



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**

October 9, 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 a.m., Tuesday, October 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, Counsel
Sylvia Bermudez, Clerk of the Board

3. ADDITIONS/DELETIONS/ADJUSTMENTS TO THE AGENDA

- A. Item #8B was removed from the Agenda
- B. Emergency Items. Prior to discussion of this item, Director Bianco announced that due to a financial interest in a business and/or real property that was impacted by the recent "micro burst storm," he would be recusing himself from participation in any decision making process that the District may be undertaking in regard to this matter. Director Bianco was advised by legal counsel that the item, which will

potentially be added to the agenda, is in connection with the storm. Director Bianco then left the dais and the Board room during consideration of this item.

Counsel Jeff Ferre reported that it is recommended that the following item be added to the agenda as item 8C, pursuant to Government Code Section 54954.2 (b)(1), based on the fact that an emergency does exist as defined by the Government Code, since the impacts of the storm could impair health or safety. Under Government Code Section 54956.5(a)(1), it is recommended that the item be added based on a majority vote of the Board

General Manager Jim Barrett reported that due to the last weekend's storm, there was approximately 3 inches of rain in a two-hour period in a 255 square mile area, which produced a great deal of sediment and mudflow from the mountains towards the canal. This left a significant amount of buildup behind the berm. Concerns have been raised due to the sediment building and potential for rain in the near future, that additional storm flows could crest the berm and threaten the canal.

Pursuant to Government Code Section 54954.2, the Board determined the need to add the following emergency item to the agenda:

- 1) Ratify the General Manager's emergency declaration: and ratification of emergency/sole source contract for the east side dike emergency sediment removal project with Granite Construction;
- 2) Approve continuation of the emergency declaration

On a motion by Director Nelson, second by Director O'Dowd, the Board voted to add the above-mentioned item to the agenda as an emergency item.

Approved by the following vote:

AYES: Powell, O'Dowd, Nelson

NOES: None

RECUSED: Bianco

ABSENT: Estrada

Motion Passed: 3-0

- C. Changes to the order of the Agenda; emergency item will be discussed as item 8C.

4. PUBLIC COMMENT

No public comment received.

5. APPROVAL OF THE CONSENT CALENDAR

Items 5b, 5c, and 5e, were pulled 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: Powell, Bianco, O’Dowd, Nelson

NOES: None

ABSENT: Estrada

Motion Passed: 4-0

- A. Approved Minutes of the September 25, 2018 Coachella Valley Water District Board of Directors Meeting.
- B. **(PULLED)** Approve and authorize the General Manager to execute Professional Service Agreements with MWH Constructors and Wallace & Associates Consulting to provide on-call biennial construction inspection services for the period October 15, 2018 to October 15, 2020.
- C. **(PULLED)** Approve and authorize the General Manager to execute a Professional Services Agreement with Cost Control Associates, Inc., in the amount of \$40,248 for Electrical Utility Bill Processing, Payment, and Data Management Services, and additional expenditures for a total request of \$90,496.
- D. Approved and authorized the General Manager to execute a Professional Services Agreement with Epic Land Solutions, Inc., in the amount of \$152,165 to provide Right-of-Way Acquisition Services for the Whitewater River Stormwater Channel Flood Easement Project, and additional expenditures for a total request of \$157,165.
- E. **(PULLED)** Approve and authorize the General Manager to execute Task Order No. 6 to the Biennial Professional Services Agreement with Albert A. Webb Associates, in the amount of \$208,616 for the Sun City Water Main Replacement Project - Phase 1, and additional expenditures for a total request of \$285,000.

6. DISCUSSION OF ITEMS PULLED FROM CONSENT CALENDAR

- 5.B. Approve and authorize the General Manager to execute Professional Service Agreements with MWH Constructors and Wallace & Associates Consulting to provide on-call biennial construction inspection services for the period October 15, 2018 to October 15, 2020.

Following a presentation by Carrie Oliphant, Assistant Director of Engineering, the Board discussed the Professional Service Agreements with MWH Constructors and Wallace & Associates Consulting.

On a motion by Director Powell, second by Director Nelson, the Board approved authorized the General Manager to execute Professional Service Agreements with MWH Constructors and Wallace & Associates Consulting to

provide on-call biennial construction inspection services for the period October 15, 2018 to October 15, 2020.

