

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



8:00 AM

CVWD's Coachella Office
Forbes Auditorium

51501 Tyler Street
Coachella

www.cvwd.org

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

October 23, 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 23, 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
Maricela Cabral, Board Administrative Assistant II

3. ADDITIONS/DELETIONS/ADJUSTMENTS TO 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

Mr. Cruz Castillo commented on the Thousand Palms Flood Control Project.

5. APPROVAL OF THE CONSENT CALENDAR

Counsel Ferre pulled Item 5.I. 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, Estrada, Bianco, O'Dowd, Nelson

NOES: None

ABSENT: None

Motion Passed: 5-0

- A. Approved the October 9, 2018 minutes of the Coachella Valley Water District Board of Directors meeting
- B. Accepted and Filed the Secretary's Report of Written Instruments Accepted and Recorded for month of September 2018
- C. Accepted and Filed the General Manager's Report of Authorizations, Executions, and Acceptances of Documents for the month of September 2018
- D. Accepted and Filed the General Manager's Report of Activities for the month of September 2018
- E. Approved the following actions, relating to a contract services agreement for maintenance, repair, emergency response, and regulatory compliance for underground storage tanks and fueling stations:
 - Awarded a Contract Services Agreement to Western Pump, Inc. (Western) in amount not-to-exceed \$75,000 annually, or \$225,000 over the initial three-year contract period; and
 - Authorized the General Manager to execute said contract with Western Pump, Inc.
- F. Approved and authorized the General Manager to execute Task Order No. 1 with Wood Environment & Infrastructure Solutions, Inc. to complete the Mission Creek Subbasin Alternative Groundwater Sustainability Plan Annual Report for Water Year 2018
- G. Awarded Task Order No. 2 with Stantec Consulting Services, Inc. to Complete the Indio Subbasin Alternative Groundwater Sustainability Plan Annual Report for Water Year 2018
- H. Approved the Water Supply Assessment and Water Supply Verification (WSA/WSV) for the University Park Specific Plan Project
- I. **(PULLED)** Approve the Continuance of the Emergency Declaration for the East Side Dike Emergency Sediment Removal Project

6. DISCUSSION OF ITEMS PULLED FROM CONSENT CALENDAR**5.I. Approve the Continuance of the Emergency Declaration for the East Side Dike Emergency Sediment Removal Project**

This item was pulled from the Consent Calendar for separate action in order to provide for the recusal by Director Bianco before consideration of the item.

The same disclosure was made for this item as was done for a similar item at a previous Board meeting. That is, due to a financial interest in a business and/or real property, of Anthony Vineyards, that was impacted by two recent storm events. Director Bianco recused himself from participation in any decision making process that the District may be undertaking in regard to said storm events. Director Bianco then left the dais and the Board room during consideration of this item.

Following a presentation by Dan Charlton, Director of Facilities and Maintenance, the Board discussed the continuance of the Emergency Declaration for the East Side Dike Emergency Sediment Removal Project.

On a motion by Director Nelson, second by Director O'Dowd, the Board approved the Continuance of the Emergency Declaration for the East Side Dike Emergency Sediment Removal Project.

Approved by the following vote:

AYES: Powell, Estrada, O'Dowd, Nelson

NOES: None

ABSENT: Bianco

Motion Passed: 4-0

7. PRESENTATIONS AND RECOGNITIONS

A. Employee Recognition

- Ty Murga, Welding Shop Crew Chief, 20 years
- Jess Carmona, Wastewater Reclamation Plant Shift Supervisor, 29 years (not present)

B. Centennial Recognition

- i Presentation of Centennial Proclamation to CVWD by California-Nevada Section of American Water Works Association's Debbie Kaye
- ii Presentation of Centennial Proclamation to CVWD by Desert Recreation District
- iii Presentation of Certificate of Recognition for the Project Spotlight on St. Anthony's Project

8. INFORMATIONAL REPORTS

A. Written Communications – on file

B. Informational Reports to the Board

- i Geoff Kiehl, Director of Finance, presented the CVWD Fiscal 2018 Budget vs. Actual Report July 1, 2017 through June 30, 2018

9. ACTION ITEMS

- A. Recommendation for \$20 million pay-down of CalPERS Unfunded Liability

Following a presentation by Geoff Kiehl, Director of Finance, the Board discussed the \$20 million pay-down of CalPERS Unfunded Liability.

On a motion by Director O'Dowd, second by Director Nelson, the Board approved the recommendation for \$20 million pay-down of CalPERS Unfunded Liability.

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 an Operational Activities, Maintenance, and License Agreement for the CV Link between Coachella Valley Water District and Coachella Valley Association of Governments

Following a presentation by Dan Charlton, Director of Facilities and Maintenance, the Board discussed the Operational Activities, Maintenance, and License Agreement for the CV Link between Coachella Valley Water District and Coachella Valley Association of Governments.

