



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

OFFICIAL MINUTES
COACHELLA VALLEY WATER DISTRICT
BOARD OF DIRECTORS

www.cvwd.org

September 11, 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 5:00 PM, Tuesday, September 11, 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. 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 - Wayne Masters
- B. 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

- C. 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 Randall Roberts
- D. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Government Code Section 54956.9 (d) (1)
Name of case: Consolidated matters of Albrecht v. & Abbey v., Co. of Riverside, Riverside County Case Number PSC 1501100
- E. 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 Stipulations with Request for Award (Stip)
Claim Numbers: CV-12-000008; (WCAB ADJ9296588 and ADJ9084636)
- F. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Government Code section 54956.9 (d) (1)
Name of case: Mission Springs Water District v. Desert Water Agency and Coachella Valley Water District, Case No. PSC 1600676
- G. 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)

OPEN SESSION – 6:00 PM

4. RECONVENE

- A. Report out of Closed Session
President Powell reconvened the meeting into Open Session and announced the board voted to deny with a 5-0 vote, the claim of Randall Roberts (item 3c); there was no reportable action for item 3d; Jeff Ferre, Legal Counsel, reported there were no reportable actions for items 3a, b, e, f, and g.

5. ADDITIONS/DELETIONS/ADJUSTMENTS TO THE AGENDA

In accordance with the section 54954.2 of the Government Code, additions to the agenda require a two-thirds vote of the legislative body, or, if less than two-thirds of the members are present, a unanimous vote of those members present, which makes the determination that there is a need to take action, and the need to take action arose after the posting of the Agenda.

- A. No items removed or continued from the Agenda
- B. No emergency items to be added to the Agenda
- C. No changes to the order of the Agenda

6. PUBLIC COMMENT

No public comment received.

7. APPROVAL OF THE CONSENT CALENDAR

Director Bianco pulled item 7K 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: O'Dowd, Bianco, Powell, Nelson, Estrada

NOES: None

ABSENT: None

Motion Passed: 5-0

- A. Approved the August 14, 2018 Coachella Valley Water District Board of Directors Meeting Minutes
- B. Accepted and Filed the General Manager's Report of Activities during the month of July 2018
- C. Accepted and Filed the General Manager's Report of Authorizations, Executions, and Acceptances of Documents during the month of July 2018
- D. Accepted and Filed the Secretary's Record of Written Instruments Accepted and Recorded during the month of July 2018
- E. Authorized the General Manager to Execute an Assignment and Assumption of Domestic Water, Sanitation System Installation and Irrigation Service Agreement with Coral Mountain, LLC and Sunrise LQ, LLC.
- F. Authorized the General Manager to Execute a Special Domestic Water System Installation Agreement with Mirali Zarrabi.
- G. Authorized the General Manager to Execute a Special Domestic Water Installation Agreement with Desert Polo Land Company
- H. Authorized the General Manager to Execute a Special Domestic Water and Sanitation System Installation Agreement with EchoRM for Tract 35619
- I. Authorized the General Manager to Execute a Water Service Consolidation Agreement with Coachella Valley Unified School District for Westside Elementary School
- J. Approved and authorized the General Manager to Execute a Task Order to Stantec Consulting Services, Inc. for Development of a District-Wide Local Hazard Mitigation Plan
- K. **PULLED** - Approval of two year renewal contract for Chris Kahn Consulting
- L. Adopted Coachella Valley Water District's Fiscal Year 2019 Strategic Initiatives
- M. Approved and authorized the General Manager to execute a Professional Services Agreement with Ebix BPO in the amount of \$85,920.12, to provide Contractor/Vendor Insurance Certificate Management Services
- N. Authorized Sole Source Procurement of ARMOROCK Polymer Concrete Products in the amount of \$80,491 for the Manhole Rehabilitation and Replacement Project, Specification No. 2018-65

8. DISCUSSION OF ITEMS PULLED FROM CONSENT CALENDAR

7.K Approval of two-year renewal contract for Chris Kahn Consulting.

Following a presentation by Kristen Johnson, Government Affairs Specialist, the board discussed the renewal of contract with Chris Kahn Consulting.

On a motion by Director Bianco, second by Director Estrada, the Board approved a one-year extension to the contract with Chris Kahn Consulting.

