



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

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

**September 12, 2017**

**1. CALL TO ORDER/PLEDGE OF ALLEGIANCE**

The special meeting of the Board of Directors of the Coachella Valley Water District was called to order by President John Powell at 5:00 p.m., Tuesday, September 12, 2017, at the office of the District in Palm Desert, California.

**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. CLOSED SESSION**

- A. CONFERENCE WITH LEGAL COUNSEL- ANTICIPATED LITIGATION  
Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code §54956.9, Receipt of Two Claims: (1) NPL Construction; (2) Didier Bloch
- 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. PUBLIC EMPLOYEE PERFORMANCE EVALUATION- Government Code §54957, Title: General Counsel

**OPEN SESSION – 6:00 PM**

**4. RECONVENE**

- A. Report out of Closed Session  
President Powell reconvened the meeting back to open session. Counsel Jeff Ferre reported the Board took no action on items 3B and 3C; and reported the following on item 3A:

On a motion by Director Nelson, seconded by Director O’Dowd, the Board approved payment of a claim submitted by NPL Construction in the amount of \$6993.02;

And relating to claim of Didier Bloch, on a motion by Director Nelson, seconded by Director Powell, the Board approved payment of a claim in the amount of \$9,291.33.

**5. 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

**6. PUBLIC COMMENT**

Given the floor by President Powell, the following members of the public provided comment: Diane Welch, Mark Johnson, Michael Castillo, Richard Gray, Duane Young, William McCulloch, Rebecca Zaragoza, and Jim Sherman.

**7. APPROVAL OF THE CONSENT CALENDAR**

Items 7E, 7G and 7H, were pulled for discussion.

On a motion by Director Estrada, seconded by Director O’Dowd, the Board approved the remainder of the Consent Calendar as presented.

Approved by the following vote:

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

**NOES:** None

**ABSENT:** None

**Motion Passed: 5-0**

- A. Approved Minutes of August 8, 2017 CVWD Board Meeting
- B. Accepted and File General Manager's Report of Authorizations, Executions, and Acceptances of Documents during the month of July 2017
- C. Accept and File General Manager's Report of Activities during the month of July 2017

- D. Accept and File Secretary's Record of Written Instruments Accepted and Recorded during the month of July 2017
- E. (pulled) Authorize General Manager to execute Professional Services Agreement with Hermann Design Group for the design of the Palm Desert Operations Demonstration Garden, Phase II, in the amount of \$25,960 and \$2,596 of additional expenditures, for a total request of \$28,556.
- F. Adopt revised Annual Review of Investment Policy.
- G. (pulled) Approve and authorize the name change of "Lake Cahuilla Regional Park" to "Lake Cahuilla Veterans Regional Park"
- H. (pulled) Authorize General Manager to execute Contract with ADURO, Inc., for enhancement and management of CVWD's Wellness Program, in the amount of \$198,330 (3-yr period) and approve additional expenditures of \$19,670, for a total request of \$218,000.
- I. Approve and Authorize General Manager to execute Change Order No. 8 to MWH Business Solutions for ongoing rate advisory services not to exceed \$20,000.
- J. Approve the 2018 Annual Medical Benefits Contracts for the period of January 1, 2018 through December 31, 2018

#### **8. DISCUSSION OF ITEMS PULLED FROM CONSENT CALENDAR**

- E. Authorize General Manager to execute Professional Services Agreement with Hermann Design Group for the design of the Palm Desert Operations Demonstration Garden, Phase II, in the amount of \$25,960 and \$2,596 of additional expenditures, for a total request of \$28,556.

Following discussion by the Board; staff was directed to return with total costs of project. No action taken by the Board

- G. Approve and authorize the name change of "Lake Cahuilla Regional Park" to "Lake Cahuilla Veterans Regional Park".

Following a presentation by Craig Parker, Director of Engineering, the Board discussed the name change of Lake Cahuilla Regional Park.

On a motion by Director Estrada, seconded by Director O'Dowd, the Board approved and authorized the name change of Lake Cahuilla Regional Park to Lake Cahuilla Veterans Regional Park.

Approved by the following vote:

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

**NOES:** Nelson

**ABSENT:** None

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

- H. Authorize General Manager to execute Contract with ADURO, Inc., for enhancement and management of CVWD’s Wellness Program, in the amount of \$198,330 (3-yr period) and approve additional expenditures of \$19,670, for a total request of \$218,000.

Following a presentation by Heidi Keeran, Director of Human Resources, the Board discussed the contract with ADURO, Inc., for enhancement and management of CVWD’s Wellness Program.

On a motion by Director Nelson, seconded by Director O’Dowd, the Board approved and authorized the General Manager to execute Contract with ADURO, Inc., for enhancement and management of CVWD’s Wellness Program, in the amount of \$198,330 (3-yr period) and approved additional expenditures of \$19,670, for a total request of \$218,000.

