

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



8:00 AM

**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

**December 12, 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, December 12, 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 arrived at 8:07am

*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) 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**

On a motion by Director Bianco, seconded by Director O'Dowd, the Board approved the consent calendar as presented.

Approved by the following vote:

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

**NOES:** None

**ABSENT:** Nelson

**Motion Passed: 4-0-1**

- A. Approved the November 28, 2017 minutes of the Coachella Valley Water District Board of Directors meeting.
- B. Approved the reimbursement to the City of Palm Desert for City Street Resurfacing Project – Domestic Water Valve and Clean-Out Adjustments, in the amount of \$4,550.
- C. Approved and authorized the renewal of the Water Research Foundation subscription for the period December 2017 through November 2018 in the amount of \$53,845.04.
- D. Awarded Professional Services Agreements for On-Call Construction Management Services and authorize the General Manager to execute Professional Services Agreements with the three top-ranked firms, including MWHC Constructors Inc., Vanir Construction Management, Inc., and Dudek for on-call Construction Management Services for the period from January 2018 through January 2020, in order to support the execution of CVWD's Capital Improvement Plan (CIP) projects.
- E. Authorized the General Manager to execute Task Order No. 21 to the Professional Services Agreement with Lee & Ro, Inc. for additional Engineering Design Services for the WRP7 PLC Upgrade Project, in the amount of \$69,285, and approved additional expenditures of \$25,000, for a total request of \$94,285.
- F. Authorized the General Manager to execute Task Order No. 22 with Lee & Ro, Inc. for Additional Engineering Design Services for the Lift Station 81-01 Rehabilitation Project, in the amount of \$28,244 and approved additional expenditures of \$15,000, for a total request of \$43,444.
- G. Authorized the General Manager to extend Eurofins Eaton Analytical, Inc.'s contract for two years with a third-year option for On-Call Laboratory Services.
- H. Awarded Contract to Aurigo Software Technologies, Inc. for Project Management Information System and authorize the General Manager to execute contract, in the amount of \$ 386,500; and approve additional expenditures of \$57,975, for a total request of \$444,475.
- I. Awarded a Professional Services Agreement with Wood Rodgers, Inc. for Preparation of the Well Rehabilitation Prioritization Plan and authorized the General Manager to execute contract in the amount of \$286,216; and approved additional expenditures of \$138,784, for a

total request of \$425,000.

- J. Adopted Resolution No. 2017-35, A Resolution accepting a Proposition 1 Integrated Regional Water Management Disadvantaged Community Involvement Grant.

**6. DISCUSSION OF ITEMS PULLED FROM CONSENT CALENDAR**

No items pulled for discussion.

**7. PRESENTATIONS AND RECOGNITIONS**

- A. Employee Recognitions

President Powell and General Manager Barrett, recognized the following employees:

**Retirements**

- Roland Bustamante, Chief Inspector, 34 years
- Tony Woods, Equipment Operator II, 32 years
- Miguel Villalobos, Irrigation System Worker III, 27 years
- Dan Fewings, Domestic Crew Chief, 25 years
- David Woods, Water Quality Operator I, 26 years (not attending)
- Luke Stowe, Environmental Supervisor, 12 years (not attending)
- Armando Buendia, Domestic Distribution Operator I, 10 years (not attending)

**8. INFORMATIONAL REPORTS**

- A. Written Communications - None received
- B. Informational Reports to the Board
- i Water Reclamation Plant No. 4 Wastewater Change Petition.  
Following a presentation by Steve Bigley, Director, Environmental Services, Kerry Morrison, Mayor Salton City provided comment on staff's presentation. No action was taken by the board.

**9. ACTION ITEMS**

- A. Approval to extend the service period of the On-Call Biennial Hydrogeological, Groundwater Modeling and Water Management Planning Professional Services Agreement Through July 1, 2018 and award Task Order No. 12 to Complete the 2018-19 Engineer's Reports on Water Supply and Replenishment Assessment, in the amount of \$170,830.