Approved by the following vote:

AYES: Powell, Bianco, O’Dowd, Nelson

NOES: None

ABSENT: Estrada

Motion Passed: 4-0

5. C. Approve and authorize the General Manager to execute a Professional Services Agreement with Cost Control Associates, Inc., in the amount of \$40,248 for Electrical Utility Bill Processing, Payment, and Data Management Services, and additional expenditures for a total request of \$90,496.

Following a presentation by Armando Rodriguez, Assistant Director of Engineering, the Board discussed a Professional Services Agreement with Cost Control Associates, Inc.

On a motion by Director Bianco, second by Director Nelson, the Board approved and authorized the General Manager to execute a Professional Services Agreement with Cost Control Associates, Inc., in the amount of \$40,248 for Electrical Utility Bill Processing, Payment, and Data Management Services, and additional expenditures for a total request of \$90,496.

Approved by the following vote:

AYES: Powell, Bianco, O’Dowd, Nelson

NOES: None

ABSENT: Estrada

Motion Passed: 4-0

5. E. Approve and authorize the General Manager to execute Task Order No. 6 to the Biennial Professional Services Agreement with Albert A. Webb Associates, in the amount of \$208,616 for the Sun City Water Main Replacement Project - Phase 1, and additional expenditures for a total request of \$285,000.

Following a presentation by Dan Ruiz, Engineer Manager, the Board discussed Task Order No. 6 to the Biennial Professional Services Agreement with Albert A. Webb Associates.

On a motion by Director Powell, second by Director O’Dowd, the Board approved and authorized the General Manager to execute Task Order No. 6 to the Biennial Professional Services Agreement with Albert A. Webb Associates, in the amount of \$208,616 for the Sun City Water Main Replacement Project - Phase 1, and additional expenditures for a total request of \$285,000.

Approved by the following vote:

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

NOES: None

ABSENT: None

Motion Passed: 5-0

7. INFORMATIONAL REPORTS

- A. Written Communications- none
- B. Informational Reports to the Board
 - i Olivia Bennett, Nonpotable Operations Water Manager, presented the Quarterly Nonpotable Water Update.
 - ii Robert Cheng, Assistant General Manager, presented the Department of Water Resources Agreement in Principle for the State Water Project Water Supply Contract Amendment for Water Management and California Waterfix.
 - iii Robert Cheng, Assistant General Manager, presented an update on Colorado River Basin Drought Contingency Planning.

8. ACTION ITEMS

- A. Authorize General Manager to execute a Purchase and Sale Agreement and Joint Escrow Instructions with Stetson Hills, LLC for the North Indio Flood Control Project (SW0005), along with additional expenditures for a total request of \$462,000.

Following a presentation by David Wilson, Engineering Manager, the Board discussed a Purchase and Sale Agreement and Joint Escrow Instructions with Stetson Hills, LLC for the North Indio Flood Control Project (SW0005).

On a motion by Director O’Dowd, second by Director Bianco, the Board approved and authorized the General Manager to execute a Purchase and Sale Agreement and Joint Escrow Instructions with Stetson Hills, LLC for the North Indio Flood Control Project (SW0005), along with additional expenditures for a total request of \$462,000.

Approved by the following vote:

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

NOES: None

ABSENT: None

Motion Passed: 5-0

- B. Authorize General Manager to Execute a Professional Services Agreement with Harris Corporation in the Amount of \$2,861,060 for the Trunked Radio System Replacement Project, and additional expenditures for a total request of \$3,150,000.

No action. Item was pulled from the Agenda; staff will bring back at later date.

EMERGENCY ITEM ADDED TO AGENDA:

Prior to discussion of this item, Director Bianco announced that due to a financial interest in a business and/or real property that was impacted by the recent “micro burst storm,” he would be recusing himself from participation in any decision making process that the District may be undertaking in regard to this matter. Director Bianco then left the dais and the Board room during consideration of this item.

8. C. **Ratification of Emergency Declaration and Emergency Sole Source Contract for the East Side Dike Emergency Sediment Removal Project.**

Following a presentation by Jim Barrett, General Manager, the Board discussed the ratification of the General Manager’s emergency declaration and a sole source contract with Granite Construction for the East Side Dike Emergency Sediment Removal Project.

