



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

August 14, 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 AM, Tuesday, August 14, 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 Castulo 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

In accordance with the section 54954.2 of the Government Code additions to the agenda require a two-thirds vote of the legislative body, or, if less than two-thirds of the members are present, a unanimous vote of those members present, which makes the determination that there is a need to take action, and the need to take action arose after the posting of 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

4. PUBLIC COMMENT

No public comment received.

5. APPROVAL OF THE CONSENT CALENDAR

Director Powell pulled item 5M for discussion; Director O'Dowd pulled items 5B and 5F for discussion.

On a motion by Director Nelson, second by Director O'Dowd, the board approved the remainder of the consent calendar.

Approved by the following vote:

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

NOES: None

ABSENT: None

Motion Passed: 5-0

- A. Approved the July 24, 2018 Coachella Valley Water District Board of Directors Meeting Minutes.
- B. (PULLED) Adopt Resolution No. 2018-30, A Resolution Authorizing the General Manager to Execute Communications Use Lease with Bureau of Land Management for Cactus City Communication Site and Approve Expenditures.
- C. Approved and authorized the General Manager to execute a task order in the amount of \$149,741 with Rincon to Prepare a CEQA-Plus Program Environmental Impact Report for the Non-Potable Water Master Plan Project and approval of additional expenditures, for a total request of \$199,741.
- D. Approved the following resolutions for the WRP 10 Nonpotable Water Customers-Phase 1 Project:
 - Resolution No. 2018-31, Authorizing Resolution
 - Resolution No. 2018-32 Reimbursement Resolution
 - Resolution No. 2018-33, Pledged Revenues and Funds
- E. Authorized the purchase of Storage Area Network (SAN) equipment, to upgrade and expand CVWD's existing Dell SAN to support the computing and storage needs of the District, from Sidepath Inc. using a National Association of State Procurement Officials (NASPO) purchasing agreement, in the amount of \$345,464.31, plus tax and 5% contingency.
- F. (PULLED) Approve and authorize the General Manager to execute Task Order No. 5 (TO5) in the amount of \$115,842 to the Professional Services Agreement with Aspen Environmental Group to Perform Additional Environmental Study Services for the Thousand Palms Flood Control Project (SW0004) and approval of additional expenditures for a total request of \$138,842.
- G. Approved the following Resolutions updating personnel changes for CVWD investment and banking transactions:

- Resolution No. 2018-34, A Resolution Authorizing Investment of CVWD Monies in Riverside County Treasurer's Pooled Investment Fund
 - Resolution No. 2018-35, A Resolution Designating Authorized Representatives to Sign Checks
 - Resolution No. 2018-36, A Resolution Designating Authorized Representatives to Transfer Funds
 - Resolution No. 2018-37, A Resolution Designating Authorized Representatives for U.S. Bank Transactions
- H. Approved the following resolutions for the Clean Water State Revolving Fund Grants and Loans for Avenue 66 Trunk Sewer Project:
- Resolution No. 2018-38, Authorizing Resolution
 - Resolution No. 2018-39, Reimbursement Resolution
 - Resolution No. 2018-40, Pledged Revenues and Funds
- I. Approved and authorized the General Manager to execute Task Order No. 2 in the amount of \$306,350 with Michael Baker International for Irrigation Lateral 123.45-1.3 and 123.45-1.3-2.2 Division Box Replacement Project (IR1901) and approval of additional expenditures for a total request of \$358,350.
- J. Approved the certification of the Mitigated Negative Declaration and File Notice of Determination, review and adopt the Mitigation Monitoring and Reporting Program for the 2017-18 Non-Potable Water Connections Project.
- K. Approved and authorized the General Manager to execute Task Order No. 1 in the amount of \$148,720 (over 3-year period) with TODD Groundwater to Evaluate the Influence of WRP 10 on Local Groundwater Total Dissolved Solids and Nitrate Concentrations to Comply with Special Provisions F.1. of the Waste Discharge Requirements Order R7-2018-0001.
- L. Authorized Federal Financial Assistance under the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988 for East Side Dike Project and North Cathedral City Master Plan Projects and Approved the Designation of Sub-recipient's Agent Resolution, California Office of Emergency Services Form 130 for the East Side Dike and North Cathedral City Master Plan Projects.
- M. (PULLED) Salton Sea Authority Annual Assessment and Adoption of Resolution No. 2018-41, A Resolution of Support for Riverside and Imperial County Memorandum of Understanding Concerning Unified Support on the Salton Sea.

