

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

January 09, 2018

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, January 9, 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, General Counsel
Maricela Cabral, Board Administrative Assistant II

3. ADDITIONS/DELETIONS/ADJUSTMENTS TO THE AGENDA

- A. No Item(s) removed or continued from the Agenda
- B. No emergency Item(s) 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

Items 5E, 5G, 5H and 5I were pulled for discussion.

On a motion by Director O'Dowd, seconded by Director Estrada, the Board approved the Consent Calendar, excluding the items pulled for discussion.

Approved by the following vote:

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

NOES: None

ABSENT: None

Motion Passed: 5-0

- A. Approved Minutes of December 12, 2017 Regular Meeting of the Coachella Valley Water District Board of Directors
- B. Accepted and filed the General Manager's Report of Activities during the month of November 2017
- C. Accepted and filed the General Manager's Report of Authorization, Executions, and Acceptances of Documents during the month of November 2017
- D. Accepted and filed the Secretary's Report of Written Instruments Accepted and Recorded during the month of November 2017
- E. (pulled) Approve and Authorize the purchase of 67 desktop computers, in the amount of \$85,000.
- F. Approved and Authorized the General Manager to Execute Task Order No. 2 to PSA with Keenan and Associates for Benefits Bridge, in the amount of \$16,200
- G. (pulled) Approve and Authorize the General Manager to Execute the First Amendment to the Nonpotable Water Agreement for Mountain View Falls Homeowners Association
- H. (pulled) Approve and Authorize the General Manager to Execute the First Amendment to the Nonpotable Water Agreement for Palm Desert Country Club
- I. (pulled) Approve and Authorize the General Manager to Execute the Second Amendment to the Nonpotable Water Agreement for Desert Horizons Country Club
- J. Approved Additional Funds for Security Services with Southwest Protective Services

6. DISCUSSION OF ITEMS PULLED FROM CONSENT CALENDAR

5E. Approve and Authorize the purchase of 67 desktop computers, in the amount of \$85,000.

Following a presentation by Luis Maciel, Director of Information Systems, the board discussed the replacement of the desktop computers.

On a motion by Director Nelson, seconded by Director O'Dowd, the Board approved and authorized the purchase of 67 desktop computers in the amount of \$85,000.

Approved by the following vote:

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

NOES: None

ABSENT: None

Motion Passed: 5-0

5G. Approve and Authorize the General Manager to Execute the First Amendment to the Nonpotable Water Agreement for Mountain View Falls Homeowners Association

Following a presentation by Olivia Bennett, Non-Potable Ops Water Manager, which clarified the amendments were associated to the recent rate change that was previously adopted by resolution.

On a motion by Director Nelson, seconded by Director O'Dowd, the Board approved and authorized the General Manager to execute the First Amendment to the Nonpotable Water Agreement for Mountain View Falls Homeowners Association.

Approved by the following vote:

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

NOES: None

ABSENT: None

Motion Passed: 5-0

5H. Approve and Authorize the General Manager to Execute the First Amendment to the Nonpotable Water Agreement for Palm Desert Country Club

On a motion by Director Nelson, seconded by Director O'Dowd, the Board approved and authorized the General Manager to execute the First Amendment to the Nonpotable Water Agreement for Palm Desert Country Club.

Approved by the following vote:

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

NOES: None

ABSENT: None

Motion Passed: 5-0

5I. Approve and Authorize the General Manager to Execute the Second Amendment to the Nonpotable Water Agreement for Desert Horizons Country Club

On a motion by Director Nelson, seconded by Director O'Dowd, the Board approved and authorized the General Manager to execute the Second Amendment to the Nonpotable Water Agreement for Desert Horizons Country Club.

Approved by the following vote:

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

NOES: None

ABSENT: None

Motion Passed: 5-0

7. PRESENTATIONS AND RECOGNITIONS

A. 100 Year Acknowledgements

i. Comments from Board President

Board President Powell acknowledged the Coachella Valley pioneers

who established the district and the successive dedicated work throughout the years by district leaders, board members, employees and citizens of the valley. To mark the occasion President Powell and Vice President Estrada unveiled an enhanced CVWD logo commemorating its 100 year anniversary.

- ii Presentation from DWA
Desert Water Agency Board President Jim Cioffi and Outreach & Conservation Manager Ashley Metzger presented a proclamation highlighting the district's accomplishments and long history of partnership and collaboration between CVWD and DWA.

B. Employee Recognitions

Longevity

Tina Merrill, Purchasing Technician I, 20 years

8. INFORMATIONAL REPORTS

- A. Written Communications – None received
- B. Informational Reports to the Board
 - i Presentation of the Fiscal Year 2017 Comprehensive Annual Financial Report

9. ACTION ITEMS

- A. Approve and Authorize the General Manager to Execute the Nonpotable Water Agreement for Palm Desert Resort Country Club.