Approved by the following vote:

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

**NOES:** None

**ABSENT:** None

**Motion Passed: 5-0**

**9. INFORMATIONAL REPORTS**

- A. Written Communications – on file

**10. ACTION ITEMS**

- A. Authorize the General Manager to execute Memorandum of Agreement in the Implementation of Minute No. 323, the Interim Operating Agreement for Implementation of Minute No. 323 and the 2017 Lower Colorado River Basin Agreement for Binational Intentionally Created Surplus.

Following a presentation by Robert Cheng, Assistant General Manager, the Board discussed the Memorandum of Agreement in the Implementation of Minute No. 323.

On a motion by Director O’Dowd, seconded by Director Nelson, the Board approved and authorized the General Manager to execute Memorandum of Agreement in the Implementation of Minute No. 323, the Interim Operating Agreement for Implementation of Minute No. 323 and the 2017 Lower Colorado River Basin Agreement for Binational Intentionally Created Surplus.

Approved by the following vote:

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

**NOES:** None

**ABSENT:** None

**Motion Passed: 5-0**

- B. Authorize the General Manager to execute a construction contract with Cora Constructors, Inc. in the amount of \$1,225,247 for the construction of Well Pumping Plants for Well Nos. 4520-2 and 5620-2, Specification No. 2017-02 (Project). It is also recommended that the Board authorize \$449,753 in additional expenditures, for a total request of \$1,675,000.

Following a presentation by Dan Ruiz, Engineer Manager, the Board discussed a construction contract with Cora Constructors, Inc., for the construction of well pumping plants for Well Nos. 4520-2 and 5620-2, Specification No. 2017-02 (project).

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

- 1) Authorized Authorize the General Manager to execute a construction contract with Cora Constructors, Inc. in the amount of \$1,225,247 for the construction of Well Pumping Plants for Well Nos. 4520-2 and 5620-2, Specification No. 2017-02 (Project)
- 2) Authorize \$449,753 in additional expenditures, for a total request of \$1,675,000.

Approved by the following vote:

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

**NOES:** None

**ABSENT:** None

**Motion Passed: 5-0**

- C. Authorize a Professional Services Agreement with Black & Veatch for Asset Inventory and Related Services, Request for Proposal No. 2017-49 and authorize a task order to Superior for integration support services for the Computerized Maintenance Management System (CMMS), and authorize a contingency in the amount of \$123,320, for a total request of \$3,995,000.

Following a presentation by Dan Charlton, Director of Facilities and Maintenance, the Board discussed a Professional Services Agreement with Black & Veatch for Asset Inventory and Related Services, for RFP No. 2017-49.

On a motion by Director O'Dowd, seconded by Director Nelson, the Board approved and authorized the General Manager to execute a Professional Services Agreement with Black & Veatch for Asset Inventory and Related Services, Request for Proposal No. 2017-49 and authorize a task order to Superior for integration support services for the Computerized Maintenance Management System (CMMS), and authorize a contingency in the amount of \$123,320, for a total request

of \$3,995,000.

Approved by the following vote:

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

**NOES:** None

**ABSENT:** None

**Motion Passed: 5-0**

- D. Authorize the General Manager to execute Professional Services Agreements with the six top-ranked firms, including Hazen and Sawyer, Infrastructure Engineering Corporation, John Robinson Consulting Inc., Stantec Consulting Services Inc., T.R. Holliman & Associates, Woodard & Curran, for on-call Program Management Support Services for the period from September, 2017 through July 31, 2019, with option to extend agreement for one additional 2-year term.

Following a presentation by Craig Parker, Director of Engineering, the Board discussed professional service agreements with top six ranked engineering firms for on-call program management support services.

On a motion by Director O’Dowd, seconded by Director Estrada, the Board approved and authorized the General Manager to execute Professional Services Agreements with the six top-ranked firms, including Hazen and Sawyer, Infrastructure Engineering Corporation, John Robinson Consulting Inc., Stantec Consulting Services Inc., T.R. Holliman & Associates, Woodard & Curran, for on-call Program Management Support Services for the period from September, 2017 through July 31, 2019, with option to extend agreement for one additional 2-year term.

Approved by the following vote:

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

**NOES:** None

**ABSENT:** None

**Motion Passed: 5-0**

**11. ORDINANCES FOR ADOPTION**

- A. Amendments to Regional Stormwater Policy and Adoption of Ordinance 1234.2.

Following a presentation by David Wilson, Engineer Manager, President Powell opened the floor for public comment on proposed ordinance; Tom Noble and Michael Sutton, Consultant with Mike Baker International, LLC, on behalf of the La Entrada project, provided comments on the proposed amendments.

On a motion by Director Nelson, seconded by Director O'Dowd, the Board approved amendments to the Regional Stormwater Policy and adopted Ordinance No. 1234.2, An Ordinance implement the 100-year Storm / 100-year Flood design standard with additional freeboard (100-Year Plus design standard) to existing and any future CVWD regional Stormwater facilities.