6. DISCUSSION OF ITEMS PULLED FROM CONSENT CALENDAR

- 5 B. Adopt Resolution No. 2018-30, A Resolution Authorizing the General Manager to Execute Communications Use Lease with Bureau of Land Management for Cactus City Communication Site and Approve Expenditures.

Following a presentation by Carrie Oliphant, Assistant Director of Engineering, the Board discussed a resolution authorizing a Communication Use Lease with the Bureau of Land Management for Cactus City Communication Site.

On a motion by Director O'Dowd, second by Director Bianco, the Board approved Resolution No. 2018-30, A Resolution Authorizing the General Manager to Execute Communications Use Lease with Bureau of Land Management for Cactus City Communication Site and Approve Expenditures.

Approved by the following vote:

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

NOES: None

ABSENT: None

Motion Passed: 5-0

- 5 F. Approve and authorize the General Manager to execute Task Order No. 5 (TO5) in the amount of \$115,842 to the Professional Services Agreement with Aspen Environmental Group to Perform Additional Environmental Study Services for the Thousand Palms Flood Control Project (SW0004) and approval of additional expenditures for a total request of \$138,842.

Following a presentation by David Wilson, Engineering Manager, the board discussed Task Order No. 5 with Aspen Environment Group to perform additional environmental study services for the Thousand Palms Flood Control Project (SW0004).

On a motion by Director O'Dowd, second by Director Nelson, the board approved and authorized the General Manager to execute Task Order No. 5, in the amount of \$115,842 to the professional services agreement with Aspen Environmental Group to perform additional environment study services for the Thousand Palms Flood Control Project (SW0004) and approved additional expenditures, for a total cost of \$ 138,842.

Approved by the following vote:

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

NOES: None

ABSENT: None

Motion Passed: 5-0

- 5 M. Salton Sea Authority Annual Assessment and Adoption of Resolution No. 2018-41, A Resolution of Support for Riverside and Imperial County Memorandum of Understanding Concerning Unified Support on the Salton Sea.

Following a presentation by Dan Farris, Director of Operations, the Board discussed whether to adopt a Resolution of Support for Riverside and Imperial County MOU Concerning Unified Support for the Salton Sea and the second

part of the Staff recommendation regarding the proposed Board approval of a payment of \$150,000 to the Salton Sea Authority as the Coachella Valley Water District's assessment toward operating expenses of the Authority for FY 2019.

Given the floor by President Powell, the following individuals provided public comment: Bob Terry, Chuck Parker, Juan de Lara, Phillip Johnson and Felice (last name not provided).

On a motion by Director Nelson, second by Director O'Dowd, the Board approved a payment of \$150,000 to the Salton Sea Authority as the Coachella Valley Water District's assessment toward operating expenses of the Authority for FY 2019.

Approved by the following vote:

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

NOES: None

ABSENT: None

Motion Passed: 5-0

On a motion by Director O'Dowd, second by Director Estrada, the Board approved a Resolution of Support for the Memorandum of Understanding (MOU) between Riverside and Imperial Counties Concerning Unified Support on the Salton Sea.

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 Recognition
 - i Recognition of Centennial Proclamation to CVWD by Indian Wells Mayor Kimberly Muzik

8. INFORMATIONAL REPORTS

- A. Written Communications – on file
- B. Informational Reports to the Board
 - i Update on Colorado River Basin Drought Contingency Plan, presentation by Robert Cheng, Assistant General Manager.
 - ii Upcoming Workshop Regarding Highway 86 Transmission Main Construction Outages, presentation by Katie Evans, Director of Communication & Conservation and Dan Ruiz, Engineer Manager.

