

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

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

February 13, 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, February 13, 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
Sylvia Bermudez, Clerk of the Board

3. ADDITIONS/DELETIONS/ADJUSTMENTS TO THE AGENDA

- A. No item(s) were 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

Director Nelson, requested item 5G be pulled for discussion.

On a motion by Director O'Dowd, seconded by Director Nelson, 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 and authorized the General Manager to execute the Nonpotable Water Agreement with Mountain View Country Club.
- B. Approved and authorized the General Manager to execute the Nonpotable Water Agreement with Woodhaven Country Club.
- C. Approved and authorized the General Manager to execute the First Amendment to the Nonpotable Water Agreement for Indian Springs Golf Club.
- D. Approved and authorized the General Manager to execute the First Amendment to the Nonpotable Water Agreement for Desert Recreation District.
- E. Approved and authorized the General Manager to execute the First Amendment to Nonpotable Water Agreement for Desert Sands Unified School District.
- F. Approved and authorized the General Manager to execute the First Amendment to the Nonpotable Water Agreement for Avondale Golf Club.
- G. PULLED FOR DISCUSSION - Award contract and authorize the General Manager to execute the Contract for Removal & Installation of Replacement Water Meters to Professional Meters, Inc., in the amount of \$175,377.24.
- H. Awarded a Contract to Precision Garage Doors & Gates, Inc., in the amount of \$238,500 for Roll-Up Door Replacement Project, Specification No. 2017-91.
- I. Authorized the General Manager to execute Task Order to the Professional Services Agreement with Dahl Consultants, Inc. for the Deep Canyon Channel and Park View Drive Concrete Slope Protection Repairs in the amount of \$36,590 and approved additional expenditures, for a total request of \$48,249.
- J. Authorized the General Manager to execute a one-year extension of the Professional Service Agreement with Lance, Soll & Lunghard, LLP (LSL) for audit services for fiscal 2018 in the amount of \$86,500.
- K. Approved resolutions of the Coachella Valley Water District Board of Directors reaffirming its adherence and ongoing efforts to enhance its commitment to governmental transparency and openness, while

meeting two of the requirements for the Special District Leadership Foundation (SDLF) prestigious District Transparency Certificate of Excellence.

- L. Approved Minutes of January 23, 2018 Regular Meeting of the Coachella Valley Water District Board of Directors.

6. DISCUSSION OF ITEMS PULLED FROM CONSENT CALENDAR

- 5.G. Award contract and authorize the General Manager to execute the Contract for Removal & Installation of Replacement Water Meters to Professional Meters, Inc., in the amount of \$175,377.24.

Following a presentation by Ruben Rivera, Supervisor, Domestic Water Operations-Metering Systems, the Board discussed the Contract for Removal & Installation of Replacement Water Meters.

On a motion by Director Nelson, seconded by Director O'Dowd, the Board approved and authorized the General Manager to execute the Contract for Removal & Installation of Replacement Water Meters to Professional Meters, Inc., in the amount of \$175,377.24.

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 Mayor Michael H. Wilson, City of Indio presented President John Powell, Jr., with a Centennial Proclamation in honor of CVWD's Centennial celebration.

8. INFORMATIONAL REPORTS

- A. Written Communications – on file
- B. Informational Reports to the Board
 - i Bermuda Dunes Country Club Nonpotable Water Golf Course Connection, presentation provided by David Wilson, Engineer Manager.
 - ii Nonpotable Water Update, presentation provided by Olivia Bennett, Nonpotable Operations Water Manager.

9. ACTION ITEMS

- A. Approve and Authorize the General Manager to Execute the Nonpotable Water Pilot Project Agreement for The Plantation Golf

Club, Inc.

Following a presentation by Olivia Bennett, Nonpotable Operations Water Manager, the Board discussed the Nonpotable Water Pilot Project Agreement for the Plantation Golf Club, Inc.

On a motion by Director O'Dowd, seconded by Director Nelson, the Board approved and authorized the General Manager to execute the Nonpotable Water Pilot Project Agreement with The Plantation Golf Club, Inc.