On a motion by Director Nelson, second by Director Bianco, the Board approved and authorized the General Manager to execute an Operational Activities Maintenance, and License Agreement for the CV Link between Coachella Valley Water District and Coachella Valley Association of Governments.

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

- Directors O'Dowd, Bianco, and Estrada had no report.
- Director Nelson wished the CVWD Board candidates good luck in the upcoming November election.
- Director Powell reported he submitted comments to the Riverside County Board of Supervisors on the issue of the Salton Sea Enhanced Infrastructure Financing District (EIFD).

B. Meetings and Conference Reports

- i October 9, 2018 Meeting with Director of Finance Kiehl to discuss CalPERS (Director O'Dowd)

- ii October 10, 2018 Mission Springs Water District's "Flipping the Switch on Increased Efficiency" Event (Director O'Dowd)
- iii October 10, 2018 Colorado River Board Meeting (Director Nelson)
- iv October 10, 2018 City of Cathedral City/CVWD Triannual Meeting (Directors Powell and O'Dowd)
- v October 11, 2018 Public Finance Committee Meeting (Directors Powell and Nelson)
- vi October 11, 2018 Desert Valleys Builders Association Board Meeting (Director Powell) ****Did not attend***
- vii October 12, 2018 Salton Sea Roundtable Meeting (Directors Estrada and O'Dowd).
- viii October 15, 2018 City of Coachella/CVWD Triannual Meeting (Directors Powell and Estrada)
- ix October 15, 2018 Final site visit with staff prior to St. Anthony's "Project Spotlight Event" (Director Estrada)
- x October 16, 2018 Association of California Water Agencies Regulatory Summit (Director O'Dowd)
- xi October 16, 2018 Disadvantaged Communities Infrastructure Task Force Meeting (Directors Powell and Estrada)
- xii October 17, 2018 St. Anthony's "Project Spotlight Event" (Directors Powell, O'Dowd, Bianco and Estrada)
- xiii October 18, 2018 Salton Sea Authority Board of Directors Meeting (Director O'Dowd and Estrada)
- xiv October 19, 2018 Briefing on Rancho Mirage Country Club Stormwater Channel Crossing (Director O'Dowd)
- xv October 22, 2018 California Farm Water Coalition Board Meeting (Director Nelson)

Additional Meetings Added:

- October 22, 2018 Meeting with Supervisor V. Manuel Perez and Brian Nestande regarding Salton Sea (Director O'Dowd)

C. Approval of per diem for meetings reported

On a motion by Director Nelson, second 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

This Item will be removed from agenda due to dissolution of Oversight Boards.

11. STAFF REPORTS

- A. General Manager Jim Barrett, had no report.
- B. Counsel, Jeff Ferre, reported on recently signed AB 747 which establishes an Administrative Hearing Office at the State Water Resources Control Board. The intent of this Office is to provide administrative law judges, experienced in water law, to conduct some of the hearings and make some of the rulings on cases that come before the State Board.
- C. Departments - no reports.

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
Receipt of Claim: Claimant – Travelers Surety Company
- B. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code Section 54956.9
Anticipated Receipt of Claims: Claims related to 09/30/18 – 10/01/18 and 10/12/18 - 10/13/18 storm/flood
- C. 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)
- D. 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

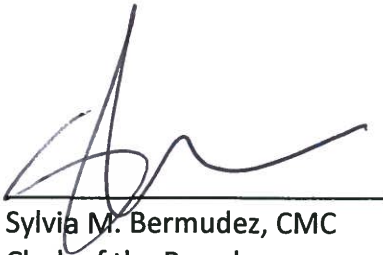
- A. Report out of Closed Session
President Powell reconvened the meeting back into Open Session.
Counsel Ferre reported on Item 12 A. A motion was made by Director O'Dowd, second by Director Powell, to reject the claim submitted by Travelers Surety and the Board directed that the appropriate notice be sent to said claimant. The motion passed 5-0.

In regard to item 12.b., Director Bianco left the closed session room and recused himself during consideration of this matter based on the disclosure made earlier in the meeting regarding a conflict. A motion


was made by Director O'Dowd, second by Director Nelson to authorize the General Manager, or his designees, to process (including denial) all claims to be received as a result of the September 30, 2018 and October 12, 2018 storm events and floods in North Shore. The motion passed 4-0 with Director Bianco recused.

14. ADJOURNMENT

There being no further business to discuss, President Powell adjourned the October 23, 2018 Regular Meeting of the Coachella Valley Water District Board of Directors at 10:55 AM.



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


John P. Powell, President
Coachella Valley Water District