On a motion by Director Nelson, second by Director Estrada, the Board approved the following:

- Ratified the General Manager’s emergency declaration approved to continue the emergency declaration
- Ratified the action taken by General Manager to respond to this emergency including the issuance of a sole source contract with Granite Construction for the East Side Dike Emergency Sediment Removal project, with a not to exceed cost of \$1,090,000.00; and
- Approved continuation of the emergency declaration.

Approved by the following vote:

AYES: Powell, Estrada, O’Dowd, Nelson

NOES: None

ABSENT: None

RECUSED: Bianco

Motion Passed: 4-0

9. BOARD COMMENTS AND REPORTS

A. Board Member General Comments

- Directors Nelson, O’Dowd, Bianco and Estrada had no report.
- President Powell applauded staff on the CVWD Connect publication.

B. Meetings and Conference Reports

- i September 26, 2018 Golf and Water Task Force meeting (Directors O’Dowd and Bianco)
- ii September 27, 2018 Association of California Water Agencies (ACWA) Board of Directors 2019 Budget Workshop (Director O’Dowd)
- iii September 27, 2018 Desert Valleys Builders Association Board

- Meeting and Networking Night (Director Powell)
- iv September 28, 2018 ACWA Executive Committee meeting (Director O'Dowd)
- v September 28, 2018 ACWA Board of Directors meeting (Director O'Dowd)
- vi October 1, 2018 Growers' meeting (Directors Powell) ****Estrada did not attend***
- vii October 1, 2018 to October 3, 2018 National Water Resources Association October Infrastructure Fly in 2018 (Director O'Dowd)
- viii October 3, 2018 City of Palm Desert/CVWD Triannual meeting (Directors Powell and Bianco)
- ix October 4, 2018 ACWA Region 8 Program - MWD Weymouth Treatment Plant Tour (Directors Nelson and O'Dowd)
- x October 5, 2018 Joint Salton Sea Authority Agency Ceremony (Director O'Dowd) ****meeting was cancelled***
- xi October 8, 2018 City of Indio/CVWD Triannual Meeting (Directors Powell and Nelson) ****meeting was cancelled***

Additional Meetings Added:

- October 1, 2008 Meeting with California Natural Resources Agency presentation (Director Nelson)
- October 5, 2018 NWRA Monthly Conference Call (Director O'Dowd)

C. **Approval of per diem for meetings reported**

On a motion by Director Nelson, second by Director Bianco, 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**

Staff will contact the Cities to confirm dissolution of the Oversight Boards of the Successor Agencies of the Redevelopment Agencies and transfer of responsibilities to the County of Riverside; and if appropriate will remove this item from the agenda.

10. STAFF REPORTS

- A. General Manager, Jim Barret reported that at the request of the Board, copies of contracts will be included as part of the agenda request; also, reminded the Board of the California Nevada AWWA Award the District is scheduled to receive on October 23; President Powell and Vice

President Estrada are scheduled to attend and receive the award on behalf of CVWD.

- B. Counsel, Jeff Ferre, reported on SB 998, Dodd. Discontinuation of residential water service: urban and community water systems. Reported it will go into effect February 1, 2020 and water agencies must adopt new policies, relating to the discontinuation of residential water service.
- C. Departments
 - Communication & Conservation Director Katie Evans reported on the Local Hazard Mitigation Plan survey, which is available on CVWD's website.

11. CLOSED SESSION AGENDA

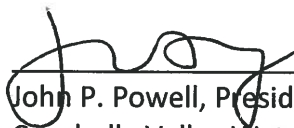
- A. CONFERENCE WITH LABOR NEGOTIATORS
Pursuant to Government Code Section 54957.6
Agency negotiator: Jay Trinnaman, Robert Cheng and Fran Neilon
Employees' organization: Association of Coachella Valley Water District Managers (ACVWDM)

12. RECONVENE

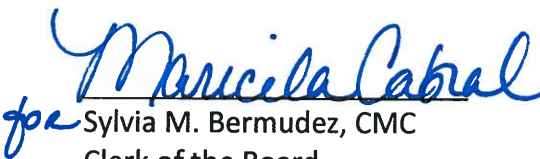
- A. Report out of Closed Session
President Powell reconvened the meeting back into Open Session and announced there were no reportable actions.

13. ADJOURNMENT

There being no further business to discuss, President Powell adjourned the October 9, 2018 Regular Meeting of the Coachella Valley Water District Board of Directors at 11:22 AM.



John P. Powell, President
Coachella Valley Water District


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

