

**DIVISION 1**  
*Patrick O'Dowd*  
Director



**DIVISION 2**  
*Anthony Bianco*  
Director

*Steve Robbins*  
Administration Building  
Board Chambers

**DIVISION 3**  
*John Powell*  
President

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

75515 Hovley Ln. East  
Palm Desert

**DIVISION 4**  
*Peter G. Nelson*  
Director

**BOARD OF DIRECTORS**

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

**DIVISION 5**  
*Castulo Estrada*  
Vice President

**November 14, 2017**

**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, November 14, 2017, 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. 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

**4. PUBLIC COMMENT**

No public comment received.

**5. APPROVAL OF THE CONSENT CALENDAR**

Items 5 B and 5D were pulled for discussion;

On a motion by Director O'Dowd, seconded by Director Nelson, the Board approved the Consent Calendar.

Approve by the following vote:

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

**NOES:** None

**ABSENT:** None

**Motion Passed: 5-0**

- A. Approved the Minutes of the October 24, 2017 Regular Meeting of the Coachella Valley Water District Board of Directors.
- B. Authorized a Budget Amendment in the amount of \$147,700 for Replacement of Transformers and Soft Starter for the Mid-Valley Pump Station.
- C. Awarded a Contract to CLIMATEC, LLC in the amount of \$338,811 for the Energy Management System Upgrade Project, Phase II for the Coachella Campus and authorized the General Manager to execute contract with CLIMATEC, LLC.
- D. Approved and authorized General Manager to execute Task Order 9 with RMC Woodard & Curran for Colorado River Funding Area Disadvantaged Communities Prop 1 Grant Administration and Needs Assessment, in the amount of \$231,708.
- E. Awarded a Contract to the Kartal Corporation dba American Car Wash in an Amount Not-to-Exceed \$100,000 for Vehicle Cleaning Services, Request for Proposals No. 2017-75 and authorized the General Manager to execute contract.
- F. Authorized the payment of the 2018 Association of Metropolitan Water Agencies (AMWA) dues in the amount of \$7,674.
- G. Awarded a Contract for the Procurement of two 800 HP Pumps and Motors and authorized the General Manager to execute contract in the amount of \$334,674 for the Palm Desert Groundwater Replenishment Project, Specification 2017-73 and approved additional expenditures, for a total request of \$373,141.
- H. Awarded of Contract for the Procurement of a Hydropneumatic Tank and authorized the General Manager to execute contract in the amount of \$278,506 for the Palm Desert Groundwater Replenishment Project, Specification 2017-79 and approved additional expenditures for a total request of \$311,356.
- I. Approved and authorized the General Manager to execute Task Order No. 19 with Lee & Ro, Inc. in the amount of \$329,540 for the design of Booster Pump Station No. 3501 and approved additional expenditures, for a total request of \$395,000.

- J. Approved and authorized the General Manager to execute Task Order No. 17 with Akel Engineering Group, Inc. in the amount of \$166,348 for the Irrigation Distribution System Master Plan (IR1806) and approved additional expenditures for a total request of \$195,848.

## 6. DISCUSSION OF ITEMS PULLED FROM CONSENT CALENDAR

- 5.B. Authorize a Budget Amendment in the amount of \$147,700 for Replacement of Transformers and Soft Starter for the Mid-Valley Pump Station.

Following a presentation by Oscar Santana, Management Analyst, the Board discussed a budget amendment for the replacement of transformers and soft starter for the Mid-Valley Pump Station.

On a motion by President Powell, seconded by Director Nelson, the Board approved and authorized a Budget Amendment in the amount of \$147,700 for Replacement of Transformers and Soft Starter for the Mid-Valley Pump Station.

Approved by the following vote:

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

**NOES:** None

**ABSENT:** None

**Motion Passed: 5-0**

- 5.D. Approve and authorize General Manager to execute Task Order 9 with RMC Woodard & Curran for Colorado River Funding Area Disadvantaged Communities Prop 1 Grant Administration and Needs Assessment, in the amount of \$231,708.

Following a presentation by Teri Vorster, the Board discussed the proposed Task Order for Colorado River Funding Area Disadvantaged Communities Prop 1 Grant Administration and Needs Assessment.

On a motion by Director Estrada, seconded by Director O'Dowd, the Board approved authorized General Manager to execute Task Order 9 with RMC Woodard & Curran for Colorado River Funding Area Disadvantaged Communities Prop 1 Grant Administration and Needs Assessment, in the amount of \$231,708.