Approved by the following vote:

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

NOES: None

ABSENT: None

Motion Passed: 5-0

- B. Approve and Authorize the General Manager to Execute Task Order Nos. 2 and 3 with Infrastructure Engineering Corporation (IEC) for Program Management Services for the Consolidation of the Galindo Mobile Home Park Water Systems and the Thermal Mutual Water Company, and approve additional expenditures for a total cumulative cost of \$107,735.

Following a presentation by Dan Ruiz, Engineer Manager, the Board discussed Task Order Nos. 2 and 3 with Infrastructure Engineering Corporation (IEC).

On a motion by Director Estrada, seconded by Director O'Dowd, the Board approved the following:

- i. authorized the General Manager to Execute Task Order No. 2 for \$34,675 and Task Order No. 3 for \$18,060 with Infrastructure Engineering Corporation (IEC) for Program Management Services for the Consolidation of the Galindo Mobile Home Park Water Systems and the Thermal Mutual Water Company
- ii. approved additional expenditures of \$55,000, for a total cumulative cost of \$107,735.

Approved by the following vote:

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

NOES: None

ABSENT: None

Motion Passed: 5-0

- C. Authorize the General Manager to execute Task Order with Woodard & Curran for Consulting Services for the East Coachella Valley Water Supply Project (ECVWSP), in the amount of \$430,967 and approve

additional expenditures for a total request of \$500,000.

Following a presentation by Dan Ruiz, Engineer Manager, the Board discussed a task order with Woodard & Curran Consulting Services for the East Coachella Valley Water Supply Project (ECVWSP).

On a motion by Director Estrada, seconded by Director Nelson, the Board approved and authorized the General Manager to execute Task Order with Woodard & Curran for Consulting Services for the East Coachella Valley Water Supply Project (ECVWSP), in the amount of \$430,967 and approved additional expenditures of \$69,033, for a total request of \$500,000.

Approved by the following vote:

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

NOES: None

ABSENT: None

Motion Passed: 5-0

- D. Award and Authorize the General Manager to execute a Construction Contract for the Varner Road Sewer Rehabilitation Project, Specification No. 2017-93, and additional expenditures for a total request of \$484,998.00.

Following a presentation by Armando Rodriguez, Engineer Manager, the Board discussed a construction contract for Varner Road Sewer Rehabilitation Project.

On a motion by Director Nelson, seconded by Director O'Dowd, the Board approved and authorized the General Manager to execute a Construction Contract for the Varner Road Sewer Rehabilitation Project, Specification No. 2017-93, and approved additional expenditures of \$85,000, for a total request of \$484,998.00.

Approved by the following vote:

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

NOES: None

ABSENT: None

Motion Passed: 5-0

- E. Request for consent to permit Best Best & Krieger, LLP to provide specific special legal counsel services to the Coachella Valley Association of Governments regarding CV Link, presentation by Jeff Ferre, Legal Counsel.

Following a presentation by Counsel Ferre and discussion by the Board, a motion was made by Director O'Dowd, seconded by Director Estrada, to decline the request of Best Best & Krieger, LLP for consent/waiver

to provide specific special legal counsel services to the Coachella Valley Association of Governments regarding CV Link.

Motion passed 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
 - i. Directors Nelson, O'Dowd, Estrada and Powell had no report; Director Bianco thanked the City of Indio for the presentation of a proclamation to CVWD.