Following a presentation by Steve Bigley, Director, Environmental Services, the board discussed an on-call biennial hydrogeological, groundwater modeling and water management planning professional services agreement.

On a motion by Director O'Dowd, seconded by Director Nelson, the board approved an extension to the service period of the On-Call Biennial Hydrogeological, Groundwater Modeling and Water Management Planning Professional Services Agreement Through July 1, 2018 and award Task Order No. 12 to Complete the 2018-19 Engineer's Reports on Water Supply and Replenishment Assessment, in the amount of \$170,830.

Approved by the following vote:

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

**NOES:** None

**ABSENT:** None

**Motion Passed: 5-0**

- B. Approve and authorize payment of the State Water Resources Control Board invoices for Water Rights Permit fees for Fiscal 2017-18 for a total amount of \$123,027.63 and protest the assessment of the Water Rights Permit fees by the State Water Resources Control Board.

Following a presentation by Steve Bigley, Director, Environmental Services, the board discussed payment of the State Water Resources Control Board invoices for Water Rights Permit fees for Fiscal 2017-18.

On a motion by Director O'Dowd, seconded by Director Nelson, the Board approved payment State Water Resources Control Board invoices for Water Rights Permit fees for Fiscal 2017-18 for a total amount of \$123,027.63 and protest the assessment of the Water Rights Permit fees by the State Water Resources Control Board.

Approved by the following vote:

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

**NOES:** None

**ABSENT:** None

**Motion Passed: 5-0**

- C. Approve and Authorize the Purchase of Five Fleet Replacements in the amount of \$655,208.

Following a presentation by Dan Charlton, Director, Facilities and Maintenance, the Board discussed the purchase of five fleet replacements.

On a motion by Director Bianco, seconded by Director Nelson, the Board approved and authorized the purchase of five fleet replacements, in the amount of \$655,208.

Approved by the following vote:

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

**NOES:** None

**ABSENT:** None

**Motion Passed:** 5-0

- D. Discussion and possible action to temporarily suspend East Valley Replenishment Assessment Charge (RAC) during canal panel replacement construction period.

Following a presentation by Jim Barrett, General Manager, the Board discussed the possible temporary suspension of Replenishment Assessment Charges (RAC), during the canal panel replacement construction period. The purpose of such a suspension would be to encourage groundwater pumping, without imposition of the RAC, in order to reduce the amount of canal water that needs to be delivered while the canal panel replacement work is taking place.

On a motion by Director Estrada second by Director O'Dowd, the board took action to suspend collection of the Replenishment Assessment Charge (RAC) for all East and West Valley pumpers (except the District) during the month of December in order to address the urgency of reducing canal deliveries; and to revisit the need for this suspension at the January 9, 2018 board meeting.

Approved by the following vote:

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

**NOES:** Nelson

**ABSENT:** None

**Motion Passed:** 4-1

## 10. ORDINANCES FOR ADOPTION

- A. Adopt Ordinance No. 1427.1, amending the Regulations Governing Sanitation Services.

Following a presentation by Teri Vorster, Finance Analyst, the board discussed the adoption of ordinance no. 1427.1, amending the regulations governing sanitation services.

On a motion by Director O'Dowd, second by Director Estrada, the Board approved and adopted Ordinance No. 1427.1, An Ordinance amending the Regulations Governing Sanitation Services.

Approved by the following vote:

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

**NOES:** None

**ABSENT:** None

**Motion Passed:** 5-0

**11. BOARD COMMENTS AND REPORTS****A. Board Member General Comments**

- Directors Nelson, O'Dowd, Estrada and Powell had no report.
- Director Bianco commended the Employee Recognition Committee for the successful dinner this year.

