for a total request of \$323,866:
- CVWD Project Management \$ 8,000
 - CVWD Inspection \$ 25,000
 - CVWD Trades \$ 20,000
 - Contingency \$ 30,000
- O. Authorized the General Manager to execute Task Order No. 35 to Professional Services Agreement with Krieger & Stewart, Inc. for the Rancho La Quinta Non-Potable Water Golf Course Connection Project (C01805), in the amount of \$53,000 and approved \$17,000 in the following additional expenditures, for a total request of \$70,000:
- CVWD Project Management & Engineering \$ 10,000
 - Contingency \$ 7,000
- P. Authorized the General Manager to sign the agreements for Fiscal Year 2017-18 to employ Ernst and Young for professional, advisory, and administrative services in connection with the State Water Contractors Independent Audit. The maximum fee for these services for all State Water Contractors is \$494,000; with CVWD's proportionate share being a maximum of \$51,561.

7. DISCUSSION OF ITEMS PULLED FROM CONSENT CALENDAR

- 6. C** Approve and authorize the General Manager to execute a Professional Services Agreement with Chris Kahn Consulting for legislative and advocacy services in Sacramento, at a cost of \$7,500 per month plus approve actual expenditures.

Following a presentation by Heather Engel, Director of Communication & Conservation, the Board discussed a Professional Services Agreement with Chris Kahn Consulting for legislative and advocacy services in Sacramento.

On a motion by Director O’Dowd, seconded by Director Nelson, the Board approved and authorized the General Manager to execute a six-month Professional Services Agreement with Chris Kahn Consulting for legislative and advocacy services in Sacramento, at a cost of \$7,500 per month and additional actual expenditures.

Approved by roll call vote:

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

NOES: None

ABSENT: None

Motion Passed: 5-0

8. PRESENTATIONS AND RECOGNITIONS

A. Employee Recognitions

President Powell and General Manager Barrett, recognized the following employee:

Longevity:

- Mike Garcia, Assistant Director of Operations, 30 years

9. INFORMATIONAL REPORTS

A. Written Communications – on file

B. Informational Reports to the Board

- i Nonpotable Water Quarterly Update, presentation by Olivia Bennett, Nonpotable Water Manager.
- ii Update on Domestic Customer Overseeing Water Budgets, presentation by Heather Engel, Director of Communication & Conservation and Don Ackley, Water Management Supervisor.
- iii Strategic Plan Fiscal Year 2017 Year End Review, presentation by Robert Cheng, Assistant General Manager.

10. ACTION ITEMS

- A. Authorize the General Manager to execute consulting agreement not to exceed \$3,880,000 with Northern Digital, Inc., for design, development, delivery, and deployment of a Master SCADA system from August 8, 2017, through June 30, 2022, plus a one-year renewal option.

Following a presentation by Luis Maciel, Director of Information Systems the Board discussed a consulting agreement with Northern Digital, Inc., for design, development, delivery and deployment of a Master SCADA system.

On a motion by Director Nelson, seconded by Director Bianco the Board approved and authorized the General Manager to execute a

consulting agreement with Northern Digital, Inc., for design, development, delivery and deployment of a Master SCADA system, in the amount of \$3,880,000, from August 8, 2017 through June 30, 2022, plus a one-year renewal option. Approved by roll call vote:

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

NOES: None

ABSENT: None

Motion Passed: 5-0

- B. Authorize the General Manager to execute Task Order Nos. 29, 30, and 31 to Professional Engineering Services Agreement with Krieger & Stewart, Inc. for the Fiscal Year 2017-2018 Non-Potable Water Golf Course Connection Projects, in total amount of \$562,000; and approve \$290,000 in additional expenditures, for a total request of \$852,000.

Following a presentation by Armando Rodriguez, Engineer Manager the Board discussed Task Orders 29, 30 and 31 to Professional Engineering Services Agreement with Krieger & Stewart, Inc. for FY 2017-2018.