9. ACTION ITEMS

- A. Authorize the Purchase of 31 Vehicles and Equipment in the amount of \$1,444,441 and disposal of up to 25 Fleet Units through Public Auction. Following a presentation by Stewart Taylor, Fleet Manager, the Board discussed the purchase of 31 vehicles and equipment.

On a motion by Director Bianco, second by Director Nelson, the Board approved and authorized the purchase of 31 Vehicles and Equipment and disposal of up to 25 fleet units through public auction. The total cost to purchase the vehicles and equipment cumulatively is \$1,444,441 which includes \$79,200 for CVWD forces to prepare them for service.

Approved by the following vote:

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

NOES: None

ABSENT: None

Motion Passed: 5-0

- B. Request Certification of the Eastern Coachella Valley Stormwater Master Plan Final Program Environmental Impact Report, Adoption of the Mitigation Monitoring and Reporting Program, and Findings & Statement of Overriding Considerations, and Approval of the Master Plan.

Following a presentation by William Patterson, Environmental Services Supervisor and David Wilson, Engineer Manager, the Board discussed the certification of the Eastern Coachella Valley Stormwater Master Plan Final Program Environmental Impact Report.

On a motion by Director O’Dowd, second by Director Nelson, the Board took the following actions:

- Certified the final Program Environmental Impact Report (PEIR)
- Adopted the Mitigation Monitoring and Reporting Program (MMRP), and Findings & Statement of Overriding Considerations
- Approved the Eastern Coachella Valley Stormwater Master Plan
- Authorized the Clerk of the Board to file a Notice of Determination with the Riverside County Clerk and State Clearinghouse within 5 working days of project approval

Approved by the following vote:

AYES: O’Dowd, Powell, Nelson, Estrada

NOES: None

ABSENT: None

ABSTAINED: Bianco

Motion Passed: 4-0-1

- C. Approve and authorize the General Manager to execute Change Order No.1 (CO1) with J&J Brothers Construction Company dba Jones Bros

Construction Company (Jones Bros.) to install a bypass for Irrigation Lateral 99.8-0.51 Project, Specification No. 2017-13, in the amount of \$770,470 and approve additional expenditures for a total request of \$852,970.

Prior to the staff presentation, Director Powell stated that he did not have the opportunity to determine whether this matter would constitute a potential conflict of interest. Therefore, out of an abundance of caution, Director Powell stated that he would recuse himself from consideration of this matter and he then left the dais and the Board room during consideration of this item.

Following a presentation by David Wilson, Engineer Manager, the Board discussed a change order with J&J Brothers Construction Company for the Irrigation Lateral 99.8-0.51 Project.

On a motion by Director Nelson, second by Director Bianco, the Board approved and authorized the General Manager to execute Change Order No. 1 with J&J Brothers Construction Company *dba* Jones Bros Construction Company (Jones Bros.) to install a bypass for Irrigation Lateral 99.8-0.51 Project, Specification No. 2017-13, in the amount of \$770,470 and approved the following additional expenditures for a total request of \$852,970:

- Engineering - \$5,000
- Contingency - \$77,500
- The total cost of this request is \$852,970

Approved by the following vote:

AYES: O'Dowd, Bianco, Nelson, Estrada

NOES: None

ABSENT: None

RECUSED: Powell

Motion Passed: 4-0-1

- D. Authorize the purchase of Wide Area Network Communications equipment, to upgrade and expand CVWD's existing wireless communication system in support of the SCADA Master Plan (SMP) Project, from Aviat Networks, Inc. using a National Association of State Procurement Officials (NASPO) purchasing agreement, in the amount of \$4,048,776, including a 10% contingency.

Following a presentation by Luis Maciel, Director of Information Systems, the Board discussed the purchase of Wide Area Network Communications equipment, to upgrade and expand CVWD's existing wireless communication.