Approved by the following vote:

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

**NOES:** None

**ABSENT:** None

**Motion Passed: 5-0**

## 7. PRESENTATIONS AND RECOGNITIONS

- A. Employee Recognition  
***Anniversary***

- Robert White, Distribution Operator II, 25 years (not present)

### **Retirements**

- Sherri Clark, Records Clerk II, 12 years (not present)
- Louann Rodarte, Accounting Technician II, 6 years (not present)

## **8. INFORMATIONAL REPORTS**

- A. Written Communications – on file
- B. Informational Reports to the Board
  - i CVWD Budget vs. Actual Report for the Fiscal Year Ending June 30, 2017, presentation by Kay Godbey, Director of Finance.
  - ii Nonpotable Water Quarterly Update, presentation by Olivia Bennett, Nonpotable Operations Water Manager.

## **9. ACTION ITEMS**

- A. Award a Construction Contract to Mamco, Inc. DBA Alabbasi and authorize the General Manager to execute contract in the amount of \$1,715,262 for the CCLP Concrete Lining Repair Phase II, Specification No. 2017-61 and approve additional expenditures, for a total request of \$1,915,262.

Following a presentation by Dan Charlton, Director, Facilities and Maintenance, the Board discussed and approved awarding of a construction contract to Mamco, Inc. DBA Alabbasi and authorized the General Manager to execute contract in the amount of \$1,715,262 for the CCLP Concrete Lining Repair Phase II, Specification No. 2017-61, and approved additional expenditures, for a total request of \$1,915,262.

Approved by the following vote:

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

**NOES:** None

**ABSENT:** None

**Motion Passed: 5-0**

- B. Approve and authorize the General Manager to execute a construction contract with Desert Concepts, Inc. in the amount of \$5,725,850 for the well drilling and construction of well pumping plants for Well Nos. 3405-2, 4615-1, and 5683-1, Specification No. 2017-03 and approve additional expenditures, for a total request of \$7,300,000.

Following a presentation by Dan Ruiz, Engineer Manager, the Board discussed and approved and authorized the General Manager to execute a construction contract with Desert Concepts, Inc., in the amount of \$5,725,850 for the well drilling and construction of well

pumping plants for Well Nos. 3405-2, 4615-1, and 5683-1, Specification No. 2017-03 and approved additional expenditures, for a total request of \$7,300,000.

Approved by the following vote:

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

**NOES:** None

**ABSENT:** None

**Motion Passed: 5-0**

- C. Certify the Bermuda Dunes Country Club Nonpotable Water Golf Course Connection Project Initial Study & Mitigated Negative Declaration and adopt the Mitigation Monitoring and Reporting Program and authorize the filing of a Notice of Determination with the County of Riverside.

Following a presentation by David Scriven, of Krieger and Stewart and David Wilson, Engineer Manager, the board discussed and approved certifying of the Bermuda Dunes Country Club Nonpotable Water Golf Course Connection Project Initial Study & Mitigated Negative Declaration and adoption of the Mitigation Monitoring and Reporting Program; and authorized the Clerk's Office to file the Notice of Determination with the County of Riverside Clerk-Recorder.

Approved by the following vote:

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

**NOES:** None

**ABSENT:** None

**Motion Passed: 5-0**

- D. Approve and authorize the General Manager to execute a construction contract with W. M. Lyles Co. in the amount of \$4,974,000 for the construction of the Water Reclamation Plant No. 10 (WRP 10) Plants B and C Improvements Project (Specification 2016-37) and Task Order No. 20 with Lee & Ro, in the amount of \$357,223, as well as approval of additional expenditures, for a total request of \$6,178,723.

Following a presentation by Armando Rodriguez, Engineer Manager, the Board discussed and approved and authorized the General Manager to execute a construction contract with W. M. Lyles Co., in the amount of \$4,974,000 for the construction of the Water Reclamation Plant No. 10 (WRP 10) Plants B and C Improvements Project (specification 2016-37) and Task Order No. 20, with Lee & Ro, in the amount of \$367,223, and approved additional expenditures for a total request of \$6,178,723.

Approved by the following vote:

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

**NOES:** None

**ABSENT:** None

**Motion Passed: 5-0**

- E. Authorize the General Manager, in his discretion, to exercise the option of entering into a storage agreement with the Rosedale-Rio Bravo Water Storage District (Rosedale) to bank 9,500 acre-ft (af) of the water contracted between Rosedale and CVWD, for a cost not to exceed \$2.35 million.

Following a presentation by Robert Cheng, Assistant General Manager, the Board discussed and approved and authorized the General Manager, in his discretion, to exercise the option to enter into a storage agreement with Rosedale-Rio Bravo Water Storage District (Rosedale) to bank 9,500 acre-ft (af) of the water contracted between Rosedale and CVWD, for a cost not to exceed \$2.35 million.

Approved by the following vote:

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

**NOES:** None

**ABSENT:** None

**Motion Passed: 5-0**

- F. Discussion regarding Board Committee Appointments.

President Powell announced that he has appointed Director Estrada and Director Bianco to serve on the Board's Legislative Committee; President Powell and Director Nelson will continue to serve on the Board's Public Finance Committee.