On a motion by Director Nelson, seconded by Director Bianco, the Board approved and authorized the General Manager to execute Task Order Nos. 29, 30, and 31 to Professional Engineering Services Agreement with Krieger & Stewart, Inc., for the Fiscal Year 2017-2018 Non-Potable Water Golf Course Connection Projects as follows:

- Oasis Country Club NPW Connection Project (NP1803) with a corresponding Task Order No. 29, in the amount of \$278,000
- Palm Desert Resort Country Club NPW Connection Project (NP1802) with a corresponding Task Order No. 30, in the amount of \$148,000
- Woodhaven Country Club NPW Connection Project (NP1804) with a corresponding Task Order No. 31, in the amount of \$136,000

Approved by roll call vote:

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

NOES: None

ABSENT: None

Motion Passed: 5-0

11. ORDINANCES FOR ADOPTION

- A. Consider amendments to Ordinance 1302.2, to reflect changes to CVWD's ETo map, based on changes outlined in the Review of the Coachella Valley Evapotranspiration Map report.

Following a presentation by Angela Fasano, Water Management Specialist the Board discussed amendments to Ordinance 1302.2,

based on consultant-recommended changes outline in the review of the Coachella Valley Evapotranspiration Map report, which include:

GIS Map

- Combine Zones 1 & 2 to reflect figure (b) on page 22 of Review of CV Reference Evapotranspiration Map
- Update average annual ETo (in) in GIS to reflect numbers in figure (b) on page 22 of Review of CV Reference Evapotranspiration Map

On a motion by Director Nelson, seconded by Director O'Dowd the Board approved amendments and adopted Ordinance No. 1302.3, reflecting changes to CVWD's ETo Map. Approved by roll call vote:

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

NOES: None

ABSENT: None

Motion Passed: 5-0

12. BOARD COMMENTS AND REPORTS

A. Board Member General Comments

No general comments from members of the Board.

B. Meetings and Conference Reports

- i July 26, 2017 Golf and Water Task Force Meeting (Director O'Dowd)
- ii July 27, 2017 Yuba County Water Agency Tour (Director O'Dowd)
- iii July 27, 2017 Coachella State of the City and Business Awards (Directors Estrada and Nelson)
- iv July 28, 2017 Association of California Water Agencies Board of Directors Meeting (Director O'Dowd)
- v July 28, 2017 Salton Sea Authority Round-Table Discussions with Assemblymember Eduardo Garcia (Directors Estrada and Nelson)
 - Round-Table Discussions with Cabazon Band of Mission Indians (Director Estrada)
 - Round-Table Discussions with Torres-Martinez Desert Cahuilla Indians regarding tribal issues and discussions with CVAG regarding Affordable Housing (Director Estrada)
- vi July 31, 2017 John J. Benoit Detention Center Topping Out Ceremony (Director O'Dowd)

Additional reports:

- Director Estrada commented on an invitation to Environmental Justice Roundtable from Congressman Raul Ruiz on Monday, August 14th and requested assistance from Steve Bigley.

C. Approval of per diem for meetings reported

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

Approved by roll call 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.

- Director Nelson reported he was unable to attend the July La Quinta Successor Agency's meeting at which the Successor Agency budget was adopted, along with the ROPS
- Director O'Dowd reported the Rancho Mirage Successor Agency met on July 25th and approved perspective refunding, saving several millions dollars on outstanding debt

13. STAFF REPORTS

- A. General Manager – No report
- B. Counsel – Jeff Ferre reported on the next steps regarding the Chrom-6 mandatory limit in light of the recent court case which rolled back the mandatory limit on Chrom-6. The State Board took action on August 1 to delete the text of that regulation and start the process over again for development of new regulation which must include an appropriate economic analysis.
- C. Departments
- Heather Engel, Communication & Conservation Director, announced the launch of CVWD's Twitter account.

14. CLOSED SESSION AGENDA

- A. CONFERENCE WITH LEGAL COUNSEL - Anticipated Litigation
Government Code Section 54956.9 (2)(d)
Receipt of Claim - Victor Nino
- B. 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

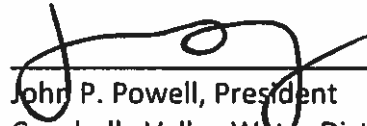
15. RECONVENE

- A. Report out of Closed Session
President Powell reconvened the meeting back to open session and

announced there were no reportable actions from Closed Session items 14A or 14B.

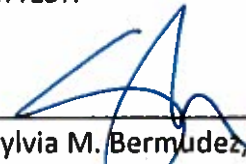
16. ADJOURNMENT

There being no further business before the Board of Directors, at this time, President Powell adjourned the meeting at 11:55 AM.



John P. Powell, President
Coachella Valley Water District

ATTEST:



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