Approved by the following vote:

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

NOES: None

ABSENT: None

Motion Passed: 5-0

9. PRESENTATIONS AND RECOGNITIONS

- A. Centennial Recognition
 - i Erica Felci, with Coachella Valley Association of Governments, presented President Powell and the Board with a Centennial Proclamation.
- B. Employee Recognition
 - Colette Gray, Field Service Representative, 17 years (*not present*)

10. INFORMATIONAL REPORTS

- A. Written Communications – on file
- B. Informational Reports to the Board
 - i Strategic planning update, presentation by Robert Cheng, Assistant General Manager.
 - ii Fiscal Year 2018 Capital Improvement Program Execution Summary, presentation by Craig Parker, Director of Engineering.

11. ACTION ITEMS

- A. Approve a Sole Source Contract with Utilis, in the amount of \$120,000, for a Satellite Leak Detection Pilot, and authorize the General Manager to execute contract.

Following a presentation by Ruben Rivera, Domestic Water Operations Supervisor, the Board discussed a Sole Source Contract with Utilis, for a Satellite Leak Detection Pilot; the Board provided direction to staff to research further and return with more data. No action taken.
- B. Award Construction Contract to Granite Construction Company in the amount of \$945,549 for the Slope Protection Repairs for Deep Canyon Channel and Park View Drive Project, Specification 2018-50, and approve additional expenditures for a total request of \$1,160,326.

Following a presentation by David Wilson, Engineer Manager, the Board discussed the Construction Contract to Granite Construction Company

for the Slope Protection Repairs for Deep Canyon Channel and Park View Drive Project, Specification 2018-50.

On a motion by Director Bianco, second by Director Estrada, the Board approved and authorized the General Manager to execute a Construction Contract to Granite Construction Company in the amount of \$945,549 for the Slope Protection Repairs for Deep Canyon Channel and Park View Drive Project, Specification 2018-50; and approved additional expenditures, for a total request of \$1,160,326.

Approved by the following vote:

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

NOES: None

ABSENT: None

Motion Passed: 5-0

- C. Approve and authorize the General Manager to Execute a Special Irrigation System Installation Agreement with Sea View 500, LLC for the Colorado River Water Service to Property Located Outside ID1 in Accordance with the Guidelines.

Following a presentation by David Wilson, Engineer Manager, the Board discussed a Special Irrigation System Installation Agreement with Sea View 500, LLC for the Colorado River Water Service to Property Located Outside ID1.

On a motion by Director Bianco, second by Director Estrada, the Board approved and authorized the General Manager to execute a Special Irrigation System Installation Agreement with Sea View 500, LLC for the Colorado River Water Service to Property Located Outside ID1, in accordance with the Guidelines.

Approved by the following vote:

AYES: Bianco, Powell, Nelson, Estrada

NOES: None

ABSENT: None

ABSTAINED: O'Dowd

Motion Passed: 4-0-1

- D. Award a Construction Contract to Pacific Hydrotech Corporation, in the amount of \$2,138,400 for the Water Reclamation Plant No. 2 Improvement Project, Specification 2018-65, and additional expenditures for a total request of \$2,747,358.

Following a presentation by Armando Rodriguez, Assistant Director of Engineering, the Board discussed a Construction Contract to Pacific Hydrotech Corporation, for the Water Reclamation Plant No. 2 Improvement Project, Specification 2018-65.

On a motion by Director Nelson, second by Director Estrada, the Board approved and authorized the General Manager to execute a

Construction Contract to Pacific Hydrotech Corporation, in the amount of \$2,138,400 for the Water Reclamation Plant No. 2 Improvement Project, Specification 2018-65; and approved additional expenditures for a total request of \$2,747,358.

Approved by the following vote:

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

NOES: None

ABSENT: None

Motion Passed: 5-0

- E. Authorize Sole Source Procurement of Equipment in the amount of \$827,226 for the Lift Station 81-01 and Lift Station 81-03 Rehabilitation Projects, Specification Nos. 2017-26 & 2018-4.

Following a presentation by Armando Rodriguez, Assistant Director of Engineering, the Board discussed a Sole Source Procurement of Equipment, for the Lift Station 81-01 and Lift Station 81-03 Rehabilitation Projects, Specification Nos. 2017-26 & 2018-4.

On a motion by Director Bianco, second by Director Estrada, the Board approved and authorized the General Manager to execute a Sole Source Procurement of Equipment, in the amount of \$827,226 for the Lift Station 81-01 and Lift Station 81-03 Rehabilitation Projects, Specification Nos. 2017-26 & 2018-4.