Following a presentation by Olivia Bennett, Non-Potable Ops Water Manager, the Board discussed the nonpotable water agreement for the Palm Desert Resort Country Club.

On a motion by Director Nelson, seconded by Director Bianco, the Board approved and authorized the General Manager to execute the nonpotable agreement for the Palm Desert Resort Country Club.

Approved by the following vote:

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

NOES: None

ABSENT: None

Motion Passed: 5-0

- B. Award a Contract for On-Call Grant Administration Services to Dudek, RMC Woodard & Curran, and Engineering Solutions Services.

Following a presentation by Teri Vorster, Financial Analyst, the Board discussed the on-call grant administration services contract.

On a motion by Director O'Dowd, seconded by Director Nelson, the Board approved and authorized the General Manager to execute a contract for on-call grant administration services to Dudek, RMC Woodard & Curran, and Engineering Solutions Services.

Approved by the following vote:

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

NOES: None

ABSENT: None

Motion Passed: 5-0

C. Approve Professional Services Agreement for Property and Casualty Insurance Broker Services.

Following a presentation by Elizabeth Tan, Risk Manager the Board discussed a professional services agreement for property and casualty insurance broker services.

On a motion by Director Bianco, seconded by Director Nelson, the Board approved and authorized the General Manager to execute a professional services agreement with Arthur J. Gallagher & Company for property and casualty insurance broker services.

Approved by the following vote:

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

NOES: None

ABSENT: None

Motion Passed: 5-0

D. Request Certification of the Palm Desert Groundwater Replenishment Project Final Environmental Impact Report, Adoption of the Mitigation Monitoring & Reporting Program, Findings, and Statement of Overriding Considerations, and Filing of the Notice of Determination.

Following a presentation by Steve Bigley, Director of Environmental Services, the Board discussed the recommendation to certify the Palm Desert Groundwater Replenishment Project Final Environmental Impact Report; Adopt the Mitigation Monitoring & Reporting Program; Adopt the Findings; Adopt the Statement of Overriding Considerations, and authorize the filing of the Notice of Determination.

On a motion by Director Nelson, seconded by Director O'Dowd, the Board took action to certify the Palm Desert Groundwater Replenishment Project Final Environmental Impact Report; Adopt the Mitigation Monitoring & Reporting Program; Adopt the Findings; Adopt the Statement of Overriding Considerations; and authorize the filing of the Notice of Determination.

Approved by the following vote:

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

NOES: None

ABSENT: None

Motion Passed: 5-0

E. Award Professional Services Agreements for On-Call Biennial Engineering Services.

Following a presentation by Dan Ruiz, Engineer Manager the Board discussed the on-call biennial engineering services agreements.

On a motion by Director O'Dowd, seconded by Director Nelson, the Board approved and authorized the General Manager to execute Professional Services Agreements for On-Call Biennial Engineering Services with the list of firms as recommended by Staff.

Approved by the following vote:

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

NOES: None

ABSENT: None

Motion Passed: 5-0

F. Award Professional Services Agreement with Dokken Engineering for the Design of the Avenue 66 Grade Separation Domestic Water Transmission Main and Lincoln Channel Culvert Project.

Following a presentation by Dan Ruiz, Engineer Manager, the Board discussed a professional services agreement for the design of the Avenue 66 Grade Separation Domestic Water Transmission Main and Lincoln Channel Culvert Project.

On a motion by Director Bianco, seconded by Director Estrada, the Board approved an award of a Professional Services Agreement with Dokken Engineering for the Design of the Avenue 66 Grade Separation Domestic Water Transmission Main and Lincoln Channel Culvert Project.

Approved by the following vote:

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

NOES: None

ABSENT: None

Motion Passed: 5-0

G. Award Construction Contract with Desert Concepts Construction, Inc. for the Gas Chlorine System Replacement, Specification No. 2014-64.

Following a presentation by Dan Ruiz, Engineer Manager, the Board discussed awarding a construction contract for the Gas Chlorine System Replacement.

On a motion by Director Nelson, seconded by Director Bianco, the Board approved the award of a Construction Contract with Desert Concepts Construction, Inc., for the Gas Chlorine System Replacement, Specification No. 20104-64.

Approved by the following vote:

AYES: Powell, Bianco, O'Dowd, Nelson

NOES: None

ABSENT: Estrada (absent from dais)

Motion Passed: 4-0-1

- H. Award Construction Contract with Desert Concepts Construction, Inc., for the Rehabilitation of Reservoir Nos. 5643-1 and 5643-2 Project, Specification No. 2017-8.

