

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



*Steve Robbins*  
Administration Building  
Board Chambers

**DIVISION 2**  
*Anthony Bianco*  
Director

75515 Hovley Ln. East  
Palm Desert

**DIVISION 3**  
*John Powell*  
President

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

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

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

**BOARD OF DIRECTORS**

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

**May 08, 2018**

**1. CALL TO ORDER/PLEDGE OF ALLEGIANCE**

President Powell called the regular meeting of the Board of Directors of the Coachella Valley Water District to order at 8:00 a.m., Tuesday, May 8, 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 *arrived at 8:18AM*  
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) removed or continued from the Agenda
- B. No emergency Item(s) added to the Agenda
- C. No changes to the order of the Agenda

**4. PUBLIC COMMENT**

No public comment received.

- 5.** Directors Nelson and O'Dowd both requested that item 5c be pulled for discussion. After the vote on the balance of the Consent Calendar, and prior to discussion of item 5c, Director Nelson announced that he was recusing himself from consideration of item 5c in order to avoid even the appearance of a conflict

of interest due to the proximity of the project under consideration to his financial interest in his employment. At the time of item 5c, Director Nelson left the dais and the Boardroom.

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

**Approved by the following vote:**

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

**NOES:** None

**ABSENT:** Estrada

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

- A. Approved Minutes of the April 24, 2018 Coachella Valley Water District Board of Directors Meeting
- B. Approved Resolution No. 2018-07, A Resolution Authorizing the General Manager to File an Application and Execute a Grant Agreement with the United States Bureau of Reclamation (USBR) for a WaterSMART Grant, Funding Opportunity No. BOR-DO-18-F006
- C. (*PULLED*) Approve and authorize the General Manager to execute Water Service Consolidation Agreements with Thermal Mutual Water Company and Desert Empire Homes (Oasis Gardens Water Company)
- D. Approved and authorized the General Manager to execute Task Order No. 8 to Professional Services Agreement with Krieger & Stewart Engineering Consultants for the Check Structure at Milepost 120.8 Replacement Project
- E. Approved and authorized the General Manager to award Task Order to Krieger & Stewart, Inc. for Engineering Design Services for the Booster Station No. 5513 Improvement Project
- F. Approved payment of the California Utilities Emergency Association dues for 2018-19, in the amount of \$674.16

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

Prior to discussion of item 5c, Director Nelson announced that he was recusing himself from consideration of item 5c in order to avoid even the appearance of a conflict of interest due to the proximity of the project under consideration to his financial interest in his employment. At the time of item 5c, Director Nelson left the dais and the Boardroom.

**5. C Approve and authorize the General Manager to execute Water Service Consolidation Agreements with Thermal Mutual Water Company and Desert Empire Homes (Oasis Gardens Water Company).**

Following a presentation by Dan Ruiz, Engineer Manager, the Board discussed the Water Service Consolidation Agreement with Thermal Mutual Water Company and Desert Empire Homes.

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

**Approved by the following vote:**

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

**NOES:** None  
**ABSENT:** Estrada, Nelson  
**Motion Passed:** 3-0-2

**7. PRESENTATIONS AND RECOGNITIONS**

- A. 100 Year Acknowledgements
- i Cathedral City Mayor Stanley E. Henry presented CVWD with a Proclamation honoring CVWD's Centennial Celebration
- B. Employee Recognitions
- Anniversary**
- Efrain Arrieta - WRP 10 Wastewater Shift Supervisor, 30 years

**8. INFORMATIONAL REPORTS**

- A. Written Communications – None received.

**9. ACTION ITEMS**

- A. Requests for Additional Personnel for Fiscal Year 2019.  
Following a presentation by Teri Vorster, Interim Director of Finance, the Board discussed the requests for Additional Personnel for Fiscal Year 2019.

Director O'Dowd made a motion to approve all seven (7) additional personnel as requested by staff. Motion died due to a lack of second.