- B. Meetings and Conference Reports
 - i. January 17, 2018 Coachella Valley Integrated Regional Water Management Program (Director O'Dowd)
 - ii. January 24, 2018 Golf and Water Task Force Meeting (Directors O'Dowd and Bianco)
 - iii. January 25, 2018 Salton Sea Authority Board Meeting (Directors Estrada and O'Dowd)
 - iv. January 26, 2018 Interview regarding SB 623 - Safe Drinking Water Fund (Director Estrada)
 - v. January 30, 2018 Salton Sea Management Program Committee Meeting (Director O'Dowd)
 - vi. January 30, 2018 Water Alliance Webinar: Getting Past "Paying more for less" (Director Nelson)
 - vii. January 31, 2018 Association of California Water Agencies (ACWA) Federal Affairs Committee Meeting (Director O'Dowd)
 - viii. February 1, 2018 California Colorado River Authority Tour of Oroville Dam (Directors Powell and Nelson)
 - ix. February 1, 2018 ACWA Board of Directors' Workshop (Director O'Dowd)
 - x. February 2, 2018 ACWA Executive Committee Meeting (Director O'Dowd)
 - xi. February 2, 2018 ACWA Board of Directors Meeting (Director O'Dowd)
 - xii. February 2, 2018 Meeting with Assemblymember Eduardo Garcia regarding SB 623 (Director Estrada)
 - xiii. February 5, 2018 Board Study Session (All Board members present)
 - xiv. February 6, 2018 Salton Sea Management Program Air Quality Committee Meeting (Director O'Dowd)
 - xv. February 6, 2018 Public Finance Committee Meeting (Directors Powell and Nelson)

- xvi February 7, 2018 Review of Irrigation Rules and Regulations (Director Bianco)
- xvii February 7, 2018 Salton Sea Management Program 10-Year Plan Committee Meeting (Director O'Dowd)
- xviii February 7, 2018 to February 9, 2018 Urban Water Institute Spring Water Conference (Director O'Dowd)
- xix February 8, 2018 Coachella Valley Conservation Commission Meeting (Director Bianco)
- xx February 8, 2018 Desert Valley Builders Association GMM (Director Powell)
- xxi February 8, 2018 Desert Valleys Builders Association Meeting (Director Powell)
- xxii February 9, 2018 Legislative Committee Meeting (Directors Bianco and Estrada)

Additional Meetings Added:

- February 9, 2018 ACWA State Legislative Committee (O'Dowd)

C. Approval of per diem for meetings reported

On a motion by Director Nelson, seconded 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

- President Powell reported on the Indian Wells Oversight Board Meeting of January 25, 2018.
- Director O'Dowd reported on the Rancho Mirage Oversight Board Meeting of January 23, 2018.

11. STAFF REPORTS

- A. General Manager – Jim Barrett, reported on correspondence from Riverside County LAFCO calling for nominations of special district members to the Countywide Redevelopment Oversight Board; reported on meeting with Jerry Meral regarding endorsement of water bond; meeting with Tom Levy and Brian Nestande regarding Salton Sea Plan proposal; LAFCO request for Western Term appointment.
- B. Counsel – Jeff Ferre, reported on a recent appellate case regarding the application of the Clean Water Act to groundwater which migrates to

the ocean.

- C. Departments – None

12. CLOSED SESSION AGENDA

- A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION Pursuant to Paragraph (1) of subdivision (d) of Government Code Section 54956.9
Name of Case: Worker's Compensation – Discussion to report back a Stipulations with Request for Award - Claim Numbers: CV-12-0500043 (WCAB ADJ8750254); CV-12-000009 (ADJ8750260); Name of Case: Worker's Compensation – Discussion to report back a Stipulations with Request for Award - Claim Numbers: CV-17-001001 (ADJ10974845)
- B. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION Pursuant to Paragraph (1) of subdivision (d) of Government Code Section 54956.9
Name of Case: Worker's Compensation – Discussion to report back the execution of a Compromise and Release - Claim Numbers: CV-16-001050; CV-13-001060 (WCAB ADJ10533330; ADJ9430108; ADJ11170062)
- C. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION Pursuant to Government Code Section 54956.9 (2) (d)
Receipt of Claim – SunCity Palm Desert; Received 01/25/2018

13. RECONVENE

- A. Report out of Closed Session
President Powell reconvened the meeting back into open session and announced there was no reportable actions for items 12A, B or C.

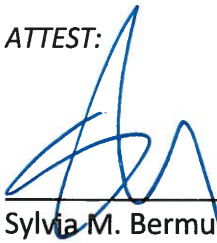
14. ADJOURNMENT

There being no further business before the Board of Directors, at this time, President Powell adjourned the meeting at 10:30AM. The next regular scheduled meeting will be held on Tuesday, February 27, 2018 at 6:00 PM at the Coachella office.



John P. Powell, President
Coachella Valley Water District

ATTEST:



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