Following a presentation by Dan Ruiz, Engineer Manager, the Board discussed awarding a construction contract for the project for rehabilitation of reservoir nos. 5643-1 and 5643-2.

On a motion by Director Nelson, seconded by Director Estrada, the Board approved the award of a Construction Contract with Desert Concepts Construction, Inc., for the Rehabilitation of Reservoir Nos. 5643-1 and 5643-2 Project.

Approved by the following vote:

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

NOES: None

ABSENT: None

Motion Passed: 5-0

- I. Discussion on California Colorado River Board Rules and Regulations.

The Board discussed the new language that was introduced in the California Colorado River Board Rules and Regulations and provided a consensus to the Board representative to the Colorado River Board, Director Peter Nelson, that the draft changes would be acceptable.

- J. Discussion on existing suspension of Replenishment Assessment Charge (RAC) extension for the month of January during canal panel replacement construction period.

Following a presentation by Jim Barrett, General Manager, the Board discussed the December suspension of the Replenishment Assessment Charge (RAC) and possible extension for the month of January during the canal panel replacement construction period.

On a motion by Director Nelson, seconded by Director Estrada, the Board made the determination to not extend the suspension for the month of January and as a result, the RAC Charges imposed for the East and West return to normal billing operations as of the month of January.

Approved by the following vote:

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

NOES: None

ABSENT: None

Motion Passed: 5-0

10. BOARD COMMENTS AND REPORTS**A. Board Member General Comments**

- Director Nelson congratulated the District on its 100 year anniversary and expressed appreciation for the employees, some who have worked for over 30 years.
- O'Dowd, Bianco and Estrada expressed their congratulations to the district on its 100 year anniversary.
- Director Powell expressed his congratulations and stated he was excited for the recharge project.
- Director Estrada inquired on the wastewater petition. General Manager Barrett said it was too early to have a discussion.

B. Meetings and Conference Reports

- i December 13, 2017 to December 15, 2017 Colorado River Water Users Association Annual Conference (Entire Board)
- ii December 13, 2017 Colorado River Board Meeting (Director Nelson)
- iii December 18, 2017 Meet and Greet Event introducing Dr. Edwin Gomez, CVUSD Superintendent (Director Estrada)
- iv December 19, 2017 Grants Oversight Committee Meeting (Director Estrada) **** did not attend**
- v December 19, 2017 Assemblymember Eduardo Garcia's Legislative Update & Holiday Open House (Director Estrada)
- vi December 20, 2017 Colorado River Board Conference Call (Director Nelson)
- vii December 20, 2017 Association of California Water Agencies (ACWA) Repair Act Conference Call (Director O'Dowd)
- viii January 3, 2018 to January 5, 2018 National Water Resources Association 2018 Leadership Forum (Director O'Dowd)
- ix January 3, 2018 ACWA Teleconference Meeting (Director O'Dowd)
- x January 4, 2018 Legislative Committee Meeting (Directors Bianco and Estrada)
- xi January 4-5, 2018 REPAIR Act Conference Call (Director O'Dowd)

C. Approval of per diem for meetings reported

On a motion by Director Bianco, seconded by Director O'Dowd, 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

No reports.

11. STAFF REPORTS

- A. General Manager Barrett stated he is honored to be part of the districts anniversary as General Manager and thanked staff for their continuous hard work.
- B. Counsel Ferre reported on SB 45 which further limits mass mailings by public agencies in order to prevent the featuring of elected officials.
- C. Departments – none.

12. CLOSED SESSION AGENDA

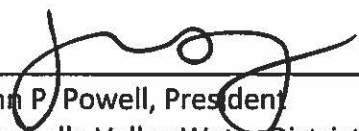
- A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Government Code Section 54956.9 (2) (d) Receipt of Claim – Bankers Standard Insurance as Subrogor of Mary McCallister Morton
- B. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Government Code 54956.9 (d) (1), Andrade, et al. v. Coachella Valley Water District, Imperial County Superior Court Case No. ECU 08499

13. RECONVENE

- A. Report out of Closed Session
President Powell convened the meeting back into open session and announced there were no reportable actions.

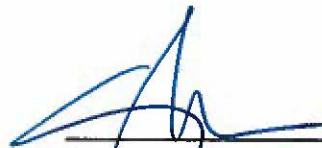
14. ADJOURNMENT

There being no further business before the Board, President Powell adjourned the meeting at 10:22AM. The next regular meeting of the Coachella Valley Board of Directors is scheduled for Tuesday, January 23, 2018, in the Coachella location.



John P. Powell, President
Coachella Valley Water District

ATTEST:



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