On a motion by Director Nelson, seconded by Director O'Dowd, the Board approved five (5) additional personnel for Fiscal Year 2019 and provided authority to the General Manager to determine which positions will be filled.

***Approved by the following vote:***

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

**NOES:** Bianco

**ABSENT:** None

**Motion Passed:** 4-1

- B. Adopt Reserve Policy.  
Following a presentation by Teri Vorster, Interim Director of Finance, the Board discussed the revised Reserve Policy.
- On a motion by Director Bianco, seconded by Director Nelson the board approved and adopted the revised Reserve Policy.
- Approved by the following vote:***
- AYES:** Powell, Estrada, O'Dowd, Bianco, Nelson
- NOES:** None
- ABSENT:** None
- Motion Passed:** 5-0
- C. Approve resolution in support of Proposition 68.

Following a presentation by Kristen Johnson, Communication and Legislative Specialist, the Board discussed a resolution supporting Proposition 68.

On a motion by Director O'Dowd, seconded by Director Nelson, the Board approved Resolution No. 2018-08, A Resolution in Support of Proposition 68.

**Approved by the following vote:**

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

**NOES:** None

**ABSENT:** None

**Motion Passed: 5-0**

- D. Award Construction Contract to T.E. Roberts, Inc., as the lowest responsive bidder, in the amount of \$5,976,810 for the La Quinta Irrigation Distribution Improvement Project, Specification No. 2017-25, and additional expenditures for a total request of \$6,913,367.

Following a presentation by David Wilson, Engineer Manager, the Board discussed the awarding of a construction contract with T.E. Roberts, Inc., for the La Quinta Irrigation Distribution Improvement Project.

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

- Authorized the General Manager to execute a construction contract with T.E. Roberts, Inc., for the La Quinta Irrigation Distribution Improvement Project, Specification No. 2017-25, for \$5,976,810
- Authorized the General Manager to execute Task Order No. 7 with Krieger & Steward consultants in the amount of \$75,000 and Task Order No. 33 with RMA Geoscience, in the amount of \$85,796
- Approved additional following expenditures, for a total request of \$6,913,367:
  - CVWD Project Management and Engineering - \$30,000
  - CVWD Inspection - \$120,000
  - Contingency - \$625,761

**Approved by the following vote:**

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

**NOES:** None

**ABSENT:** None

**Motion Passed: 5-0**

- E. Award Construction Contract to Jones Bros. Construction for the San Antonio Del Desierto Sewer Pipeline and Lift Station 55-27 Project, Specification No. 2017-18, and Concurrently Approve a Deductive Change Order, for a total request of \$4,088,341.

Following a presentation by Armando Rodriguez, Engineer Manager, the Board discussed a construction contract with Jones Bros. Construction for the San Antonio Del Desierto Sewer Pipeline and Lift Station 55-27, Project Specification No. 2017-18.

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

- Authorized the General Manager to execute a construction contract with Jones Bros. Construction in the amount of \$3,979,341 for the San Antonio Del Desierto Sewer Pipeline and Lift Station 55-27, Project Specification No. 2017-18 and approved a deductive Change Order in the amount of \$829,000, revising the contract amount to \$3,150,341
- Approved the following additional expenditures, for a total request of \$4,088,341:
  - CVWD Project Management and Engineering \$65,000
  - Inspection Services \$198,000
  - Soils Testing (CVWD On-call) \$75,000
  - Engineering Services During Construction \$225,000 (w/Engineer of Record - Coachella Valley Engineers)
  - Project Contingency \$375,000

**Approved by the following vote:**

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

**NOES:** None

**ABSENT:** None

**Motion Passed: 5-0**

F. Award Construction Contract to Amtek Construction for the Coachella Facility Generator and Switchgear Upgrade Project, Specification No. 2017-54, and additional expenditures for a total request of \$1,371,705.31.