Approved by a 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

- Directors Nelson and Bianco had no reports.
- Director O'Dowd reported on the ceremony for the naming of the new County Jail after the later Supervisor John Benoit.
- Director Estrada reported on the public comments relating to holding additional evening board meetings; and thanked Rebecca Zaragosa for attending; and reported positive feedback from interviews with the NPR reporter.
- President Powell commented on his interest in holding a state of the District for next year.

### B. Meetings and Conference Reports

- i August 7, 2017 to August 10, 2017 National Water Resources Association 2017 Western Water Seminar (Director O'Dowd)
- ii August 9, 2017 Colorado River Board Meeting (Director Nelson)
- iii August 9, 2017 CVWD and Desert Recreation District meeting regarding Water Needs at Park Locations (Directors Powell and Estrada)
- iv August 10, 2017 Desert Valleys Builders Association Board Meeting (Director Powell)
- v August 11, 2017 Meeting with CVWD customer regarding irrigation water (Director Estrada)
- vi August 14, 2017 Environmental Justice Roundtable Meeting (Director Estrada)
- vii August 14, 2017 Conference Call with Lobbyist Chris Kahn (Director O'Dowd)
- viii August 14, 2017 100 Year Anniversary Planning Committee Meeting (Director Powell)
- ix August 15, 2017 Disadvantaged Communities Infrastructure Committee Meeting (Directors Powell and Estrada)

- x August 15, 2017 Bureau of Reclamation Webinar: Brief the Basin States and Mexico on the results of the August 2017 24-Month Study (Director Nelson)
- xi August 16, 2017 CV Water Counts meeting with Assemblyman Eduardo Garcia (Director O'Dowd)
- xii August 16, 2017 to August 18, 2017 Urban Water Institute's 24th Annual Water Conference (Director Nelson)
- xiii August 21, 2017 Transfer of Support for the Disadvantaged Community Infrastructure Committee (Directors Powell and Estrada)
- xiv August 23, 2017 Meeting with Diane Carmony, Communications Specialist regarding 100 year CVWD History (Director Powell)
- xv August 24, 2017 to August 25, 2017 Second Annual California Water Data Summit (Director O'Dowd reported he did not attend the 2<sup>nd</sup> day)
- xvi August 25, 2017 Association of California Water Agencies State Legislative Committee Meeting (Director O'Dowd)
- xvii August 25, 2017 Conference Call with Chris Kahn regarding SB 623 (Directors Powell and Estrada)
- xviii August 28, 2017 California Farm Water Coalition Board Meeting (Director Nelson did not attend)
- xix August 28, 2017 Meeting between Director Estrada and Special Counsel Steve Abbott
- xx August 28, 2017 to September 1, 2017 Colorado River Authority Upper Basin Drought Contingency Plan Tour (Directors Powell and Nelson)
- xxi August 29, 2017 Association of California Water Agencies Chair/Vice Chair Webinar (Director O'Dowd)
- xxii August 29, 2017 Conference Call with Assemblymember Eduardo Garcia regarding Greenhouse Gas Reduction Fund and the Regional Focus Group (Director Estrada)
- xxiii August 30, 2017 Municipal Water District of Orange County Water Policy Forum and Dinner (Director O'Dowd)
- xxiv August 31, 2017 Meeting with Governor Brown, Assemblymember Garcia and various agencies (Director Estrada)
- xxv September 5, 2017 CVWD/City of Palm Desert Triannual Meeting (Directors Powell and Bianco)
- xxvi September 6, 2017 California Special Districts Association Workshop - Understanding the Brown Act (Director Nelson)
- xxvii September 11, 2017 Meeting on Colorado River Supply and Irrigation System History (Director Powell)
- xxviii September 11, 2017 100-Year Anniversary Planning Committee Meeting (Director Powell)

**Additional Meetings Reported:**



- September 8, 2017 ACWA Business Committee Conference Call (Director O'Dowd)
- September 11, 2017 ACWA Emergency Conference Call regarding legislative bill 623 (Director O'Dowd)

C. Approval of per diem for meetings reported

Motion by Director O'Dowd seconded by Director Powell, 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

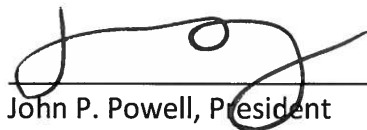
None reported.

**13. STAFF REPORTS**

- A. General Manager, Jim Barrett, reported on ACWA webinar; and the Agricultural Committee meeting; also reported he would be attending the 2x2 meeting with Cathedral City.
- B. Counsel, Jeff Ferre, reported as requested by the Board, and as general information, legal counsel reviewed the general requirements for avoiding conflicts of interest in regard to the ownership of property.
- C. Departments –  
Communication Director, Heather Engel

**14. ADJOURNMENT**

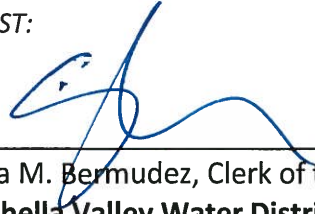
There being no further business before the Board of Directors, at this time, President Powell adjourned the meeting at 9:45 PM.



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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**

