

DIVISION 1
Patrick O'Dowd
Director



CVWD's Coachella Office
Forbes Auditorium

DIVISION 2
Anthony Bianco
Director

DIVISION 3
John Powell
President

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

51501 Tyler Street
Coachella

DIVISION 4
Peter G. Nelson
Director

www.cvwd.org

DIVISION 5
Castulo Estrada
Vice President

September 25, 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, September 25, 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
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 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 Powell pulled item 5F for discussion.

On a motion by Director Powell, second by Director O'Dowd the Board approved the Consent Calendar, with the exception of item 5F.

- A. Approved Minutes of the September 11, 2018 Coachella Valley Water District Board of Directors Meeting
- B. Accepted and Filed the General Manager's Report of Activities during the month of August 2018
- C. Accepted and Filed the General Manager's Report of Authorizations, Executions, and Acceptances of Documents during the month of August 2018.
- D. Accepted and Filed the Secretary's Record of Written Instruments Accepted and Recorded during the month of August 2018
- E. Approved the 2019 Annual Medical Benefits Contracts for the period January 1, 2019 through December 31, 2019.
- F. **(PULLED FOR DISCUSSION)** Approve and authorize the General Manager to execute a Nonpotable Water Agreement Update for Bermuda Dunes Country Club
- G. Approved and authorized the General Manager to execute a Non-Potable Water Installation Agreement for the Rancho La Quinta Golf Course Connection Project, Specification No. 2017-59
- H. Approved and authorized the General Manager to execute two (2) joint funding agreements with the U.S. Geological Survey (USGS) in the combined amount of \$138,590 for continuing cooperative water resources investigations for Water Year 2018-2019
- I. Authorized the Purchase of 4 Vehicles and Equipment in the amount of \$440,070 and the disposal of up to 15 Fleet Units through Public Auction.
- J. Approved Internship Program Policy Update
- K. Approved and authorized the General Manager to Execute a Memorandum of Understanding with Sun City Palm Desert Community Association for the Proposed Domestic Water Pipeline Replacement Program

6. DISCUSSION OF ITEMS PULLED FROM CONSENT CALENDAR

5. F. Approve and authorize the General Manager to execute a Nonpotable Water Agreement Update for Bermuda Dunes Country Club.

Following a presentation by Armando Rodriguez, Assistant Director of Engineering, the Board discussed the nonpotable agreement with Bermuda Dunes Country Club.

On a motion by Director Nelson, second by Director Powell, the Board approved and authorized the General Manager to execute a Nonpotable Water Agreement Update for Bermuda Dunes Country Club.

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. American Heart Association - 2018 Workplace Achievement-Silver
Danielle Grout with the Coachella Valley American Heart Association, presented the Workplace Achievement Silver Award
- B. Employee Recognition
 - Salvador Montalvo, Automotive Technician II, 20 years

8. INFORMATIONAL REPORTS

- A. Written Communications – none
- B. Informational Reports to the Board
 - i Asset Management Update, presentation by Dan Charlton, Director of Facilities & Maintenance.

9. ACTION ITEMS

- A. Authorize General Manager to Approve Use of Additional Lake Cahuilla Event Safety Equipment.

Following a presentation by Steve Bigley, Director of Environmental Services, the Board discussed the use of additional Lake Cahuilla event safety equipment.

Given the floor by President Powell, Wade McKinney with the City of Indian Wells spoke in favor of the agreement between CVWD and the cities of Indian Wells and La Quinta.

On a motion by Director Nelson, second by Director Bianco, the Board approved the use and storage of new event safety equipment identified in *Attachment A* for the swim portion of the IRONMAN 70.3 Indian Wells/ La Quinta triathlon (Event) in December 2018.

Approved by the following vote:

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

NOES: None

ABSENT: None

Motion Passed: 5-0

- B. Award Construction Contract to Weka, Inc., as the lowest responsive bidder, in the amount of \$426,898 for the Rancho La Quinta Golf Course Connection Project, Specification No. 2017-59, and additional expenditures for a total request of \$551,870.

Following a presentation by David Wilson, Engineering Manager, the Board discussed a construction contract for the Rancho La Quinta Golf Course Connection Project, Specification No. 2017-59.

On a motion by Director Nelson, second by Director O'Dowd, the Board approved the following actions:

- Awarded construction contract to Weka, Inc., as the lowest responsive bidder, in the amount of \$426,898 for the Rancho La Quinta Golf Course Connection project, Specification No. 2017-59
- Approved and authorized the General Manager to execute Task Order No. 20, with Krieger & Stewart Inc., in the amount of \$39,000 to provide engineering services during construction as the Engineer of Record; and Task Order No. 48 with RMA Geoscience to provide geotechnical services during construction in the amount of \$5,972
- Approved the following additional expenditures for a total The total cost of this request is \$551,870:
 - CVWD Project Management and Engineering - \$15,000
 - CVWD Inspection - \$25,000
 - Contingency - \$40,000

Approved by the following vote:

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

NOES: None

ABSENT: None

Motion Passed: 5-0

- C. Award Construction Contract to J&J Brothers Construction Company dba Jones Bros Construction Company, as the lowest responsive bidder, in the amount of \$1,962,416 for the Irrigation Lateral 99.8-0.51 Improvement Project-Phase III, Specification No. 2018-61, and additional expenditures for a total request of \$2,367,251.