**B. Meetings and Conference Reports**

- i November 28, 2017 to December 1, 2017 Association of California Water Agencies Fall Conference (Director O'Dowd)
- ii November 30, 2017 Palm Desert Replenishment DEIR - Public Meeting (Directors Powell, Nelson and Bianco)
- iii December 4, 2017 Meeting with Juan De Lara (Director Nelson)
- iv December 4, 2017 Growers' Meeting (Directors Powell and Estrada)
- v December 5, 2017 Board Study Session on District Stormwater Master Plan (Entire Board)
- vi December 6, 2017 Golf and Water Task Force (Directors O'Dowd and Bianco)
- vii December 6, 2017 Winds of Change Lecture on a shrinking Salton Sea (Director Nelson)
- viii December 7, 2017 Meeting between General Manager Barrett, Director Powell and Director of Facilities Dan Charlton, and Raul Aguirre, Director of Services.
- ix December 7, 2017 Salton Sea Authority Board of Directors Meeting (Directors O'Dowd and Estrada)
- x December 7, 2017 Meet & Greet with Assembly Committee Consultant Catherine Freeman (Directors Estrada and Bianco)
- xi December 7, 2017 Meeting with Growers regarding amount of water availability for irrigation (Director Powell)
- xii December 7, 2017 Building Healthy Communities - Soapbox Speech Contest (Director Estrada)
- xiii December 8, 2017 Meeting with Torres Martinez Desert Cahuilla Tribe Members and CVWD Board Members (Directors Powell and Estrada)
- xiv December 8, 2017 Regional Parks Roundtable Discussion with California Assembly Speaker Anthony Rendon (Director Estrada)
- xv December 11, 2017 California Farm Water Coalition Board Meeting (Director Nelson)
- xvi December 11, 2017 100 Year Anniversary Planning Committee Meeting (Director Powell) **\*\* did not attend**
- xvii December 11, 2017 City of Coachella/CVWD Triannual Meeting (Directors Powell and Estrada)

**Additional meetings reported:**

- November 29, 2017 BB&K Client Appreciation Dinner (Director O'Dowd)
- December 8, 2017 DVBA Annual Planning Meeting (Director Powell)
- December 8, Farm Water Coalition tour with bloggers regarding

water use in California (Director Nelson)

- December 11, 2017 Meeting with CVWD staff (Ty Mull) and Director Bianco

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

## 12. STAFF REPORTS

- A. General Manager Barrett reported on attendance to ACWA conference where he met with Joaquin Escobar, Deven Upadhyay, Assistant GM for Metropolitan Water District and an email from Dr. Jerry Meral regarding a possible meeting with the Board on January 9<sup>th</sup> to discuss water bonds.
- B. Counsel Jeff Ferre, reported on SB 450 regarding disclosures that need to be made at Board meetings prior to future public financing transactions.
- C. Departments – none

## 13. PUBLIC FACILITIES CORPORATION

***Adjourned as the Board of Directors; convened as Public Facilities Corporation***

- A. MINUTES - December 13, 2016 Public Facilities Corporation Annual Meeting  
Minutes previously adopted; for informational purposes.
- B. COMMENTS FROM AUDIENCE  
No public comment received.

***Adjourned as the Public Facilities Corporation; reconvened as the Board of Directors***

## 14. 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 - Settlement Authority Request for Compromise and Release; Claim Numbers: CV-16-001050; CV-13-


- 001060 (WCAB ADJ10533330; ADJ9430108)
- B. 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
- C. 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
- D. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION  
Significant exposure to, and initiation of, litigation pursuant to paragraphs (2) of subdivision (d) of Government Code Section 54956.9  
One potential case
- E. PUBLIC EMPLOYEE PERFORMANCE EVALUATION  
Pursuant to Government Code Section 54957  
Title: General Manager

**15. RECONVENE**

- A. Report out of Closed Session  
President Powell convened the meeting back into open session; General Counsel Jeff Ferre, announced there were no reportable actions for items 14 A to 14D; for item 14E, reported the performance goals for the General Manager have been attached s exhibit A to Amendment 3 of the General Manager's employment agreement and is available upon request and will also be posted on the District's website

**16. ADJOURNMENT**

There being no further business before the Board, President Powell adjourned the meeting at 11:45AM. The next regular meeting of the Coachella Valley Board of Directors is scheduled for Tuesday, January 9, 2018, in the Palm Desert location

  
John R. Powell, President  
Coachella Valley Water District

ATTEST:

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