*No action required; appointments made by appointment of the Board President.*

## 10. BOARD COMMENTS AND REPORTS

- A. Board Member General Comments
- B. Meetings and Conference Reports
- i October 24, 2017 RAP Foundation - 25th Anniversary Ribbon Cutting (Director Estrada)
  - ii October 25, 2017 Study Session on Reserve Policy (Directors Powell, Estrada, Bianco and O'Dowd)
  - iii October 25, 2017 Association of California Water Agencies (ACWA) Chair/Vice Chair Webinar (Director O'Dowd)
  - iv October 26, 2017 Salton Sea Authority Board of Directors Meeting

- (Directors O'Dowd and Estrada)
- v October 26, 2017 Colorado River Water User's Association (CRWUA) Interview with Bob Muir (Director Powell)
  - vi October 27, 2017 ACWA Introductory Conference Call for Region Chairs and Vice Chairs (Director O'Dowd)
  - vii October 30, 2017 CVWD Environmental Assessment Committee Meeting (Director Estrada)
  - viii October 30, 2017 La Quinta/CVWD Triannual Meeting (Directors Nelson and Estrada)
  - ix October 31, 2017 Oasis Tower Tour (Director Estrada)
  - x November 1, 2017 Desert Water Agency Tour (Directors O'Dowd and Nelson)
  - xi November 3, 2017 City of Coachella/CVWD Triannual Meeting  
**\*\*meeting was cancelled**
  - xii November 6, 2017 Growers' Meeting (Director Estrada)
  - xiii November 6, 2017 Meeting regarding Canal Water Service to Tribal Property near Spotlight 29 Casino (Directors Powell and Estrada)
  - xiv November 7, 2017 Board Study Session - Colorado River Water Shortage (Entire Board Present)
  - xv November 8, 2017 Public Finance Committee Meeting (Directors Powell and Nelson)
  - xvi November 9, 2017 Coachella Valley Association of Governments Energy and Environmental Committee Meeting  
**\*\*Director Bianco did not attend**
  - xvii November 13, 2017 100-Year Anniversary Planning Committee Meeting (Director Powell)

**Additional meetings reported**

- 1) Meeting with Spotlight 29 Tribal Chair (Director Estrada)

- C. Approval of per diem for meetings reported

On a motion by Director Estrada, seconded by Director O'Dowd, the Board approved per diem for meetings reported.

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

**NOES:** None

**ABSENT:** None

**Motion Passed: 5-0**

- D. No reports of Oversight Boards of the Successor Agencies of the Redevelopment Agencies

## 11. STAFF REPORTS

- A. General Manager - None

- B. Counsel – Jeff Ferre, reported on AB 746, which requires a community water system that serves a school site, and which has a building constructed before January 1, 2010, to test for lead in the potable water system of the school site before January 1, 2019. This new law requires the community water system to report its findings to the school site, as specified, and, if the school site’s lead level exceeds a certain level, to test a water sample from the point at which the school site connects to the community water system’s supply network. The school site has the responsibility for taking remedial action and providing notice to the parents and students.
- C. Departments – None

**12. CLOSED SESSION AGENDA**

- A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION  
Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code Section 54956.9  
One potential case
- B. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION  
(Paragraph (1) of subdivision (d) of Government Code Section 54956.9)  
Name of case: CVWD v. Doxo, Inc., Case No. 5:17-cv-530
- C. PUBLIC EMPLOYEE PERFORMANCE EVALUATION  
Pursuant to Government Code Section 54957  
Title: General Manager
- D. CONFERENCE WITH LABOR NEGOTIATORS  
Pursuant to Government Code Section 54957.6  
Agency Designated Representative: Board President John Powell  
Unrepresented Employee: General Manager
- E. CONFERENCE WITH LEGAL COUNSEL- EXISTING LITIGATION  
Pursuant to Government Code § 54956.9 (a) Name of Case: Agua Caliente Band of Cahuilla Indians v. Coachella Valley Water District, et al., Case No. EDCV 13-883 JGB

**13. RECONVENE**

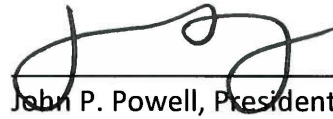
- A. Report out of Closed Session  
Director O’Dowd left prior to entering into Closed Session.

President Powell convened the meeting back into open session and announced there were no reportable actions.



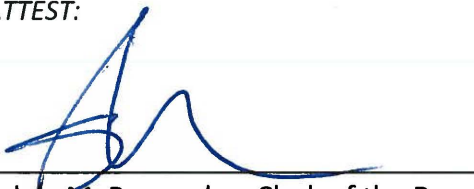
**14. ADJOURNMENT**

There being no further business before the Board, President Powell adjourned the meeting at 11:48 AM. The next regular meeting of the Coachella Valley Board of Directors is scheduled for Tuesday, November 28, 2017, in the Coachella location.



John P. Powell, President  
Coachella Valley Water District

ATTEST:



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