Prior to discussion of this item, Director Powell announced that out of abundance of caution, and to avoid even the appearance of a conflict of interest, he would be recusing himself from participation in this matter due to the fact that he has an ownership interest in property located in the general area of this project, although the distance of the property from the project would not trigger a mandatory recusal under the conflict of interest laws. Director Powell then left the dais and the board room during consideration of this matter.

Following a presentation by David Wilson, Engineering Manager, the Board discussed a construction contract for the Irrigation Lateral 99.8-0.51 Improvement Project-Phase III, Specification No. 2018-61.

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

- Awarded a construction contract to J&J Brothers Construction Company dba Jones Bros Construction Company, as the lowest responsive bidder, for the Irrigation Lateral 99.8-0.51 Improvement Project – Phase III, Specification No. 2018-61, in the amount of \$1,962,416
- Approved and authorized the General Manager to execute a Professional Services Agreement with GEI consultants in the amount of \$99,601 to provide engineering services during construction as the Engineer of Record
- Approved and authorized the General Manager to execute Task Order No. 49 with RMA Geoscience to provide geotechnical services during construction in the amount of \$15,234
- Approved the following additional expenditures for a total cost of this request is \$ 2,367,251
 - CVWD Project Management and Engineering - \$15,000
 - CVWD Inspection - \$25,000
 - Contingency - \$250,000

Approved by the following vote:

AYES: O’Dowd, Bianco, Nelson, Estrada

NOES: None

RECUSED: Powell

Motion Passed: 4-0

10. BOARD COMMENTS AND REPORTS

A. Board Member General Comments

Directors Nelson, O’Dowd, Estrada, and Powell had no report.

Director Bianco – asked staff to look into adding “No Swimming” or “Swimming Prohibited” signage at Whitewater.

B. Meetings and Conference Reports

- i September 10, 2018 Association of California Water Agencies Infrastructure and Agriculture Subcommittee Conference Call (Director O’Dowd)
- ii September 13, 2018 Association of California Water Agencies (ACWA) Federal Affairs Committee Meeting (Director O’Dowd)
- iii September 13, 2018 2019 Colorado River Annual Operating Plan 3rd Consultation Meeting (Director Nelson via webinar)
- iv September 17, 2018 Imperial Dam Advisory Board Meeting (Director Bianco)

- v September 17, 2018 Lower Basin Principals Meeting (Director Nelson)
- vi September 17, 2018 City of Indian Wells/CVWD Triannual Meeting (Director Powell)
- vii September 18, 2018 Basin States Principals Meeting (Director Nelson)
- viii September 18, 2018 Disadvantaged Communities Infrastructure Task Force Meeting (Directors Powell and Estrada)
- ix September 18, 2018 Rancho Mirage Chamber of Commerce Joint Mixer (Director O'Dowd)
- x September 19, 2018 Desert Valleys Builders Association Public Works Group Luncheon (Director O'Dowd)
- xi ~~meeting removed~~
- xii September 20, 2018 Water Education Foundation 35th Annual Water Summit (Director O'Dowd)
- xiii September 20, 2018 Salton Sea Authority Board of Directors Meeting (Director Estrada)
- xiv September 20, 2018 Desert Valleys Builders Association Board of Directors Meeting (Director Powell) ****did not attend**
- xv September 24, 2018 Public Finance Committee Meeting (Directors Powell and Nelson)

Additional meetings added:

- September 12, 2018 Agricultural Water Advisory Group (AWAG) (Director Powell)
- September 24, 2018 Meeting to discuss CVWD Irrigation Connection for the 29 Palms Band of Mission Indians

- C. Approval of per diem for meetings reported
On a motion by Director O'Dowd, second by Director Nelson, the Board approved per diem for meetings reported, with the exception of 10B xi.

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
No reports; staff will inquire if all Oversight Board responsibilities have been transferred to the County of Riverside and will report back.

11. STAFF REPORTS

- A. General Manager – Jim Barrett, reported he would be attending the CSDA conference this week in Indian Wells; also noted registration to

the event was still open should the Board members be interested in attending.

- B. Counsel – Jeff Ferre, reported on a recent court case which confirmed the authority of agencies to establish rules for conducting public comment portions of meetings.
- C. Departments

12. CLOSED SESSION AGENDA

- A. CONFERENCE WITH LABOR NEGOTIATORS
Pursuant to Government Code Section 54957.6
Agency negotiator: Jay Trinnaman, Robert Cheng and Fran Neilon
Employees' organization: Association of Coachella Valley Water District Managers (ACVWDM)
- B. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code Section 54956.9
One Case

13. RECONVENE

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

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

Pursuant to the previous procedures, which were implemented for the requalification of a Director to participate in consideration of this matter, Directors Nelson and Bianco recused themselves from discussions relating to item no. 14 and Director Powell participated as the re-qualified Director.

14. Initial discussions and rescoping of the Oasis Area Irrigation System Expansion Project.


Following a presentation by General Manager, Jim Barrett, the Board discussed the rescoping of the Oasis Area Irrigation System Expansion project and provided direction to Staff as to additional matters to be reviewed and brought back to the Board.

15. ADJOURNMENT

There being no further business to discuss, President Powell adjourned the Regular Meeting of the Coachella Valley Water District at 11:03 am. The next regular meeting is scheduled for Tuesday, October 9, 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