On a motion by Director Nelson, second by Director Estrada, the Board approved the purchase of Wide Area Network Communications equipment, to upgrade and expand CVWD's existing wireless communication system in support of the SCADA Master Plan (SMP) Project, from Aviat Networks, Inc. using a National Association of State Procurement Officials (NASPO) purchasing agreement, in the amount of \$4,048,776, including a 10% contingency.

Approved by the following vote:

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

NOES: None

ABSENT: None

Motion Passed: 5-0

10. BOARD COMMENTS AND REPORTS

A. Board Member General Comments

- Director Nelson reported on ACWA news regarding a specially trained dog who was able to prevent a mussel-infested watercraft from launching in Lake Mendocino; mentioned IID Director Jim Hank's spouse Leticia had passed away; congratulated and wished the CVWD Board candidates good luck for their upcoming November election.;
- Director Powell reported he would be attending the August 15 Colorado River Board Meeting and reported he received a letter from Julie Bernstein of the Coachella Valley Housing Coalition regarding Proposition 1.
- Directors O'Dowd, Bianco, and Estrada had no report.

B. Meetings and Conference Reports

- i July 25, 2018 BIA Desert Region Salton Sea Luncheon (Directors Nelson and O'Dowd)
- ii July 25, 2018 Golf and Water Task Force Meeting (Director O'Dowd)
- iii July 26, 2018 Association of California Water Agencies (ACWA) Board of Directors' Workshop (Director O'Dowd)
- iv July 27, 2018 ACWA Executive Committee Meeting (Director O'Dowd)
- v July 27, 2018 ACWA Board of Directors Meeting (Director O'Dowd)
- vi August 1, 2018 to August 3, 2018 National Water Resources Association 2018 Western Water Seminar (Directors Nelson and O'Dowd)
- vii August 6, 2018 Conference call with Assistant General Manager Robert Cheng on Colorado River Board issues and Upper and Lower Basin DCP (Director Nelson)
- viii August 9, 2018 Desert Valleys Builders Association Board Meeting (Director Powell) ****did not attend**

- ix August 10, 2018 ACWA State Legislative Committee Meeting
(Director O'Dowd)

Additional Meetings Reported:

- July 27, 2018 ACWA Business Development Meeting (Director O'Dowd)
- August 7, 2018 Meeting with Katie Evans, Communication & Conservation Director to discuss the CVWD Overview of the District PowerPoint (Director Powell)
- August 7, 2018 Meeting with Rob Bernheimer regarding the Adams Street Crossover (Director Powell)

- C. Approval of per diem for meetings reported
On a motion by Director Nelson, second by Director Powell, 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

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11. STAFF REPORTS

- A. General Manager – Jim Barrett reported on upcoming meetings related to the Irrigation Rules & Regulations and Study Session scheduled for October 25; planned outage at Lateral 97.1 during the first week of September; possible membership in CalDesal as nonvoting member; Labor Negotiations will begin with discussions on the 9/11 board meeting; discussion with Indian Wells City officials regarding upcoming Iron Man event at Lake Cahuilla; and upcoming Legislative Committee meeting
- B. Counsel – Jeff Ferre, had no report
- C. Departments
- Communication & Conservation
 - Legislative Analyst, Kristen Johnson discussed SB 623 and need for Legislative Committee to meet and discuss the potential revisions.

12. CLOSED SESSION AGENDA

- A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code Section 54956.9
Two Cases

- B. **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**
Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code Section 54956.9
Receipt of Claim: Claimant - AAA/Steve Litwick

13. RECONVENE

- A. Report out of Closed Session
President Powell reconvened the meeting into Open Session and announced there were no reportable actions.

14. ADJOURNMENT

There being no further business to discuss, President Powell adjourned the meeting at 12:30 pm The next regular meeting is scheduled for Tuesday, September 11, 2018 in Palm Desert, California.



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



John P. Powell, President
Coachella Valley Water District