Following a presentation by Armando Rodriguez, Engineer Manager, the Board discussed a construction contract with Amtek Construction for the Coachella Facility Generator and Switchgear Upgrade Project, Specification No. 2017-54.

On a motion by Director Nelson, seconded by Director Bianco, the Board approved the following actions:

- Authorized the General Manager to execute a construction contract with Amtek Construction in the amount of \$991,705.31 for the Coachella Facility Generator and Switchgear Upgrade Project, Specification No. 2017-54
- Approved the following additional expenditures, for a total request of \$1,371,705.31:
  - CVWD Project Management: \$ 55,000
  - Inspection services: \$190,000
  - Soil testing (CVWD On-Call List): \$ 10,000
  - Project Contingency: \$125,000

**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

- Director Nelson thanked General Manager Barrett for sending the meeting link for the Santa Clara Water District meeting.
- Director O'Dowd commented on the ACWA state legislative committee meeting; and mentioned AB 1889 Santa Clara Water District per diem increase from 10 to 20 meetings.
- Director Estrada announced there would be a rally for Prop 68 taking place Rancho Las Flores Park in Coachella.
- Directors Bianco and Powell had no comment.

## B. Meetings and Conference Reports

- i April 24, 2018 Best Best & Krieger's "The Bill is Due" (Director O'Dowd)
- ii April 24, 2018 Trial preparation meeting (Directors Powell and Nelson)
- iii April 25, 2018 ACWA Executive Director Recruitment Conference Call (Director O'Dowd)
- iv April 26, 2018 Agua Caliente Motion for Summary Judgement (Directors Powell and Nelson)
- v April 26, 2018 Salton Sea Authority Board of Directors Meeting (Directors O'Dowd and Estrada)
- vi April 30, 2018 City of Indio/CVWD Triannual Meeting (Directors Nelson and Estrada)
- vii May 1, 2018 Board Study Session (entire Board present)
- viii May 4, 2018 ACWA State Legislative Committee Meeting (Director O'Dowd)
- ix May 4, 2018 Legislative Committee Meeting (Directors Bianco and Estrada)
- x May 7, 2018 Growers' Meeting (Directors Powell and Estrada)

**Additional meetings reported on:**

- o May 2, 2018 Meeting with Tom Kirk, of CVCC to discuss the Wetlands project (Director O'Dowd)
- o May 4, 2018 Jacqueline Cochran Pre Air Show Dinner (Directors O'Dowd, Estrada)

## 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  
No meetings reported.

**11. STAFF REPORTS**

- A. General Manager Barrett commented on the following: attendance at the Lower Basin States Principals meeting in Las Vegas; would be traveling to Sacramento following the Board meeting to attend the ACWA Spring Conference; a request from Indian Wells Country Club Community Fire Access Maintenance District #1 (FAMD) for CVWD representatives to make a presentation at their May 10, 2018 meeting. Staff will be present at the meeting to answer questions but will not be providing a presentation at the meeting; a request from Cathedral City Councilmember Aguilar and staff regarding mobile home sewer rate increases; also reported there are 4 candidates being interviewed for the Finance Director position.
- B. Counsel, Jeff Ferre reported AB 3045 has been re-referred to the Assembly appropriations committee; the bill change the authority for the State Water Project from the Department of Water Resources to a newly created division within the Natural Resources Agency.
- C. Departments – None

**12. CLOSED SESSION AGENDA**


- A. 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

**13. RECONVENE**

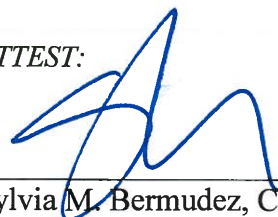
- A. Report out of Closed Session  
President Powell reconvened the meeting back into Open Session and announced there were no reportable actions.

**14. ADJOURNMENT**

There being no further business to discuss, President Powell adjourned the meeting at 10:19 AM.

  
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 John P. Powell, President  
 Coachella Valley Water District

ATTEST:

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