Approved by the following vote:

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

NOES: None

ABSENT: None

Motion Passed: 5-0

12. BOARD COMMENTS AND REPORTS

- A. Board Member General Comments

- Director Nelson offered his condolences to the family of the two drowning victims at the Whitewater River area.
- Director O’Dowd offered his condolences to the family of the two drowning victims at the Whitewater River area; also, commented on the tragic losses of 9/11.
- Director Bianco also offered his condolences to the family of the two drowning victims at the Whitewater River area.
- Director Estrada also offered his condolences to the family of the two drowning victims at the Whitewater River area; also, reported that the “water tax” bill did not pass this legislative session.
- Director Powell offered his condolences to the family of the two drowning victims at the Whitewater River area; suggested that perhaps CVWD help to publicize the specific area located elsewhere along the River, which is owned and operated by another entity, where recreational activities may indeed be permitted.

- B. Meetings and Conference Reports
- i August 15, 2018 Colorado River Board Meeting (Directors Powell and Nelson)
 - ii August 17, 2018 Conference call with CVWD staff and California State Assembly Committee regarding Senate Bill 623 (Director Estrada)
 - iii August 20, 2018 City of La Quinta/CVWD Triannual Meeting (Directors Powell and Nelson)
 - iv August 21, 2018 Disadvantaged Communities Infrastructure Task Force Meeting (Directors Powell and Estrada)
 - v August 22, 2018 Highway 86 Workshop (Directors Powell and Bianco)
 - vi August 22, 2018 - August 24, 2018 Urban Water Institute's Annual Water Conference (Directors Nelson and O'Dowd)
 - vii August 24, 2018 Legislative Committee Meeting (Directors Bianco and Estrada)
 - viii August 27, 2018 Association of California Water Agencies Region 9 Event Conference Call (Director O'Dowd)
 - ix August 27, 2018 City of Rancho Mirage/CVWD Triannual Meeting (Directors Powell and O'Dowd)
 - x August 28, 2018 Basin States Principal DCP Conference Call (Director Nelson)
 - xi August 28, 2018 Meeting on Irrigation Rules and Regulations (Directors Powell and Bianco)
 - xii August 29, 2018 Colorado River Basin DCP Draft Agreement Review (Director Nelson)
 - xiii August 29, 2018 Meeting with District staff regarding Imperial Dam Advisory Board budgets (Director Bianco)
 - xiv August 31, 2018 Meeting with Alianza to discuss collaborative effort (Director Estrada)
 - xv September 4, 2018 Interview with Claudia of KMIR regarding AB 2060 (Director Estrada)
 - xvi September 6, 2018 2018 State of Riverside County (Director O'Dowd)
 - xvii September 7, 2018 ACWA Executive Director Search Committee Meeting (Director O'Dowd)
 - xviii September 11, 2018 Coachella Valley Irrigated Lands Coalition (CVILC) Meeting (Director Powell)

Additional meetings reported:

- August 8, 2018 ACWA Legislative Committee meeting re: AB 2050 (Director O'Dowd)
- September 6, 2018 Meeting with Randy Duncan, Board President of Mission Springs Water District (Director Powell)
- September 10, 2018 Meeting with Mojave Water Agency representatives Bob Carl Coleman and Yvonne Hester (Director O'Dowd)
- September 11, 2018 Meeting with Terry Fulp, Boulder City Meeting, Region 9 Conference (Director O'Dowd)

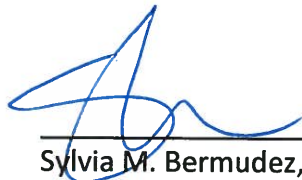
- C. Approval of per diem for meetings reported
On a motion by Director Bianco, second by Director Nelson, the Board approved per diem for the above meetings reported.
Approved by the following vote:
AYES: O'Dowd, Bianco, Powell, Nelson, Estrada
NOES: None
ABSENT: None
Motion Passed: 5-0
- D. Reports Oversight Boards of the Successor Agencies of the
Redevelopment Agencies
No reports on Oversight Boards of the Successor Agencies of the
Redevelopment Agencies.

13. STAFF REPORTS

- A. General Manager – Jim Barrett, reported on the ongoing discussions and resolution with the cities of Indian Wells and La Quinta regarding the Iron Man event at Lake Cahuilla; also, reported staff will be looking at scheduling a meeting to discuss the Oasis Project, with the 3-member board.
- B. Counsel – Jeff Ferre, reported on the recent California Appellate Court decision, which reinforces agencies do not have to create records for PRA requesters.
- C. Departments – none

14. ADJOURNMENT

There being no further business to discuss, President Powell adjourned the special meeting of the CVWD Board at 8:32 pm. The next regular meeting is scheduled for Tuesday, September 24, 2018 in Coachella, California.



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



John P. Powell, President
Coachella Valley Water District

